

JOURNAL
OF THE
COUNCIL
CITY OF CHARLESTON
WEST VIRGINIA

MAY 1, 2006

THE COUNCIL MET IN CHAMBERS OF THE CITY BUILDING AT 7:00 P.M., FOR THE FIRST MEETING IN THE MONTH OF MAY ON THE 1st 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 MILLER.

**CHESTNUT
DEITZLER
HANNA
HIGGINS
LANE
MILLER**

ROBERTSON

MAYOR JONES

**CLOWSER
EALY
HARRIS
JONES
LANHAM
MONROE
REED**

WEINTRAUB

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

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. Anthony Kinzer – Rags to Riches Hall of Fame
2. Susie Salisbury – Conference with Mayor Riley from Charleston, SC.

CLAIMS

1. A claim of Roger Rubel, 101 Maddox Dr., Scott Depot, WV; alleges damage to vehicle.

Refer to City Solicitor.

2. A claim of Robert Summers, 5311 MacCorkle Ave. SE., Charleston, WV; alleges personal injury.

Refer to City Solicitor.

3. A claim of Harriet Brown, 621 Gordon Dr., Charleston, WV; alleges damage to vehicle.

Refer to City Solicitor.

4. A claim of Peggy Jarrell, 212 Seneca Valley Estates, Charleston, WV; alleges personal injury.

Refer to City Solicitor.

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. 022-06, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 022-06: "Authorizing approval of the 2006-2007 Parking System Budget as indicated on the attached list of accounts."

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

That the 2006-2007 Parking System Budget, as indicated on the attached list of accounts, is hereby approved.

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, Reed, Reishman, Robertson, Talkington, Weintraub, White, Mayor Jones.

ABSENT: Nielsen, Sadd, Ware

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 022-06, adopted.

2. Your Committee on Finance has had under consideration Resolution No. 023-06, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 023-06: "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.

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, Reed, Reishman, Robertson, Talkington, Weintraub, White, Mayor Jones.

ABSENT: Nielsen, Sadd, Ware

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 023-06, adopted.

3. Your Committee on Finance has had under consideration Resolution No. 024-06, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 024-06: "Authorizing the Mayor to sign Change Order No. 2 with Tony Baiano Construction Co., Inc. for additional work related to the Streetscape Project, in the amount of \$17,130, providing for tree removal and concrete sidewalk restoration in the 400 Block of Virginia Street, East, and Kanawha Boulevard. Change Order No. 2 increases the contract price from \$681,700 to \$698,830."

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. 2 with Tony Baiano Construction Co., Inc. for additional work related to the Streetscape Project, in the amount of Seventeen Thousand One Hundred Thirty Dollars (\$17,130), providing for tree removal and concrete sidewalk restoration in the 400 Block of Virginia Street, East, and Kanawha Boulevard. Change Order No. 2 increases the contract price from \$681,700 to \$698,830.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 024-06, adopted.

4. Your Committee on Finance has had under consideration Resolution No. 025-06, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 025-06: "Authorizing the Mayor to sign and submit to the U. S. Department of Housing and Urban Development the Annual Action Plan for Program Year 2006 to 2007 (Year 2 of the Consolidated Plan), and all required agreements including subrecipient project contracts relating to the Annual Action Plan."

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 to the U. S. Department of Housing and Urban Development the Annual Action Plan for Program Year 2006 to 2007 (Year 2 of the Consolidated Plan), and all required agreements including subrecipient project contracts relating to the Annual Action Plan."

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, Reed, Reishman, Robertson, Talkington, Weintraub, White, Mayor Jones.

ABSENT: Nielsen, Sadd, Ware

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 025-06, adopted.

5. Your Committee on Finance has had under consideration Resolution No. 026-06, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 026-06: "Authorizing the Mayor to sign a Request for Project Amendment Change (Form 2) for Renaissance Main Street Project No. 04LEDA0143. The original scope was to assist in the purchase of an historic structure on Washington Street to house the East End Main Street program. Additionally the grant would provide matching funds for site preparation, exterior renovations and landscaping. The request for project amendment is to change the scope of service to fund the continued efforts of the East End Main Street program on projects concerning Community and Economic Development and Historical Preservation on the East End. The funds would be applied towards the development and implementation of these projects which are public improvements for the East End, specifically, printing costs, beautification efforts, historical preservation materials and economic development tools"

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 Renaissance Main Street Project No. 04LEDA0143. The original scope was to assist in the purchase of an historic structure on Washington Street to house the East End Main Street program. Additionally the grant would provide matching funds for site preparation, exterior renovations and landscaping. The request for project amendment is to change the scope of service to fund the continued efforts of the East End Main Street program on projects concerning Community and Economic Development and Historical Preservation on the East End. The funds would be applied towards the development and implementation of these projects which are public improvements for the East End, specifically, printing costs, beautification efforts, historical preservation materials and economic development tools.

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, Reed, Reishman, Robertson, Talkington, Weintraub, White, Mayor Jones.

ABSENT: Nielsen, Sadd, Ware

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 026-06, adopted.

6. Your Committee on Finance has had under consideration Resolution No. 027-06, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 027-06: "Authorizing the Mayor to sign a contract between the City of Charleston and the West Virginia Development Office for FY 2006 LEDA grants on behalf of seven local agencies."

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

That the Mayor is hereby authorized and directed to sign a contract between the City of Charleston and the West Virginia Development Office for FY 2006 LEDA grants on behalf of the agencies listed below:

<u>Agency</u>	<u>Amount</u>
Black Ministerial Alliance	\$ 2,500.00
Hope Community Development Corporation	5,000.00
Rea of Hope Fellowship Home	2,000.00
East End Family Resource Center	5,000.00
Capitol Market	15,000.00

Charleston Area Alliance & Charleston Area Dev. Corp.	10,000.00
Simpson Outreach	5,000.00

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

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

ABSENT: Nielsen, Sadd, Ware

ABSTAIN: Davis

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 027-06, adopted.

7. Your Committee on Finance has had under consideration Resolution No. 028-06, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 028-06: “Authorizing the Mayor to sign and submit applications for the 2006 West Virginia Homeless Shelters Program (WVHSP) to provide maintenance, operating expenses and essential services for the following agencies: YWCA/Sojourner’s, YWCA/Resolve Family Abuse, Daymark Inc. Covenant House Inc., Roark Sullivan Lifeway Center Inc., and RCCR/Samaritan Inn shelters; and further authorizing the Mayor to sign the required agreements with the respective agencies.”

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 applications for the 2006 West Virginia Homeless Shelters Program (WVHSP) to provide maintenance, operating expenses, and essential services for the following agencies: YWCA/Sojourner’s, YWCA/Resolve Family Abuse, Daymark Inc. Covenant House Inc., Roark Sullivan Lifeway Center Inc., and RCCR/Samaritan Inn shelters; and further authorizing the Mayor to sign the required agreements with the respective agencies.

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

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

ABSENT: Nielsen, Sadd, Ware

ABSTAIN: Ealy

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 028-06, adopted.

8. Your committee on Finance has had under consideration a bid submitted by

Wesbanco Distributors, in the amount of \$36,335, for purchase of a Sport Lighting System and related materials for tennis courts at the Kanawha City Recreation Center. The new lighting system will be installed utilizing City personnel. To be charged to Account No. 220-979-00-900-4-458, P&R, 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.

9. Your committee on Finance has had under consideration a approval to rescind the purchase of a 2006 Dodge Stratus from Stephens Auto Sales at a cost of \$12,370, approved by the Finance Committee and City Council on April 17, 2006, for the Planning Department; and further requesting approval to purchase a 2006 Dodge Stratus from Country Club Chrysler at a cost of \$11,516, and a savings of \$854. This purchase is being made by piggybacking a State of West Virginia contract. Originally the vehicle was approved for purchase from the 2005 State contract when it should have been approved for purchase from the 2006 State contract listing Country Club Chrysler as the vendor. To be charged to Account No. 001-975-00-437-4-459, Planning—Capital Outlay, Equip. (Part of Lease/Purchase Escrow Account Schedule No. 5 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 Payment of an invoice from Mazzella Quarries, Inc., in the amount of \$13,330.20, for purchase, on an emergency basis, of 1,110.85 tons of #4 Shot rock used to repair the slip on Baker Lane. To be charged to Account No. 001-750-00-000-3-341, Street – Materials and Supplies, 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 Nine-month period ended March 31, 2006.

Received and Filed.

2. Report of the City of Charleston Comprehensive Annual Financial Report for the for

the Fiscal Year ended June 30, 2005
Received and Filed.

3. Single Audit Report of the City of Charleston for the for the Fiscal Year ended June 30, 2005
Received and Filed.

UNFINISHED BUSINESS

Mayor Jones announced that the Compost Facility will be closing. A letter from the DEP was received allowing the city to dispose of domestic yard waste at the Charleston Landfill for a period of eighteen months.

Councilman Ealy announced that the Kids Annual Spring Recycling program will be taking place on Thursday, May 18 at 6:30 and encouraged council to attend.

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, Reed, Reishman, Robertson, Talkington, Weintraub, White, Mayor Jones.

ABSENT: Nielsen, Sadd, Ware

At 7:30 p.m., on motion of Councilman Loeb, Council adjourned until Monday, May 15, 2006, at 7:00 p.m.

Danny Jones, Honorable Mayor

James M. Reishman, City Clerk