

PUBLIC SPEAKERS

None.

CLAIMS

1. A Claim of Wayne A. Martin; 1916 Pine Wood Drive, Sissonville, WV 25320; alleges damages to vehicle; Referred to City Solicitor.

COMMUNICATIONS

PROCLAMATIONS

THREE FOLLOWING

APPOINTMENTS

TO: James Reishman, City Clerk
FROM: Jay Goldman, Mayor
RE: East End Historical District Review Board
DATE: April 5, 2001

I am recommending the David Marshall, of 209 W. Washington Street, Charleston, WV 25302, be reappointed to the East End Historical District Review Board with said term to expire on April 16, 2004.

I respectfully request City Council's approval of this recommendation.

The question being on the confirmation of the appointment a vote was taken. There being no dissent the Mayor declared the appointment confirmed unanimously.

TO: James Reishman, City Clerk
FROM: Jay Goldman, Mayor
RE: East End Historical District Review Board
DATE: April 5, 2001

I am recommending that Hanley Clark of 1520 Virginia Street, East, Charleston, WV 25311 be reappointed to the East End Historical District Review Board with expiration of said term being April 16, 2004.

I respectfully request City Council's approval of this recommendation.

The question being on the confirmation of the appointment a vote was taken. There being no dissent the Mayor declared the appointment confirmed unanimously.

TO: James Reishman, City Clerk
FROM: Jay Goldman, Mayor
RE: Board of Zoning Appeals
DATE: April 12, 2001

I am recommending that Thebe Warren, 4001 Kanawha Avenue, Charleston, WV 25304 be appointed to the Board of Zoning Appeals with expiration of said term being January 1, 2002. Ms. Warren will be replacing Richard Murad, P.O. Box 1513, Charleston, WV 25325, who resigned.

I respectfully request City Council's approval of this recommendation.

The question being on the confirmation of the appointment a vote was taken. There being no dissent the Mayor declared the appointment confirmed unanimously.

REPORT OF THE FIREFIGHTERS CIVIL SERVICE COMMISSION

March 26, 2001

James Reishman, City Clerk
City of Charleston
P.O. Box 2749
Charleston, WV 25330

RE: Charleston Firefighters Civil Service Commission

Dear Mr. Reishman,

Please find enclosed with this letter an Order setting forth the ruling of the Charleston Firefighters Civil Service Commission at a hearing held on February 26, 2001. This Order relates to former EMS personnel who were merged into the Charleston Fire Department on June 26, 1996. Please have the Order entered and provide the undersigned with an attested copy.

Thank you for your assistance.

Yours truly,
/s/ Arden J. Curry, II
Arden J. Curry, II

ORDER FOLLOWING

Received and Filed.

MISCELLANEOUS RESOLUTION

Introduced by Councilwoman Beth Fouty-Young on April 16, 2001:

Resolution No. 721-01, “a Resolution amending and re-enacting Chapter Two - Administration; Rules of City Council, as adopted by Resolution No. 407-74, pursuant to Section 20 of the City Charter, and Chapter 2-27 (a) of the Code of the City of Charleston, by amending Rule No. 3. Filing of papers to be introduced at city council meetings, and action thereon by clerk of council, by changing the time and day in which all documents for consideration by the city council are to be filed in the office of the City Clerk; and by adding a new section titled Rule No. 24. Procedures to Fill a Vacancy in an Unexpired Term of Council.

Mayor Goldman referred Resolution No. 721-01 to the Council Committee on Ordinance and Rules.

REPORTS OF STANDING COMMITTEES

URBAN RENEWAL

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

1. Your Committee on Urban Renewal has had under consideration Resolution No. 707-01, attached hereto and made a part hereof. Your Committee finds that the zoning jurisdiction in the Government Square Urban Renewal Area and the Triangle Urban Renewal Project should be removed from the Charleston Urban Renewal Authority to the City of Charleston pursuant to Chapter 16, Article 18 of the West Virginia Code, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 707-01—“Closing the Government Square Urban Renewal Area and the Triangle Urban Renewal Project, for the purpose of restoring zoning jurisdiction from the Charleston Urban Renewal Authority to the City of Charleston, West Virginia, pursuant to Chapter 16, Article 18 of the West Virginia Code.”

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

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 707-01 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. 734-01, authorizing the Finance Director to make revisions to the 2000-2001 General Fund budget as indicated on the attached list of accounts, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 743-01—“Authorizing the Finance Director to make revisions to the 2000-2001 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 2000-2001 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.

BUDGET REVISION NO. 16 FOLLOWING

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

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

NAYS: None.

ABSENT: Markham.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 734-01 adopted unanimously.

2. Your Committee on Finance has had under consideration Resolution No. 735-01, approving the use of the remaining proceeds of the Sewerage System Revenue Bonds, 1998 Series A of The City of Charleston, in the approximate amount of \$100,000, for the design, acquisition and construction of certain additions, betterments and improvements to the existing sewerage system of the City; and amending the definition of "Project" in the Bond Ordinance. The "Project", approved through Ordinance No. 6532, adopted and enacted December 7, 1998, which authorized Sewerage System Revenue Bonds, 1998 Series A, in the amount of \$994,537, has been completed without the expenditure of all proceeds of the bonds, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 735-01--

The question being on the adoption of the Resolution a vote was taken. There being no dissent, with Loeb abstaining, the Mayor declared Resolution No. 735-01 adopted unanimously.

3. Your Committee on Finance has had under consideration Resolution No. 736-01, authorizing the Mayor to sign Change Order No. 1 (copy attached) with Jimmy Dunn Excavating Co., in the amount of \$6,025.23, for changes to the contract for Barton Street Storm Sewer Improvements. The change order increases the contract price from \$103,999.99 to \$110,025.22; To be charged to Account No. 25-098-00-027, CDBG–Flood Drain/Barton Street, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 736-01–“Authorizing the Mayor to sign Change Order No. 1 (copy attached) with Jimmy Dunn Excavating Co., in the amount of \$6,025.23, for changes to the contract for Barton Street Storm Sewer Improvements. The change order increases the contract price from \$103,999.99 to \$110,025.22.”

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 (copy attached) with Jimmy Dunn Excavating Co., in the amount of Six Thousand Twenty-five Dollars and Twenty-three Cents (\$6,025.23), for changes to the contract for Barton Street Storm Sewer Improvements. The change order increases the contract price from \$103,999.99 to \$110,025.22.

CHANGE ORDER NO. 1 FOLLOWING

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

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

NAYS: None.

ABSENT: Markham.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 736-01 adopted unanimously.

4. Your Committee on Finance has had under consideration Resolution No. 737-01, authorizing the Mayor to sign Change Order No. 5 (copy attached) with Hayslett Construction Co., in the amount of \$47,388, for additional work in connection with Renovations to the Charleston Civic Center - Phase II project. This change order and the four previous change orders increase the contract price from the original amount of \$4,487,030 to \$4,624,768; Funds for the change order are available through proceeds received from the sale of bonds, Civic Center Renovations - Phase II, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 737-01—“Authorizing the Mayor to sign Change Order No. 5 (copy attached) with Hayslett Construction Co., in the amount of \$47,388, for additional work in connection with Renovations to the Charleston Civic Center - Phase II project. This change order and the four previous change orders increase the contract price from the original amount of \$4,487,030 to \$4,624,768.”

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. 5 (copy attached) with Hayslett Construction Co., in the amount of Forty-seven Thousand Three Hundred Eighty-eight Dollars (\$47,388), for additional work in connection with Renovations to the Charleston Civic Center - Phase

II project. This change order and the four previous change orders increase the contract price from the original amount of \$4,487,030 to \$4,624,768.

CHANGE ORDER FOLLOWING

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 737-01 adopted unanimously.

5. Your Committee on Finance has had under consideration Resolution No. 738-01, authorizing the Mayor to enter into a contract with Garcie R. Marker & Sons, Inc., in the amount of \$33,598, to provide all materials, equipment, manpower and associated appurtenances to construct and install gravel “island” areas, earthen mounds, brick pavers, park benches and trash receptacles (\$27,123); an alternate bid for removal of existing guardrails and post on-site (\$1,600); and installation of landscape boulders or rock (\$4,875), for the Magic Island Gateway Project/Phase I; To be charged to Account no. 01-110-5, MOECD–Accounts Receivable, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 738-01–“Authorizing the Mayor to enter into a contract with Garcie R. Marker & Sons, Inc., in the amount of \$33,598, to provide all materials, equipment, manpower and associated appurtenances to construct and install gravel “island” areas, earthen mounds, brick pavers, park benches and trash receptacles (\$27,123); an alternate bid for removal of existing guardrails and posts on-site (\$1,600); and installation of landscape boulders or rock (\$4,875), for the Magic Island Gateway Project/Phase I.”

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 Garcie R. Marker & Sons, Inc., in the amount of Thirty-three Thousand Five Hundred Ninety-eight Dollars (\$33,598), to provide all materials, equipment, manpower and associated appurtenances to construct and install gravel “island” areas, earthen mounds, brick pavers, park benches and trash receptacles (\$27,123); an alternate bid for removal of existing guardrails and posts on-site (\$1,600); and installation of landscape boulders or rock (\$4,875), for the Magic Island Gateway Project/Phase I.

The question being on the adoption of the Resolution a roll call was taken and there were; yeas-26,

nays-0, absent-1, as follows:

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

NAYS: None.

ABSENT: Markham.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 738-01 adopted unanimously.

6. Your Committee on Finance has had under consideration Resolution No. 739-01, authorizing the Mayor to enter into a contract with Harris Brothers Roofing & Sheet Metal Co., in the amount of \$5,990, to provide all materials, labor and equipment necessary for Maintenance Upgrade of the Roof at Fire Station No. 8, located at 502 Twenty-sixth Street in North Charleston; To be charged to Account No. 25-099-0-0-054, CDBG-Neighborhood Facilities/FS #8, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 739-01—"Authorizing the Mayor to enter into a contract with Harris Brothers Roofing & Sheet Metal Co., in the amount of \$5,990, to provide all materials, labor and equipment necessary for Maintenance Upgrade of the Roof at Fire Station No. 8, located at 502 Twenty-sixth Street in North Charleston."

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 Harris Brothers Roofing & Sheet Metal Co., in the amount of Five Thousand Nine Hundred Ninety Dollars (\$5,990), to provide all materials, labor and equipment necessary for Maintenance Upgrade of the Roof at Fire Station No. 8, located at 502 Twenty-sixth Street in North Charleston.

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

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

NAYS: None.

ABSENT: Markham.

With a majority of all members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 739-01 adopted unanimously.

7. Your Committee on Finance has had under consideration Resolution No. 740-01, authorizing payment of \$16,500 to Nancy Meador and Eddy Joe Meador in full settlement of Civil Action No. 00-C-2878, which is currently pending in the Circuit Court of Kanawha County, West Virginia; To be

charged to Account No. 01-417-0-0-2-029, Legal Department–Court Costs & Damages, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 740-01–“Authorizing the settlement of the currently pending civil action upon payment of \$16,500.00 to Nancy Meador and Eddy Joe Meador, in full settlement of Civil Action No. 00-C-2878.”

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

That the payment of \$16,500.00 is hereby authorized and approved to be paid to Nancy S. Meador and Eddy Joe Meador, in full settlement of Civil Action No. 00-C-2878, which is currently pending in the Circuit Court of Kanawha County, West Virginia.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 740-01 adopted unanimously.

8. Your Committee on Finance has had under consideration Resolution No. 741-01, authorizing payment of \$85,000 to Officer David Workman in full settlement of the personal injury claims for underinsurance and uninsured against the City of Charleston, its agents and employees, resulting from a motor vehicle accident which occurred on February 3, 2000, while Officer Workman was on duty; To be charged to Account No. 01-417-0-0-2-029, Legal Department–Court Costs & Damages, 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 on line 3 by striking the words “and uninsured”.

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. 741-01, as amended–“Authorizing the settlement of the personal injury claim of Officer David Workman upon payment of \$85,000.00, in full settlement of all claims for underinsurance against the City of Charleston, its agents and employees, resulting from a motor vehicle accident which occurred on February 3, 2000, while Officer Workman was on duty.”

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

That the payment of \$85,000.00 is hereby authorized and approved to be paid to David Workman in full settlement of all claims for underinsurance against the City of Charleston, its agents and employees, resulting from a motor vehicle accident which occurred on February 3, 2000, while Officer Workman was on duty.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 741-01, as amended, adopted unanimously.

9. Your Committee on Finance has had under consideration Resolution No. 742-01, authorizing the Mayor to enter into a contract with Rodney Loftis and Son, in the amount of \$19,500, for demolition of property located at 1422 Washington Street, East; To be charged to Account No. 25-000-00-033, CDBG–Demolition/Clearance, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 742-01–“Authorizing the Mayor to enter into a contract with Rodney Loftis and Son, in the amount of \$19,500, for demolition of property located at 1422 Washington Street, East.”

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 Rodney Loftis and Son, in the amount of Nineteen Thousand Five Hundred Dollars (\$19,500), for demolition of property located at 1422 Washington Street, East.

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

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

NAYS: None.

ABSENT: Markham.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 742-01 adopted unanimously.

10. Your Committee on Finance has had under consideration Resolution No. 743-01, authorizing the Mayor to sign and submit the Request for Project Amendment, Scope/Activity Change, Governor’s Community Partnership Grant Program, to include administrative salary expenses related to implementation of the West Side Neighborhood Association Master Plan, Project No. 99CPGP0232, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 743-01–“Authorizing the Mayor to sign and submit the Request for Project Amendment, Scope/Activity Change, Governor’s Community Partnership Grant Program, to include administrative salary expenses related to implementation of the West Side Neighborhood Association Master Plan, Project No. 99CPGP0232.”

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 the Request for Project Amendment, Scope/Activity Change, Governor’s Community Partnership Grant Program, to include administrative salary expenses related to implementation of the West Side Neighborhood Association

Master Plan, Project No. 99CPGP0232.

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

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

NAYS: None.

ABSENT: Markham.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 743-01 adopted unanimously.

11. Your Committee on Finance has had under consideration Resolution No. 744-01, authorizing the Finance Director to allocate HOME Program funds in the amount of \$15,980 for a project located in the east end of Charleston; To be charged to Account No. 30-098-00-005, HOME Program– Acquisition of Property, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 744-01–“Authorizing the Finance Director to allocate HOME Program funds in the amount of \$15,980 for a project located in the east end of Charleston.”

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

That the Finance Director is hereby authorized and directed to allocate HOME Program funds in the amount of Fifteen Thousand Nine Hundred Eighty Dollars (\$15,980) for a project located in the east end of Charleston.

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

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

NAYS: None.

ABSENT: Markham.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 744-01 adopted unanimously.

12. Your Committee on Finance has had under consideration Resolution No. 745-01, authorizing the Mayor to terminate the contract with Upton Construction Company, Inc., for the Smith Street Storm Sewer Improvements Project due to a conflict with existing sewer laterals discovered after the project was bid and contract was approved. In accordance with Section 18.4, Suspension of Work,

Termination, and Delay of General Conditions of the Contract, the City is required to pay the contractor for work executed and any expenses sustained, plus a reasonable profit. In negotiations with all parties concerned, it is agreed that a reasonable amount due the contractor is \$10,000. Work on this project will be completed by City and Sanitary Board crews that have flexibility to make adjustments in the fields as the laterals and other utilities are encountered; To be charged to Account No. 58-420-0-0-4-060, Engineering–Capital Outlay, Major Improvements, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 745-01–“Authorizing the Mayor to terminate the contract with Upton Construction Company, Inc., for the Smith Street Storm Sewer Improvements Project due to a conflict with existing sewer laterals discovered after the project was bid and contract was approved. In accordance with Section 18.4, Suspension of Work, Termination, and Delay of the General Conditions of the Contract, the City is required to pay the contractor for work executed and any expenses sustained, plus a reasonable profit. In negotiations with all parties concerned, it is agreed that a reasonable amount due the contractor is \$10,000.”

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

That the Mayor is hereby authorized and directed to terminate the contract with Upton Construction Company, Inc., for the Smith Street Storm Sewer Improvements Project due to a conflict with existing sewer laterals discovered after the project was bid and contract was approved. In accordance with Section 18.4, Suspension of Work, Termination, and Delay of the General Conditions of the Contract, the City is required to pay the contractor for work executed and any expenses sustained, plus a reasonable profit. In negotiations with all parties concerned, it is agreed that a reasonable amount due the contractor is Ten Thousand Dollars (\$10,000). Work on this project will be completed by City and Sanitary Board crews that have flexibility to make adjustments in the field as the laterals and other utilities are encountered.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 745-01 adopted unanimously.

13. Your Committee on Finance has had under consideration proposal submitted by Contech Construction Products, in the amount of \$3,142.20, for purchase of various sizes of pipe and related materials for stockpiling at the Street Department; To be charged to Account No. 01-750-0-0-3-041, Street Department–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.

14. Your Committee on Finance has had under consideration proposal submitted by Gregory Highway

Products, in the amount of \$6,003, for purchase of guardrail and related materials for stockpiling at the Street Department; To be charged to Account No. 01-750-0-0-3-041, Street Department–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.

15. Your Committee on Finance has had under consideration purchase of various chemical supplies to be used by the Parks and Recreation Department in City swimming pools. The supplies will be purchased on an as needed basis at prices quoted from the following vendors:

Phillips Supply Co.

Stabilizer - 45 lb. Containers.....	\$90.21
Muriatic Acid - 1 gal. Container	4.22
Liquid Chlorine 5 gal. Container	8.62

PB&S Chemical Company

Chlorine Tablets - 55 lb. Containers	\$79.20
Calcium Chloride - 50 lb. Bags	7.65
Granular Chloride 100 lb. Drums	94.50
Sodium Bicarbonate - 50 lb. Bags	11.90
Diatomaceous Earth 50 lb. Bags	15.20
Soda Ash 50 lb. Bags	6.95

To be charged to Account No. 01-900-0-0-3-031, 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.

16. Your Committee on Finance has had under consideration purchase of five (5) 2002 Harley-Davidson motorcycles from Harley Davidson Kawasaki of West Virginia, Inc., in the amount of \$9,848.50, in exchange for five (5) 2001 Harley-Davidson motorcycles as set forth in a Conditional Trade-in Agreement entered into July 1, 1994. The new motorcycles will be used by the Traffic Enforcement Division of the Charleston Police Department;

To be charged to the following accounts:

\$2,348.50 - 01-700-0-0-4-059, Police–Capital Outlay, Equipment (FY2000-2001)

\$7,500.00 - 01-700-0-0-4-059, Police–Capital Outlay, Equipment (FY2001-2002)

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 proposal submitted by American Office Systems, in the amount of \$12,423, for purchase of one (1) Lanier 5445 Digital Copier for use by the Criminal Investigation Division of the Police Department; To be charged to Account No. 01-700-0-0-4-059, Police–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.

18. Your Committee on Finance has had under consideration proposal submitted by W. Va. Truck & Trailer Company, in the amount of \$3,378.33, for replacement of doors and repairs made to Rescue Unit No. 481, as a result of an incident which occurred in response to an emergency call; To be charged to Account No. 01-706-0-0-2-017, Fire–Maintenance & Repair, Auto/Truck, 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.

19. Your Committee on Finance has had under consideration payment of an invoice from Religious Coalition for Community Renewal/Jubilee Housing, in the amount of \$2,880, for HOME Blend Workshops during the month of March; To be charged to Account No. 30-000-00-001, HOME Program–Administrative, 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-24, nays-1, absent-1, abstentions-1, as follows:

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

NAYS: McKnight.

ABSENT: Markham.

ABSTAIN: Kimberling.

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

20. Your Committee on Finance has had under consideration payment of an invoice from Kanawha Dental Health Council, Inc., in the amount of \$5,833.32, for dental hygienists' salaries for the months of March and April; 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-26, nays-0, absent-1, as follows:

YEAS: Charnock, Crickenberger, Davis, Fouty-Young, Haas, Harris, Henry, Jones,

Kimberling, Knauff, Lane, David Lanham, James Lanham, Loeb, Lopez, McKnight, Molgaard, Morton, Nielsen, Pettry, Prunty, Quick, Reishman, Roller, Talkington, and Mayor Goldman.

NAYS: None.

ABSENT: Markham.

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 authorizing CORP to charge Account No. 25-099-00-014 in the amount of \$8,700 for rehabilitation of one (1) residential project on the City's West Side, 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-1, as follows:

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

NAYS: None.

ABSENT: Markham.

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

22. Your Committee on Finance has had under consideration payment of an invoice from Charleston Lincoln-Mercury, in the amount of \$6,311.68, for repairs made to Police Unit No. 208, damaged in an accident February 18, 2001 on I-64; To be charged to Account No. 01-700-0-0-2-017, Police—Maintenance & Repair, Auto/Truck, 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.

23. Your Committee on Finance has had under consideration payment of an invoice from Hughes Supply, Inc., in the amount of \$8,761.04, for pipe supplied to the Smith Street Storm Sewer Project. This payment is in accordance with a contract stipulation that cost of materials and supplies must be paid following termination of the contract. The agreement with the contractor, Upton Construction, was terminated due to conflict with existing sewer laterals discovered after the project was bid and contract was approved; To be charged to Account No. 58-420-0-0-4-060, Engineering—Capital Outlay, Major Improvements (reimbursement of costs through EDA Project No. 01-01-03717), 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.

24. Your Committee on Finance has had under consideration payment of an invoice from Packaged Systems, Inc., in the amount of \$2,784.50, for manhole materials supplied to the Smith Street Storm Sewer Project. This payment is in accordance with a contract stipulation that cost of materials and supplies must be paid following termination of the contract. The agreement with the contract, Upton Construction, was terminated due to conflict with existing sewer laterals discovered after the project was bid and contract was approved; To be charged to Account No. 58-420-0-0-4-060, Engineering–Capital Outlay, Major Improvements (reimbursement of costs through EDA Project No. 01-01-03717), 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.

REPORTS OF OFFICERS

1. City of Charleston Payroll Variance Analysis March, 2001; Received and Filed.
2. Report of the Charleston Building Department March, 2001; Received and Filed.
3. City Treasurer's Report to City Council Month Ending March, 2001; Received and Filed.
4. City of Charleston Financial Statements For The Nine-Month Period Ended March 31, 2001; Received and Filed.

NEW BILLS INTRODUCED

Introduced by Councilman Larry Roller on April 16, 2001:

BILL NO. 6784, a Bill and Order relating to the laying of levies on real, personal and public utility property within the City of Charleston, West Virginia, including excess levies previously provided for in the Official Municipal Budget Document for the fiscal year beginning the first day of July, two thousand one;

Referred to Council Committee on Finance

Introduced by Councilman Jim Harris on April 16, 2001:

BILL NO. 6785, a Bill to amend and reenact Section 8.1, Article I, Chapter 19, of the Parks and Recreation Law, Code of the City of Charleston, West Virginia, one thousand nine hundred seventy-five, as amended, relating to establishing certain fees and charges for the use of recreational facilities owned by the City of Charleston, and providing for a public hearing thereon;

Referred to Council Committee on Parks and Recreation and Finance

UNFINISHED BUSINESS

Mayor Goldman informed Council he would identify a federally funded item on the agenda by sounding the bell before the reading of the title by the Clerk.

Mayor Goldman introduced Janet Matthews as the new Director of the Mayor's Office of Economic Development (MOECD).

Sherry Risk, City Manager, informed Council of comments received during the 30 day comment period as required by the US Department of HUD relating to the 2001 MOECD budget.

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, McKnight,
Molgaard, Morton, Nielsen, Pettry, Prunty, Quick, Reishman, Roller, Talkington,
and Mayor Goldman.

ABSENT: Markham.

At 8:20 p.m., on motion of Councilman Loeb, Council adjourned until 7:00 p.m., Monday, May, 7, 2001.

Jay Goldman, Honorable Mayor

James M. Reishman, City Clerk