

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,**
2 **JANUARY 18, 2005**

3
4 The Council of the City of Moundsville met in Regular Session in the Council Chambers on
5 January 18, 2005 at 7:00 p.m.

6
7 Meeting was called to order by Mayor Ralph DiRemigio.

8
9 Invocation by Councilperson Mark Simms.

10
11 City Clerk called the roll and the following council persons were in attendance: Lemasters, Oiler,
12 Simms, Trussell, Wallace, Ward and DiRemigio. Also present: City Manager Hendershot,
13 Police Chief Kudlak, Fire Chief Clarke, Street Commissioner Richmond, Building Inspector
14 Vickers, Attorney Thomas White, CPA Thomas Dobbs and City Clerk Hewitt.

15
16 **MINUTES:**

17
18 Councilperson Ward made a motion to accept and approve the minutes of the regular council
19 meeting of January 4, 2005, seconded by Councilperson Lemasters. Motion carried
20 unanimously.

21
22 **GENERAL PUBLIC HEARING:**

23
24 * Les Davison, 22 Suncrest Avenue, Wheeling, member of the National Flood Recovery, gave
25 information to council concerning the flood recovery program that helps flooded residents in the
26 Northern Panhandle.

27
28 * Josh Jefferson, Regional Economic Development, wished to congratulate council members on
29 their work with Wal Mart. Updated council on projects that RED is working on such as
30 relocating flood victims in Marshall County.

31
32 * Sue McCardle, owner Moundsville Convenient Mart, asked that council consider passing the
33 zoning variance for her Convenient Store. In order to stay in business and be competitive, she
34 needs to expand her business.

35
36 **NEW BUSINESS:**

37
38 **Discussion and Approval of a Resolution of the Council of the City of Moundsville, West**
39 **Virginia, Authorizing Execution of an Agreement with the West Virginia Department of**
40 **Transportation, Division of Highways, with Regard to Establishment and maintenance of a**
41 **Traffic Signal System within the Municipal Limits of the City of Moundsville, Marshall**
42 **County, West Virginia.**
43

1 Councilperson Simms made a motion to approve the resolution concerning the establishment and
2 maintenance of a traffic signal system within the City of Moundsville, seconded by
3 Councilperson Ward.

4
5 Mayor DiRemigio called for a roll call vote. City Clerk announced the following tally. 6 yeas, 1
6 nay. Trussell voting nay. Motion carried.

7
8 **Discussion and Approval of an Ordinance Concerning a Zone Change at the Convenient**
9 **Food Mart on Second Street and Cedar Avenue. (First Reading)**

10
11 Attorney White read the following zone change ordinance by title only to be passed by council
12 on first reading:

13
14 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
15 **VIRGINIA, PROVIDING FOR A ZONING CHANGE OF A CERTAIN DESIGNATED**
16 **AREA IN THE CITY OF MOUNDSVILLE FROM A NEIGHBORHOOD**
17 **COMMERCIAL DISTRICT TO A CENTRAL BUSINESS DISTRICT. (FIRST**
18 **READING)**

19
20 Councilperson Simms made a motion to accept and approve the zone change ordinance,
21 seconded by Councilperson Oiler.

22
23 Mayor DiRemigio called for a voice vote. City Clerk announced the following tally. 6 yeas, 1
24 nay. Lemasters voting nay. Motion carried.

25
26 **Discussion and Approval of Fireworks Bids for July 4, 2005.**

27
28 After some discussion on the low bidders, Councilperson Simms made a motion to table this
29 matter until further review, seconded by Vice Mayor Wallace. Motion carried unanimously.

30
31 **MANAGER ITEMS:**

32
33 **Zoning Board Appointment.**

34
35 City Manager Hendershot announced that a letter of intent was submitted by Reuben Dobkin,
36 2401 Second Street.

37
38 Vice Mayor Wallace made a motion to appoint Reuben Dobkin to the Zoning Board, seconded
39 by Councilperson Ward. Motion carried unanimously.

40
41 **State of Emergency Declaration.**
42
43

1 Mayor DiRemigio signed a "State of Emergency Declaration" for the January 6, 2005 flood of
2 the Ohio River.

3
4 Councilperson Trussell made a motion to receive and file the "State of Emergency Declaration",
5 seconded by Councilperson Simms. Motion carried unanimously.

6
7 **COMMITTEE REPORTS:**

8
9 **Discussion and Approval of Recommendations by the Finance Meeting by Vice Mayor**
10 **Wallace.**

- 11
12 1. Discussion of the Financial Statement for December, 2004.

13
14 At fifty percent into the year as of December 31, 2004, actual revenues are at 51.97% and
15 expenditures are at 54.08%.

- 16
17 2. Discussion of the Fireworks Bids for July 4, 2005.

18
19 The Finance Committee recommends to award the bid to Pyrotecnico in the amount of
20 \$10,000. (In new business, council agreed to table this matter until review.)

21
22 * Councilperson Simms made a motion to send to the Finance Committee the discussion of
23 raising the mileage amount on travel the same as the state and federal, seconded by
24 Councilperson Oiler. Motion carried unanimously.

25
26 **Discussion and Approval Recommendations by the Traffic Committee by Councilperson**
27 **Simms.**

- 28
29 1. Handicapped request for 1821 Third Street.

30
31 Councilperson Simms noted that he does not agree with this request because the resident has a
32 driveway that is closer to the house than street parking.

33
34 After more discussion, Mayor DiRemigio made a motion to approve the handicapped parking
35 space for 1821 Third Street. Motion died for lack of a second.

- 36
37 2. Handicapped request for 1106 Sixth Street.

38
39 Councilperson Simms noted that the resident for this handicapped parking has a carport in the
40 rear and closer access to the house.

41
42 Councilperson Ward made a motion to deny the handicapped parking request, seconded by
43 Councilperson Trussell. Motion carried unanimously.

1 3. Request for a street light in the area of 1521 Sixth Street. The Traffic Committee
2 recommended to install the light.
3

4 After some discussion of replacing the poles to install the lights, Councilperson Simms made a
5 motion to table this matter until City Manager Hendershot researches whether the Electric
6 Company will re-install new poles, seconded by Councilperson Ward. Motion carried
7 unanimously.
8

9 4. Review of the paving list. The Traffic Committee asked that the City Manager proceed
10 with the engineering.
11

12 **Discussion and Approval of Recommendations by the Policy Committee by Councilperson**
13 **Oiler.**
14

15 1. Request for Zone Change for the Convenient Store. The Policy Committee
16 recommended a spot zone from "C-N" to "C-C". (Second Reading will be held at the next
17 regular council meeting).
18

19 2. Review of the Substance Abuse Policy. Presentation given by Earl Shaw. Further
20 discussion of the policy will be discussed at the February Policy Committee meeting.
21

22 **COUNCIL ITEMS:**
23

24 * **Oiler** - Nothing at this time.
25

26 * **Simms** - Nothing at this time.
27

28 * **Ward** - Nothing at this time.
29

30 * **Trussell** - Asked Councilperson Simms when the sanitary sewer will be fixed at Center Street
31 & Second Street? Councilperson Simms advised that he will find out & let her know.
32

33 * **Lemasters** - Questioned City Manager Hendershot on HD TV.
34

35 * Thanked the Street Department for helping the Recreation on clean up at the parks.
36

37 * Asked Chief Kudlak why officers are giving so many verbal warnings.
38

39 * **Wallace** - Agreed with Mayor DiRemigio concerning the handicapped parking place, but could
40 not agree with approving the space because the resident has alternative parking.
41

42 * Disagreed with Councilperson Lemasters concerning the verbal warnings. He noted that he
43 would like officers to give breaks when they can.

1 Councilperson Wallace made motion to hold an executive session for business matters, seconded
2 by Councilperson Oiler. Motion carried unanimously.

3
4 Meeting recessed for five minutes at 7:59 p.m.

5
6 Executive session began at 8:05 p.m.

7
8 Executive session adjourned at 9:10 p.m.

9
10 Regular Session reconvened at 9:10 p.m.

11
12 Vice Mayor Wallace made a motion to adjourn, seconded by Councilperson Trussell. Motion
13 carried unanimously.

14
15 Meeting adjourned at 9:11 p.m.

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21 _____
Sondra J Hewitt, City Clerk

Ralph DiRemigio, Mayor