

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

3
4 The Council of the City of Moundsville met in Regular Session in the Council Chambers on
5 August 1, 2006 at 7:00 p.m.

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

8
9 Invocation by City Manager Hendershot.

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

16
17 **MINUTES:**

18
19 **Regular Council Meeting of July 18, 2006.**

20
21 Vice Mayor DiRemigio made a motion to accept and approve the minutes of the regular council
22 meeting of July 18, 2006, seconded by Councilperson Oiler. Motion carried unanimously.

23
24 **GENERAL PUBLIC HEARING:**

25
26 * David White, 406 Clinton Avenue, thanked the Street Department for removing the bushes in
27 the alley off of Juniper Avenue and for patching pot holes. He also reported ATV's riding in the
28 alley every Sunday. He reported trash in the back yard of the apartments at 7th & Juniper
29 Avenue. Mr. White asked Manager Hendershot if the city was going to purchase the Transfer
30 Station for the Sanitation Department. Manager Hendershot reported the cost of the transfer
31 station would not be feasible to the city. Also, he would like to see the grass cut in the empty lot
32 between Kroger parking lot and Anwar's.

33
34 * Jack N. Cunningham, 516 Tenth Street, reported grass clipping being swept down the storm
35 drain. He asked if the City Manager had the authority to change speed limit signs such as
36 changing the one on Tenth Street to 15 mph? Manager Hendershot reported that the state code
37 has changed,(so he is not sure if he does have the authority) on the issue. Mr. Cunningham also
38 asked that the curb be repaired on 10th Street for a handicapped resident that lives next to him.

39
40 **OLD BUSINESS:**

41
42 **Discussion and Approval of an Ordinance of the Council of the City of Moundsville, West**
43 **Virginia, Amending Section 1731.01 of the Municipal code, 2006 Edition.**

1 Attorney White read the following ordinance by title only to be passed by council on second and
2 final reading:

3
4 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
5 **VIRGINIA, AMENDING AND REENACTING SECTION 1731.01 OF THE MUNICIPAL**
6 **CODE OF THE CITY OF MOUNDSVILLE TO PROVIDE FOR THE ADOPTION OF**
7 **THE STATE BUILDING CODE, 2006 EDITION. (SECOND READING)**
8

9 Building Inspector Wise reported the ordinance should read 2003 Edition, not 2006.
10 Councilperson Oiler made a motion to table this ordinance until the next regular council meeting
11 so that corrections are made, seconded by Councilperson Wood. Motion carried unanimously.
12

13 **Discussion and Approval of an Ordinance of the Council of the City of Moundsville, West**
14 **Virginia, Amending and Reenacting Section 1735.01 of the Municipal Code to Provide for**
15 **the Adoption of the National Electrical Code, 1999 Edition. (Second Reading)**
16

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

19
20 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
21 **VIRGINIA, AMENDING AND REENACTING SECTION 1735.01 OF THE MUNICIPAL**
22 **CODE OF THE CITY OF MOUNDSVILLE TO PROVIDE FOR THE ADOPTION OF**
23 **THE NATIONAL ELECTRICAL CODE, 1999 EDITION. (SECOND READING)**
24

25 Vice Mayor DiRemigio made a motion to table this ordinance until the next regular council
26 meeting, seconded by Councilperson Oiler. Motion carried unanimously.
27

28 **Discussion and Approval of an Ordinance of the Council of the City of Moundsville, West**
29 **Virginia, Amending and Reenacting a Portion of Article 155 of the Code of the City of**
30 **Moundsville Concerning First Class Police Officer. (Second Reading)**
31

32 Attorney White read the following ordinance by title only to be passed by council on second and
33 final reading:

34
35 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
36 **VIRGINIA, AMENDING AND REENACTING A PORTION OF ARTICLE 155 OF THE**
37 **CODE OF THE CITY OF MOUNDSVILLE, RELATING TO POLICY PROVISIONS**
38 **FOR EMPLOYEES OF THE CITY OF MOUNDSVILLE BY AMENDING AND**
39 **REENACTING SECTION 155.12, SUBSECTION (b), TO PROVIDE FOR THE**
40 **POSITION OF PATROLMAN FIRST CLASS IN THE POLICE DEPARTMENT.**
41 **(SECOND READING)**
42
43

1 Councilperson Wood made a motion to accept and approve the above ordinance, seconded by
2 Councilperson Oiler.

3
4 Mayor Wallace called for a voice vote. City Clerk announced the following tally. 6 yeas.
5 Motion carried unanimously.
6

7 **Other Items to be Discussed by Council.**
8

9 Councilperson Oiler asked Manager Hendershot why the city does not purchase a new vehicle for
10 the Building Inspections Department rather than a used one? Manager Hendershot advised that
11 he as been looking for vehicles under \$10,000 with some warranties.
12

13 **NEW BUSINESS:**
14

15 **Renewal of the City Manager.**
16

17 Vice Mayor DiRemigio made a motion to renew City Manager Hendershot's position at the City
18 of Moundsville, seconded by Councilperson Oiler. Mayor Wallace and members of council
19 commended Manager Hendershot for doing an excellent job. Motion carried unanimously.
20

21 **MANAGER ITEMS:**
22

23 **Discussion and Approval of Refuse Truck Bids for the Sanitation Department.**
24

25 Bids were received from McNeilus at \$153,210.00 and Ace at \$164,574.00. Street
26 Commissioner Richmond is recommending the city purchase the truck from McNeilus.
27

28 Mayor Wallace made a motion to award the bid to McNeilus in the amount of \$153,210 for the
29 new refuse truck, seconded by Vice Mayor DiRemigio. Motion carried unanimously.
30

31 **Discussion and Approval of Timber Bids.**
32

33 Bids for timbering the landfill property were received from Terry Williams of Moundsville in the
34 amount of \$41,397.
35

36 After some discussion of the bid, Councilperson Wood made a motion to reject the bid from
37 Terry Williams in the amount of \$41,397, seconded by Councilperson Lemasters. Motion carried
38 unanimously.
39

40 **Volunteer Fire Department - New Ladder Truck.**
41

42 The Volunteer Fire Department will bring the new ladder truck to the Moundsville City Council
43 on August 15, 2006 at 6:30 p.m., for council to view.

1 **Volunteer Fire Department Officer's Dinner.**

2
3 The Moundsville Volunteer Fire Department will hold their Officer's Dinner on Sunday, August
4 13, 2006 at 2:00 p.m. at the Fire House. Any council member wishing to attend must let the
5 VFD know.
6

7 **Volunteer Fire Department ISO Board Members.**

8
9 The Volunteer Fire Department announced two members appointed to the Moundsville ISO
10 Board are Brad Varlas and Christy Holmes.
11

12 **Swimming Pool Regulations.**

13
14 Manager Hendershot will be placing on the Policy Agenda swimming pool regulations. The City
15 Code requires a 6 foot fence around a pool and National Building Code requires 4 foot fence.
16

17 **Discussion of Bus Service by OVRTA.**

18
19 Manager Hendershot has invited Mr. Thomas Hvizdos of OVRTA to the Policy Committee
20 meeting to discuss the possibility of bond levy for bus service in the City of Moundsville.
21

22 Council decided to reschedule Mr. Hvizdos attendance since Manager Hendershot will be on
23 vacation.
24

25 **City Uniform Policy.**

26
27 Manager Hendershot announced that all city employees will be receiving uniforms in lieu of their
28 clothing allowance. An employee has filed a grievance concerning the clothing allowance in the
29 employee policy. This policy needs to be discussed at the Policy Meeting.
30

31 **Moundsville Police Civil Service Commission Appointment.**

32
33 The members of the Moundsville FOP #75 have appointed Mike Richmond to the Police Civil
34 Service Commission.
35

36 **Resignation from the Moundsville Housing Authority.**

37
38 Manager Hendershot received a resignation letter from Burley Grimes to the Moundsville
39 Housing Authority effective August 1, 2006.
40

41 **Other Items to be Discussed by City Manager.**
42
43

1 **Legal Ad Certifications by Thomas White.**

2
3 Tom White presented several certificates of publication from the Moundsville Daily Echo and
4 the Wheeling Intelligencer to be received and filed by council.

- 5
6 1. Paving Bids 5. Zone Change Ordinance - Jefferson Ext.
7 2. Levy Estimate 6. Refuse Truck Bids
8 3. Refuse Truck Bids 7. Timber Bids
9 4. Timber Bids

10
11 **MAYOR ITEMS:**

12
13 * Mayor Wallace announced that he and some council members attended the ribbon cutting at the
14 Marshall County Fair. Mayor Wallace hopes that citizens attend the fair and support the
15 community.

16
17 **COMMITTEE REPORTS:**

18
19 **Discussion and Approval of Recommendations by the Finance Committee.**

20
21 Councilperson Lemasters scheduled the Finance Committee meeting for Wednesday, August 9,
22 2006 at 6:00 p.m.

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

25
26 Councilperson Lemasters scheduled the Traffic Committee meeting to follow the Finance
27 Meeting.

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

30
31 Councilperson Oiler scheduled the Policy Committee meeting to follow the Traffic Meeting.

32
33 **COUNCIL ITEMS:**

34
35 * **DiRemigio** - Thanked the City Manager for getting certain areas in town cleaned up. Also,
36 Vice Mayor DiRemigio is happy to see the curb painters are getting a lot of curbs done.

37
38 * Read an article that was on the news concerning WV Home Inspectors being required to be
39 certified through the State Fire Commission. Building Inspector Wise noted that Home
40 Inspectors are different from Municipal Building Inspectors. They are in compliance with the
41 State Code and will be for the next three years. Current building inspectors are grandfather in. If
42 the city should hire and inspector now, they will be required to be certified.

1 Vice Mayor DiRemigio continued to say that certified WV Home Inspectors will help the ISO
2 rate to decrease.

3
4 * **Haynes** - Nothing at this time.

5
6 * **Lemasters** - Nothing at this time.

7
8 * **Oiler** - Asked Manager Hendershot for a copy of the recent paving priority list.

9
10 * **Wood** - Asked Manager Hendershot about the old State Police Barracks and when council will
11 meeting with the contractors. Manager Hendershot advised the meeting has not been set by
12 Mayor Wallace.

13
14 Councilperson Wood made a motion to adjourn, seconded by Councilperson Lemasters. Motion
15 carried unanimously.

16
17 Meeting adjourned at 8:13 p.m.

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19
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21
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23
24 _____
Sondra J. Hewitt, City Clerk

Dennis Wallace, Mayor