

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,**
2 **DECEMBER 6, 2005**

3
4 The Council of the City of Moundsville met in Regular Session in the Council Chambers on
5 December 6, 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: Haynes,
12 Lemasters, Oiler, Simms, Vice Mayor Wallace, Ward and Mayor DiRemigio. Also present: City
13 Manager Hendershot, Police Chief Kudlak, Street Commissioner Richmond, Fire Pvt. Ron
14 Walker, Building Inspector Wise, Attorney Thomas White, Asst. Finance Director Jane Criswell
15 and City Clerk Hewitt. Absent: Fire Chief Clarke, CPA Finance Director Thomas Dobbs.

16
17 **MINUTES:**

18
19 **Regular Council Meeting of November 15, 2005.**

20
21 Councilperson Oiler made a motion to accept and approve the minutes of the regular council
22 meeting of November 15, 2005, seconded by Councilperson Ward. Motion carried unanimously.

23
24 **GENERAL PUBLIC HEARING:**

25
26 * Rhonda Meeks, 80 Highland Avenue, informed council that she has a copy of the report from
27 the State Board of Education if council members would like to review it.

28
29 * Gilbert Lashare, 64 Linden Avenue, asked who owns the section of property between the
30 sidewalk and the curb? Manager Hendershot said that the land owners are responsible for that
31 section of property. Mr. Gilbert reported a tree growing in that section that belongs to the
32 neighbors and he is afraid the roots are going to obstruct his sewer line. Manager Hendershot
33 stated that Mr. Gilbert will have to talk to the landowners to see if they will remove it.

34
35 *** OLD BUSINESS:**

36
37 * Councilperson Simms asked Manager Hendershot if he had heard anything further concerning
38 the Clark house on Thompson Avenue? Manager Hendershot reported that he spoke with bank
39 who gave the sale to a Realtor. The Realty Company will give council a tour of the house when
40 they are ready.

41
42 * Councilperson Oiler asked if the City was still interested in purchasing a ladder truck? He
43 commented with the fire at the Golden Towers this weekend, the city sure could have used one.

1 * Mayor DiRemigio prepared and read a letter thanking Vice Mayor Dennis Wallace for filling in
2 for him in his absence and fellow council members for keeping the needs of the citizens in
3 Moundsville foremost in their minds. Also thanked the City Manager and City Clerk for making
4 sure the citizens can count on the effective and efficient city government. Mayor DiRemigio
5 expressed that he is proud to be a member of council and mayor of this town. He noted that
6 Moundsville is growing with business such as Wal Mart, which will open at the end of January
7 and other stores are coming to town. The new Water Treatment Plant is soon to be under
8 construction. Moundsville residents will have the cleanest, purest water in the area.
9 Moundsville is changing for the better and Mayor DiRemigio is looking forward to working with
10 fellow council members and citizens to make those things happen.

11
12 **NEW BUSINESS:**

13
14 **Discussion and Approval of an Ordinance Concerning Yard Sales and Garage Sales in the**
15 **City. (First Reading)**

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

19
20 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
21 **VIRGINIA, TO ENACT ARTICLE 535 OF THE CODE OF THE CITY OF**
22 **MOUNDSVILLE, REQUIRING PERMITS FOR YARD AND GARAGE SALES AND**
23 **PROVIDING FOR A LIMIT OF FOUR SUCH SALES PER YEAR. (FIRST READING)**

24
25 Councilperson Simms made a motion to accept and approve the yard and garage sale ordinance,
26 seconded by Councilperson Oiler.

27
28 Mayor DiRemigio called for a voice vote. City Clerk announced the tally. 7 yeas. Motion
29 carried unanimously.

30
31 **Discussion and Approval of the Memorandum of Understanding Between the Moundsville**
32 **Water Board and the WV Department of Environmental Protection.**

33
34 Councilperson Simms made a motion to accept and approve the Memorandum of Understanding,
35 seconded by Councilperson Haynes. Motion carried unanimously.

36
37 **Discussion and Approval of a Resolution Concerning the Authorization to Open a**
38 **Checking Account for the Water Treatment Plant Project (WDA).**

39
40 Councilperson Haynes made a motion to approve the resolution to open a checking account for
41 the Water Development Authority, seconded by Vice Mayor Wallace. Motion unanimously.

1 **Discussion and Approval of a Resolution Concerning the Authorization to Open a**
2 **Checking Account for the Water Treatment Plant Project (RUS).**

3
4 Councilperson Haynes made a motion to approve the resolution to open a checking account for
5 the Rural Utility Service, seconded by Councilperson Simms. Motion carried unanimously.
6

7 **Discussion and Approval of Payment to James V. Kelsh in the Amount of \$4,401.26 for the**
8 **Water Treatment Plant Project. (October Invoice)**

9
10 Councilperson Haynes made a motion to authorize payment to James V. Kelsh in the amount of
11 \$4,401.26, seconded by Councilperson Oiler. Motion carried unanimously.
12

13 **Discussion and Approval of Payment to James V. Kelsh in the Amount of \$7,009.00 for the**
14 **Water Treatment Plant Project. (September Invoice)**

15
16 Councilperson Haynes made a motion to authorize payment to James V. Kelsh in the amount of
17 \$7,009.00, seconded by Councilperson Oiler. Motion carried unanimously.
18

19 **Discussion and Approval of Payment to James V. Kelsh in the Amount of \$4,777.24 for the**
20 **Water Treatment Plant Project. (November Invoice)**

21
22 Councilperson Haynes made a motion to authorize payment to James V. Kelsh in the amount of
23 \$4,777.24, seconded by Councilperson Oiler. Motion carried unanimously.
24

25 **Appointment to the Moundsville Building Commission. (Council's Appointment)**

26
27 Manager Hendershot received a letter of intent from Michael Lauter to serve on the Moundsville
28 Building Commission. Councilperson Haynes made a motion to appoint Michael Lauter to the
29 Moundsville Building Commission. He will fill the unexpired term of Matthew Ali.
30

31 **Discussion and Approval of Bids for Fire Equipment.**

32
33 The following bids were received for fire hose on December 1, 2005:
34

	1,200' of 5"	1500' of 2.5"	Total
35			
36			
37 1. American Fire Equipment	\$5,940.00	\$3,150.00	\$9,090.00
38 Ona WV			
39			
40 2. Fire Force, Inc	\$5,620.00	\$3,300.00	\$8,920.00
41 Boardman OH			
42			
43			

1 Chief Clarke submitted a recommendation to Manager Hendershot to award the low bid of
2 \$8,920 to Fire Force Inc. Councilperson Simms made a motion to accept the low bid from Fire
3 Force Inc, seconded by Vice Mayor Wallace. Motion carried unanimously.
4

5 **Discussion and Approval of a Resolution Authorizing the City Manager to Enter Into an**
6 **Agreement with the Water Development Authority (WDA).**
7

8 Councilperson Simms made a motion to authorize the City Manager to enter into the agreement
9 with the Water Development Authority, seconded by Councilperson Haynes. Motion carried
10 unanimously.
11

12 **Special Council Meeting Scheduled.**
13

14 Manager Hendershot requested a Special Council Meeting scheduled to approve the
15 Supplemental Bond Resolution for the Water Treatment Plant Project. Council agreed to
16 meeting at 6:30 p.m. on Tuesday, December 13, 2005 following the Finance Meeting at 6:00
17 p.m. and following the special council meeting will be Traffic and Policy.
18

19 **MANAGER ITEMS:**
20

21 **Comcast Cable Increase Notice.**
22

23 Manager Hendershot announced that he received notice that Comcast will be increasing their
24 cable rate. Attorney White was asked to review the contract to see what controls the city may
25 have.
26

27 Attorney White reported that the Public Service Commission controls the rates for cable and
28 utilities.
29

30 **West Virginia Municipal League Winter Conference.**
31

32 The WV Municipal League Winter Conference is scheduled for January 22 & 23, 2005 in
33 Charleston. Council members wishing to attend must contact Marilyn.
34

35 **Marshall County Chamber of Commerce Christmas Tree Gala.**
36

37 The Marshall County Chamber of Commerce sent a thank you letter for the city's generous
38 support by purchasing Christmas trees at the Tree Gala. The "Santa Tree" was donated to the
39 Moundsville Nursing Home.
40

41 **Business After Hours.**
42

43 Manager Hendershot announced Marshall County Business After Hours will be held at the

1 Masonic Temple on Fifth Street on Thursday, December 8, 2005 at 5:00 pm to 7:00 p.m. The
2 Business After Hours will be sponsored by Home Towne Floral Shoppe and Green Acres Power
3 Sports.
4

5 **WV Highway Safety Program.**
6

7 Chief Kudlak announced the City of Moundsville received reimbursement from the WV
8 Highway Safety Program in the amount of \$4,572.98. This is for DUI patrols conducted in July
9 2005 and August 2005. It also included a DUI checkpoint conducted on September 1, 2005.

10 **Employee Insurance Dental Plan.**
11

12 Manager Hendershot submitted a copy of the employees insurance dental plan by the
13 Schwendeman Agency. Councilperson Simms made a motion to send this matter to the Finance
14 Committee, seconded by Councilperson Oiler. Motion carried unanimously.
15

16 **Fuel Spill at the City Garage.**
17

18 City Manager Hendershot reported that the city is making progress on cleaning up the fuel spill
19 at the City Garage. Manager Hendershot and Street Commissioner Richmond are working with
20 the DEP to correct the problem.
21

22 **Other Items by the City Manager.**
23

24 Manager Hendershot enlightened council on an article that was published in the News Register
25 concerning a 50 year reunion of West Liberty College football. Members of the team from
26 Marshall County were Rich Canestraro, Roger High, Ralph DiRemigio and Don Haskins.
27

28 **MAYOR ITEMS:**
29

30 * Mayor DiRemigio wished to thank the all the helpers during the fire at the Moundsville Golden
31 Towers:
32

33 MdsV Fire Department	Moundsville VFD	Glen Dale VFD
34 Washington Lands VFD	McMechen VFD	Shadyside VFD
35 Fork Ridge VFD	Limestone VFD	Moundsville PD
36 Marshall Co School	Marshall Co 911	Moundsville Dispatch
37 American Red Cross	Salvation Army	Reynolds Memorial Hospital
38 Marshall Co Fair Board	NCLETTTC	Grisell's Funeral Home
39 Youngs Cafeteria	Kentucky Fried Chicken	Giant Eagle
40 Kroger's	McDonalds	Moundsville Daily Echo
41 Wheeling News Register		

42
43

1 Councilperson Simms made a motion to present the above organizations and businesses with
2 certificates signed by Mayor, Council Members and City Manager, seconded by Councilperson
3 Haynes. Motion carried unanimously.
4

5 * Mayor DiRemigio announced that the city has a 24% increase over last year in Business &
6 Occupation Tax.
7

8 * Manager Hendershot commended Water Superintendent Jim Woods and the Moundsville
9 Water Department for the time and effort during the construction of the Water Treatment Plant
10 Project.
11

12 **COUNCIL ITEMS:**

13

14 * **Ward** - Nothing at this time.
15

16 * **Simms** - Welcome back Mayor DiRemigio.
17

18 * **Oiler** - Welcome back Mayor DiRemigio.
19

20 * Commended the police and fire departments and businesses for their assistance at the Golden
21 Towers fire. This city could have used a ladder truck.
22

23 * **Haynes** - Welcome back Mayor DiRemigio.
24

25 * Asked if Chief Kudlak survey the request from Councilperson Simms concerning the crossing
26 at 12th Street & CVS. This matter will be discussed at the Traffic Meeting. Manager
27 Hendershot advised that the city will be painting a crosswalk and post signs on both side
28 indicated the crosswalk
29

30 * **Lemasters** - Nothing at this time.
31

32 * **Wallace** - Commented on the article that was in the Wheeling News Register on November 21,
33 2005 written by a former News Register employee. Asked why he may have waited until he
34 moved from Moundsville to make these comments. Vice Mayor Wallace feels that the former
35 editor did not do his homework on these matters. Wallace noted that Moundsville is thriving
36 with the construction of several new business and Moundsville is in better shape than it has been
37 in the last ten years.
38

39 * **Ward** - Commented that he has lived in Moundsville for almost 70 years and is very proud of
40 the this town. Out of the 70 years he has lived here, Moundsville looks the best it ever has. This
41 Council and City Manager has had a lot to do with it.
42
43

1 Councilperson Wallace made a motion to adjourn, seconded by Councilperson Simms. Motion
2 carried unanimously.

3
4 Meeting adjourned at 8:03 p.m.
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7
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9

10 _____
Sondra J. Hewitt, City Clerk

Ralph DiRemigio, Mayor