

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,**
2 **SEPTEMBER 6, 2005**

3
4 The Council of the City of Moundsville met in Regular Session in the Council Chambers on
5 September 6, 2005 at 7:00 p.m.

6
7 Meeting was called to order by Vice Mayor Dennis Wallace.

8
9 Invocation by Councilperson Mark Simms.

10
11 City Clerk called the roll and the following council persons were in attendance: Haynes,
12 Lemasters, Oiler, Simms, Ward and Wallace. Absent: DiRemigio (ill). Also present: City
13 Manager Hendershot, Police Chief Kudlak, Fire Chief Clarke, Street Commissioner Richmond,
14 Building Inspector Vickers, Attorney Thomas White, Finance Director Thomas Dobbs and City
15 Clerk Hewitt. Absent: Building Inspector Wise (vac).

16
17 **MINUTES:**

18
19 **Regular Council Meeting of August 16, 2005.**

20
21 Councilperson Oiler made a motion to accept and approve the minutes of the regular council
22 meeting of August 16, 2005, seconded by Councilperson Simms. Motion carried unanimously.

23
24 **GENERAL PUBLIC HEARING:**

25
26 * Lester Tasker, 1407 Tenth Street, asked for more patrol on Tenth Street and at the Moundsville
27 Plaza.

28
29 * Mike Eskridge, 1302 Eighth Street, Leo Advisor at Moundsville Jr High (young branch of the
30 Lions Club) asked for council's support in raising money for the Hurricane Katrina Disaster. Mr.
31 Eskridge would like to ask each citizen in Moundsville for \$1.00. The Leo Club's goal is
32 \$10,000. The month of September students will be located outside the Moundsville Jr. High
33 from 8:00 to 8:20 and 12:20 to 12:45 every day with buckets for anyone wishing to donate.

34
35 Councilperson Ward made a motion to direct the City Attorney to draft a resolution supporting
36 the Hurricane Katrina Relief Fund, seconded by Councilperson Simms. Motion carried
37 unanimously.

38
39 * Brenda Olnick, 77 Walnut Avenue, asked council what she could do to keep her neighbors
40 from harassing her. She reported having a cook out over the holiday weekend and police were
41 dispatched several times for loud music and fire being too high for cooking food. Officers
42 responded but did not find a problem.

1 Vice Mayor Wallace informed Mrs. Olnick to seek advise from an attorney on this matter. It is
2 civil and must be taken care of in Magistrate Court.

3
4 * David White, 406 Clinton Avenue, asked if the city still had a motorcycle or bicycle officer.
5 He was informed that the city does have a motorcycle officer. Also, asked if the curfew
6 ordinance is being enforced because there are a lot of kids in his neighborhood out at all hours of
7 the night. Chief Kudlak advised that the curfew ordinance is being enforced. Mr. White asked
8 for extra patrol on Clinton Avenue.

9
10 **OLD BUSINESS:**

11
12 **Discussion of Appointment to the Moundsville Housing Authority. (Manager's**
13 **Appointment)**

14
15 Manager Hendershot announced that he will be appointing Nick James to fill the unexpired term
16 of Elva Anderson, term to expire August 5, 2008 and May Browning to fill the unexpired term of
17 Shirley Lemons, term to expire July 29, 2006.

18
19 **Other Items to be Discussed by Council.**

20
21 * Councilperson Haynes asked when the new street sweeper was suppose to be in? Street
22 Commissioner Richmond reported next week. Councilperson Haynes also asked if the new
23 doors have been installed at the city garage? Commissioner Richmond advised that the rear door
24 has been installed.

25
26 * Discussion was held on hiring a consulting engineer to advise City Council on repairs that will
27 be needed for City Hall, City Garage, etc.

28
29 Councilperson Simms made a motion to authorize the City Manager to obtain quotes for a
30 consulting engineer, seconded by Councilperson Haynes. Motion carried unanimously.

31
32 * Discussion was held on a forestry plan for the timber at the city's landfill. After a brief
33 discussion, Councilperson Haynes made a motion to hire a forester to provide the city with a
34 forestry plan, seconded by Councilperson Simms. Motion carried unanimously.

35
36 **NEW BUSINESS:**

37
38 **Discussion and Approval of Recommendations by the Police Civil Service Commission to**
39 **Modify the Rules and Regulations on Examinations for Probationary Patrolman.**

40
41 Councilperson Simms made a motion to accept the recommendations provided by the Police
42 Civil Service Commission, seconded by Councilperson Oiler. Motion carried unanimously.

1 **Discussion of the Municipal Revenue Enhancement Program.**

2
3 The Municipal Revenue Enhancement Program is a program sponsored by the WV Municipal
4 League that allows cities to utilize their expertise on a state wide basis to collect B& O Taxes
5 that may be unreported or reported at a wrong location. There is no cost to participate. The cost
6 will only be in effect if the program collects B&O. A resolution needs to be drafted to
7 participate.

8
9 Councilperson Haynes made a motion to direct the City Attorney to draft a resolution for the city
10 to participate in the Municipal Revenue Enhancement Program, seconded by Councilperson
11 Simms. Motion carried unanimously.

12
13 **Discussion and Approval of a Resolution Authorizing the City to Enter into a Contractual**
14 **Agreement with the Local Economic Development Assistance Grant Program for a Grant**
15 **Award. (Conversion of Former State Police Barracks - \$8,000)**

16
17 Councilperson Simms made a motion to authorize the City Manager to enter into the agreement,
18 seconded by Councilperson Lemasters. Motion carried unanimously.

19
20 **Discussion and Approval of a Resolution Authorizing the City to Enter into a Contractual**
21 **Agreement with the Governor's Community Partnership Grant Program for a Grant**
22 **Award. (Update Lighting System at East End Baseball Complex - \$10,000)**

23
24 Councilperson Haynes made a motion to authorize the City Manager to enter into the agreement,
25 seconded by Councilperson Oiler. Motion carried unanimously.

26
27 **Discussion of a Recommendation by the Planning Commission Concerning a Zone Change**
28 **of Larry Kidd for 1916 First Street from R-U to C-N.**

29
30 Councilperson Lemasters made a motion to approve the recommendation by the Planning
31 Commission for a zone change at 1916 First Street from R-U to C-N, seconded by Councilperson
32 Oiler. Motion carried unanimously.

33
34 **Discussion of a Denial by the Planning Commission Concerning a Zone Change of**
35 **Margaret McCardle for 1501 Second Street from C-N to C-C.**

36
37 No action needed to be taken on this matter. Vice Mayor Wallace noted that it is his personal
38 opinion to follow the decisions of the Planning Commission.

39
40 **Other Items to be Discussed by Council.**

41
42 * Councilperson Lemasters reminded council that the Riverfront Festival is next weekend. Last
43 year during the festival vehicles were parked too close to the train track causing a number of

1 vehicles to be damaged. Does council wish to close off that section of the street to prevent this
2 kind of accident again.

3
4 Manager Hendershot noted that if the street is blocked, there will not be additional parking
5 during the festival. No action was taken.

6
7 * Councilperson Haynes commended Councilperson Simms for speaking at the Public Service
8 Commission hearing in the Council Chambers concerning the City of Moundsville Water
9 Treatment Plant Project.

10
11 **MANAGER ITEMS:**

12
13 **Update on Clark Property.**

14
15 City Manager Hendershot reported that he contacted the bank which is very interested in selling
16 the property. The price they quoted is \$200,000. Further discussion was held on the different
17 options the city can use to purchase the property.

18
19 **WV Municipal League Requesting Assistance from Cities.**

20
21 The WV Municipal League is working with Municipal Leagues in Alabama, Louisiana and
22 Mississippi to assist with equipment, personnel, systems and expertise. Cities can collect or
23 remit donations directly to the Red Cross. Cheryl Mills from Ranson WV is coordinating the
24 WV Municipal Relief Fund.

25
26 **Bishop Donahue Walkathon.**

27
28 Bishop Donahue High School will be holding it 8th Annual Father Raymond Jablinske Memorial
29 Walkathon on September 23, 2005. The City of Moundsville has donated \$100 for each year for
30 the last three years.

31
32 Manager Hendershot advised he will bring this requested to the Finance Committee.

33
34 **WV Department of Transportation - Transportation Enhancement Program.**

35
36 City Manager Hendershot, Councilperson Simms & Haynes were presented a \$25,000 grant in
37 Charleston for the City of Moundsville's handicapped accessible sidewalks and cross walks for
38 Jefferson Avenue & the area around the Marshall County Courthouse.

39
40 **Update on 8th Street & Baker Avenue - One Way Traffic Request.**

41
42 Chief Kudlak reported that he observed the area on several occasions and none of his
43 observations led him to the conclusion that people were traveling this area in order to avoid the

1 traffic light on Jefferson Avenue. Nor did he observe vehicles exceeding the 25 mph speed limit.

2
3 **Update on First Street and Alley West of Dollar General Store - One Way Traffic Request.**

4
5 The request was to either change the alley one way going south from First Street or to change to
6 a two way alley. It was the opinion of Chief Kudlak to change the one way alley to a two way
7 alley. The alley has been made two way on a trial basis.

8
9 **City of Moundsville Opposes Closure of Navy Marine Reserve Center.**

10
11 Manager Hendershot had previously sent letters to the local Federal Representative of West
12 Virginia and received responses from Congress Mollohan, Senator Byrd & Senator Rockefeller
13 concerning the closure to Moundsville's Navy Marine Reserve Center. The Base Realignment
14 and Closure Commission voted to consolidate six Army Reserve Centers into three new Armed
15 Forces Reserve Centers in West Virginia and closing the Moundsville facility.

16
17 **MAYOR ITEMS:**

18
19 * Vice Mayor Wallace wished a quick recovery for Mayor DiRemigio.

20
21 **COMMITTEE REPORTS:**

22
23 After some discussion, Council members decided to postpone scheduling any Finance
24 Committee, Traffic Committee and Policy Committee meetings due to availability of members.

25
26 **COUNCIL ITEMS:**

27
28 * **Haynes** - Commented on the quick demolition of the Center Street property.

29
30 * **Lemasters** - Announced that Fire Lt. Mike Hummel resigned and requested that he be
31 presented with a plaque for his services.

32
33 * **Ward** - Received complaints in reference to the noise generated by the ground filtration unit on
34 Walnut Avenue.

35
36 * Reported the sidewalk going east of Bob's Lunch needs repaired.

37
38 * **Oiler** - Asked if City Manager contacted Dr. Wood concerning alley? Manager will contact
39 him Wednesday.

40
41 * **Simms** - Received complaints of trees hanging over sidewalks. Also noticed that some trees
42 have been trimmed.

1 * **Wallace** - Condolences to Finance Director Thomas Dobbs whose office caught fire over the
2 weekend. Damage was to the new addition. Mr. Dobbs commended the Moundsville Fire
3 Department and the Moundsville Volunteer Fire Department for their actions which greatly
4 limited damage to his office. He also the neighbor that reported the fire.

5
6 * Noticed that trees on Seventh Street have been trimmed.

7
8 Vice Mayor Wallace made a motion to adjourn, seconded by Councilperson Haynes. Motion
9 carried unanimously.

10
11 Meeting adjourned at 8:12 p.m.

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18 _____
19 Sondra J. Hewitt, City Clerk

Vice Mayor Dennis Wallace