

**JOURNAL
OF THE
COUNCIL
CITY OF CHARLESTON
WEST VIRGINIA**

NOVEMBER 20, 2006

THE COUNCIL MET IN CHAMBERS OF THE CITY BUILDING AT 7:00 P.M., FOR THE SECOND MEETING IN THE MONTH OF NOVEMBER ON THE 20th DAY, IN THE YEAR 2006, AND WAS CALLED TO ORDER BY THE HONORABLE MAYOR, DANNY JONES. THE INVOCATION WAS DELIVERED BY DEITZLER, AND THE PLEDGE OF ALLEGIANCE WAS LED BY WARE.

**CHESTNUT
DEITZLER
HANNA
HIGGINS
LANHAM
MILLER**

**ROBERTSON
WARE
MAYOR JONES**

**CLOUSER
EALY
HARRIS
JONES
LANE
MONROE
REED
SADD
WEINTRAUB**

**DAVIS
HALL
HARRISON
LOEB
MORTON
MARKHAM
TALKINGTON**

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.

PUBLIC SPEAKERS

1. Kanawha County Commissioner Shores presented a check in the amount of \$20,000 to the Charleston Fire Department.
2. Sean Anderson
3. Charlie Boll
4. Mary Alice Hodgson

CLAIMS

1. A claim of David Lytle, 1134 Ledge Hill Dr., Charleston, WV; alleges damage to property.
Refer to City Solicitor.

COMMUNICATIONS

The Clerk read the following appointments:

TO: JAMES REISHMAN
CITY CLERK

FROM: DANNY JONES
MAYOR

RE: CHARLESTON MUNICIPAL BEAUTIFICATION COMMISSION

DATE: NOVEMBER 20, 2006

I recommend that Robert Singleton, 1561 Connell Road, Charleston, WV 25314, be reappointed to the Charleston Municipal Beautification Commission, with a said term to expire September 19, 2009.

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

Council approved the appointment.

TO: JAMES REISHMAN
CITY CLERK

FROM: DANNY JONES
MAYOR

RE: CHARLESTON MUNICIPAL BEAUTIFICATION COMMISSION

DATE: NOVEMBER 20, 2006

I recommend that Marlene Dial, 1211 Colonial Way, Charleston, WV 25314, be

reappointed to the Charleston Municipal Beautification Commission, with a said term to expire September 19, 2009.

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

The Clerk read the following Communication:

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

Dear Mayor Jones and Councilmember's:

On November 8, 2006, the Municipal Planning Commission held public hearings and its regular monthly meeting. The following cases should be referred to the Planning Committee of Council.

Bill #7236 - A Bill amending the Zoning Ordinance for the City of Charleston, West Virginia, adopted November 21, 2005 in order to make corrective additions and deletions and clarifications.

Street/Alley Naming – Request of Amy Weintraub, Incoming Director of Covenant House, to name the alley on the north side of the Covenant House property at 600 Shrewsbury Street as Hussey Ferraro Way in honor of the outgoing co-director of the Covenant House.

Sincerely,
Municipal Planning Commission
Phyllis White, Administrative Assistant

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

REPORTS OF STANDING COMMITTEES

PLANNING

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

1. Your Committee on Planning has had under consideration Bill No. 7230, and reports the same to Council with the recommendation that the Bill do pass.

Bill No. 7230 amending the Zoning Ordinance of the City of Charleston, West Virginia, enacted the 1st day of January, 2006, and the map made a part thereof, by rezoning two parcels of land situate at 2916/2918 and 2920 Chesterfield Avenue, Charleston, West Virginia from an R-6 district to an R-10 district.

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

1. The Zoning Ordinance of the City of Charleston, West Virginia, enacted the 1st of January, 2006, as amended, is hereby further amended by rezoning the whole of the following described parcels of land from an R-6 district to an R-10 district:

Parcel(s) 114 and 115 as shown on Kanawha City Tax Map No. 19. Subject parcels commonly known as 2916/2918 and 2920 Chesterfield Avenue, Charleston, West Virginia. Said tax map is of record in the City of Charleston Planning Office.

2. The zoning map, attached to and made a part of said ordinance, is hereby amended in accordance with this ordinance.
3. All prior ordinances, or parts of ordinances, inconsistent with this ordinance are hereby repealed to the extent of said inconsistency.

The question being on the passage of the Bill a roll call was taken and there were; yeas-25, absent – 3, as follows:

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

ABSENT: Nielsen, Reishman, White

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the Bill 7230, passed.

2. Your Committee on Planning has had under consideration Bill No. 7231, and reports the same to Council with the recommendation that the Bill be rejected.

Bill No. 7231, amending the Zoning Ordinance of the City of Charleston, West Virginia, enacted the 1st day of January, 2006, as amended, and the map made a part thereof, by rezoning the whole of that certain parcel of land situate at 6600 MacCorkle Avenue, S. E., Charleston, West Virginia from an R-6 district to a C-4 district.

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

The Zoning Ordinance of the City of Charleston, West Virginia, enacted the 1st day of January, 2006, as amended, is hereby amended by rezoning from an R-6 district to a C-4 district the whole of the following described parcel of land:

Lot 162, East Kanawha Estates in the City of Charleston, Kanawha County, West Virginia, Tax Parcel No. 25, as shown on South Annex District Tax Map No. 71, of record in the Planning Office, and commonly known at 6600 MacCorkle Avenue, S. E., Charleston, West Virginia.

The Zoning Map, attached to and made a part of said Zoning Ordinance, is hereby amended in accordance with Section 1 of this ordinance.

All prior ordinances or parts of ordinances, inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

The question being on the passage of the Bill a roll call was taken and there were; yeas-0, nays – 24, abstain -1, absent – 3, as follows:

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

ABSENT: Nielsen, Reishman, White

ABSTAIN: Sadd

With a majority of members elected recorded thereon as voting against the Bill the Mayor declared the Bill 7231, rejected.

3. Your Committee on Planning has had under consideration Bill No. 7232, and reports the same to Council with the recommendation that the Bill do pass.

Bill No. 7232 amending the Zoning Ordinance of the City of Charleston, West Virginia, enacted the 1st day of January 2006, as amended, and the map made a part thereof, by rezoning from an R-4, an R-6 and a C-10 district to a PMC district, that certain parcel of land situate on the west side of the 2100 block of Sissonville Road, Charleston, West Virginia.

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

1. The Zoning Ordinance of the City of Charleston, West Virginia, enacted the 1st day of January 2006, as amended, is hereby amended by rezoning from an R-4, an R-6 and a C-10 district to a PMC district the whole of the following described parcel of land:

Parcel No. 1 as shown on North Annex Tax Map No. 26. Subject parcel commonly known as the vacant property only on the west side of Sissonville Road generally beside and behind J & J Auto Glass which is located at 2199 Sissonville Road, Charleston, West Virginia. Said tax map is of record in the Charleston Planning Office.

2. The Zoning Map, attached to and made a part of said Zoning Ordinance, is hereby amended in accordance with Section 1 of this ordinance.

3. All prior ordinances, or parts of ordinances, inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

The question being on the passage of the Bill a roll call was taken and there were; yeas-25, absent – 3, as follows:

YEAS: Chestnut, Clowser, Davis, Deitzler, Ealy, Hall, Higgins, Hanna, Harris, Harrison,

Jones, Lane, Lanham, Loeb, Markham, Miller, Monroe, Morton, Sadd, Reed, Robertson, Talkington, Ware, Weintraub, Mayor Jones.
ABSENT: Nielsen, Reishman, White

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the Bill 7232, passed.

4. Your Committee on Planning has had under consideration a Street Naming – Application of the 911 System for approval of various street names associated with the 911 Street Naming and Numbering System for streets required by the Statewide Street naming and Numbering Law to be names within the City of Charleston. The street name being requested is Bible Center Drive and reports the same to Council with the recommendation that the Street Name be accepted.

The question being on the approval of the Street Name a vote was taken. There being no dissent the Mayor declared Bible Center Drive as a street name approved.

5. Your Committee on Planning has had under consideration the dedication of Salem Road, Committee finds the following:

1. All of the bolts have been installed in the guardrails
2. The 6 foot guardrail posts have been replace with 8 foot posts
3. The concrete box inlet on the left hand side of the road has been ground down to increase its effectiveness
4. Than cold patch was removed from around the guardrail posts and hot patch was installed and mounded up higher around the uphill side of the posts to divert water around the posts to eliminate future washouts around the posts.

Conditions for Acceptance:

1. An agreement that states that should the relocation portion of Salem Road fail Mr. Nelian will mill and resurface to the to the center of the road that the cost is out of his pocket and not the bond that is in place on the rest of the road.
2. An additional bond in the amount of \$14,500 be in place for additional protection from a potential slip on the left hand side of the road.
3. John James must resubmit his letter dated October 23, 2006 to include his P.E. Stamp.

The question being on the approval of the Street Name a vote was taken. There being one dissent from Harrison, the Mayor declared Salem Road, as a street name 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. 7237, and reports the same to Council with the recommendation that the committee report be adopted.

A Bill authorizing execution of an agreement with the West Virginia Department Of Transportation, Division Of Highways, with regard to modification and maintenance of a traffic signal system within the municipal limits of the City of Charleston, Kanawha County, West Virginia.

Be it Ordained by the City Of Charleston, Kanawha County, West Virginia, as follows:

1. That the Mayor of the City of Charleston, West Virginia, a Municipal Corporation, be and is hereby authorized to execute, to have acknowledged, and to have delivered on behalf of said City, an agreement, a copy of which is attached hereto and made a part hereof, with the West Virginia Department of Transportation, Division of Highways, with regard to the modification and maintenance of a traffic signal system within the Corporate Limits of said City; and
2. That the City Clerk and Recorder do properly attest the signature of said officials and affix the seal of the City to said agreement.

The question being on the passage of the Bill a roll call was taken and there were; yeas- 24, Nays: 1, absent – 3, as follows:

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

ABSENT: Nielsen, Reishman, White

NAYS: Markham

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the Bill 7237, passed.

2. Your Committee on Streets and Traffic has had under consideration Bill No. 7239, and reports the same to Council with the recommendation that the committee report be adopted.

Bill No. 7239- Authorizing the Mayor on behalf of the City of Charleston to enter into an agreement with the West Virginia Department of Transportation/Division of Motor Vehicles, "WVDMV" that will permit the City to obtain necessary information from the WVDMV.

WHEREAS, the City of Charleston relies on Driving License and License Plate information in the possession, custody and control of the WVDMV to process and issue citations for parking violations occurring in the City (see Statement of Use, attached as Exhibit A hereto);

WHEREAS, Peter Gallo and Mary Sizemore, the Director and an employee of the City Information Systems Department, have been assigned and authorized by the City to request and receive such information from the WVDMV in the performance of

their duties for the City of Charleston;

WHEREAS, in the past, the City has requested and obtained information from the WVDMV for the purpose of processing and issuing citations for parking violations occurring in the City;

WHEREAS, the WVDMV has recently contacted the City and requested that the City enter into a written Agreement, attached hereto as Exhibit A, as consideration for continuing to permit the City to receive the necessary information from the WVDMV;

WHEREAS, based on representations by the WVDMV, it is the standard practice of the WVDMV to obtain execution of the proposed Agreement as a condition of permitting access to Driving License and License Plate information in the possession, custody or control of the WVDMV;

WHEREAS, upon execution of the proposed Agreement by the City, the WVDMV has agreed to provide the information to the City free of charge,

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

That the Council for the City of Charleston hereby authorizes and directs the Mayor to enter into the proposed Agreement with the West Virginia Department of Transportation/Division of Motor Vehicles so that the City's authorized employees will be permitted to obtain necessary information from the WVDMV for the purpose of processing and issuing citations for parking violations occurring in the City.

The question being on the passage of the Bill a roll call was taken and there were; yeas-25, absent – 3, as follows:

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

ABSENT: Nielsen, Reishman, White

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the Bill 7239, passed.

FINANCE

Councilman Charlie Loeb, Vice Chairman of the Council Committee on Finance, submitted the following reports.

1. Your Committee on Finance has had under consideration Resolution No. 133-06, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 133-06: "Authorizing the Finance Director to amend the 2006-2007

Civic Center 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 amend the 2006-2007 Civic Center budget as indicated on the attached list of accounts; and be it

FURTHER RESOLVED, that this budgetary amendment 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, absent – 3, as follows:

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

ABSENT: Nielsen, Reishman, White

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No.133-06, adopted.

2. Your Committee on Finance has had under consideration Resolution No. 134-06, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 134-06: “Authorizing the Mayor to enter into an Agreement with Diamond Consulting Corporation (d/b/a REACH Employee Assistance Program), upon review and approval by legal counsel for City of Charleston, to provide clinical and educational assistance to Charleston Police Department employees on an as needed basis in dealing with a broad range of issues which may interfere with an employee’s job performance, including crisis issues, health and mental health issues, chemical dependency problems, and other related services. The Agreement is for a one year period from December 1, 2006 to November 30, 2007, at an annual cost of \$4,810.80, with an option to renew for two additional years at a cost of \$4,954.28 and \$5,101.98, respectively.”

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

That the Mayor is hereby authorized and directed to enter into an Agreement with Diamond Consulting Corporation (d/b/a REACH Employee Assistance Program), upon review and approval by legal counsel for City of Charleston, to provide clinical and educational assistance to Charleston Police Department employees on an as needed basis in dealing with a broad range of issues which may interfere with an employee’s job performance, including crisis issues, health and mental health issues, chemical dependency problems, and other related services. The Agreement is for a one year period from December 1, 2006 to November 30, 2007, at an annual cost of \$4,810.80, with an option to renew for two additional years at a cost of \$4,954.28 and \$5,101.98,

respectively.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 134-06, adopted.

3. Your Committee on Finance has had under consideration Resolution No. 135-06, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 135-06: “Authorizing the Finance Director to amend the 2005 and 2006 Community Development Block Grant budgets as indicated on the attached list of accounts, providing for kitchen renovations at Samaritan Inn. This is contingent upon no adverse citizen comments received during the 30-day comment period.”

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 2005 and 2006 Community Development Block Grant budgets as indicated on the attached list of accounts, providing for kitchen renovations at Samaritan Inn. This is contingent upon no adverse citizen comments received during the 30-day comment period.

The question being on the adoption of the Resolution a roll call was taken and there were; yeas-25, absent – 3, as follows:

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

ABSENT: Nielsen, Reishman, White

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No.135-06, adopted.

4. Your Committee on Finance has had under consideration Resolution No. 136-06, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 136-06: “Authorizing the Finance Director to allocate funds in the amount of \$38,000 for acquisition of one (1) HOME project located in the City’s Fort Hill area.”

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

That the Finance Director is hereby authorized and directed to allocate funds in the amount of Thirty-eight Thousand Dollars (\$38,000) for acquisition of one (1) HOME project located in the City’s Fort Hill area.

The question being on the adoption of the Resolution a roll call was taken and there were; yeas-25, absent – 3, as follows:

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

ABSENT: Nielsen, Reishman, White

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No.136-06, adopted.

5. Your Committee on Finance has had under consideration Resolution No. 137-06, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 137 -06: “Authorizing the Mayor to enter into a contract novation with J. Arthur Dail, Inc. for consulting services relating to healthcare benefits for a one year period from December 1, 2006 to November 30, 2007, with the option to renew for an additional year, at a cost of \$2.00 per employee per month.”

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 novation with J. Arthur Dail, Inc. for consulting services relating to healthcare benefits for a one year period from December 1, 2006 to November 30, 2007, with the option to renew for an additional year, at a cost of \$2.00 per employee per month.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 137-06, adopted.

6. Your Committee on Finance has had under consideration Resolution No. 138-06, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 138-06: “Authorizing the Mayor to sign Change Order No. 1 with General Restoration Corporation, in the amount of \$6,600, providing for installation of limestone units in six window openings at ground level of the City Hall building along Court Street, as an addition to the Facade Restoration Project. The change order increases the cost of the project from \$354,870 to \$361,470.”

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 General Restoration Corporation, in the amount of Six Thousand Six Hundred Dollars (\$6,600), providing for installation of limestone units in six window openings at ground level of the City Hall building along Court Street, as an addition to the Facade Restoration Project. The change order increases the cost of the project from \$354,870 to \$361,470.

The question being on the adoption of the Resolution a vote was taken. There being no

dissent the Mayor declared Resolution No. 138-06, adopted.

7. Your committee on Finance has had under consideration a proposal submitted by Electronic Specialty Company, in the amount of \$20,800, to furnish and install barrier gates and related equipment for upgrade of system at Municipal Parking Building No. 5 (Shanklin). To be charged to Account No. 406-571-00-000-4-458, Parking—Capital Outlay, Major Improvements, 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.

8. Your committee on Finance has had under consideration a bid submitted by Mountain International Trucks, Inc., in the amount of \$88,424.66, for one International 7000 Series Dump Truck to be used by the Street Department. To be charged to Account No. 001-977-00-750-4-459, Street—Capital Outlay, Equip. (Part of the Lease/Purchase Escrow Account Schedule No. 1000129571 for FY 2007), 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.

9. Your committee on Finance has had under consideration a Purchase of Wood Chipper (\$24,990) and Three Packer Units (\$350,400) bid submitted by West Virginia Tractor for purchase of one Wood Chipper in the amount of \$24,999 to be used by the Street Department; and three Packer Units in the amount of \$350,400 (\$116,800) each), to be used by the Refuse Collection & Recycling Department. To be charged to the following accounts: Chipper - Account No. 001-977-00-750-4-459, Street—Capital Outlay, Equipment, Packer Units - Account No. 001-978-00-800-4-459, Refuse—Capital Outlay, Equipment (Part of Lease/Purchase Escrow Account Schedule No. 1000129571 for FY 2007), 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.

10. Your committee on Finance has had under consideration a bid submitted by State Equipment, Inc., in the amount of \$65,926, for purchase of one Backhoe to be used by the Street Department. To be charged to Account No. 001-977-00-750-4-459, Street—Capital Outlay, Equip. (Part of Lease/Purchase Escrow Account Schedule No. 1000129571 for FY 2007), 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.

11. Your committee on Finance has had under consideration a Payment of an invoice from Lowe's, in the amount of \$30,441.80, for purchase of materials and supplies for World Changers Projects within the City of Charleston pursuant to terms of the contract with Lowe's, approved by Council, Resolution No. 020-06, on April 17, 2006. To be charged to Account No. 009-005-00-014-0-999, CDBG – Corp. Rehabilitation, 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.

REPORTS OF OFFICERS

1. Report of the City of Charleston Payroll Variance Analysis; July 2006; Received and Filed.
2. Report of the City of Charleston Payroll Variance Analysis; August 2006; Received and Filed.
3. Report of the City of Charleston Payroll Variance Analysis; September 2006; Received and Filed.
4. City Treasurer's Report to City Council Month Ending October, 2006; Received and Filed.
5. Report of the City of Charleston Financial Statements for the Four Month Period Ended October 31, 2006. Received and Filed.

NEW BILLS

Introduced by Councilmember Ed Talkington, on November 20, 2006:
Bill No. 7241- - A Bill authorizing Landfill Services of Charleston, Inc., a subsidiary of Waste Management, Inc., to file a petition with the West Virginia Public Service Commission ("PSC") for approval of a "minimum gate rate" (or per load minimum fee) of Five Dollars (\$5.00) per load at the City of Charleston Landfill (the "Landfill") for all loads brought to the Landfill weighing Five Hundred (500) pounds or less.
Refer to Finance Committee and Environment and Recycling Committee.

ROLL CALL

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

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

ABSENT: Nielsen, Reishman, White

At 7:50 p.m., on motion of Councilmember Loeb, Council adjourned until Monday, December 4, 2006, at 7:00 p.m.

Danny Jones, Honorable Mayor

James M. Reishman, City Clerk