

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,**
2 **MARCH 15, 2005**

3
4 The Council of the City of Moundsville met in Regular Session in the Council Chambers on
5 March 15, 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, Ward and DiRemigio. Absent: Wallace (vac) and Trussell. Also present: City Manager
13 Hendershot, Police Lt. Robinson, Fire Chief Clarke, Street Commissioner Richmond, Building
14 Inspector Vickers, Attorney Thomas White, CPA Thomas Dobbs and City Clerk Hewitt.

15
16 **MINUTES:**

17
18 **Regular Council Meeting of March 1, 2005.**

19
20 Councilperson Oiler made a motion to accept and approve the minutes of the Regular Council
21 Meeting of March 1, 2005, seconded by Councilperson Lemasters. Motion carried unanimously.

22
23 **Special Council Meeting of February 28, 2005.**

24
25 Councilperson Simms made a motion to accept and approve the minutes of the Special Council
26 Meeting of February 28, 2005, seconded by Councilperson Oiler. Motion carried unanimously.

27
28 **GENERAL PUBLIC HEARING:**

29
30 * Jamie Marchani, 1108 Sixth Street, reported that the youth in Moundsville/Marshall County
31 would like to have a skate park.

32
33 Mayor DiRemigio thanked the youth and parents present at the meeting and asked that they bring
34 this request before the Parks & Recreation Board, which will meet on the third Thursday of every
35 month at 7:00 p.m.

36
37 **OLD BUSINESS:**

38
39 **Discussion and Approval of an Ordinance Concerning a Zone Change Along Lafayette**
40 **Avenue. (Lafayette Avenue north of Fifth Street) (Second and Final Reading)**

41
42 Attorney White read the following ordinance by title only to be passed by council on second and
43 final reading:

1 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
2 **VIRGINIA, TO AMEND THE ZONING MAP OF THE CITY OF MOUNDSVILLE TO**
3 **DESIGNATE CERTAIN AREAS ALONG LAFAYETTE AVENUE NORTH OF FIFTH**
4 **STREET AS A “C-C-C-H” COMBINED CENTRAL BUSINESS DISTRICT AND**
5 **HIGHWAY COMMERCIAL ZONE. (SECOND & FINAL READING)**
6

7 Councilperson Simms made a motion to accept and approve the zone change ordinance,
8 seconded by Councilperson Lemasters.
9

10 Mayor DiRemigio called for roll call vote. City Clerk announced the following tally.
11 Lemasters-yea; Oiler-yea; Simms-yea; Ward-yea; DiRemigio-yea. Motion carried unanimously.
12

13 **Discussion and Approval of an Ordinance Concerning Mileage for Travel and Cost of**
14 **Meals. (Second & Final Reading)**
15

16 Attorney White read the following ordinance by title only to be passed by council on second and
17 final reading:
18

19 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
20 **VIRGINIA, TO AMEND SECTION 155.05 OF THE EMPLOYEE POLICY**
21 **REGULATIONS PROVIDING REIMBURSEMENT OF TRAVEL AND MEAL**
22 **EXPENSES. (SECOND & FINAL READING)**
23

24 Councilperson Lemasters made a motion to accept and approve the above ordinance, seconded
25 by Councilperson Oiler.
26

27 Mayor DiRemigio called for a roll call vote. City Clerk announced the following tally.
28 Lemasters-yea; Oiler-yea; Simms-yea; Ward-yea; DiRemigio-yea. Motion carried unanimously.
29

30 **Discussion and Approval of an Ordinance Concerning Replacement Pages for the Codified**
31 **Ordinance Book. (Second & Final Reading)**
32

33 Attorney White read the following ordinance by title only to be passed by council on second &
34 final reading:
35

36 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
37 **VIRGINIA, TO APPROVE AND ADOPT CURRENT REPLACEMENT PAGES TO THE**
38 **CODIFIED ORDINANCES. (SECOND & FINAL READING)**
39

40
41 Councilperson Lemasters made a motion to accept and approve the above ordinance, seconded
42 by Councilperson Simms.
43

1 Mayor DiRemigio called for a roll call vote. City Clerk announced the following tally.
2 Lemasters-yea; Oiler-yea; Simms-yea; Ward-yea; DiRemigio-yea. Motion carried unanimously.
3

4 **NEW BUSINESS:**
5

6 **Discussion and Approval of a Resolution of the Council of the City of Moundsville, West**
7 **Virginia, Approving and Providing for a Flood Hazard Mitigation Program, Establishing**
8 **Criteria and Approving Grant Applications.**
9

10 Councilperson Simms made a motion to approve the resolution for a Flood Hazard Mitigation
11 Program, seconded by Councilperson Lemasters for discussion.
12

13 After a brief discussion, Councilperson Lemasters noted that this matter was not brought from
14 the table.
15

16 Councilperson Simms made a motion to leave this matter on the table, seconded by
17 Councilperson Lemasters. Motion carried unanimously.
18

19 **Discussion and Approval of an Ordinance Concerning Drug Testing for Pre-employment,**
20 **Post Accident and CDL Drivers. (First Reading)**
21

22 Attorney White read the following ordinance by title only to be passed by council on first
23 reading:
24

25 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
26 **VIRGINIA, TO ENACT SECTION 155.13 OF THE EMPLOYEE POLICY**
27 **REGULATIONS PROVIDING FOR A DRUG FREE WORKPLACE AND SUBSTANCE**
28 **ABUSE POLICY. (FIRST READING)**
29

30 Councilperson Oiler made a motion to accept and approve the above ordinance, seconded by
31 Councilperson Ward.
32

33 Councilperson Simms noted that he still disagrees with this ordinance commenting that all
34 employees should be drug tested not just CDL drivers.
35

36 Mayor DiRemigio called for a roll call vote. City Clerk announced the tally. Lemasters-yea;
37 Oiler-yea; Simms-nay; Ward yea; DiRemigio-nay. 3 yeas, 2 nays. Motion carried.
38

39 **Discussion and Approval of Bids for Upgrade to the Electric Service at the Moundsville**
40 **City Garage.**
41

42 City Manager Hendershot made a recommendation to reject all bids because the specs didn't
43 included several major details. Building Inspector Wise will rewrite the specs.

1 Councilperson Simms made a motion to reject the previous bids are rebid the new specs,
2 seconded by Councilperson Lemasters. Motion carried unanimously.
3

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

5
6 * Councilperson Lemasters asked about the garage roof at the Moundsville Street Department.
7

8 **MANAGER ITEMS:**

9
10 * The Goodwill Store sent a thank you letter to Council and City Manager for their support and
11 attending the Grand Opening.
12

13 * Manager Hendershot announced a ribbon cutting on Friday, March 18, 2005 at 1:00 p.m. for
14 City Wide Insurance & Real Estate located at 505 Grant Avenue.
15

16 * The KIND Program has requested assistance from the City of Moundsville. Manager
17 Hendershot noted that the city donated \$100 last year.
18

19 Councilperson Ward made a motion to donate \$100 to the KIND Program, seconded by
20 Councilperson Oiler. Motion carried unanimously.
21

22 * The Marshall County Youth Club has requested a donation from the City of Moundsville.
23 Manager Hendershot advised that \$250 was donated last year.
24

25 Councilperson Simms made a motion to donate \$250 to Marshall County Youth Club, seconded
26 by Councilperson Lemasters. Motion carried unanimously.
27

28 **Other Items by the City Manager.**

29
30 * Attorney Thomas White presented three legal advertisements published in the Moundsville
31 Daily Echo to be received and filed by council:
32

- 33 1. Ordinance Concerning Travel & Meal Expenses
- 34 2. Ordinance Concerning a Zone Change
- 35 3. Ordinance Adopting Replacement Pages for Code Book
36

37 Councilperson Simms made a motion to receive and file the publications, seconded by
38 Councilperson Oiler. Motion carried unanimously.
39

40
41 **MAYOR ITEMS:**

42
43 * Mayor DiRemigio commended Hugh of the Moundsville Daily Echo & Justin of the Wheeling

1 News Register for the article that was in both papers reporting on the project at the
2 Mitchell/Kammer Plant located south of Moundsville. He also commented that trucks will be
3 hauling concrete for 50 hours.
4

5 * Mayor DiRemigio set a special council meeting for a public hearing on the 2005-2006 General
6 Fund Budget. The meeting was scheduled for Tuesday, March 22, 2005 at 6:30 p.m. A
7 Manager's Workshop will follow.
8

9 **COMMITTEE REPORTS:**

10 11 **Discussion and Approval of Recommendations by the Finance Committee by** 12 **Councilperson Lemasters.**

13
14 1. The Finance Committee recommends a donation to the Elizabethtown Festival in the amount
15 of \$500 (same as last year).
16

17 Councilperson Simms made a motion to donate \$500 to the Elizabethtown Festival, seconded by
18 Councilperson Oiler. Motion carried unanimously.
19

20 **Discussion and Approval of Recommendations by the Traffic Committee by Councilperson** 21 **Simms.**

22
23 1. The request for a yellow line extension at Remke Warehouse at 2nd & Tomlinson was tabled
24 until further research.
25

26 2. A handicapped request for 1004 Sixth Street was tabled until the matter was reviewed by the
27 Police Department.
28

29 3. Discussion was held concerning placement of no left turn, north bound onto 6th Street west
30 into Wendy's Restaurant.
31

32 **Discussion and Approval of Recommendations by the Policy Committee.**

33
34 1. The Flood Mitigation Resolution was brought up under New Business.
35

36 2. The Drug Free Workplace & Substance Abuse Policy Ordinance was brought up under New
37 Business.
38

39 **COUNCIL ITEMS:**

40
41 * **Lemasters** - Wished to thank the employees of the Recreation Department for their work
42 performance at the Valley Fork Park. Also wished to thank Street Commissioner Richmond,
43 Frank and the Street Department for their assistance.

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

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

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

*** DiRemigio - Announced the following persons as PEP Club Members:**

Karen Ankrom

Gary Terry

Councilperson Ward made a motion to adjourn, seconded by Councilperson Simms. Motion carried unanimously.

Meeting adjourned at approximately 7:42 p.m.

Sondra J. Hewitt, City Clerk

Ralph DiRemigio, Mayor