

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,**
2 **SEPTEMBER 7, 2004**

3
4 The Council of the City of Moundsville met in Regular Session in the Council Chambers on
5 September 7, 2004 at 7:00 p.m.

6
7 Meeting was called to order by Mayor Ralph DiRemigio.

8
9 Invocation by Councilperson K. Mark Simms.

10
11 City Clerk called the roll and the following council persons were in attendance: Lemasters, Oiler,
12 Simms, Trussell, Wallace, Ward and DiRemigio. Also present: City Manager Hendershot,
13 Police Chief Kudlak, Fire Pvt. Walker, Street Commissioner Richmond, Building Inspector
14 Vickers, Attorney Thomas White, CPA Thomas Dobbs and City Clerk Hewitt.

15
16 **MINUTES:**

17
18 **Regular Council Meeting of August 17, 2004.**

19
20 Councilperson Trussell made a motion to accept and approve the minutes of the regular council
21 meeting of August 17, 2004, seconded by Councilperson Ward. Motion carried unanimously.

22
23 **GENERAL PUBLIC HEARING:**

24
25 * Gilbert Lashare, 64 Linden Avenue, informed council of a parking problem on Linden Avenue
26 with neighbors.

27
28 After some discussion, Councilperson Ward made a motion to send this matter to the Traffic
29 Committee, seconded by Councilperson Trussell. Motion carried unanimously.

30
31 * Tommy Isaacs, H C Nutting Company, spoke to council concerning the Wireless
32 Telecommunications Facility Sites and the services his company provides to the Municipalities.

33
34 After the presentation, Councilperson Simms made a motion to send this matter to the Policy
35 Committee, seconded by Councilperson Trussell. Motion carried unanimously.

36
37 Mayor DiRemigio called for a five minute recess.

38
39 Meeting recessed at 7:50 p.m.

40
41 Meeting reconvened at 7:56 p.m.

42
43 **OLD BUSINESS:**

1 **Discussion of Property at Tenth Street & Tomlinson Avenue.**

2
3 City Manager Hendershot reported to council that the appraisal for the house on Tenth Street is
4 approximately \$60,000 but the city could submit a bid for as much as 20% less to the state.
5 Council decided not to purchase the property.

6
7 **NEW BUSINESS:**

8
9 **Discussion and Approval of an Ordinance Concerning a Charter Change for Competitive**
10 **Bidding. (First Reading)**

11
12 Attorney White read the following ordinance by title only to be passed by council on first
13 reading:

14
15 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
16 **VIRGINIA, AMENDING AND REENACTING SECTION 42 OF THE CHARTER OF**
17 **THE CITY OF MOUNDSVILLE TO RAISE THE LEVEL OF CITY IMPROVEMENTS**
18 **REQUIRING COMPETITIVE BIDDING FROM \$2500 TO \$7500. (FIRST READING)**

19
20 Councilperson Simms made a motion to accept and approve the competitive bidding ordinance,
21 seconded by Councilperson Oiler.

22
23 Mayor DiRemigio called for a roll call vote. City Clerk announced the following tally. 6 yeas. 1
24 nay. Ward voting nay. Motion carried.

25
26 **Discussion and Approval of an Ordinance Concerning Driving Under the Influence of**
27 **Alcohol. (First Reading)**

28
29 Attorney White read the following ordinance by title only to be passed by council on first
30 reading:

31
32 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
33 **VIRGINIA, TO AMEND SECTION 333.01 OF THE MOUNDSVILLE CITY CODE**
34 **REGARDING DRIVING UNDER THE INFLUENCE OF ALCOHOL TO BRING THE**
35 **SAME IN CONFORMITY WITH PROVISIONS OF STATE LAW. (FIRST READING)**

36
37 Councilperson Trussell made a motion to accept and approve the above ordinance, seconded by
38 Councilperson Oiler.

39
40 Mayor Wallace called for a roll call vote. City Clerk announced the following tally. 7 yeas.
41 Motion carried unanimously.

1 **Discussion and Approval of an Ordinance Concerning Business & Occupation Taxes.**
2 **(First Reading)**

3
4 Attorney White read the following ordinance by title only to be passed by council on first
5 reading:

6
7 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
8 **VIRGINIA TO AMEND SECTION 745.151 OF THE MOUNDSVILLE CITY CODE TO**
9 **REPEAL BUSINESS AND OCCUPATION TAX EXEMPTIONS FOR BUSINESSES**
10 **LOCATING IN THE CITY. (FIRST READING)**

11
12 Vice Mayor Wallace made a motion to accept and approve the B&O Tax ordinance, seconded by
13 Councilperson Oiler.

14
15 Mayor DiRemigio called for a roll call vote. City Clerk announced the following tally. 7 yeas.
16 Motion carried unanimously.

17
18 **Discussion and Approval of Bids for a Salt Spreader for the Street Department.**

19
20 Bids were received on one salt spreader unit for the Street Department. The following
21 companies submitted bids:

22		
23	L.H. Jones Equipment Company	\$5,185.00
24	Morgantown WV	
25		
26	Southeastern Equipment Company	\$6,300.00
27	Brilliant OH	
28		

29 Councilperson Simms made a motion to approve the low bid of \$5,185.00 with L H Jones
30 Equipment Company, seconded by Councilperson Oiler. Motion carried unanimously.

31
32 **Other Items to be Discussed by Council.**

33
34 * Councilperson Simms informed council that he would like to discuss the employee sick leave
35 policy at the Policy meeting. He has a question concerning the definition of a "sick occurrence".

36
37 * Councilperson Simms also requested that the B&O Tax Exemption for businesses be discussed
38 at the Policy meeting.

39
40 **MANAGER ITEMS:**

41
42 **Riverfront Festival "Pow Wow".**
43

1 City Manager Hendershot reminded council and citizens of the Riverfront Festival this weekend.

2
3 **Moundsville Housing Authority Vacancy (Manager's Appointment)**

4
5 City Manager Hendershot received a letter from the Moundsville Housing Authority asking for
6 the city manager to reappoint Mayor Ralph DiRemigio to the board. Also Mayor Ralph
7 DiRemigio submitted a letter of his intent to serve another term.

8
9 **2004 Mock Disaster.**

10
11 The 2004 Mock Disaster is being held this week at the National Corrections & Law Enforcement
12 Training & Technology Center (NCLETTTC) both Moundsville Police Department &
13 Moundsville Fire Department have been involved in the training.

14
15 **MAYOR ITEMS:**

16
17 * Mayor DiRemigio asked that everyone remember to attend the Riverfront Festival.

18
19 * New banners will be placed on the utility poles for the John Marshall High School football
20 games.

21
22 * Also, Mayor DiRemigio wished to thank the Police Officers for assisting with traffic flow after
23 the home football games.

24
25 **COMMITTEE REPORTS.**

26
27 **Discussion and Approval of Recommendations by the Finance Committee.**

28
29 Councilperson Lemasters scheduled a Finance Meeting on Tuesday, September 14, 2004.

30
31 **Discussion and Approval of Recommendations by the Traffic Committee.**

32
33 Mayor DiRemigio scheduled a Traffic Meeting immediately following the Finance Meeting.

34
35 **Discussion and Approval of Recommendations by the Policy Committee.**

36
37 Councilperson Simms scheduled a Policy Meeting immediately following the Traffic Meeting.

38
39 **COUNCIL ITEMS:**

40
41 * **Lemasters** - Asked Street Commissioner Richmond still have summer help painting curbs.
42 Mr. Richmond advised council that the workers finished downtown and the school zones and
43 they are now working on other areas of town.

1 * **Oiler** - Reminded everyone that Busy Beaver Grand Opening is Saturday and the “board”
2 cutting will be on Thursday.

3
4 * **Simms** - Reported the curbs on Clinton Avenue needs repaired. Also, the street is in bad
5 shape.

6
7 * **Trussell** - Wished to welcome the Busy Beaver into the city.

8
9 * Asked Mayor DiRemigio is he determined new members on the sub committees. He informed
10 her not at this time.

11
12 * Wished to thank the Street Department for repairing the street on Olive Avenue that she
13 requested.

14
15 * **Wallace** - Nothing at this time.

16
17 * **Ward** - Asked Police Chief Kudlak if he approved painting the curb yellow on Sandy Avenue.
18 Chief Kudlak advised that he does not see a problem and has no recommendations either way.
19 He will comply with council’s wishes. Councilperson Ward asked that this matter be placed on
20 the Traffic Committee agenda.

21
22 Councilperson Ward made a motion to adjourn, seconded by Councilperson Simms. Motion
23 carried unanimously.

24
25 Meeting adjourned at 8:22 p.m.

26
27
28
29
30
31 _____
Sondra J. Hewitt, City Clerk

Ralph DiRemigio, Mayor