

JOURNAL
OF THE
COUNCIL
CITY OF CHARLESTON

WEST VIRGINIA

October 18, 2004

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 18th DAY, IN THE YEAR 2004, AND WAS CALLED TO ORDER BY THE HONORABLE MAYOR, DANNY JONES. THE INVOCATION WAS DELIVERED JACK HARRISON, AND THE PLEDGE OF ALLEGIANCE WAS LED BY ARCHIE CHESTNUT.

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

| | | |
|--------------------|----------------|-------------------|
| CHESTNUT | CLOWSER | DEITZLER |
| DAVIS | EALY | HALL |
| HANNA | HARRIS | HARRISON |
| HIGGINS | JONES | LANE |
| LANHAM | LOEB | MORTON |
| MILLER | MONROE | MARKHAM |
| | REED | REISHMAN |
| ROBERTSON | SADD | TALKINGTON |
| WARE | | WHITE |
| MAYOR JONES | | |

TWENTY- SIX 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 18 2004, SECOND MEETING

PUBLIC SPEAKERS

1. Melvin Holley.

CLAIMS

1. A claim of Thomas Homan, 1579 Clark Rd., Charleston, WV; alleges damage to property; Refer to City Solicitor.
2. A claim of Amy Castle, 2326 Casbuck Lane., Charleston, WV; alleges damage to vehicle; Refer to City Solicitor.
3. A claim of Sandra Kingston, 223 4th Ave., South Charleston, WV; alleges damage to vehicle; Refer to City Solicitor.
4. A claim of Karla Goffaux, 2313 6th Ave., Charleston, WV; alleges damage to vehicle; Refer to City Solicitor.

COMMUNICATIONS

The Clerk read the following report from the Municipal Planning Commission:

Honorable Danny Jones and
City Council Members
Charleston, West Virginia 25301

Dear Mayor Jones and Councilmember's:

On October 6, 2004, the Municipal Planning Commission held public hearings and its regular monthly meeting. The following case should be referred to the Council Committee on Planning:

Bill No. 7096 – Petition of Charleston Urban Renewal Authority and Charleston Town Center Company LLC to close, abandon and discontinue as a public right – of – way a 15 foot (2,746.49 square foot alley known as Buick Court generally parallel to Court Street and extending from the northeasterly right-of-way line of Quarrier Street 183.40 feet where it dead ends with the portion of Charleston Town Center Company, Limited Partnership.

Bill No. 7102 – A Bill amended the Zoning Ordinance of the City of Charleston, West Virginia, enacted the 7th day of march, 1983, as amended, and the map made a part thereof, by rezoning from R-4 Single Family Residential to C-4 Neighborhood Commercial with restriction to C-6 Community Commercial District those certain parcels of land situate on the north and south sides of the 1000 and 1100 block of Sixth Street, known as West Virginia Map 21, Parcels 103 through 127 in the City of Charleston, West Virginia.

Special Permit No. 1178 – Application of David C. Simpson on behalf of Capitol Conference Center requesting a special permit to serve alcoholic beverages accessory to a catering and conference center business in the Downtown Village Urban Renewal District at the property located at 815 Lee Street, East, Charleston, West Virginia.

Special Permit No1179 – Application of Hensel and Hensel, Ltd, dab Charleston Entertainment LLC requesting a special permit for a restaurant/bar serving alcoholic beverages in the Downtown Village Urban Renewal District accessory tot eh business located at 205 Capitol Street.

Street Naming – Application of the National Weather Service to name a new private street in North Gate Weather Pointe.

Street Naming & Dedication – Application of George Neilan, Developer, to name and dedicated the City of Charleston a new street in Jamestown Subdivision to be name Salem Road.

Sincerely,
Municipal Planning Commission
Phyllis White

The Mayor referred the Cases to the Planning Committee of Council.

MISCELLANEOUS RESOLUTIONS

Resolution No. 679-04

Introduced in Council:
October 18, 2004

Passed by Council:
October 18, 2004

Introduced by:
Bobby Reishman

RESOLUTION

WHEREAS the President in Homeland Security Directive (HSPD)-5, directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System which would provide a consistent nationwide approach for Federal, State, local, and tribal governments to work together more effectively and efficiently to prepare for, prevent, respond to, and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS, the collective input and guidance from all Federal, State, local, and tribal homeland security partners has been, and will continue to be, vital to the effective implementation and utilization of a comprehensive NIMS; and

WHEREAS, it is necessary and desirable that all Federal, State, local and tribal emergency agencies and personnel coordinate their efforts to provide effectively and efficiently the highest levels of incident management; and

WHEREAS, HSPD-5 requires Federal departments and agencies to make adoption of the NIMS by State, tribal, and local organizations a condition for Federal preparedness assistance beginning in fiscal year 2005; and

WHEREAS, to facilitate the most efficient and effective incident management it is critical that Federal, State, local and tribal organizations utilize standardized terminology, standardized organizational structures, interoperable communications, consolidated action plans, unified command structures, uniform personnel qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters; and

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the State's ability to utilize federal funding to enhance local and state agency readiness, maintain first responder safety, and streamline incident management processes; and

WHEREAS, the Incident Command System components of NIMS are already an integral part of various incident management activities throughout the State, including current emergency management training programs; and

WHEREAS, the National Commission on Terrorist Attacks (9-11 Commission) recommended adoption of a standardized Incident Command System;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Charleston hereby urges Mayor Danny Jones to designate the National Incident Management System (NIMS) as the basis for all Incident Management in the City of Charleston, West Virginia.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 679-04, adopted.

REPORTS OF STANDING COMMITTEES

PLANNING

Councilwoman Mary Jean Davis, Chairman of the Council Committee on Planning, submitted the following reports.

1. Your Committee on Planning has had under consideration the Street renaming of Swim Club Drive to Shark Lane, and reports the same to Council with the recommendation that the street renaming be accepted.

The question being on the approval of the Street Renaming a vote was taken. There being no dissent the Mayor declared the street naming to Shark Lane approved.

2. Your Committee on Planning has had under consideration the Street renaming of Roseberry Circle to Renaissance Circle, and reports the same to Council with the recommendation that the street renaming be accepted.

The question being on the approval of the Street Renaming a vote was taken. There being no dissent the Mayor declared the street naming to Renaissance Circle approved.

3. Your Committee on Planning has had under consideration Special Permit #1168 attached hereto and made a part thereof, and reports the same to Council with the recommendation that he Special Permit be approved.

Your Committee finds the following:

1. Due to the commercial nature of the Central Business District there should not be an adverse impact on surrounding land uses.
2. The proposed use as a restaurant/bar is consistent with other uses in the Central Business District.
3. The Charleston Urban Renewal Authority does not oppose the application for special permit.

And reports the same to Council with the recommendation that he Special Permit be approved.

The question being on the passage of the Special Permit a vote was taken. There being no dissent the Mayor declared Special Permit #1168 approved.

4. Your Committee on Planning has had under consideration Special Permit #1171 attached hereto and made a part thereof, and reports the same to Council with the recommendation that he Special Permit be approved.

Your Committee finds the following:

4. Due to the commercial nature of the Central Business District there should not be an adverse impact on surrounding land uses.
5. The proposed use as a catering business is not inconsistent with other uses in the Central Business District and Downtown Village District.
6. The Charleston Urban Renewal Authority does not oppose the application for special permit.

And reports the same to Council with the recommendation that he Special Permit be approved.

The question being on the passage of the Special Permit a vote was taken. There being no dissent the Mayor declared Special Permit #1171 approved.

STREETS AND TRAFFIC

Councilman David Higgins, Chairman of the Council Committee on Streets and Traffic, submitted the following reports.

1. Your committee on Streets and Traffic has had under consideration Bill No. 7085. A Bill to establish a Stop Intersection on Watson Avenue at Victory Avenue and amending the Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, two thousand and three, as amended, Traffic Law, Section 263, Division 2, Article 4,

Chapter 114, to conform therewith, and reports the same to Council with the recommendation that the Bill do pass.

The question being on the passage of the Bill a roll call was taken and there yeas-26, nays-0, absent-2, as follows:

YEAS: Chestnut, Clowser, Davis, Deitzler, Ealy, Hall, Hanna, Harris, Harrison, Higgins, Jones, Lane, Lanham, Loeb, Markham, Miller, Monroe, Morton, Reed, Reishman, Robertson, Sadd, Talkington, Ware, White, Mayor Jones.

NAYS:

ABSENT: Nielsen, Weintraub.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 7085 passed.

2. Your committee on Streets and Traffic has had under consideration Bill No. 7085. A Bill to prohibit vehicular traffic in a Northerly Direction on Woodward Street from Orchard Street to Garden Street and amending the Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, two thousand and three, as amended, Traffic Law, Section 263, Division 2, Article 4, Chapter 114, to conform therewith, and reports the same to Council with the recommendation that the Bill do pass.

The question being on the passage of the Bill a roll call was taken and there yeas-26, nays-0, absent-2, as follows:

YEAS: Chestnut, Clowser, Davis, Deitzler, Ealy, Hall, Hanna, Harris, Harrison, Higgins, Jones, Lane, Lanham, Loeb, Markham, Miller, Monroe, Morton, Reed, Reishman, Robertson, Sadd, Talkington, Ware, White, Mayor Jones.

NAYS:

ABSENT: Nielsen, Weintraub.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 7097 passed.

3. Your committee on Streets and Traffic has had under consideration Bill 7098. A Bill to establish a 15 mile per hour speed limit on McGuffin Street and amending the Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, two thousand and three, as amended, Traffic Law, Section 263, Division 2, Article 4, Chapter 114, to conform therewith, and reports the same to Council with the recommendation that the Bill do pass.

The question being on the passage of the Bill a roll call was taken and there yeas-26, nays-0, absent-2, as follows:

YEAS: Chestnut, Clowser, Davis, Deitzler, Ealy, Hall, Hanna, Harris, Harrison, Higgins, Jones, Lane, Lanham, Loeb, Markham, Miller, Monroe, Morton, Reed, Reishman, Robertson, Sadd,

Talkington, Ware, White, Mayor Jones.

NAYS:

ABSENT: Nielsen, Weintraub.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 7098 passed.

4. Your committee on Streets and Traffic has had under consideration Bill 7100. A Bill to amend and reenact Ordinance No. 4499 passed by Council October 16, 1989 relating to a establishing a parking zone for City Vehicles Only, Tow-away; on the westerly side of McFarland Street from a point 48 feet north of Virginia Street to a point 104 Feet north of Virginia Street and amending the Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, two thousand and three, as amended, Traffic Law, Section 263, Division 2, Article 4, Chapter 114, to conform therewith, and reports the same to Council with the recommendation that the Bill do pass.

The question being on the passage of the Bill a roll call was taken and there yeas-26, nays-0, absent-2, as follows:

YEAS: Chestnut, Clowser, Davis, Deitzler, Ealy, Hall, Hanna, Harris, Harrison, Higgins, Jones, Lane, Lanham, Loeb, Markham, Miller, Monroe, Morton, Reed, Reishman, Robertson, Sadd, Talkington, Ware, White, Mayor Jones.

NAYS:

ABSENT: Nielsen, Weintraub.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 7100 passed.

5. Your committee on Streets and Traffic has had under consideration Bill 7101. A Bill to establish a Stop intersection on Francis Drive at Woodbridge Drive and amending the Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, two thousand and three, as amended, Traffic Law, Section 263, Division 2, Article 4, Chapter 114, to conform therewith, and reports the same to Council with the recommendation that the Bill do pass.

The question being on the passage of the Bill a roll call was taken and there yeas-26, nays-0, absent-2, as follows:

YEAS: Chestnut, Clowser, Davis, Deitzler, Ealy, Hall, Hanna, Harris, Harrison, Higgins, Jones, Lane, Lanham, Loeb, Markham, Miller, Monroe, Morton, Reed, Reishman, Robertson, Sadd, Talkington, Ware, White, Mayor Jones.

NAYS:

ABSENT: Nielsen, Weintraub.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 7101 passed.

FINANCE

Councilman Bobby Reishman, Chairman of the Council Committee on Finance, submitted the following reports.

1. Your Committee on Finance has had under consideration Resolution No. 671-04, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 671-04 – “Authorizing the Finance Director to make revisions to the 2004-2005 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 2004-2005 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-26, nays-0, absent-2, as follows:

YEAS: Chestnut, Clowser, Davis, Deitzler, Ealy, Hall, Hanna, Harris, Harrison, Higgins, Jones, Lane, Lanham, Loeb, Markham, Miller, Monroe, Morton, Reed, Reishman, Robertson, Sadd, Talkington, Ware, White, Mayor Jones.

NAYS:

ABSENT: Nielsen, Weintraub.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 671-04, adopted.

2. Your Committee on Finance has had under consideration Resolution No. 672 -04, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 672-04 – “Authorizing the Mayor to settle a claim against the City of Charleston in the amount of \$75,000 in the matter of Drema Y. Miller, Executrix of the Estate of Edward F. Campbell, Jr., v. City of Charleston, et al., Civil Action No. 99-C-2683, pending in the Circuit Court of Kanawha County, in exchange for a full release of all claims, and authorizing the Mayor to execute all agreements and documents related to said settlement.”

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

That the Mayor is hereby authorized and directed to settle a claim against the City of Charleston in the amount of Seventy-five Thousand Dollars (\$75,000) in the matter of Drema Y. Miller, Executrix of the Estate of Edward F. Campbell, Jr., v. City of Charleston, et al., Civil Action No.

99-C-2683, pending in the Circuit Court of Kanawha County, in exchange for a full release of all claims, and authorizing the Mayor to execute all agreements and documents related to said settlement.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 672-04, adopted. Abstain: Higgins

3. Your Committee on Finance has had under consideration Resolution No. 673-04, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 673-04 – “Authorizing legal counsel for the City of Charleston to make an offer of judgment in the amount of \$75,000 to resolve all claims by Linda Sue Good Kannaird and her beneficiaries in Kannaird v. City of Charleston, Civil Action No. OO-C-974, pending the Circuit Court of Kanawha County.”

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

That legal counsel for the City of Charleston is hereby authorized and directed to make an offer of judgment in the amount of Seventy-five Thousand Dollars (\$75,000) to resolve all claims by Linda Sue Good Kannaird and her beneficiaries in Kannaird v. City of Charleston, Civil Action No. OO-C-974, pending the Circuit Court of Kanawha County.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 673-04, adopted.

4. Your Committee on Finance has had under consideration Resolution No. 674-04, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 674-04 – “ Authorizing the Office of Emergency Services / Homeland Security Director to enter into agreements with the West Virginia Office of Emergency Services for the 2005 Emergency Management Performance Grant (EMPG).”

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

That the Office of Emergency Services / Homeland Security Director is hereby authorized and directed to enter into agreements with the West Virginia Office of Emergency Services for the 2005 Emergency Management Performance Grant (EMPG).

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 674-04, adopted.

5. Your Committee on Finance has had under consideration Resolution No. 675-04, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 675-04 – “Authorizing the Finance Director to issue a refund to Staples, The Office Superstore, in the amount of \$7,498.16. The company over reported and overpaid B&O taxes to the City for the period January 1, 2001 through December 31, 2003.”

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

That the Finance Director is hereby authorized and directed to issue a refund to Staples, The Office Superstore, in the amount of Seven Thousand Four Hundred Ninety-eight Dollars and Sixteen Cents (\$7,498.16). The company over reported and overpaid B&O taxes to the City for the period January 1, 2001 through December 31, 2003.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 675-04, adopted.

6. Your Committee on Finance has had under consideration Resolution No. 676-04, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 676-04 – “Authorizing the Finance Director to issue a refund to Woolpert LLP, in the amount of \$4,826.77. The company moved out of the City of Charleston effective December 1, 2003, yet made a payment for B&O taxes for the period January 1, 2004 through March 31, 2004.”

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

That the Finance Director is hereby authorized and directed to issue a refund to Woolpert LLP, in the amount of Four Thousand Eight Hundred Twenty Six Dollars and Seventy-Seven Cents (\$4,826.77). The company moved out of the City of Charleston effective December 1, 2003, yet made a payment for B&O taxes for the period January 1, 2004 through March 31, 2004.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 676-04, adopted.

7. Your Committee on Finance has had under consideration Resolution No. 677-04, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 677-04 – “ Authorizing the Mayor to sign Change Order No. 5 with BBL Carlton, in the amount of \$5,665, for additional changes to the Playing Field contract for the New Baseball Stadium. The original contract was in the amount of \$4,318,000. Discounts applied to the contract in the amount of \$250,314.31 reduced the cost to \$4,067,685.69. Change Order No. 5. in the amount of \$5,665 increases the contract price to \$4,073,350.69.”

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. 5 with BBL Carlton, in the amount of Five Thousand Six Hundred Sixty-five Dollars (\$5,665), for additional changes

to the Playing Field contract for the New Baseball Stadium. The original contract was in the amount of \$4,318,000. Discounts applied to the contract in the amount of \$250,314.31 reduced the cost to \$4,067,685.69. Change Order No. 5. in the amount of \$5,665 increases the contract price to \$4,073,350.69.

The question being on the adoption of the Resolution a vote was taken. There being only one dissent by Markham the Mayor declared Resolution No. 677-04, adopted.

8. Your Committee on Finance has had under consideration Resolution No. 678-04, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 678-04 – “ Authorizing the Mayor to sign Change Order No.1, with Progressive Electric, Inc., in the amount of \$25, 000, to include Alternate No. 1, Concert Power, in the Electrical Package for the New Baseball Stadium. The change order increases the contract price from \$1,029,000 to \$1,054,000.”

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.1, with Progressive Electric, Inc., in the amount of Twenty-five Thousand Dollars (\$25, 000), to include Alternate No. 1, Concert Power, in the Electrical Package for the New Baseball Stadium. The change order increases the contract price from \$1,029,000 to \$1,054,000.

The question being on the adoption of the Resolution a vote was taken. There being only one dissent by Markham the Mayor declared Resolution No. 678-04, adopted.

9. Your Committee on Finance has had under consideration Bill No. 7105, and reports the same to Council with the recommendation that the Bill do pass.

Bill No. 7105 - - A Bill authorizing the Mayor to sell a parcel of land at the corner of 35th Street and Venable Avenue, along with Watt Powell Park, by way of public auction, for a minimum price of Five Million Dollars (\$5,000,000.00) and entering into a leaseback agreement upon the sale of said park.

WHEREAS, pursuant to Bill No. 6909, the Mayor is authorized to sell Watt Powell Park, by way of public auction, for a minimum price of Five Million Dollars (\$5,000,000), subject to certain other conditions which have been met;

WHEREAS, the City desires to retain the oil, gas, and mineral rights of the Watt Powell Park property which may impact its value at auction;

WHEREAS, the parcel of land at the corner of 35th Street and Venable Avenue is currently a paved parking lot;

WHEREAS, the City desires that the parcel retain its character as a paved parking lot or

otherwise have the lot revert back to the City;

WHEREAS, the City finds it expedient to sell the parcel at the corner of 35th Street and Venable Avenue along with Watt Powell Park to assure that the City obtains its minimum price;

WHEREAS, the City is not willing to sell Watt Powell Park and this parcel for an amount less than Five Million Dollars (\$5,000,000.00).

WHEREAS, West Virginia Code § 8-12-18(b) provides that a municipality is “empowered and authorized to sell any of its real or personal property or any interest therein or any part thereof for a fair and adequate consideration, the property to be sold at public auction at a place designated by the governing body, but before making any sale, notice of the time, terms, and place of sale, together with a brief description of the property to be sold, shall be published as a Class II legal advertisement in compliance with the provisions of chapter fifty-nine of this code, and the publication area for the publication shall be the municipality.”

WHEREAS the City Clerk’s office is hereby directed to publish, as a Class II legal advertisement, a description of the property to be sold at public auction along with the time and place of sale, and terms thereof, in compliance with state law.

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

That the Mayor of the City of Charleston is hereby authorized and directed to sell the parcel of land at the corner of 35th Street and Venable Avenue, which is more particularly described in the attached legal description, along and together with Watt Powell Park, by way of public auction, for no less than Five Million Dollars (\$5,000,000.00), retaining the oil, gas, and/or other mineral rights thereto, providing that the sale and deed to the parcel at 35th Street and Venable shall be subject to a covenant that the parcel shall be maintained and used as a paved parking lot or revert back to the City, and subject to such additional terms and conditions as the Mayor may deem appropriate.

The question being on the passage of the Bill a roll call was taken and there yeas-23, nays-3, absent-2, as follows:

YEAS: Chestnut, Clowser, Davis, Deitzler, Ealy, Hall, Hanna, Harris, Harrison, Higgins, Jones, Lane, Lanham, Loeb, Miller, Monroe, Morton, Reed, Reishman, Robertson, Talkington, White, Mayor Jones.

NAYS: Markham, Sadd, Ware.

ABSENT: Nielsen, Weintraub.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 7105, passed.

REPORTS OF OFFICERS

1. Report of the City of Charleston, Municipal Court Financial Statements; September, 2004. Received and Filed.
2. Report of the City of Charleston Payroll Variance Analysis; July, August and September 2004; Received and Filed.

NEW BILLS INTRODUCED

Introduced by Councilman Bob White on October 18, 2004:

Bill No. 7108 - - A bill amending and reenacting Ordinance #7069 passed on June 7, 2004 to provide and authorize the cooperation by the City of Charleston with the Kanawha County Commission for the implementation of 9-1-1 Addressing and Mapping within the City of Charleston, West Virginia, and to adopt all of the provisions in the attached document entitled "City of Charleston, West Virginia, 911 Addressing and Mapping Ordinance", and to appoint the City of Charleston Office of Emergency Services and Homeland Security as the Address Coordinator and Mapping Coordinator, and the City of Charleston Building Department as the Alternate Coordinator in connection with the West Virginia statewide Addressing and Mapping project.

Refer to the Public Safety Committee.

ROLL CALL

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

YEAS: Chestnut, Clowser, Davis, Deitzler, Ealy, Hall, Hanna, Harris, Harrison, Higgins, Jones, Lane, Lanham, Loeb, Markham, Miller, Monroe, Morton, Reed, Reishman, Robertson, Sadd, Talkington, Ware, White, Mayor Jones.

ABSENT: Nielsen, Weintraub.

At 8:05 p.m., on motion of Councilman Loeb, Council adjourned until Monday November 1, 2004, at 7:00 p.m.

Danny Jones, Honorable Mayor

James M. Reishman, City Clerk