

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,
OCTOBER 21, 2003**

The Council of the City of Moundsville met in Regular Session in the Council Chambers on October 21, 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, City Attorney Thomas White, Police Chief Kudlak, Fire Pvt. Whitwam, Street Commissioner Richmond, CPA Tom Dobbs and City Clerk Hewitt. Absent: Building Inspector Vickers.

MINUTES:

Regular Council Meeting of October 7, 2003.

Councilperson Trussell made a motion to accept and approve the minutes of the regular council meeting of October 7, 2003, seconded by Councilperson DiRemigio with amendments.

Councilperson DiRemigio asked that council consider adding to the paragraph on page 3 line 9 that, **“Attorney White gave the opinion that the city’s ballots are not secret and comply with the Open Meetings Act.”**

Councilperson Simms made a motion to accept the above amendment, seconded by Councilperson Oiler. Motion carried unanimously.

Mayor Wallace said a motion and second are on the floor to accept and approve the minutes as amended. Motion carried unanimously.

GENERAL PUBLIC HEARING:

* Mr. Gellner, 513 Eleventh Street, asked council if they were going to resolve the problem at 11th & Weaver Avenue. Semi trucks are still cutting over the curb and destroying 6-8 feet of his yard when they make the turn.

After a lengthy discussion, Street Commissioner Richmond advised the signs have been installed and Chief Kudlak will monitor the traffic.

* Ed Gorrell, 207 Sycamore Avenue, informed Mr. Gellner to contact his insurance company on the matter.

* Kris McLendon, 305 Baker Avenue, approached council on behalf of the Boys & Girls Club asking for a donation of \$500 toward insurance costs that increased from \$350 to \$1400. Also, asked that the city print labels from a mailing list for information on a campaign fund raiser to be sent to Moundsville residents. Attorney White advised that he will research the legality of that request.

Councilperson Simms made a motion to send the request of \$500 for the Boys & Girls Club to the Finance Committee, seconded by Councilperson Trussell. Motion carried unanimously.

OLD BUSINESS:

Discussion and Approval of an Ordinance Providing for a Zone Change at 1301 Ninth Street. (Second Reading)

Attorney White read the following zone change ordinance by title only to be passed by council on second reading:

AN ORDINANCE OF COUNCIL OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA, PROVIDING FOR A ZONING CHANGE OF A CERTAIN DESIGNATED AREA AT PARRIOTT AVENUE AND NINTH STREET IN THE CITY OF MOUNDSVILLE FROM A GENERAL RESIDENTIAL DISTRICT TO A NEIGHBORHOOD COMMERCIAL SPECIAL DISTRICT. (SECOND READING)

Councilperson Lemasters made a motion to accept the above zone change ordinance, seconded by Councilperson Simms.

Mayor Wallace called for a ballot vote. City Clerk announced the following tally. 7 yeas. Motion carried unanimously.

Other Items to be Discussed by Council.

Parking Meters in Business District.

Councilperson Simms asked that council allow free parking on Saturdays in the months of November and December on a trial basis to help the business owners. Chief Kudlak advised when meters were removed in the past, the business owners and employees used the parking on the street and patrons had no place to park.

After some discussion, Councilperson Ward made a motion to send this matter to the Finance

Committee, seconded by Councilperson Simms. Motion carried unanimously.

Purdy Avenue Traffic Problem.

Councilperson Simms informed council that an employee of Wood Health Care was present at the meeting and stated that other employees were asked about using the alley behind the business. All employees denied using the alley as an exit from the clinic. Council decided to take no action on this matter at this time.

NEW BUSINESS:

Discussion and Approval of an Ordinance Concerning the Open Governmental Meetings in the City of Moundsville. (First Reading)

Attorney White requested that the ordinance be submitted to the Ethics Commission for their opinion and approval before council votes on it.

Councilperson DiRemigio made the motion to send the ordinance to the Ethics Commission for approval, seconded by Councilperson Ward. Motion carried unanimously.

MANAGER ITEMS:

Christmas “Light Up Night”.

In conjunction with the Marshall County Chamber of Commerce, the City of Moundsville is going to participate in the “Light Up Night” at the Museum on November 6, 2003 at 6:00 p.m. The city will be coordinating the lighting of street decorations with the Christmas Tree Gala.

City of Benwood Sesquicentennial Celebration.

Since the City of Moundsville donated to the City of Benwood’s Sesquicentennial Celebration Moundsville received a booklet of history. A copy will be located at the Clerk’s Office for interested parties to look at.

WV Housing Development Fund.

The WV Housing Development Fund has a program that is an employers sponsored program that benefits the employees. The will city assist in providing training by the WV Housing Development Fund.

Council Minutes on the Web Page.

City Manager Hendershot announced that the City of Moundsville's Council Meeting Minutes are now on the web page.

Paving Priority List.

Manager Hendershot asked that council start preparing their paving priority list for spring of 2004.

Vacancy on the Parks and Recreation Commission. (Council's Appointment)

The term for Jane Klug on the Parks & Recreation Commission has expired. The Commission has sent a letter recommending reappointment of Ms. Klug for another five year term.

Manager Hendershot advised the vacancy has been advertised in the Echo and a decision will be made after the deadline.

Business After Hours.

Business After Hours will be held at Grandview Park Pool House on Thursday, October 23, 2003 from 5:00 p.m. to 7:00 p.m. To be hosted by BB&T.

Thank You Letter for the Street Department.

City Manager Hendershot read a thank you letter from Gary Timko, 12 Arlington Avenue, for improvements done to his alley.

Handicapped Parking Request.

A previous request for handicapped parking was postponed until the applicant had obtained another vehicle. The request was approved for a handicapped space at 68 Linden Avenue.

MAYOR ITEMS:

* Apologized to City Manager Hendershot for not knowing he was in the hospital.

Flag Dedication at Library.

Mayor Wallace announced that a flag dedication will be held on November 4, 2003 at 4:30 at the Moundsville Library. The flag pole was donated by Thomas E. White.

COMMITTEE REPORTS:

Discussion and Approval of Recommendations by the Finance Committee.

Discussion was held on the City of Moundsville finances to date. Mr. Tom Dobbs advised that \$38,155.40 is in the General Fund Checking Account; Sweep Account \$30,000; Municipal Fee Checking Account \$84,355.83; Sanitation Fund \$45,077.91; Wesbanco Money Market \$5,801.91. Accounts Payable \$287,530.05, which includes \$7,000 to Dobbs; \$8,529.87 to Met Life Dental Insurance; \$13,374.96 to Library; \$100,000 to Municipal Fee; \$55,000 to Police Pension Fund and \$25,247.56 to Workers Compensation.

After further discussion, council members scheduled a Finance Meeting on Monday, October 27, 2003 to follow the Policy Committee at 6:00 p.m.

COUNCIL ITEMS:

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

* **Lemasters** - Asked Street Commission Richmond when the Leaf-Vac will be used. Mr. Richmond advised that the department is short of man power at this time.

* Asked when the drain at 6th & Washington will be repaired? Mr. Richmond advised that the drain has collapsed and roots have grown through the drain. The pipe and catch basin have been delivered, the department is waiting on time and man power.

* Wished to thank Don Wise, Building Inspector, who helped during the renovations of the pool with contractors.

* Wished to thank the volunteers who have been painting at the pool. Also, would like to find out who the graffiti artist is, they would like to have them paint some things in the area.

* Wished to thank City Clerk Hewitt for transcribing council minutes. Also, wished to thank all the employees for the job they do.

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

* **Simms** - Stated that he is happy to leave council meetings after a heated discussion with no hard feelings.

* City Manager Hendershot informed Councilperson Lemasters that the problem at 6th & Washington Avenue even though it needs repaired was not a top priority, but the Street Department will start that project as soon as possible.

* **Trussell** - Thanked the Street Department for using the Dura-Patcher on Center Street which has helped tremendously.

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

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

Meeting adjourned at 8:35 p.m.

Sondra J. Hewitt, City Clerk

Denny Wallace, Mayor