

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,**
2 **JULY 5, 2006**

3
4 The Council of the City of Moundsville met in Regular Session in the Council Chambers on July
5 5, 2006.

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

8
9 Invocation by City Manager Allen Hendershot.

10
11 Pictures were taken, by local newspaper officials, of Councilperson Haynes and Councilperson
12 Wood. They were officially sworn into office before this meeting.

13
14 Acting City Clerk Ankrom called the roll and the following council persons were in attendance:
15 DiRemigio, Haynes, Lemasters, Oiler, Wallace and Wood; absent was Councilperson Simms. Also
16 present: City Manager Hendershot, Police Chief Kudlak, Fire Chief Clarke, Street Commissioner
17 Richmond, Building Inspector Wise, Attorney Thomas White, and CPA Tom Dobbs. Absent: City
18 Clerk Hewitt (ill).

19
20 **MINUTES:**

21
22 **Regular Council Meeting of June 21, 2006:**

23
24 Councilperson Oiler made a motion to accept and approve the minutes of the regular meeting of June
25 21, 2006, seconded by Councilperson Lemasters. Manager Hendershot clarified that the published
26 minutes read as Councilperson DiRemigio requesting a "secret ballot" for the appointments to the
27 vacant Council seats, but the minutes were corrected to read that DiRemigio requested only a ballot
28 vote, and Attorney White specified that secret or written ballots were a violation. Acting Clerk
29 Ankrom also corrected that the date on the agenda should read June 21, not June 23. Motion carried
30 to accept the amended minutes.

31
32 **GENERAL PUBLIC HEARING:**

33
34 *Mayor Wallace took a moment to welcome the two new council people and stated that it is an honor
35 to work with them. He is gratified by those who are willing to step forward and serve the public.

36
37 *Jack Cunningham of 516 Tenth Street expressed his concern about residents' fear of police officers
38 and the lack of enforcement of the noise curfew. He stated that various motorized vehicles have been
39 running in his neighborhood late into the evening, and, when the police have responded, they have
40 not taken any action. He also doesn't feel that residents are given enough time for open discussion
41 at the Council meetings. Mr. Cunningham also stated that he knows of several swimming pools
42 within City limits that do not have the required fencing; Building Inspector Wise requested that he
43 provide the names and address of violators for him to respond. He also addressed Councilperson

1 DiRemigio's comments about not needing to raise taxes for at least 10 years, and expressed concern
2 about drivers not coming to a complete stop at an intersection near his residence and disregarding the
3 posted speed limit.
4

5 *David White of 406 Clinton Avenue checked on the status of his request for 408 and 410 Clinton
6 Avenue to be looked at. Chief Kudlak has submitted the required paperwork, and officers are
7 addressing these issues; but he has not been able to follow up since he returned from vacation.
8 Manager Hendershot questioned Mr. White about his having possession of a City Code Book, to
9 which Mr. White responded that he found the book on his front porch and has since disposed of.
10

11 *George Kachalo of 31 Fostoria Avenue revisited the property line dispute he is having with a
12 neighbor. Mayor Wallace stated that he has already been informed that this issue will have to be
13 addressed in civil court because there is nothing that the City officials can do for him. Manager
14 Hendershot confirmed that the City did have the alley surveyed and some work was done on the sewer
15 line.
16

17 **OLD BUSINESS:**

18
19 There was no old business to be discussed.
20

21 **NEW BUSINESS:**

22 23 **Resolution and Approval of Financing Terms for 2006 Ford Expedition.**

24
25 Manager Hendershot explained that the vehicle has already been approved and purchased.
26 Councilperson DiRemigio made the motion to approve the resolution of the financing terms for the
27 Police Department's 2006 Ford Expedition, seconded by Councilperson Oiler. Motion carried.
28

29 Mayor Wallace took a moment to apologize for raising his voice during Mr. Kachalo's time.
30

31 **Discussion and Approval of a Resolution for the Prevention Resource Officer Grant (PRO)**

32
33 Manager Hendershot explained that this grant provides for the resource officer at Moundville Junior
34 High and has been in effect for several years. Councilperson Lemasters made the motion to approve
35 the resolution for the Prevention Resource Officer Grant, seconded by Councilperson Wood. Motion
36 carried.
37

38 **Discussion and Approval of Bid for Fire Department Rescue Vehicle.**

39
40 Manager Hendershot explained that only one bid was received, with a cost of \$75,000.00, and Chief
41 Clarke has confirmed that the vehicle meets the bid specifications. Councilperson DiRemigio made
42 the motion to approve the bid, seconded by Councilperson Lemasters. Motion carried.
43

1 Manager Hendershot also emphasized that this vehicle will be a great improvement over the
2 ambulance that was purchased from the City of Glen Dale, as it was not suited for emergency duty;
3 the new vehicle will allow the "First Responders" unit to carry all of the needed equipment.
4

5 **Discussion and Approval of Appointment to Water Board.**

6

7 Manager Hendershot explained that this is a Council appointment to fill the expired three-year term
8 of Tom Ferris. Mr. Ferris has submitted a letter of intent, along with a letter of recommendation from
9 the Water Board. Mr. S. Cole Simms of Cherokee Drive also submitted a letter of interest. Mayor
10 Wallace expressed his desire to have Mr. Ferris remain on the Water Board, as he has been an
11 inspiration and driving force for the new water treatment plant. Mayor Wallace made a motion to re-
12 appoint Tom Ferris to the Water Board, seconded by Councilperson Oiler. Motion carried.
13

14 **Discussion of Special Council Meeting to Review Engineering RFQ.**

15

16 Manager Hendershot again explained that this is for the preliminary engineering study for
17 improvements to the City Building, Street Department Garage, and Police Barracks. By following
18 the "5G Selection Process," federal and state grant funding can be pursued for additional
19 improvements. After discussion, members agreed to have the three engineering firms make
20 presentations to the full City Council, after they have been able to review the preliminary
21 informational packets, which the City Manager will hand out after the meeting.
22

23 **MANAGER ITEMS:**

24

25 **Discussion and Approval of Appointment to Planning Commission.**

26

27 Manager Hendershot explained that Kris McLendon was the only resident to submit a letter to serve
28 on the Planning Commission. However, after confirming with Attorney White that she would have
29 to withdraw from the Municipal Building Commission, Ms. McLendon chose to withdraw her
30 application. Therefore, this vacancy, and two vacancies on the Zoning Board, will have to be
31 advertised.
32

33 **2006 Fireworks.**

34

35 Manager Hendershot expressed his gratitude that the rain delayed long enough for the fireworks to
36 go off on time. He commended the Police and Fire Departments for doing well with crowd control.
37 Everything seemed to go well with the Fair Board activities, as well as the fireworks display.
38

39 **Welcome to New Council Members.**

40

41 Manager Hendershot welcomed the two new councilmen.
42
43

1 **Legal Notice to be Received and Filed.**

2
3 Attorney White asked for a moment to present a legal notice to be received and filed. Councilperson
4 Lemasters made the motion to receive and file the ad, seconded by Councilperson DiRemgio. Motion
5 carried.
6

7
8 **MAYOR ITEMS:**
9

10 * Mayor Wallace again apologized for losing his temper with Mr. Kachalo.

11
12 *Mayor Wallace again welcomed the two new council members.

13
14 *Mayor Wallace was very pleased with the fireworks show and with the attendance at the Fair Board
15 activities.
16

17 **COMMITTEE REPORTS:**
18

19 **Discussion and Approval of Recommendations by the Finance Committee.**
20

21 Councilperson Lemasters scheduled a Finance Committee meeting for July 11 at 6:00 PM.
22

23 **Discussion and Approval of Recommendations by the Traffic Committee.**
24

25 Mayor Wallace called a Traffic Committee meeting to immediately follow the Finance Committee.
26 He also stated that he would re-align the committees and have Secretary Kaufman type and mail the
27 new listings.
28

29 **Discussion and Approval of Recommendations by the Policy Committee.**
30

31 Councilperson Oiler scheduled a Policy Committee immediately following the Traffic Committee.

32
33 Manager Hendershot stated that the campground issue will be on the Policy Committee agenda.
34

35 **COUNCIL ITEMS:**
36

37 ***DiRemigio** - Welcomed the two new council members. He is confident that they will be an asset
38 to the Council.
39

40 *Fireworks show was "well done."
41

42 *Addressed Mr. Cunningham's comments about his statements regarding tax increases. He reiterated
43 that the published minutes are not official or verbatim to what was said, but they give the general

1 public an idea about what was addressed during the meeting.

2
3 *Commended the Police Department for the "excellent job" on patrolling the crowd during the
4 Fireworks.

5
6 ***Haynes** - Is glad to be appointed to Council and will work "whole-heartedly" to get along with
7 everyone.

8
9 ***Lemasters** - Asked Commissioner Richmond to address the potholes around Four Seasons Pool as
10 soon as the weather is suitable.

11
12 *Asked about the shrubbery on Curtis Avenue at Fourth Street. Commissioner Richmond confirmed
13 that they have been trimmed.

14
15 *Requested Commissioner Richmond to look at the street drain at Center Street and Mulberry
16 Avenue.

17
18 *Welcomed the new council members.

19
20 ***Oiler** - Welcomed the new council members.

21
22 *Questioned Commissioner Richmond about 709 Lockwood Avenue follow up; the issue of
23 ownership is being researched.

24
25 ***Wood** - Expressed his appreciation for the confidence shown by his and Mr. Haynes' appointments.

26
27 *Asked Manager Hendershot about his status on the Parks and Recreation Board. Attorney White
28 is of the opinion that, since State Legislation allows for two council members to serve on a board, it
29 will be up to City Council to either amend the ordinance or change the board appointments.

30
31 *Thanked all of the *Beast of the East* volunteers, including Bernie Lucas and Charlie Wood, for their
32 hard work. Manager Hendershot stated that he spoke to several coaches, who were unaware of his
33 position, and received only positive comments about the facilities and how the tournament was
34 handled.

35
36 Councilperson Oiler made a motion to adjourn, seconded by Councilperson Lemasters. Motion
37 carried.

38
39 Meeting adjourned at 8:08 p.m.

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43 _____
Karen L. Ankrom, Acting City Clerk

Dennis Wallace, Mayor