

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,**
2 **JUNE 21, 2005**

3
4 The Council of the City of Moundsville met in Regular Session in the Council Chambers on June
5 21, 2005 at 7:00 p.m.

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

8
9 Invocation by Councilperson Simms.

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

15
16 **MINUTES:**

17
18 **Regular Council Meeting of June 7, 2005.**

19
20 Councilperson Simms made a motion to accept and approve the minutes of the regular council
21 meeting of June 7, 2005, seconded by Councilperson Oiler. Motion carried unanimously.

22
23 **GENERAL PUBLIC HEARING:**

24
25 * Ed Gorrell, 207 Sycamore Avenue, asked for a formal apology from Street Commissioner
26 Richmond and City Manager Hendershot for lying about the damage to his neighbors driveway.
27 Mr. Gorrell read the letter that he sent to all council members.

28
29 City Manager Hendershot responded to the complaint stating that Lt. Robinson was with Street
30 Commissioner Richmond when Mr. Gorrell said Mr. Richmond was rude. Lt. Robinson stated
31 that Mr. Richmond did not speak to Mr. Gorrell in a rude way.

32
33 * Brenda Olnick, 77 Walnut Avenue, hopes that neighbors will leave them alone since things
34 have been taken care of at their garage.

35
36 * Jack Cunningham, 516 Tenth Street, reported that he is seeing more police in his
37 neighborhood. He also asked for more information concerning the SAFER Grant for the Fire
38 Department.

39
40 **OLD BUSINESS:**

41
42 * Vice Mayor Wallace remarked that he is happy to see that Wal Mart is on its way.

1 **NEW BUSINESS:**

2
3 **Discussion and Approval of a Resolution Approving Contract for Attorney Fees Between**
4 **the Moundsville Water Board and John L Allen, Esq.**

5
6 Councilperson Simms made a motion to approve the resolution contract between Moundsville
7 Water Board and John L. Allen, seconded by Councilperson Lemasters. Motion carried
8 unanimously.
9

10 City Manager Hendershot noted that all of these resolutions are in reference to the RUS Loan
11 that the Water Board is pursuing which is a lower interest rate. One of the requirements is that
12 the resolutions be passed authorizing the Water Board to enter into an agreement with these
13 individuals.
14

15 **Discussion and Approval of a Resolution Approving Contract for Attorney Fees Between**
16 **the Moundsville Water Board and James V. Kelsh, Esq.**

17
18 Vice Mayor Wallace made a motion to approve the above resolution, seconded by Councilperson
19 Lemasters. Motion carried unanimously.
20

21 **Discussion and Approval of a Resolution Approving Contract for Engineering Fees**
22 **Between Moundsville Water Board and Gwinn, Dobson and Foreman Inc, Consulting**
23 **Engineers.**

24
25 Councilperson Simms made a motion to approve the above resolution, seconded by
26 Councilperson Oiler. Motion carried unanimously.
27

28 **Discussion and Approval of a Resolution Approving Contract for Attorney Fees Between**
29 **the Moundsville Water Board and Bond Counselor Vince Collins of Steptoe and Johnson.**

30
31 Councilperson Simms made a motion to approve the above resolution for Attorney Fees,
32 seconded by Vice Mayor Wallace. Motion carried unanimously.
33

34 **Discussion and Approval of a Resolution Authorizing the City Manager to Enter Into a**
35 **Memorandum of Understanding with the AML on Behalf of the Moundsville Water Board.**
36 **(Tabled 06/07/05)**
37

38 Manager Hendershot advised that the details for this resolution still have not been worked out.
39 Councilperson Simms made a motion to leave this resolution on the table, seconded by Vice
40 Mayor Wallace. Motion carried unanimously.
41

42 **Discussion and Approval of Payment to James V. Kelsh for the new Water Treatment**
43 **Plant Project in the Amount of \$3,329.78.**

1 Councilperson Simms made a motion to authorize payment to James V. Kelsh in the amount of
2 \$3,329.78, seconded by Councilperson Oiler. Motion carried unanimously.

3
4 **Other Items to be Discussed by Council.**

5
6 Councilperson Oiler requested that City Manager Hendershot contact DOH concerning the turn
7 signal & turn lane at 12th & Lafayette east & west.

8
9 Councilperson Simms asked that a turn lane at 5th & Lafayette going east & west could be
10 discussed at the next Traffic Committee Meeting.

11
12 **MANAGER ITEMS:**

13
14 **Letter of Response from Attorney General.**

15
16 Manager Hendershot received a letter of response from Attorney General Gonzales to thank the
17 City of Moundsville City Manager, Mayor and Council for their concerns about proposed cuts in
18 funding to local law enforcement agencies.

19
20 **Thank You Letter from Bishop Donahue.**

21
22 Bishop Donahue High School's Brother Dan O'Riordan sent a letter expressing thanks to the
23 Moundsville Police Chief and his staff for the professional job they did during the loss of Bishop
24 Donahue students Ms. Block and Ms. Gross.

25
26 **Business After Hours.**

27
28 The Marshall County Chamber of Commerce presents "Business After Hours" sponsored by The
29 National Corrections & Law Enforcement Training & Technology Center and the Moundsville
30 Economic Development Council to be held at The Moundsville Center, 901 Eighth Street on
31 June 23, 2005 from 5:00 p.m. to 7:00 p.m.

32
33 **Planning Commission Appointment. (Manager's Appointment)**

34
35 Manager Hendershot reported that he was re-appointing Fred Brunner to the Moundsville
36 Planning Commission. Mr. Brunner submitted a letter of intent for another term.

37
38 **Other Items to be Discussed by the City Manager.**

39
40 **Parks and Recreation Board.**

41
42 The Parks & Recreation Board sent a letter of recommendation to appoint David Wood to fill the
43 unexpired term of Gary Carmichael.

1 Councilperson Simms made a motion to appoint David Wood to the Parks & Recreation Board,
2 seconded by Councilperson Haynes. Motion carried unanimously.
3

4 **2005 Fourth of July Celebration.**
5

6 City Manager Hendershot announced that the fireworks for the Fourth of July will be held at the
7 Marshall County Fairgrounds. The Fair Board asked to sponsor some activities, but in short
8 notice they were not able to find volunteers.
9

10 **MAYOR ITEMS:**
11

12 * Mayor DiRemigio reminded council and citizens to vote the Bond Reform on Saturday.
13

14 **COMMITTEE REPORTS:**
15

16 **Discussion and Approval of Recommendations by the Finance Committee.**
17

18 1. Advertising of the Monarch Scoreboard.
19

20 Mayor DiRemigio made a motion to authorize payment to John Marshall Boosters for
21 advertisement on the scoreboard in the amount of \$3,000, a one time expense which will pay for
22 the ad for two years, seconded by Councilperson Haynes.
23

24 Mayor DiRemigio called for a roll call vote. City Clerk announced the following tally. Ward-
25 yea; Simms-nay; Oiler-yea; Haynes-yea; Lemasters-yea; Wallace-yea; DiRemigio-yea. 6 yeas, 1
26 nay. Simms voting nay. Motion carried.
27

28 **Discussion and Approval of Recommendations by the Traffic Committee.**
29

30 1. Request for an easement at 2613 Center Street. The Finance Committee recommended to
31 have the City Attorney to draft an easement and provide to council.
32

33 Manager Hendershot informed council that a fee of \$100 is required when requesting an
34 easement, right of way or abandonment to off set cost of postage and letters to residents in the
35 200 foot radius of property. The owner of 2613 Center Street has been notified of the process.
36

37 2. Request for handicapped parking at 67 Arlington Avenue was denied.
38

39 3. Request for handicapped parking at 102 Hickory Avenue was referred to the City Manager.
40

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

1. Discussion and Approval Authorizing the Fire Chief to Submit Applications for the SAFER Grant.

After a brief discussion, Councilperson Oiler made a motion to authorize Fire Chief Clarke to submit application for the SAFER Grant, seconded by Vice Mayor Wallace. This motion was to give Chief Clarke the authorization to submit the application only.

Mayor DiRemigio called for a roll call vote. City Clerk announced the following tally. Ward-nay; Simms-nay; Oiler-yea; Lemasters-yea; Haynes-yea, Wallace-yea; DiRemigio-yea. 5 yeas, 2 nays. Simms & Ward voting nay. Motion carried.

Manager Hendershot asked Mayor DiRemigio to appoint a committee to assist the City Manager and Fire Chief provide information to council.

COUNCIL ITEMS:

* **Simms** - Stated that he voted against the Monarch Scoreboard and the SAFER Grant because council will not provide their employees with a better increase. Mr. Simms feels that the city is not taking care of their employees.

* **Ward** - Noted that he voted against the SAFER Grant because there haven't been enough figures presented to council.

* **Oiler** - Announced that he voted in favor of the SAFER Grant so that more figures could be provided to council.

* **Haynes** - Agrees with Councilperson Oiler on the SAFER Grant.

* Announced that he, Manager Hendershot, Street Commissioner Richmond, Councilperson Simms, Wallace & Oiler are going to Philippi to examine their "Transfer Station".

* Reported that the Street Department curb painters are doing a good job.

* **Lemasters** - Read the article in June 15 Echo by the Moundsville Water Board concerning the Water Treatment Plant. He praised the board for writing an excellent article.

* Suggested that if the city is going to pay \$3000 for an ad on the JM Scoreboard he hopes that some monies can be spend to repair the over head doors at the Street Department. Manager Hendershot reported that the city is in the process of making capital improvements, but wanted to make sure the new roof was on and the electrical system to the garage was completed before installing the doors.

1 * Received complaints at East End regarding kids using abusive language toward younger
2 children. Asked that Chief Kudlak have officers monitor the area.

3
4 * Asked when street will be paved and if the streets are milled before paving? Manager
5 Hendershot stated that he is waiting on the contract from Stegman & Shellhase. Bids can not go
6 out without the engineering. Manager Hendershot assured council that paving will be complete
7 before bad weather. Also, reported that some streets are milled others are not.

8
9 * Reported that \$14,000 was budgeted for equipment in the Parks & Recreation for a tractor. An
10 additional \$7,000 is needed for a cycle bar and mowing deck. Manager Hendershot
11 recommended that both options be purchased with the tractor.

12
13 Councilperson Haynes made a motion to send this matter to the Finance Committee, seconded by
14 Councilperson Simms. Motion carried unanimously.

15
16 * Wished to thank the people who participated in the River Sweep that was held on June 18,
17 2005.

18
19 * Wished everyone a Happy Fourth of July.

20
21 * **Wallace** - Commented that the Marshall County Fair Board held their Annual Recognition
22 Dinner that council members always attended. He hoped that council members were accidentally
23 overlooked. In past years, council has worked with the fair board in numerous ways such as
24 waiving fees & license for the fair, manpower from the Street Department and anything else they
25 might have needed. Council, the City of Moundsville and the Fair Board need to work together.

26
27 * Voted in favor of the SAFER Grant because he wants to see the numbers.

28
29 * **Mayor DiRemigio** - Agreed with Vice Mayor Wallace on the SAFER Grant.

30
31 * Reminded council that the Annual Beast of the East Tournament will be over the Fourth of July
32 Holiday.

33
34 Councilperson Simms made a motion to adjourn, seconded by Councilperson Oiler. Motion
35 carried. Motion carried unanimously.

36
37 Meeting adjourned at 7:48 p.m.

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Sondra J. Hewitt, City Clerk

Ralph DiRemigio, Mayor