

## **PUBLIC SPEAKERS**

Kathy Shiflet, with the U S Census Bureau, thanked many people for their help during the 2000 Census and presented awards to Beth Cade, MOECD; Councilman Ed Talkington; Sherry Risk City Manager; and Mayor Goldman.

Carolyn Charnock, Director of the Metro Emergency Operations Center, presented the following Resolution and a check in the amount of \$150,000. to the City of Charleston.

## **CLAIMS**

1. A Claim of Eloisa C. Nunez; 107 B White Street, Roselane Apartments, Charleston, WV 25302; alleges damages to vehicle; Referred to City Solicitor.

## **COMMUNICATIONS**

### ***PROCLAMATION***

Mr. Burton was not present, however received a standing ovation for his service.

***APPOINTMENT***

TO: James Reishman, City Clerk  
FROM: Jay Goldman, Mayor  
RE: Human Rights Commission  
DATE: January 16, 2001

I am recommending that Roger Mooney, 294 Deerview Drive, Charleston, WV 25312, be reappointed to the Human Rights Commission with said term to expire June 30, 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.

**MISCELLANEOUS RESOLUTION**

Introduced by Councilmembers Quick, Fouty-Young, and Charnock on January 16, 2001:

Resolution No. 675-01— “a Resolution amending and reenacting 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. 1. Time and place of meetings (a) by changing the time for regular public session meetings from 8:00 P.M. to 7:00 P.M.”

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

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

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

NAYS: Markham and Nielsen.

ABSENT: None.

So, a majority of all members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 675-01 adopted.

## **REPORTS OF STANDING COMMITTEES**

### ***FINANCE***

Councilman Dave Hardy, Chairman of the Council Committee on Finance, submitted the following reports.

1. Your Committee on Finance has had under consideration Resolution No. 676-01, authorizing the Finance Director to make revisions to the 2000-2001 General Fund budget as indicated on the attached list of accounts, excluding Public Works and Traffic Engineering, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 676-01—“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.

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

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

NAYS: None.

ABSENT: None.

So, a majority of all members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 676-01 adopted unanimously.

2. Your Committee on Finance has had under consideration Resolution No. 667-01, authorizing the Mayor to enter into a Consent to Lease Assignment with Capitol Plaza, Inc., with respect to a lot east of the Union Building and south of Kanawha Boulevard, whereas, Capitol Plaza, Inc., has agreed to assign leasehold interest to The Riggs Corporation and that company shall assume all obligations under said Lease, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 667-01—“Authorizing the Mayor to enter into a Consent to Lease Assignment with Capitol Plaza, Inc., with respect to a lot east of the Union Building and south of Kanawha Boulevard, whereas, Capitol Plaza, Inc., has agreed to assign leasehold interest to The Riggs Corporation and that company shall assume all obligations under said Lease.”

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 Consent to Lease Assignment with Capitol Plaza, Inc., with respect to a lot east of the Union Building and south of Kanawha Boulevard, whereas, Capitol Plaza, Inc., has agreed to assign leasehold interest to The Riggs Corporation and that company shall assume all obligations under said Lease.

CONSENT TO LEASE ASSIGNMENT FOLLOWING

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 667-01 adopted unanimously.

3. Your Committee on Finance has had under consideration Resolution No. 677-01, authorizing the Mayor to enter into a two-year Lease Agreement for new office space for the MDENT Unit at a rate of \$800 per month, plus utilities, with the option to renew on a year-to-year basis for an overall total of 10 years. At the end of five (5) years, the rent for said Lease shall increase to \$1,200 per month. The Lease also provides an option to purchase the premises; To be charged to the following accounts:

29-173-0-0-2-19, MDENT–Rent

29-173-0-0-2-13, MDENT–Utilities, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 677-01–“Authorizing the Mayor to enter into a two-year Lease Agreement for new office space for the MDENT Unit at a rate of \$800 per month, plus utilities, with the option to renew on a year-to-year basis for an overall total of 10 years. At the end of five (5) years, the rent for said Lease shall increase to \$1,200 per month. The Lease also provides an option to purchase the premises.”

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 two-year Lease Agreement for new office space for the MDENT Unit at a rate of Eight Hundred Dollars (\$800) per month, plus utilities, with the option to renew on a year-to-year basis for an overall total of 10 years. At the end of five (5) years, the rent for said Lease shall increase to One Thousand Two Hundred Dollars (\$1,200) per month. The Lease also provides an option to purchase the premises.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 677-01 adopted unanimously.

4. Your Committee on Finance has had under consideration Resolution No. 678-01, authorizing the Finance Director to allocate Community Development Block Grant funds in the amount of \$10,000 for acquisition of Lot No. 17 and a portion of Lots No. 16 and No. 18 located in the 1700 Block of Kemp Avenue; To be charged to the following accounts:

\$7,039.42 - 25-097-00-006, CDBG–Acquisition of Property

\$2,960.58 - 25-098-00-006, CDBG–Acquisition of Property, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 678-01–“Authorizing the Finance Director to allocate Community Development Block Grant funds in the amount of \$10,000 for acquisition of Lot No. 17 and a portion of Lots No. 16 and No. 18 located in the 1700 Block of Kemp Avenue.”

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

That the Finance Director is hereby authorized and directed to allocate Community Development

Block Grant funds in the amount of Ten Thousand Dollars (\$10,000) for acquisition of Lot No. 17 and a portion of Lots No. 16 and No. 18 located in the 1700 Block of Kemp Avenue.

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

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

NAYS: None.

ABSENT: None.

So, a majority of all members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 678-01 adopted unanimously.

5. Your Committee on Finance has had under consideration Resolution no. 679-01, authorizing the Mayor to sign Change Order No. 1 with Wiseman Construction, Inc., in the amount of \$12,000, for replacement of approximately 1000 square feet of concrete slab in the concourse area for the Watt Powell Park Accessibility Updates project, increasing the contract price from \$13,575 to \$25,575; To be charged to Account No. 25-093-00-053, CDBG–Removal of Architectural Barriers, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 679-01–“Authorizing the Mayor to sign Change Order No. 1 with Wiseman Construction, Inc., in the amount of \$12,000, for replacement of approximately 1000 square feet of concrete slab in the concourse area for the Watt Powell Park Accessibility Updates project, increasing the contract price from \$13,575 to \$25,575.”

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, Inc., in the amount of Twelve Thousand Dollars (\$12,000), for replacement of approximately 1000 square feet of concrete slab in the concourse area for the Watt Powell Park Accessibility Updates project, increasing the contract price from \$13,575 to \$25,575.

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

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

NAYS: None.

ABSENT: None.

So, a majority of all members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 679-01 adopted unanimously.

6. Your Committee on Finance has had under consideration Resolution No. 680-01, authorizing the Mayor to sign an Agreement with Technology Solutions, in an amount not to exceed \$34,400, to provide assistance with the implementation phase of the SCI Accounting Program; To be charged to Account No. 01-412-0-0-2-030, City Manager–Contracted Services, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 680-01–“Authorizing the Mayor to sign an Agreement with Technology Solutions, in the amount not to exceed \$34,400, to provide assistance with the implementation phase of the SCI Accounting Program.”

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

That the Mayor is hereby authorized and directed to sign an Agreement with Technology Solutions, in the amount not to exceed Thirty-four Thousand Four Hundred Dollars (\$34,400), to provide assistance with the implementation phase of the SCI Accounting Program.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 680-01 adopted unanimously.

7. Your Committee on Finance has had under consideration proposal submitted by 84 Lumber Company, in the amount of \$5,430.79, for purchase of materials and supplies to be used in remodeling office space for the MDENT Unit; To be charged to Account No. 29-173-0-0-3-41 (3) – MDENT–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.

8. Your Committee on Finance has had under consideration proposal submitted by Electronic Communications of West Virginia, Inc., in the amount of \$10,656, for purchase of twelve (12) mobile radios (\$888 each) to be installed in police cruisers; 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.

9. Your Committee on Finance has had under consideration proposal submitted by Cosco Incorporated, in the amount of \$25,000, for purchase of up to 962 child safety seats to be distributed to the 75 Loaner Programs throughout the State; To be charged to Account No. 29-175-00-4-0-38, Police–Child Passenger 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.

10. Your Committee on Finance has had under consideration payment of an invoice from Charleston Newspapers, in the amount of \$2,281.67, for various advertisements during the month of December 2000; To be charged to the following accounts:

\$1,861.11 – 25-000-00-001, CDBG Admin.

\$ 420.56 – 25-000-00-015, CORP Admin.

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

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

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

NAYS: None.

ABSENT: None.

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

11. Your Committee on Finance has had under consideration payment of an invoice from West Virginia Health Right, Inc., in the amount of \$6,302.61, for reimbursement of medications and medical supplies; To be charged to Account No. 25-000-00-011, CDBG–Public Services, and reports the same to Council with the recommendation that the committee report be adopted.

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

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

NAYS: None.

ABSENT: None.

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

12. Your Committee on Finance has had under consideration payment of an invoice from Bert Wolfe Ford, in the amount of \$3,620, for a V8 engine to be installed in Unit No. 60 used by the Charleston Police Department; To be charged to Account No. 01-754-0-0-2-016, Equipment Maintenance–Maintenance and Repair, 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.

13. Your Committee on Finance has had under consideration payment of an invoice from Charleston Lincoln Mercury, in the amount of \$5,770.75, for repairs made to Police Unit No.

204, damaged in an accident at Pennsylvania Avenue and Randolph Street on November 11, 2000. The officer involved was ruled not at fault and the City has received a check in the amount of \$5,770.75 from the insurance carrier for the responsible party; 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.

14. Your Committee on Finance has had under consideration payment of an invoice from Fletcher Data Systems, in the amount of \$3,202.75, for Hardware and Software support for the Police Records Management System covering the period January 1 through March 31, 2001; To be charged to Account No. 01-700-0-0-2-016, Police–Maintenance & Repair, Equipment, and reports the same to Council with the recommendation that the committee report be adopted.

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

15. Your Committee on Finance has had under consideration payment of an invoice from American Electric Power, in the amount of \$2,232, for a one-time, non-refundable charge for installation of four (4) post top street lights at Cyrus Point; To be charged to Account No. 01-712-0-0-2-030, Traffic Engineering–Contracted 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 vote was taken. There being no dissent the Mayor declared the committee report adopted unanimously.

16. Your Committee on Finance has had under consideration payment of an invoice from Jackson & Kelly PLLC, in the amount of \$1,586.20, for professional services rendered through November 30, 2000, regarding Police Civil Service Matter 392, John Goff claim; To be charged to Account No. 01-417-0-0-2-023, Legal Department–Professional 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 vote was taken. There being no dissent, with Hardy, Loeb, and Prunty abstaining, the Mayor declared the committee report adopted unanimously.

### **REPORTS OF OFFICERS**

1. City Treasurer’s Report to City Council Month Ending December, 2000; Received and Filed.
2. Report of the Charleston Building Department December, 2000; Received and Filed.
3. City of Charleston Financial Statements For The Six-Month Period Ended December 31, 2000; Received and Filed.

## NEW BILLS INTRODUCED

Introduced by Councilman Larry Roller on January 16, 2001:

**BILL NO. 6769**—Authorizing the Mayor to execute and deliver a proper Deed to Kanawha Valley Senior Services, Inc., conveying the City’s right, title and interest, that the City has by way of a reversion interest in that certain portion of “Homer Street” that was previously conveyed to the Board of Education by Deed dated November 17, 1919;

**Referred to Council Committee on Finance**

Introduced by Councilman Larry Roller on January 16, 2001:

**BILL NO. 6770**, a Bill supplementing Ordinance No. 4828 passed by the Council of The City of Charleston, West Virginia, on April 20, 1992, as supplemented by Ordinance No. 4954, passed by the Council on May 3, 1993, by Ordinance No. 6276, passed by the Council on September 3, 1996, by Ordinance No. 6349, passed by the Council on June 2, 1997, by Ordinance No. 6532, passed by the Council on November 16, 1998, by Ordinance No. 6544, passed by the Council on February 1, 1999, authorizing the acquisition and construction of certain extensions, additions, betterments, and improvements to the sewerage system of The City of Charleston; authorizing the issuance of not more than \$1,300,000 in aggregate principal amount of Sewerage System Revenue Bonds, Series 2001 A, in one or more additional series as may be required, of The City of Charleston to be used, along with other funds and moneys of, available to, The City of Charleston which may be lawfully expended for such purposes, to finance the cost of such acquisition and construction, to fund reserve accounts for such bonds and to pay other costs in connection therewith; and adopting other provisions related thereto;

**Referred to Council Committee on Finance**

## UNFINISHED BUSINESS

Councilman Howard Quick’s birthday will be on February 2<sup>nd</sup>.

Councilwoman Mary Lopez recognized City Treasurer, Chris Smith, Chairman of the Charleston City Pension Plan Task Force Committee, who discussed the committees finding and submitted a copy of the Final Recommendations.

Councilwoman Betty Morton requested the names of landlords who continuously violate the Code and receive citations be published in the paper.

Councilman Dave Hardy has resigned from the Finance Committee, therefore Councilman Larry Roller will serve as Chairman and Councilman David Molgaard is appointed to that committee.

## **ROLL CALL**

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

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

At 8:40 p.m., on motion of Councilman Loeb, Council adjourned until Monday, 7:00 P.M. February 5, 2001.

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Jay Goldman, Honorable Mayor

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James M. Reishman, City Clerk