

JOURNAL
OF THE
COUNCIL
CITY OF CHARLESTON
WEST VIRGINIA

April 4, 2005

THE COUNCIL MET IN CHAMBERS OF THE CITY BUILDING AT 7:00 P.M., FOR THE FIRST MEETING IN THE MONTH OF APRIL ON THE 4th DAY, IN THE YEAR 2005, AND WAS CALLED TO ORDER BY THE HONORABLE MAYOR, DANNY JONES. THE INVOCATION WAS DELIVERED JAMES EALY, AND THE PLEDGE OF ALLEGIANCE WAS LED BY JERRY WARE.

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

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

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.

APRIL 4, 2005, FIRST MEETING

PUBLIC SPEAKERS

1. James Straughter.

CLAIMS

1. A claim of Kimberly Ferrell, 245 Oakwood Drive, Madison, WV; alleges damage to vehicle. Refer to City Solicitor.
2. A claim of Trienna and Warren Estes, 307 Montrose Drive, South Charleston, WV; alleges personal injury. Refer to City Solicitor.

COMMUNICATIONS

PROCLAMATIONS

1. Fair Housing Month
2. Louise Brooks Day

MISCELLANEOUS RESOLUTIONS

NONE.

REPORTS OF STANDING COMMITTEES

URBAN RENEWAL

Councilwoman Betty Morton, on behalf of the Urban Renewal Committee, submitted the following reports.

1. Your Committee on Planning has had under consideration Resolution No. 776-05, and reports the same to Council with the recommendation that the Resolution be adopted.

Resolution No. 776-05, amending the boundaries of the Shrewsbury/Smith Streets Urban Renewal Area pursuant to the provisions of Chapter 16, Article 18, of the Code of West Virginia.

WHEREAS, City Council passed a resolution on September 2, 1984, establishing the boundaries of the Shrewsbury/Smith Streets Urban Renewal Area;

WHEREAS, City Council passed a bill on September 3, 1985, adopting an Urban Renewal Plan for the Shrewsbury/Smith Streets Urban Renewal Area;

WHEREAS, City Council passed a resolution on August 16, 1993 expanding the boundaries of the Shrewsbury/Smith Streets Urban Renewal Area;

WHEREAS, City Council passed a bill on December 20, 1993 adopting an appendix to the Shrewsbury/Smith Streets Urban Renewal Plan applicable to the expanded area;

WHEREAS, City Council is cognizant of certain factors that warrant a revision of the perimeter boundaries of the Shrewsbury/Smith Streets Urban Renewal Area, a slum and blighted area as defined in the West Virginia Code, now therefore be it

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

That the perimeter boundary of the Shrewsbury/Smith Streets Urban Renewal Area be revised to delete all of property heretofore included in said area that are within the block bounded by Baines (now closed), Brooks, Smith and Morris Streets.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 776-05, adopted.

FINANCE

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

1. Your Committee on Finance has had under consideration Resolution No. 795-05, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 795-05 : “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-25, nays-0, absent-3, as follows:

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

NAYS:

ABSENT: Deitzler, Weintraub, White.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 795-05, adopted.

2. Your Committee on Finance has had under consideration Resolution No. 796-05, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 796-05: “Authorizing the Mayor to enter into a contract with W. J. Clark, Inc., in the amount of \$12,500, for purchase and installation of a Wastewater Treatment System to serve the office building at Spring Hill Cemetery Park.”

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 W. J. Clark, Inc., in the amount of Twelve Thousand Five Hundred Dollars (\$12,500), for purchase and installation of a Wastewater Treatment System to serve the office building at Spring Hill Cemetery Park.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 796-05, adopted.

3. Your Committee on Finance has had under consideration Resolution No. 797-05, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 797-05: “Authorizing the Mayor to sign a Grant Program Contract with the West Virginia Development Office for a grant award in the amount of \$20,000 for infrastructure of the Charleston Regatta Commission. The funds will provide for basic staging equipment for the Sternwheel Regatta.

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

That the Mayor is hereby authorized and directed to sign a Grant Program Contract with the West Virginia Development Office for a grant award in the amount of Twenty Thousand Dollars (\$20,000) for infrastructure of the Charleston Regatta Commission. The funds will provide for basic staging equipment for the Sternwheel Regatta.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 797-05, as amended, adopted.

4. Your Committee on Finance has had under consideration Resolution No. 798-05, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 798-05: “Authorizing the Mayor to enter into a contract with BBR Drilling

Company, in the amount of \$68,825, for the Dudley Public Safety Center Slip Repair project.”

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 BBR Drilling Company, in the amount of Sixty-eight Thousand Eight Hundred Twenty-five Dollars (\$68,825), for the Dudley Public Safety Center Slip Repair project.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 798-05, adopted.

5. Your Committee on Finance has had under consideration Resolution No. 799-05, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 799-05 : “Authorizing the Mayor to sign Change Order No. 1 with Jimmy A. Dunn Excavating Co., in the amount of \$20,001.89, for removal of a loading dock, concrete pad and storm sewer, and replacing unsuitable material with compacted aggregate for the Morris Street / Smith Street Parking Lot project.”

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 Jimmy A. Dunn Excavating Co., in the amount of Twenty Thousand One Dollar and Eighty-nine Cents (\$20,001.89), for removal of a loading dock, concrete pad and storm sewer, and replacing unsuitable material with compacted aggregate for the Morris Street / Smith Street Parking Lot project. The change order increases the contract price from \$349,884 to \$369,885.89.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 799-05, adopted. Abstain: Sadd

6. Your Committee on Finance has had under consideration Resolution No. 800-05, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 800-05 : “Authorizing the Mayor to sign Change Order No. 12 with BBL Carlton for Baseball Stadium Bid Package CI-2B / Concourse, in the amount of \$3,392.35, to provide for raising wall height to deck at the third base storage area; and clarification for addition of two new area drains along third base concourse slab per Bulletin 35, increasing the contract price to \$2,777,607.62.”

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. 12 with BBL Carlton for Baseball Stadium Bid Package CI-2B / Concourse, in the amount of Three Thousand Three Hundred Ninety-two Dollars and Thirty-five Cents (\$3,392.35) to provide for raising wall height to deck at the third base storage area; and clarification for addition of two new area drains

along third base concourse slab per Bulletin 35, increasing the contract price to \$2,777,607.62.

The question being on the adoption of the Resolution a vote was taken. There being only one dissent from Markham the Mayor declared Resolution No. 800-05, adopted.

7. Your Committee on Finance has had under consideration a proposal submitted by Country Club Chrysler Plymouth Dodge, in the amount of \$23,136, for purchase of a 2005, 4 X 4 Dodge Durango to be used by the Office of Emergency Services and Homeland Security. To be charged to Account No. 001-976-00-716-4-461, C-K Emergency Services – 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 the Mayor declared the committee report adopted.

REPORTS OF OFFICERS

1. Report of the City of Charleston Payroll Variance Analysis; February 2005; Received and Filed.

2. City Treasurer's Report to City Council Month Ending February, 2005; Received and Filed.

NEW BILLS INTRODUCED

Introduced by Councilwoman Mary Jean Davis, April 4, 2005:

Bill No. 7139, a bill amending 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 an R-4 Single Family Residential District to a C-10 General Commercial District, those parcels of land bounded known as North Charleston Tax Map 55, Parcels 1 and 9.

Refer to Municipal Planning Commission.

UNFINISHED BUSINESS

ROLL CALL

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

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

ABSENT: Deitzler, Weintraub, White.

At 7:25 p.m., on motion of Councilman Loeb, Council adjourned until Monday, April 18, 2005, at 7:00 p.m.

Danny Jones, Honorable Mayor

James M. Reishman, City Clerk