

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,  
NOVEMBER 20, 2007**

The Council of the City of Moundsville met in Regular Session in the Council Chambers on November 20, 2007 at 7:00 p.m.

Meeting was called to order by Vice Mayor Wayne Lemasters.

Invocation by City Manager Hendershot.

City Clerk called the roll and the following councilpersons were in attendance: DiRemigio, Cunningham, Haynes, Vice Mayor Lemasters, Simms and Wood. Absent: Mayor Wallace. Also present: City Manager Hendershot, Police Chief Kudlak, Fire Pvt. Walker, Street Laborer Stocklask, Building Inspector Vickers, CPA Kathryn Goddard, Attorney Thomas White and City Clerk Hewitt. Absent: Fire Chief Clarke, Street Commissioner Richmond.

**MINUTES:**

**Regular Council Meeting of November 6, 2007.**

Councilperson Wood made a motion to accept and approve the minutes of the regular council meeting of November 6, 2007, seconded by Councilperson Haynes. Motion carried unanimously.

**GENERAL PUBLIC HEARING:**

\* Larry Vucelick, 27 Simpson Avenue asked council why he and another part time employee did not receive his \$50 Christmas Bonus.

Manager Hendershot advised they were only seasonal and laid off the beginning of November. Vice Mayor Lemasters would like to look into this matter because there are no specific guidelines concerning Christmas bonus.

\* David White, 406 Clinton Avenue, asked that council have the street light replaced at the corner of Fourth Street & Clinton Avenue, he reported the light is very dim. Manager Hendershot advised he will report the light to AEP.

**NEW BUSINESS:**

**Discussion and Approval of a Resolution Authorizing the Execution of an Agreement Between the City of Moundsville and the Division of Highways for the Construction of the Twelfth Street Sidewalks Project.**

Councilperson Wood made a motion to approve the resolution to authorize the execution of an

agreement between the City of Moundsville and Division of Highways, seconded by Councilperson Haynes. Motion carried unanimously.

### **MANAGER ITEMS:**

Marshall County Sheriff Gruzinskas and the Marshall County Anti Drug Coalition has invited Moundsville City Council to join them in celebrating National Drunk & Drugged Driving Prevention Month on December 6, 2007 from 4-5 p.m., at the National Corrections & Law Enforcement Training & Technology Center Building.

### **MAYOR ITEMS:**

\* Vice Mayor Lemasters announced that he was pleased with the attendance and weather of the Moundsville Christmas Parade.

\* Happy Thanksgiving to everyone.

\* Welcome Councilperson Ralph DiRemigio to this meeting.

\* Pleased that Gordon's building was razed.

\* Asked the Sanitation Committee schedule a meeting concerning rates and dumpsters.

### **COMMITTEE REPORTS:**

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

1. Handicapped Parking Request at 31 Oak Avenue.

Councilperson Simms made a motion to approve the handicapped parking request at 31 Oak Avenue, seconded by Councilperson Lemasters. Motion carried unanimously.

2. Handicapped Parking Request at 224 Curtis Avenue.

Councilperson Simms made a motion to approve the handicapped parking request at 224 Curtis Avenue, seconded by Councilperson Haynes. Motion carried unanimously.

3. Shorten Yellow Line at North/West Corner of Second Street & Jefferson Avenue.

Councilperson Simms made a motion to shorten yellow line at north/west corner of Second Street & Jefferson Avenue, seconded by Councilperson Haynes. Motion carried unanimously.

4. Discussion of Free Parking in the City for Holidays.

Councilperson Simms made a motion to have free parking in Moundsville, except around the Court House, from December 10, 2007 until January 2, 2008 seconded by Councilperson Haynes. Motion carried unanimously.

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

1. Discussion and Approval of Renewal of Joint Agreement of MS-4 Permit with WV DEP.

Councilperson Lemasters made a motion to renew the joint agreement of MS-4 permit with WV DEP, seconded by Councilperson Simms. Motion carried unanimously.

\* Councilperson Simms questioned the reason why Mr. Vucelik and another Recreation employee did not receive their bonus check.

After some discussion, Councilperson Simms made a motion to give the two seasonal employees the \$50 Christmas bonus, seconded by Councilperson Haynes. Motion carried unanimously.

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

1. Direct the City Attorney to Draft an Ordinance Banning Utility Trailer Parking on City Streets.

Councilperson Wood made a motion to direct the City Attorney to draft an ordinance pertaining to utility trailer parking in the city, seconded by Councilperson Simms for discussion.

Vice Mayor Lemasters called for a voice vote. City Clerk announced the following tally. 3 yeas, 3 nays. Cunningham, DiRemigio, Simms voting nay. Motion failed tie vote.

2. Direct the City Attorney to Draft an Ordinance to Require Businesses to Notify the City of Business Termination and to Relinquish City Business License.

Councilperson Wood made a motion to direct the City Attorney to draft an ordinance to require businesses to notify the City of Moundsville of business termination, seconded by Vice Mayor Lemasters. Motion carried unanimously.

3. Direct the City Attorney to Draft an Ordinance to Implement the “Revised Return to Work” Policy.

Councilperson Wood made a motion to direct the City Attorney to draft an ordinance to implement the revised Return to Work Policy, seconded by Vice Mayor Lemasters. Motion carried unanimously.

**COUNCIL ITEMS:**

\* **Haynes** - Wishes everyone a Happy Thanksgiving.

- \* Commend the Street Department and other City Employees for the jobs they do.
- \* **Simms** - Asked if property reflectors could be placed upon utility trailers instead of creating an ordinance? Manager Hendershot advised that would fall under the Road Worthy Regulations of the State Code.
- \* Wished everyone a Happy Thanksgiving.
- \* Reported a large hole on Fifth Street as you make the run from Lafayette Avenue.
- \* **Cunningham** - Reported the dumpster on Sixth Street has no reflectors.
- \* Commend the Street Department for the work they do.
- \* Has received good comments on Sgt. Helm of the Police Department.
- \* **Wood** - Wished to thank the organizers & everyone involved in the Moundsville Christmas Parade.
- \* Happy Thanksgiving to employees, council and administration.
- \* Asked if Building Inspectors have contacted the owner of the house on First Street across from Smith Mart. Building Inspector Vickers reported that owners of the house were in the Clerk's Office and left their address for Building Inspector Vickers.
- \* Reported the house next to the old T&E Florist at First Street & Jefferson Avenue is in need of repair, awnings are falling from the house.
- \* Concerned about the food left inside the Convenient Food Store at Second Street & Cedar Avenue. Manager Hendershot advised he will notify the Health Department.
- \* **DiRemigio** - Nothing at this time.

Councilperson Simms made a motion to adjourn, seconded by Councilperson Wood. Motion carried unanimously.

Meeting adjourned at 7:34 p.m.

---

Sondra J. Hewitt, City Clerk

---

Dennis Wallace, Mayor