

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

September 6, 2011

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

**BURKA
DAVIS
EALY
KIRK
MINARDI
REISHMAN
SALISBURY
SNODGRASS
WARE
MAYOR JONES**

**BURTON
DENEALT
HAAS
LANE
NICHOLS
RICHARDSON
SHEETS
STAJDUHAR
WEINTRAUB**

**CLOWSER
DODRILL

MILLER

SMITH
TALKINGTON
WHITE**

WITH TWENTY-FIVE 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

Cheryl Jackson – Tobacco Free Parks
Don Boardwine – Kanawha Animal Shelter

CLAIMS

1. A claim of Tiffany Tyson, 1046 Grant St., Charleston, WV; alleges damage to property.
2. A claim of Denise Conner, 207 Bream St, Charleston, WV; alleges damage to property.
3. A claim of Mary Boner, 1801 Huber Rd, Charleston, WV; alleges damage to vehicle.
4. A claim of Philip Weldon, 904 W 2nd St., Charleston, WV; alleges damage to property.
5. A claim of Darlene Reynolds, 922 Grant Street, Charleston, WV; alleges damage to property.

COMMUNICATIONS

To: James Reishman, City Clerk

From: Mayor Jones

Re: Halloween 2011

Date: September 6, 2011

I recommend that October 31, 2011 from the hours of 6:00 until 8:00 be designated as Trick or Treat in the City of Charleston.

I respectfully request City Council's approval of this recommendation

DJ/dmp

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the Trick or Treat Night as October 31, 2011.

**EXECUTIVE DEPARTMENT
CITY OF CHARLESTON
PROCLAMATION
By the Mayor**

WHEREAS: On the morning of September 11, 2001, terrorists hijacked four airplanes and launched the most deadly and devastating attack on the United States of America, killing approximately 3,000 people among innocent civilians, first responders and military personnel while injuring thousands more; and

WHEREAS: In the midst of tragedy and turmoil of the day, Americans also were witness to incredible heroism among firefighters, police officers, paramedics and other first responders, who jeopardized their own safety by rushing in to help people in the fallen twin towers of the World Trade Center and

the damaged Pentagon, and from civilians on United Flight 93 who sacrificed their lives to prevent a fourth direct hit; and

WHEREAS: Ten years later, the impacts of the September 11 attacks remain with our nation through the thousands of Americans killed and thousands more in harm's way in the ongoing war against terror, through the tens of thousands of people who mourn loved ones that day and through the lingering health affects on so many who were maimed, scarred and sickened as a direct result of the attacks; and

WHEREAS: The tenth anniversary of the September 11 attack has been designated as a special time for solemn remembrance and service by President Barack Obama and United States Senate Resolution 237, which urges people throughout the nation to pause for a minute of reflection and tribute at 1:00 p.m. EDT on Sunday, September 11, 2011; and

WHEREAS: Elected leaders and first responders from the State of West Virginia, Kanawha County and the City of Charleston are organizing a ceremony at 8:30 a.m. on Sunday, September 11, 2011 in Haddad Riverfront Park to commemorate the tenth anniversary of the attacks that changed our nation; and

WHEREAS: As the U.S. Senate resolution states, "September 11 will never, and should never, be just another day in the hearts and minds of all people of the United States."

NOW THEREFORE, I, Danny Jones, Mayor of the City of Charleston, do hereby proclaim September 11, 2011 as a:

Day of Solemn Remembrance and Tribute

In the City of Charleston and urge all citizens to take time to remember the attacks, honor the lives lost, recognize the heroes among us and pay tribute to all those who work every day to make our city and nation safer. In addition, I encourage people in Charleston to remember the day by participating in the ceremony in Haddad Park at 8:30 a.m., the national moment of reflection at 1:00 p.m. and/or the special concert by the Charleston Metro Band at 4:30 p.m.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Executive Department to be affixed on this 6th day of September 2011.

DANNY JONES, MAYOR

EXECUTIVE DEPARTMENT

CITY OF CHARLESTON

PROCLAMATION

By the Mayor

WHEREAS: For 36 years Bob Scott has been a band director in Kanawha County Schools, including 28 years of leadership of high school musicians; and

WHEREAS: Since 1989, Mr. Scott has provided valuable instruction and dedicated leadership to students at Capital High School, Kanawha County's magnet school for performing arts, where he imparted an enthusiasm for music, demonstrated the value of quality performance and instilled an abiding sense of loyalty among his students; and

WHEREAS: During his tenure at Capital High School, the school's band has taken more than 60 grand championships in competitions throughout the state as well as the top spot in the Charleston Daily Mail's Majorette and Band Festival for 12 years – including seven consecutive championships; and

WHEREAS: His ear for music and mind for education has led to several honors over the years, including 2005-06 West Virginia Bandmaster of the Year, 2006-07 West Virginia Music Educator of the Year and 2007-08 Kanawha County Teacher of the Year; and

WHEREAS: For Veterans Days, Christmas parades and other community celebrations, Mr. Scott has always said, "Yes," when city leaders have asked for participation by Capital High School's marching band to make events in Charleston that much more special; and

WHEREAS: From his time as the Charleston High School Trumpeteer through his long service at two junior high schools and two high schools within Charleston, Bob Scott has been synonymous with quality high school band music in West Virginia's capital city.

NOW THEREFORE, I, Danny Jones, Mayor of the City of Charleston, do hereby proclaim the 6th day of September 2011, as

BOB SCOTT DAY

in Charleston, West Virginia, in honor of his many years of teaching thousands of students, promoting music to all generations and serving with excellence within our city's schools.

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the Executive Department to be affixed this 6th day of September 2011.

DANNY JONES, MAYOR

PLANNING

Councillperson Mary Jean Davis, Chairperson of the Council Committee on Planning, submitted the following reports.

1. Your Committee on Planning has had under consideration Bill No. 7482, and reports the same to council with the recommendation that the Bill do pass.

Bill No. 7482 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 from an R-4 district to a C-10 district, that certain parcel of land situate at 2114 Pennsylvania Avenue, Charleston, West Virginia.

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

1. The Zoning Ordinance of the City of Charleston, West Virginia, enacted the 1st day of January 2006, as amended, is hereby amended by rezoning from an R-4 district to a C-10 district the whole of the following described parcel of land:

Parcel No. 221 as shown on the West Charleston Tax Map No. 30. Subject parcel commonly known as Lots 18-19, Bk D Elk Park Upper Glen Elk (2114 Pennsylvania Avenue), Charleston West Virginia. Said tax map is of record in the Planning Office.

2. The Zoning Map, attached to and made a part of said Zoning Ordinance, is hereby amended in accordance with Article 27 of this ordinance.

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

The question being on the passage of the Bill. A roll call was taken and there were; yeas – 25, absent - 3, as follows:

YEAS: Burka, Burton, Davis, Deneault, Dodrill, Ealy, Haas, Kirk, Lane, Miller, Minardi, Nichols, Reishman, Richardson, Salisbury, Sheets, Smith, Snodgrass, Stajduhar, Talkington, Ware, Weintraub, White, Mayor Jones.

ABSENT: Harrison, Persinger, Russell

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 7482, 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 999-11, and reports the same to Council with the recommendation that the resolution be adopted.

Resolution No. 999-11: “Authorizing the Mayor to sign Change Order No. 3 with Michael Baker, Jr., Inc., in the amount of \$23,852, to provide for Construction Inspection Services for the Rehabilitation of the South Side Bridge, Pier “C” and Loudon Heights Bridge Project. This change order increases the contract price for Engineering Consulting Services/Phase 2, Bridges, from \$341,326 to \$365,178.”

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. 3 with Michael Baker, Jr., Inc., in the amount of \$23,852, to provide for Construction Inspection Services for the Rehabilitation of the South Side Bridge, Pier “C” and Loudon Heights Bridge Project. This change order increases the contract price for Engineering Consulting Services/Phase 2, Bridges, from \$341,326 to \$365,178

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the resolution 999-11, adopted

2. Your Committee on Finance has had under consideration Resolution No 001-11, and reports the same to Council with the recommendation that the resolution be adopted.

Resolution No. 001-11: “Authorizing the Mayor to sign Change Order No. 1 with Thaxton Construction Co., Inc., in the amount of \$15,050, for the Three Retaining Walls Project (Pacific Street, Stonewall Drive, and Skyline Road), to add soldier piles and lagging to extend the retaining wall at Pacific Street by approximately 20 feet to

accommodate an expansion of the slip area which occurred after the project was advertised for bids. Change Order No. 1 increases the contract from \$174,940 to \$189,990.”

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 Thaxton Construction Co., Inc., in the amount of \$15,050, for the Three Retaining Walls Project (Pacific Street, Stonewall Drive, and Skyline Road), to add soldier piles and lagging to extend the retaining wall at Pacific Street by approximately 20 feet to accommodate an expansion of the slip area which occurred after the project was advertised for bids. Change Order No. 1 increases the contract from \$174,940 to \$189,990.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the resolution 001-11, adopted.

3. Your Committee on Finance has had under consideration Resolution No 002-11, and reports the same to Council with the recommendation that the resolution be adopted.

Resolution No. 002--11 : “Authorizing the Mayor to sign and submit Community Participation Program grant contracts and all related documents for ten (10) projects.”

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 contracts and all related documents for ten (10) projects on behalf of the following agencies:

Bob Burdette Center	11LEDA0520	\$ 4,000
Charleston Area Alliance	11LEDA0139	\$20,000
Charleston Area Alliance	11LEDA0141	\$40,000
Charleston Area Alliance	11LEDA0513	\$ 4,000
Good News Mountaineer Garage	11LEDA0518	\$ 2,375
Kanawha City Community Association	11LEDA0530	\$35,000
Literacy Volunteers	11LEDA0030	\$ 500
Pro-Kids, Inc.	11LEDA0547	\$ 1,000
WV International Film Festival	11LEDA0031	\$10,000
YWCA Sojourner’s Shelter	11LEDA0535	\$18,000

The question being on the adoption of the Resolution. A roll call was taken and there were; yeas – 24, abstain- 1, absent - 3, as follows:

YEAS: Burka, Burton, Davis, Deneault, Dodrill, Ealy, Haas, Kirk, Lane, Miller, Minardi, Nichols, Reishman, Richardson, Sheets, Smith, Snodgrass, Stajduhar, Talkington, Ware, Weintraub, White, Mayor Jones.

ABSTAIN: Salisbury

ABSENT:; Harrison, Persinger, Russell

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 002-11 adopted

4. Your Committee on Finance has had under consideration Resolution No 003-11, and reports the same to Council with the recommendation that the resolution be adopted.

Resolution No. 003-11: “Authorizing the Mayor to sign and submit Community Participation Program grant information sheets and all related documents for three (3) 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.

National Youth Science Foundation	11LEDA0538	\$1,500
Boys and Girls Club	11LEDA0541	\$4,370
Capitol Market, Inc.	08LEDA0959N	\$9,300

The question being on the adoption of the Resolution. A roll call was taken and there were; yeas – 23, abstain- 2, absent - 3, as follows:

YEAS: Burka, Davis, Deneault, Dodrill, Ealy, Haas, Kirk, Lane, Miller, Minardi, Nichols, Reishman, Richardson, Sheets, Smith, Snodgrass, Stajduhar, Talkington, Ware, Weintraub, White, Mayor Jones.

ABSTAIN: Salisbury, Burton

ABSENT:., Harrison, Persinger, Russell

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 003-11 adopted

5. Your Committee on Finance has had under consideration Resolution No 004-11, and reports the same to Council with the recommendation that the resolution be adopted.

Resolution No. 004-11: “Authorizing the Finance Director to allocate funds in the amount of \$21,000 for acquisition of property located on the east end of Charleston for the Religious Coalition for Community Renewal (RCCR) to be used for construction of one single family housing unit.”

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

That the Finance Director is hereby authorized and directed to allocate funds in the amount of \$21,000 for acquisition of property located on the east end of Charleston for the Religious Coalition for Community Renewal (RCCR) to be used for construction of one single family housing unit.

The question being on the adoption of the Resolution. A roll call was taken and there were; yeas – 25, abstain- 0, absent - 3, as follows:

YEAS: Burka, Burton, Davis, Deneault, Dodrill, Ealy, Haas, Kirk, Lane, Miller, Minardi, Nichols, Reishman, Richardson, Salisbury, Sheets, Smith, Snodgrass, Stajduhar, Talkington, Ware, Weintraub, White, Mayor Jones.

ABSENT:., Harrison, Persinger, Russell

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 004-11 adopted

6. Your Committee on Finance has had under consideration Resolution Number 005-11, and reports the same to Council with the recommendation that the resolution be adopted.

Resolution No. 005-11: “Authorizing the Mayor to receive and administer grant funds in the amount of \$843,800.00 from the West Virginia Governor’s Office of Highway Safety. The funds will be used to purchase equipment and provide overtime and travel/training expenses to police agencies in the four-county Metro Valley Highway Safety Program of Kanawha, Boone, Clay, and Logan counties for the support of DUI, child passenger safety, Click It or Ticket and other safety related programs.”

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

That the Mayor is hereby authorized and directed to receive and administer grant funds in the amount of \$843,800.00 from the West Virginia Governor’s Office of Highway Safety. The funds will be used to purchase equipment and provide overtime and travel/training expenses to police agencies in the four-county Metro Valley Highway Safety Program of Kanawha, Boone, Clay, and Logan counties for the support of DUI, child passenger safety, Click It or Ticket and other safety related programs.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the resolution 005-11, adopted.

7. Your Committee on Finance has had under consideration Resolution Number 006-11, and reports the same to Council with the recommendation that the resolution be adopted.

Resolution No. 006-11: “Authorizing the Mayor to receive and administer grant funds from the West Virginia Division of Justice and Community Services, Juvenile Justice and Delinquency Prevention, in the amount of \$59,544, to provide funds for purchase of equipment for the Charleston Police Department’s Juvenile Processing Area.”

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

That the Mayor is hereby authorized and directed to receive and administer grant funds from the West Virginia Division of Justice and Community Services, Juvenile Justice and Delinquency Prevention, in the amount of \$59,544, to provide funds for purchase of equipment for the Charleston Police Department’s Juvenile Processing Area

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the resolution 006-11, adopted.

8. Your Committee on Finance has had under consideration Resolution Number 007-11, and reports the same to Council with the recommendation that the resolution be adopted.

Resolution No. 007-11: “Authorizing the Finance Director to issue a refund in the amount of \$42,642.78 to Hill, Peterson, Carper, Bee & Deitzler, PLLC for overpayment of Business & Occupation (“B&O”) Tax for the period April 1, 2010 through September 30, 2010. The refund is due to the taxpayer inadvertently reporting year-to-date revenues for the six and nine month periods on their 2nd and 3rd quarter 2010 B&O Tax returns.”

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

That the Finance Director is hereby authorized and directed to issue a refund in the amount of \$42,642.78 to Hill, Peterson, Carper, Bee & Deitzler, PLLC for overpayment of Business & Occupation ("B&O") Tax for the period April 1, 2010 through September 30, 2010. The refund is due to the taxpayer inadvertently reporting year-to-date revenues for the six and nine month periods on their 2nd and 3rd quarter 2010 B&O Tax returns.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the resolution 007-11, adopted.

9. Your Committee on Finance has had under consideration Resolution Number 008-11, and reports the same to Council with the recommendation that the resolution be adopted.

Resolution No. 008-11 _____: "Authorizing a Memorandum of Understanding ("MOU") to be entered into between the Charleston City Collector and the Kanawha County Assessor (the "Parties") to facilitate the exchange of certain public information incorporated in the attached MOU and made a part hereof."

WHEREAS, the purpose of this agreement is to facilitate the exchange of certain public information to aid the Parties in carrying out their respective operations related to real property ownership and valuation of the same located in the City of Charleston, Kanawha County, West Virginia; and

WHEREAS, the information exchange will enable the City to be more timely and accurate in updating ownership records for municipal fee billings purposes and will enable the County to identify any residential class 4 (rental) properties that are not listed on the tax rolls; now, therefore

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

That the Charleston City Collector and the Kanawha County Assessor (the "Parties") are hereby authorized and directed to enter into a Memorandum of Understanding ("MOU") to facilitate the exchange of certain public information to aid the Parties in carrying out their respective operations related to real property, ownership and valuation of the same located in the City of Charleston, Kanawha County, West Virginia. The MOU will become effective following Council approval and may be terminated at any time and for any reason upon the written notice of either of the Parties to the other.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the resolution 008-11, adopted.

10. Your Committee on Finance has had under consideration Resolution Number 009-11, and reports the same to Council with recommendation that the resolution be adopted.

Resolution No. 009-11-Resolution requesting the City Council of the City of Charleston, West Virginia to authorize the City of Charleston to file civil actions in the Circuit Court of Kanawha County for the condemnation of property for sanitary sewer easements necessary for the Sanitary Board of the City of Charleston, West Virginia to construct, install and complete its Kanawha Two Mile Sewer Rehabilitation and Replacement Project.

WHEREAS, the Sanitary Board of the City of Charleston, West Virginia (the "Sanitary Board") is pursuing a sewer rehabilitation and replacement project in the Kanawha Two Mile area of the City of Charleston (the "Project") which is necessary to correct older, failing sewer collection lines and is necessary for the health and welfare of the citizens of the City of Charleston;

WHEREAS, the Project includes the rehabilitation and/or replacement of approximately 106,000 feet of sewer lines, and numerous permanent easements and temporary construction easements are necessary to undertake and complete the Project;

WHEREAS, the Sanitary Board and its rights-of-way agents have diligently sought easement agreements for such necessary easements from the affected property owners and have received and recorded many signed easement agreements;

WHEREAS, due to numerous factors including, but not limited to, out-of-state property owners, properties held in heirships with numerous heirs, some whose location is unknown, and uncooperative or uncommunicative property owners, the Sanitary Board has been unable to obtain by negotiation and agreement all of the necessary sewer easements;

WHEREAS, the Sanitary Board has no choice but to request the City of Charleston to authorize the filing of civil actions for the acquisition, pursuant to the City of Charleston's power of eminent domain, certain property interests in order to obtain the necessary sewer easements for the Project; now, therefore,

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

Section 1. To accomplish construction of the sewer rehabilitation and replacement project in the Kanawha Two Mile area of the City of Charleston necessary for the health and welfare of the citizens of the City of Charleston, the Sanitary Board of the City of Charleston, West Virginia ("CSB") must obtain easements across and through certain properties as set forth on Exhibit A to this Resolution.

Section 2. The Sanitary Board requests the City Council of the City of Charleston to authorize the City of Charleston, on behalf of and by and through the Sanitary Board and its counsel to file civil actions for the acquisition for the Sanitary Board, pursuant to the power of eminent domain, of the property interests set forth on Exhibit A and to take such other and further action as may be reasonably necessary to acquire the property rights for easements necessary to construct, install, operate, maintain, repair, replace, rehabilitate, line and remove sewer lines and appurtenances thereto.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the resolution 009-11, adopted.

11. Your Committee on Finance has had under consideration Resolution Number 010-11, and reports the same to Council with the recommendation that the resolution be adopted.

Resolution No. 010-11: "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.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the resolution 010-11, adopted.

12. Your Committee on Finance has had under consideration Resolution Number 011-11, and reports the same to Council with the recommendation that the resolution be adopted.

Resolution No. 011-11: “Authorizing the Mayor to enter into an agreement with Tri-State Roofing & Sheet Metal Co., in the amount of \$99,987, for Replacement of a Section of the Roof at the Charleston Civic Center Convention Hall. The total price includes the replacement of metal decking.”

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 Tri-State Roofing & Sheet Metal Co., in the amount of \$99,987, for Replacement of a Section of the Roof at the Charleston Civic Center Convention Hall. The total price includes the replacement of metal decking.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the resolution 011-11, adopted.

13. Your Committee on Finance has had under consideration a bid submitted by ELSAG North America, in the amount of \$20,375, for purchase of one MPH-900 License Plate Reader to be used by MDENT on a selected vehicle. To be charged to Account No. 097-976-07-000-4-459, Police—2007 COPS Meth Grant, 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.

14. Your Committee on Finance has had under consideration Bill No. 7490, and reports the same to Council with the recommendation that the Bill do pass.

Bill No. 4790 ----- Supplementing Ordinance No. 4423 passed by the Council of The City of Charleston, West Virginia, on March 6, 1989, and subsequent supplemental ordinances set forth in said Bill, through Ordinance No. 7132 passed by the Council on March 7, 2005; authorizing the design, acquisition and construction of certain extensions, additions, betterments and improvements to the existing sewerage system of The City of Charleston; authorizing the issuance of not more than \$30,000,000 in aggregate principal amount of Sewerage System Revenue Bonds, in one or more series as designated in a supplemental resolution, of The City of Charleston, the proceeds of which shall be used, along with other funds and moneys of, or available to, The City of Charleston which may be lawfully expended for such purposes, to permanently finance the cost of such design, acquisition and construction, to fund reserve

accounts for such bonds and to pay other costs in connection therewith; providing for the rights and remedies of and security for the registered owners of such bonds; and adopting other provisions related thereto.

The question being on the passage of the Bill. A roll call was taken and there were; yeas – 25, absent - 3, as follows:

YEAS: Burka, Burton, Davis, Deneault, Dodrill, Ealy, Haas, Kirk, Lane, Miller, Minardi, Nichols, Reishman, Richardson, Salisbury, Sheets, Smith, Snodgrass, Stajduhar, Talkington, Ware, Weintraub, White, Mayor Jones.

ABSENT: Harrison, Persinger, Russell

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 7482, passed

NEW BILLS

Introduced by Council member Ed Talkington, on September 6, 2011:

Bill No. 7491 - 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 from an R-4 district to an R-10 district, that certain parcel of land situate at 810 Grant Street, Charleston, West Virginia.

Refer to Municipal Planning Commission and Planning Committee.

ROLL CALL

YEAS: Burka, Burton, Davis, Deneault, Dodrill, Ealy, Haas, Kirk, Lane, Miller, Minardi, Nichols, Reishman, Richardson, Salisbury, Sheets, Smith, Snodgrass, Stajduhar, Talkington, Ware, Weintraub, White, Mayor Jones.

ABSENT: Harrison, Persinger, Russell

At 8:05 p.m., by a motion from Councilmember Harrison, Council adjourned until Monday, September 19, 2011, at 7:00 p.m.

Danny Jones, Honorable Mayor

James M. Reishman, City Clerk