

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 May 21, 2001, I now declare the floor open for a Public Hearing on Bill No. 6783.

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 Stella Gill; #1 Pheonix Place, Charleston, WV; alleges damages to vehicle; Referred to City Solicitor.
2. A Claim of Mark A. Haynes; 443 Wolf Pen Drive, Charleston, WV; alleges damages to vehicle; Referred to City Solicitor.

COMMUNICATIONS

PROCLAMATIONS

FIFTEEN FOLLOWING

May 10, 2001

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

Dear Mayor Goldman and Councilmembers:

On May 9, 2001, the Municipal Planning Commission held public hearings and its regular monthly meeting. The following cases were heard by the Commission:

Bill No. 6786 - Petition of the Municipal Planning Commission to amend the text of the zoning ordinance by creating a new zoning district, P-1, Public District, to provide for large public uses such as utility substations, and other community uses, where such uses are sited and landscaped to buffer adjacent residential neighborhoods.

Bill No. 6787 - Petition of the City of Charleston to zone the property identified as East Charleston District Tax Map 2, Parcels 1, 9, 10, 11, 22, 23, 24, 25; Tax Map 3, Parcels 1.1, 8, 12, 13, 37, 38, 43; Tax Map 4, Parcels 4, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8, 4.9, 7; Tax Map 5, Parcels 315, 314, 244, 244.1, 313; Tax Map 7, Parcels 7, 7.7; Tax Map 8, Parcels, 1, 2, 3, 4, 6, 6.1, 7, 8, 10, 11, 11.1, 11.2, 11.3, 16, 99, 100; Tax Map 9, Parcels 10, 17, 18, 24, 24.1, 24.2, 57, part of 65; Tax Map 11, Parcel 43, located in the expired Urban Renewal Triangle/Government Square District to CBD, Central Business District in order to restore zoning jurisdiction from the Charleston Urban Renewal Authority to the City of Charleston, West Virginia.

Bill No. 6788 - Petition of the City of Charleston to zone the property identified as East Charleston District, Tax Map 5, Parcel 1, located in the expired Urban Renewal Triangle/Government Square District to R-10, High Density Multi-Family Residential District in order to restore zoning jurisdiction from the Charleston Urban Renewal Authority to the City of Charleston, West Virginia.

Bill No. 6789 - Petition of the City of Charleston to zone the property identified as East Charleston District, Tax Map 5, Parcels 10, 10.1, 11, 12, 13, located in the expired Urban Renewal Triangle/Government Square District to R-6, Medium Density Multi-Family Residential District in order to restore zoning jurisdiction from the Charleston Urban Renewal Authority to the City of Charleston, West Virginia.

Bill No. 6790 - Petition of the City of Charleston to zone the property identified as East Charleston District, Tax Map 5, Parcels 6.10, 6.11, 6.12, 6.13, 6.14, 6.15, 6.16, 6.17, 6.18, 6.19, 6.20, 6.21, 6.22, 6.23, 6.24, 6.25, 6.26, 6.27, 6.28, 6.29, 6.30, 6.31, 6.32, 6.33, 6.34, 6.35, 6.36, 6.37, 6.38, 6.39, 6.40, 6.41, 6.42, 6.43, 6.44, 6.45, 6.46, 6.47, 6.48, 6.49, 6.50, 6.51, 6.52, 6.53, 6.54, 6.55, 6.56, 6.57, 6.58, 6.59, located in the expired Multi-Family Residential District in order to restore zoning jurisdiction from the Charleston Urban Renewal Authority to the City of Charleston, West

Virginia.

Bill No. 6791 - Petition of the City of Charleston to zone the property identified as East Charleston District, Tax Map 5, Parcels 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8, 4.9, 5.3, 5.4, 5.5, 5.6, 6.1, 6.2, 6.3, 6.4, 6.5, 6.7, 6.8, 6.9, 7, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9, 8, 8.1, 8.2, 8.3, 8.4, 8.5, 8.6, 8.7, 9, 9.1, 9.2, 9.3, 9.4, located in the expired Urban Renewal Triangle/Government Square District to R-6, Medium Density Multi-Family Residential District in order to restore zoning jurisdiction from the Charleston Urban Renewal Authority to the City of Charleston, West Virginia.

Bill No. 6792 - Petition of the City of Charleston to zone the property identified as East Charleston District, Tax Map 5, Parcels 3, 3.2, 4, 4.1, 4.8, 4.10, 4.11, 4.12, 4.13, located in the expired Urban Renewal Triangle/Government Square District to R-8, Medium Density Multi-Family Residential District in order to restore zoning jurisdiction from the Charleston Urban Renewal Authority to the City of Charleston, West Virginia.

Bill No. 6793 - Petition of the City of Charleston to zone the property identified as East Charleston District, Tax Map 5, Parcels 5.1, 5.2, located in the expired Urban Renewal Triangle/Government Square District to C-4, Neighborhood Commercial District in order to restore zoning jurisdiction from the Charleston Urban Renewal Authority to the City of Charleston, West Virginia.

Bill No. 6794 - Petition of the City of Charleston to zone the property identified as East Charleston District, Tax Map 5, Parcels 181, 182, located in the expired Urban Renewal Triangle/Government Square District to P-1, Public District in order to restore zoning jurisdiction from the Charleston Urban Renewal Authority to the City of Charleston, West Virginia.

Bill No. 6796 - Petition of the City of Charleston to zone the property identified as East Charleston District, Tax map 5, Parcels 253, 287, 316, located in the expired Urban Renewal Triangle/Government Square District to C-10, General Commercial District in order to restore zoning jurisdiction from the Charleston Urban Renewal Authority to the City of Charleston, West Virginia.

Bill No. 6797 - Petition of the City of Charleston to zone the property identified as East Charleston District, Tax Map 5, Parcel 2, located in the unexpired Urban Renewal Triangle/Government Square District to C-4, Neighborhood Commercial Residential District in order to restore zoning jurisdiction from the Charleston Urban Renewal Authority to the City of Charleston, West Virginia.

Bill No. 6798 - Petition of Charles R. Hooten, Jr. to rezone the property located at 614, 616, 618, and 620 Russell Street from R-8, Medium Density Multi-Family Residential District to C-10, General Commercial District, in order to expand and establish a retail use selling auto parts, supplies and accessories accessory to the property located at 973 and 975 Virginia Street, West.

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

Sincerely, Municipal Planning Commission

/s/ Phyllis White
Phyllis White, Administrative Assistant

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

MISCELLANEOUS RESOLUTIONS

Introduced by Councilmen Lane, Loeb and Quick on May 21, 2001:

Resolution No. 757-01: Expressing the gratitude and appreciation of the City of Charleston for the financial contributions of the Kanawha County Commission, emphasizing intergovernmental cooperation; and

WHEREAS, the Kanawha County Commission has continually served as a friend to the City of Charleston in several capacities; and

WHEREAS, the Kanawha County Commission assisted the City of Charleston by contributing \$250,000 to the city along with the \$250,000 due the City from METRO 911, thus preventing the City of Charleston from having to cut much needed uniform service positions due to a budget crisis; and

WHEREAS, the Kanawha County Commission's willingness to assist the City of Charleston in a time of need truly represents the cooperative spirit necessary for government agencies to successfully serve the public; and

WHEREAS, the residents of the City as well as Kanawha County have benefitted greatly by the cooperative efforts between the governmental bodies; and

WHEREAS, the City of Charleston credits the Kanawha County Commission for putting the safety and services of the citizens of Charleston first and foremost and looks forward to a productive and cooperative relationship in the future.

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

That the City Council of West Virginia does hereby express its thanks to the Kanawha County Commission and its contributions to the City of Charleston over the years.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 757-01 adopted unanimously.

REPORTS OF STANDING COMMITTEES

FINANCE

Councilman Ed Talkington, Vice Chairman of the Council Committee on Finance, submitted the following reports.

1. Your Committee on Finance has had under consideration Resolution No. 754-01, authorizing the Mayor to sign and submit to the U.S. Department of Housing and Urban Development (HUD) the 2001 Emergency Shelter Grantee (ESG) and HOME certifications in the amount of \$1,334,000, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 754-01–“Authorizing the Mayor to sign and submit to the U.S. Department of Housing and Urban Development (HUD) the 2001 Emergency Shelter Grantee (ESG) and HOME certifications in the amount of \$1,334,000.”

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 to the U. S. Department of Housing and Urban Development (HUD) the 2001 Emergency Shelter Grantee (ESG) and HOME certifications in the amount of One Million Three Hundred Thirty-four Thousand Dollars (\$1,334,000).

The question being on the adoption of the Resolution a roll call was taken and there were; yeas-23, nays-0, absent-4, as follows:

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

NAYS: None.

ABSENT: David Lanham, Morton, Reishman, and Roller.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 754-01 adopted unanimously.

2. Your Committee on Finance has had under consideration Resolution No. 755-01, authorizing the Mayor to sign an Addendum to the Agreement with the West Virginia Department of Transportation, Division of Highways, for the Kanawha Boulevard Sidewalk Project, changing the Federal Project No. to CMAQ-2000(043)E, and modifying the Scope of Work relating to duties and responsibilities of City and State, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 755-01, Authorizing the Mayor to sign an Addendum to the Agreement with the West Virginia Department of Transportation, Division of Highways, for the Kanawha Boulevard Sidewalk Project, changing the Federal Project No. to CMAQ-2000(043)E, and modifying the Scope of Work relating to duties and responsibilities of City and State.”

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

That the Mayor is hereby authorized and directed to sign an Addendum to the Agreement with the West Virginia Department of Transportation, Division of Highways, for the Kanawha Boulevard Sidewalk Project, changing the Federal Project No. to CMAQ-2000(043)E, and modifying the Scope of Work relating to duties and responsibilities of City and State.

The question being on the adoption of the Resolution a roll call was taken and there were; yeas-23, nays-0, absent-4, as follows:

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

NAYS: None.

ABSENT: David Lanham, Morton, Reishman, and Roller.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 755-01 adopted unanimously.

3. Your Committee on Finance has had under consideration Resolution No. 756-01, authorizing the Mayor to sign the U.S. Department of Housing and Urban Development (HUD) Continuum of Care Application in an amount not to exceed \$900,000 for one (1) Permanent Supportive Housing Renewal project and one (1) Safe Haven project, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 756-01—"Authorizing the Mayor to sign the U.S. Department of Housing and Urban Development (HUD) Continuum of Care Application in an amount not to exceed \$900,000 for one (1) Permanent Supportive Housing Renewal project and one (1) Safe Haven project."

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

That the Mayor is hereby authorized and directed to sign the U.S. Department of Housing and Urban Development (HUD) Continuum of Care Application in an amount not to exceed Nine Hundred Thousand Dollars (\$900,000) for one (1) Permanent Supportive Housing Renewal project and one (1) Safe Haven project.

The question being on the adoption of the Resolution a roll call was taken and there were; yeas-23, nays-0, absent-4, as follows:

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

NAYS: None.

ABSENT: David Lanham, Morton, Reishman, and Roller.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 756-01 adopted unanimously.

4. Your Committee on Finance has had under consideration bid submitted by Bert Wolfe Ford, in the amount of \$19,390.20, for one (1) 2001 Ford E250, heavy duty 4 x 2, cargo van to be used as a patrol wagon by the Charleston Police Department; To be charged to Account No. 01-700-0-0-4-061, Police–Lease/Purchase, and reports the same to Council with the recommendation that the committee report be adopted.

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

5. Your Committee on Finance has had under consideration proposal submitted by Hourly Computer Services, in the amount of \$9,126, for purchase of seven (7) personal computers to replace obsolete computers currently used by the Police Department; To be charged to Account No. 19-019-00-0-0-4-059, Police–Block Grant 99, 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.

6. Your Committee on Finance has had under consideration payment of an invoice from Jasper Engines and Transmissions, in the amount of \$2,909, for a rebuilt transmission to be installed in Packer Truck No. 151 used by the Refuse Collection Department; To be charged to Account No. 01-754-0-0-2-016, Equipment Maintenance–Maintenance and Repair, Equipment, and reports the same to Council with the recommendation that the committee report be adopted.

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

7. Your Committee on Finance has had under consideration payment of an invoice from General Truck Sales Corporation, in the amount of \$2,176.41, for repairs made to a pickup truck, Unit No. 361, used by the Public Grounds Department; To be charged to Account No. 01-754-0-0-2-016, Equipment Maintenance–Maintenance and Repair, Equipment, and reports the same to Council with the recommendation that the committee report be adopted.

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

8. Your Committee on Finance has had under consideration payment of an invoice from Environmental Services International, Inc., in the amount of \$4,573, for an asbestos inspection of fourteen (14) structures scheduled for demolition; To be charged to Account No. 01-436-0-0-2-030, Building Commission–Contracted Services

The inspections were made at the following locations:

1438 Beech Avenue, 1612 Brewer Avenue, 27 Ohio Avenue, 4524 Washington Avenue, SE, 4526 Washington Avenue, SE, 4 Rose Court, 507 Wyoming Street, 306 Grove Avenue, 608 Danner Road,

1026 Temple Street, 1116 Second Avenue, 1810 Cosmos Drive, 1812 Cosmos Drive, and 1020 Madison Street, and reports the same to Council with the recommendation that the committee report be adopted.

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

9. Your Committee on Finance has had under consideration payment of an invoice from Electronic Communications, in the amount of \$2,066.59, for installation of non-transferable emergency equipment on new Police Cruiser No. 110, and the transfer of usable equipment from a used cruiser to the new unit; To be charged to the following accounts:

\$304.59 -- Account No. 01-700-0-0-2-017, Police–Maintenance & Repair, Auto/Truck

\$775.00 -- Account No. 01-700-0-0-2-023, Police–Professional Services

\$987.00 -- Account No. 01-700-0-0-3-041, Police–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.

10. Your Committee on Finance has had under consideration payment of an invoice from Charleston Lincoln Mercury, in the amount of \$4,004.09, for repairs made to Police Unit No. 207, which was involved in an accident at the intersection of Lee and Court streets on April 2, 2001; To be charged to Account No. 01-700-0-0-2-017, Police–Maintenance & Repair, Auto/Truck, and reports the same to Council with the recommendation that the committee report be adopted.

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

11. Your Committee on Finance has had under consideration payment of an invoice from Kanawha Dental Health, in the amount of \$2,916.66, for reimbursement of salaries; 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-23, nays-0, absent-4, as follows:

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

NAYS: None.

ABSENT: David Lanham, Morton, Reishman, and Roller.

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

12. Your Committee on Finance has had under consideration payment of an invoice from Willis Administrative Services Corporation, in the amount of \$16,155, representing the additional amount due for claims handling services for the policy period March 31, 2000 to March 31, 2001. The amount for the contract was \$74,400 and the actual generated amount is \$90,555; To be charged to Account No. 01-412-0-0-2-027, City Manager–Insurance, and reports the same to Council with the recommendation that the committee report be adopted.

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

REPORTS OF OFFICERS

1. Charleston Sanitary Board Operating Budget Fiscal Year Ending June 30, 2002; Received and Filed.
2. City Treasurer's Report to City Council Month Ending April, 2001; Received and Filed.
3. City of Charleston Financial Statements for the Ten-Month Period Ended April 30, 2001; Received and Filed.

NEW BILLS INTRODUCED

None.

UNFINISHED BUSINESS

1. Councilman McKnight's birthday is today.
2. Councilman Pettry commended Mayor Goldman and Don Carr for work done on Hope Road.
3. Councilwoman Lopez commended the Pilot Club for work done to a portion of the Spring Hill Cemetery.
4. Councilwoman Davis thanked the Police Department for providing the D.A.R.E. Program to 300 students from which they graduated.
5. Councilman Henry commended Don Carr and his department for the help they contributed to the East End Clean Up Project.
6. Councilman Loeb requested City Manager, Sherry Risk schedule a series of informal meetings for Council to discuss the City's current Health Care crisis.

ROLL CALL

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

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

Molgaard, Nielsen, Pettry, Prunty, Quick, Talkington, and Mayor Goldman.

ABSENT: David Lanham, Morton, Reishman, and Roller.

At 7:30 p.m., on motion of Councilman Loeb, Council adjourned until 7:00 p.m., Monday, June 4, 2001.

Jay Goldman, Honorable Mayor

James M. Reishman, City Clerk

