

PUBLIC HEARING

Mayor Goldman stated the following:

Pursuant to the provisions of Chapter 8-11-4 (a) (2) of the Code of West Virginia, and after duly being advertised as required on July 12, 2001, I now declare the floor open for a Public Hearing on Bill No. 6808.

The Chair sees no one from the public. The Chair hears no one from the public. The Chair declares the Public Hearing closed.

PUBLIC SPEAKERS

1. Russell Young.

CLAIMS

1. A Claim of Sonia Barnes; 1022 Central Avenue, Charleston, WV; alleges personal injury; Referred to City Solicitor.
2. A Claim of Toinette Scott; 203 29th Street West, Charleston, WV; alleges damages to vehicle; Referred to City Solicitor.
3. A Claim of David S. Miller, President of Miller Systems, Inc., The Miller Building, Charleston, WV; alleges damage to property; Referred to City Solicitor.
4. A Claim of Merrill Irving; 343 Dayton Drive, Charleston, WV; alleges damage to vehicle; Referred to City Solicitor.

COMMUNICATIONS

July 16, 2001

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

Dear Mayor Goldman and Councilmembers:

On July 11, 2001, the Municipal Planning Commission held public hearings and its regular monthly meeting. The following case was heard by the Commission.

Bill No. 6795 - Petition of the Municipal Planning Commission to zone the properties located in the

expired Triangle/Government Square Urban Renewal Districts, Parcel No. 5 as shown on Charleston Tax map No. 5 in order to restore zoning jurisdiction from the Charleston Urban Renewal Authority to the City of Charleston, West Virginia.

The case should be referred to the Planning Committee of Council

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

Mayor Goldman referred Bill No. 6795 to the Council Committee on Planning.

REPORTS OF STANDING COMMITTEES

STREETS and TRAFFIC

Councilwoman Beth Fouty-Young, Chairperson of the Council Committee on Streets and Traffic, submitted the following reports.

1. Your Committee on Streets and Traffic has had under consideration Bill No. 6778, and reports the same to Council with the recommendation that the Bill be passed.

Bill No. 6778, a Bill to establish a No Parking on Pavement Tow-Away zone on Hugh Meadow 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 No Parking on Pavement Tow-Away zone on High Meadow 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-25, nays-0, absent-2, as follows:

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

NAYS: None.

ABSENT: Lane and Reishman.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 6778 passed unanimously.

2. Your Committee on Streets and Traffic has had under consideration Bill No. 6804, and reports the same to Council with the recommendation that the Bill be passed.

Bill No. 6804, a Bill to establish a No Parking Anytime Tow-Away zone except for the drop-off and pick-up of children attending the day care facility in Capitol Complex Building 16 and establishing perpendicular parking for this purpose on the westerly side of Michigan Avenue from a point 47 feet north of Washington Street East to a point 97 feet north of Washington Street East 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 No Parking Anytime Tow-Away zone except for the drop-off and pick-up of children attending the day care facility in Capitol Complex Building 16 and establishing perpendicular parking for this purpose on the westerly side of Michigan Avenue from a point 47 feet north of Washington Street East to a point 97 feet north of Washington Street East 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-25, nays-0, absent-2, as follows:

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

NAYS: None.

ABSENT: Lane and Reishman.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 6804 passed unanimously.

3. Your Committee on Streets and Traffic has had under consideration Bill No. 6805, and reports the same to Council with the recommendation that the Bill be passed.

Bill No. 6805, a Bill to establish a No Parking Anytime Tow-Away zone except for the drop-off and pick-up of children attending the day care facility in Capitol Complex Building 16 and establishing perpendicular parking for this purpose on the easterly side of Jefferson Street from a point 50 feet north of Washington Street East to a point 156 feet north of Washington Street East 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 No Parking Anytime Tow-Away zone except for the drop-off and pick-up of children attending the day care facility in Capitol Complex Building 16 and establishing perpendicular parking for this purpose on the easterly side of Jefferson Street from a point 50 feet north of Washington Street East to a point 156 feet north of Washington Street East 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-25, nays-0, absent-2, as follows:

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

NAYS: None.

ABSENT: Lane and Reishman.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 6805 passed unanimously.

4. Your Committee on Streets and Traffic has had under consideration Bill No. 6806, and reports the same to Council with the recommendation that the Bill be passed.

Bill No. 6806, a Bill to establish a No Parking Anytime Tow-Away zone on the westerly side of Jefferson Street from Washington Street East to the northerly end of Jefferson Street and on the easterly side of Jefferson Street from Washington Street East to a point 50 feet north of Washington Street East 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 No Parking Anytime Tow-Away zone on the westerly side of Jefferson Street from Washington Street East to the northerly end of Jefferson Street and on the easterly side of Jefferson Street from Washington Street East to a point 50 feet north of Washington Street East 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-25, nays-0, absent-2, as follows:

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

NAYS: None.

ABSENT: Lane and Reishman.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 6806 passed unanimously.

5. Your Committee on Streets and Traffic has had under consideration Bill No. 6809, and reports the same to Council with the recommendation that the Bill be passed.

Bill No. 6809, a Bill to repeal Ordinance No. 6363 passed by Council July 21, 1997, relating to a No Parking Anytime Tow-Away zone in the Danner Meadow Park parking lot on the easterly side from the entrance gate post to a point 110 feet north of the entrance gate post and on the westerly side from the entrance gate post to a point 30 feet north of the entrance gate post 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. Ordinance No. 6363 passed by Council on July 21, 1997, relating to a No Parking Anytime Tow-Away zone in the Danner Meadow Park parking lot on the easterly side from the entrance gate post to a point 110 feet north of the entrance gate post and on the westerly side from the entrance gate post to a point 30 feet north of the entrance gate post is hereby repealed.

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-25, nays-0, absent-2, as follows:

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

NAYS: None.

ABSENT: Lane and Reishman.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 6809 passed unanimously.

6. Your Committee on Streets and Traffic has had under consideration Bill No. 6810, and reports the same to Council with the recommendation that the Bill be passed.

Bill No. 6810, a Bill to establish a 30 Minute Parking zone on the northerly side of Virginia Street West from a point 286 feet west of Couch Street to a point 353 feet west of Couch Street 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 30 Minute Parking zone on the northerly side of Virginia Street West from a point 286 feet west of Couch Street to a point 353 feet west of Couch Street 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-25, nays-0, absent-2, as follows:

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

NAYS: None.

ABSENT: Lane and Reishman.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 6810 passed unanimously.

7. Your Committee on Streets and Traffic has had under consideration Bill No. 6811, and reports the same to Council with the recommendation that the Bill be passed.

Bill No. 6811, a Bill to establish a Stop intersection on Cambridge Pointe at Yorktowne 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 Stop intersection on Cambridge Pointe at Yorktowne 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-25, nays-0, absent-2, as follows:

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

NAYS: None.

ABSENT: Lane and Reishman.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 6811 passed unanimously.

8. Your Committee on Streets and Traffic has had under consideration Bill No. 6812, and reports the same to Council with the recommendation that the Bill be passed.

Bill No. 6812, a Bill to establish a Stop intersection on Buckingham Pointe at Yorktowne 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 Stop intersection on Buckingham Pointe at Yorktowne 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-25, nays-0, absent-2, as follows:

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

NAYS: None.

ABSENT: Lane and Reishman.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 6812 passed unanimously.

9. Your Committee on Streets and Traffic has had under consideration Bill No. 6813 and reports the same to Council with the recommendation that the Bill be passed.

Bill No. 6813, a Bill to establish a Stop intersection on Wellington Pointe at Yorktowne 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 Stop intersection on Wellington Pointe at Yorktowne 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-25, nays-0, absent-2, as follows:

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

NAYS: None.

ABSENT: Lane and Reishman.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 6813 passed unanimously.

10. Your Committee on Streets and Traffic has had under consideration Bill No. 6814, and reports the same to Council with the recommendation that the Bill be passed.

Bill No. 6814, a Bill to establish a Stop intersection on Payton Way at Parkway 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 Stop intersection on Payton Way at Parkway 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-25, nays-0, absent-2, as follows:

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

NAYS: None.

ABSENT: Lane and Reishman.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 6814 passed unanimously.

11. Your Committee on streets and Traffic has had under consideration Bill No. 6815, and reports the same to Council with the recommendation that the Bill be passed.

Bill No. 6815, a Bill to establish a Stop intersection on Jamestown Road at Connell 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 Stop intersection on Jamestown Road at Connell 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-25, nays-0, absent-2, as follows:

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

NAYS: None.

ABSENT: Lane and Reishman.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 6815 passed unanimously.

12. Your Committee on streets and Traffic has had under consideration Bill No. 6816, and reports the same to Council with the recommendation that the Bill be passed.

Bill No. 6816, a Bill to establish a Stop intersection on Joseph Street at Margaret Street 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 Joseph Street at Margaret Street 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-25, nays-0, absent-2, as follows:

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

NAYS: None.

ABSENT: Lane and Reishman.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 6816 passed unanimously.

13. Your Committee on Streets and Traffic has had under consideration Bill No. 6817, and reports the same to Council with the recommendation that the Bill be passed.

Bill No. 6817, a Bill to establish a 5 Minute Parking Tow-Away zone on the easterly side of McFarland Street from a point 24 feet north of Kanawha Boulevard to a point 74 feet north of Kanawha Boulevard 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 5 Minute Parking Tow-Away zone on the easterly side of McFarland Street from a point 24 feet north of Kanawha Boulevard to a point 74 feet north of Kanawha Boulevard 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-25, nays-0, absent-2, as follows:

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

NAYS: None.

ABSENT: Lane and Reishman.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 6817 passed unanimously.

14. Your Committee on Streets and Traffic has had under consideration Bill No. 6821, and reports the same to Council with the recommendation that the Bill be passed.

Bill No. 6821, a Bill to establish a No Parking Anytime Tow-Away zone on 47th Street S.E., from MacCorkle Avenue to the alley south of Virginia Avenue (known as Staunton Avenue access) 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 No Parking Anytime Tow-Away zone on 47th Street S.E., from MacCorkle Avenue to the alley south of Virginia Avenue (known as Staunton Avenue access) 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-25, nays-0, absent-2, as follows;

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

NAYS: None.

ABSENT: Lane and Reishman.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 6821 passed unanimously.

15. Your Committee on Streets and Traffic has had under consideration Bill No. 6822, and reports the same to Council with the recommendation that the Bill be passed.

Bill No. 6822, a Bill to establish a vehicular parking zone for the exclusive use of the physically disabled on the northerly side of Mountain Road from a point 35 feet west of Amber Road to a point 57 feet west of Amber Road to provide for the removal of vehicles illegally parked in these spaces, to incorporate the provisions of West Virginia Code, Chapter 17C, Article 13, Section 16, and amending 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 vehicular parking zone for the exclusive use of the physically disabled on the northerly side of Mountain Road from a point 35 feet west of Amber Road to a point 57 feet west of Amber Road is hereby established.

Section 2. In order for a physically disabled person to utilize the parking spaces provides in the preceding section the vehicle which they are driving or in which they are being transported must display the distinguishing insignia provided for in West Virginia Code, Chapter 17C, Article 13, Section 16.

Section 3. It shall be unlawful for any vehicle not displaying the insignia provided for in Section 2 to park in those spaces for the disabled provided for in Section 1. Any vehicle in violation of this section may be ticketed and impounded as provided for in Chapter 31, Vehicles and Traffic Law, Code of the City of Charleston, West Virginia.

Section 4. 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-25, nays-0, absent-2, as follows:

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

NAYS: None.

ABSENT: Lane and Reishman.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 6822 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. 792-01, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 792-01—“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-21, nays-4, absent-2, as follows:

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

NAYS: Charnock, Davis, Lopez, and Morton.

ABSENT: Lane and Reishman.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 792-01 adopted.

2. Your Committee on Finance has had under consideration Resolution No. 793-01, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 793-01–“Authorizing the Mayor to enter into an agreement with the State of West Virginia, Commission on Drunk Driving Prevention, to receive and administer grant funds in the amount of \$15,000 to be used to fund overtime for police officers working DUI patrols and to conduct sobriety checkpoints. The grant is for the period August 1, 2001 through October 28, 2001.”

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

That the Mayor is hereby authorized and directed to enter into an agreement with the State of West Virginia, Commission on Drunk Driving Prevention, to receive and administer grant funds in the amount of Fifteen Thousand Dollars (\$15,000) to be used to fund overtime for police officers working DUI patrols and to conduct sobriety checkpoints. The grant is for the period August 1, 2001 through October 28, 2001.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 793-01 adopted unanimously.

3. Your Committee on Finance has had under consideration Resolution No. 794-01, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 794-01–“Authorizing the Mayor to enter into a unit price contract with Jimmy Dunn Excavating Co., in the amount of \$210,482.45, for the Lower Edgewood Drive Retaining Wall Replacement Project.”

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 unit price contract with Jimmy Dunn Excavating Co., in the amount of Two Hundred Ten Thousand Four Hundred Eighty-two Dollars and Forty-five Cents (\$210,482.45), for the Lower Edgewood Drive Retaining Wall Replacement Project; 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. 794-01 adopted unanimously.

4. Your Committee on Finance has had under consideration Resolution No. 795-01, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 795-01–“Authorizing the Mayor to enter into a contract with Southern Flooring, Inc., in the amount of \$13,860, to Refinish the Portable Basketball Court at the Charleston Civic Center.”

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

That the Mayor is hereby authorized and directed to enter into a contract with Southern Flooring, Inc., in the amount of Thirteen Thousand Eight Hundred Sixty Dollars (\$13,860), to Refinish the Portable Basketball Court at the Charleston Civic Center; Funds for the contract are available through the proceeds received from the sale of bonds, Civic Center Renovations - Phase I.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 795-01 adopted unanimously.

5. Your Committee on Finance has had under consideration Resolution No. 796-01, and report the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 796-01–“Authorizing the Mayor to enter into a Technical Service Support Agreement with Medtronic Physio-Control, in the total amount of \$26,945.97 for a three year period, covering patient care equipment used by the Charleston Fire Department. The three year contract will enable the Fire Department to receive a 6% discount, with payments to be made quarterly at approximately \$2,245.50, or \$8,982 per year.”

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 Technical Service Support Agreement with Medtronic Physio-Control, in the total amount of Twenty-six Thousand Nine Hundred Forty-five Dollars and Ninety-seven Cents (\$26,945.97) for a three year period, covering patient care equipment used by the Charleston Fire Department. The three year contract will enable the Fire Department to receive a 6% discount, with payments to be made quarterly at approximately Two Thousand Two

Hundred Forty-five Dollars and Fifty Cents (\$2,245.50), or Eight Thousand Nine Hundred Eighty-two Dollars (\$8,982) per year; To be charged to Account No. 01-706-0-0-2-016, Fire Department– Maintenance & Repair, Equipment.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 796-01 adopted unanimously.

6. Your Committee on Finance has had under consideration Resolution No. 797-01, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 797-01–“Authorizing the Mayor to enter into an agreement with the Salt Lake Organizing Committee for the Olympic Winter Games of 2002, identifying rights and obligations of the Parties assisting with the Torch Relay Services for the Olympic Winter Games of 2002 with regard to the City of Charleston’s responsibilities for the Relay.”

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

That the Mayor is hereby authorized and directed to enter into an agreement with the Salt Lake Organizing Committee for the Olympic Winter Games of 2002, identifying rights and obligations of the Parties assisting with the Torch Relay Services for the Olympic Winter Games of 2002 with regard to the City of Charleston’s responsibilities for the Relay.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 797-01 adopted unanimously.

7. Your Committee on Finance has had under consideration Resolution No. 798-01, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 798-01–“Authorizing the Mayor to sign and submit a Request for Project Amendment, Scope/Activity Change, Governor’s Community Partnership Program, to purchase firefighting equipment only at a cost of \$9,650 under Project No. 98CPGP0101.”

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 purchase firefighting equipment only at a cost of Nine Thousand Six Hundred Fifty Dollars (\$9,650) under Project No. 98CPGP0101.

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, Fouty-Young, Haas, Harris, Henry, Jones, Kimberling, Knauff, David Lanham, James Lanham, Loeb, Lopez, Markham, McKnight, Molgaard, Morton, Nielsen, Pettry, Prunty, Quick, Roller, Talkington,

and Mayor Goldman.

NAYS: None.

ABSENT: Lane and Reishman.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 798-01 adopted unanimously.

8. Your Committee on Finance has had under consideration Resolution No. 799-01, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 799-01–“Authorizing the Mayor to sign a Community Partnership Grant Application for the East End Association and the East End Neighborhood Association in the amount of \$31,233.44 for Elizabeth Street Playground Improvements.”

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

That the Mayor is hereby authorized and directed to sign a Community Partnership Grant Application for the East End Association and the East End Neighborhood Association in the amount of Thirty-one Thousand Two Hundred Thirty-three Dollars and Forty-four Cents (\$31,233.44) for Elizabeth Street Playground Improvements.

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

NAYS: None.

ABSENT: Lane and Reishman.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 799-01 adopted unanimously.

9. Your Committee on Finance has had under consideration Resolution No. 800-01, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 800-01–“Authorizing the Finance Director to allocate HOME Program funds in the amount of \$5,000 for acquisition of one (1) project located in Kanawha City.”

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 Five Thousand Dollars (\$5,000) for acquisition of one (1) project located in Kanawha City; To be charged to Account No. 30-099-00-05, HOME Program–Acquisition of Property.

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

NAYS: None.

ABSENT: Lane and Reishman.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 800-01 adopted unanimously.

10. Your Committee on Finance has had under consideration Resolution No. 801-01, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 801-01—"Authorizing the Mayor to sign an amendment to the contract with Wheelers Baseball Limited Partnership (Club), dated February 16, 2001, by amending and restating Paragraph 2 regarding term of agreement. The new term shall commence on the date contract is signed by Club's Managing Partner and terminate on December 31, 2003. Also, the Club is requesting that the City consent to an assignment of the contract to Charleston Baseball Club, LLC."

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 contract with Wheelers Baseball Limited Partnership (Club), dated February 16, 2001, by amending and restating Paragraph 2 regarding term of agreement. The new term shall commence on the date contract is signed by Club's Managing Partner and terminate on December 31, 2003. Also, the Club is requesting that the City consent to an assignment of the contract to Charleston Baseball Club, LLC.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 801-01 adopted unanimously.

11. Your Committee on Finance has had under consideration amending the account number for purchase of software from Visionair, in the amount of \$21,964.60, approved by the Finance Committee and City Council on January 2, 2001, by changing the Account No. 19-019-00-0-0-59, Local Law Enforcement Block Grant - 99, to Account No. 37-037-0-0-4-59, Local Law Enforcement Block Grant - 2000, 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.

12. Your Committee on Finance has had under consideration proposal submitted by Kustom Signals,

Inc., in the amount of \$49,176, for purchase of twelve (12) in-car video camera systems to be used in six (6) Traffic Division police cruisers and six (6) spare line cruisers; To be charged to Account No. 37-037-0-0-4-59, Police–LLEBG-2000, 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 proposal submitted by Contech Construction Products, in the amount of \$3,511.70, for purchase of pipe and related materials for restocking at the Street Department to be used on an as needed basis for various projects throughout the City; To be charged to Account No. 01-750-0-0-3-041, Street–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 Lyle Signs, Inc., in the amount of \$5,515.41, for purchase of galvanized U-channel posts, sign faces, aluminum blanks, and related materials to be used by the Sign Shop at the Street Department; To be charged to Account No. 01-750-0-0-3-041, Street–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 payment of an invoice from Environmental Services Int'l., Inc., in the amount of \$3,988.50, for asbestos inspections on eleven (11) structures slated for demolition by the Building Commission Office. The inspections were made at the following locations:

35 Hilda Court, 36 Hilda Court, 1201 Crescent Road, 1203 Crescent Road, 939 Greenbrier Street, 708 Butler Street, 1110 Kanawha Boulevard, 943 Walnut Street, 903, Bigley Avenue, 899 Hanna Drive, and 855 Amity Drive; To be charged to Account No. 01-436-0-0-2-030, Building Commission–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 Fire Fighter Selection, Inc., in the amount of \$2,140, for one (1) Customization Fee for Fire Lieutenant's Examination (\$1,200), and 47 new test items created for the examination at \$20 each (\$940); To be charged to Account No. 01-706-0-0-2-023, Fire 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 the Mayor declared the committee report adopted unanimously.

17. Your Committee on Finance has had under consideration payment of an invoice from Electronic Communications, in the amount of \$9,872.95, for installation of new and transferred equipment on new police cruisers Nos. 102, 103, 107, 108, and 109; 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 payment of an invoice from Clingenpeel/McBrayer and Associates, Inc., in the amount of \$2,608.48, for professional services rendered for the month of May 2001 relating to the Kanawha Boulevard Lighting Project; To be charged to Account No. 32-098-0-1-0-999, Rental Rehabilitation–Administration, 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-25, nays-0, absent-2, as follows;

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

NAYS: None.

ABSENT: Lane and Reishman.

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

Councilman Roller made a motion that the Finance Director be authorized to revise the 2001-2002 General Fund budget by charging \$10,000 to Contingency Account No. 01-699-00-000-5-098 and crediting \$10,000 Contributions Account No. 01-903-00-000-5-068, for the purpose of contributing said \$10,000 to Multi-Cultural Festival of West Virginia.

The question being on the adoption of the amendment a roll call was taken and there were; yeas-20, nays-5, absent-2, as follows:

YEAS: Charnock, Crickenberger, Davis, Harris, Henry, Kimberling, Knauff, David Lanham, Loeb, Lopez, Markham, McKnight, Molgaard, Morton, Nielsen, Pettry, Prunty, Quick, Talkington, and Mayor Goldman.

NAYS: Fouty-Young, Haas, Jones, James Lanham, and Roller.

ABSENT: Lane and Reishman.

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

REPORTS OF OFFICERS

1. Municipal Court Financial Information for June, 2001; Received and Filed.
2. City of Charleston Payroll Variance Analysis for June, 2001; Received and Filed.
3. City Treasurer's Report to City Council Month Ending June, 2001; Received and Filed.
4. Report of the Charleston Building Department for June, 2001; Received and Filed.

NEW BILLS INTRODUCED

UNFINISHED BUSINESS

Mayor Goldman informed Council the World Changers are working on 18 homes located in the City of Charleston, if Council wants to visit.

Flood Relief Issues have been considered and old vehicles no longer used by the city will be given to those city's in need.

Councilman Charnock commended the Fire Department for a job well done regarding the recent fire in the South Hills business area.

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, David Lanham, James Lanham, Loeb, Lopez, Markham, McKnight, Molgaard, Morton, Nielsen, Pettry, Prunty, Quick, Roller, Talkington, and Mayor Goldman.

ABSENT: Lane and Reishman.

At 8:30 p.m., on motion of Councilman Loeb, Council adjourned until 7:00 p.m., Monday August 6, 2001.

Jay Goldman, Honorable Mayor

James M. Reishman, City Clerk