

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,**
2 **SEPTEMBER 19, 2006**

3
4 The Council of the City of Moundsville met in Regular Session in the Council Chambers on
5 September 19, 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 called the roll and the following council persons were in attendance: Haynes, Vice
12 Mayor DiRemigio, Lemasters, Oiler, Wood and Mayor Wallace. Absent: Simms (ill). Also
13 present: City Manager Hendershot, Police Lt. Robinson, Fire Chief Clarke, Street Commissioner
14 Richmond, Building Inspector Vickers, Attorney Thomas White, CPA Finance Director Thomas
15 Dobbs and City Clerk Hewitt. Absent: Police Chief Kudlak.

16
17 **MINUTES:**

18
19 **Regular Council Meeting of September 5, 2006.**

20
21 Vice Mayor DiRemigio made a motion to accept and approve the minutes of the regular council
22 meeting of September 5, 2006, seconded by Councilperson Oiler. Motion carried unanimously.

23
24 **GENERAL PUBLIC HEARING:**

25
26 * Fred Renzella, Roger Lewicki and Joan Palmer of the Marshall County Board of Education
27 gave council a presentation on the proposals of the new school and field houses to be built if the
28 Bond Issue is passed.

29
30 After some discussion, Councilperson Wood hoped that council members will support the bond
31 issue by placing it on the next council agenda.

32
33 * David White, 406 Clinton Avenue, wished to thank Street Commissioner Richmond for have
34 the garbage at 407 Clinton Avenue picked up. Requested "Children at Play" sign on Second
35 Street near Court Avenue.

36
37 * Jack N Cunningham, 516 Tenth Street, thank the Street Department for installing a
38 handicapped curb at his neighbors.

39
40 **OLD BUSINESS:**

41
42 **Discussion and Approval of an Ordinance to Create a "Special Event" District in the City**
43 **of Moundsville. (Second Reading)**

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, TO AMEND THE ZONING ORDINANCE OF THE CITY OF**
6 **MOUNDSVILLE TO CREATE A "SPECIAL EVENT" DISTRICT IN THE CITY AND**
7 **TO PROVIDE FOR USES AND REGULATION THEREIN. (SECOND READING)**
8

9 Councilperson Wood made a motion to approve the special event ordinance, seconded by
10 Councilperson Oiler.

11
12 Mayor Wallace called for a voice vote. City Clerk announced the following tally. 6 yeas.
13 Motion carried unanimously.

14
15 **Discussion and Approval of an Ordinance Concerning the Adoption of Various Building**
16 **Codes. (Second Reading)**
17

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

20
21 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
22 **VIRGINIA, AMENDING AND REENACTING SECTION 1731.01 OF THE MUNICIPAL**
23 **CODE OF THE CITY OF MOUNDSVILLE TO PROVIDE FOR THE ADOPTION OF**
24 **THE STATE BUILDING CODE AND VARIOUS NATIONAL AND INTERNATIONAL**
25 **CODES. (SECOND READING)**
26

27 Vice Mayor DiRemigio made a motion to adopt the national and international code ordinance,
28 seconded by Councilperson Lemasters.

29
30 Mayor Wallace called for a voice vote. City Clerk announced the following tally. 6 yeas.
31 Motion carried unanimously.

32
33 **Discussion and Approval of an Ordinance Pertaining to National Electrical Codes. (Second**
34 **Reading)**
35

36 Attorney White read the following national electrical code ordinance by title only to be passed by
37 council on second and final reading:

38
39 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
40 **VIRGINIA, AMENDING AND REENACTING SECTION 1735.01 OF THE MUNICIPAL**
41 **CODE OF THE CITY OF MOUNDSVILLE TO PROVIDE FOR THE ADOPTION OF**
42 **THE NATIONAL ELECTRICAL CODE. (SECOND READING)**
43

1 Councilperson Lemasters made a motion to adopt the national electrical code ordinance,
2 seconded by Councilperson Haynes.

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

7 **Discussion and Approval of a Resolution Authorizing the City Manager to Enter into an**
8 **Agreement with BB&T for the Rescue Truck Loan.**
9

10 Vice Mayor DiRemigio made a motion to authorize the City Manager to enter into an agreement
11 with BB&T, seconded by Councilperson Lemasters. Motion carried unanimously.
12

13 **Discussion and Approval of an Easement for an Alley Between 11 & 13 Simpson Avenue.**
14

15 Councilperson Wood made a motion to approve the easement for both parties at 11 & 13
16 Simpson Avenue, seconded by Councilperson Oiler. Motion carried unanimously.
17

18 **NEW BUSINESS:**
19

20 **Discussion and Approval of Requisition #10 for the Moundsville Water Treatment Plant**
21 **Project.**
22

23 Councilperson Oiler made a motion to approve requisition #10 for the Moundsville Water
24 Treatment Plant, seconded by Councilperson Lemasters. Motion carried unanimously.
25

26 **MANAGER ITEMS:**
27

28 **Discussion of a Date for Trick or Treat.**
29

30 Manager Hendershot inquired of council when they would like to schedule Trick or Treat.
31 Council chose to schedule Trick or Treat on Tuesday, October 3, 2006 from 6:00 p.m. to 7:30
32 p.m.
33

34 **Update on Jefferson Extension Sidewalk Project.**
35

36 At a meeting with the City Manager, the City Engineer and Councilperson Haynes and OH WV
37 Excavating through some value added engineering the price of the sidewalk project could be
38 reduced dramatically by moving the sidewalk closer to the street and not building the retaining
39 wall. Their estimates are as low as \$120,000 to \$125,000 if the city is allowed to make those
40 changes. Manager Hendershot, the City Engineer and Councilperson Haynes also met with DOH
41 District Engineer Bob Whipp, who has given preliminary approval of the changes the city will
42 have to make to reduce the cost.
43

1 **Update on Timbering of the Landfill.**
2

3 Manager Hendershot has been in contact with M & H Logging who has submitted their RFQ's in
4 reference to landfill logging. Negotiations on the percentage split of the sale value of the timber
5 after being razed has been agreed as an even split between the city and M&H Logging. The
6 producer (M&H) will pay the taxes on the timber.
7

8 **MAYOR ITEMS:**
9

10 * Mayor Wallace sent condolences to the family of Police Chief Kudlak on the loss of his
11 grandmother.
12

13 * Mayor Wallace joined the VFW Women's Auxiliary to sign a proclamation for Buddy Poppy
14 Days.
15

16 **COMMITTEE REPORTS:**
17

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

20 1. The Finance Committee recommends to purchase a half page ad in the Bishop Donahue
21 Yearbook in the amount of \$200.
22

23 The Vice Mayor DiRemigio made a motion to purchase the ad from Bishop Donahue, seconded
24 by Councilperson Wood. Motion carried unanimously.
25

26 2. The Finance Committee recommends to purchase a half page ad in the John Marshall
27 Yearbook in the amount of \$200.
28

29 Vice Mayor DiRemigio made a motion to purchase the ad from John Marshall, seconded by
30 Councilperson Wood. Motion carried unanimously.
31

32 3. Discussion and Approval of the CNX Contract with the City of Moundsville.
33

34 Mayor Wallace made a motion to accept \$1500 from CNX for an easement across the city's
35 landfill, seconded by Councilperson Lemasters. Motion carried unanimously.
36

37 Peter Benotto of CNX wished to donate half page ad's for Bishop Donahue and John Marshall
38 Yearbooks making the City of Moundsville ad full page instead of half.
39

40 **Discussion and Approval of Recommendations by the Traffic Committee.**
41

42 1. Discussion on Appeal of a Handicapped Parking Sign for 438 Juniper Avenue.
43

1 The Traffic Committee recommended that full council approve the parking space.

2
3 Councilperson Wood made a motion to approve the handicapped parking space at 438 Juniper
4 Avenue, seconded by Councilperson Lemasters. Motion carried unanimously.

5
6 **COUNCIL ITEMS:**

7
8 * **Oiler** - Nothing at this time.

9
10 * **Wood** - Nothing at this time.

11
12 * **DiRemigio** - Nothing at this time.

13
14 * **Lemasters** - Asked that Manager Hendershot send a letter to Reverend Steele for his 40 years
15 of service in Moundsville.

16
17 * **Haynes** - Nothing at this time.

18
19 Mayor Wallace made a motion to have an executive session for contractual and pending
20 litigation, seconded by Councilperson Oiler. Motion carried unanimously.

21
22 Meeting recessed at 8:09 p.m.

23
24 Meeting reconvened at 8:13 p.m.

25
26 Executive Session began at 8:13 p.m.

27
28 Executive Session recessed at 8:56 p.m.

29
30 Regular Session reconvened at 8:56 p.m.

31
32 Councilperson Wood made a motion to adjourn, seconded by Councilperson Lemasters. Motion
33 carried unanimously.

34
35 Meeting adjourned 8:56 p.m.

36
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42
43 _____
Sondra J Hewitt, City Clerk

Dennis Wallace, Mayor