

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,**
2 **DECEMBER 20, 2005**

3
4 The Council of the City of Moundsville met in Regular Session in the Council Chambers on
5 December 20, 2005 at 7:00 p.m.

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

8
9 Invocation by City Manager Hendershot.

10
11 City Clerk called the roll and the following council persons were in attendance: Haynes,
12 Lemasters, Oiler, Simms (arrived late), Vice Mayor Wallace, Ward (arrived late) and Mayor
13 DiRemigio. Also present: City Manager Hendershot, Police Chief Kudlak, Street Commissioner
14 Richmond, Fire Pvt. Shane Ullom, Building Inspector Vickers, Attorney Thomas White, Asst.
15 Finance Director Jane Criswell and City Clerk Hewitt. Absent: Fire Chief Clarke, CPA Finance
16 Director Thomas Dobbs.

17
18 **MINUTES:**

19
20 **Regular Council Meeting of December 6, 2005.**

21
22 Councilperson Oiler made a motion to accept and approve the minutes of the regular council
23 meeting of December 6, 2005, seconded by Councilperson Lemasters. Motion carried
24 unanimously.

25
26 **Special Council Meeting of December 13, 2005.**

27
28 Councilperson Oiler made a motion to accept and approve the minutes of the special council
29 meeting of December 13, 2005, seconded by Councilperson Wallace. Motion carried
30 unanimously.

31
32 **GENERAL PUBLIC HEARING:**

33
34 **Presentation of House Decorating Contest Winners:**

35
36 Vice Mayor Wallace presented Second Place Winners, David & Mae Gill, 103 Sugar Street with
37 a certificate and check.

38
39 Mayor DiRemigio & Manager Hendershot presented Third Place Winners, Lester & Vickie Best,
40 206 Cypress Avenue with certificate and check.

41
42 First Place Winners, John & Dixie Bushovisky were not present to accept their certificate &
43 check.

1 **OLD BUSINESS:**

2
3 **Discussion and Approval of an Ordinance Concerning Yard Sale & Garage Sales in the**
4 **City. (Second Reading)**

5
6 Attorney White read the following yard sale ordinance by title only to be passed by council on
7 second reading:

8
9 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
10 **VIRGINIA, TO ENACT ARTICLE 535 OF THE CODE OF THE CITY OF**
11 **MOUNDSVILLE, REQUIRING PERMITS FOR YARD AND GARAGE SALES AND**
12 **PROVIDING FOR A LIMIT OF FOUR SUCH SALES PER YEAR. (SECOND**
13 **READING)**

14
15 Councilperson Haynes made a motion to approve the yard sale ordinance, seconded by
16 Councilperson Oiler.

17
18 Mayor DiRemigio called for a voice vote. City Clerk announced the following tally. 5 yeas.
19 Motion carried unanimously. (Haynes, Lemasters, Oiler, Wallace and DiRemigio)

20
21 **NEW BUSINESS:**

22
23 **Election of Mayor and Vice Mayor.**

24
25 Councilperson Oiler made a motion to nominate Dennis Wallace as Mayor, seconded by
26 Councilperson Lemasters. Mayor DiRemigio closed the nominations. Motion carried
27 unanimously.

28
29 Councilperson Haynes made a motion to nominate Ralph DiRemigio as Vice Mayor, seconded
30 by Councilperson Oiler. Mayor DiRemigio closed the nominations. Motion carried
31 unanimously.

32
33 **Discussion and Approval of an Ordinance Concerning Days and Coverage Hours for**
34 **Parking Meters. (First Reading)**

35
36 Attorney White read the following ordinance by title only to be passed by council on first
37 reading:

38
39 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
40 **VIRGINIA, AMENDING AND REENACTING SECTION 361.14 OF THE CODE OF**
41 **THE CITY OF MOUNDSVILLE, PERTAINING TO PARKING METERS AND**
42 **AMENDING THE EFFECTIVE HOURS OF OPERATION. (FIRST READING)**

1 Councilperson Haynes made a motion to accept and approve the Parking Meters Ordinance,
2 seconded by Councilperson Lemasters.

3
4 Mayor DiRemigio called for a voice vote. City Clerk announced the following tally. 5 years.
5 (Haynes, Lemasters, Oiler, Wallace and DiRemigio). Motion carried unanimously.

6
7 **Discussion and Approval of an Ordinance Concern Employee Policy Regulations. (First**
8 **Reading)**

9
10 Attorney White read the following ordinance by title only to be passed by Council on first
11 reading:

12
13 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
14 **VIRGINIA, TO ENACT SECTION 155.13 OF THE EMPLOYEE POLICY**
15 **REGULATIONS PROVIDING FOR A DRUG FREE WORKPLACE AND SUBSTANCE**
16 **ABUSE POLICY. (FIRST READING)**

17
18 Councilperson Lemasters made a motion to accept and approve the drug free workplace
19 ordinance, seconded by Councilperson Oiler.

20
21 Mayor DiRemigio called for a voice vote. City Clerk announced the following tally. 5 years.
22 (Haynes, Lemasters, Oiler, Wallace and DiRemigio). Motion carried unanimously.

23
24 **Discussion and Approval of a Resolution Authorizing the City Manager to Investigate the**
25 **Participation in the WVML Insurance Services General Insurance Pool or Program and**
26 **the WVML Insurance Services Premium Financing Program.**

27
28 Councilperson Lemasters made a motion to authorize the City Manager to investigate the
29 participation in the WVML Insurance Pool, seconded by Councilperson Oiler. Motion carried
30 unanimously.

31
32 Manager Hendershot explained that this resolution was passed previously authorizing the
33 manager to enter into an agreement with WVML Insurance Pool which would allow the city
34 to probe that insurance as a possible carrier for the city. This resolution has some minor changes
35 that need approved by council.

36
37 **Discussion and Approval of a Resolution Authorizing an Emergency Purchase of an**
38 **Atmospheric Gas Water Heater Without Utilizing Competitive Bidding for Four Seasons**
39 **Pool.**

40
41 Councilperson Haynes made a motion to authorizing the emergency purchase of the water heater
42 for the Four Seasons Pool without using the bid process, seconded by Councilperson Lemasters
43 for discussion. Motion carried unanimously.

1 Councilperson Lemasters reported to council that the water heater for the pool is not working, the
2 pool temperature has dropped to 72 degrees. Manager Hendershot reported that 3 estimates were
3 received from H E Neumann, \$7,725; Johnson Boiler, \$8,200; A E Pelley, \$8,420.
4 Councilperson Lemasters noted that Johnson Boiler has the heater in stock.
5

6 **Discussion and Approval of the 2006 Fireworks Bids.**
7

8 Vice Mayor Wallace made a motion to accept the low bid from Schaffer in the amount of \$8,500
9 for the 2006 Fireworks, seconded by Councilperson Oiler. Motion carried unanimously.
10

11 **Appointment to the Fire Civil Service Commission. (Chamber of Commerce Appointment)**
12

13 The Chamber of Commerce submitted their letter of re-appointment to Joseph Marsh, who has
14 been on the commission for several years. Councilperson Lemasters made a motion to approve
15 the Chamber of Commerce appointment, seconded by Vice Mayor Wallace. Motion carried
16 unanimously.
17

18 **Appointment to the Historic Landmark Commission. (Council's Appointment)**
19

20 Manager Hendershot received a letter from Tom Vickers asking to be re-appointed to the
21 Historic Landmark Commission. Councilperson Haynes made a motion to re-appoint Mr.
22 Vickers to the commission, seconded by Councilperson Oiler. Motion carried unanimously.
23

24 **Renewal of the Employee Dental Insurance.**
25

26 Manager Hendershot reported that MetLife has increased 5% this year, which put the city from
27 \$38,286 to \$40,204. The city's previous carrier, Guardian Plan submitted the city with a lower
28 bid of \$38,718. Manager Hendershot recommended the city accept the low bid.
29

30 Councilperson Lemasters made a motion to accept the low bid of \$38,718 from Guardian for the
31 employee's dental insurance coverage, seconded by Councilperson Ward. Motion carried
32 unanimously.
33

34 **Review of the City Manager.**
35

36 Council members agreed, as directed by city charter, to discuss this matter in an executive
37 session at the end of the meeting.
38

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

41 Councilperson Haynes reported that the City Manager and Vice Mayor Wallace signed papers at
42 the Water Department on Monday, December 19, 2005 at 10:00 p.m., for funds to build the new
43

1 Water Treatment Plant. Shook Contracting received the bid and hope to bring in their equipment
2 January 1, 2006. Construction will not start until February 1, 2006.

3
4 **MANAGER ITEMS:**

5
6 **Homeland Security SAFER Grant.**

7
8 Fire Chief Clarke notified Manager Hendershot by letter that the application for the Staffing for
9 Adequate Fire and Emergency Response grant has been denied. The application was scored
10 generally good and above average in all four required elements.

11
12 **Council Tour of Clark Property.**

13
14 Manager Hendershot announced that a tour has been scheduled for the Clark property on
15 Thompson Avenue on December 21, 2005 at 6:30 p.m., for council members.

16
17 **Other Items to be Discussed by City Manager.**

18
19 * Street Commissioner Richmond will pick up the new dump truck Thursday around 12:00 p.m.

20
21 * The Street Department reported the weight of the copper is approximately 1,900 lbs. The city
22 will rebid. Bids are due December 29, 2005.

23
24 * Manager Hendershot will host an employee luncheon on Friday, December 23, 2005 at 12:00
25 p.m.

26
27 * The Historic Society is asking for donations for the Cockayne property. This matter was sent
28 to the Finance Committee.

29
30 * Manager Hendershot spoke with Scott Varner and sent letters to other legislatures about the
31 city's concerns on the Limited Video Lottery Machines.

32
33 **Legal Certifications by Attorney White.**

34
35 Attorney White presented five legal certifications published in the Moundsville Daily Echo to be
36 received and filed by council:

- 37
38 1. Zoning Variance - 9 Division Street
39 2. Zoning Variance - 1214 Eighth Street
40 3. Zoning Variance - RD 4 Box 70B
41 4. Fire Hose Bids
42 5. Copper Wiring Bids
43

1 Vice Mayor Wallace made a motion to receive and file the legal certifications, seconded by
2 Councilperson Lemasters. Motion carried unanimously.

3
4 **MAYOR ITEMS:**

5
6 Mayor DiRemigio announced what an honor and privilege it has been to serve the citizens of
7 Moundsville as Mayor and now as Vice Mayor.

8
9 **COMMITTEE REPORTS:**

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

- 12
13 1. Discussion of Renewal of Dental Insurance. Renew dental insurance with Guardian Dental.
14
15 2. Discussion of Purchasing the Clark Property. This matter was taken under consideration.
16
17 3. Discussion of Hours for Parking Meters. Direct the City Attorney to draft an ordinance to
18 eliminate meters on Saturdays and enforce meters Monday-Friday 9:00 a.m. to 5:00 p.m.
19
20 4. Discussion of Replacement of Hot Water Heater for Pool. Direct the City Attorney to draft an
21 emergency resolution for the purchase.

22
23 **Discussion and Approval of Recommendations by the Traffic Committee.**

- 24
25 1. Discussion of an Easement or Abandonment on Highland Avenue at Second Street to Parrs
26 Run Road. Table this until January 2006.
27
28 2. Discussion of the crosswalk on 12th Street near the Shopping Plaza.

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

- 31
32 1. Discussion of a Drug Free and Substance Abuse Policy Ordinance Amendments. Authorize
33 the City Attorney to draft an ordinance with changes to Employee Policy.

34
35 **COUNCIL ITEMS:**

36
37 * **Ward** - Nothing at this time.

38
39 * **Simms** - Merry Christmas and Happy New Year.

40
41 * **Oiler** - Several residents on 12th Street have requested a sidewalk from Plaza west on 12th
42 Street.

1 * Merry Christmas and Happy New Year.
2
3 * **Haynes** - Asked Manager Hendershot if he & Tom Dobbs have the employee salaries in line
4 with the budget. Manager Hendershot advised that Tom Dobbs has been working on the salaries,
5 but he has been ill.
6
7 * Asked that council study the possibility of obtaining ambulance service. After some
8 discussion, Mayor DiRemigio appointed a Committee naming members as Councilperson
9 Haynes, Vice Mayor Wallace, Fire Chief Clarke, Mayor DiRemigio and member from the
10 Volunteer Fire Department.
11
12 * Merry Christmas and Happy New Year.
13
14 * **Lemasters** - Merry Christmas and Happy New Year.
15
16 * **Wallace** - Thank council members for election of mayor.
17
18 * Commended Jim Woods and his employees and everyone who participated in the quest for the
19 new water treatment plant.
20
21 * Merry Christmas and Happy New Year.
22
23 Vice Mayor Wallace made a motion to go into an executive session for personnel matters,
24 seconded by Councilperson Oiler. Motion carried unanimously.
25
26 Meeting recessed at 7:58 p.m.
27
28 Executive session began at 8:00 p.m.
29
30 Executive session recessed at 8:41 p.m.
31
32 Regular session reconvened at 8:41 p.m.
33
34 Vice Mayor made a motion to adjourn, seconded by Councilperson Oiler. Motion carried
35 unanimously.
36
37 Meeting adjourned at 8:42 p.m.
38
39
40
41
42
43

Sondra J. Hewitt, City Clerk

Ralph DiRemigio, Mayor