

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,**
2 **OCTOBER 18, 2005**

3
4 The Council of the City of Moundsville met in Regular Session in the Council Chambers on
5 October 18, 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: Oiler, Simms,
12 Ward and Vice Mayor Wallace. Absent: Mayor DiRemigio (ill), Haynes (vac), Lemasters (vac).
13 Also present: Acting City Manager Deanna J Hess, Police Chief Kudlak, Fire Pvt. Shane Ullom,
14 Street Department Foreman Chuck Richmond, Building Inspector Vickers, Attorney Thomas
15 White, CPA Finance Director Thomas Dobbs and City Clerk Hewitt. Absent: City Manager
16 Hendershot (vac), Fire Chief Clarke (attending class), Street Commissioner Richmond (ill).

17
18 **MINUTES:**

19
20 **Regular Council Meeting of October 4, 2005.**

21
22 Councilperson Oiler made a motion to accept and approve the regular council meeting of
23 October 4, 2005, seconded by Councilperson Simms. Motion carried unanimously.

24
25 **GENERAL PUBLIC HEARING:**

26
27 * Beth Phillips, 72 Highland Avenue, expressed their thanks to council for passing the resolution
28 on behalf of the parents, grandparents & friends of the children that attend two of the elementary
29 schools proposed to be closed in the City of Moundsville.

30
31 Vice Mayor Wallace again expressed that council does not want to second-guess the Marshall
32 County Board of Education. City Council members are officials elected to make decisions in the
33 city just like the Board of Education is officials elected to make decisions for the betterment of
34 the school system.

35
36 **OLD BUSINESS:**

37
38 **Discussion and Approval of an Ordinance Concerning Water Bonds for the City of**
39 **Moundsville. (Second Reading)**

40
41 Attorney White read the following ordinance by title only to be passed by council on second
42 reading:

1 **AN ORDINANCE OF THE CITY OF MOUNDSVILLE AUTHORIZING THE**
2 **REFUNDING OF THE OUTSTANDING WATERWORKS SYSTEM REFUNDING**
3 **BOND ANTICIPATION NOTES, SERIES 2000; AND AUTHORIZING THE**
4 **ACQUISITION AND CONSTRUCTION OF EXTENSIONS, ADDITIONS,**
5 **BETTERMENTS AND WATERWORKS SYSTEM OF THE CITY OF MOUNDSVILLE**
6 **AND THE FINANCING OF THE COST, NOT OTHERWISE PROVIDED, THERE OF**
7 **THROUGH THE ISSUANCE BY THE CITY OF NOT MORE THAN \$7,000,000 IN**
8 **AGGREGATE PRINCIPAL AMOUNT OF WATER REVENUE BONDS, SERIES 2005A**
9 **(UNITED STATES DEPARTMENT OF AGRICULTURE) AND NOT MORE THAN**
10 **\$13,000,000 IN AGGREGATE PRINCIPAL AMOUNT OF WATER REVENUE BONDS,**
11 **SERIES 2005 B (WEST VIRGINIA RIGHTS AND REMEDIES OF AND SECURITY**
12 **FOR THE REGISTERED OWNERS OF SUCH BONDS; AUTHORIZING EXECUTION**
13 **AND DELIVERY OF ALL DOCUMENTS RELATING TO THE ISSUANCE OF SUCH**
14 **BONDS; APPROVING, RATIFYING AND CONFIRMING A LOAN AGREEMENT**
15 **RELATING TO SUCH BONDS; AUTHORIZING THE SALE AND PROVIDING FOR**
16 **THE TERMS AND PROVISIONS OF SUCH BONDS AND ADOPTING OTHERS**
17 **PROVISIONS RELATING THERETO. (SECOND READING)**

18
19 Councilperson Simms made a motion to accept and approve the above Water Bond Ordinance,
20 seconded by Councilperson Oiler.

21
22 Vice Mayor Wallace called for a voice vote. City Clerk announced the following tally. 4 yeas.
23 Motion carried unanimously.

24
25 **NEW BUSINESS:**

26
27 **Discussion and Approval of a Recommendation by the Planning Commission Concerning a**
28 **Zone Change at 713 Seventh Street from C-S to C-C.**

29
30 Councilperson Simms made a motion to direct the City Attorney to draft an ordinance for the
31 Zone Change at 713 Seventh Street, seconded by Councilperson Ward. Motion carried
32 unanimously.

33
34 **Other Items to be Discussed by Council.**

35
36 * Councilperson Simms recommended that council discuss the possibility of enacting a
37 moratorium in efforts to build the business community rather than establishing coffee shops.
38 Attorney White advised he would have to research the matter before giving council any advise.

39
40 * Vice Mayor Wallace announced that construction of a Wallboard Plant will be built in
41 Marshall County near the Mitchell-Kammer Plant.

42
43 **MANAGER ITEMS:**

1 **Business After Hours.**

2
3 Acting City Manager Hess announced that Business After Hours will be held on October 27,
4 2005 from 5:00 to 7:00 at the Grandview Park Pool Room, sponsors will be Bayer Credit Union
5 and Ked's Ace Hardware.

6
7 **Special Sanitary Board Meeting.**

8
9 The Sanitary Board will hold a special meeting with WV DEP and City Council concerning
10 administrative orders to raise rates. The meeting will be on October 25, 2005 at 6:00 p.m. at the
11 City of Moundsville Council Chambers.

12
13 **Letter of Commendation to Lt. Robinson and the Moundsville Police Department.**

14
15 Councilperson Haynes wished to thank Lt. Robinson and the Police Department for their quick
16 response and arrest of an individual who was attempting to defraud business owners in
17 Moundsville.

18
19 Councilperson Simms made a motion to award a letter of commendation, seconded by
20 Councilperson Oiler. Motion carried unanimously.

21
22 **Jefferson Avenue Extension Bridge.**

23
24 A copy of the letter sent to Governor Manchin from Senator Kessler concerning the Jefferson
25 Avenue Extension Bridge. The letter stated that the bridge project was originally scheduled for
26 2006 then pushed back to 2008 and once again beyond 2009. The primary concern for the delay
27 for this project is additional traffic created by the new Wal Mart and lack of sidewalks for
28 pedestrians to cross the bridge. If the sidewalks are constructed now, it would be necessary to
29 demolish them since the temporary bridge would be constructed in the same area.

30
31 **Bishop Donahue Walk A Thon.**

32
33 A letter of thanks was sent to the City Manager and Council for their donation to the Bishop
34 Donahue Walk A Thon. This year the students raised \$9,000. The money will be used for text
35 books, campus ministry programs and lab improvements.

36
37 **Letter of Thanks.**

38
39 Randy Chamberlain of Chamberlain Agency sent a letter to express his appreciation for the
40 recent paving of Clinton Avenue.

1 **Letters from Board of Education Members.**

2
3 The City of Moundsville Manager and Council received letters from Board of Education
4 Members concerning council's recent approval of a resolution in support of parents, grandparents
5 and friends of children attending two elementary schools in Moundsville proposed to be closed.
6

7 **Other Items to be Discussed by the City Manager.**

8
9 **Legal Ads by Attorney Thomas White.**

10
11 Attorney White present legal ads published in the Moundsville Daily Echo to be received and
12 filed by council.
13

- 14 1. Ordinance for Zone Change at 1916 First Street.
- 15 2. Ordinance Concerning WVML Municipal Revenue Enhancement Program.
16

17 Councilperson Simms made a motion to receive and file the legal ads, seconded by
18 Councilperson Oiler. Motion carried unanimously.
19

20 **MAYOR ITEMS:**

21
22 **Jefferson Avenue Sidewalk Project.**

23
24 Vice Mayor Wallace expressed that council should move forward with the sidewalk project on
25 Jefferson Avenue Extension. He requested this project be placed on the Traffic Committee
26 Agenda.
27

28 **COMMITTEE REPORTS.**

29
30 **Discussion and Approval of Recommendations by the Finance Committee.**

31
32 Vice Mayor Wallace asked Attorney White if he could re-appoint council members to new
33 committees in the absence of Mayor DiRemigio.
34

35 **Discussion and Approval of Recommendations by the Traffic Committee.**

- 36
37 1. Discussion and Approval of a Request by the American Legion to Pay ½ of the Cost to Pave
38 Compton Avenue.
39

40 Councilperson Simms made a motion to pay \$750 of the \$1500 cost to pave Compton Avenue,
41 seconded by Councilperson Oiler. Motion carried unanimously.
42
43

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

2
3 1. Discussion of a Recommendation to Direct the City Attorney to Draft an ordinance for a
4 Safety & Health Loss Control Manual.

5
6 Councilperson Oiler made a motion to direct the City Attorney to draft an ordinance for a Safety
7 & Health Loss Control Manual, seconded by Councilperson Simms. Motion carried
8 unanimously.

9
10 2. Discussion and Approval of a Recommendation to Direct the City Attorney to Draft an
11 Ordinance Concerning the Distance Between Liquor Establishments, Schools and Churches.

12
13 Councilperson Oiler made a motion to direct the City Attorney to draft and ordinance concerning
14 the distance between liquor establishments, schools and churches, seconded by Councilperson
15 Simms. Motion carried unanimously.

16
17 **COUNCIL ITEMS:**

18
19 * **Ward** - Nothing at this time.

20
21 * **Simms** - Nothing at this time.

22
23 * **Oiler** - Commend Klug Brothers for the Thompson Avenue paving project.

24
25 * **Wallace** - Nothing at this time.

26
27 Councilperson Oiler made a motion to adjourn, seconded by Councilperson Ward. Motion
28 carried unanimously.

29
30 Meeting adjourned at 7:35 p.m.

31
32
33
34
35 _____
36 Sondra J Hewitt, City Clerk

Dennis Wallace, Vice Mayor