

PUBLIC HEARING

Mayor Goldman stated the following:

Pursuant to the provisions of Chapter 8, Article 16, Section 18 of the West Virginia Code, and after duly being advertised as required on June 13, 2001, I now declare the floor open for a Public Hearing on Bill No. 6803.

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

PUBLIC HEARING

Pursuant to the provisions of Chapter 8, Article 16, Section 18 of the West Virginia Code, and after duly being advertised as required on June 13, 2001, I now declare the floor open for a Public Hearing on Bill No. 6807.

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

None.

CLAIMS

1. A Claim of Carolyn Lewis, 3811 Noyes Avenue, Charleston, WV; alleges damages to property; Referred to City Solicitor.
2. A Claim of Eric McManamay; 3204 Virginia Avenue, S.E., Charleston, WV; alleges damages to property; Referred to City Solicitor.
3. A Claim of Ernest Ellis, Jr., 306 Beuhring Avenue, Charleston, WV; alleges damage to vehicle; Referred to City Solicitor.
4. A Claim of Beth A. White; 1107 Summit Drive, Charleston, WV; alleges damages to vehicle; Referred to City Solicitor.

COMMUNICATIONS

June 11, 2001

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

Dear Mayor Goldman and Councilmembers:

On June 6, 2001, the Municipal Planning Commission held public hearings and its regular monthly meeting. The following case was heard by the Commission:

Bill No. 6801 - Petition of David Alvis, on behalf of Valley Christian Assembly, D. E. and G. A. Robinson and O. V. Smith & Sons of Big Chimney, Inc., to rezone the properties located at 1713, 1715, and 1717 Bigley Avenue from R-4, Single-Family Residential District to C-6, Community Commercial District in order to convert the structure formerly known as Taft School to some combination of retail, office and apartment use. The Commission voted to recommend that the Bill be rejected.

The case should be referred to the Planning Committee of Council.

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

Mayor Goldman referred Bill No. 6801 to the Council Committee on Planning.

MISCELLANEOUS RESOLUTIONS

None.

REPORTS OF STANDING COMMITTEES

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. 765-01, authorizing the

Finance Director to make revisions to the 2000-2001 General Fund budget as indicated on the attached list of accounts, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 765-01–“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-24, nays-0, absent-3, as follows:

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

NAYS: None.

ABSENT: Davis, Fouty-Young, and Pettry.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 765-01 adopted unanimously.

2. Your Committee on Finance has had under consideration Resolution No. 766-01, authorizing the Finance Director to make revisions to the 2001-2001 General Fund budget as indicated on the attached list of accounts, and reports the same to Council with the recommendation that the Resolution be

adopted.

Resolution No. 766-01—“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.

LIST FOLLOWING

The question being on the adoption of the Resolution a roll call was taken and there were; yeas-24, nays-0, absent-3, as follows;

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

NAYS: None.

ABSENT: Davis, Fouty-Young, and Pettry.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 766-01 adopted unanimously.

3. Your Committee on Finance has had under consideration Resolution No. 767-01, authorizing purchase of a Surety Bond from Marsh USA, Inc., in the amount of \$9,136, to be issued for the City's Unsecured Worker's Compensation Liability in the amount of \$2,284,004; To be charged to various accounts in the City's General Fund budget, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 767-01—"Authorizing purchase of a Surety Bond from Marsh USA, Inc., in the amount of \$9,136, to be issued for the City's Unsecured Workers' Compensation Liability in the amount of \$2,284,004."

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

That the purchase of a Surety Bond from Marsh USA, Inc., in the amount of Nine Thousand One Hundred Thirty-six Dollars (\$9,136), to be issued for the City's Unsecured Workers' Compensation Liability in the amount of \$2,284,004 is hereby approved.

The question being on the adoption of the Resolution a roll call was taken and there were; yeas-24, nays-0, absent-3, as follows:

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

NAYS: None.

ABSENT: Davis, Fouty-Young, and Pettry.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 767-01 adopted unanimously.

4. Your Committee on Finance has had under consideration Resolution No. 768-01, authorizing the Mayor to enter into a contract with Banc One Leasing Corp., in the amount of approximately \$1,250,000, for a three-year lease rate of 4.12% and a five-year lease rate of 4.49% to provide for the purchase of police cars and various equipment for City departments, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 768-01—“Authorizing the Mayor to enter into a contract with Banc One Leasing Corp., in the amount of approximately \$1,250,000, for a three-year lease rate of 4.12% and a five-year lease rate of 4.49% to provide for the purchase of police cars and various equipment for City departments.”

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 Banc One Leasing Corp., in the amount of approximately One Million Two Hundred Fifty Thousand (\$1,250,000), for a three-year lease rate of 4.12% and a five-year lease rate of 4.49% to provide for the purchase of police cars and various equipment for City departments.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 768-01 adopted unanimously.

5. Your Committee on Finance has had under consideration Resolution No. 769-01, authorizing the Finance Director to refund RC General Contractors, in the amount of \$13,919.32, representing partial refund of the permit purchased for the construction of a commercial building for NeuMedia, Inc., located in Northgate Development, and subsequent work stoppage on the project due to financial problems incurred by NeuMedia; To be charged to Account No. 01-326-00-0000, Building Permit Fees, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 769-01—“Authorizing the Finance Director to refund RC General Contractors, in the amount of \$13,919.32, representing partial refund of the permit purchased for the construction of a commercial building for NeuMedia, Inc., located in Northgate Development, and subsequent work stoppage on the project due to financial problems incurred by NeuMedia.”

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

That the Finance Director is hereby authorized and directed to refund RC General Contractors, in the amount of Thirteen Thousand Nine Hundred Nineteen Dollars and Thirty-two Cents (\$13,919.32), representing partial refund of the permit purchased for the construction of a commercial building for NeuMedia, Inc., located in Northgate Development, and subsequent work stoppage on the project due to financial problems incurred by NeuMedia.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 769-01 adopted unanimously.

6. Your Committee on Finance has had under consideration Resolution No. 770-01, authorizing the Mayor to enter into an agreement with the Division of Criminal Justice Services to receive and administer grant funds under the Victims of Crime Act (VOCA) in the amount of \$29,748, pursuant to provisions of the grant program, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 770-01—“Authorizing the Mayor to enter into an agreement with the Division of Criminal Justice Services to receive and administer grant funds under the Victims of Crime Act (VOCA) in the amount of \$29,748, pursuant to provisions of the grant program.”

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 Division of Criminal Justice Services to receive and administer grant funds under the Victims of Crime Act (VOCA) in the amount of Twenty-nine Thousand Seven Hundred Forty-eight Dollars (\$29,748), pursuant to provisions of the grant program.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 770-01 adopted unanimously.

7. Your Committee on Finance has had under consideration Resolution No. 771-01, authorizing the Mayor to sign a Landfill Disposal Agreement with Landfill Services of Charleston, Inc., for acceptance of residential, commercial, and construction and demolition non-hazardous wastes at the Landfill, using published tariff rates for all types of wastes accepted. This agreement is for a one year period starting on March 14, 2001 and ending March 13, 2002, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 771-01—“Authorizing the Mayor to sign a Landfill Disposal Agreement with Landfill Services of Charleston, Inc., for acceptance of residential, commercial, and construction and demolition non-hazardous wastes at the Landfill, using published tariff rates for all types of wastes accepted.”

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

That the Mayor is hereby authorized and directed to sign a Landfill Disposal Agreement with Landfill Services of Charleston, Inc., for acceptance of residential, commercial, and construction and demolition non-hazardous wastes at the Landfill, using published tariff rates for all types of wastes accepted. This agreement is for a one year period starting on March 14, 2001 and ending March 13, 2002.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the

Mayor declared Resolution No. 771-01 adopted unanimously.

8. Your Committee on Finance has had under consideration Resolution No. 772-01, authorizing the Mayor to enter into an agreement with the West Virginia Department of Transportation, Division of Highways, providing for the State to install and maintain a cantilever sign structure on City property along Quarrier Street, 159 feet east of the Elk River bridge, near the Civic Center, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 772-01—“Authorizing the Mayor to enter into an agreement with the West Virginia Department of Transportation, Division of Highways, wherein the City of Charleston will authorize the Division of Highways to install and maintain a cantilever sign structure on City property along Quarrier Street, near the Civic Center, 159 feet east of the bridge over Elk River. The purpose of the sign is to divert motorists into the appropriate lane on Quarrier Street prior to the turn onto Pennsylvania Avenue, South, to reduce the weaving and lane changing in this area and reduce the accident potential.”

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 West Virginia Department of Transportation, Division of Highways, wherein the City of Charleston will authorize the Division of Highways to install and maintain a cantilever sign structure on City property along Quarrier Street near the Civic Center, 159 feet east of the bridge over the Elk River.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 772-01 adopted unanimously.

9. Your Committee on Finance has had under consideration Resolution No. 773-01, authorizing the Mayor to sign an Agreement with Zambelli Fireworks Manufacturing Corporation for the City’s 4th of July fireworks display; and further authorizing an expenditure of \$10,000 for the fireworks and related services; To be charged to Account No. 01-903-0-0-5-068, Festival—Other Contributions (2001-2002), and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 773-01—“Authorizing the Mayor to sign an Agreement with Zambelli Fireworks Manufacturing Corporation for the City’s 4th of July fireworks display; and further authorizing an expenditure of \$10,000 for the fireworks and related services.”

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 Zambelli Fireworks Manufacturing Corporation for the City’s 4th of July fireworks display; and further authorizing an expenditure of Ten Thousand Dollars (\$10,000) for the fireworks and related services.

The question being on the adoption of the Resolution a vote was taken. There being no dissent, with the exception of Lopez, the Mayor declared Resolution No. 773-01 adopted.

10. Your Committee on Finance has had under consideration Resolution No. 774-01, authorizing the Mayor to enter into a contract with DigiTech Security Controls, in the amount of \$5,718.50, for installation of a video surveillance security system for the Drug Unit of the Charleston Police Department; To be charged to Account No. 29-173-0-0-4-059, MDENT–Capital Outlay, Equipment, and reports the same to Council with the recommendation that the Resolution be adopted. Resolution No. 774-01–“Authorizing the Mayor to enter into a contract with DigiTech Security Controls, in the amount of \$5,718.50, for installation of a video surveillance security system for the Drug Unit of the Charleston Police Department.”

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 DigiTech Security Controls, in the amount of Five Thousand Seven Hundred Eighteen Dollars and Fifty Cents (\$5,718.50), for installation of a video surveillance security system for the Drug Unit of the Charleston Police Department.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 774-01 adopted unanimously.

11. Your Committee on Finance has had under consideration Resolution No. 775-01, authorizing the Finance Director to transfer funds in the amount of \$13,454.20 from Account No. 61-061-00-000-4-058, Soccer Funds, to Account No. 01-750-0-0-3-041, Street Department–Materials & Supplies, for reimbursement of costs for materials and supplies used in upgrading areas at Danner Meadow Park, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 775-01–“Authorizing the Finance Director to transfer funds in the amount of \$13,454.20 from Account No. 61-061-00-000-4-058, Soccer Funds, to Account No. 01-750-0-0-3-041, Street Department-Materials and Supplies, for reimbursement of costs for materials and supplies used in upgrading areas at Danner Meadow Park.”

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

That the Finance Director is hereby authorized and directed to transfer funds in the amount of Thirteen Thousand Four Hundred Fifty-four Dollars and Twenty Cents (\$13,454.20) from Account No. 61-061-00-000-4-058, Soccer Funds, to Account No. 01-750-0-0-3-041, Street Department-Materials and Supplies, for reimbursement of costs for materials and supplies used in upgrading areas at Danner Meadow Park.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 775-01 adopted unanimously.

12. Your Committee on Finance has had under consideration Resolution No. 776-01, authorizing the Finance Director to amend the 1993, 1996, 1997, 1998 and 2000 Community Development Block Grant budgets as indicated on the attached list of accounts. This is contingent upon no adverse citizen comments being received during the 30-day comment period required through the MOECD Citizen Participation Plan, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 776-01—“ Authorizing the Finance Director to amend the 1993, 1996, 1997, 1998, and 2000 Community Development Block Grant budgets as indicated on the attached list of accounts.”

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

That the Finance Director is hereby authorized and directed to amend the 1993, 1996, 1997, 1998, and 2000 Community Development Block Grant budgets as indicated on the attached list of accounts. This is contingent upon no adverse citizen comments being received during the 30-day comment period required through the MOECD Citizen Participating Plan.

AMENDMENTS TO 1993, 1996, 1997, 1998 AND 2000 CDBG BUDGETS

<u>ACCOUNT NO.</u>	<u>DESCRIPTION</u>	<u>INCREASE/(DECREASE)</u>
25-093-00-027	North Charleston Storm Sewer	\$ (1,929.94)
25-096-00-027	North Charleston Storm Sewer	(101,517.32)
25-097-00-006	Shrewsbury Multi-Use Facility	(15,000.00)
25-097-00-006	Leon Sullivan Way Multi-Use Facility	15,000.00
25-098-00-027	Parsons Court 6 th Avenue Flood Drain	103,447.26
25-000-00-011	Covenant House	25,000.00
25-000-00-199	Contingencies	(25,000.00)

The question being on the adoption of the Resolution a roll call was taken and there were; yeas-24, nays-0, absent-3, as follows:

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

NAYS: None.

ABSENT: Davis, Fouty-Young, and Pettry.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 776-01 adopted unanimously.

13. Your Committee on Finance has had under consideration Resolution No. 777-01, authorizing the Finance Director to allocate funds in the amount of \$75,250 for four (4) HOME projects located on the

West Side and the Kanawha City areas of Charleston; To be charged to the following accounts:
\$38,454.99 - 30-098-00-005, HOME Program
\$36,795.01 - 30-099-00-005, HOME Program
and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 777-01–“Authorizing the Finance Director to allocate funds in the amount of \$75,250 for four (4) HOME projects located on the West Side and the Kanawha City areas 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 funds in the amount of Seventy-five Thousand Two Hundred Fifty Dollars (\$75,250) for four (4) HOME projects located on the West Side and the Kanawha City areas of Charleston.

The question being on the adoption of the Resolution a roll call was taken and there were; yeas-24, nays-0, absent-3, as follows;

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

NAYS: None.

ABSENT: Davis, Fouty-Young, and Pettry.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 777-01 adopted unanimously.

14. Your Committee on Finance has had under consideration Resolution No. 778-01, authorizing the Finance Director to allocate funds in the amount of \$51,315.93 from Account No. 25-099-00-014 for the rehabilitation of six (6) units in the City of Charleston, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 778-01–“Authorizing the Finance Director to allocate funds in the amount of \$51,315.93 from Account No. 25-099-00-014 for the rehabilitation of six (6) units 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 funds in the amount of Fifty-one Thousand Three Hundred Fifteen Dollars and Ninety-three Cents (\$51,315.93) from Account No. 25-099-00-014 for the rehabilitation of six (6) units in the City of Charleston, two in the East End, three on the West Side, and one in North Charleston.

The question being on the adoption of the Resolution a roll call was taken and there were; yeas-24, nays-0, absent-3, as follows:

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

NAYS: None.

ABSENT: Davis, Fouty-Young, and Pettry.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 778-01 adopted unanimously.

15. Your Committee on Finance has had under consideration Resolution No. 779-01, authorizing the Mayor to sign and submit a Request for Project Amendment Scope/Activity Change for the Governor's Community Partnership Program to include payment of a construction loan in the amount of \$45,000 for work completed on the Historic Hubbard House Project No. 01LEDA0075, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 779-01—"Authorizing the Mayor to sign and submit a Request for Project Amendment Scope/Activity Change for the Governor's Community Partnership Program to include a payment of a construction loan in the amount of \$45,000 for work completed on the Historic Hubbard House Project No. 01LEDA0075."

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 a Request for Project Amendment to Scope/Activity Change for the Governor's Community Partnership Program to include payment of a construction loan in the amount of Forty-five Thousand Dollars (\$45,000) for work completed on the Historic Hubbard House Project No. 01LEDA0075.

The question being on the adoption of the Resolution a roll call was taken and there were; yeas-24, nays-0, absent-3, as follows:

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

NAYS: None.

ABSENT: Davis, Fouty-Young, and Pettry.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 779-01 adopted unanimously.

16. Your Committee on Finance has had under consideration Resolution No. 780-01, authorizing the Mayor to enter into an agreement with Gibbons & Kawash, in an amount not to exceed \$13,680, for services relating to job descriptions and policies and procedures in the City Collector's Office, Building Commission, and Parking System; To be charged to Account No. 01-412-0-0-2-024, City Manager-

Audit Costs, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 780-01–“Authorizing the Mayor to enter into an agreement with Gibbons & Kawash, in an amount not to exceed \$13,680, for services relating to job descriptions and policies and procedures in the City Collector’s Office, Building Commission, and Parking System.”

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 Gibbons & Kawash, in an amount not to exceed Thirteen Thousand Six Hundred Eighty Dollars (\$13,680), for services relating to job descriptions and policies and procedures in the City Collector’s Office, Building Commission, and Parking System.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 780-01 adopted unanimously.

17. Your Committee on Finance has had under consideration Resolution No. 781-01, authorizing the Mayor to sign Change Order No. 6 with Hayslett Construction Company, in the amount of \$267,000, for acceptance of Alternate No. 2, which was submitted in the original bid package for the Civic Center Renovations Project - Phase II, providing for new roofing and duct work revisions of the area between the Main Lobby and Grand Hall. The new contract price for this project, including Change Order No. 6, is \$4,891,768; Funds are available from the proceeds received through the sale of bonds, Civic Center Renovations Project - Phase II, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 781-01–“Authorizing the Mayor to sign Change Order No. 6 with Hayslett Construction Company, in the amount of \$267,000, for acceptance of Alternate No. 2, which was submitted in the original bid package for the Civic Center Renovations Project - Phase II, providing for new roofing and duct work revisions of the area between the Main Lobby and the Grand Hall. The new contract price for this project, including Change Order No. 6, is \$4,891,768.”

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

That the Mayor is hereby authorized and directed to sign Change Order No. 6 with Hayslett Construction Company, in the amount of Two Hundred Sixty-seven Thousand Dollars (\$267,000), for acceptance of Alternate No. 2, which was submitted in the original bid package for the Civic Center Renovations Project- Phase II, providing for new roofing and duct work revisions of the area between the Main Lobby and the Grand Hall. The new contract price for this project, including Change Order No. 6, is Four Million Eight Hundred Ninety-one Thousand Seven Hundred Sixty-eight Dollars (\$4,891,768).

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 781-01 adopted unanimously.

18. Your Committee on Finance has had under consideration Resolution No. 782-01, authorizing the Mayor to sign Change Order No. 7 with Hayslett Construction Company, in the amount of \$27,997, for additional work in connection with the Civic Center Renovations Project - Phase II (see attached Exhibit A). Change Order No. 7 brings the contract price for this project to \$4,919,765; Funds are available from proceeds received through the sale of bonds, Civic Center Renovations Project - Phase II, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 782-01—“Authorizing the Mayor to sign Change Order No. 7 with Hayslett Construction Company, in the amount of \$27,997, for additional work in connection with the Civic Center Renovations Project - Phase II (see attached Exhibit A). Change Order No. 7 brings the contract price for this project to \$4,919,765.”

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. 7 with Hayslett Construction Company, in the amount of Twenty-seven Thousand Nine Hundred Ninety-seven Dollars (\$27,997), for additional work in connection with the Civic Center Renovations Project - Phase II (see attached Exhibit A). Change Order No. 7 brings the contract price for this project to Four Million Nine Hundred Nineteen Thousand Seven Hundred Sixty-five Dollars (\$4,919,765).

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 782-01 adopted unanimously.

19. Your Committee on Finance has had under consideration Resolution No. 783-01, authorizing the Mayor to enter into a contract with Twin Pines for purchase of gasoline at \$0.9763/gallon to serve the City of Charleston's vehicle fueling requirements for one (1) year, with an option to renew for an additional one (1) year period. This contract is being entered into through a bid received by Kanawha Valley Regional Transportation Authority (KRT) on behalf of the City and area municipalities in an effort to streamline gasoline prices; To be charged to Account No. 01-754-0-0-3-043, Equipment Maintenance–Oil, Gas & Tires, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 783-01–“Authorizing the Mayor to enter into a contract with Twin Pines for purchase of gasoline at \$0.9763/gallon to serve the City of Charleston's vehicle fueling requirements for one (1) year, with an option to renew for an additional one (1) year period. The contract is being entered into through a bid received by Kanawha Valley Regional Transportation Authority (KRT) on behalf of the City and area municipalities in an effort to streamline gasoline prices.”

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 Twin Pines for purchase of gasoline at \$0.9763/gallon to serve the City of Charleston's vehicle fueling requirements for one (1) year, with an option to renew for an additional one (1) year period. The contract is being entered into through a bid received by Kanawha Valley Regional Transportation Authority (KRT) on behalf of the City and area municipalities in an effort to streamline gasoline prices.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 783-01 adopted unanimously.

20. Your Committee on Finance has had under consideration Resolution No. 784-01, authorizing the Mayor to enter into a contract with Petroleum Traders for purchase of diesel fuel at \$0.9672/gallon to serve the City of Charleston's vehicle fueling requirements for one (1) year, with an option to renew for an additional one (1) year period. This contract is being entered into through a bid received by

Kanawha Valley Regional Transportation Authority (KRT) on behalf of the City and area municipalities in an effort to streamline diesel fuel prices; To be charged to Account No. 01-754-0-0-3-043, Equipment Maintenance–Oil, Gas & Tires, and reports the same to Council with the recommendation that the Resolution be adopted, as amended.

Councilman Larry Roller made a motion to amend the Resolution by striking the words “Petroleum Traders” and inserting in lieu of the words “Twin Pines”, and by striking the numbers “\$0.9672” and inserting in lieu of the numbers “\$0.9796”, and inserting the words “at the rate of \$0.9296/gallon for that second year” after the words “with an option to renew for an additional one (1) year period”.

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

Resolution No. 784-01, as amended–“Authorizing the Mayor to enter into a contract with Twin Pines for purchase of diesel fuel at \$0.9796/gallon to serve the City of Charleston’s vehicle fueling requirements for one (1) year, with an option to renew for an additional one (1) year period at the rate of \$0.9296/gallon for that second year. This contract is being entered through a bid received by Kanawha Valley Regional Transportation Authority (KRT) on behalf of the City and area municipalities in an effort to streamline diesel fuel prices.”

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 Twin Pines for purchase of diesel fuel at \$0.9796/gallon to serve the City of Charleston’s vehicle fueling requirements for one (1) year, with an option to renew for an additional one (1) year period at the rate of \$0.9296/gallon for that second year. This contract is being entered into through a bid received by Kanawha Valley Regional Transportation Authority (KRT) on behalf on the City and area municipalities in an effort to streamline diesel fuel prices.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 784-01, as amended, adopted unanimously.

21. Your Committee on Finance has had under consideration purchase of Bituminous Concrete (asphalt) on an as needed basis from Kanawha Valley Asphalt at the prices quoted on the attached tabulation sheet; 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.

22. Your Committee on Finance has had under consideration purchase of various sizes and classes of aggregate on an as needed basis, at prices determined through competitive bidding from Marietta Aggregate, Pfaff & Smith, and Shamblin Stone, Inc., (see attached tabulation sheet); 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.

23. Your Committee on Finance has had under consideration bid submitted by Arrow Concrete for purchase of Portland Cement Concrete to be used by the Street Department on an as needed basis at the prices quoted on the attached tabulation sheet; 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.

24. Your Committee on Finance has had under consideration purchase of pipe and related materials from Contech Construction Products, in the amount of \$2,756.76. Materials for emergency repair of a collapsed pipe at 301 Hickory Road (\$2,145.76) and repairs made at 220 Wertz Avenue (\$611.00) due to flood damage, were not in stock at the Street Department and the West Virginia Department of Highways loaned the materials to the City to complete the work. This purchase is being made to replace the materials received from WVDOH; 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.

25. Your Committee on Finance has had under consideration bid submitted by Bert Wolfe Ford, in the amount of \$33,880, for purchase of two (2) vehicles (\$16,900 each), less trade-in of \$8,074 for four (4) vehicles, for a total purchase price of \$25,726; To be charged to Account No. 29-173-0-0-4-059, MDENT–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.

26. Your Committee on Finance has had under consideration bid submitted by Megabyte Business systems, in the amount of \$12,443.97, for purchase of three (3) Panasonic Toughbook Mobile Data Computers (\$4,147.99 each). Two of the computers will be used in the MDENT Unit and one in the SCU Unit of the Charleston Police Department; To be charged to the following accounts:
\$8,295.98 - 39-173-00-0-0-059, MDENT Grant
\$4,147.99 - 39-180-00-0-0-059, JAIBG 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.

27. Your Committee on Finance has had under consideration purchase of a Teleco DK Digital Telecommunications System from Access Systems, in the amount of \$7,257, to be installed in the Training-EMS Division of the Charleston Fire Department, located at 115 Lee Street, West. This area was inadvertently not included in the original bid submitted by Access Systems for the Citywide telecommunications system, approved by City Council on October 16, 2000; To be charged to Account No. 01-706-0-0-4-059, Fire-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.

28. Your Committee on Finance has had under consideration Bill No. 6802, to amend and reenact Section 25-7 of Article 1, of The Code of the City of Charleston, as amended, to reflect certain surcharges for customers served by facilities acquired by merger, and otherwise to restate the schedule of just and equitable rates or charges for the use of and services rendered by the sewer system of The City of Charleston, previous set, all to be set forth in a revised tariff to be filed with said Commission, all as provided for by Chapter 16, Article 13, and Chapter 24, Article 2, Section 4b of The Code of West Virginia 1931, as amended, and reports the same to Council with the recommendation that the Bill do pass.

Bill No. 6802--

The question being on the passage of the Bill a roll call was taken and there were; yeas-24, nays-0, absent-3, as follows:

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

NAYS: None.

ABSENT: Davis, Fouty-Young, and Pettry.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 6802 passed unanimously.

29. Your Committee on Finance has had under consideration Bill No. 6803, amending the schedule of rates for grave spaces, and for other fees and services provided by the Spring Hill Cemetery Park, and renaming a section of the Cemetery, and reports the same to Council with the recommendation that the Bill do pass.

Bill No. 6803,

The question being on the passage of the Bill a roll call was taken and there were; yeas-24, nays-0, absent-3, as follows:

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

NAYS: None.

ABSENT: Davis, Fouty-Young, and Pettry.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 6803 passed unanimously.

30. Your Committee on Finance has had under consideration Bill No. 6807, prescribing a proposed

schedule of modified and amended rates and rentals for the use of the services and facilities of the Municipal Auditorium and the Charleston Civic Center of The City of Charleston, West Virginia, and providing for a public hearing, and reports the same to Council with the recommendation that the Bill do pass.

Bill No. 6807,

The question being on the passage of the Bill a roll call was taken and there were; yeas-24, nays-0, absent-3, as follows:

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

NAYS: None.

ABSENT: Davis, Fouty-Young, and Pettry.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 6807 passed unanimously.

31. Your Committee on Finance has had under consideration payment of an invoice from Digital Controls, in the amount of \$9,420, for annual maintenance of the UNIX operating software used by the

Information Systems Department covering the period July 1, 2001 to June 30, 2002; To be charged to Account No. 01-439-0-0-2-030, Information Systems–Contracted Services (2001-2002), and reports the same to Council with the recommendation that the committee report be adopted.

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

32. Your Committee on Finance has had under consideration payment of an invoice from Electronic Communications, in the amount of \$11,506.11, for installation of new equipment and transferring equipment from old cruisers to six (6) new cruisers for the Charleston Police Department; To be charged to Account No. 01-700-0-0-4-059, Police–Capital Outlay, Equipment, and reports the same to Council with the recommendation that the committee report be adopted.

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

33. Your Committee on Finance has had under consideration payment of an invoice from West Virginia Supreme Court of Appeals, in the amount of \$2,418.75, for reimbursement of software programming costs to allow for statewide excess to domestic violence petition information; To be charged to Account No. 39-178-97-5-0-041, Police–Pro-Arrest 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.

34. Your Committee on Finance has had under consideration payment of an invoice from Kanawha Dental Health Council, in the amount of \$5,833.32, for reimbursement of salaries from April 26 to May 25, 2001; 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-24, nays-0, absent-3, as follows:

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

NAYS: None.

ABSENT: Davis, Fouty-Young, and Pettry.

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

35. Your Committee on Finance has had under consideration payment of an invoice from Gresham

Plumbing and Heating Supply, Inc., in the amount of \$4,604.05, for hot water tanks and related materials for emergency repairs and installation at the YWCA/Child Enrichment Center; To be charged to Account No. 32-098-0-1-0-999, MOECD–Rental Rehabilitation Program, and reports the same to Council with the recommendation that the committee report be adopted.

The question being on the adoption of the committee report a roll call was taken and there were; yeas-24, nays-0, absent-3, as follows:

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

NAYS: None.

ABSENT: Davis, Fouty-Young, and Pettry.

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

36. Your Committee on Finance has had under consideration payment of an invoice from Charleston Newspapers, in the amount of \$2,042.71, for publication of various ads by the Mayor’s Office of Economic and Community Development during the month of May 2001; To be charged to the following accounts:

\$ 417.83 - 25-099-00-014, CORP Rehabilitation

\$1,624.88 - 30-000-00-001, HOME Program

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

The question being on the adoption of the committee report a roll call was taken and there were; yeas-24, nays-0, absent-3, as follows:

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

NAYS: None.

ABSENT: Davis, Fouty-Young, and Pettry.

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

37. Your Committee on Finance has had under consideration payment of an invoice from Kanawha Hospice Care, in the amount of \$20,000, for furnishings acquired by Kanawha Hospice Care for use in the Hubbard Hospice House located on Kennawa Drive; To be charged to Account No. 25-098-00-011, CDBG–Public Services/Kanawha Hospice Care, and reports the same to Council with the recommendation that the committee report be adopted.

The question being on the adoption of the committee report a roll call was taken and there were; yeas-24, nays-0, absent-3, as follows:

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

NAYS: None.

ABSENT: Davis, Fouty-Young, and Pettry.

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

38. Your Committee on Finance has had under consideration payment of an invoice from Moore's Lumber and Supply, in the amount of \$24,446, for materials and supplies needed for the Christmas in April Program; To be charged to Account No. 25-099-00-014, and reports the same to Council with the recommendation that the committee report be adopted.

The question being on the adoption of the committee report a roll call was taken and there were; yeas-24, nays-0, absent-3, as follows:

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

NAYS: None.

ABSENT: Davis, Fouty-Young, and Pettry.

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

39. Your Committee on Finance has had under consideration payment of two (2) invoices from Municipal Code Corporation, in the amount of \$9,800, for proofing and editorial fees for publication of Charleston Code of Ordinances; To be charged to Account No. 01-412-0-0-2-023, City Manager– 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.

40. Your Committee on Finance has had under consideration payment of an invoice from Heenan, Althen and Roles, LLP, in the amount of \$3,773.72, for professional services rendered during the month of April 2001, in connection with City Code and Civil Service regulations relating to firefighters; 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 the Mayor declared the committee report adopted unanimously.

41. Your Committee on Finance has had under consideration payment of two (2) invoices from Jackson and Kelly, PLLC, in the total amount of \$13,145.40, for professional services rendered from February 7 to April 25, 2001, for matters relating to the Police Civil Service Commission; 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 members Loeb and Prunty abstaining, the Mayor declared the committee report adopted unanimously.

42. Your Committee on Finance has had under consideration payment of two (2) invoices from Bowles, Rice, McDavid, Graff & Love, PLLC, in the total amount of \$11,108, for professional services rendered from March 1, 2001 to May 31, 2001, relating to the claim of Laura Manns v. City of Charleston and general worker’s compensation claims; 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 members Lane, Loeb, and Markham abstaining, the Mayor declared the committee report adopted unanimously.

REPORTS OF OFFICERS

1. Municipal Court Financial Information May, 2001; Received and Filed.
2. Report of the Charleston Building Department, May, 2001; Received and Filed.
3. City of Charleston Financial Statements for the Eleven-Month Period Ended May 31, 2001; Received and Filed.
4. City Treasurer’s Report to City Council Month Ending May, 2001; Received and Filed.

NEW BILLS INTRODUCED

UNFINISHED BUSINESS

Mayor Goldman introduced Lee McCoy, the new City Engineer.

Mayor Goldman recognized Libby Ballard, Permit/Utility/Subdivision Coordinator for the Building Department, for receiving the BOCA International certification as Zoning Inspector.

Councilman Jim Harris announced the Parks and Recreation Committee will meet at 5:30 p.m., on June 25th in the Mayor's Conference Room.

Councilwoman Mary Jean Lopez asked for Personnel Director, Judy King come to the next Council Committee on City Employees meeting.

Councilman Jim Harris commended Melissa Hughes, Secretary in the City Clerk's Office, for the work she's done for Council since he's been a member. He, along with Mary Jean Davis, requested a show of appreciation, whereas Melissa received a standing ovation from Council.

ROLL CALL

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

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

ABSENT: Davis, Fouty-Young, and Pettry.

At 8:00 p.m., on motion of Councilman Loeb, Council adjourned until 7:00 p.m., Monday, July 2,
2001.

Jay Goldman, Honorable Mayor

James M. Reishman, City Clerk