

# ***JOURNAL***

**OF THE**

# ***COUNCIL***

**CITY OF CHARLESTON**

**WEST VIRGINIA**

**MARCH 18, 2002**

**THE COUNCIL MET IN CHAMBERS OF THE CITY BUILDING AT 7:00 P.M., FOR THE SECOND MEETING IN THE MONTH OF MARCH ON THE 18<sup>TH</sup> DAY, IN THE YEAR 2002, AND WAS CALLED TO ORDER BY THE HONORABLE MAYOR, JAY GOLDMAN. THE INVOCATION WAS DELIVERED BY BILL KIMBERLING, AND THE PLEDGE OF ALLEGIANCE WAS LEAD BY DAVID LANHAM.**

**THE CLERK CALLED THE ROLL AND THE FOLLOWING MEMBERS ANSWERED TO THEIR NAMES:**

<b>CHARNOCK</b>	<b>DAVIS</b>	<b>BETH FOUTY-YOUNG</b>
<b>HARRIS</b>	<b>JONES</b>	<b>CRICKENBERGER</b>
<b>KNAUFF</b>	<b>LANE</b>	<b>ED TALKINGTON</b>
<b>JAMES LANHAM</b>	<b>LOEB</b>	<b>LOPEZ</b>
<b>MARKHAM</b>	<b>MCKNIGHT</b>	<b>MOLGAARD</b>
<b>BETTY MORTON</b>	<b>NIELSEN</b>	<b>PETTRY</b>
<b>QUICK</b>	<b>REISHMAN</b>	<b>ROLLER</b>
<b>PRUNTY</b>	<b>KIMBERLING</b>	<b>DAVID LANHAM</b>
<b>MAYOR GOLDMAN</b>		

**TWENTY-FIVE MEMBERS BEING PRESENT, THE MAYOR DECLARED A QUORUM.**

**PENDING THE READING OF THE JOURNAL OF THE PREVIOUS MEETING, THE READING THEREOF WAS DISPENSED WITH AND THE SAME DULY APPROVED.**

**MARCH 18, 2002, SECOND MEETING**

# CHARLESTON CITY COUNCIL JOURNAL MARCH 18, 2002

## PUBLIC SPEAKERS

1. NONE.

## CLAIMS

1. A claim of Ramona G. Cooke, 1005 Dartmouth Ave., Charleston, WV.; alleges personal injury;  
Refer to City Solicitor.

2. A claim of Agnes M. Caldwell, 847 Greendale Dr., Charleston, WV.; alleges damage to property;  
Refer to City Solicitor.

3. A claim of Herman P. Fletcher, #1 Chatsworth Lane, Charleston, WV., alleges damage to property;  
Refer to City Solicitor.

## COMMUNICATIONS

## *PROCLAMATIONS*

TWO FOLLOWING

## *APPOINTMENTS*

TO: James Reishman  
City Clerk

FROM: Jay Goldman  
Mayor

RE: East End Historical District Review Board

DATE: March 18, 2002

I am recommending that Mr. Bill Melton, 1555 Lee Street East, Charleston, West Virginia 25311 be reappointed to the East End Historical District review Board. Mr. Melton's term will expire April 16, 2005.

I respectfully request City Council's approval of this recommendation.

TO: James Reishman  
City Clerk

FROM: Jay Goldman  
Mayor

RE: East End Historical District Review Board

DATE: March 18, 2002

I am recommending that Mrs. Jody Connell, 1520 Knob Road, Charleston, West Virginia 25311 be reappointed to the East End Historical District review Board. Mrs. Connell's term will expire April 16, 2005.

I respectfully request City Council's approval of this recommendation.

TO: James Reishman  
City Clerk

FROM: Jay Goldman  
Mayor

RE: East End Historical District Review Board

DATE: March 18, 2002

I am recommending that Mrs. Betty Lee Wampler, 1520 Quarrier St., Charleston, West Virginia 25311 be reappointed to the East End Historical District review Board. Mrs. Wampler's term will expire April 16, 2005.

I respectfully request City Council's approval of this recommendation.

TO: James Reishman  
City Clerk

FROM: Jay Goldman  
Mayor

RE: Spring Hill Cemetery Park Commission

DATE: March 18, 2002

I am recommending that Mr. Angus Peyton, Sr., PO Box 226, Charleston, West Virginia 25311 be reappointed to the Spring Hill Cemetery Park Commission. Mr. Peyton's term will expire April 6, 2008.

I respectfully request City Council's approval of this recommendation.

TO: James Reishman  
City Clerk

FROM: Jay Goldman  
Mayor

RE: Sanitary Board

DATE: March 18, 2002

I am recommending that Mr. Sam Bowling, 1344 Morningside Dr., Charleston, West Virginia 25311 be reappointed to the Sanitary Board. Mr. Bowling's term will expire March 17, 2005.

I respectfully request City Council's approval of this recommendation.

***MUNICIPAL PLANNING COMMISSION***

February 7, 2002

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

Dear Mayor Goldman and Councilmembers:

On February 6, 2002, the Municipal Planning Commission held public hearings and its regular monthly meeting. The following cases were heard by the Commission:

Bill # 6884 - Petition of the Salvation Army to rezone the property located at 211, 213, and 215 Wyoming Street and 308, 310, and 312 Ohio Avenue from R-8, Medium - Density Multi-Family Residential District to C-6, Community Commercial District, in order to develop to property for expansions of the warehouse for the existing Thrift Store and to provide for additional parking. The Commission recommended passage of the bill.

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

Sincerely,  
Municipal Planning Commission  
Phyllis White, Administrative Assistant

Mayor Goldman Referred the cases to the Council Committee Planning.

***URBAN RENEWAL***

Councilwoman Sara Crickenberger, Chairman of the Council Committee on Urban Renewal, submitted the following reports.

1. You Committee on Urban Renewal has had under the consideration of Bill No. 6885, and reports the same to Council with the recommendation that the Bill do pass.

Bill No. 6885, a Bill approving a certain modification of the Downtown/Old Charleston Urban Renewal Plan for the City of Charleston with respect to:

Requiring Special Permit for use of factory built structure for commercial purposes.

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

1. The City Council finds that:

a. The Charleston Urban Renewal Authority has recommended a certain modification of the Downtown/Old Charleston Urban Renewal Plan for the City of Charleston;

b. A general plan known as the Comprehensive Plan for the City of Charleston has been adopted by the City Council and is recognized and used as a general guide for the development of the City:

c. The Municipal Planning Commission of the City of Charleston has submitted to the Charleston Urban Renewal Authority its findings that the proposed modification conforms with said Comprehensive Plan;

d. City Council had duly considered said findings; and

e. Section "F" of said Downtown/Old Charleston Urban Renewal Plan provides that the Plan may be changed from time to time in compliance with the requirements of the law.

2. The modifications of the Downtown/Old Charleston Urban Renewal Plan set forth in the following section of this ordinance are hereby found to be feasible and in compliance with the Comprehensive Plan for the City of Charleston.

3. Section C.2 of the Downtown/Old Charleston Urban Renewal Plan is revised as follows:

Adding Section C.2.1 as follows:

#### N. Factory Built Structures

A factory built structure for commercial purposes, except when used as a temporary construction office on a construction site, shall be permitted only with the issuance of a Special Permit.

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

NAYS: None.

ABSENT: Haas, Henry.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 6885 passed unanimously.

2. Your Committee on Urban Renewal has had under consideration Bill No. 6886, attached hereto and made a part hereof, and reports the same to Council with the recommendation that the Bill do pass.

Bill No. 6886, a Bill approving a certain modification of the West Side Urban Renewal Plan for the City of Charleston with respect to:

Requiring Special Permit for use of factory built structure for commercial purposes.

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

1. The City Council finds that:

a. The Charleston Urban Renewal Authority has recommended a certain modification of the West Side Urban Renewal Plan for the City of Charleston;

b. A general plan known as the Comprehensive Plan for the City of Charleston has been adopted by the City Council and is recognized and used as a general guide for the development of the City:

c. The Municipal Planning Commission of the City of Charleston has submitted to the Charleston Urban Renewal Authority its findings that the proposed modification conforms with said Comprehensive Plan;

d. City Council had duly considered said findings; and

e. Section "F" of said West Side Urban Renewal Plan provides that the Plan may be changed from time to time in compliance with the requirements of the law.

2. The modifications of the West Side Urban Renewal Plan set forth in the following section of this ordinance are hereby found to be feasible and in compliance with the Comprehensive Plan for the City of Charleston.

3. Section C.2 of the West Side Urban Renewal Plan is revised as follows:

Adding Section C.2.1 as follows:

N. Factory Built Structures

A factory built structure for commercial purposes, except when used as a temporary construction office on a construction site, shall be permitted only with the issuance of a Special Permit.

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

NAYS: None.

ABSENT: Haas, Henry.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 6886 passed unanimously.

3. Your Committee on Urban Renewal has had under consideration Bill No. 6887, attached hereto and made a part hereof, and reports the same to Council with the recommendation that the Bill do pass.

Bill No. 6887, a Bill approving a certain modification of the Washington Street, East Urban Renewal Plan for the City of Charleston with respect to:

Requiring Special Permit for use of factory built structure for commercial purposes.

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

1. The City Council finds that:

a. The Charleston Urban Renewal Authority has recommended a certain modification of the Washington Street, East Urban Renewal Plan for the City of Charleston;

b. A general plan known as the Comprehensive Plan for the City of Charleston has been adopted by the City Council and is recognized and used as a general guide for the development of the City:

c. The Municipal Planning Commission of the City of Charleston has submitted to the Charleston Urban Renewal Authority its findings that the proposed modification conforms with said Comprehensive Plan;

d. City Council had duly considered said findings; and

e. Section “F” of said Washington Street, East Urban Renewal Plan provides that the Plan may be changed from time to time in compliance with the requirements of the law.

2. The modifications of the Washington Street, East Urban Renewal Plan set forth in the following section of this ordinance are hereby found to be feasible and in compliance with the Comprehensive Plan for the City of Charleston.

3. Section C.2 of the Washington Street, East Urban Renewal Plan is revised as follows:

Adding Section C.2.1 as follows:

N. Factory Built Structures

A factory built structure for commercial purposes, except when used as a temporary construction office on a construction site, shall be permitted only with the issuance of a Special Permit.

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

NAYS: None.

ABSENT: Haas, Henry.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 6887 passed unanimously.

4. Your Committee on Urban Renewal has had under consideration Bill No. 6888, attached hereto and made a part hereof, and reports the same to Council with the recommendation that the Bill do pass.

Bill No. 6888, a Bill approving a certain modification of the Washington Street, West Urban Renewal Plan for the City of Charleston with respect to:

Requiring Special Permit for use of factory built structure for commercial purposes.

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

1. The City Council finds that:

a. The Charleston Urban Renewal Authority has recommended a certain modification of the Washington Street, West Urban Renewal Plan for the City of Charleston;

b. A general plan known as the Comprehensive Plan for the City of Charleston has been adopted by the City Council and is recognized and used as a general guide for the development of the City:

c. The Municipal Planning Commission of the City of Charleston has submitted to the Charleston Urban Renewal Authority its findings that the proposed modification conforms with said Comprehensive Plan;

d. City Council had duly considered said findings; and

e. Section "F" of said Washington Street, West Urban Renewal Plan provides that the Plan may be changed from time to time in compliance with the requirements of the law.

2. The modifications of the Washington Street, West Urban Renewal Plan set forth in the following section of this ordinance are hereby found to be feasible and in compliance with the Comprehensive Plan for the City of Charleston.

3. Section C.2 of the Washington Street, West Urban Renewal Plan is revised as follows:

Adding Section C.2.1 as follows:

#### N. Factory Built Structures

A factory built structure for commercial purposes, except when used as a temporary construction office on a construction site, shall be permitted only with the issuance of a Special Permit.

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

NAYS: None.

ABSENT: Haas, Henry.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 6888 passed unanimously.

### ***STREETS AND TRAFFIC***

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

1. Your Committee on Streets and Traffic has had under consideration of Bill No. 6882, and reports the same to Council with the recommendation that the Bill do pass.

Bill No. 6882, a Bill to amend and re-enact Ordinance No. 4534 passed by Council February 20, 1990, establishing a No parking Anytime Tow-Away zone on the easterly side of Old Greenbrier Street from the intersection of Old Greenbrier Street and Oakridge Drive to point 60 feet north of the intersection of Old Greenbrier Street and Oakridge Drive and amending the Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, on 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. Amend and re-enact Ordinance No. 4534 s No Parking Anytime Tow-Away zone on the easterly side of Old Greenbrier Street from the intersection of Old Greenbrier Street and Oakridge Drive to a point 60 feet north of the intersection of Old Greenbrier Street and Oakridge Drive is hereby established.

Section 3. 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, Harris, Jones, Knauff, Lane, James Lanham, David Lanham, Kimberling, Loeb, Lopez, Markham, McKnight, Molgaard, Morton, Nielsen, Pettry, Prunty, Quick, Reishman, Roller, Talkington, Fouty-Young and Mayor Goldman.

NAYS: None.

ABSENT: Haas, Henry.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 6882 passed unanimously.

2. Your Committee on Streets and Traffic has had under consideration of Bill No. 6889, and reports the same to Council with the recommendation that the Bill do pass.

Bill No. 6889, a Bill to establish a vehicular parking zone for the exclusive use of the physically disabled

on the northerly side of 5<sup>th</sup> Avenue from a point 80 feet east of 35<sup>th</sup> Street to a point 102 feet east of 35<sup>th</sup> Street 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 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 vehicular parking zone for the exclusive use of the physically disabled on the northerly side of 5<sup>th</sup> Avenue from a point 80 feet east of 35<sup>th</sup> Street to a point 102 feet east of 35<sup>th</sup> is hereby established.

Section 2. In order for a physically disabled person to utilize the parking spaces provided 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 6.

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

NAYS: None.

ABSENT: Haas, Henry.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 6889 passed unanimously.

3. Your Committee on Streets and Traffic has had under consideration Bill No. 6890, and reports the

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

Bill No. 6890, a Bill to established a vehicular parking zone for the exclusive use of the physically disabled on the easterly side of Beauregard Street from a point 20 feet south of Lee Street, E. to a point 42 feet south of Lee Street, E. 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 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 vehicular parking zone for the exclusive use of the physically disabled on the easterly side of Beauregard Street from a point 20 feet south of Lee Street, E. to a point 42 feet south of Lee Street, E. is hereby established.

Section 2. In order for a physically disabled person to utilize the parking spaces provided 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 6.

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

NAYS: None.

ABSENT: Haas, Henry.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 6890 passed unanimously.

4. Your Committee on Streets and Traffic has had under consideration Bill No. 6891, and reports the same to Council with the recommendation that the Bill do pass.

Bill No. 6891, a Bill to established a vehicular parking zone for the exclusive use of the physically disabled on the southerly side of Lee Street, E. from a point 30 feet east of Beaugard Street to a point 74 feet east of Beaugard Street 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 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 vehicular parking zone for the exclusive use of the physically disabled on the southernly side of Lee Street from a point 30 feet east of Beaugard Street to a point 74 feet east of Beaugard Street is hereby established.

Section 2. In order for a physically disabled person to utilize the parking spaces provided 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 6.

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

NAYS: None.

ABSENT: Haas, Henry.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 6891 passed unanimously.

5. Your Committee on Streets and Traffic has had under consideration Bill No. 6892, and reports the same to Council with the recommendation that the Bill do pass.

Bill No. 6892, a Bill to repeal Ordinance No. 2380 passed by Council on March 6, 1979, relating to a Metered Handicap Parking zone for two hours from 8 am to 6 p.m. on the easterly side of Elizabeth Street in a space 180 feet north of the intersection of Elizabeth and Washington 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. Ordinance No. 2380 passed by Council on March 6, 1979, relating to a Metered Handicap Parking zone for two hours from 8 am to 6 p.m. on the easterly side of Elizabeth Street in a space 180 feet north of the intersection of Elizabeth and Washington Street 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, Harris, Jones, Knauff, Lane, James Lanham, David Lanham, Kimberling, Loeb, Lopez, Markham, McKnight, Molgaard, Morton, Nielsen, Pettry, Prunty, Quick, Reishman, Roller, Talkington, Fouty-Young and Mayor Goldman.

NAYS: None.

ABSENT: Haas, Henry.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 6892 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.946-02, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No.946-02, “ Authorizing the Finance Director to amend the 2000 and 2001 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 2000 and 2001 Community Development 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.

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

NAYS: None.

ABSENT: Henry, Haas.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No.946-02 passed unanimously.

2. Your Committee on Finance has had under consideration Resolution No.947-02, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No.947-02, “ Authorizing the Mayor to sign a one year, unit price agreement with Lowe’s of Charleston for materials to be used for Christmas in April and World Changer projects.”

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

That the Mayor is hereby authorized and directed to sign a one year, unit price agreement with Lowe’s of Charleston for materials to be used for Christmas in April and World Changer projects. Materials were quoted at a unit price costs and will be purchased on an as needed basis (unit price list attached).

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

NAYS: None.

ABSENT: Henry, Haas.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No.947-02 passed unanimously.

3. Your Committee on Finance has had under consideration Resolution No.948-02, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No.948-02, “ Authorizing the Mayor to receive and administer grant funds from the West Virginia Department of Transportation, in the amount of \$55,848, to be used for the purchase of child safety seats for Child Safety Seat Loaner Programs throughout the State.”

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

That the Mayor is hereby authorized and directed to receive and administer grant funds from the West Virginia Department of Transportation, in the amount of Fifty-five Thousand Eight Hundred Forty-eight Dollars ( \$55, 848), to be used for the purchase of child safety seats for Child Safety Seat Loaner Programs throughout the State.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No.948-02 adopted unanimously.

4.Your Committee on Finance has had under consideration a proposal submitted by Evenflo Company, Inc., in the amount of \$55,842.81, for purchase of 1,740 child safety seats to be used by loaner programs and fitting stations throughout the State of West Virginia as part of the Governors’s Highway Safety Program. To be charged to Account No. 39-175-01-2-0-38, Police Highway Safety Grant.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the Committee Report passed unanimously.

5. Your Committee on Finance has had under consideration a proposal submitted by Leonard, in the amount of \$4,595, for a 12' x 20' prefabricated building to be installed at the Kanawha City Recreation Center tennis courts on an interim basis until the proposed new building can be constructed. To be charged to Account No. 58-900-0-0-4-060, P&R–Capital Outlay, Major Improvements.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the Committee Report passed unanimously.

6. Your Committee on Finance has had under consideration a payment of an Invoice from Life Bridge Community Council, in the amount of \$4,620.91, for reimbursement of salaries and operational expenses. To be charged to Account No. 25-001-00-011, CDBG–Public Services.

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

NAYS: None.

ABSENT: Henry, Haas.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the Committee Report passed unanimously.

### **REPORTS OF OFFICERS**

1. Report of the City of Charleston , Municipal Court Financial Statements; February 2002;  
Received and Filed.
2. Report of the Charleston Building Department, February 2002;  
Received and Filed.
3. City Treasurer's Report to City Council Month Ending February 2002;  
Received and Filed.
4. City of Charleston Financial Statements for the Eight- Month Period Ended February 28, 2002;  
Received and Filed.

### **NEW BILLS**

Introduced by Councilman Larry Roller, on March 18, 2002:

1. Bill No. 6896, a Bill authorizing the City to donate property located at 143 Wertz Avenue, otherwise known as Riverview Recreational Center, to the People United for More Progress.  
Refer to Finance Committee.

### **UNFINISHED BUSINESS**

1. The Mayor announced that our City Auditor, Brenda Lemon, submitted a excellent report to the State Auditors.
2. The Mayor announced that there is a special meeting on Thursday, March 28, 2002, at 7:00p.m., to approve the Municipal Budget.

## **ROLL CALL**

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

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

ABSENT: Haas, Henry.

At 7:30 p.m., on motion of Councilman Loeb, Council adjourned until 7:00 p.m., Thursday, March 21, 2002, for the Special Budget meeting.

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Jay Goldman, Honorable Mayor

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James M. Reishman, City Clerk

