

# ***JOURNAL***

## **OF THE**

# ***COUNCIL***

**CITY OF CHARLESTON**

**WEST VIRGINIA**

**OCTOBER 21, 2002**

**THE COUNCIL MET IN CHAMBERS OF THE CITY BUILDING AT 7:00 P.M., FOR THE SECOND MEETING IN THE MONTH OF OCTOBER ON THE 21<sup>ST</sup> DAY, IN THE YEAR 2002, AND WAS CALLED TO ORDER BY THE HONORABLE MAYOR, JAY GOLDMAN, AT 7:00 P.M. THE INVOCATION WAS DELIVERED BY BILL KIMBERLING, AND THE PLEDGE OF ALLEGIANCE WAS LEAD BY HOWARD QUICK.**

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

**CHARNOCK  
FOUTY-YOUNG  
HENRY  
KNAUFF  
JAMES LANHAM  
MARKHAM  
MORTON  
PRUNTY  
REISHMAN**

**CRICKENBERGER  
HAAS  
JONES  
LANE  
LOEB  
MCKNIGHT  
TALKINGTON  
ROLLER**

**DAVIS  
HARRIS  
KIMBERLING  
DAVID LANHAM  
MOLGAARD  
PETTRY  
QUICK  
MAYOR GOLDMAN**

**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.**

**OCTOBER 21, 2002, SECOND MEETING**

**CHARLESTON CITY COUNCIL JOURNAL OCTOBER 21, 2002**

**PUBLIC SPEAKERS**

1. Raymond Peak- Mayor of Hurricane.

**CLAIMS**

1. A claim of Brad Stewart, 302 50<sup>th</sup> St. S.E., Charleston, WV; alleges damage to vehicle; Refer to City Solicitor.

**COMMUNICATIONS**

**PROCOLAMATIONS**

*FOUR FOLLOWING*

The Clerk read the following communications.

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

Dear Mayor Goldman and Councilmember's:

On October 9, 2002, the Municipal Planning Commission held public hearings and its regular monthly meetings. The following cases were heard by the Commission:

Bill No. 6919- Petition of David Alvis, on behalf of Nora Spencer, to amend the Zoning Ordinance of the City of Charleston by rezoning r-2 Single Family Residential District to an R-6 Medium Density Multi-Family Residential District at the property located at 1060 and 1050 Glen Road, identified as Tax Parcels 195 and 196 as shown on 15<sup>th</sup> Ward Tax District Map 5. The Planning Commission recommended passage of the bill, as amended.

Bill No. 6935- Petition of Dennis N. Broglio, on behalf of West Virginia-American Water Company, to close, discontinue and abandon Dryden Street, between Court Street and the Elk River in order to monitor ingress and egress and to construct and maintain equipment for the dewatering and disposal of residuals to the existing water treatment facility. The Planning Commission recommended passage of the bill.

Street naming- Request of Corotman, Inc. to rename Wellford Way to Patterson Lane. The Planning Commission recommended acceptance of the name.

Request of Mansour Saghabashi to name a previously unnamed alley running from Whitney Street to the dead end. The Planning Commission recommended acceptance of the name.

Request of Sedgely Associates LLP for approval of Courtney Drive as a new street name for the street from Chesterfield Avenue east of Granada Way. The Planning Commission recommended acceptance of the name.

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

Sincerely,

Municipal Planning Commission

The Mayor Referred the Communication to the Planning Committee of Council.

The Clerk read the following Resolution, introduced by Councilwoman Sara Crickenberger.

Resolution No. 100-02 – “Granting limited air rights over the alley in the 200 block of Brooks Street, Charleston, West Virginia, between the land owned by Public Service Commission of West Virginia (201 Brooks Street, Charleston, West Virginia), on the South side of said alley, and the land owned by Public Service Commission of West Virginia (210 Brooks Street, Charleston, West Virginia), on the North side of the alley.”

WHEREAS, a connecting Parking Structure between the land owned by Public Service Commission of West Virginia on the South side of the alley in the 200 block of Brooks Street, Charleston, West Virginia, and land owned by Public Service Commission of West Virginia on the North side of said alley is necessary in order to connect these structures for coordinated utilization of buildings; and

WHEREAS, it is considered by Council that granting limited air rights over the alley in 200 block of Brooks Street, Charleston, West Virginia, between the land at 201 Brooks Street and 201 Brooks Street is reasonable and necessary and the granting of said air rights will facilitate utilization of the buildings by a single entity, now, therefore,

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

(1) That the owners and their lessees, successors or assigns are hereby granted limited air rights over the alley in the 200 block of Brooks Street, Charleston, West Virginia, between the land owned by Public Service Commission of West Virginia, (210 Brooks Street, Charleston, West Virginia) on the South side of said alley, and the land owned by Public Service Commission of West Virginia (210 Brooks Street, Charleston, West Virginia), on the North side of said alley. In accordance with the drawing which is attached hereto, incorporated herein, and made a part thereof. Said air rights were hereby limited to a minimum of 16 feet and a maximum of 90 feet wide.

(2) The City shall have the right to request inspections, at the cost of the owner, by qualified personnel in accordance with American Association of State Highway Transportation Officials (AASHTO) requirements. The City shall get copies of the inspection report to assure the City that the structure is safe in regard to the public traveling on the road and sidewalk under the Parking Structure. That the connecting Parking Structure access construction and maintenance by owners shall be enclosed and conform to applicable State and City laws.

(3) That the owners and their lessees, successors or assigns shall indemnify and save the City harmless from any damages to any person or property by reason of maintenance or existence of said connection Parking Structure access over said alley.

(4) That the Mayor of the City of Charleston be and hereby is authorized and directed to execute a Deed granting the limited air rights, subject to and conditioned upon the owners complying with paragraphs 1, 2, and 3 of this Resolution, and the payment of a total of \$\_\_\_\_\_ to the City of Charleston, and to make the grant of the right-of-way subject to reverter to the City if and when the air space no longer is used as a Parking Structure between the

two lands.

The Mayor referred the Resolution to the Municipal Planning Commission.

## MISCELLANEOUS RESOLUTIONS

RESOLUTION NO. 101-02

Introduced in Council

Adopted by Council

October 21, 2002

October 21, 2002

Introduced by:

Charlie Loeb

**Resolution No. 101-02:** Endorsing the Tuesday, November 5, 2002 Kanawha County Schools Excess Levy as a vital component for funding the Kanawha County Schools.

**WHEREAS**, the economy of the United States, West Virginia and Kanawha County is changing dramatically and the ability of Kanawha County to compete for future economic development will depend on a well educated work force; and

**WHEREAS**, the foundation of our democracy depends on a well educated and informed citizenry; and

**WHEREAS**, the Kanawha County Schools Excess Levy is a vital component for funding our schools and provides approximately twenty percent of the operating budget for the Kanawha County Schools; and

**WHEREAS**, the Kanawha County Schools are providing a quality education with college bound students in Kanawha County Schools scoring above the state and national average on SAT scores and college attendance rate for high school graduates of the Class of 2002 approaching seventy percent;

**WHEREAS**, the growth in revenues from the Kanawha County Levy will be capped at \$1.275 million for each of the five years that the levy will be in place if approved by the Kanawha County voters;

**WHEREAS**, the projected growth in revenues is not anticipated to increase taxes on existing residential or business property, but rather is to be generated from economic growth either from new construction or improvements on existing property; and

**WHEREAS**, the additional revenues from the Kanawha County Schools Levy are dedicated to additional guidance counselors, custodians, capital improvements and maintenances, as well as increased

operating expenses; and

**WHEREAS**, the Kanawha County Schools Excess Levy will be on the November 5<sup>th</sup>, 2002, ballot for consideration by the voters throughout Kanawha County;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of Charleston endorses the passage of the Kanawha County Schools Excess Levy and encourages all citizenry to vote For the Kanawha County Schools Excess Levy.

The question being on the adoption of the Resolution a roll call was taken and there were; yeas-22, nays-3, and absent-2, as follows:

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

NAYS: Fouty-Young, Henry, McKnight.

ABSENT: Lopez, Nielsen.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No.101-02, passed.

### ***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. 95-02, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 95-02 – “Authorizing the Mayor to enter into a contract with Wayne D. Joyce Floor Service, Inc., in the amount of \$15,252, for refinishing of the basketball floor at the Charleston Civic Center.”

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

That the Mayor is hereby authorized and directed to enter into a contract with Wayne D. Joyce Floor Service, Inc., in the amount of Fifteen Thousand Two Hundred Fifty-two Dollars (\$15,252), for refinishing of the basketball floor at the Charleston Civic Center.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 95-02 adopted unanimously

2. Your Committee on Finance has had under consideration Resolution No. 96-02, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 96-02 – “Authorizing the Mayor to enter into a contract with Artistic Promotions, LLC, for purchase of employee uniforms for various City departments, at a cost of \$303.38 per employee.”

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 Artistic Promotions, LLC, for purchase of employee uniforms for various City departments, at a cost of Three Hundred Three Dollars and Thirty-eight Cents (\$303.38) per employee.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 96-02 adopted unanimously

3. Your Committee on Finance has had under consideration Resolution No. 97-02, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 97-02 – “Authorizing the Mayor to enter into a contract with David G. Shirlaw, Risk Management Consultant, in the amount of \$14,000, to assist the City in drafting and supervising the Request for Proposal process for its property/casualty liability and property insurance coverage for the March 15, 2003, renewal.”

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 David G. Shirlaw, Risk Management Consultant, in the amount of Fourteen Thousand Dollars (\$14,000), to assist the City in drafting and supervising the Request for Proposal process for its property/casualty liability and property insurance coverage for the March 15, 2003, renewal.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 97-02 adopted unanimously

4. Your Committee on Finance has had under consideration Resolution No. 98-02, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 98-02 – “ Authorizing the Mayor to enter into a settlement of litigation pursued by William Lopez, against Jay Goldman, individually and in his capacity as the duly elected Mayor of the City of Charleston, West Virginia. The plaintiff pursued a wrongful termination claim in the United States District Court for the Southern District of West Virginia, Civil Action No. 2:01-0586 which the court dismissed pursuant to the Defendant’s Motion to Summary Judgment, on June 5, 2002. On August 12, 2002, the United States District Court granted the Defendant’s Motion for Attorney Fees and Costs and ordered the plaintiff to pay the defendant Sixteen Thousand Nine Hundred Seventy Six and 40/100 Dollars (\$16,976.40). Both of these orders were appealed by the plaintiff to the United States Court of Appeals for the Fourth Circuit which are currently pending as CA-01596-2. The plaintiff and the defendant has agreed to resolve all of this litigation, in exchange for a full release from any and all claims by the plaintiff related to these cases, for the sum of Eleven Thousand Nine Hundred Seventy Six and 40/100

Dollars (\$11,976.40) from the plaintiff to the defendant, to be dedicated as reimbursement to the appropriate City line item, in lieu of the court ordered attorney fees and costs. It is agreed that if the entire amount is not paid by the plaintiff within six months from the date of the settlement agreement, 10% annual interest will be charged upon all unpaid amounts from the date of the settlement agreement until paid. To secure payment, the City has filed a judgment lien against the property owned by the plaintiff which will be executed if full payment is not received within six months.”

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 settlement of litigation pursued by William Lopez, against Jay Goldman, individually and in his capacity as the duly elected Mayor of the City of Charleston, West Virginia. The plaintiff pursued a wrongful termination claim in the United States District Court for the Southern District of West Virginia, Civil Action No. 2:01-0586 which the court dismissed pursuant to the Defendant’s Motion to Summary Judgment, on June 5, 2002. On August 12, 2002, the United States District Court granted the Defendant’s Motion for Attorney Fees and Costs and ordered the plaintiff to pay the defendant Sixteen Thousand Nine Hundred Seventy Six and 40/100 Dollars (\$16,976.40). Both of these orders were appealed by the plaintiff to the United States Court of Appeals for the Fourth Circuit which are currently pending as CA-01596-2. The plaintiff and the defendant has agreed to resolve all of this litigation, in exchange for a full release from any and all claims by the plaintiff related to these cases, for the sum of Eleven Thousand Nine Hundred Seventy Six and 40/100 Dollars (\$11,976.40) from the plaintiff to the defendant, to be dedicated as reimbursement to the appropriate City line item, in lieu of the court ordered attorney fees and costs. It is agreed that if the entire amount is not paid by the plaintiff within six months from the date of the settlement agreement, 10% annual interest will be charged upon all unpaid amounts from the date of the settlement agreement until paid. To secure payment, the City has filed a judgment lien against the property owned by the plaintiff which will be executed if full payment is not received within six months.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 98-02 adopted unanimously

5. Your Committee on Finance has had under consideration Resolution No. 99-02, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 99-02 – “Authorizing the Mayor to sign an amendment to the contract with RC General Contractors, Inc., providing for the contractor to continue its services as construction manager of the new fire station located in Orchard Manor at the rate of seven percent (7%) of the total project construction costs, for an increase from the original contract amount of \$5,000, approved by Council on August 19, 2002, to a new contract amount of up to \$82,000.”

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

That the Mayor is hereby authorized and directed to sign an amendment to the contract with RC General Contractors, Inc., providing for the contractor to continue its services as construction

manager of the new fire station located in Orchard Manor at the rate of seven percent (7%) of the total project construction costs, for an increase from the original contract amount of Five Thousand Dollars (\$5,000), approved by Council on August 19, 2002, to a new contract amount of up to \$82,000.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 99-02 adopted unanimously.

6. Your Committee on Finance has had under consideration a proposal submitted by St. Mary's Ford & Mercury, in the amount of \$245,832, for purchase of twelve (12) Model 2003 Ford Crown Victoria police interceptors for use in the Patrol Division of the Charleston Police Department. To be charged to Account No. 001-976-00-700-4-461, Police -- Capital Outlay, 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.

7. Your Committee on Finance has had under consideration a proposal submitted by Stephens Auto Center, in the amount of \$63,474, for purchase of three (3) Model 2003 Dodge Durango SUVs for use as District Sergeant vehicles in the Patrol Division of the Charleston Police Department. To be charged to Account No. 001-976-00-700-4-461, Police -- Capital Outlay, 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.

8. Your Committee on Finance has had under consideration a proposal submitted by Dell Marketing, LP, for purchase of five (5) personal computers and one (1) server, in the amount of \$9,306, to be used in the MDENT Unit. To be charged to Account No. 095-173-02-976-0-449, MDENT 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.

9. Your Committee on Finance has had under consideration a proposal submitted by Evenflo, Inc., in the amount of \$23,587.92, for purchase of 576 child safety seats in assorted sizes for distribution to Child Seat Loaner Programs throughout the State of West Virginia. To be charged to Account No. 095-175-01-004-0-238, Police/Child Passenger Safety Grant, and reports the same to Council with the recommendation that the committee report be adopted.

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

10. Your Committee on Finance has had under consideration a bid submitted by Crede Tractor Sales & Services, Inc., in the amount of \$6,599, for purchase of a Toro Twister utility vehicle to be used at Cato Park Golf Course. To be charged to Account No. 001-979-00-900-4-459, P&R -- 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.

11. Your Committee on Finance has had under consideration a payment of an invoice from Kanawha County Sheriff's Department, in the amount of \$5,000, for reimbursement of costs for overtime funds expended on the "Click It or Ticket" Summer 2002 Highway Safety Enforcement Program. To be charged to Account No. 095-175-01-003-0-238, Police -- Highway Safety Grant, and reports the same to Council with the recommendation that the committee report be adopted.

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

12. Your Committee on Finance has had under consideration a payment of two invoices from Daymark, Inc/Patchwork, in the total amount of \$8,447.29, for reimbursement of operational expenses during the months of August and September 2002. To be charged to Account No. 009-002-00-011-0-999, CDBG -- Public Services.

The question being on the adoption of the Committee report a roll call was taken and there were; yeas-24, nays-0, absent-2, abstain- 1, as follows:

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

NAYS: None.

ABSENT: Lopez, Nielsen.

ABSTAIN: Davis.

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

13. Your Committee on Finance has had under consideration a payment of an invoice from West Virginia State College/Springhill Apartments, in the amount of \$5,577.09, for reimbursement of operational expenses. To be charged to Account No. 009-002-00-011-0-999, 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, Davis, Haas, Harris, Henry, Jones, Knauff, Lane, James Lanham, Kimberling, Loeb, Markham, McKnight, Molgaard, Morton, Pettry, Quick, Reishman, Roller, Talkington, David Lanham, Fouty-Young, Prunty, and Mayor Goldman.

NAYS: None.

ABSENT: Lopez, Nelsen.

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

### **REPORTS OF OFFICERS**

1. Report of the City of Charleston Payroll Variance Analysis; September 2002;  
Received and Filed.

2. City Treasurer's Report to City Council Month Ending September 2002;  
Received and Filed

### **NEW BILLS INTRODUCED**

Introduced by Councilwoman Beth Fouty-Young on October 21, 2002:

Bill No. 6943, A Bill amending the Zoning Ordinance of the City of Charleston, West Virginia, enacted the 7<sup>th</sup> day of March 1983, as amended, and the map made a part thereof, be rezoning from I-2 to C-10, that certain parcel of land situated at 3112 Chesterfield Ave., S.E. Charleston, West Virginia 25304.

Refer to Municipal Planning Commission.

Introduced by Councilman David Molgaard on October 21, 2002:

Bill No. 6944 A Bill closing, abandoning and discontinuing as a public road the unimproved portion of Somerset Drive, formerly Valley Drive which extends from Highland Road to Forest Drive in Block 500 Fairview; and reserving sewer easements for the City of Charleston.

Refer to Municipal Planning Commission.

Introduced by Councilman Kenneth McKnight on October 21, 2002:

Bill No. 6945, A Bill amending the Zoning Ordinance of the City of Charleston, by deleting barbershops, beauty parlors, manicure and pedicure shops as allowable Level 2 special permit Home-based businesses.

Refer to Municipal Planning Commission.

Introduced by Councilman Larry Roller on October 21, 2002:

Bill No. 6946, A Bill authorizing and directing the Mayor of the City of Charleston to purchase private property located in a flood prone area from Fred L Turnes and Berthel M Turnes, pursuant to a cooperative grant agreement between the City and the State Office of Emergency

Services, dated May 12, 2002, for the purposes of demolishing structures located on the property and restricting the use of said property to be only for the purposes compatible with flood prone property.

Refer to Finance Committee.

Introduced by Councilman Larry Roller on October 21, 2002:

Bill No. 6947, A Bill authorizing and directing the Mayor of the City of Charleston to purchase private property located in a flood prone area from Jacob D. Hersman and Sharon K. Hersman, pursuant to a cooperative grant agreement between the City and the State Office of Emergency Services, dated May 12, 2002, for the purposes of demolishing structures located on the property and restricting the use of said property to be only for the purposes compatible with flood prone property.

Refer to Finance Committee.

Introduced by Councilman Larry Roller on October 21, 2002:

Bill No. 6948, A Bill supplementing Ordinance No. 4423 passed by the Council of The City of Charleston, West Virginia, on March 6, 1989, as supplemented by Ordinance No. 4506 passed by the Council on November 6, 1989, by Ordinance No. 4828 passed by the Council on April 20, 1992, by Ordinance No. 4954 passed by the Council on May 3, 1993, by Ordinance NO. 6276 passed by the Council on September 3, 1996, by Ordinance NO. 6532 passed by the Council on February 1, 1999, by Ordinance No. 6670 passed by the Council on February 5, 2001, and by Ordinance No. 6777 passed by the Council on March 19, 2001; authorizing the refunding of the Sewerage System Refunding Revenue Bonds, Series 1992 A and the Sewerage System Refunding and Improvement Revenue Bonds, Series 1992 B, of The City of Charleston; authorizing the issuance of not more than \$7,500,000 in aggregate principal amount of Sewerage System Refunding Revenue Bonds, Series 2002 A and Series 2002 B, of The City of Charleston, the proceeds of which, shall be used, along with other funds and moneys of, or available to, The City of Charleston which may be lawfully expended for such purposes, to finance the cost of such refunding, to fund reserve accounts for such bonds and to pay other costs in connection therewith; providing for the rights and remedies of and security for the registered owners of such bonds; and adopting other provisions related thereto.

Refer to Finance Committee.

### **UNFINISHED OR MISCELLANEOUS BUSINESS**

1. The Mayor congratulated Rick Corcovilos and Alice Bell from the Building Department for passing the ICC Property Maintenance & Housing Inspector examination.

2. The Mayor announced the new Redistricting Committee which consists of the following Councilmembers:

Linda Nielsen- Chair, Howard Quick, Mary Jean Davis, Bobby Haas, Fred Pettry, Betty Morton.

## **ROLL CALL**

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

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

ABSENT: Lopez, Nielsen.

At 7:45p.m., on motion of Councilman Loeb, Council adjourned until 7:00 p.m., Monday, November 4, 2002.

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Jay Goldman, Honorable Mayor

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James M. Reishman, City Clerk