

JOURNAL
OF THE
COUNCIL
CITY OF CHARLESTON

WEST VIRGINIA

February 6, 2006

THE COUNCIL MET IN CHAMBERS OF THE CITY BUILDING AT 7:00 P.M., FOR THE FIRST MEETING IN THE MONTH OF FEBRUARY ON THE 6th DAY, IN THE YEAR 2006, AND WAS CALLED TO ORDER BY THE HONORABLE MAYOR, DANNY JONES. THE INVOCATION WAS DELIVERED BY JACK HARRISON, 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
DEITZLER	EALY	HALL
HANNA	HARRIS	HARRISON
HIGGINS	JONES	LOEB
LANHAM	LANE	MORTON
MILLER	MONROE	MARKHAM
NIELSEN	REED	REISHMAN
ROBERTSON	SADD	TALKINGTON
WARE	WEINTRAUB	WHITE
MAYOR JONES		

TWENTY- EIGHT 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. Susan Pierce – Charleston Downtown Historic District
2. Mitzi Kellogg – User Fee
3. Susie Salisbury – Historic Districts

CLAIMS

1. A claim of Lester Turley, 5041 Delores Drive, Cross Lanes, WV; alleges damage to property. Refer to City Solicitor.
2. A claim of Nancy McCune, 1012 Temple Street., Charleston, WV; alleges personal injury. Refer to City Solicitor.
3. A claim of Guy Bailey, 821 South park Rd., Charleston, WV; alleges damage to property. Refer to City Solicitor.

PUBLIC HEARING

The Mayor read the following Public Hearing:

After duly being published as required, I now declare the floor open for a Public Hearing on Bill No. 7188, a Bill prescribing a proposed schedule of modified and amended rates and rentals for the use of the services and facilities of the Municipal Auditorium and the Charleston Civic Center of the City of Charleston, West Virginia, and providing for a public hearing.

The Chair sees no one from the public.

The Chair hears no one from the public.

The Chair declares Public Hearing on Bill No. 7188, Closed.

MISCELLANEOUS RESOLUTIONS

Resolution No. 977-06

RESOLUTION TO ESTABLISH AN EXPANDED UNIVERSITY PRESENCE IN DOWNTOWN CHARLESTON

WHEREAS, urban universities are engines for the development of thriving, creative, economically and culturally diverse communities; and

WHEREAS, a university in downtown Charleston would enhance, complement and amplify the growth and success of current institutions and downtown revitalization efforts, from the Clay Center to the Riverfront Development Project; and

WHEREAS, a university in downtown Charleston would attract creative, educated people to the city center and increase the number of 'eyes' and 'feet' on downtown streets; and

WHEREAS, a university in downtown Charleston would improve and promote retail development as stores, restaurants and businesses grow to meet the needs of the increased population downtown; and

WHEREAS, a university in downtown Charleston would be a multi-faceted resource to educational and cultural institutions, such as the Clay Center, in the area, and provide a pool of talent and manpower to area businesses; and

WHEREAS, a university in downtown Charleston would enhance the cultural climate of and strengthen the ability to market our city; and

WHEREAS, a university in downtown Charleston would perpetuate ongoing growth in terms of both the population and the economy.

NOW, WHEREFORE, BE IT RESOLVED,

That the City Council of Charleston, West Virginia, strongly supports establishing an expanded university presence in downtown Charleston.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 977-06 as amended, adopted.

REPORTS OF STANDING COMMITTEES

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. 978-06, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 978-06: “Authorizing the Mayor to enter into an Agreement with The Murphy Elevator Company, Inc., in the amount of \$342,324, for the Modernization of Two Elevators in Municipal Parking Building No. 1, located at Quarrier and Dickinson streets, and Two Elevators in Municipal Parking Building No. 2, located at Washington and Summers streets (Cinema).”

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 The Murphy Elevator Company, Inc., in the amount of Three Hundred Forty-two Thousand, Three Hundred Twenty-four Dollars (\$342,324), for the Modernization of Two Elevators in Municipal Parking Building No. 1, located at Quarrier and Dickinson streets, and Two Elevators in Municipal Parking Building No. 2, located at Washington and Summers streets (Cinema).

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 978-06, adopted.

2. Your Committee on Finance has had under consideration Resolution No. 979-06, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 979-06 : “Authorizing the Mayor to enter into an Agreement with McClanahan Service, in the amount of \$19,516.24, for purchase and installation of six (6) fuel pumps; three at the Public Works Facility, 1100-B Pennsylvania Avenue, and three at Fire Station No. 2, 808 Virginia Street, West. The new fuel pumps will replace existing equipment at these locations.”

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 McClanahan Service, in the amount of Nineteen Thousand Five Hundred Sixteen Dollars and Twenty-four Cents (\$19,516.24), for purchase and installation of six (6) fuel pumps; three at the Public Works Facility, 1100-B Pennsylvania Avenue, and three at Fire Station No. 2, 808 Virginia Street, West. The new fuel pumps will replace existing equipment at these locations.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 979-06, adopted.

3. Your Committee on Finance has had under consideration Resolution No. 980-06, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 980-06 : “Authorizing the Mayor to receive and administer grant funds from Appalachia HIDTA in the amount of \$10,000. The funds will be used by the Charleston Police Department for drug interdiction overtime patrols.”

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

That the Mayor is hereby authorized and directed to receive and administer grant funds from Appalachia HIDTA in the amount of Ten Thousand Dollars (\$10,000). The funds will be used by the Charleston Police Department for drug interdiction overtime patrols.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 980-06, adopted.

4. Your Committee on Finance has had under consideration Resolution No. 981-06, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 981-06 : “Authorizing the Finance Director to establish a new fund to be known as Fund 255 – Ball Park Maintenance Fund. The City has a contractual obligation to provide funding (\$25,000/year) to address normal maintenance issues at Appalachian Power Park and this fund will be used to account for the contributions and expenditures.”

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

That the Finance Director is hereby authorized and directed to establish a new fund to be known as Fund 255 – Ball Park Maintenance Fund. The City has a contractual obligation to provide funding (\$25,000/year) to address normal maintenance issues at Appalachian Power Park and this fund will be used to account for the contributions and expenditures.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 981-06, adopted.

5. Your Committee on Finance has had under consideration Resolution No. 982-06, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 982-06 : “Authorizing the Mayor to sign and submit Fiscal Year 2006 Local Economic Development Assistance (LEDA) grant application and all related documents for the West Virginia Music Hall of Fame, located at 1427 Lee Street, East.”

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

That the Mayor is hereby authorized and directed to sign and submit Fiscal Year 2006 Local Economic Development Assistance (LEDA) grant application and all related documents for the West Virginia Music Hall of Fame, located at 1427 Lee Street, East.

The question being on the adoption of the Resolution a roll call was taken and there were; yeas-28, absent – 0, as follows:

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

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 982-06, adopted.

6. Your Committee on Finance has had under consideration Resolution No. 983-06, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 983-06 : “Authorizing the Finance Director to amend the 2004 and 2005 Community Development Block Grant Budgets for the Religious Coalition for Community Renewal to assist with utility costs.”

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 2004 and 2005 Community Development Block Grant Budgets for the Religious Coalition for Community Renewal to assist with utility costs, as indicated in the accounts listed below:

<u>Account Number</u>	<u>Description</u>	<u>Increase/(Decrease)</u>
009-004-00-199-0-999	Unprogrammed Funds	(\$3,800.00)
009-005-00-011-0-999	RCCR/Samaritan Inn, Utilities	\$3,800.00

The question being on the adoption of the Resolution a roll call was taken and there were; yeas-28, absent – 0, as follows:

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

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 983-06, adopted.

7. Your Committee on Finance has had under consideration a bid submitted by Communication Service, Inc., in the amount of \$7,380, for purchase of 12 mobile radios for installation in the new police cruisers previously approved by Council on December 5, 2005. To be charged to Account No. 001-976-00-700-4-459, Police – Capital Outlay, Equip, 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 Communication Service, Inc., in the amount of \$ 37,005.60, for 12 sets of emergency equipment to be installed in the new police cruisers previously approved by Council on December 5, 2005. To be charged to Account No. 001-976-00-700-4-459, Police – Capital Outlay, Equip, 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 proposal submitted by General Truck Sales, in the amount of \$16,953, for purchase of a 2006 GMC Savana Cargo Van to be used by the Patrol Division of the Charleston Police Department to transport prisoners. To be charged to Account No. 001-976-00-700-4-459, Police – Capital Outlay, Equip., and is part of the Lease/Purchase Program for FY 2006, 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 proposal submitted by D-Tel, in the amount of \$34,321.20, for purchase of line of sight optic modules to connect City Hall to Municipal Parking Building No. 1 (Quarrier & Dickenson streets); from MPB 1 to Roosevelt Center; and from City Hall to the Civic Center. To be charged to Account No. 001-975-00-439-4-459, Information Systems – 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.

11. Your Committee on Finance has had under consideration a proposal submitted by Verdin Company, in the amount of \$16, 900, for purchase of a clock to replace the one located in the West Side Streetscape area. The clock sustained damages as a result of a vehicle accident at the intersection of West Washington Street and Tennessee Avenue on August 29, 2005. To be charged to Account No. 001-417-00-000-2-229, Legal – Court Costs & Damages, 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.

12. Your Committee on Finance has had under consideration a proposal submitted by RGA, Inc., in the amount of \$64,600, for traffic control cabinets and related equipment, and a camera video system, for installation at the following intersections throughout the City: Traffic Control Cabinets: Elm Street and Central Avenue; Park Avenue and Virginia Street; 7th Avenue & Stockton Street; Park Avenue and Central Avenue; Delaware Avenue and Main Street; Rebecca Street and W. Washington Street. Camera Video System: Route 21 and Chandler Drive. To be charged to Account No. 001-976-00-712-4-459, Traffic Engineering – 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.

13. Your Committee on Finance has had under consideration Bill No. 7188, and reports the same to Council with the recommendation that the bill do pass.

Bill No. 7188 -- A Bill prescribing a proposed schedule of modified and amended rates

and rentals for the use of the services and facilities of the Municipal Auditorium and the Charleston Civic Center of the City of Charleston, West Virginia, and providing for a public hearing.

WHEREAS, under the provisions of Chapter Eight, Article Sixteen, Section Eighteen of the Code of the State of West Virginia, one thousand nine hundred thirty-nine, as amended, this Council is required to enact an ordinance setting forth a proposed schedule of the use of the services and facilities of the Municipal Auditorium and the Charleston Civic Center of the City of Charleston, West Virginia, and fixing a time and place of the public hearing on said proposed schedule;

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

Section 1. That the following proposed schedule of rates and rental for the use of the services and facilities of the Municipal Auditorium and the Charleston Civic Center of the City of Charleston, West Virginia, owned and operated by the City of Charleston, West Virginia, including any additions, extensions, or improvements proposed hereinafter constructed and acquired, if any by the City, is hereby established:

I. MUNICIPAL AUDITORIUM (3,483 permanent seats)

A. Regular rate \$950.00 per day or evening or 10% of gross admissions, after taxes, whichever is greater.

B. Regular rehearsal \$500.00

C. Cultural rate \$800.00

D. Cultural rehearsal \$400.00

E. Preceding rates include ONLY space, air conditioning and janitorial services.

F. Qualified technicians, approved by the Center, are required for handling all lightings, sound and stage at the lessees cost.

G. In addition to the charges set forth above a capital improvement fee will be imposed upon the event ticket price as follows:

\$0 - \$9.99 --	\$0
\$10.00 - \$19.99 --	\$.50
\$20.00 - \$39.99 --	\$1.00
\$40.00 – and up --	\$1.50

A fee of \$50.00 will be imposed for all full day rentals not qualifying under ticket fees.

H. All receipts from this capital improvement fee shall be dedicated to a special fund to be used solely for capital improvements at the Municipal Auditorium. Such special fund to be established by the City.

II. COLISEUM (seats up to 13,500 concerts, 12,500 basketball)

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|--|--|
| A. Regular rental rate (all usage except of gross those qualifying under B., C., D., E., greater. F., G., or H.) | \$3,500.00 per day or evening or 12% admissions, after taxes, which ever is |
| B. Local charitable and cultural events as approved by the Civic Center / Auditorium Board. | \$1,500.00 per day or evening. |
| C. Local High School Basketball games. | \$275.00 or 50% of the first \$700.00, whichever is greater plus 10% of gross receipts after taxes \$1,500.00 |
| D. High School doubleheaders
(team not of same school) | \$450.00 or 50% of the first \$1,000.00, whichever is greater, plus 10% of gross receipts after taxes \$1,500.00 |
| E. Junior Varsity High School as a preliminary game | \$75.00 |
| F. Local College Basketball games | \$800.00 or 10% of gross receipts after taxes, whichever is greater |
| G. College preliminary games of same school | \$100.00 |
| H. Exhibit Shows
(using floor space) | \$2,500.00 |

All rates are for space rentals an include heat, air conditioning, lights and janitorial services.

I. In addition to the charges set forth above a capital improvement fee will be imposed upon the event ticket price as follows:

\$0 - \$9.99 --	\$0
\$10.00 - \$19.99 --	\$.50
\$20.00 - \$39.99 --	\$1.00

\$40.00 – and up -- \$1.50

- J. all receipts from this capital improvement fee shall be dedicated to a special fund to be used solely for capital improvements at the Charleston Civic Center. Such special fund to be established by the City.

III. MEETING ROOMS - - COLISEUM

A.

Parlor A	(1,469 sq. ft.)	\$160.00
Parlor B	(1,320 sq. ft.)	\$160.00
Parlor C	(1,320 sq. ft.)	\$160.00
Parlor D	(2,700 sq. ft.)	\$275.00
VIP Lounge	(870 sq. ft)	\$150.00

Preceding rates on Meeting Rooms include heat, air conditioning, lights and janitorial services.

- B. In addition to the charges set forth above, a capital improvement fee of \$5.00 will be imposed upon the rental rate. All receipts from this capital improvement fee shall be dedicated to a special fund to be used solely for capital improvements at the Charleston Civic Center.

IV. EXHIBITION HALL

A. Grand Hall	(50,806 sq. ft)	\$2,950 Daily Rate or 12% of gross ticket sales after taxes
B. North or South Hall	(19,285 sq. ft.)	\$1,025 or 12% of gross ticket sales after taxes
C. West Hall I or II	(5,767 sq. ft.)	\$425 or 12% of gross ticket sales after taxes
D. WV Rooms		
Room 103	(1,012 sq. ft.)	\$75.00
Room 104	(2,534 sq. ft.)	\$145.00
Room 105	(3,120 sq. ft.)	\$320.00
Room 103 – 105	(6,666 sq. ft.)	\$540.00
E. Conference Rooms		
Room 202	(971 sq. ft.)	\$170.00
Room 203	(971 sq. ft.)	\$170.00

Room 204	(971 sq. ft.)	\$170.00
Room 205	(971 sq. ft.)	\$170.00
Room 202 – 205	(3,884 sq. ft.)	\$650.00
Room 206	(1,271 sq. ft.)	\$130.00
Room 207	(502 sq. ft.)	\$70.00
Room 208	(502 sq. ft.)	\$70.00
Room 209	(502 sq. ft.)	\$70.00
Room 207 – 209	(1,506 sq. ft.)	\$125.00

All rates are for space rentals and include heat, air conditioning, lights and janitorial services.

F. In addition to the charges set forth above a capital improvement fee in accordance with the following schedule will be imposed upon the rental rate:

Coliseum	-	\$50.00 (for rental not qualifying under ticket fees)
Grand Hall	-	\$50.00
North or South Hall	-	\$25.00
West Hall I or II	-	\$25.00
West Virginia Rooms	-	\$ 5.00 each
Conference Rooms	-	\$ 5.00 each

G. All receipts from this capital improvement fee shall be dedicated to a special fund to be used solely for capital improvements at the Charleston Civic Center.

V. CIVIC THEATER (750 permanent seats)

A. Regular rate	\$525.00 per day or evening or 10% gross admissions, after taxes, whichever is greater.
B. Regular rehearsal	\$250.00
C. Cultural rate	\$200.00
D. Cultural rehearsal	\$100.00
E. Meeting rate	\$400.00 (less than four consecutive hours, no access to stage)

F. Above rates include ONLY space, heating, air conditioning and janitorial services.

G. Qualified technicians, approved by the Center, are required for handling all

lighting, sound and staging at the lessees cost.

- H. In addition to the charges set forth above, a capital improvement fee of \$25.00 will be imposed upon the rental rate for the full rental or cultural performances only. All receipts from this capital improvement fee shall be dedicated to a special fund to be used solely for capital improvements at the Charleston Civic Center.

Section 2.

- A. The fees used to establish the Capital Improvement Funds for the Charleston Civic Center (CCC) and the Municipal Auditorium (MA) are to be used to fund CCC and MA building improvements and renovations, repairs and replacements of equipment or mechanical systems that are not normally provided in regular operation budgets. Items costing less than \$15,000.00 will be funded from ordinary operating budget unless they are unexpected. The funds are not to be used fund ordinary maintenance and repairs. The funds are not considered to be in lieu of ordinary maintenance and Capital Improvements item traditionally included in the CCC and MA budgets.
- B. Special arrangements and exceptional conditions, which call for a different fee being charged than what is specified in the ordinance, can be negotiated by the Manager subject to Board approval.

Section 3. All other rates, fees, rentals and other charges incidental to the operation of said facilities shall be set and approved by the Civic Center/Auditorium Board, pursuant to the provisions of Chapter Two, Article Seven, Section One hundred fifty-eight of the Code of the City of Charleston, one thousand nine hundred and seventy-five, as amended.

Section 4. That a public hearing concerning such schedule of rates, fees, rentals and other charges for the use of services and facilities of said Municipal Auditorium and Charleston Civic Center of the City of Charleston, West Virginia, is hereby called for at February 6, 2006 in the Council Chambers, City Hall, using or proposing to use such services and facilities and all other parties interested in such schedules of rates, fees, rentals or other charges for the use of the services and facilities of the said Municipal Auditorium and Charleston Civic Center of the City of Charleston, and argument or evidence for or against the enactment of said proposed schedule of rates, fees, rentals and enact said schedule of rates, fees, rentals and other charges as set forth about together with any changes or modifications, if any deemed necessary or advisable by this Council.

Section 5. That the Clerk of the City of Charleston, West Virginia, be and is hereby authorized and directed to publish this ordinance and appropriate notice of said public hearing pursuant to the provisions of Chapter Eight, Article Sixteen, Section Eighteen of the Code of West Virginia, one thousand nine hundred thirty-nine, as amended.

Section 6. That this ordinance and the rates set forth herein, shall take effect on February 11, 2006.

Section 7. All ordinances in conflict with or inconsistent with the provisions of this ordinance are hereby expressly repealed.

The question being on the passage of the Bill a roll call was taken and there were; yeas-28, absent – 0, as follows:

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

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 7188, passed.

REPORTS OF OFFICERS

1. Report of the City of Charleston, Municipal Court Financial Statements; January, 2006.
Received and Filed.

2. Policemen's and Firemen's Pension Funds – Update Report.
Received and Filed.

3. Allocation and certificate to Receipt of allocated funds of the City of Charleston Fire Pension & Relief Fund.
Received and Filed.

4. Allocation and certificate to Receipt of allocated funds of the City of Charleston Police Pension & Relief Fund.
Received and Filed.

5. Report of the City of Charleston Financial Statements for the Six-month period ended December 31, 2005.
Received and Filed.

6. City Treasurer's Report to City Council Month Ending December 2005;
Received and Filed.

NEW BILLS INTRODUCED

Introduced by Councilmember Mary Jean Davis, on February 6, 2006:

Bill No. 7192 – a Bill closing, abandoning, and discontinuing, as an accepted or unaccepted public right-of-way, all right, title or interest of the City of Charleston in a 16 by 120 foot strip or parcel of land situate and lying west of, and parallel with 50th Street S.E. in Kanawha City.
Refer to Finance Committee.

Introduced by Councilmember Ed Talkington, on February 6, 2006:

Bill No. 7193 - - 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 Ten Dollars (\$10.00) 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.

Introduced by Councilmember Bobby Reishman, on February 6, 2006:

Bill No. 7194 - A Bill authorizing the Mayor and his designees to negotiate with the Kanawha County Commission and its designees and for the Mayor to enter into an Intergovernmental Agreement with the Kanawha County Commission to permit the City to go forward with the Court-ordered special election regarding the User Fee by combining the City special election with the County primary election to be held on May 9, 2006, provided that any such Intergovernmental Agreement is consistent with State and local laws, is consistent with governmental economy and efficiency, and is approved by the Attorney General pursuant to West Virginia Code § 8-23-3. This Ordinance shall take effect immediately following passage by City Council with a vote in the affirmative from three-fifths of its members elected.

Refer to Finance 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, Nielsen, Sadd, Reed, Reishman, Robertson, Talkington, Ware, Weintraub, White, Mayor Jones.

At 7:45 p.m., on motion of Councilman Loeb, Council adjourned until Tuesday, February 21, 2006, at 7:00 p.m.

Danny Jones, Honorable Mayor

James M. Reishman, City Clerk