

JOURNAL
OF THE
COUNCIL
CITY OF CHARLESTON
WEST VIRGINIA

OCTOBER 15, 2001

THE COUNCIL MET IN CHAMBERS OF THE CITY BUILDING AT 7:00 P.M., FOR THE SECOND MEETING IN THE MONTH OF OCTOBER, ON THE 15TH DAY, IN THE YEAR 2001, AND WAS CALLED TO ORDER BY THE HONORABLE MAYOR, JAY GOLDMAN.

THE CLERK CALLED THE ROLL AND THE FOLLOWING MEMBERS ANSWERED TO THEIR NAMES:

CHARNOCK
CRICKENBERGER
DAVIS
FOUTY-YOUNG
HAAS
HARRIS
HENRY
JONES
KIMBERLING
KNAUFF

LANE
DAVID LANHAM
JAMES LANHAM
LOEB
LOPEZ
MARKHAM
MCKNIGHT
MOLGAARD
MORTON
NIELSEN

PETTRY
PRUNTY
QUICK
REISHMAN
ROLLER
TALKINGTON
MAYOR GOLDMAN

TWENTY-SEVEN MEMBERS BEING PRESENT, THE MAYOR DECLARED A QUORUM.

PENDING THE READING OF THE JOURNAL OF THE PREVIOUS MEETING, THE READING THEREOF WAS DISPENSED WITH AND THE SAME DULY APPROVED.

OCTOBER 15, 2001 SECOND MEETING

CITY OF CHARLESTON COUNCIL MINUTES OCTOBER 15, 2001

Invocation was given by William Kimberling, Ward 18 Council. Jessica Humphries sang the National Anthem. The Pledge of Allegiance was given..

PUBLIC HEARING

Mayor Goldman stated the following:

Pursuant to Chapter 8, Section 11, Article 4, of the West Virginia Code, and after duly being advertised as required on October 12, 2001, I now declare the floor open for a Public Hearing on Bill No. 6850, a Bill establishing Section 31-208.1 of the City Code titled Residential Permit Parking and providing for a public hearing on the provisions of the Bill. The Chair sees no one from the public. The Chair hears no one from the public. The Chair declares the Public Hearing closed.

PUBLIC SPEAKERS

1. Eugene Streets
2. Ray Evans

SPECIAL THANKS

Councilmembers Lane and Loeb set forth a Resolution from the floor to officially commend Police Officer Duke Jordan for the his extraordinary team work he displayed in apprehending an individual whom is charged with defacing property by the painting of graffiti. Officer Jordan received a standing ovation.

CLAIMS

1. A Claim of Mary Ann Triplett; 290-D Main Boulevard, Boynton Beach, Florida; alleges personal injury; Referred to City Solicitor.
2. A Claim of Frank or Deloris Green; 132 Twilight Drive, Charleston, WV; alleges damage to vehicle; Referred to City Solicitor.
3. A Claim of Bill Roberts, Jr.; 208 Shop Road, Glen Morgan, WV; alleges personal injury; Referred to City Solicitor.
4. A Claim of John Charnock; 1202 Loudon Heights Road, Charleston, WV; alleges damage to vehicle; Referred to City Solicitor.
5. A Claim of Beth Thomasson; 700 Virginia Street West, Charleston, WV; alleges damage to property; Referred to City Solicitor.

6. A Claim of Larry Cassis; 4701 Venable Avenue, S.E., Charleston, WV; alleges damage to property; Referred to City Solicitor.

7. A Claim of Helen E. Pushkin; 1401 Bedford Road, Charleston, WV; alleges damage to property; Referred to City Solicitor.

COMMUNICATIONS

PROCLAMATIONS

FOUR FOLLOWING

EXECUTIVE DEPARTMENT

CITY OF CHARLESTON

PROCLAMATION

By the Mayor

WHEREAS: National Business Women's Week was first observed in 1928, and has become a nationwide salute to working women; and

WHEREAS: Working women constitute a large segment of the nation's work force, and are constantly striving to serve their communities, their states, and their nation in civic and cultural programs; and

WHEREAS: Major goals of business and professional women are to help create better conditions for business women through the study of social, educational, economic and political problems, to help women to be of greater service to their communities, and to further friendships with other women throughout the world; and

WHEREAS: Working women may be justly proud of the leadership they have demonstrated in these many fields of endeavor.

NOW THEREFORE: I, Jay Goldman, Mayor of the City of Charleston, do hereby proclaim October 15 through 19, 2001 in honor of:

NATIONAL BUSINESS WOMEN'S WEEK in Charleston, encouraging all citizens and organizations to join this observance by encouraging and promoting this tribute to the achievements of all business and professional women.

IN WITNESS HEREOF, I have hereunto set my hand and caused the Seal of the Executive Department to be affixed this 15th day of October 2001.





Jay Goldman, Mayor

EXECUTIVE DEPARTMENT

CITY OF CHARLESTON

PROCLAMATION

By the Mayor

WHEREAS: Make a Difference Day is a unique program that inspires and rewards volunteers, changing millions of lives forever; and

WHEREAS: Make A Difference Day focuses on small acts of kindness that can make a difference to a person, family or community in need; and

WHEREAS: Make A Difference Day is America's largest day of service when millions simultaneously help others; and

WHEREAS: Make A Difference Day will be held Saturday, October 27, 2001 across the nation; and

WHEREAS: Make A Difference Day will give many the satisfaction of knowing that their commitment changed lives even by doing something as simple as donating food or visiting an elderly neighbor, bringing hope to many.

NOW THEREFORE: I, Jay Goldman, Mayor of the City of Charleston, do hereby proclaim October 27, 2001 in honor of:

MAKE A DIFFERENCE DAY

IN WITNESS HEREOF, I have hereunto set my hand and caused the Seal of the Executive Department to be affixed this 27th day of October, 2001.





Jay Goldman, Mayor

EXECUTIVE DEPARTMENT

CITY OF CHARLESTON

PROCLAMATION

By the Mayor

WHEREAS: The United Way in conjunction with Kanawha County will be holding "Focus on Community Day" on Friday, November 2, 2001; and

WHEREAS: The United Way's "Focus on Community Day" hopes to reflect unity and cohesiveness in a powerful message about the strength of West Virginians and their willingness to help one another; and

WHEREAS: The United Way is need now more than ever with the disasters that have devastated our region, including the flooding of this past summer; and

WHEREAS: The United Way supports programs like those at the American Red Cross and the Salvation Army that provide critical needs during times of emergencies, providing a true "Focus on Community".

NOW THEREFORE: I, Jay Goldman, Mayor of the City of Charleston, do hereby proclaim November 2, 2001 in honor of:

"Focus on Community"

IN WITNESS HEREOF, I have hereunto set my hand and caused the Seal of the Executive Department to be affixed this 2nd day of November 2001.





Jay Goldman, Mayor

EXECUTIVE DEPARTMENT

CITY OF CHARLESTON

PROCLAMATION

By the Mayor

WHEREAS: The social blight of domestic violence has continued to burden America into the 21st century and tragically turns many homes into places of torment; and

WHEREAS: Domestic violence spills over into schools and places of work; and it affect people from every walk of life and though abuse may occur in the seclusion of a private residence, its effects scar the face of our nation, state and city; and

WHEREAS: A comprehensive, coordinated approach must shape our strategy to reduce domestic violence and accordingly work is being done to partner with local communities and other entities to implement mechanisms to respond to reports of domestic violence; and

WHEREAS: As we observe National Domestic Violence Month, let us call on all West Virginians to commit to preventing domestic violence and to assist those who suffer from it so that we may see peace in our homes, schools, places of work and communities that will help ensure the future safety of countless children and adults.

NOW THEREFORE: I, Jay Goldman, Mayor of the City of Charleston, do hereby proclaim October 2001 in honor as:

NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH

IN WITNESS HEREOF, I have hereunto set my hand and caused the Seal of the Executive Department to be affixed this 15th day of October 2001.




Jay Goldman, Mayor

MUNICIPAL PLANNING COMMISSION

Municipal Planning Commission
Wednesday, October 3, 2001

Glenridge Road Extension - Street Dedication: Request of David Brown to dedicate the extension of Glenwood Road in Glenridge Forest Subdivision off Chesterfield Avenue in Kanawha City.

Pinnacle Woods Drive Street Naming: Request of Pinnacle Heights Limited Partnership to name a new street Pinnacle Woods Drive.

Referred to Council Committee on Planning

REPORTS OF STANDING COMMITTEES

PLANNING

Councilwoman Mary Jean Davis, Chairperson of the Council Committee on Planning, submitted the following report.

1. Your Committee on Planning has had under consideration Bill No. 6795, and reports the same to Council with the recommendation that the Bill do pass, as amended.

Councilwoman Davis made a motion to amend the Bill on line 20 by adding a new section (d) "There shall be a 30 foot setback radius running adjacent to the property lines of the Clendenin Square Townhouses."

The question being on the passage of the amendment a vote was taken. There being no dissent the Mayor declared the amendment passed unanimously.

Bill No. 6795, as amended, a Bill amending the Zoning Ordinance of the City of Charleston, West Virginia, enacted the 7th day of March 1983, as amended, and the map made a part thereof, be rezoned from an Urban Renewal District to a C-6 Community Commercial District that certain parcel of land situate at East Charleston Tax Map 5 Parcel 5.

Be it Ordained by the Council of the City of Charleston, West Virginia:

1. The City Council finds that:

(A) A general plan known as the Comprehensive Plan for the City of Charleston has been adopted by City Council and is recognized and used as a general guide for the development of the City; and

(B) Resolution No. 707-01 was passed by the Urban Renewal Committee of Council declaring the objectives of said Urban Renewal Districts have been completed and are in compliance with Comprehensive Plan for the City of Charleston; and

(C) The proposed rezoning is in compliance with the Comprehensive Plan.

(D) There shall be a 30' setback radius running adjacent to the property line of the Clendenin Square Townhouses.

2. The Zoning Ordinance of the City of Charleston, West Virginia, enacted the 7th day of March 1983, as amended, is hereby amended by rezoning from Urban Renewal District to a C-6 Community Commercial District the whole of the following described parcel of land:

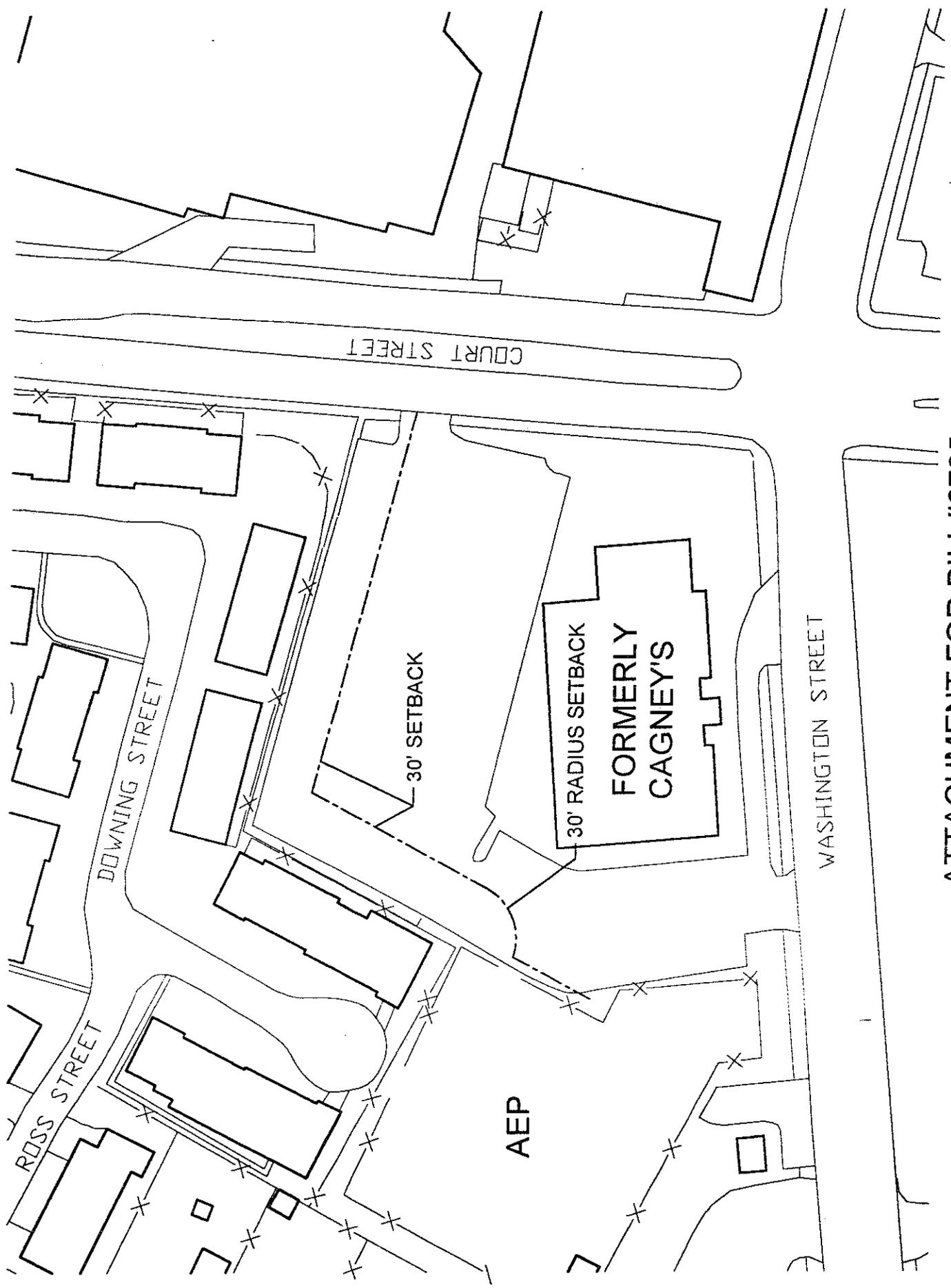
Parcel No. 5 shown on Charleston East Tax Map No.

5. Said tax map is of record in the Planning Office.

3. The Zoning Map, attached to and made a part of said Zoning Ordinance, is hereby amended in accordance with Section 3-5 of this Ordinance.

4. All prior ordinances, or parts ordinances, inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

MAP FOLLOWING



ATTACHMENT FOR BILL #6795

The question being on the passage of the Bill a roll call was taken and there were; yeas-25, nays-2, absent-0, as follows:

YEAS: Charnock, Crickenberger, Davis, Fouty-Young, Haas, Harris, Henry, Jones, Kimberling, Knauff, Lane, David Lanham, James Lanham, Loeb, Lopez, Molgaard, Morton, Nielsen, Pettry, Prunty, Quick, Reishman, Roller, Talkington, and Mayor Goldman.

NAYS: Markham and McKnight.

ABSENT: None.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 6795, as amended, passed.

URBAN RENEWAL

Councilwoman Sara Crickenberger, Chairperson of the Council Committee on Urban Renewal, submitted the following report.

1. Your Committee on Urban Renewal has had under consideration Resolution No. 854-01, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 854-01-"Declaring an area of the Community to be necessary to accomplish the implementation of an existing redevelopment plan, pursuant to the provisions of Chapter 16, Article 18 of the Code of West Virginia."

WHEREAS, in accordance with Chapter 16, Article 18 of the Code of West Virginia (the "Act"), the City of Charleston adopted the Washington Street, East Urban Renewal Plan (the "Plan"), on April 2, 1990 after having approved the boundaries of the Plan on January 2, 1990;

WHEREAS, the Plan constitutes a general plan of redevelopment pursuant to the Act, and the area subject to the Plan is a slum or blighted area in need of redevelopment;

WHEREAS, a cooperative effort of Charleston Urban Renewal Authority ("CURA"), the City of Charleston, Charleston Renaissance and the State of West Virginia surveyed and evaluated the East End Area of the City, including areas subject to the Plan, and issued recommendation for the development and redevelopment of the area (the "Central Plan"), with specific attention toward properties near the proposed Arts Center on Washington Street, East;

WHEREAS, the Central Plan recommended the introduction of a supermarket and grocery facility in the East End Area, as necessary for the complete and successful development and redevelopment of the project area and as necessary to accomplish the implementation of the Plan;

WHEREAS, the best and most beneficial location of such supermarket and grocery facility, in light of input from consultants, traffic patterns, city zoning, public access, and other considerations, is at the city block between Washington, Elizabeth, Jackson, and Maxwell Streets, and a portion of the city block between Washington, Maxwell, Jackson, and Nancy Streets (the "Subject Area");

WHEREAS, CURA determined that the introduction of a supermarket and grocery facility in the Subject Area is necessary for the implementation of the Plan, as evidenced by a resolution passed by Charleston Urban Renewal Authority, passed on September 15, 2001;

WHEREAS, the Plan's current boundaries include most of the Subject Area, with the exception of lots 152, 153, 165, 166, 167, 168, 169, 170, 171, and 172 as identified on East Charleston Tax Map No. 23 (collectively, the "Addition");

WHEREAS, the inclusion of the Addition in the Plan is necessary for the introduction of a supermarket and grocery facility in the Subject Area and necessary to accomplish the implementation of the Plan;

WHEREAS, the Plan area and the Addition, as a whole, constitutes a blighted or slum area in need of redevelopment pursuant to the Act.

NOW THEREFORE, Be it Resolved by the Council of the City of Charleston, West Virginia:

That the Plan shall be amended and its boundaries expanded to include the Addition, and that such amendment and expansion is necessary for the implementation of the Plan.

The question being on the adoption of the Resolution a roll call was taken and there were; yeas-27, nays-0, absent-0, as follows:

YEAS: Charnock, Crickenberger, Davis, Fouty-Young, Haas, Harris, Henry, Jones, Kimberling, Knauff, Lane, David Lanham, James Lanham, Loeb, Lopez, Markham, McKnight, Molgaard, Morton, Nielsen, Pettry, Prunty, Quick, Reishman, Roller, Talkington, and Mayor Goldman.

NAYS: None.

ABSENT: None.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 854-01 adopted unanimously.

FINANCE

Councilman Larry Roller, Chairman of the Council Committee on Finance, submitted the following reports.

1. Your Committee on Finance has had under consideration Resolution No. 830-01, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 830-01—"Authorizing the Mayor to sign a time and materials contract with Upton Construction Company, in the amount of \$41,438.50, for the Danner Road Stom Sewer project."

Be it Resolved by the Council of the City of Charleston, West Virginia:

That the Mayor is hereby authorized and directed to sign a time and materials contract with

Upton Construction Company, in the amount of Forty-one Thousand Four Hundred Thirty-eight Dollars and Fifty Cents (\$41,438.50), for the Danner Road Storm Sewer Improvements project. To be charged to the following accounts:

- \$34,964.66 - 25-096-00-029, CDBG–Street Improvements, Danner Road
- \$ 6,473.84 - 58-420-0-0-4-060, Engineering–Capital Outlay, Major Improvements

The question being on the adoption of the Resolution a roll call was taken and there were; yeas-27, nays-0, absent-0, as follows:

YEAS: Charnock, Crickenberger, Davis, Fouty-Young, Haas, Harris, Henry, Jones, Kimberling, Knauff, Lane, David Lanham, James Lanham, Loeb, Lopez, Markham, McKnight, Molgaard, Morton, Nielsen, Pettry, Prunty, Quick, Reishman, Roller, Talkington, and Mayor Goldman.

NAYS: None.

ABSENT: None.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 830-01 adopted unanimously.

2. Your Committee on Finance has had under consideration Resolution No. 855-01, and reports the same to Council with the recommendation that the Resolution be adopted, as amended.

Councilman Roller made a motion to amend the Resolution by deleting the numbers and inserting the underlined numbers as followed:

01-420-00-000-1-003	Engineering	Salaries & Wages	118,447	<u>143,629</u>
01-420-00-001-1-004		FICA	9,383	<u>11,310</u>
01-420-00-000-1-006		Retirement	11,253	<u>13,645</u>
01-420-00-000-1-009		Insurance-P/R Deduction	(2,583)	<u>3,376</u>
01-699-00-000-5-098	Contingency		42,732	<u>9,153</u>

The question being on the adoption of the amendment a roll call was taken and there were; yeas-9, nays-18, absent-0, as follows:

YEAS: Crickenberger, Haas, Lane, David Lanham, Nielsen, Reishman, Roller, Talkington, and Mayor Goldman.

NAYS: Charnock, Davis, Fouty-Young, Harris, Henry, Jones, Kimberling, Knauff, James Lanham, Loeb, Lopez, Markham, McKnight, Molgaard, Morton, Pettry, Prunty, and Quick.

ABSENT: None.

With a majority of members elected recorded thereon as voting in the negative the Mayor declared the amendment failed.

Councilman Charnock made a motion to amend the Resolution by eliminating all sections that refer to the elimination of the Traffic Engineer position and leave that position as is in it's current state with the discussion on this item be referred to the Council Committee on Streets and Traffic for further discussion; and further request that the Finance Department provide the correct numbers that such a move would make.

The question being on the adoption of the amendment a vote was taken. With a majority of members voting in the affirmative the Mayor declared the amendment adopted.

Resolution No. 855-01, as amended- "Authorizing the Finance Director to make revisions to the 2001-2002 General Fund budget as indicated on the attached list of accounts."

Be it Resolved by the Council of the City of Charleston, West Virginia:

That the Finance Director is hereby authorized and directed to make revisions to the 2001-2002 General Fund budget as indicated on the attached list of accounts; and be it

FURTHER RESOLVED, that this budgetary revision is being made prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists.

LIST OF ACCOUNTS FOLLOWING

Account No.	Department	Description	Amount
01-410-00-000-3-041	City Council	Materials & Supplies	1,000
01-699-00-000-5-098	Contingency		(1,000)

Provide funds for miscellaneous and sundry items for fax machines, etc.

01-439-00-000-1-003	Information Systems	Salaries & Wages	24,279
01-439-00-000-1-004		FICA	1,857
01-439-00-000-1-005		Medical & Life Insurance	3,217
01-439-00-000-1-006		Retirement	2,307
01-439-00-000-1-008		Dental/Optical Insurance	347
01-439-00-000-1-009		Insurance-P/R Deduction	(765)
01-439-00-000-2-026		Insurance-WCUC	1,302
01-699-00-000-5-098	Contingency		2,456
01-700-00-000-3-044	Police-Uniform	Prisoner Other Costs	(35,000)

Provide funds for Sr. PC Administrator to assist with support requirements.

0

01-706-00-000-1-003	Fire-Uniform	Salaries & Wages	42,330
01-706-00-000-1-004		FICA	157
01-706-00-000-1-005		Medical & Life Insurance	(4,423)
01-706-00-000-1-008		Dental/Optical Insurance	(477)
01-706-00-000-1-009		Insurance-P/R Deduction	795
01-706-00-000-2-026		Insurance-WCUC	(1,797)
01-699-00-000-5-098	Contingency		(36,585)

Eliminate 1 Firefighter Regular Pay & Benefits \$31,492 & reinstate Overtime & Benefits by \$36,585 from Contingency. This will reduce Regular S&W by \$25,224 and increase Overtime S&W by \$67,554.

0

01-420-00-000-1-003	Engineering	Salaries & Wages	118,447
01-420-00-000-1-004		FICA	9,383
01-420-00-000-1-005		Medical & Life Insurance	19,423
01-420-00-000-1-006		Retirement	11,253
01-420-00-000-1-008		Dental/Optical Insurance	2,341
01-420-00-000-1-009		Insurance-P/R Deduction	(2,583)
01-420-00-000-2-013		Utilities	95,000
01-420-00-000-2-014		Travel	900
01-420-00-000-2-015		M&R-Building/Grounds	1,000
01-420-00-000-2-016		M&R-Equipment	7,000
01-420-00-000-2-021		Training	800
01-420-00-000-2-026		Insurance-WCUC	8,077
01-420-00-000-2-030		Contracted Services	340,000
01-420-00-000-3-041		Materials & Supplies	20,000
01-420-00-000-3-045		Uniforms	1,400
01-420-00-000-4-059		C/O-Equipment	46,500
01-420-00-000-4-061		C/O-Lease Purchase	34,900
01-712-00-000-1-003	Traffic Engineering	Salaries & Wages	(151,658)
01-712-00-000-1-004		FICA	(11,924)
01-712-00-000-1-005		Medical & Life Insurance	(22,640)
01-712-00-000-1-006		Retirement	(14,408)
01-712-00-000-1-008		Dental/Optical Insurance	(2,688)
01-712-00-000-1-009		Insurance-P/R Deduction	3,629
01-712-00-000-2-013		Utilities	(95,000)
01-712-00-000-2-014		Travel	(900)
01-712-00-000-2-015		M&R-Building/Grounds	(1,000)
01-712-00-000-2-016		M&R-Equipment	(7,000)
01-712-00-000-2-021		Training	(800)
01-712-00-000-2-026		Insurance-WCUC	(9,384)
01-712-00-000-2-030		Contracted Services	(340,000)
01-712-00-000-3-041		Materials & Supplies	(20,000)
01-712-00-000-3-045		Uniforms	(1,400)
01-712-00-000-4-059		C/O-Equipment	(46,500)
01-712-00-000-4-061		C/O-Lease Purchase	(34,900)
01-699-00-000-5-098	Contingency		42,732

Merge Traffic Engineering with Engineering Dept. & eliminate Traffic Engineer position.

0

10-19-01
Revised to
include
Engineering

Delete this entire section, and refer this section to the Council Committ on Streets and Traffic and request Finance Department provide correct numbers that such a move would make

Account No.	Department	Description	Amount
01-305-00-0015	Business & Occupation Tax	CASWV	(230,000)
01-906-00-000-5-068	CASWV	Other Contributions	230,000

Amend budget for the receipt and disbursement of certain revenues collected and committed to the CASWV project.

01-952-00-000-1-003	Spring Hill Cemetery	Salary & Wages	10,000
01-952-00-000-1-004		FICA	765
01-952-00-000-2-030		Contracted Services	(10,765)

Transfer funds to allow using IPT employees in conjunction with or in lieu of contracted personnel.

FY 2001-2002 ENCUMBRANCES

01-412-00-000-2-024	City Manager	Audit Costs	13,650
01-412-00-000-2-030		Contracted Services	15,500
01-416-00-000-2-030	Municipal Court	Contracted Services	2,000
01-416-00-000-4-059		C/O-Equipment	8,597
01-417-00-000-2-029	Legal	Court Costs & Damages	100,000
01-418-00-000-2-021	Accounting	Training	976
01-437-00-000-2-030	Planning	Contracted Services	35,000
01-700-00-000-1-007	Police-Uniform	Contribution to Pension Fund	8,245
01-700-00-000-4-059		C/O-Equipment	2,349
01-706-00-000-4-059	Fire-Uniform	C/O-Equipment	7,257
01-900-00-000-4-059	Parks & Recreation	C/O-Equipment	725
01-952-00-000-2-023	Spring Hill Cemetery	Professional Services	12,218
01-299-00-0000	Balance on Hand - July 1		(206,517)

Manual Encumbrances 0

To adjust the proper accounts in the FY 2001-2002 Municipal Budget for those amounts included in "Reserve for Encumbrances" as stated in the Financial Statements for the Fiscal Year Ended June 30, 2001. This is in compliance with instructions from the State Auditors Office, Chief Inspector Division, State of West Virginia.

01-420-00-000-2-021	Engineering	Training	(125)
01-712-00-000-2-016	Traffic Engineering	M&R-Equipment	390
01-754-00-000-2-016	Equipment Maintenance	M&R-Equipment	320
01-900-00-000-3-041	Parks & Recreation	Materials & Supplies	87
01-299-00-0000	Balance on Hand - July 1		(672)

System generated Encumbrances (\$672.17 to 01-205-0 & 01-299-00-0000 are only entries to system)

To adjust the proper accounts in the FY 2001-2002 Municipal Budget for those amounts included in "Reserve for Encumbrances" as stated in the Financial Statements for the Fiscal Year Ended June 30, 2001. This is in compliance with instructions from the State Auditors Office, Chief Inspector Division, State of West Virginia.

FY 2001-2002 OPENING BALANCE

01-299-00-0000	Opening Balance	Balance on Hand July 1	(871,738)
01-409-00-000-1-003	Mayors Office	Salaries & Wages	256,000
01-409-00-000-1-004		FICA	16,000
01-409-00-000-1-006		Retirement	12,400
01-439-00-000-4-059	Information Systems	C/O-Equipment	140,000
01-440-00-000-2-030	Building Maintenance	Contracted Services	100,000
01-444-00-000-5-069	Cont./Trfrs to Other Funds	Contributions to Other Funds	275,000
01-699-00-000-5-098	Contingency		21,196
01-700-00-000-2-021	Police-Uniform	Training	16,142
01-910-01-000-5-066	Civic Center - Support	Contributions to Other Funds	35,000

Distribute Opening Balance to various expenditure accounts. 0

ADDITION TO ORIGINAL AMENDMENT

01-383-00-0000	Revenue	Sale of Fixed Assets	(8,500)
01-754-00-000-2-030	Equipment Maintenance	Contracted Services	8,500

Provide additional funds necessary for the removal of used oil storage tank.

The question being on the adoption of the Resolution a roll call was taken and there were; yeas-21, nays-6, absent-0, as follows:

YEAS: Charnock, Crickenberger, Davis, Fouty-Young, Harris, Henry, Jones, Kimberling, Knauff, Lane, David Lanham, James Lanham, Loeb, McKnight, Molgaard, Morton, Nielsen, Pettry, Prunty, Quick, and Reishman.

NAYS: Haas, Lopez, Markham, Roller, Talkington, and Mayor Goldman.

ABSENT: None.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 855-01, as amended, adopted.

3. Your Committee on Finance has had under consideration Resolution No. 856-01, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 856-01—"Authorizing the Mayor to enter into a contract with EFP Vending for placement of vending machines at various City sites for a one year period beginning November 1, 2001 to October 31, 2002, with the option to renew for an additional one year period thereafter. The contract provides for the City to receive 25% commission on all vended product sales."

Be it Resolved by the Council of the City of Charleston, West Virginia:

That the Mayor is hereby authorized and directed to enter into a contract with EFP Vending for placement of vending machines at various City sites for a one year period beginning November 1, 2001 to October 31, 2002, with the option to renew for an additional one year period thereafter. The contract provides for the City to receive a twenty-five percent (25%) commission on all vended produce sales.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 856-01 adopted unanimously.

4. Your Committee on Finance has had under consideration Resolution No. 857-01, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 857-01—"Authorizing the Mayor to enter into an agreement with Kolan Lilly for leasing of a designated area of the parking lot at Watt Powell Park for the sale of Christmas trees, at a cost of \$1,502.75, for the period November 19 through December 31, 2001."

Be it Resolved by the Council of the City of Charleston, West Virginia:

That the Mayor is hereby authorized and directed to enter into an agreement with Kolan Lilly for leasing of a designated area of the parking lot at Watt Powell Park for the sale of Christmas trees, at a cost of One Thousand Five Hundred Two Dollars and Seventy-five Cents (\$1,502.75), for the period November 19 through December 31, 2001.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 857-01 adopted unanimously.

5. Your Committee on Finance has had under consideration Resolution No. 858-01, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 858-01—"Amending the contract with Echo, Inc., for Improvements to Soccer Fields at John Adams Jr. High School, approved by Council on September 17, 2001, Resolution No. 837-01, by reducing the contract price from \$59,950 to the new price of \$32,550. The reduction in cost is due to deletion of the sod materials previously included in the City's contract. The Absolute Soccer organization is responsible for this phase of the project."

Be it Resolved by the Council of the City of Charleston, West Virginia:

That the contract with Echo, Inc., for Improvements to Soccer Fields at John Adams Jr. High School, approved by Council on September 17, 2001, Resolution No. 837-01, by reducing the contract price from Fifty-nine Thousand Nine Hundred Fifty Dollars (\$59,950) to the new price of Thirty-two Thousand Five Hundred Fifty Dollars (\$32,550) is hereby approved. The reduction in cost is due to the deletion of the sod materials previously included in the City's contract. The Absolute Soccer organization is responsible for this phase of the project; To be charged to Account No. 61-061-0-0-5-067, Contributions—Other Governmental Units.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 858-01 adopted unanimously.

6. Your Committee on Finance has had under consideration Resolution No. 859-01, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 859-01—"Authorizing the Mayor to enter into an Agreement with The Living A.I.D.S. Memorial Garden, Inc., to provide maintenance services for the garden areas to be constructed at the corner of Washington Street, East at Sidney Avenue, as set forth therein."

Be it Resolved by the Council of the City of Charleston, West Virginia:

That the Mayor is hereby authorized and directed to enter into an Agreement with The Living A.I.D.S. Memorial Garden, Inc., to provide maintenance services for the garden areas to be constructed at the corner of Washington Street, East at Sidney Avenue, as set forth.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 859-01 adopted unanimously.

7. Your Committee on Finance has had under consideration Resolution No. 860-01, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 860-01—"Authorizing the Mayor to enter into a contract with Petrocon, in the

amount of \$8,464, for removal of the used oil storage tank located at the Equipment Maintenance Garage."

Be it Resolved by the Council of the City of Charleston, West Virginia:

That the Mayor is hereby authorized and directed to enter into a contract with Petrocon, in the amount of Eight Thousand Four Hundred Sixty-four Dollars (\$8,464), for removal of the used oil storage tank located at the Equipment Maintenance Garage; To be charged to Account No. 01-754-0-0-2-030, Equipment Maintenance-Contracted Services.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 860-01 adopted unanimously.

8. Your Committee on Finance has had under consideration Resolution No. 861-01, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 861-01-"Authorizing the Mayor to enter into an Agreement with Real Estate Resources, Inc., amending the lease for office space at 110 West Washington Street by extending the lease for an additional six-month period from August 31, 2001 to February 28, 2002. This space is used by the Community Policing Unit of the Charleston Police Department and is rent-free."

Be it Resolved by the Council of the City of Charleston, West Virginia:

That the Mayor is hereby authorized and directed to enter into an Agreement with Real Estate Resources, Inc., amending the lease for office space at 110 West Washington Street by extending the lease for an additional six-month period from August 31, 2001 to February 28, 2002. This space is used by the Community Policing Unit of the Charleston Police Department and is rent-free.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 861-01 adopted unanimously.

9. Your Committee on Finance has had under consideration Resolution No. 862-01, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 862-01-"Authorizing the Finance Director to make revisions to the 2001-2002 Civic Center budget as indicated on the attached list of accounts."

Be it Resolved by the Council of the City of Charleston, West Virginia:

That the Finance Director is hereby authorized and directed to make revisions to the 2001-2002 Civic Center budget as indicated on the attached list of accounts; and be it

FURTHER RESOLVED, that this budgetary revision is being made prior to the expenditure or

obligation of funds for which no appropriation or insufficient appropriation currently exists.

Civic Center 2001-2002 Budget Amendment No. 1 - October 15, 2001

<u>Account Number</u>	<u>Department</u>	<u>Description</u>	<u>Amount</u>
81-358-00-0302	Revenue	Rent	\$20,000
81-358-00-0311		Fine Host	15,000
81-358-00-0341		Transfer from General Fund	(35,000)

Provide additional support due to shortfall in schedule events.

The question being on the adoption of the Resolution a roll call was taken and there were; yeas-27, nays-0, absent-0, as follows:

YEAS: Charnock, Crickenberger, Davis, Fouty-Young, Haas, Harris, Henry, Jones, Kimberling, Knauff, Lane, David Lanham, James Lanham, Loeb, Lopez, Markham, McKnight, Molgaard, Morton, Nielsen, Pettry, Prunty, Quick, Reishman, Roller, Talkington, and Mayor Goldman.

NAYS: None.

ABSENT: None.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 862-01 adopted unanimously.

10. Your Committee on Finance has had under consideration Resolution No. 863-01, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 863-01--"Authorizing the Mayor to sign a U.S. Department of Housing and Urban Development (HUD) Renewal Communities Application for eligible census tracts 9 and 12 to benefit from special tax incentives."

Be it Resolved by the Council of the City of Charleston, West Virginia:

That the Mayor is hereby authorized and directed to sign a U.S. Department of Housing and Urban Development (HUD) Renewal Communities Application for eligible census tracts 9 and 12 to benefit from special tax incentives.

The question being on the adoption of the Resolution a roll call was taken and there were; yeas-27, nays-0, absent-0, as follows:

YEAS: Charnock, Crickenberger, Davis, Fouty-Young, Haas, Harris, Henry, Jones, Kimberling, Knauff, Lane, David Lanham, James Lanham, Loeb, Lopez, Markham, McKnight, Molgaard, Morton, Nielsen, Pettry, Prunty, Quick, Reishman, Roller, Talkington, and Mayor Goldman.

NAYS: None.

ABSENT: None.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 863-01 adopted unanimously.

11. Your Committee on Finance has had under consideration bid submitted by Landscape Supply, Inc., in the amount of \$6,198.40, for purchase of 124 - 50lb. bags of fertilizer at \$11.60 each (\$1,438.40); and 140 - 50 lb. bags of grass seed at \$34.00 (\$4,760), to be used by the Parks and Recreation Department primarily for the Cato Park Golf Course; To be charged to Account No. 01-900-0-0-3-041, P&R-Materials & Supplies, and reports the same to Council with the recommendation that the committee report be adopted.

The question being on the adoption of the committee report a vote was taken. There being no dissent the Mayor declared the committee report adopted unanimously.

12. Your Committee on Finance has had under consideration bid submitted by General Truck Sales Corp., in the total amount of \$158,587, for one 4x6 dump body truck for Spring Hill Cemetery (\$31,525); one 4x6 stake 4x6 stake body truck with lift gate for the Parks & Recreation Department (\$32,936); two 4x6 stake body trucks with lift gate for the Refuse Department (\$66,824); and one 2WD truck for the Street Department (\$27,302); To be charged to the following accounts:

\$31,525 - 01-952-0-0-4-061, Spring Hill Cemetery-Capital Outlay, Lease/Purchase

\$32,936 - 01-900-0-0-4-061, P&R-Capital Outlay, Lease/Purchase

\$66,824 - 01-800-0-0-4-061, Refuse-Capital Outlay, Lease/Purchase

\$27,302 - 01-750-0-0-4-061, Street-Capital Outlay, Lease/Purchase,

and reports the same to Council with the recommendation that the committee report be adopted.

The question being on the adoption of the committee report a vote was taken. There being no dissent the Mayor declared the committee report adopted unanimously.

13. Your Committee on Finance has had under consideration bid submitted by Stephens Auto Center, in the amount of \$18,932, for purchase of a 2002 Jeep Liberty to be used by the Engineering Department; To be charged to Account No. 01-420-0-0-4-061, Engineering-Capital Outlay, Lease/Purchase, and reports the same to Council with the recommendation that the committee report be adopted.

The question being on the adoption of the committee report a vote was taken. There being no dissent the Mayor declared the committee report adopted unanimously.

14. Your Committee on Finance has had under consideration bid submitted by Micro Warehouse Corp., in the amount of \$5,434.42, for purchase of a 42" HP Designjet 800 Color Plotter to be used by the Engineering Department; To be charged to Account No. 01-420-0-0-4-059, Engineering-Capital Outlay, Equipment, and reports the same to Council with the recommendation that the committee report be adopted.

The question being on the adoption of the committee report a vote was taken. There being no dissent the Mayor declared the committee report adopted unanimously.

15. Your Committee on Finance has had under consideration Bill No. 6851, and reports the same to Council with the recommendation that the Bill do pass.

Councilwoman Fouty-Young made a motion to amend the Bill on page 2, line 10 by deleting the number "10" and inserting in lieu of the number "30".

The question being on the passage of the amendment a vote was taken. There being no dissent the Mayor declared the amendment passed unanimously.

Bill No. 6851, as amended, a Bill enacting section 17-3.2 of City Code declaring "Graffiti" a public nuisance and enacting a removal procedure.

Section 17-3.2

Short Title. This section of the City of Charleston Municipal Code may be referred to as the "Graffiti Ordinance" of the City of Charleston.

Declaration of Graffiti as a Public Nuisance. The City of Charleston hereby finds and declares that maintenance of graffiti on public and private properties within public view is obnoxious and constitutes a public nuisance, the abatement of which shall be provided as set forth herein.

Definitions. For the purpose of this section, unless otherwise apparent from the context, certain words and phrases used in this section are defined as follows:

(a) "Defacement" shall mean the intentional altering of the physical shape or physical appearance of property.

(b) "Graffiti" shall mean any painting, marling, symbol, design, inscription or other defacement which is written, sprayed, pointed scratched, etched, engraved, placed with an indelible marker or otherwise applied to the real or personal property of another without the prior consent of the owner or person in possession thereof.

(c) "Indelible marker" shall mean any marker, pen or similar implement which contains a fluid which is not soluble in water and has a flat, pointed or angled writing surface of a width of one-half inch or greater.

Purpose. The purpose of this section is to provide for the prompt abatement of graffiti from public and private properties in the City.

1 Permitting Graffiti to Remain Prohibited. No person shall permit any graffiti which is within public
2 view to remain on any building, structure, tree shrub, sidewalk or curb owned or possessed by such
3 person.
4

5 Notice to Owner or Possessor of Property. Whenever the City Manager, or his/her designee,
6 determines that graffiti is being maintained upon any premises within the City in violation of this
7 graffiti ordinance, the City Manager, or his or her designee, shall send written notice and order to
8 the owner or possessor of the premises of such condition and shall require that the graffiti be
9 removed. The notice and order shall state that the owner must remove the graffiti or consent to its
10 removal by the City within thirty (30) days from the date the notice was mailed; provided the owner
11 or possessor of premises may within ten (10) days of being served with such notice and order, apply
12 to the City Manager for a public hearing on the matter, in which case the terms of such notice and
13 order shall be stayed pending the resolution of the public hearing.
14

15 Removal.

16
17 If the property owner and possessor fail to remove the graffiti as ordered by the City
18 Manager, he or she or his/her designee shall have the following authority to cause its removal.
19

20 (a) Property Owner's Consent to Remove. Whenever the City Manager, or his or her
21 designee, determines that graffiti on property which is within public view the City Manager, or his
22 or her designee, is authorized to provide for and use public funds, if necessary, to remove graffiti
23 upon the following conditions:
24

25 (1) Public Property. Whenever the City Manager or his or her designee determines that
26 graffiti exists upon property owned by the City of Charleston, it shall be removed as soon as
27 possible. When the property is owned by a public entity other than the City of Charleston, the
28 removal of the graffiti is authorized after securing written consent of the public agency having
29 jurisdiction over the property.
30

31 (2) Private Property. Where the subject property is privately owned, the removal of
32 graffiti is authorized after the City Manager, or his or her designee, secures the written consent of
33 the owner of the property and the owner executes a release and waiver approved as to form by the
34 City Attorney. The City will assess the cost of abatement to the property owner, which if ignored
35 will become a lien against the property.
36

37 (3) The graffiti shall be removed as authorized herein, but the removal shall not involve
38 the painting or repair of a more extensive area than is necessary for such removal.
39

40 (b) Removal by City Without Consent of Property Owner. The City Manger may abate any
41 graffiti without the consent of the property owner, maintained contrary to the provisions of this
42 section only after the following has occurred:
43

44 (1) The City Manager has determined that graffiti within public view exists on particular
45 premises in the City;
46

1 (2) A notice of such condition has been sent to the property owner,
2

3 (3) The property owner has failed to either remove the graffiti, request a public hearing,
4 request a review of order pursuant to 17-9-1 or consent to its removal by the City within the time
5 period specified in the notice.
6

7 (b) Sections 17-9 through 17-11 of this Chapter will apply to the conduct of public
8 hearings; the review of abatement orders; the recourse of City when abatement order is ignored; the
9 creation of a lien; and the appointment of costs of abatement of graffiti to property owner(s).
10

11 (c) The remedies provided in this section and chapter are in addition to other
12 remedies and penalties available under the laws of the City of Charleston, the State of West
13 Virginia, and the United States.
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The question being on the passage of the Bill a roll call was taken and there were; yeas-27, nays-0, absent-0, as follows:

YEAS: Charnock, Crickenberger, Davis, Fouty-Young, Haas, Harris, Henry, Jones, Kimberling, Knauff, Lane, David Lanham, James Lanham, Loeb, Lopez, Markham, McKnight, Molgaard, Morton, Nielsen, Pettry, Prunty, Quick, Reishman, Roller, Talkington, and Mayor Goldman.

NAYS: None.

ABSENT: None.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 6851, as amended, passed unanimously.

16. Your Committee on Finance has had under consideration payment of an invoice from West Virginia Supreme Court of Appeals, in the amount of \$3,730.50, for reimbursement of programming fees for the development of a software program to track domestic violence crimes; To be charged to Account No. 39-178-97-5-0-41, Police-Federal Domestic Violence Grant/Pro-Arrest, and reports the same to Council with the recommendation that the committee report be adopted.

The question being on the adoption of the committee report a vote was taken. There being no dissent the Mayor declared the committee report adopted unanimously.

17. Your Committee on Finance has had under consideration payment of an invoice from Covenant House, in the amount of \$25,000, for purchase of furniture for the new facility at 600 Shrewsbury Street; To be charged to Account No. 25-000-00-011, CDBG-Public Services, and reports the same to Council with the recommendation that the committee report be adopted.

The question being on the adoption of the committee report a roll call was taken and there were; yeas-27, nays-0, absent-0, as follows:

YEAS: Charnock, Crickenberger, Davis, Fouty-Young, Haas, Harris, Henry, Jones, Kimberling, Knauff, Lane, David Lanham, James Lanham, Loeb, Lopez, Markham, McKnight, Molgaard, Morton, Nielsen, Pettry, Prunty, Quick, Reishman, Roller, Talkington, and Mayor Goldman.

NAYS: None.

ABSENT: None.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the committee report adopted unanimously.

18. Your Committee on Finance has had under consideration payment of an invoice from Contech Construction Products, Inc., in the amount of \$17,574.44, for purchase of replacement pipe and related materials for project on Palm Drive; To be charged to Account No. 25-001-00-048, CDBG-Water/Sewer Facilities, and reports the same to Council with the recommendation that the committee report be adopted.

The question being on the adoption of the committee report a roll call was taken and there were; yeas-27, nays-0, absent-0, as follows:

YEAS: Charnock, Crickenberger, Davis, Fouty-Young, Haas, Harris, Henry, Jones, Kimberling, Knauff, Lane, David Lanham, James Lanham, Loeb, Lopez, Markham, McKnight, Molgaard, Morton, Nielsen, Pettry, Prunty, Quick, Reishman, Roller, Talkington, and Mayor Goldman.

NAYS: None.

ABSENT: None.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the committee report adopted unanimously.

19. Your Committee on Finance has had under consideration payment of an invoice from Clingenpeel/McBrayer and Associates, Inc., in the amount of \$3,645.30, for professional services rendered during the period August 1, 2001 to September 1, 2001, for the Kanawha Boulevard Lighting project; To be charged to Account No. 32-098-0-1-0-999, Rental Rehabilitation - Administration, and reports the same to Council with the recommendation that the committee report be adopted.

The question being on the adoption of the committee report a roll call was taken and there were; yeas-27, nays-0, absent-0, as follows:

YEAS: Charnock, Crickenberger, Davis, Fouty-Young, Haas, Harris, Henry, Jones, Kimberling, Knauff, Lane, David Lanham, James Lanham, Loeb, Lopez, Markham, McKnight, Molgaard, Morton, Nielsen, Pettry, Prunty, Quick, Reishman, Roller, Talkington, and Mayor Goldman.

NAYS: None.

ABSENT: None.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the committee report adopted unanimously.

20. Your Committee on Finance has had under consideration payment of an invoice from Lifebridge, Inc., in the amount of \$3,796.59, for reimbursement of salary and operational expenses for the month of September 2001; To be charged to Account No. 25-001-00-011, CDBG-Public Services, and reports the same to Council with the recommendation that the committee report be adopted.

The question being on the adoption of the committee report a roll call was taken and there were; yeas-27, nays-0, absent-0, as follows:

YEAS: Charnock, Crickenberger, Davis, Fouty-Young, Haas, Harris, Henry, Jones, Kimberling, Knauff, Lane, David Lanham, James Lanham, Loeb, Lopez, Markham, McKnight, Molgaard, Morton, Nielsen, Pettry, Prunty, Quick, Reishman, Roller, Talkington, and Mayor Goldman.

NAYS: None.

ABSENT: None.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the committee report adopted unanimously.

21. Your Committee on Finance has had under consideration payment of an invoice from the Religious Coalition for Community Renewal/Smith Street Station, in the amount of \$4,535.58, for reimbursement of operational, maintenance and utility expenses; To be charged to Account No. 25-001-00-011, CDBG–Public Services, and reports the same to Council with the recommendation that the committee report be adopted.

The question being on the adoption of the committee report a roll call was taken and there were; yeas-26, nays-0, absent-0, abstain-1, as follows:

YEAS: Charnock, Crickenberger, Davis, Fouty-Young, Haas, Harris, Henry, Jones, Kimberling, Knauff, Lane, David Lanham, James Lanham, Lopez, Markham, McKnight, Molgaard, Morton, Nielsen, Pettry, Prunty, Quick, Reishman, Roller, Talkington, and Mayor Goldman.

NAYS: None.

ABSENT: None.

ABSTAIN: Loeb.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the committee report adopted unanimously.

REPORTS OF OFFICERS

1. Municipal Court Financial Information September, 2001; Received and Filed.
2. City of Charleston Payroll Variance Analysis September, 2001; Received and Filed.
3. City of Charleston Building Department Monthly Report September, 2001; Received and Filed.
4. City Treasurer's Report to City Council Month Ending September, 2001; Received and Filed.
5. City of Charleston Financial Statements For The Two-Month Period Ended August 31, 2001; Received and Filed.
6. City of Charleston Annual Report of Policemen's and Firemen's Pension and Protection Funds for Firemen July 1, 2000 to June 30, 2001; Received and Filed.
7. Application to operate a Private Club, Private Wine Restaurant or Tavern located at 203 Tennessee Avenue, Charleston; Received and Filed.

NEW BILLS INTRODUCED

Introduced by Councilman James "Mose" Lanham on October 15, 2001:

BILL NO. 6852, a Bill to establish a 20 Mile Per Hour speed limit on Frame Street and amending the Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, one thousand nine hundred seventy-five, as amended, Traffic Law, Chapter thirty-one, Article three, to conform therewith.

Referred to Council Committee on Streets and Traffic

Introduced by Councilman John Charnock on October 15, 2001:

Bill NO. 6853, a Bill to establish a 15 Mile Per Hour speed limit on Norwood Road and amending the Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, one thousand nine hundred seventy-five, as amended, Traffic Law, Chapter thirty-one, Article three, to conform therewith.

Referred to Council Committee of Streets and Traffic

Introduced by Councilman Ed Talkington on October 15, 2001:

BILL NO. 6854, a Bill to establish a vehicular parking zone for the exclusive use of the physically disabled on the northerly side of Wyoming Street from a point 145 feet east of Ohio Avenue to a point 185 feet east of Ohio Avenue, to provide for the removal of vehicles illegally parked in these spaces, to incorporate the provisions of West Virginia Code, Chapter 17C, Article 13, Section 16, and amending the Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, one thousand nine hundred seventy-five, as amended, Traffic Law, Chapter thirty-one, Article three, to conform therewith.

Referred to Council Committee on Streets and Traffic

Introduced by Councilwoman Sara Crickenberger on October 15, 2001:

Bill NO. 6856, a Bill to repeal Ordinance No. 6546 passed by Council February 16, 1999, relating to a No Parking School Bus Loading and Unloading Only Tow-Away zone on the east side of Summers Street from a point 20 feet south of Quarrier Street to a point 116 feet south of Quarrier Street and amending the Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, one thousand nine hundred seventy-five, as amended, Traffic Law, Chapter thirty-one, Article three, to conform therewith.

Referred to Council Committee of Streets and Traffic

Introduced by Councilmembers Ryan Henry and Betty Morton on October 15, 2001:

Bill NO. 6857, a Bill approving certain modifications of Washington Street, East Renewal Plan for the City of Charleston, West Virginia, with respect to, requiring Special Permit for establishments selling alcoholic beverages including beer and wine.

Referred to Council Committee on Urban Renewal

UNFINISHED OR MISCELLANEOUS BUSINESS

1. Council has had under consideration Resolution No. 813-01, and reports the same to Council with the recommendation that the Resolution be adopted, as amended.

Councilman Loeb made a motion to amend the Resolution by adding the following at the end of the Resolution:

"FURTHER RESOLVED, in furtherance of maximizing the recreational uses of the Kanawha Boulevard and the development of recreational trails and green spaces throughout the City of Charleston, the Mayor is hereby directed to report to the City Council on or by the second meeting of City Council in January, 2002, with a recommendation for the selection of a qualified design firm to prepare a long-range master plan for the City of Charleston for the development of multi-functional recreational trails and green spaces throughout the City of Charleston for walking, running, cycling, and other recreational purposes (the "Master Plan"); and

FURTHER RESOLVED, that subject to the City Council's approval of such recommendation, such firm will be required, among other things to present a detailed Master Plan to the City Council for its consideration on or by the second meeting in July 2002."

The question being on the adoption of the amendment a vote was taken. There being no dissent the Mayor declared the amendment adopted unanimously.

Resolution No. 813-01, as amended -" Authorizing the Mayor to sign a Bill of Sale with Appalachian Power Company for the sum of one dollar (\$1.00) to be paid by the City of Charleston for the right, title and interest of the Street Light System located along the Kanawha Boulevard from Patrick Street to the 35th Street Bridge, consisting of 212 street light pole foundations, 208 street light poles, fixtures, street light circuits, and related equipment. The City shall assume ownership of and liability for the same as of the date of this Bill of Sale."

Be it Resolved by the Council of the City of Charleston, West Virginia:

That the Mayor is hereby authorized and directed to sign a Bill of Sale with Appalachian Power Company for the sum of one dollar (\$1.00) to be paid by the City of Charleston for the right, title and interest of the Street Light System located along Kanawha Boulevard from Patrick Street to the 35th Street Bridge, consisting of 212 street light pole foundations, 208 street light poles, fixtures, street light circuits, and related equipment. The City shall assume ownership of and liability for the same as of the date of this Bill of Sale.

FURTHER RESOLVED, in furtherance of maximizing the recreational uses of the Kanawha Boulevard and the development of recreational trails and green spaces throughout the City of Charleston, the Mayor is hereby directed to report to the City Council on the second meeting of City Council in January, 2002, with a recommendation for the selection of a qualified design firm to prepare a long-range master plan for the City of Charleston for the development of multi-functional recreational trails, and green spaces throughout the City of Charleston for walking,

running, cycling and other recreational purposes (the "Master Plan"); FURTHER RESOLVED, that subject to the City Council's approval of such recommendation, such firm will be required, among other things, to present a detailed Master Plan to the City Council for its consideration on or by the second meeting in July, 2002.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 813-01, as amended, adopted unanimously.

2. The City of Charleston Firefighters were commended for raising \$95,000. for the New York Firefighters Brotherhood.

ROLL CALL

The Clerk called the roll and the following members were in attendance:

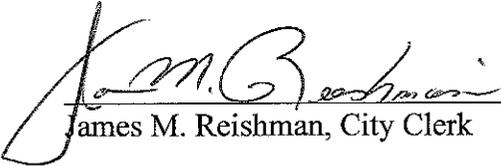
YEAS: Charnock, Crickenberger, Davis, Fouty-Young, Haas, Harris, Henry, Jones, Kimberling, Knauff, Lane, David Lanham, James Lanham, Loeb, Lopez, Markham, McKnight, Molgaard, Morton, Nielsen, Pettry, Prunty, Quick, Reishman, Roller, Talkington, and Mayor Goldman.

ABSENT: None.

At 9:40 p.m., on motion of Councilman Loeb, Council adjourned until 7:00 p.m., Monday, November 5, 2001.



Jay Goldman, Honorable Mayor



James M. Reishman, City Clerk