

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,**
2 **SEPTEMBER 21, 2004**

3
4 The Council of the City of Moundsville met in Regular Session in the Council Chambers on
5 September 21 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 Acting City Clerk called the roll and the following council persons were in attendance: DiRemigio,
12 Lemasters, Oiler, Simms, Trussell, Wallace and Ward. Also present: City Manager Hendershot,
13 Police Chief Kudlak, Fire Chief Clarke, Street Commissioner Richmond, Building Inspector
14 Vickers, Attorney Tom White, CPA Tom Dobbs, and Acting City Clerk Ankrom. Absent was City
15 Clerk Hewitt (vacation).

16
17 **MINUTES:**

18
19 **Regular Council Meeting of September 7, 2004.**

20
21 Councilperson Simms made a motion to accept and approve the minutes of the regular session of
22 September 7, 2004, seconded by Councilperson Oiler.

23
24 Councilperson Trussell pointed out that on page 2, line 40 it is written that "Mayor Wallace" called
25 for a roll call vote, and it should be "Mayor DiRemigio." Councilperson Simms made a motion to
26 approve the minutes as amended, Councilperson Trussell seconded. Motion carried unanimously.

27
28 **GENERAL PUBLIC HEARING:**

29
30 *** Josh Jefferson of the Regional Economic Development Partnership.**

31
32 Mr. Josh Jefferson, who took Zac Blair's position as Project Coordinator in the Regional Economic
33 Development Partnership, introduced himself to council and expressed a desire to work together in
34 economic development in Moundsville and Marshall County. He also expressed good wishes to
35 those families recovering from recent flooding.

36
37 **OLD BUSINESS:**

38
39 **Discussion and Approval of an Ordinance of the Council of the City of Moundsville, West**
40 **Virginia to amend Section 333.01 of the Moundsville City Code regarding driving under the**
41 **influence of alcohol to bring the same in conformity with provisions of State Law. (Second**
42 **Reading)**

1 Councilperson Trussell made a motion to approve the ordinance on second reading, seconded by
2 Councilperson Lemasters.

3
4 Mayor DiRemigio called for a roll call vote. Acting City Clerk announced the following tally: 7
5 yeas. Motion carried unanimously.

6
7 **Discussion and Approval of an Ordinance of the Council of the City of Moundsville, West**
8 **Virginia to amend Section 745.151 of the Moundsville City Code to repeal Business and**
9 **Occupation Tax exemptions for businesses locating in the City. (Second Reading)**

10
11 Councilperson Lemasters made a motion to approve the ordinance on second reading, seconded by
12 Councilperson Wallace.

13
14 Mayor DiRemigio called for a roll call vote. Acting City Clerk announced the following tally: 7
15 yeas. Motion carried unanimously.

16
17 **NEW BUSINESS:**

18
19 None.

20
21 **MANAGER ITEMS:**

22
23 **Business After Hours.**

24
25 Manager Hendershot reminded Council that Business After Hours will be held September 23 at
26 Reynolds Memorial Hospital from 5:00 to 7:00 PM. He asked members to make reservations
27 through Marilyn.

28
29 **Chamber of Commerce Annual Dinner.**

30
31 Manager Hendershot informed Council of the Chamber of Commerce's Annual Dinner that will be
32 held October 7 at Special Events. Reservations are \$18.00 per person, or \$130.00 for table of eight.
33 He asked that Council let him or Marilyn know if they are interested.

34
35 **Thank You Letter from Elizabethtown Festival.**

36
37 Manager Hendershot received a "Thank You" letter from the Elizabethtown Festival for the City's
38 contribution and support.

39
40 **Wireless Tower Facility.**

41
42 Manager Hendershot plans to advertise to see if local engineering firms are capable and interested
43 in addressing the wireless tower facility.

1 **Trick or Treat for Halloween 2004.**

2
3 Manager Hendershot stated that several inquiries have been received on when “Trick or Treat” will
4 be held this year. Councilperson Trussell made a motion to have the event on Saturday, October 30
5 from 6:00 to 7:30 PM, Councilperson Simms seconded. Motion carried unanimously.
6

7 **City Crew Work During Recent Flooding.**

8
9 Manager Hendershot explained that City Crews are coordinating with National Guard in flood clean-
10 up. He informed that Valley Fork Park North has been deemed a dump site for flood debris, which
11 the National Guard will haul away. This is available for all City residents since many that are not
12 in the flood plain were affected by runoff and flash flooding. He stated that flood debris can be put
13 at the curb, separate from regular household garbage, and will be hauled by Street and Sanitation
14 crews, separate from the regular garbage pickup.
15

16 Fire Chief Clarke, at the City Manager’s request, explained that his men worked from 7:00 am
17 Friday until 4:30 PM Monday afternoon, with a break on Saturday. His department answered 84
18 total calls which included 71 service, 2 fire, 4 boat rescue, and 7 EMS calls. He detailed the various
19 issues that were addressed by his men in conjunction with the Police and Street Departments. Chief
20 Clarke mentioned the various individuals, businesses, and organizations that helped by donating food
21 and assisting during the weekend.
22

23 Street Commissioner Richmond added that his department was working throughout the weekend and
24 will continue on 12-hour shifts until clean up is complete. Manager Hendershot commended the
25 Street Department on how quickly and thoroughly the streets were cleaned after water receded.
26

27 Police Chief Kudlak informed that his department answered 165 calls in the 72-hour period. He has
28 calculated, as required by FEMA, that the Police, Fire, Street, and City Hall employees worked 607
29 man hours during the flood crisis.
30

31 **MAYOR ITEMS:**

32
33 *Mayor DiRemigio thanked everyone that was involved during the weekend. He is encouraged by
34 the resiliency and helpful attitude of neighbors helping each other. He asked for everyone to rise and
35 give a round of applause for all those who assisted.
36
37

38 **COMMITTEE REPORTS:**

39
40 Attorney White took a moment to present two legal ads that needed to be received and filed.
41 Councilperson Simms made the motion, Councilperson Trussell seconded. Motion carried
42 unanimously.
43

1 **Discussion and Approval of Recommendations by the Finance Committee.**

2
3 Councilperson Lemasters made a motion to “lease-purchase” a backhoe for the Street Department
4 from Southeastern equipment for \$43,000, Councilperson Simms seconded. Motion carried
5 unanimously.

6
7 Councilperson Lemasters made a motion to allow the Fire Department to submit the grant paperwork
8 for fire prevention equipment and education material, seconded by Councilperson Simms. Per Chief
9 Clarke, the grant will require a 10% City match. Motion carried unanimously.

10
11 **Discussion and Approval of Recommendations by the Traffic Committee.**

12
13 Councilperson Ward had Manager Hendershot explain that a curb on Sandy Avenue, at the crest of
14 the hill, will be painted yellow. This will be monitored for effectiveness.

15
16 Discussion was held regarding an easement request for the alley abutting property at 1026 Morton
17 Avenue. Councilperson Trussell made a motion to grant the easement, but the motion died for lack
18 of a second. Councilperson Wallace motioned, for discussion, to deny the easement, seconded by
19 Councilperson Oiler. After brief discussion, Mayor DiRemigio called for a roll call vote.

20	DiRemigio	Yea	Lemasters	Yea	Oiler	Yea
21	Simms	Yea	Trussell	Nay	Ward	Yea
22	Wallace	Yea				

23 Motion passed with 6 Yeas and 1 Nay.

24
25 **Discussion and Approval of Recommendations by the Policy Committee.**

26
27 Councilperson Simms handed out minutes of the Policy Committee meeting. No recommendations
28 are being made at this time.

29
30 Manager Hendershot pointed out that the agenda lists a recommendation for the City Attorney to
31 draft an ordinance concerning the use of City vehicles. Councilperson Simms motioned for the City
32 Attorney to draft the ordinance, Councilperson Wallace seconded. Motion carried unanimously.

33
34 **COUNCIL ITEMS:**

35
36 Mayor DiRemigio presented the Council subcommittee listing and distributed a copy to each
37 Council member. Councilperson Simms expressed concern about being Traffic Committee
38 chairman, but will try it temporarily.

39
40 * **Lemasters** - Explained that Valley Fork Park and the walking trail is closed. The trail entrance
41 is also blocked from Poplar Avenue. Riverfront Park also sustained heavy damage from the
42 flooding.

- 1 * Would like for Channels 9 and 7 to receive a thank you for their coverage.
2
3 * Thanked everyone involved in the clean up efforts.
4
5 * Asked Councilperson Simms if basement backup on Potomac Avenue had been addressed.
6 Councilperson Simms explained that FEMA will reimburse 80%, except for personal items, if
7 homeowner keeps track of damage.
8
9 * Announced that Duane Clarke has resigned from the Parks & Recreation Board. Thanked Mr.
10 Clarke for his time and service on the board.
11
12 * **Oiler** - Thanked City employees for their “above and beyond” duties during the flooding. He was
13 impressed with the smooth flow of work being done.
14
15 * **Simms** - Expressed pleasure with the professionalism of the Department Heads and City Manager
16 during the flood crisis.
17
18 * Wants a thank you letter sent to the Volunteer Fire Department for their efforts.
19
20 * **Trussell** - Thanked the Fire and Police Departments for the professionalism and expertise shown
21 during the structure fire on First Street. Thanked Patrolman Helms and Chief Clarke for their joint
22 effort in rescuing a juvenile from the roof of the structure.
23
24 * Commended the Water Department for their effort in finding and controlling the water leak.
25
26 * Affirmed Manager Hendershot for his performance during the crisis.
27
28 * Expressed appreciation for the quick response and hard work by the Street Department in getting
29 the sweeper out and cleaning streets.
30
31 * Would like a letter sent to Governor Wise for the promptness of his response in offering help from
32 FEMA and the National Guard, and for visiting Marshall County. She also mentioned the
33 Reservists, local businesses, and residents for their compassion and resiliency.
34
35 * **Wallace** - Commended the City Manager, Mayor, Department Heads, and all City employees for
36 their teamwork and great effort.
37
38 * Would like a thank you sent to St Jo for their assistance.
39
40 * Conveyed wishes from the Soccer Club to begin clean up on the fields. He was told by
41 Councilperson Lemasters that they will need to go through Tom Sutton and the Parks & Recreation
42 Board.
43

1 * Pointed out to Mr. & Mrs. Seals, who were in attendance, that their situation will be investigated
2 and has not been forgotten in the recent turmoil.

3
4 * **Ward** - Thanked the Fire and Police Departments, all the City and County employees who were
5 helping out. Commended the City Manager for the expert way he handled the crisis.

6
7 * Councilperson Simms thanked Mayor DiRemigio for being out and about. His visit to the
8 Treatment Plant was appreciated by the employees.

9
10 * Mayor DiRemigio pointed out that Chief Kudlak's father mentioned the two 250 gallon portable
11 water tanks. They were helpful in the effort.

12
13 Councilperson Ward made a motion to adjourn, seconded by Councilperson Simms. Motion carried
14 unanimously.

15
16 Meeting adjourned at 7:54 p.m.

17
18
19
20
21

Karen L. Ankrom, Acting City Clerk

Dennis Wallace, Mayor