

**JOURNAL
OF THE
COUNCIL
CITY OF CHARLESTON
WEST VIRGINIA**

June 6, 2011

THE COUNCIL MET IN CHAMBERS OF THE CITY BUILDING AT 7:00 P.M., FOR THE FIRST MEETING IN THE MONTH OF JUNE ON THE 6th DAY, IN THE YEAR 2011, AND WAS CALLED TO ORDER BY THE HONORABLE MAYOR, DANNY JONES. THE INVOCATION WAS DELIVERED BY REV. EALY AND THE PLEDGE OF ALLEGIANCE WAS LED BY JOHN MILLER.

**BURKA
DEITZLER
HALL
HARRISON
KIRK
MILLER
REISHMAN
SHEETS
WARE
MAYOR JONES**

**CLOUSER
DENEALT
HANNA
HIGGINS
KNAUFF
PAYNE
SMITH**

**DAVIS
EALY
HARRIS
JONES
LANE
REED
SALISBURY
TALKINGTON
WHITE**

WITH TWENTY-SIX 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.

PUBLIC SPEAKERS

Nancy Jackson – Charleston

Patty Bradley – Charleston CVB

CLAIMS

1. A claim of Sandra Shaffer, 7626 Hughart Drive, Charleston, WV; alleges damage to property.
2. A claim of April Robinson, 521 Grant Street, Charleston, WV; alleges damage to vehicle.
3. A claim of Harold Phillips, 3005 Ridgeview Dr., South Charleston, WV; alleges damage to vehicle.
4. A claim of Christopher Charles Allen, 1011 Walnut Rd, Charleston, WV; alleges damage to vehicle.
5. A claim of Jessica Horsley, 4709 MacCorkle Ave., SE., Apt 3A, Charleston, WV; alleges damage to vehicle.

MISCELLANEOUS RESOLUTIONS

Resolution No. 970-11

Introduced in Council

Adopted by Council

June 6, 2011

Introduced by

Bobby Reishman

Resolution No. 970-11 – A Resolution to certify the of results as reflected by the attached Report and Certificate of Results as the official and correct returns and true results of the General Election held for the City of Charleston on the 17th day of May, two thousand and eleven.

WHEREAS, a Select Committee for the Council of the City of Charleston was appointed by the adoption of Resolution No. 931-11 at the City Council meeting on the 4th day of April, 2011, to act as a Canvassing Board to canvass the votes cast for the

General Election of the City of Charleston on the 17th day of May, two thousand and eleven, and make a report to Council of the correct returns ascertained from an inspection of the ballots used in said election and a true count of the challenged ballots; and after completing their canvass;

WHEREAS, the said Select Committee completed its canvass of the General Election on May 23, 2011, at the Voters Registration office, and has submitted the Report and Certificate of Results, attached hereto, as the official and correct returns and true results of the General Election.

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

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 970-11, adopted.

ORDINANCE AND RULES

Councillperson Jack Harrison, Chairperson of the Council Committee on Ordinance and Rules, submitted the following reports.

1. Your Committee on Ordinance and Rules has had under consideration Bill No 7471, and reports the same to Council with the recommendation that the bill do pass.

Bill No. 7471: "A BILL to amend Chapter 18, Article XI, Division 1, Section 18-421, and Chapter 78, Article III, Division 2, Sections 163 and 165 of the Municipal Code of the City of Charleston, as amended and to repeal and reserve Chapter 78, Article III, Division 2, Section 78-164 of the Municipal Code of the City of Charleston in its entirety.

WHEREAS, the City of Charleston has a long and demonstrably successful history of respecting the constitutional rights of all its citizens to keep and bear arms while simultaneously providing for the safety and protection of the general public within its municipal boundaries; and

WHEREAS, the United States Supreme Court has recently handed down its decision styled McDonald v. City of Chicago, 130 S.Ct. 3020 (6/28/10), in which it held for the first time the Second Amendment to be fully applicable to the States; and

WHEREAS, the United States Supreme Court, as well as the Supreme Court of Appeals of West Virginia, have recognized a municipality's long standing right to prohibit the possession of firearms by felons and the mentally ill, as well as the right to promulgate laws forbidding the carrying of firearms in sensitive places, and the right to impose conditions and qualifications on the commercial sale of firearms; and

WHEREAS, as a result of the McDonald ruling, the City Council of the City of Charleston has undertaken an examination of its ordinances in an effort to continue to

ensure and protect each citizen's right to keep and bear arms as well as the municipality's power and obligation to protect general public health, safety and welfare; and

WHEREAS, the City Council of the City of Charleston has reviewed its ordinances with the additional intent of insuring that its ordinances continue to comply with the mandates of the federal and state constitutions as determined by recent legal precedent and updating them to reflect the current extent of activities and public properties in Charleston;

Now, therefore, be it Ordained by the Council of the City of Charleston, West Virginia:

That Chapter 18, Article XI, Division 1, Section 18-421, and Chapter 78, Article III, Division 2, Sections 163 and 165 of the Municipal Code of the City of Charleston, as amended, are hereby further amended, and Chapter 78, Article III, Division 2, Section 78-164 of the Municipal Code of the City of Charleston is hereby repealed and reserved in its entirety, all to read as follows:

Sec. 18-421. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Chief of police means the chief of police of the city or his designated subordinate.

Dealer means any individual, corporation, partnership or venture which engages in any business, activity, trade or employment.

Firearm means any handgun, shotgun, rifle or any other object which expels a projectile by action of an explosion.

Handgun means any firearm which can be used and held with one hand.

Purchaser means any person who purchases or proposes to purchase a firearm from a dealer.

Record means any record of conviction for a felony involving violence or injury, or the threat or the use of any firearm provided that there has been no pardon for the conviction, and provided further that the subject person has not had his civil rights restored; or any record reflecting that a person has been adjudicated to be mentally defective or who has been committed for treatment of mental illness; of voluntary or involuntary confinement or treatment for mental health within three years prior to the registration form for a purchase of a handgun where the subject person has not been released from confinement or had treatment successfully terminated by the treating physician, or any record of a criminal charge alleging the violation of a statute or an ordinance involving the commission of a crime of violence against another person, for which a warrant or indictment is currently pending.

Sale, sell or purchase means and includes a sale, lease, trade, rental, loan or any transfer, permanent or temporary, for valuable consideration.

Sec. 78-163. - Carrying without license or other authorization.

(a) It shall be unlawful for any person to carry concealed on or about his person any revolver or pistol, dirk, bowie knife, slingshot, razor, billy, metallic or other false knuckles, or other dangerous or deadly weapon of like kind or character.

(b) This section shall not be construed so as to prohibit the carrying of any weapon pursuant to licenses or other authorization issued under the authority of W. Va. Code § 61-7-2, nor shall it be construed to prevent the carrying of any weapon by persons exempted under W. Va. Code §§ 61-7-3—61-7-6.

~~Sec. 78-164. - Carrying unlicensed or unauthorized weapons within designated areas of Kanawha Boulevard.~~

~~(a) — It shall be unlawful for any person to carry on or about his person in the following designated Sternwheel Regatta area: Kanawha Boulevard, East, from Capitol Street to Clendenin Street and from the north bank of the Kanawha River to the south sidewalk of Virginia Street, East, for ten days preceding Labor Day, and including Labor Day, any revolver or pistol, dirk, bowie knife, slingshot, razor, billy, metallic or other false knuckles, or other dangerous or deadly weapon of like kind or character.~~

~~(b) — This section shall not be construed so as to prohibit the carrying of any weapon pursuant to licenses or other authorization issued under the authority of W. Va. Code § 61-7-2, nor shall it be construed to prevent the carrying of any weapon by persons exempted under W. Va. Code §§ 61-7-3—61-7-6.~~

Section 78-164. - Reserved.

Sec. 78-165. - Carrying weapons upon municipal public property.

It shall be unlawful for any person to carry on or about his person any revolver or pistol, dirk, bowie knife, slingshot, razor, billy, metallic or other false knuckles, or other dangerous or deadly weapon of like kind or character in or upon city hall, municipal auditorium, the civic center, and all parks and recreation buildings ad and facilities, including recreation centers, playgrounds, swimming pools, dressing areas, tennis courts, parks and recreation areas and all other buildings, structures, facilities, and grounds thereof parking facilities, owned or occupied by the City of Charleston; however, the provisions of this section shall not apply to city, county, sate state and federal law enforcement officers and to exhibitors and performers at city-sanctioned events who obtain advance written authorization from the chief of police.

The question being on the adoption of the BILL. A roll call was taken and there were; yeas – 26, absent-2, as follows:

YEAS: Burka, Clowser, Davis, Deitzler, Deneault, Ealy, Hall, Hanna, Harris, Harrison, Higgins, Jones, Kirk, Knauff, Lane, Miller, Payne, Reed, Reishman, Russell, Salisbury, Sheets, Smith, Talkington, Ware, White, Mayor Jones.

ABSENT:Russell, Weintraub

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No 7471, passed.

STREETS AND TRAFFIC

Councillperson David Higgins, Chairperson of the Council Committee on Streets and Traffic, submitted the following reports.

1. Your Committee on Streets and Traffic has had under consideration Bill No 7472, and reports the same to Council with the recommendation that the bill do pass.

A Bill to establish a Two Hour Parking Zone on the easterly side of 54th street S.E. from MacCorkle Ave. to a point 60 feet north of MacCorkle Ave. S.E and amending the Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, two thousand and three, as amended, Traffic Law, Section 263, Division 2, Article 4, Chapter 114, to conform therewith.

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

Section 1. A Two Hour Parking Zone on the easterly side of 54th street S.E. from MacCorkle Ave. to a point 60 feet north of MacCorkle Ave. S.E is hereby established.

Section 2. The Traffic Control Map and Traffic Control File, established by the code of the City of Charleston, West Virginia, two thousand and three, as amended, Traffic Law, Section 263, Division 2, Article 4, Chapter 114, shall be and hereby are amended, to conform to This Ordinance.

Section 3. All prior Ordinances, inconsistent with this Ordinance are hereby repealed to the extent of said inconsistency.

The question being on the adoption of the BILL. A roll call was taken and there were; yeas – 26, absent-2, as follows:

YEAS: Burka, Clowser, Davis, Deitzler, Deneault, Ealy, Hall, Hanna, Harris, Harrison, Higgins, Jones, Kirk, Knauff, Lane, Miller, Payne, Reed, Reishman, Russell, Salisbury, Sheets, Smith, Talkington, Ware, White, Mayor Jones.

ABSENT:Russell, Weintraub

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No 7472, passed.

FINANCE

Councillperson Robert Reishman, Chairperson of the Council Committee on Finance, submitted the following reports.

1. Your Committee on Finance has had under consideration Resolution No 958-11, and reports the same to Council with the recommendation that the resolution be adopted.

Resolution No. 958-11 _____: “Authorizing approval of the FY 2011-2012 Parking System Budget as indicated on the attached list of accounts.”

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

That the FY 2011-2012 Parking System Budget as indicated on the attached list of accounts, is hereby approved.

The question being on the adoption of the Resolution. A roll call was taken and there were; yeas – 26, absent-2, as follows:

YEAS: Burka, Clowser, Davis, Deitzler, Deneault, Ealy, Hall, Hanna, Harris, Harrison, Higgins, Jones, Kirk, Knauff, Lane, Miller, Payne, Reed, Reishman, Russell, Salisbury, Sheets, Smith, Talkington, Ware, White, Mayor Jones.

ABSENT: Russell, Weintraub

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No 958-11, adopted

2. Your Committee on Finance has had under consideration Resolution No 960-11, and reports the same to Council with the recommendation that the resolution be adopted.

Resolution No. 960-11 _____: “Authorizing the Mayor to enter into an Agreement with Connor Sports Flooring, LLC, in the amount of \$82,440.00, for purchase and installation of a used portable Basketball Floor System at the Charleston Civic Center.”

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 Connor Sports Flooring, LLC, in the amount of \$82,440.00, for purchase and installation of a used portable Basketball Floor System at the Charleston Civic Center.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the resolution 960-11, adopted.

3. Your Committee on Finance has had under consideration Resolution No 961-11, and reports the same to Council with the recommendation that the resolution do pass

Resolution No. 961-11 _____: “Authorizing the Finance Director to amend the 2011-2012 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 amend the 2011-2012 General Fund Budget as indicated on the attached list of accounts.

The question being on the adoption of the Resolution. A roll call was taken and there

were; yeas – 26, absent-2, as follows:

YEAS: Burka, Clowser, Davis, Deitzler, Deneault, Ealy, Hall, Hanna, Harris, Harrison, Higgins, Jones, Kirk, Knauff, Lane, Miller, Payne, Reed, Reishman, Russell, Salisbury, Sheets, Smith, Talkington, Ware, White, Mayor Jones.

ABSENT: Russell, Weintraub

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No 961-11, adopted

4. Your Committee on Finance has had under consideration Resolution No 962-11, and reports the same to Council with the recommendation that the resolution do pass.

Resolution No. 962-11: “Authorizing the Mayor to sign Change Order No. 1 with West Virginia Paving, Inc. for the 2011 Street Paving Contract, in the amount of \$73,603.70, to add paving of the lots at Fire Station No. 1, located at Lee and Morris streets, and Fire Station No. 2, located at 808 Virginia Street, West. Change Order No. 1 will increase the contract from \$975,967 to \$1,049,570.70.”

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

That the Mayor is hereby authorized and directed to sign Change Order No. 1 with West Virginia Paving, Inc. for the 2011 Street Paving Contract, in the amount of \$73,603.70, to add paving of the lots at Fire Station No. 1, located at Lee and Morris streets, and Fire Station No. 2, located at 808 Virginia Street, West. Change Order No. 1 will increase the contract from \$975,967 to \$1,049,570.70.

The question being on the adoption of the Resolution. A roll call was taken and there were; yeas – 26, absent-2, as follows:

YEAS: Burka, Clowser, Davis, Deitzler, Deneault, Ealy, Hall, Hanna, Harris, Harrison, Higgins, Jones, Kirk, Knauff, Lane, Miller, Payne, Reed, Reishman, Russell, Salisbury, Sheets, Smith, Talkington, Ware, White, Mayor Jones.

ABSENT: Russell, Weintraub

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No 962-11, adopted.

5. Your Committee on Finance has had under consideration Resolution No 963-11, and reports the same to Council with the recommendation that the resolution do pass.

Resolution No. 963-11: “Authorizing the Finance Director to amend the 2008, 2009 and 2010 Community Development Block Grant budgets as indicated on the accounts listed below.”

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

That the Finance Director is hereby authorized and directed to amend the 2008, 2009 and 2010 Community Development Block Grant budgets as indicated on the accounts listed below:

<u>Account Number</u>	<u>Description</u>	<u>Increase/(Decrease)</u>
009-008-00-001-0-999	CD Administration	(\$ 60,000.00)
009-010-00-199-0-999	Unprogrammed Fund	\$ 60,000.00
009-008-00-199-0-999	Unprogrammed Funds	(\$ 50,681.11)
009-009-00-199-0-999	Unprogrammed Funds	(\$ 63,845.10)
009-010-00-199-0-999	Unprogrammed Funds	(\$ 65,473.79)
009-010-00-006-0-999	RSLC Acquisition	\$150,000.00
009-010-00-027-0-999	RCCR Sewer Line Extension	\$ 30,000 .00

MOECD proposes allocating CDBG funds to the Roark Sullivan Lifeway Center (RSLC) for acquisition of a building located at 229 Capitol Street, Charleston, WV for a veteran's housing project and to the Religious Coalition for Community Renewal (RCCR) for the installation of a sewer line extension necessary for the construction of single family housing on Northview Drive, Charleston, West Virginia.

The question being on the adoption of the Resolution. A roll call was taken and there were; yeas – 23, nays – 2, abstain – 1, absent-2, as follows:

YEAS: Burka, Clowser, Davis, Deitzler, Deneault, Ealy, Hall, Hanna, Harris, Harrison, Higgins, Jones, Kirk, Knauff, Lane, Miller, Payne, Reed, Russell, Salisbury, Talkington, Ware, White, Mayor Jones.

NAYS: Sheets, Smith

ABSTAIN: Reishman

ABSENT: Russell, Weintraub

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No 963-11, adopted.

6. Your Committee on Finance has had under consideration Resolution No 964-11, and reports the same to Council with the recommendation that the resolution do pass.

Resolution No. 964-11 : "Authorizing the Mayor to sign and submit Community Participation Program grant information sheets and all related documents for two agencies located within the City of Charleston."

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

That the Mayor is hereby authorized and directed to sign and submit Community Participation Program grant information sheets and all related documents for the following agencies located within the City of Charleston:

Covenant House	11LEDA0033	\$10,000
Spring Street Food Pantry	11LEDA0035	\$ 6,000

The question being on the adoption of the Resolution. A roll call was taken and there were; yeas – 26, absent-2, as follows:

YEAS: Burka, Clowser, Davis, Deitzler, Deneault, Ealy, Hall, Hanna, Harris, Harrison, Higgins, Jones, Kirk, Knauff, Lane, Miller, Payne, Reed, Reishman, Russell, Salisbury, Sheets, Smith, Talkington, Ware, White, Mayor Jones.

ABSENT: Russell, Weintraub

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No 964-11, adopted.

7. Your Committee on Finance has had under consideration Resolution No 965-11, and reports the same to Council with the recommendation that the resolution do pass.

Resolution No. 965-11: “Authorizing the Mayor to enter into an Agreement with Urban Design Ventures, LLC for preparation of the City’s Analysis of Impediments to Fair Housing with contracted fees for services not to exceed \$15,000.00 (\$112.50/hr.), and subject to final review and approval by legal counsel for the City.”

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

That the Mayor is hereby authorized and directed to enter into Agreement with Urban Design Ventures, LLC for preparation of the City’s Analysis of Impediments to Fair Housing with contracted fees for services not to exceed \$15,000.00 (\$112.50/hr.), and subject to final review and approval by legal counsel for the City.

The question being on the adoption of the Resolution. A roll call was taken and there were; yeas – 26, absent-2, as follows:

YEAS: Burka, Clowser, Davis, Deitzler, Deneault, Ealy, Hall, Hanna, Harris, Harrison, Higgins, Jones, Kirk, Knauff, Lane, Miller, Payne, Reed, Reishman, Russell, Salisbury, Sheets, Smith, Talkington, Ware, White, Mayor Jones.

ABSENT: Russell, Weintraub

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No 965-11, adopted.

8. Your Committee on Finance has had under consideration Resolution No 966-11, and reports the same to Council with the recommendation that the resolution do pass.

Resolution No. 966-11: “Authorizing the Mayor to enter into an Agreement with CBC Innovis to provide credit reporting services in support of the housing rehabilitation program and the HOME program at prices listed below.”

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 CBC Innovis to provide credit reporting services in support of the housing rehabilitation program and the HOME program at the following prices:

<u>Report Type</u>	<u>Cost Per Report</u>
Traditional Credit Report	\$ 2.00 (single); \$ 4.00 (joint)
Tri-Merge Credit Report	\$ 9.00 (single); \$13.00 (joint)
Residential Mortgage Credit Report	\$55.00
Non-Traditional Credit Report	\$ 7.00/Tradeline

The Agreement is subject to final review and approval by legal counsel for the City.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared resolution 966-11, adopted.

9. Your Committee on Finance has had under consideration Resolution No 967-11, and reports the same to Council with the recommendation that the resolution do pass.

Resolution No. 967-11– “Authorizing the renewal of a Lease with the Kanawha County Board of Education for continued use of space in the Martin Luther King Community Center to conduct Head Start programs, pursuant to the authority granted the City of Charleston under West Virginia State Code Section 8-12-18.”

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CHARLESTON, WEST VIRGINIA:

That upon final review and approval of the Agreement by legal counsel for the City, the Mayor is hereby authorized to execute a renewal Lease with the Kanawha County Board of Education for continued use of space in the Martin Luther King Community Center to conduct Head Start programs.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared resolution 967-11, adopted.

10. Your Committee on Finance has had under consideration Resolution No 968-11, and reports the same to Council with the recommendation that the resolution do pass.

Resolution No. 968-11– “Authorizing the Mayor, or his designee, to execute a Memorandum of Understanding between the City of Charleston, by and through its Police Department (“CPD”), and HOPE Community Development Corporation (“HOPE CDC”) to facilitate the use of funding available to the CPD through the United States Department of Justice (“USDOJ”) Equitable Sharing Program for support of the community based program, HOPE Youth Development Movement Enrichment Initiative (“HOPE YDMEI”).

WHEREAS, the CPD participates in the USDOJ Equitable Sharing Program for funds obtained pursuant to asset forfeiture; and

WHEREAS, the USDOJ permits and encourages that a portion of these funds be used

in support of community based programs that are consistent with/supportive of the CPD's law enforcement efforts; and

WHEREAS, HOPE CDC has implemented HOPE YDMEI to help combat youth drug abuse, gang participation and crime by providing education, mentoring and healthy alternative activities for youth residing in the City of Charleston;

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CHARLESTON, WEST VIRGINIA:

That upon final review and approval of the Agreement by legal counsel for the City, the Mayor, or his designee, is hereby authorized to execute a Memorandum of Understanding between the City of Charleston, by and through its Police Department, and HOPE CDC to facilitate the use of funding available to the CPD through the United States Department of Justice Equitable Sharing Program for support of the community based program, HOPE YDMEI.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared resolution 968-11, adopted.

10. Your Committee on Finance has had under consideration Resolution No 969-11, and reports the same to Council with the recommendation that the resolution do pass.

Resolution No. 969-11 – “Authorizing the Mayor, or his designee, to execute a Memorandum of Understanding enabling the City of Charleston Police Department's participation in the Child Abduction Response Team (CART).

WHEREAS, the West Virginia State Police, the City of Charleston, The City of Huntington, the Logan County Sheriff's Department, the West Virginia Department of Corrections, the Office of the Kanawha County Prosecuting Attorney, the West Virginia Department of Health and Human Resources and the Logan County Office of Emergency Management have developed the Child Abduction Response Team with the purpose of achieving maximum coordination, communication, and cooperation in a combined effort to assist abducted, endangered and missing children, and to address violent crimes perpetrated against them throughout southern West Virginia; and

WHEREAS, to the extent that the other entities participating in the CART are considered other jurisdictions under W. Va. Code § 8-11-3, said authorization is permitted by Resolution pursuant to the Municipal Code of the City of Charleston Chapter 3, Article II, Section 3-12;

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CHARLESTON, WEST VIRGINIA:

That the Mayor, or his designee, is hereby authorized to execute a Memorandum of Understanding enabling the City of Charleston Police Department's participation in the

Child Abduction Response Team (CART).

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared resolution 969-11, adopted.

10. Your Committee on Finance has had under consideration: bid submitted by Stephens Auto Center, in the total amount of \$43,637, for purchase of two vehicles to be used by the Special Enforcement Unit of the Charleston Police Department.

To be charged to Account No. 043-299-00-000-4-459, Police Forfeiture and reports the same to Council with the recommendation that the committee report be adopted.

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

11. Your Committee on Finance has had under consideration bid submitted by F. M. Pile Hardware Co., in the total amount of \$18,000.00, for purchase of two (2) Toro 74938 Riding Lawn Mowers (\$9,000 each) to be used by the Public Grounds and Parks & Recreation departments. And reports the same to Council with the recommendation that the committee report be adopted.

To be charged to the following accounts:

\$9,000 - Account No. 001-975-00-567-4-459, Public Grounds—Capital Outlay, Equipment (FY 2012)

\$9,000 - Account No. 001-979-00-900-4-459, Parks & Recreation—Capital Outlay, Equipment (FY 2011)

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

REPORTS OF OFFICERS

1. Report of the City of Charleston, Municipal Court Financial Statements; May 2011. Received and Filed.

2. Report of the City of Charleston Financial Statements for the Ten-Month period ended April 10, 2011. Received and Filed.

NEW BILLS

Introduced by Councilmember Mary Jean Davis, on June 6, 2011:

Bill No. 7474 – a bill amending the Zoning Ordinance of the City of Charleston, West Virginia, enacted the 1st day of January 2006, as amended, and the map made a part thereof, by rezoning the whole of that certain parcels of land situate at 1305 and 1311 Bigley Avenue, Charleston, West Virginia from an I-2 Light Industrial District to a C-8 Village Commercial District.

Refer to Municipal Planning Commission.

Introduced by Councilmember Marc Weintraub, on June 6, 2011:

Bill No. 7475 - A Bill to amend and re-enact Ordinance No. 6710 passed by Council on September 5, 2000 establishing a Loading Zone on the southerly side of Piedmont Road from a point 27 feet west of California Avenue to a point 269 feet west of California Avenue, and amending the Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, two thousand and three, as amended, Traffic Law, Section 263, Division 2, Article 4, and Chapter 114, to conform therewith.

Refer to Streets and Traffic Committee.

Introduced by Councilmember Marc Weintraub, on June 6, 2011:

Bill No. 7476 - A Bill to create an Official State Vehicle Only parking area on the southerly side of Piedmont Road from a point 27 feet west of California Avenue to a point 137 feet west of California Avenue, and amending the Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, two thousand and three, as amended, Traffic Law, Section 263, Division 2, Article 4, and Chapter 114, to conform therewith.

Refer to Streets and Traffic Committee.

Introduced by Councilmember Bob White, on June 6, 2011:

Bill No. 7477 - A Bill to create a 3 Hour Limited Time Parking Zone in the Public Parking area bounded on the east by: Pennsylvania Avenue, North; on the west by Pennsylvania Avenue, South; on the north by the Interstate 64/77 bridge abutment and on the south by Washington Street, West and amending the Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia,

two thousand and three, as amended, Traffic Law, Section 263, Division 2, Article 4, and Chapter 114, to conform therewith.
Refer to Streets and Traffic Committee.

Introduced by Councilmember Pat Jones, on June 6, 2011:
Bill No. 7478 - A Bill to create a No Parking Anytime Tow Away Zone on the southerly side of Washington Street, West from the westerly curb line of 21st Street to a point 60 feet west of 21st Street and amending the Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, two thousand and three, as amended, Traffic Law, Section 263, Division 2, Article 4, and Chapter 114, to conform therewith.
Refer to Streets and Traffic Committee.

ROLL CALL

YEAS: Burka, Clowser, Davis, Deitzler, Deneault, Ealy, Hall, Hanna, Harris, Harrison, Higgins, Jones, Kirk, Knauff, Lane, Miller, Payne, Reed, Reishman, Russell, Salisbury, Sheets, Smith, Talkington, Ware, White, Mayor Jones.

ABSENT: Russell, Weintraub

At 8:05p.m., by a motion from Councilmember Harrison, Council adjourned until Monday, June 21, 2011, at 7:00 p.m.

Danny Jones, Honorable Mayor

James M. Reishman, City Clerk