

## **PUBLIC SPEAKERS**

1. Lou Aiello
2. Annette Courts
3. Theresa Lonker
4. Roy Martin
5. Paul Monroe

## **CLAIMS**

1. A Claim of Johnny D. Shaffer; 1303 Camden Drive, Charleston, WV; alleges damage to property; Referred to City Solicitor.
2. A Claim of Kenneth Milhorn; 206-B Snowhill Drive, Charleston, WV; alleges damage to vehicle; Referred to City Solicitor.
3. A Claim of Ericka Robinson; 1814 Daisy Drive, Charleston, WV; alleges damage to vehicle; Referred to City Solicitor.
4. A Claim of Elizabeth O'Neill and Mary J. O'Neill; 4303 Staunton Avenue, S.E., Charleston, WV; alleges damage to property; Referred to City Solicitor.
5. A Claim of Norma Simmons; 1718 Claire Street, Charleston, WV; alleges personal injury; Referred to City Solicitor.
6. A Claim of Otis Rainwater; 1506 Virginia Street, Apartment 1, Charleston, WV; alleges damage to vehicle; Referred to City Solicitor.

## **MISCELLANEOUS RESOLUTIONS**

None.

## **COMMUNICATIONS**

***PROCLAMATION***

***APPOINTMENTS***

TO: James Reishman, City Clerk  
FROM: Jay Goldman, Mayor  
RE: Charleston Urban Renewal Authority

I am recommending that Diane Strong-Treister, 1001 Edgewood Drive, Charleston, West Virginia 25302 be appointed to the Charleston Urban Renewal Authority. Ms. Strong-Triester's term will expire March 3, 2004.

Ms. Strong-Triester will replace Angie Sellers, 1226 Park Avenue, Charleston, West Virginia 25302.

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: Architectural Review Committee  
DATE: August 20, 2001

I am recommending that Mark Monteleone, P.O. Box 1386, Charleston, WV 25325 be appointed to the Architectural Review Committee. Mr. Monteleone's said term will expire January 21, 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: Architectural Review Committee  
DATE: August 20, 2001

I am recommending that Mark Greenlee, P.O. Box 6001, Charleston, WV 25326 be appointed to the Architectural Review Committee. Mr. Greenlee's said term will expire January 21, 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: Architectural Review Committee  
DATE: August 20, 2001

I am recommending that Nicholas Winowich, Historical, 2003 Huber Road, Charleston, WV 25314 be appointed to the Architectural Review Committee. Mr. Winowich's said term will expire January 21, 2003.

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: Architectural Review Committee  
DATE: August 20, 2001

I am recommending that Richard Blankinship, Architect, 2103 Stratford Road, South Charleston, WV 25303 be appointed to the Architectural Review Committee. Mr. Blankinship's said term will expire January 21, 2003.

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.

***BILL WITHDRAWAL***

TO: James Reishman, City Clerk  
FROM: Henry Knauff, Ward 7 Council  
DATE: August 14, 2001  
RE: Bill Withdrawal

Please withdraw Bill Nos. 6829 and 6830, as these issues have been addressed in recent Bills

introduced into Council.

Thank you.

The question being on the withdrawal of the Bills a vote was taken. There being no dissent the Mayor declared Bill Nos. 6829 and 6830 officially withdrawn.

***MUNICIPAL PLANNING COMMISSION***

August 9, 2001

Honorable J. Crawford Goldman  
and Members of City Council  
Charleston, WV 25301

Dear Mayor Goldman and Councilmembers:

On August 8, 2001, the Municipal Planning Commission held public hearings and its regular monthly meeting. The following cases were heard by the Commission:

Bill No. 6826 - Petition of William E. Turner, Jr., to rezone the 9 acre tract of land east and adjacent to Greenbrier Pool on Chesterfield Avenue, identified as Parcel 6 on Kanawha City District Map 26, from R-4 Single-Family Residential District to PUD, Planned Unit Development in order to develop the property for 24 townhouse units in 5 dwelling buildings and one community building.

Bill No. 6827 - Petition of the Municipal Planning Commission to amend the City of Charleston Zoning Ordinance by creating a special permit use for auction establishments in a C-6, Community Commercial District.

Jordan Place - Application of W.R. Brown to dedicate Jordan Place which is off the 200 block of Oakwood Road.

These cases should be referred to the Planning Committee of Council.

Sincerely,  
Planning Department  
/s/ Phyllis White  
Phyllis White, Administrative Assistant

Mayor Goldman referred all cases to the Council Committee on Planning.

**REPORTS OF STANDING COMMITTEES**

## **STREETS and TRAFFIC**

Councilwoman Beth Fouty-Young, Chairman 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. 6729, and reports the same to Council with the recommendation that the Bill do pass.

Bill No. 6729, a Bill to establish a Residential Parking Only zone on Farnsworth Drive from Huron Terrace to Spring Hill Cemetery and amending the Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, one thousand nine hundred seventy-five, as amended, Traffic Law, Chapter thirty-one, Article three to conform therewith.

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

Section 1. A Residential Parking Only zone on Farnsworth Drive from Huron Terrace to Spring Hill Cemetery is hereby established.

Section 2. Parking Permits will be issued to residents of this area by the Ward Council Member. There shall be on file in the Traffic Division of the Police Department a current list giving the names, addresses, license plate numbers and date of issue for each parking permit.

Section 3. For each address in this area two permits will be issued for vehicles registered to that address and one permit will be issued for use by visitors to that address.

Section 4. Permits will be issued without cost.

Section 5. The Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, one thousand nine hundred seventy-five, as amended, Traffic Law, Chapter thirty-one, Article three, shall be and hereby are amended to conform to this Ordinance.

The question being on the passage of the Bill 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, Markham, McKnight, Molgaard, Morton, Nielsen, Pettry, Quick, Reishman, Roller, Talkington, and Mayor Goldman.

NAYS: None.

ABSENT: Prunty

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 6729 passed unanimously.

2. Your Committee on Streets and Traffic has had under consideration Bill No. 6732, and reports the

same to Council with the recommendation that the Bill do pass.

Bill No. 6732, a Bill to establish a Residential Parking Only zone on Huron Terrace and amending the Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, one thousand nine hundred seventy-five, as amended, Traffic Law, Chapter thirty-one, Article three, to conform therewith.

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

Section 1. A Residential Parking Only zone on Huron Terrace is hereby established.

Section 2. Parking Permits will be issued to residents of this area by the Ward Council Member. There shall be on file in the Traffic Division of the Police Department a current list of names, addresses, license plate numbers and date of issue for each parking permit.

Section 3. For each address in this area two permits will be issued for vehicles registered to that address and one permit will be issued for use by visitors to that address.

Section 4. Permits will be issued without cost.

Section 5. The Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, one thousand nine hundred seventy-five, as amended, Traffic Law, Chapter thirty-one, Article three, shall be and hereby are amended to conform to this Ordinance.

The question being on the passage of the Bill 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, Markham, McKnight, Molgaard, Morton, Nielsen, Pettry, Quick, Reishman, Roller, Talkington, and Mayor Goldman.

NAYS: None.

ABSENT: Prunty

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 6732 passed unanimously.

3. Your Committee on Streets and Traffic has had under consideration Bill No. 6823, and reports the same to Council with the recommendation that the Bill do pass.

Bill No.6823, a Bill to establish a Stop intersection on Ella Street at Amherst Drive and amending the Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, one thousand nine hundred seventy-five, as amended, Traffic Law, Chapter thirty-one, Article three to conform therewith.

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

Section 1. A Stop intersection on Ella Street at Amherst Drive is hereby established.

Section 2. The Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, one thousand nine hundred seventy-five, as amended, Traffic Law, Chapter thirty-one, Article three, shall be and hereby are amended to conform to this Ordinance.

The question being on the passage of the Bill 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, Markham, McKnight, Molgaard, Morton, Nielsen, Pettry, Quick, Reishman, Roller, Talkington, and Mayor Goldman.

NAYS: None.

ABSENT: Prunty.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 6823 passed unanimously.

4. Your Committee on Streets and Traffic has had under consideration Bill No. 6824, and reports the same to Council with the recommendation that the Bill do pass.

Bill No. 6824, a Bill to establish a Stop intersection on Ella Street at Breezemont Drive and amending the Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, one thousand nine hundred seventy-five, as amended, Traffic Law, Chapter thirty-one, Article three to conform therewith.

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

Section 1. A Stop intersection on Ella Street at Breezemont Drive is hereby established.

Section 2. The Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, one thousand nine hundred seventy-five, as amended, Traffic Law, Chapter thirty-one, Article three, shall be and hereby are amended to conform to this Ordinance.

The question being on the passage of the Bill 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, Markham, McKnight, Molgaard, Morton, Nielsen, Pettry, Quick, Reishman, Roller, Talkington, and Mayor Goldman.

NAYS: None.

ABSENT: Prunty.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 6824 passed unanimously.

5. Your Committee on Streets and Traffic has had under consideration Bill No. 6825, and reports the same to Council with the recommendation that the Bill do pass.

Bill No. 6825, a Bill to establish control of the one traffic lane through South Park Road railroad underpass by installing a Yield sign on each side of the underpass with instructions that drivers alternate with oncoming traffic and amending the Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, one thousand nine hundred seventy-five, as amended, Traffic Law, Chapter thirty-one, Article three to conform therewith.

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

Section 1. A Yield sign on each side of the South Park Road railroad underpass with instructions that drivers alternate with oncoming traffic is hereby established.

Section 2. The Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, one thousand nine hundred seventy-five, as amended, Traffic Law, Chapter thirty-one, Article three, shall be and hereby are amended to conform to this Ordinance.

The question being on the passage of the Bill 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, Markham, McKnight, Molgaard, Morton, Nielsen, Pettry, Quick, Reishman, Roller, Talkington, and Mayor Goldman.

NAYS: None.

ABSENT: Prunty.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 6825 passed unanimously.

6. Your Committee on Streets and Traffic has had under consideration Bill No. 6828, and reports the same to Council with the recommendation that the Bill do pass.

Bill No. 6828, a Bill to establish a 4 Way Stop intersection at the intersection of 31<sup>st</sup> Street West and 2<sup>nd</sup> Avenue West and amending the Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, one thousand nine hundred seventy-five, as amended, Traffic Law, Chapter thirty-one, Article three to conform therewith.

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

Section 1. A 4 Way Stop intersection at the intersection of 31<sup>st</sup> Street West and 2<sup>nd</sup> Avenue West is

hereby established.

Section 2. The Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, one thousand nine hundred seventy-five, as amended, Traffic Law, Chapter thirty-one, Article three, 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 passage of the Bill 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, Markham, McKnight, Molgaard, Morton, Nielsen, Pettry, Quick, Reishman, Roller, Talkington and Mayor Goldman.

NAYS: None.

ABSENT: Prunty.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 6828 passed unanimously.

7. Your Committee on Streets and Traffic has had under consideration Bill No. 6831, and reports the same to Council with the recommendation that the Bill do pass.

Bill No. 6831, a Bill to establish a “Residential Parking Only” zone on Viola Road and to amend the Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, one thousand nine hundred seventy-five, as amended, Traffic Law, Chapter thirty-one, Article three to conform therewith.

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

Section 1. A “Residential Parking Only” zone on Viola Road is hereby established; and

Section 2. The Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, one thousand nine hundred seventy-five, as amended, Traffic Law, Chapter thirty-one, Article three, shall be and hereby are amended to conform to this Ordinance.

The question being on the passage of the Bill a roll call was taken and there were; yeas-20, nays-6, absent-1, as follows:

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

NAYS: Crickenberger, Harris, Henry, McKnight, Molgaard, and Talkington.

ABSENT: Prunty.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 6831 passed.

8. Your Committee on Streets and Traffic has had under consideration Bill No. 6832, and reports the same to Council with the recommendation that the Bill do pass.

Bill No. 6832, a Bill to establish a 25 Mile Per Hour speed limit on Rolling Hills Road and amending the Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, one thousand nine hundred seventy-five, as amended, Traffic Law, Chapter thirty-one, Article three to conform therewith.

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

Section 1. A 25 Mile Per Hour speed limit on Rolling Hills Road is hereby established.

Section 2. The Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, one thousand nine hundred seventy-five, as amended, Traffic Law, Chapter thirty-one, Article three, shall be and hereby are amended to conform to this Ordinance.

The question being on the passage of the Bill 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, Markham, McKnight, Molgaard, Morton, Nielsen, Pettry, Quick, Reishman, Roller, Talkington, and Mayor Goldman.

NAYS: None.

ABSENT: Prunty.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 6832 passed unanimously.

9. Your Committee on Streets and Traffic has had under consideration Bill No. 6833, and reports the same to Council with the recommendation that the Bill do pass.

Bill No. 6833, a Bill to establish a 25 Mile Per Hour speed limit on Rolling Hills Circle and amending the Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, one thousand nine hundred seventy-five, as amended, Traffic Law, Chapter thirty-one, Article three to conform therewith.

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

Section 1. A 25 Mile Per Hour speed limit on Rolling Hills Circle is hereby established.

Section 2. The Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, one thousand nine hundred seventy-five, as amended, Traffic Law, Chapter thirty-one, Article three, shall be and hereby are amended to conform to this Ordinance.

The question being on the passage of the Bill 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, Markham, McKnight, Molgaard, Morton, Nielsen, Pettry, Quick, Reishman, Roller, Talkington, and Mayor Goldman.

NAYS: None.

ABSENT: Prunty.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 6833 passed unanimously.

10. Your Committee on Streets and Traffic has had under consideration Bill No. 6834, and reports the same to Council with the recommendation that the Bill do pass.

Bill No. 6834, a Bill to establish a 25 Mile Per Hour speed limit on Rolling Hills Place and amending the Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, one thousand nine hundred seventy-five, as amended, Traffic Law, Chapter thirty-one, Article three to conform therewith.

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

Section 1. A 25 Mile Per Hour speed limit on Rolling Hills Place is hereby established.

Section 2. The Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, one thousand nine hundred seventy-five, as amended, Traffic Law, Chapter thirty-one, Article three, shall be and hereby are amended to conform to this Ordinance.

The question being on the passage of the Bill 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, Markham, McKnight, Molgaard, Morton, Nielsen, Pettry, Quick, Reishman, Roller, Talkington, and Mayor Goldman.

NAYS: None.

ABSENT: Prunty.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 6834 passed unanimously.

11. Your Committee on Streets and Traffic has had under consideration Bill No. 6835, and reports the same to Council with the recommendation that the Bill do pass.

Bill No. 6835, a Bill to establish a 25 Mile Per Hour speed limit on Greystone Road and amending the Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, one thousand nine hundred seventy-five, as amended, Traffic Law, Chapter thirty-one, Article three, are amended to conform therewith.

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

Section 1. A 25 Mile Per Hour speed limit on Greystone Road is hereby established.

Section 2. The Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, one thousand nine hundred seventy-five, as amended, Traffic Law, Chapter thirty-one, Article three, shall be and hereby are amended to conform to this Ordinance.

The question being on the passage of the Bill 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, Markham, McKnight, Molgaard, Morton, Nielsen, Pettry, Quick, Reishman, Roller, Talkington, and Mayor Goldman.

NAYS: None.

ABSENT: Prunty.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 6835 passed unanimously.

12. Your Committee on Streets and Traffic has had under consideration Bill No. 6836, and reports the same to Council with the recommendation that the Bill do pass.

Bill No. 6836, a Bill to establish a 25 Mile Per Hour speed limit on Greystone Place and amending the Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, one thousand nine hundred seventy-five, as amended, Traffic Law, Chapter thirty-one, Article three to conform therewith.

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

Section 1. A 25 Mile Per Hour speed limit on Greystone Place is hereby established.

Section 2. The Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, one thousand nine hundred seventy-five, as amended, Traffic Law, Chapter thirty-one, Article three, shall be and hereby are amended to conform to this Ordinance.

The question being on the passage of the Bill 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, Markham, McKnight, Molgaard, Morton, Nielsen, Pettry, Quick, Reishman, Roller, Talkington, and Mayor Goldman.

NAYS: None.

ABSENT: Prunty.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 6836 passed unanimously.

13. Your Committee on Streets and Traffic has had under consideration Bill No. 6837, and reports the same to Council with the recommendation that the Bill do pass.

Bill No. 6837, a Bill to establish a 25 Mile Per Hour speed limit on Berkshire Place and amending the Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, one thousand nine hundred seventy-five, as amended, Traffic Law, Chapter thirty-one, Article three to conform therewith.

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

Section 1. A 25 Mile Per Hour speed limit on Berkshire Place is hereby established.

Section 2. The Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, one thousand nine hundred seventy-five, as amended, Traffic Law, Chapter thirty-one, Article three, shall be and hereby are amended to conform to this Ordinance.

The question being on the passage of the Bill 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, Markham, McKnight, Molgaard, Morton, Nielsen, Pettry, Quick, Reishman, Roller, Talkington, and Mayor Goldman.

NAYS: None.

ABSENT: Prunty.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 6837 passed unanimously.

14. Your Committee on Streets and Traffic has had under consideration Bill No. 6838, and reports the same to Council with the recommendation that the Bill do pass.

Bill No. 6838, a Bill to establish a 25 Mile Per Hour speed limit on Devondale Circle and amending the Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West

Virginia, one thousand nine hundred seventy-five, as amended, Traffic Law, Chapter thirty-one, Article three to conform therewith.

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

Section 1. A 25 Mile Per Hour speed limit on Devondale Circle is hereby established.

Section 2. The Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, one thousand nine hundred seventy-five, as amended, Traffic Law, Chapter thirty-one, Article three, shall be and hereby are amended to conform to this Ordinance.

The question being on the passage of the Bill 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, Markham, McKnight, Molgaard, Morton, Nielsen, Pettry, Quick, Reishman, Roller, Talkington, and Mayor Goldman.

NAYS: None.

ABSENT: Prunty.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 6838 passed unanimously.

15. Your Committee on Streets and Traffic has had under consideration Bill No. 6839, and reports the same to Council with the recommendation that the Bill do pass.

Bill No. 6839, a Bill to establish a Two Hour Parking Tow-Away zone on the westerly side of Carroll Road from a point 48 feet north of Oakwood Road to a point 318 feet north of Oakwood Road and a No Parking Anytime Tow-Away zone on the easterly side of Carroll Road from Oakwood Road to a point 318 feet north of Oakwood Road and amending the Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, one thousand nine hundred seventy-five, as amended, Traffic Law, Chapter thirty-one, Article three to conform therewith.

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

Section 1. A Two Hour Parking Tow-Away zone on the westerly side of Carroll Road from a point 48 feet north of Oakwood Road to a point 318 feet north of Oakwood Road and a No Parking Anytime Tow-Away zone on the easterly side of Carroll Road from Oakwood Road to a point 318 feet north of Oakwood Road is hereby established.

Section 2. The Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, one thousand nine hundred seventy-five, as amended, Traffic Law, Chapter thirty-one, Article three, shall be and hereby are amended to conform to this Ordinance.

The question being on the passage of the Bill 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, Markham, McKnight, Molgaard, Morton, Nielsen, Pettry, Quick, Reishman, Roller, Talkington, and Mayor Goldman.

NAYS: None.

ABSENT: Prunty.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 6839 passed 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. 814-01, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 814-01—“Authorizing the Mayor to sign an amendment to the Recyclable Materials Agreement with Fibres International providing for the option, but not the obligation, of delivering certain recyclable materials to Fibres at the Hansford Street Facility as determined solely by 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 an amendment to the Recyclable Materials Agreement with Fibres International providing for the option, but not the obligation, of delivering certain recyclable materials to Fibres at the Hansford Street Facility as determined solely by the City of Charleston (see attached agreement).

## **AMENDMENT TO RECYCLABLE MATERIALS AGREEMENT**

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 814-01 adopted unanimously.

2. Your Committee on Finance has had under consideration Resolution No. 815-01, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 815-01–“Authorizing an amendment to the contract with JanPak Supply Solutions, approved by Council on August 6, 2001, providing for the 12-month supply of plastic refuse bags to be purchased in boxes rather than in rolls, decreasing the cost from \$177,460 (\$46.70/1000) to \$169,518 (\$44.61/1000).”

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

That an amendment to the contract with JanPak Supply Solutions, approved by Council on August 6, 2001, providing for the 12-month supply of plastic refuse bags to be purchased in boxes rather than rolls, decreasing the cost from \$177,460 (\$46.70/1000) to \$169,518 (\$44.61/1000) is hereby approved.

Purchase of the bags in boxes will reduce the total contract price from \$222,896.13 to \$214,954.13, for a savings of \$7,942. The price of \$45,436.13 for the clear yard waste bags remain the same; To be charged to Account No. 01-800-0-0-3-041, Refuse Collection–Materials & Supplies.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 815-01 adopted unanimously.

3. Your Committee on Finance has had under consideration Resolution No. 816-01, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 816-01–“Authorizing the Mayor to sign a Juvenile Justice and Delinquency Prevention Grant contract agreement in the amount of \$16,700, providing for the Police Department to receive and administer the grant funds.”

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

That the Mayor is hereby authorized and directed to sign a Juvenile Justice and Delinquency Prevention Grant contract agreement in the amount of Sixteen Thousand Seven Hundred Dollars (\$16,700), providing for the Police Department to receive and administer the grant funds.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 816-01 adopted unanimously.

4. Your Committee on Finance has had under consideration Resolution No. 818-01, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 818-01–“Reconsideration of Resolution No. 762-01 and Resolution No. 776-01 amending the 1993, 1996, 1997, 1998 and 2000 Community Development Block Grant budgets as indicated on the attached list of accounts. The reconsideration of the budgets are due to citizen adverse comments being received during the 30-day comment period required through the MOECD Citizen Participation Plan.”

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

That reconsideration of Resolution No. 762-01 and Resolution No. 776-01 amending the 1993, 1996, 1997, 1998 and 2000 Community Development Block Grant budgets as indicated on the attached list of accounts is hereby approved. The reconsideration of the budgets are due to citizen adverse comments being received during the 30-day comment period required through the MOECD Citizen Participation Plan.

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

NAYS: None.

ABSENT: Prunty.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 818-01 adopted unanimously.

5. Your Committee on Finance has had under consideration Resolution No. 819-01, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 819-01–“Recognizing that \$35,000 of funding is necessary during this fiscal year in order to support the location of the Independent Photo Images (IPI) within the City of Charleston.”

WHEREAS, the IPI Project proposed for location within the corporate limits of Charleston, West Virginia, represents the type of economic development initiative that will bring new jobs and resources to the City; and

WHEREAS, the new payroll dollars that result from the opening of the IPI Project will be spent and invested in the greater Charleston area; and

WHEREAS, the City in partnership with the United States Department of Housing and Urban Development (HUD) and with the Independent Photo Images to develop the IPI Project; and

WHEREAS, this project will have to satisfy a number of HUD requirements prior to receiving and City funding; NOW, THEREFORE,

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

That the Council hereby recognizes that \$35,000 of City funding is necessary during this fiscal year to provide support for the location of the IPI Project within Charleston; provided, that as a condition to the expenditure of any such funds that there be a Lease or other Agreement executed between IPI containing the following provisions. The company agrees to stay in Charleston for a minimum of five years;

To be charged to Account No. 32-098-00-001-0-999, MOECD–Program Income

The question being on the adoption of the Resolution a roll call was taken and there were; yeas-25, nays-1, absent-1, as follows:

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

NAYS: McKnight.

ABSENT: Prunty.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 819-01 adopted.

6. Your Committee on Finance has had under consideration Resolution No. 820-01, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 820-01–“Authorizing the Mayor to sign eight (8) Legislative Digest Grant Applications for FY 2002.”

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

That the Mayor is hereby authorized and directed to sign the eight (8) Legislative Digest Grant Applications for FY 2002 as follows:

Charleston Area Performance Academy	\$20,000
Charleston Public Safety Council	8,000
Charleston Farmers Market	40,000
West Side Neighborhood Association	15,000
West Virginia Housing & Advocacy	10,000
West Virginia Humanities Council	8,000
Covenant House	20,000
Daymark Incorporated	40,000

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

YEAS: Charnock, Crickenberger, Davis Haas, Harris Henry, Jones, Kimberling, Knauff, Lane, David Lanham, James Lanham, Loeb, Lopez, Markham, McKnight,

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

NAYS: None.

ABSENT: Fouty- Young and Prunty.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 820-01 adopted unanimously.

7. Your Committee on Finance has had under consideration Resolution No. 821-01, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 821-01–“Authorizing the Mayor to sign a one year contract with the Religious Coalition for Community Renewal for Home Counseling for the Charleston HOME Programs.”

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

That the Mayor is hereby authorized and directed to sign a one year contract with the Religious Coalition for Community Renewal for Home Counseling for the Charleston HOME Programs;

To be charged to the HOME Programs Account for various years.

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

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

NAYS: None.

ABSENT: Fouty- Young and Prunty.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 821-01 adopted unanimously.

8. Your Committee on Finance has had under consideration Resolution No. 822-01, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 822-01–“Authorizing the Mayor to sign a one year contract with Spilman, Thomas & Battle for Legal Services on behalf of the Charleston HOME Programs in accordance with the attached fee schedule.”

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

That the Mayor is hereby authorized and directed to sign a one year contract with Spilman, Thomas & Battle for Legal Services on behalf of the Charleston HOME Programs in accordance with the attached fee schedule; To be charged to the Home Programs Account for various years.

## FEES FOLLOWING

The question being on the adoption of the Resolution a roll call was taken and there were; yeas-25, nays-0, absent-1, abstentions-1, as follows:

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

NAYS: None.

ABSENT: Prunty.

ABSTAIN: Davis.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 822-01 adopted unanimously.

9. Your Committee on Finance has had under consideration Resolution No. 823-01, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 823-01—“Authorizing the Finance Director to allocate \$48,215 from Account No. 25-99-00-014 for rehabilitation of seven (7) homes in the City 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 allocated Forty-eight Thousand Two Hundred Fifteen Dollars (\$48,215) from Account No. 25-99-00-014 for rehabilitation of seven (7) homes in the City of Charleston (see attached bid sheet).

## BID SHEET 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, Markham, McKnight, Molgaard, Morton, Nielsen, Pettry, Quick, Reishman, Roller, Talkington, and Mayor Goldman.

NAYS: None.

ABSENT: Prunty.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 823-01 adopted unanimously.

10. Your Committee on Finance has had under consideration Resolution No. 824-01, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 824-01—"Authorizing the Finance Director to allocate \$6,500 from Account No. 25-99-00-014 for rehabilitation of the Mattie V. Lee Home in the City 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 Six Thousand Five Hundred Dollars (\$6,500) from Account No. 25-99-00-014 for rehabilitation of the Mattie V. Lee Home in the City 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, Markham, McKnight, Molgaard, Morton, Nielsen, Pettry, Quick, Reishman, Roller, Talkington, and Mayor Goldman.

NAYS: None.

ABSENT: Prunty.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution no. 824-01 adopted unanimously.

11. Your Committee on Finance has had under consideration Resolution No. 825-01, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 825-01—"Authorizing the Mayor to sign Change Order No. 1 with Wiseman Construction Co., in the amount of \$22,400, to replace 1600 square feet of base material in connection with the Downtown Streetscape Improvements Project. This change order increases the Intersection Replacement portion of this contract from \$251,000 to \$273,400, and increases the overall contract price from \$614,939 to \$637,339."

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 Wiseman Construction Co., in the amount of Twenty-two Thousand Four Hundred Dollars (\$22,400), to replace 1600 square feet of base material in connection with the Downtown Streetscape Improvements Project. This change order increases the Intersection Replacement portion of this contract from \$251,000 to \$273,400, and increases the overall contract price from \$614,939 to \$637,339. To be charged to Account No. 58-420-0-0-4-060, Engineering—Capital Outlay, Major Improvements.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 825-01 adopted unanimously.

12. Your Committee on Finance has had under consideration Resolution No. 826-01, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 826-01—"Authorizing the Mayor to sign Change Order No. 1 with Jimmy A. Dunn Excavating Co., in the amount of \$2,402, for changes in the Lower Edgewood Drive Retaining Wall Project."

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 Jimmy A. Dunn Excavating Co., in the amount of Two Thousand Four Hundred Two Dollars (\$2,402), for changes in the Lower Edgewood Drive Retaining Wall Project. This change order increases the contract price from \$210,482.45 to \$212,884.45; To be charged to Account No. 58-420-0-0-4-060, Engineering–Capital Outlay, Major Improvements.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 826-01 adopted unanimously.

13. Your Committee on Finance has had under consideration Resolution No. 827-01, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 827-01–“Authorizing the Mayor to sign an Urban Forestry Grant in the amount of \$3,966 for purchase of 11 pink crab apple trees at \$68. each (\$748); and 11 white crab apple trees at \$85. each (\$935) for planting along the Kanawha Boulevard; plus in-kind matching funds of \$1,983 for labor and equipment to be used in the project site preparations.”

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

That the Mayor is hereby authorized and directed to sign an Urban Forestry Grant in the amount of \$3,966 for purchase of 11 pink crab apple trees at \$68 each (\$748); and 11 white crab apple trees at \$85 each (\$935) for planting along Kanawha Boulevard; plus in-kind matching funds of \$1,983 for labor and equipment to be used in the project site preparations.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 827-01 adopted unanimously.

14. Your Committee on Finance has had under consideration Resolution No. 828-01, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 828-01–“Authorizing the Finance Director to make revisions to the 2001-2002 General Fund budget as indicated on the attached list of accounts.”

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

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

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

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

NAYS: None.

ABSENT: Prunty.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 828-01 adopted unanimously.

15. Your Committee on Finance has had under consideration Resolution No. 829-01, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 829-01—“Authorizing the Finance Director to establish a new fund to be entitled “Fund 42—Evidence Liability Fund” to hold monies obtained as evidence in crime cases, lost and found articles, or items for safekeeping. These monies should not be commingled with other Police Department funds. The account will be interest bearing and earnings will remain in Fund 42.”

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

That the Finance Director is hereby authorized and directed to establish a new fund to be entitled "Fund 42–Evidence Liability Fund" to hold monies obtained as evidence in crime cases, lost and found articles, or items for safekeeping. These monies should not be commingled with other Police Department funds. The account will be interest bearing and earnings will remain in Fund 42.

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

NAYS: None.

ABSENT: Prunty.

With a majority of members elected recorded thereon as voting the affirmative the Mayor declared Resolution No. 829-01 adopted unanimously.

16. Your Committee on Finance has had under consideration bid submitted by General Truck Sales Corp., in the amount of \$99,990, for purchase of two (2) GMC Dump Body Trucks (\$49,995 each) to be used by the Street Department; to be charged to Account No. 01-750-0-0-4-061, Street–Capital Outlay, Lease/Purchase, and reports the same to Council with the recommendation that the committee report be adopted.

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

17. Your Committee on Finance has had under consideration bid submitted by Bert Wolfe Ford, in the amount of \$82,938.52, for purchase of two (2) 4-WD Ford Dump Trucks (\$41,469.26 each) to be used by the Street Department; To be charged to Account No. 01-750-0-0-4-061, Street–Capital Outlay, Lease/Purchase, and reports the same to Council with the recommendation that the committee report be adopted.

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

18. Your Committee on Finance has had under consideration bid submitted by Valley Air, Inc., in the amount of \$11,500, for one (1) Direct Drive Vacuum Leaf Collector to be used by the Street Department; To be charged to Account No. 01-750-0-0-4-059, Street–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.

19. Your Committee on Finance has had under consideration bid submitted by West Virginia Tractor Co., in the amount of \$6,900, for purchase of one (1) Hydraulic Hammer to be used by the Street Department; To be charged to Account No. 01-750-0-0-4-059, Street–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.

20. Your Committee on Finance has had under consideration bid submitted by West Virginia Tractor Co., in the amount of \$189,000, for purchase of a Truck Mounted, Hydraulic Telescoping Boom Excavator (\$199,000, less trade-in of \$10,000) to be used by the Street Department; To be charged to Account No. 01-750-0-0-4-061, Street–Capital Outlay, Lease/Purchase, and reports the same to Council with the recommendation that the committee report be adopted.

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

21. Your Committee on Finance has had under consideration payment of an invoice from Apex Demolition Co., Inc., in the amount of **\$12,637.80** instead of \$18,599.95, for demolition of **6** instead of 12 structures in accordance with a contract entered into on March 5, 2001, at the rate of \$1.19 per square foot; To be charged to Account No. 25-000-00-033, CDBG–Clearance and Demolition, 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 roll call was taken and there were; yeas-25, nays-0, absent-2, as follows:

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

NAYS: None.

ABSENT: McKnight and Prunty.

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 Graybar Electric Company, Inc., in the amount of \$8,893.63, for purchase of a reconditioned transformer to replace a transformer at the Charleston Civic Center which was damaged by lightning on July 8, 2001; To be charged to Account No. 54-054-00-000-5-069, Civic Center–Transfer to Other Funds, 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 City Electric Company, in the amount of \$15,982.31, for labor and materials to install a transformer at the Charleston Civic Center to replace a transformer damaged by lightning on July 8, 2001; To be charged to Account No. 54-054-00-000-5-069, Civic Center–Transfer to Other Funds, 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 St. Albans Police Department, in the amount of \$2,280.23, for reimbursement of police officers overtime incurred during seat belt patrols and checkpoints for the period of January through July 2001; To be charged to Account No. 39–175-00-3-0-02, Police Highway Safety Grant, 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.

25. Your Committee on Finance has had under consideration payment of two invoices from Arrow Concrete, in the total amount of \$14,955.50, for concrete used in the Twilight Drive/Slack Street Repair project (\$7,574), and the rehabilitation work at Fire Stations No. 1 and No. 2 (\$7,381.50); T be charged to following accounts:

\$7,574.00 - 25-098-00-029, CDBG–Street improvements

\$7,381.50 - 25-000-00-054, CDBG–Neighborhood Facilities

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

The question being on the adoption of the committee report a roll call was taken and there were; yeas-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, Markham, McKnight, Molgaard, Morton, Nielsen, Pettry, Quick, Reishman, Roller, Talkington, and Mayor Goldman.

NAYS: None.

ABSENT: Prunty.

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

26. Your Committee on Finance has had under consideration payment of an invoice from West Virginia Steel, in the amount of \$3,073.46, for materials used in the Twilight Drive/Slack Street Repair project; To be charged to Account No. 25-098-00-029, CDBG–Street Improvements, 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, Markham, McKnight, Molgaard, Morton, Nielsen, Pettry, Quick, Reishman, Roller, Talkington, and Mayor Goldman.

NAYS: None.

ABSENT: Prunty.

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

27. Your Committee on Finance has had under consideration payment of an invoice from Big Brothers Big Sisters, in the amount of \$4,965, for purchase of three (3) computers; To be charged to Account No. 25-001-00-011, CDBG–Public Services, Big Brothers Big Sisters, and reports the same to Council with the recommendation that the committee report be adopted.

A motion was made to lay over the committee report. The question being on the approval of the motion a vote was taken. There being no dissent the Mayor declared the committee report laid over.

28. Your Committee on Finance has had under consideration payment of an invoice from Life Bridge, Inc., in the amount of \$4,248.60, for reimbursement of salaries and monthly expenses; To be charged to Account No. 25-001-00-011, CDBG–Public Services, Life Bridge, 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, Markham, McKnight, Molgaard, Morton, Nielsen, Pettry, Quick, Reishman, Roller, Talkington, and Mayor Goldman.

NAYS: None.

ABSENT: Prunty.

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

## **REPORTS OF OFFICERS**

1. Municipal Court Financial Information for July, 2001; Received and Filed.
2. Charleston Building Department Monthly Report for July, 2001; Received and Filed.
3. City of Charleston Payroll Variance Analysis July, 2001; Received and Filed.

4. City Treasurer's Report to City Council Month Ending July, 2001; Received and Filed.

### **NEW BILLS INTRODUCED**

None.

### **UNFINISHED BUSINESS**

Betty Morton's birthday is August 25<sup>th</sup>.

Councilman Loeb made a motion for Tuesday, October 30, 2001, from 6:00 p.m., until 8:00 p.m., be designated Trick or Treat night in the City of Charleston. Councilman Charnock seconded the motion.

Councilman Roller made a motion to amend the main motion by changing the time from 6:00 p.m., until 8:00 p.m., to "6:00 p.m., until 7:30 p.m." Councilwoman Morton seconded the motion.

The question being on the approval of the amendment to the main motion a roll call was taken and there were; yeas- 1, nays-25, absent- 1, as follows:

YEAS: Morton.

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

ABSENT: Prunty.

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

The question being on the approval of the motion a vote was taken. There being no dissent the Mayor declared Tuesday, October 30 from 6:00 p.m., until 8:00 p.m., Trick or Treat in the City of Charleston.

Councilman Charnock submitted a Petition to the City Clerk opposing the proposal to privatize the garbage service of the City of Charleston; Received and Filed.

Council commended Kenny Young on a job well done relating to city grass cutting during the summer in the City of Charleston.

Councilman Pettry requested the Garrison Avenue Monument for Flood Victims be cleaned. Mayor Goldman directed Kenny Young to examine the monument.

### **ROLL CALL**

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

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

ABSENT: Prunty.

At 8:45 p.m., on motion of Councilman Loeb, Council adjourned until 7:00 p.m., Tuesday,  
September 4, 2001.

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Jay Goldman, Honorable Mayor

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James M. Reishman, City Clerk