

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,
SEPTEMBER 16, 2003**

The Council of the City of Moundsville met in Regular Session in the Council Chambers on September 16, 2003 at 7:00 p.m.

Meeting was called to order by Mayor Dennis Wallace.

Invocation by Councilperson K. Mark Simms.

City Clerk Hewitt called the roll and the following council persons were in attendance: DiRemigio, Lemasters, Oiler, Simms, Trussell, Ward and Wallace. Also present: City Manager Hendershot, Attorney Thomas White, Police Chief Kudlak, Fire Chief Clarke, Street Commissioner Richmond, CPA Tom Dobbs, Building Inspector Vickers and City Clerk Hewitt.

MINUTES:

Regular Council Meeting of September 2, 2003.

Councilperson DiRemigio made a motion to accept and approve the minutes of the regular council meeting of September 2, 2003, seconded by Councilperson Simms. Motion carried unanimously.

OLD BUSINESS:

Other Items to be Discussed by Council.

Councilperson Trussell asked City Manager Hendershot if Linda Berlin was able to schedule a meeting in reference to WVNCC holding classes in Moundsville? Councilperson Trussell advised that she would contact them.

NEW BUSINESS:

Other Items to be Discussed by Council.

* Councilperson Simms requested that city council write a letter to the PSC opposing the new gas increase proposal.

Councilperson DiRemigio made a motion to send the PSC a signed letter from council opposing the huge gas increase, seconded by Councilperson Simms. Motion carried unanimously.

* Councilperson Simms wished to recognize and commend the Police Chief, Fire Chief and their

departments for the demonstration of a Mock Disaster held at the Waste Water Treatment Plant. City Manager Hendershot noted that the Police Department and Fire Department worked with the State Police on that particular scenario. Every scenario has observers that watched and graded their drills. Notes from the observers commended both departments for their expertise.

* Councilperson Lemasters asked that a workshop be scheduled late in October for Economic Development to promote our area. City Manager Hendershot will contact the proper individuals to meet in October.

* Councilperson Trussell asked that tax abatement for new small business owners also be discussed at this meeting.

MANAGER ITEMS:

* Manager Hendershot met with Mike Adkins from Commercial Insurance who conducted a Risk Analysis for the City of Moundsville. Mr. Adkins has reviewed the city's policies and will provide us with a written recommendation.

* The manager has obtained an old copy of the city's Internal Controls Manual. Attorney White suggested that council adopt a resolution to implement this manual. This matter was referred to the Policy Committee.

* City Manager Hendershot has been working on a Return to Work Policy for Workers Compensation that provides light duty work for the injured employee.

* Manager Hendershot would like to thank the office staff for preparing the Internal Controls Manual and Return to Work Policy for review.

* A Safety Manual is being developed with assistance from Street Commissioner Richmond for the Sanitation Department.

Business After Hours.

The Marshall County Chamber of Commerce announced that Business After Hours will be September 25, 2003 from 5:00 to 7:00 at the Barn on Eastern Fourth Street.

Annual Marshall County Chambers Dinner.

The Marshall County Chamber of Commerce will hold their annual dinner on Thursday, October 2, 2003 at the Special Events starting at 5:30 p.m.

Other Items to be Discussed by the City Manager.

City Manager Hendershot would like to thank Police Chief Kudlak and Fire Chief Clarke for their participation in the 2003 Mock Disaster. Also, the manager would like to thank Councilperson Mark Simms for allowing the Mock Disaster to use the Waste Water Treatment Plant.

Certificate Received by the City Clerk.

Manager Hendershot announced that City Clerk Hewitt received a Certificate of Appreciation from the West Virginia Municipal League for the fall conference.

MAYOR ITEMS:

* Mayor Wallace would like to commend Police Chief Kudlak and Fire Chief Clarke for their participation in the Mock Disaster.

Other Items to be Discussed by the Mayor.

Certificates of Publication by Attorney White.

Attorney White submitted several legal ads to be received and filed by council. Councilperson Simms made a motion to receive and file the publications, seconded by Councilperson Trussell. Motion carried unanimously.

COMMITTEE REPORTS:

Discussion and Approval of Recommendations by the Finance Committee.

Councilperson DiRemigio read over the Financial Statement provided by CPA Tom Dobbs.

Discussion and Approval of Recommendations by the Traffic Committee.

* Councilperson DiRemigio submitted a handicapped request for an individual who was in a car accident and does not have a vehicle at this time due to the accident.

After a brief discussion, Councilperson Ward made a motion to table this request until the applicant obtains another vehicle, seconded by Councilperson Lemasters.

Mayor Wallace called for a roll call vote. City Clerk announced the following tally. 6 yeas, 1 nay. Trussell voting nay. Motion carried.

* Councilperson Ward reported a sink hole on Parriott Avenue between Second and Third Street.

* Mayor Wallace asked if the Traffic Light situation has been resolved? Chief Kudlak advised that some adjustments still need to be made.

* Councilperson Simms advised that council voted to remove the “No Turn on Red” signs on Jefferson Avenue & Third Street. Manager Hendershot advised that signs were installed initially because of the Moundsville Jr High. The new light system has a dedicated walk light. The state does not recommend that the city take down the “No Turn on Red” signs. Council agreed to leave the signs in place.

* City Manager Hendershot received a complaint from residents at 11th Street & Weaver Avenue of trucks cutting the corner damaging the residents property. After some discussion, it was decided to install “No Trucks on Side Street” signs.

Discussion and Approval of Recommendations by the Policy Committee.

* City Manager Hendershot asked that council review the Internal Control Manual and the Return to Work Policy for later adoption by resolution. Councilperson Simms requested that copies of the manual be presented to council and a meeting will be scheduled.

* Councilperson Trussell noted that council will also need to discuss the Health Information Private Policy Act (HIPPA) as part of the city’s policy.

COUNCIL ITEMS:

* **DiRemigio** - Made a motion to send a resolution from city council to implore upon the President to keep the tariffs in place. We believe in free trade, but we also believe in fair trade, seconded by Simms. Motion carried unanimously.

Council members asked that the motion include copies to the Senators, Legislatures and U.S. Senator Rockefeller.

* Complimented the Recreation Board members for the tough and wonderful job they do: Bob Baker, Gary Carmichael, Wayne Lemasters, Sandye Yoho, Jane Klug, Dwayne Clarke and Tom Sutton.

* Mayor Wallace added that the Recreation Board does not get enough credit for what they do.

* Also, Mayor Wallace asked about the drain and grate that is suppose to be installed on the walking trail. Mr. Richmond advised they have installed the drain and waiting for the grate, which will arrive Wednesday.

* **Lemasters** - Submitted a list of burnt out street lights to City Manager Hendershot.

* Submitted a list of holes that need patched to Street Commissioner Richmond.

* Wished to thank the East End Volunteers for all they work they have done.

* Announced that the Four Seasons Pool renovations have been started.

* Wished to thank the Street Department and Recreation Department for their assistance during the Riverfront Festival.

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

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

* **Trussell** - Wished to thank the Street Department for fixing several alleys in which gravel had been washed into the streets. Also, neighbors were pleased when the Street Department cleaned up a fallen dead tree on a paper alley.

* Commended the City Clerk for her involvement in the West Virginia Municipal League and the West Virginia Clerks and Records Association. Councilperson Trussell encouraged council members to support the City Clerk to obtain the certification through the State of West Virginia.

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

Councilperson Ward made a motion to go into an Executive Session for Pending Litigation after a 5 minute recess, seconded by Councilperson Lemasters. Motion carried unanimously.

Meeting recessed at approximately 7:48 p.m.

Meeting reconvened at 7:53 p.m.

Executive Session began at 7:53 p.m.

Executive Session recessed at 8:04 p.m.

Regular Session reconvened at 8:04 p.m.

Councilperson Ward made a motion to adjourn, seconded by Councilperson Simms. Motion carried unanimously.

Meeting adjourned at 8:05 p.m.

Sondra J. Hewitt, City Clerk

Denny Wallace, Mayor