

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,**
2 **SEPTEMBER 20, 2005**

3
4 The Council of the City of Moundsville met in Regular Session in the Council Chambers on
5 September 20, 2005 at 7:00 p.m.

6
7 Meeting was called to order by Vice Mayor Dennis Wallace.

8
9 Invocation by Councilperson Mark Simms.

10
11 City Clerk called the roll and the following council persons were in attendance: Haynes,
12 Lemasters, Oiler, Simms, Ward and Vice Mayor Wallace. Absent: Mayor DiRemigio (ill). Also
13 present: Acting City Manager Deanna J. Hess, Police Chief Kudlak, Street Commissioner
14 Richmond, Building Inspector Vickers, Attorney Thomas White, Finance Director Thomas
15 Dobbs and City Clerk Hewitt. Absent: Fire Chief Clarke.

16
17 **MINUTES:**

18
19 **Regular Council Meeting of September 6, 2005.**

20
21 Councilperson Oiler made a motion to accept and approve the minutes of the regular council
22 meeting on September 6, 2005, seconded by Councilperson Simms. Motion carried
23 unanimously.

24
25 **OLD BUSINESS:**

26
27 * Vice Mayor Wallace commended the Moundsville HazMat Team (Moundsville Police & Fire
28 Department) on their quick response to the Kammer Plant during the Hydro Plant explosion.
29 The Moundsville Team had the only technicians at the scene.

30
31 * Councilperson Haynes asked Chief Kudlak if the Police Department has been patrolling
32 Clinton Avenue at a request by resident David White. Chief Kudlak responded stating that
33 officers have been patrolling and Lt. Robinson spoke to Mr. White concerning a neighborhood
34 watch in the area.

35
36 * Councilperson Simms noted that he also sent a crew to Tenth Street in the area that Mr. White
37 complained about sewer smell. Mr. Simms reported that they entered a garage apartment where
38 the problem occurred last year but found nothing.

39
40 * Councilperson Haynes requested that City Council take measures to obtain the Naval Reserve
41 Center if and when they close.

1 **NEW BUSINESS:**

2
3 * Vice Mayor Wallace commended Councilperson Simms on the Award he received from the
4 Rural Water Association for Assistant Manager of the Year.

5
6 **Discussion and Approval of an Ordinance Concerning a Zone Change at 1916 First Street**
7 **(Larry Kidd Property) from R-U to C-N. (First Reading)**

8
9 Attorney White read the following ordinance by title only to be passed by council on first
10 reading:

11
12 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
13 **VIRGINIA, PROVIDING FOR A ZONING CHANGE OF A CERTAIN DESIGNATED**
14 **AREA AT 1916-FIRST STREET IN THE CITY OF MOUNDSVILLE FROM AN URBAN**
15 **RESIDENTIAL DISTRICT TO A NEIGHBORHOOD COMMERCIAL DISTRICT.**
16 **(FIRST READING)**

17
18 Councilperson Simms made a motion to approve the above zone change ordinance, seconded by
19 Councilperson Lemasters.

20
21 Mayor Wallace called for a voice vote. City Clerk announced the following tally. 6 yeas.
22 Motion carried unanimously.

23
24 **Discussion and Approval of a Resolution by the City of Moundsville Authorizing the Filing**
25 **of a Local Economic Development Assistance Grant Application to the State of West**
26 **Virginia. (\$35,000 - Razing the Old Fostoria Factory)**

27
28 Councilperson Simms made a motion to authorize filing the grant application from the Local
29 Economic Development Assistance Program, seconded by Councilperson Lemasters. Motion
30 carried unanimously.

31
32 **Discussion and Approval of a Resolution by the City of Moundsville Authorizing the**
33 **Execution of a Certain Application for a Grant to the Local Economic Development**
34 **Assistance Grant Program. (\$9,500 - City of Moundsville Baseball Association)**

35
36 Councilperson Simms made a motion to authorize filing the application from the Local
37 Economic Development Assistance Program with the stipulation that the Baseball Association
38 and other committees that apply for grants must inform the Moundsville Parks & Recreation of
39 their intentions, seconded by Councilperson Lemasters.

40
41 Mayor Wallace called for a voice vote. City Clerk announced the following tally. 4 yeas, 2
42 nays. Lemasters and Ward voting nay. Motion carried.

1 **Discussion and Approval of a Resolution by the City of Moundsville Authorizing the**
2 **Execution of a Certain Application for a Grant to the Governor's Community Partnership**
3 **Grant Program. (\$30,000 - City of Moundsville Building Restoration)**
4

5 Councilperson Haynes made a motion to authorize filing the application from the Governor's
6 Community Partnership Grant Program, seconded by Councilperson Lemasters. Motion carried
7 unanimously.
8

9 **Discussion and Approval of a Resolution by the City of Moundsville Authorizing the**
10 **Execution of a Certain Application for a Grant to the Local Economic Development**
11 **Assistance Grant Program. (\$10,000 - Fostoria Building)**
12

13 Councilperson Simms made a motion to authorize filing the grant application from the Local
14 Economic Development Assistance Program, seconded by Councilperson Ward. Motion carried
15 unanimously.
16

17 **Discussion and Approval of a Resolution Authorizing the City of Moundsville to Enter Into**
18 **an Agreement for Self-Insurance Pooling of Liability Coverage.**
19

20 Councilperson Simms made a motion to authorize the City Manager to enter into the agreement
21 with the WV Municipal League for Self-Insurance Pooling of Liability Coverage, seconded by
22 Councilperson Haynes. Motion carried unanimously.
23

24 **Discussion and Approval of an Ordinance Authorizing the City Manager to Enter Into an**
25 **Agreement to Participate in the Municipal Revenue Enhancement Program with the WV**
26 **Municipal League.**
27

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

31 **AN ORDINANCE OF THE CITY OF MOUNDSVILLE AUTHORIZING**
32 **PARTICIPATION IN WVML MUNICIPAL REVENUE ENHANCEMENT PROGRAM**
33 **AND THE EXECUTION OF THE INTERGOVERNMENTAL AGREEMENT FOR THE**
34 **EXCHANGE OF INFORMATION AMONG THE CITY OF MOUNDSVILLE, THE**
35 **WEST VIRGINIA MUNICIPAL LEAGUE, INC., AND PARTICIPATING**
36 **MUNICIPALITIES. (FIRST READING)**
37

38 Councilperson Haynes made a motion to approve the Municipal Revenue Enhancement Program
39 Ordinance, seconded by Councilperson Simms.
40

41 Vice Mayor Wallace called for a voice vote. City Clerk announced the following tally. 6 yeas.
42 Motion carried unanimously.
43

1 **Discussion and Approval of a Resolution in Support of Local Efforts to Assist Hurricane**
2 **Katrina Victims with the Moundville Leo Club.**

3
4 Councilperson Haynes made a motion to approve the resolution in support of local efforts to
5 assist Hurricane Katrina Victims, seconded by Councilperson Simms. Motion carried
6 unanimously.

7
8 **Discussion and Approval of Payment to Stegman & Schellhase in the Amount of \$855.70**
9 **for the Moundville Water Treatment Plant Project.**

10
11 Councilperson Haynes made a motion to authorize payment to Stegman & Schellhase in the
12 amount of \$855.70, seconded by Councilperson Simms. Motion carried unanimously.

13
14 **Discussion and Approval of Payment to James V. Kelsh in the Amount of \$2,513.01 for the**
15 **Moundville Water Treatment Plant Project.**

16
17 Councilperson Simms made a motion to authorize payment to James V. Kelsh in the amount of
18 \$2,513.01, seconded by Councilperson Oiler. Motion carried unanimously.

19
20 **Discussion and Approval of Bids for a Dump Truck for the Moundville Street**
21 **Department.**

22
23 Councilperson Haynes made a motion to accept the bid from Doan Ford Inc in the amount of
24 \$60,218.23 which is a 2006 Ford F-650 XL included in bid is a snow plow & salt spreader,
25 seconded by Councilperson Lemasters. Motion carried unanimously.

26
27 **Other Items to be Discussed by Council.**

28
29 * Councilperson Simms requested authorization to attend and stay over night at the WV
30 Municipal League Board of Directors Meeting in Martinsburg on Friday, October 21, 2005.

31
32 Councilperson Ward made a motion to authorize the hotel stay and attendance of the Board of
33 Directors meeting on October 21, 2005, seconded by Councilperson Lemasters. Motion carried
34 unanimously.

35
36 **MANAGER ITEMS:**

37
38 **United Methodist Church Parcels.**

39
40 The Trustees of the United Methodist Church thanked the City Manager for the letter regarding
41 parcels that are being held by the Northern District Trustee of the United Methodist Church. The
42 letter will be presented at their next meeting sometime in the fall.

1 **Business After Hours.**

2
3 The Marshall County Chamber of Commerce will hold their monthly "Business After Hours" on
4 Thursday, September 29, 2005 from 5:00 to 7:00 p.m. at the Barn on Fourth Street. The event
5 will be sponsored by State Farm Insurance Offices of Rosalyn Rhodes and Mike McCoy.
6

7 **Chamber of Commerce Annual Dinner.**

8
9 Acting City Manager Hess announced that the Marshall County Chamber of Commerce will hold
10 their annual Dinner on Thursday, October 6, 2005 at Special Events at 5:30 p.m., dinner will
11 begin at 6:30 p.m. Any one wishing to attend must let Marilyn Kaufman know by September 30,
12 2005.
13

14 **Moundsville Trick or Treat Set.**

15
16 Councilperson Simms made a motion to set the date & time for Trick or Treat on Monday,
17 October 31, 2005 from 6:00 to 7:30 p.m.
18

19 **Moundsville Building Commission Vacancy.**

20
21 The Moundsville Building Commission still has a vacancy. If Council should know of any
22 interested parties, please have them submit a letter to the City Clerk's office.
23

24 **Other Items to be Discussed by City Manager.**

25
26 * Acting Manager Hess announced that the city is still looking for a local Certified Forester
27 Agent. If any councilperson knows of a Forester, please let the City Manager know.
28

29 **Legal Certifications by Attorney Thomas White.**

30
31 Attorney White presented several certificates of publication from the Moundsville Daily Echo to
32 be received and filed by council:
33

- 34 1. (2) Sealed bids for Street Department on Dump Truck.
 - 35 2. Sealed bids for Demolition of 2602 Center Street.
 - 36 3. (2) Zone Change Ordinance.
- 37

38 Councilperson Haynes made a motion to receive and file the certificates of publication, seconded
39 by Councilperson Oiler. Motion carried unanimously.
40

41 **MAYOR ITEMS:**

1 **Bishop Donahue Homecoming Parade.**

2
3 Vice Mayor Wallace announced that the Senior Class of Bishop Donahue High School would
4 like to invite the Mayor, City Manager, Police and Fire Departments to participate in the
5 Homecoming Parade on September 23, 2005 at 5:30 p.m.
6

7 **Other Items to be Discussed by the Mayor.**

8
9 Vice Mayor Wallace wanted to send Mayor DiRemigio a get well wish and hoped that he could
10 return to council soon,
11

12 **COUNCIL ITEMS:**

13
14 * **Haynes** - Received compliment from Mr. Wilson Wayne on the good job the Street
15 Department is doing on Elm Avenue & Cypress Avenue.
16

17 * Would like to sell the copper at the Water Department and use the money for the intended
18 campground at the Riverfront Park.
19

20 Attorney White informed council that the city has to take competitive bids on the sale of the
21 copper. Councilperson Simms made a motion to advertise bids for the copper, seconded by
22 Councilperson Ward. Motion carried unanimously.
23

24 * **Lemasters** - Asked if paving has been started? Street Commissioner Richmond advised that
25 Klug's have milled Oak Avenue today.
26

27 * **Oiler** - Asked about the old barn beside the Stephens Property on Lafayette Avenue.
28

29 * **Ward** - Nothing at this time.
30

31 * **Simms** - Nothing at this time.
32

33 Councilperson Simms made a motion to go into an Executive Session for Contractual & Real
34 Estate Matters, seconded by Councilperson Lemasters. Motion carried unanimously.
35

36 Meeting recessed at 7:50 p.m.
37

38 Meeting reconvened at 7:53 p.m.
39

40 Executive Session convened at 7:53 p.m.
41

42 Executive Session recessed at 8:17 p.m.
43

1 Regular Session reconvened at 8:17 p.m.

2
3 Councilperson Simms made a motion to adjourn, seconded by Councilperson Haynes. Motion
4 carried unanimously.

5
6 Meeting adjourned at 8:17 p.m.
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9

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13

Sondra J. Hewitt, City Clerk

Dennis Wallace, Mayor