

JOURNAL
OF THE
COUNCIL
CITY OF CHARLESTON
WEST VIRGINIA

March 20, 2006

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

**CHESTNUT
DEITZLER
HANNA
HIGGINS
LANHAM
MILLER
NIELSEN
ROBERTSON
WARE
MAYOR JONES**

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

**DAVIS
HARRISON
LOEB
MORTON
MARKHAM
REISHMAN
TALKINGTON
WHITE**

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.

PUBLIC SPEAKERS

1. Sara Hoblitzell – Deer Ordinance
2. Ben Bailey – Charleston Downtown Historic District
3. George Manahan– Charleston Downtown Historic District

CLAIMS

1. A claim of Ron Gregory, P.O. Box 20297, Charleston, WV; alleges damage to vehicle.
Refer to City Solicitor.
2. A claim of Karl Brudke, 15111 MacCorkle Ave., Cabin Creek, WV; alleges damage to vehicle.
Refer to City Solicitor.
3. A claim of Julia Hill, 608 Monroe St., Saint Albans, WV; alleges personal injury.
Refer to City Solicitor.

APPOINTMENTS

The Clerk read the Appointments

To: James Reishman
City Clerk

From: Danny Jones
Mayor

Re: Municipal Beautification Commission

Date: March 20, 2006

I recommend that Charles J. Denham, 204 50th Street S.E., Charleston, WV 25304, be appointed to the Municipal Beautification Commission, with a said term to expire September 19, 2006. He is replacing J.T. Moore.

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

Council approved the appointment.

To: James Reishman
City Clerk

From: Danny Jones
Mayor

Re: Civic Center Board

Date: March 20, 2006

I recommend that Andrew B. Jordan, 1 Norwood Road, Charleston, WV 25304, be appointed to the Civic Center Board, with a said term to expire June 22, 2006. He is replacing Dr. Ron Wilkinson.

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

Council approved the appointment.

To: James Reishman
City Clerk

From: Danny Jones
Mayor

Re: Taskforce For Redistricting Committee

Date: March 20, 2006

Please advise City Council that I am appointing Marc Weintraub, Chair, Linda Nielsen, Rev. James Ealy, Mike Clowser and Jack Harrison to the Taskforce for Redistricting Committee.

Received and Filed

MISCELLANEOUS RESOLUTIONS

Resolution No. 010-06

Introduced in Council

March 20, 2006

Passed by Council

March 20, 2006

Introduced by:

John Miller, Harry Deitzler, Ditty Markham,

WHEREAS: The Horace Mann Middle School Strings Orchestra competed earlier this month in Kansas City as part of the 2006 American String Teachers Association Orchestra Festival; and

WHEREAS: Under the direction of Mr. Ian Jesse, the Horace Mann Middle School Strings Orchestra represented their school and our city with distinction, placing second in the nation during the competition with other finalists from around the United States; and

WHEREAS: The orchestra includes 62 students, who have a love for music, and is the largest middle school orchestra in Kanawha County as well as one of the largest in the state of West Virginia; and

WHEREAS: The national recognition of these Kanawha City students follows a string of competitive successes, including victories at the prestigious Music in the Park competitions in both 2004 and 2005 and at the 2004 Strawberry Festival; and

WHEREAS: With leadership from Mr. Jesse and school principal, Mr. Mickey Blackwell, Horace Mann Middle School is instilling within these young people an appreciation of orchestral music, providing opportunities for these students to develop and display their talents and creating an environment where students with musical skills are encouraged to thrive.

Therefore, be it resolved by The Council of The City of Charleston, West Virginia:

That we recognize the marvelous talents of the young musicians in the Horace Mann Middle School Strings Orchestra, commend them for achieving status among the nation's top two middle school orchestras, and express our appreciation for the leadership of their parents, their conductor, Mr. Jesse and their principal, Mr. Blackwell.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 010-06, adopted.

Resolution No. 996-06

Introduced in Council
March 20, 2006

Passed by Council
March 20, 2006

Introduced by Archie Chestnut, Mark A. Sadd and Jerry Ware

WHEREAS: The downtown of the City of Charleston, West Virginia, is richly endowed with historic buildings and structures that are the city's architectural and cultural patrimony; and

WHEREAS: The preservation, rehabilitation and use of historic buildings and structures demonstrably boost the economy with private investment, jobs, increasing property values, and heritage tourism; and

WHEREAS: Private capital by far is the greatest resource for the preservation, rehabilitation and use of historic buildings and structures; and

WHEREAS: Since 1976, when they were created, Federal rehabilitation tax credits have spurred private expenditures for the preservation, rehabilitation and use of more than 32,000 historic buildings and structures in the United States, representing a total private investment of \$33 billion; and

WHEREAS: The National Park Service, which certifies and administers the Federal tax credits, calls them "one of the most successful and cost-effective community revitalization programs" in the history of the Nation; and

WHEREAS: Only with registration of the Downtown Charleston Historic District in the National Register of Historic Places can owners of contributing buildings and structures qualify for Federal and West Virginia rehabilitation tax credits equal to 20 percent and 10 percent of the qualified private expenditures that they make to rehabilitate their properties, substantial incentives never before available to them;

WHEREAS: Registration of the Downtown Charleston Historic District in the National Register of Historic Places will not in any way whatsoever impair the right of owners of contributing buildings to modify or even to demolish their buildings and structures if they so choose; and

WHEREAS: The National Park Service is presently considering a nomination submitted by the Charleston Area Alliance in behalf of owners of important historic buildings and sites to register the Downtown Charleston Historic District in the National Register of Historic Places and will act upon it imminently;

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

That the City of Charleston, West Virginia, supports and endorses the preservation, rehabilitation and reuse of the city's historic buildings and sites as an integral component of its economic development policies and plans; and that it supports and endorses the nomination to and the registration of the Downtown Charleston Historic District in the National Register of Historic Places; And further, that the Council hereby directs the Mayor to promptly express the same to the Keeper of the National Register of Historic Places, the National Park Service and other appropriate persons and entities as circumstances require.

The question being on the adoption of the Resolution a roll call was taken and there were; yeas-24, absent – 2, nays– 2, as follows:

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

NAYS: Talkington, Reishman

ABSENT: Clowser, Hall

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 996-06, adopted.

REPORTS OF STANDING COMMITTEES

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. 7190, and reports the same to Council with the recommendation that the bill do pass.

A Bill to establish a vehicular parking zone for the exclusive use of the physically disabled on the westerly side of Bradford Street from a point 35 feet north of Kanawha Blvd., East to a point 79 feet north of Kanawha Blvd., E. and from a point 187 feet north of Kanawha Blvd., E. to a point 231 feet north of Kanawha Blvd., E. to provide for handicapped parking for existing apartment buildings that do not have accessible off- street parking and to provide for the removal of vehicles illegally parked in these spaces, parked in these spaces, to incorporate the provisions of West Virginia Code, Chapter 17C, Article 13, Section 16, 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, Chapter one hundred fourteen, Article five, to conform therewith.

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

Section 1. A vehicular parking zone for the exclusive use of the physically disabled on the westerly side of Bradford Street from a point 35 feet north of Kanawha

Blvd., E. to a point 79 feet north of Kanawha Blvd., E. and from a point 187 feet north of Kanawha Blvd., E. to a point 231 feet north of Kanawha Blvd., East is hereby established.

Section 2. In order for a physically disabled person to utilize the parking spaces provided in the preceding section the vehicle which they are driving or in which they are being transported must display the distinguishing insignia provided for in West Virginia Code, Chapter 17C, Article 13, Section 6.

Section 3. It shall be unlawful for any vehicle not displaying the insignia provided for in Section 2 to park in those spaces for the disabled provided for in Section 1. Any vehicle in violation of this section may be ticketed and impounded as provided for in Chapter 31, Vehicles and Traffic Law, Code of the City of Charleston, Virginia.

Section 4. 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, Chapter one hundred fourteen, Article five, shall be and hereby are, amended to conform to this Ordinance.

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

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

ABSENT: Clowser, Hall

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 7190, passed.

2. Your Committee on Streets and Traffic has had under consideration Bill No. 7191, and reports the same to Council with the recommendation that the bill do pass.

A Bill to establish a Stop sign on Wild Turkey Road at the intersection of Wild Turkey Road and Quarry Ridge South 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.

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

Section 1. A Stop sign on Wild Turkey Road at the intersection of Wild Turkey Road and Quarry Ridge South are hereby established.

Section 2. 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, shall be and

hereby are amended, to conform to this Ordinance.

Section 3. All prior 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-26, 2- absent as follows:

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

ABSENT: Clowser, Hall

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 7191, 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. 997-06, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 997-06: "Authorizing the Finance Director to amend the 2005-2006 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 amend the 2005-2006 General Fund 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-26, absent – 2, as follows:

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

ABSENT: Clowser, Hall

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 997-06, adopted.

2. Your Committee on Finance has had under consideration Resolution No. 998-06, and reports the same to Council with the recommendation that the committee report be

adopted.

Resolution No. 998-06: “Authorizing the Mayor to enter into a contract with Commercial Insurance Services, as Administrator, and Arthur J. Gallagher Risk Management Services, Inc., and Alternative Service Concepts, LLC, at a price not to exceed \$1,781,202.45, for the City’s Risk Management and Property and Casualty Insurance coverage for the period March 31, 2006 through March 31, 2007, specifically by rejecting all underinsured motorists coverage and accepting uninsured motorists coverage with statutory minimum limits of \$20,000/\$40,000/\$10,000 only; and further authorizing the Mayor to sign the appropriate forms rejecting the underinsured motorists coverage and accepting the uninsured motorists coverage.”

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 Commercial Insurance Services, as Administrator, and Arthur J. Gallagher Risk Management Services, Inc., and Alternative Service Concepts, LLC, at a price not to exceed One Million Seven Hundred Eighty-one Thousand Two Hundred Two Dollars and Forty-five Cents (\$1,781,202.45), for the City’s Risk Management and Property and Casualty Insurance coverage for the period March 31, 2006 through March 31, 2007, specifically by rejecting all underinsured motorists coverage and accepting uninsured motorists coverage with statutory minimum limits of \$20,000/\$40,000/\$10,000 only; and further authorizing the Mayor to sign the appropriate forms rejecting the underinsured motorists coverage and accepting the uninsured motorists coverage.

The question being on the adoption of the Resolution a vote was taken. There being dissent from Councilman Deitzler and Councilman Weintraub the Mayor declared Resolution No. 998-06, adopted.

3. Your Committee on Finance has had under consideration Resolution No. 999-06, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 999-06 - “ Authorizing the Mayor to enter into a contract with W.Q. Waters Company, in the amount of \$26,447, for Exterior Painting of the Municipal Auditorium. “

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.Q. Waters Company, in the amount of Twenty-six Thousand Four Hundred Forty-Seven Dollars (\$26,447), for Exterior Painting of the Municipal Auditorium.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 999-06, adopted.

4. Your Committee on Finance has had under consideration Resolution No. 001-06,

and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 001-06: “Authorizing the Mayor to enter into an Agreement with Asbestos Testing, Inc. for Asbestos Inspections / Sample Testing services on structures slated for demolition by the Building Commission, for a one year period from the date of execution of this Agreement. The City shall have the exclusive, irrevocable option to renew the Agreement under the same terms and conditions, and at the prices quoted herein, for two consecutive years.”

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 Asbestos Testing, Inc. for Asbestos Inspections / Sample Testing services on structures slated for demolition by the Building Commission, for a one year period from the date of execution of this Agreement. The City shall have the exclusive, irrevocable option to renew the Agreement under the same terms and conditions, and at the prices quoted herein, for two consecutive years.

The rates covering projects under this Agreement are as follows:

Per Structure	\$135.00
Per Bulk Sample	\$ 0.00
Per Sample (PLM)	\$ 5.00
Gravimetric Reduction Sample	\$ 45.00

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 001-06, adopted.

5. Your Committee on Finance has had under consideration Resolution No. 002-06, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 002-06: “Authorizing the Mayor to enter into an Agreement with Astar Abatement, Inc. for asbestos abatement of substandard structures slated for demolition by the Building Commission, at the rate of \$2.39 per square foot, for a one year period from date of execution of Agreement. The City shall have the exclusive, irrevocable option to renew the Agreement under the same terms and conditions, and at the price quoted in this bid specification, for two consecutive years.”

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 Astar Abatement, Inc.. for asbestos abatement of substandard structures slated for demolition by the Building Commission, at the rate of Two Dollars and Thirty-nine Cents (\$2.39)

per square foot, for a one year period from date of execution of Agreement. The City shall have the exclusive, irrevocable option to renew the Agreement under the same terms and conditions, and at the price quoted in this bid specification, for two consecutive years.

The question being on the adoption of the Resolution a roll call was taken and there were; yeas-26, absent – 2, as follows:

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

ABSENT: Clowser, Hall

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 002-06, adopted.

6. Your Committee on Finance has had under consideration Resolution No. 003-06, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 003-06: “Authorizing the Mayor to enter into an Agreement with West Virginia Demolition, Inc. for demolition of substandard structures located throughout the City, at a rate of \$2.99 per square foot, for a one year period from date of execution of Agreement. The City shall have the exclusive, irrevocable option to renew the Agreement under the same terms and conditions, and at the price quoted in this bid specification, for two consecutive years.”

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 West Virginia Demolition, Inc. for demolition of substandard structures located throughout the City, at a rate of Two Dollars and Ninety-nine Cents (\$2.99) per square foot, for a one year period from date of execution of Agreement. The City shall have the exclusive, irrevocable option to renew the Agreement under the same terms and conditions, and at the price quoted in this bid specification, for two consecutive years.

The question being on the adoption of the Resolution a roll call was taken and there were; yeas-26, absent – 2, as follows:

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

ABSENT: Clowser, Hall

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 003-06, adopted.

7. Your Committee on Finance has had under consideration Resolution No. 004-06,

and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 004-06: “Authorizing the Mayor to renew the Irrevocable Letter of Credit from City National Bank in the amount of \$328,000 for bonding of the permitted acreage at the City Landfill; and further authorizing payment of the premium in the amount of \$3,280 for the period July 1, 2006 to June 30, 2007. The premium is due annually with reimbursement to the City by Landfill Services of Charleston, Inc.”

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

That the Mayor is hereby authorized and directed to renew the Irrevocable Letter of Credit from City National Bank in the amount of Three Hundred Twenty-eight Thousand Dollars (\$328,000) for bonding of the permitted acreage at the City Landfill; and further authorizing payment of the premium in the amount of Three Thousand Two Hundred Eighty Dollars (\$3,280) for the period July 1, 2006 to June 30, 2007. The premium is due annually with reimbursement to the City by Landfill Services of Charleston, Inc.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 004-06, adopted.

8. Your Committee on Finance has had under consideration Resolution No. 005-06, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 005-06: “Authorizing the Finance Director to allocate funds in the amount of \$25,400 for acquisition of one (1) HOME project located on the West Side of Charleston.”

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 Twenty-five Thousand Four Hundred Dollars (\$25,400) for acquisition of one (1) HOME project located on the Wet Side of Charleston.

The question being on the adoption of the Resolution a roll call was taken and there were; yeas-26, absent – 2, as follows:

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

ABSENT: Clowser, Hall

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 005-06, adopted.

9. Your Committee on Finance has had under consideration Resolution No. 006-06, and reports the same to Council with the recommendation that the committee report be

adopted.

Resolution No. 006-06: “Authorizing the Finance Director to allocate funds in the amount of \$27,910 for rehabilitation of two (2) owner-occupied residences in the City of Charleston.”

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 Twenty-seven Thousand Nine Hundred Ten Dollars (\$27,910) for rehabilitation of two (2) owner-occupied residences in the City of Charleston.

The question being on the adoption of the Resolution a roll call was taken and there were; yeas-26, absent – 2, as follows:

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

ABSENT: Clowser, Hall

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 006-06, adopted.

10. Your Committee on Finance has had under consideration Resolution No. 007-06, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 007-06: “Authorizing the Mayor to sign a Request for Project Amendment Change (Form 2) for Daymark Incorporated Project No. 03LEDA0138 in the amount of \$20,000. The original scope was to acquire property to merge Daymark’s Patchwork facility (located at 1583 Lee Street) and the New Connections facility (located at 1598 C, Washington Street, East). Reason for proposed change, funds are more critically needed for predevelopment services at this time. Plans are necessary to properly promote the project in a manner that will secure funding for both the initial property acquisition as well as the anticipated construction. The predevelopment services would include but not limited to architectural and engineering services, site plans construction estimates, etc. now being required.”

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

That the Mayor is hereby authorized and directed to sign a Request for Project Amendment Change (Form 2) for Daymark Incorporated Project No. 03LEDA0138 in the amount of Twenty Thousand Dollars (\$20,000). The original scope was to acquire property to merge Daymark’s Patchwork facility (located at 1583 Lee Street) and the New Connections facility (located at 1598 C, Washington Street, East). Reason for proposed change, funds are more critically needed for predevelopment services at this time. Plans are necessary to properly promote the project in a manner that will secure funding for both the initial property acquisition as well as the anticipated construction.

The predevelopment services would include but not limited to architectural and engineering services, site plans Construction estimates, etc. now being required.

The question being on the adoption of the Resolution a roll call was taken and there were; yeas-26, absent – 2, as follows:

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

ABSENT: Clowser, Hall

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 007-06, adopted.

11. Your Committee on Finance has had under consideration Resolution No. 008-06, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 008-06: “Authorizing the Mayor to sign and submit Fiscal Year 2004 Local Economic Development Assistance (LEDA) grant application and related documents, in the amount of \$10,000, on behalf of the West Virginia Music Hall of Fame. Funds will be used to construct a promotional display to be located at Yeager Airport.”

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 2004 Local Economic Development Assistance (LEDA) grant application and related documents, in the amount of Ten Thousand Dollars (\$10,000), on behalf of the West Virginia Music Hall of Fame. Funds will be used to construct a promotional display to be located at Yeager Airport.

The question being on the adoption of the Resolution a roll call was taken and there were; yeas-26, absent – 2, as follows:

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

ABSENT: Clowser, Hall

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 008-06, adopted.

12. Your Committee on Finance has had under consideration Resolution No. 009-06, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 009-06: “Authorizing the Mayor to enter into a one year agreement

with Sitiescan, Inc. to provide lead hazard inspections / testing, risk assessments and clearance technician services related to MOECD projects.”

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 one year agreement with Sitiescan, Inc. to provide lead hazard inspections / testing, risk assessments and clearance technician services related to MOECD projects.

The question being on the adoption of the Resolution a roll call was taken and there were; yeas-26, absent – 2, as follows:

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

ABSENT: Clowser, Hall

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 009-06, adopted.

13. Your committee on Finance has had under consideration a bid submitted by Stephens Auto Center, in the amount of \$37,180, for purchase of two (2) right-hand drive meter patrol vehicles (\$18,590 each) to be used by the parking System. To be charged to Account No. 406-571-00-000-4-459, Parking – 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.

REPORTS OF OFFICERS

1. Report of the City of Charleston Financial Statements for the Eight-month period ended February 26, 2006.

Received and Filed.

2. City Treasurer’s Report to City Council Month Ending February 2006;

Received and Filed.

NEW BILLS INTRODUCED

Introduced by Councilman Archie Chestnut, on March 20, 2006:

Bill No. 7196 - A Bill to establish No Parking Anytime Tow-Away on the westerly side of that portion of Brooks Street lying east of the I-64/I-77 entrance ramp from Lewis Street to Smith Street and on the easterly side of that same portion of Brooks Street from Lewis Street to a point 40’ north of Lewis Street and from a point 416’ north of Lewis Street to Smith Street and on the easterly side of that same portion of Brooks Street, except for buses, City of Charleston vehicles and vehicles with

special permits and properly accredited media communication vehicles, from a point 40' north of Lewis Street to a point 416' north of Lewis Street and amending the 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.

Refer to Streets and Traffic Committee.

Introduced by Councilmembers Charlie Loeb, Tom Lane, Brenda Robertson, David Higgins, Jack Harrison, Paul Monroe, on March 20, 2006:

Bill No. 7198 -A Bill amending and reenacting Chapter Ten (10) of the Code of the City of Charleston titled Animals. By adding thereto one (1) new division designated Article Four Section Ten-One Hundred Seventy-one (10-171); to revise the Animals section of the code with changes attached hereto.

Refer to Ordinance and Rules Committee.

Introduced by Councilman Bobby Reishman, on March 20, 2006:

Bill No. 7199 - A Bill authorizing and directing the Mayor of the City of Charleston to purchase private property located in a flood prone area from Sandra Harrison, pursuant to a cooperative grant agreement between the City and the State Office of Emergency Services, dated October 13, 2004, for the purposes of purchasing the property, demolishing the structure and restricting the use of said property to be only for purposes that are compatible with flood prone property.

Refer to Finance Committee.

Introduced by Councilmembers Charlie Loeb, Linda Nielsen, on March 20, 2006:

Bill No. 7200 - A Bill and order to submit the issue of the Charleston user fee to the registered voters of Charleston in a special election on July 24, 2006.

Refer to Finance Committee.

Introduced by Councilman Tom Lane, on March 20, 2006:

Bill No. 7201- A Bill amending and reenacting Chapter two (2) of the Code of the City of Charleston, as amended, by amending sections 681, 682, 683 and 684 relating to the creation, duties and finances of the Wayfinding Commission.

Refer to Ordinance and Rules Committee.

UNFINISHED BUSINESS

A Presentation given by Strand Engineering Associates, Inc. of Madison, Wisconsin, by Dr. Margaret Guell, and Trimble Associates of Richmond Virginia, by D. Wayne Trimble concerning the Charleston Sanitary Board.

ROLL CALL

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

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

ABSENT:, Hall, Clowser

At 9:00 p.m., on motion of Councilman Loeb, Council adjourned until Monday, April 3, 2006, at 7:00 p.m.

Danny Jones, Honorable Mayor

James M. Reishman, City Clerk