

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

3
4 The Council of the City of Moundsville met in Regular Session in the Council Chambers on March
5 1, 2005 at 7:00 p.m.

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

8
9 Invocation by Councilperson K. Mark Simms.

10
11 Acting City Clerk called the roll and the following council persons were in attendance: DiRemigio,
12 Lemasters, Oiler, Simms, Trussell, and Wallace. Absent: Ward (hospital) Also present: City
13 Manager Hendershot, Police Chief Kudlak, Fire Lt. Hummel, Street Commissioner Richmond,
14 Building Inspector Wise, Attorney Thomas White, and Acting City Clerk Ankrom. Absent: City
15 Clerk Hewitt (vacation), CPA Tom Dobbs, and Fire Chief Clarke.

16
17 City Manager Hendershot noted, for the record, that council person Ward will be released from the
18 hospital tomorrow, and CPA Tom Dobbs excused himself to attend his daughter's wedding.

19
20 **MINUTES:**

21
22 **Regular Council Meeting of February 15, 2005.**

23
24 Councilperson Trussell made a motion to accept and approve the minutes of the regular council
25 meeting of February 15, 2005, seconded by Councilperson Lemasters. Motion carried unanimously.

26
27 **GENERAL PUBLIC HEARING:**

28
29 * Linda Watson, City Employee - addressed Council, on her own behalf, regarding the proposed
30 changes to employee sick leave policy and health insurance coverage. She pointed out that many
31 employees have been with the City for several years and have been dedicated and loyal. She feels
32 that the proposed changes will be detrimental to all employees' lives and health, and implored
33 Council to seek other options for cutting costs.

34
35 * M. Shane Ullom, City Employee - affirmed Mrs. Watson's comments. Asked Council to consider
36 other ways before cutting employee benefits.

37
38 **OLD BUSINESS:**

39
40 **Other Items to be Discussed by Council.**

41
42 Nothing at this time.

1 **NEW BUSINESS:**

2
3 **Discussion and Approval of an Ordinance Concerning a Zone Change Along Lafayette**
4 **Avenue. (Lafayette Avenue north of Fifth Street) (First Reading)**

5
6 Attorney White read the following ordinance by title only to be passed by council on first reading:

7
8 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
9 **VIRGINIA, TO AMEND THE ZONING MAP OF THE CITY OF MOUNDSVILLE TO**
10 **DESIGNATE CERTAIN AREAS ALONG LAFAYETTE AVENUE NORTH OF FIFTH**
11 **STREET AS A "C-C-C-H" COMBINED CENTRAL BUSINESS DISTRICT AND**
12 **HIGHWAY COMMERCIAL ZONE. (FIRST READING)**

13
14 Councilperson Simms made a motion to pass the above ordinance on first reading, seconded by
15 Councilperson Lemasters. Motion carried unanimously.

16
17 **Discussion and Approval of an Ordinance Concerning Drug Testing for Pre-employment, Post**
18 **Accident and CDL Drivers. (First Reading)**

19
20 Attorney White read the following ordinance by title only to be passed by council on first reading:

21
22 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
23 **VIRGINIA, TO ENACT SECTION 155.13 OF THE EMPLOYEE POLICY REGULATIONS**
24 **PROVIDING FOR A DRUG FREE WORKPLACE AND SUBSTANCE ABUSE POLICY.**
25 **(FIRST READING)**

26
27 Councilperson Lemasters made a motion to pass the above ordinance on first reading, seconded by
28 Councilperson Trussell.

29
30 Councilperson Simms questioned whether this ordinance was extracted from material previously
31 given to Council; Attorney White confirmed that some material was added to cover CDL drivers'
32 drug testing. Discussion was held on random drug testing for "safety-sensitive" employees.
33 Attorney White will investigate further.

34
35 Councilperson Simms made a motion to table until Policy can investigate further and hear from the
36 City Attorney, seconded by Councilperson Trussell. Motion carried unanimously.

37
38 **Discussion and Approval of an Ordinance Concerning Mileage for Travel and Cost of Meals.**
39 **(First Reading)**

40
41 Attorney White read the following ordinance by title only to be passed by council on first reading:

42
43 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**

1 **VIRGINIA, TO AMEND SECTION 155.04 OF THE EMPLOYEE POLICY REGULATIONS**
2 **PROVIDING REIMBURSEMENT OF TRAVEL AND MEAL EXPENSES. (FIRST**
3 **READING)**

4
5 Councilperson Simms made a motion to pass the above ordinance on first reading, seconded by
6 Councilperson Trussell. Motion carried unanimously.
7

8 **Discussion and Approval of a Ordinance Concerning the Hazardous Mitigation Program**
9 **Flood Way. (First Reading)**

10
11 Attorney White pointed out that this has been converted to a resolution and read by title only to be
12 passed by council on first reading:
13

14 **A RESOLUTION OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
15 **VIRGINIA, APPROVING TO PROVIDE FOR A FLOOD HAZARD MITIGATION**
16 **PROGRAM, ESTABLISHING CRITERIA AND APPROVING GRANT APPLICATION.**
17 **(FIRST READING)**
18

19 Councilperson Trussell made a motion to pass the above ordinance on first reading, seconded by
20 Councilperson Lemasters.
21

22 Manager Hendershot explained that this will create criteria used for grant applications. He suggested
23 sending this to the Policy Committee to review. Councilperson Simms made the motion to table,
24 seconded by Councilperson Oiler. Motion carried unanimously.
25

26 **Discussion and Approval of an Ordinance Concerning Replacement Pages for the Codified**
27 **Ordinance Book. (First Reading)**
28

29 Attorney White read the following ordinance by title only to be passed by council on first reading:
30

31 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
32 **VIRGINIA, TO APPROVE AND ADOPT CURRENT REPLACEMENT PAGES TO THE**
33 **CODIFIED ORDINANCES. (FIRST READING)**
34

35 Councilperson Simms made a motion to pass the above ordinance on first reading, seconded by
36 Councilperson Lemasters. Motion carried unanimously.
37

38 **Discussion and Approval of Payment to James V. Kelsh for the New Water Treatment Plant**
39 **Project in the Amount of \$227.03 and \$77.28.**
40

41 Councilperson Lemasters made a motion to approve payment to James Kelsh for the new Water
42 Treatment Plant Project in the amount of \$227.03 and \$77.28, seconded by Councilperson Simms.
43 Motion carried unanimously.

1 **Other Items to be Discussed by Council.**

2
3 None at this time.

4
5 **MANAGER ITEMS:**

6
7 * Manager Hendershot received a letter of recommendation from the Municipal Building
8 Commission to appoint Edward Gorrell to the unexpired term of Jack Gould. This term will expire
9 February 1, 2006. Councilperson Simms made the motion to go along with the wishes of the
10 Building Commission, seconded by Councilperson Wallace. Councilperson Trussell questioned
11 identities of other applicants. She abstained from voting, which required the Mayor to call for a roll
12 call vote. Acting City Clerk announced the following tally: 5 yeas, 1 abstention. Motion carried.

13
14 * Manager Hendershot received a "Thank You" card from the family of Don Hill for the flowers sent
15 at his passing.

16
17 *Manager Hendershot received a letter from the Chamber of Commerce to appoint Eugene Saunders
18 to the unexpired term of Don Hill on the Moundsville Police Civil Service Board. This
19 recommendation was made within the 10-day time limit.

20
21 * Manager Hendershot received a letter from Cub Scout Pack 78 for participation in the annual cake
22 auction to be held March 14 at Calvary United Methodist Church. Council usually takes up a
23 collection to purchase a cake.

24
25 * Attorney White asked for a moment of time to present several legal ads to be received and filed.
26 Councilperson Simms made the motion to receive and file the ads, seconded by Councilperson Oiler.
27 Motion carried unanimously.

28
29 **MAYOR ITEMS:**

30
31 Mayor DiRemigio addressed the City employees in attendance regarding adjustments being made
32 to the budget that will be in their favor. He encouraged employees to attend meetings, at all times,
33 to stay informed. He emphasized that every Council has different decisions to make and different
34 circumstances to deal with.

35
36 **COMMITTEE REPORTS:**

37
38 **Discussion and Approval of Recommendations by the Finance Committee.**

39
40 Councilperson Wallace scheduled a Finance Meeting on Tuesday, March 8, 2003 at 6:00 p.m.
41 Manager Hendershot requested that more than the usual hour be given since there is a lot to go over.

42
43 **Discussion and Approval of Recommendations by the Traffic Committee.**

1 Councilperson Simms scheduled a Traffic Meeting on Tuesday, March 8, 2005 at 7:30 p.m.

2
3 **Discussion and Approval of Recommendations by the Policy Committee.**

4
5 Councilperson Oiler scheduled a Policy Meeting following the Traffic Meeting.

6
7 **COUNCIL ITEMS:**

8
9 * **Simms** - Asked if a budget workshop will be combined with the Finance Meeting. Manager
10 Hendershot confirmed that options will be discussed.

11
12 * **Oiler** - Nothing at this time.

13
14 * **Trussell** - Inquired about numerous payments to Mr. Kelsh and when the Water Treatment Plant
15 will begin. Manager Hendershot reported that work is being done to draft a new ordinance, which
16 should be ready for Council's approval very soon.

17
18 * Addressed Linda Watson's concerns about employee insurance benefits.

19
20 * Expressed displeasure at the late notification of Monday's Budget Presentation meeting.

21
22 * Expressed disappointment that Council is not more involved in official business. Issues are being
23 discussed and changes made that all of Council should be involved with.

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

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

28
29 Councilperson Lemasters made a motion to adjourn, seconded by Councilperson Simms. Motion
30 carried unanimously.

31
32 Meeting adjourned at 7:37 p.m.

33
34
35
36
37
38
39 _____
Karen L. Ankrom, Acting City Clerk

40 _____
Ralph DiRemigio, Mayor