

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

**November 5, 2007**

**THE COUNCIL MET IN CHAMBERS OF THE CITY BUILDING AT 7:00 P.M., FOR THE FIRST MEETING IN THE MONTH OF NOVEMBER ON THE 5TH DAY, IN THE YEAR 2007, 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.**

**BURTON  
DEITZLER  
HANNA  
HIGGINS  
KNAUFF  
MILLER  
REISHMAN  
SHEETS  
WARE  
MAYOR JONES**

**CLOUSER  
EALY  
HARRIS  
JONES  
LANE  
PAYNE  
WEINTRAUB**

**DAVIS  
HALL  
HARRISON  
KIRK  
LANHAM  
REED  
SALISBURY  
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. James Straughter – Take the protest to Logan, WV.
2. Janet Thompson – Thank you to John Miller.

## ***CLAIMS***

1. A claim of Rhonda E Hughart, 1027 Wethersfield Crossing, Hurricane, WV; alleges damage to vehicle.  
Refer to City Solicitor.
2. A claim of Gregory W. Jones, 1197 Livingston Ave., Charleston, WV; alleges damage to property.  
Refer to City Solicitor.
3. A claim of Wayne Martin, 1616 Sugar Creek Drive, Charleston, WV; alleges damage to vehicle.  
Refer to City Solicitor.
4. A claim of Matthew W. Gibson, 8600 Sissonville Drive, Charleston, WV; alleges personal injury.  
Refer to City Solicitor.
5. A claim of Danny H. Lanham, 25 Quail Pointe, Charleston, WV; alleges damage to property.  
Refer to City Solicitor.
6. A claim of Michael Strickland, P O Box 13547, Charleston, WV; alleges damage to vehicle.  
Refer to City Solicitor.

## ***Communications***

# **City's accounting rated "excellent"**

## ***First city in state to gain national recognition***

**CHARLESTON, W.Va.** – The City of Charleston's accounting division and City Auditor are getting high praise from a national organization that judges standards in government accounting and financial reporting. The Government Finance Officers Association of the United States and Canada (GFOA) has awarded a Certificate of Achievement for Excellence in Finance Reporting to Charleston City Auditor Brenda Lemon, and city leaders believe it is the first such award ever given to a municipal government in the state.

The award follows professional examination of the city's comprehensive annual financial report (CAFR) by an impartial panel of judges that apply high standards of the GFOA, emphasizing full disclosure, clear communication from the report and ease of use by people who want to examine its financial information.

According to a GFOA news release announcing the award: "The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management."

"This award is a great testament to the quality work done by City Controller Brenda Lemon, our accounting and auditing staffs in making sure the City of Charleston's financial books are in good order, well managed and user friendly for citizens to examine and understand," Mayor Danny Jones said.

**TO: JAMES REISHMAN  
CITY CLERK**

**FROM: DANNY JONES  
MAYOR**

**RE: CHARLESTON WAYFINDING COMMISSION**

**DATE: NOVEMBER 5, 2007**

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I recommend that Cheryl Hall, 2008 Parkwood Road, Charleston, WV 25314, be reappointed to the Charleston Wayfinding Commission, with a said term to expire September 1, 2010. She represents Charleston City Council.

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 WAYFINDING COMMISSION**

**DATE: NOVEMBER 5, 2007**

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I recommend that Jessica Lane, 4007 Staunton Avenue, Charleston, WV 25304, be reappointed to the Charleston Wayfinding Commission, with a term to expire September 1, 2010.

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 WAYFINDING COMMISSION**

**DATE: NOVEMBER 5, 2007**

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I recommend that Shannon Mealer, PO Box 4433, Charleston, WV 25364, be reappointed to the Charleston Wayfinding Commission, with a term to expire September 1, 2010.

I respectfully request City Council's approval of this recommendation

Council approved the Appointment

### ***MISCELLEANOUS RESOLUTION***

**Resolution No. 300-07 :**

**Introduced in Council:**

**November 5, 2007**

**Introduced by:**

**David Higgins, Tom Lane**  
**Robert Reishman, Jack Harrison**  
**Mary Jean Davis, Will Hanna**

**Adopted by Council:**

**Referred to:**

**Resolution No. 300 -07 :** A Resolution recommending that the Mayor and the City Administration fully develop and finalize a proposed City of Charleston Municipal Home Rule Pilot Program written plan, said plan to include the items identified in Exhibit A hereto, with the exception of any item determined to be inconsistent with W.Va. Code §8-1-5a, and to undertake any action necessary under W.Va. Code §8-1-5a and rules

promulgated thereunder to enable to City the opportunity to submit a proposed written plan on or before January 1, 2008, to the Municipal Home Rule Board for consideration as a candidate for the Home Rule Pilot Program.

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

That the Mayor and the City Administration are instructed to fully develop and finalize a proposed City of Charleston Municipal Home Rule Pilot Program written plan, said plan to include the items identified in Exhibit A hereto, with the exception of any item determined to be inconsistent with W.Va. Code §8-1-5a, and to undertake any action necessary under W.Va. Code §8-1-5a and rules promulgated thereunder to enable to City the opportunity to submit a proposed written plan on or before January 1, 2008, to the Municipal Home Rule Board for consideration as a candidate for the Home Rule Pilot Program.

**City of Charleston  
Municipal Home Rule Plan Summary**

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The plan proposes that the City of Charleston should be allowed to:

1. Delinquent Fees
  - (a) Hold hearings at the city level to facilitate collection of delinquent fees owed to the city with a right of appeal to the court system.
  - (b) Allow City/CSB to lien against property owned by person/entity owing delinquent fees for City/CSB services without the necessity of obtaining a court order.
  - (c) Publication of delinquent accounts.
2. Authorize urban bow hunting programs to control deer without regard to DNR restrictions on time for the hunting and the number of deer that can be harvested without reducing a hunter's statewide "bag limit."
3. Make needed repairs to "eye sores" and dilapidated structures/property with the costs of those repairs becoming a lien on the property.
4. Modify procedure for procurement of architect-engineering services for projects over \$250k to allow for an RFP process.

5. Permit City to determine rates, classifications and exemptions for B&O taxes: except that no B&O tax will be imposed on any Insurance Company or any non profit company or other charitable, religious or fraternal organization which is currently exempt under W V Code 11-13-3 or 11-24-5 (b) or under 110 CSR series 26 section 3.

6. Permit zoning and building administrators and/or City law enforcement officers to issue "on the spot" citations for exterior sanitation/common nuisance violations.

7. Relief from DNR "per project" permitting.

8. Relief from DEP "per load" testing for materials bound for landfill.

9. Allow conveyance or lease of buildings or land to non-profit organizations providing services to the public that the City could otherwise provide.

10. Relief from Municipal Juror Number Requirements.

11. Relief from Design Build Procurement Act requirements.

12. Allow contracts with other jurisdictions via Resolution.

13. Municipal Healthcare Provider Tax.

14. Councilmember Lane made a motion to amend paragraph 5 by adding the following language (except that no B&O tax will be imposed on any Insurance Company or any non profit company or other charitable, religious or fraternal organization which is currently exempt under W V Code 11-13-3 or 11-24-5 (b) or under 110 CSR series 26 section 3.) Councilmember Harrison second the motion.

Council voted on the amendment.

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

YEAS: Burton, Clowser, Davis, Deitzler, Ealy, Hall, Hanna, Harris, Harrison, Higgins, Jones, Kirk, Knauff, Lane, Lanham, Miller, Payne, Reed, Reishman, Salisbury, Sheets, Talkington, Ware, Weintraub, White, Mayor Jones.

ABSENT: Russell, Smith.

Council then voted on Resolution 300-07 as amended.

The question being on the adoption of the amendment a vote was taken. There being no dissent the Mayor declared Resolution No. 300-07, as amended, adopted.

1. To update your records the attached bill # 7283 was withdrawn by the applicant on September 27, 2007.

Bill No. 7283

Passed by Council

October 1, 2007

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Introduced by:

Referred to:

Robert Sheets

Municipal Planning Commission

Bill No. 7283 amending the Zoning Ordinance of the City of Charleston, West Virginia, enacted the enacted the 1<sup>st</sup> day of January, 2006, as amended and the map made a part thereof, by rezoning from an R-O Residential Office to C-10 General Commercial District that certain parcel of land situate at 112 Brooks Street, Charleston, West Virginia.

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 1<sup>st</sup> day of January, 2006, as amended, is hereby amended by rezoning from an R-O Residential Office to C-10 General Commercial District the whole of the following described parcel of land:

Parcel No. 39, as shown on Charleston East Tax Map No. 17, subject to parcel commonly known as 112 Brooks Street, Charleston, West Virginia. Said Tax map is of record in the Planning Office.

2. The zoning map, attached to and made a part of Zoning ordinance is hereby amended in accordance with Section 27 of this ordinance.
3. All prior ordinances or part s of ordinances, inconsistent with this ordinance are hereby repealed to the extent of said inconsistency.

The Mayor declared Bill No. 7283 officially withdrawn.

2. Bill # 7281 was withdrawn by the applicant prior to the September 24<sup>th</sup> Planning Committee meeting.

Bill No. 7281

Introduced in Council

Passed by Council

September 4, 2007

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Introduced by

Adam Knauff

Referred to

Municipal Planning Commission

Bill No. 7281 amending the Zoning Ordinance of the City of Charleston, West Virginia, enacted the 1<sup>st</sup> day of January, 2006, as amended and the map made a part thereof, by rezoning from R-6 Medium Density Residential to C-8 Village Commercial District that certain parcel of land known as West Charleston 28, Parcels 114 – 115 – 116 – 117 – 118- and 119 in the City of Charleston, Kanawha County, West Virginia.

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 1<sup>st</sup> day of January, 2006, as amended, is hereby amended by rezoning from R-6 Medium Density Residential to C-8 Village Commercial District that certain parcel of land known as West Charleston 28, Parcels 114-115-116-117-118 and 119 in the City of Charleston, Kanawha County, West Virginia.
2. The zoning map, attached to and made a part of said ordinance, is hereby amended in accordance with Section 27 of this ordinance.
3. All prior ordinances or parts of ordinances, inconsistent with this ordinance are hereby repealed to the extent of said inconsistency.

The Mayor declared Bill No. 7281 officially withdrawn

1. Your Committee on Ordinance and Rules has had under consideration of Bill No. 7294, and reports the same to Council with the recommendation that the bill be referred to Finance.

Bill No. 7294 : A Bill to amend and reenact Sections 2-734, 2-737, 2-738, and 2-741 of City Code of the City of Charleston, as amended, all relating to the City's Service Fee.

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

That the Council for the City of Charleston hereby amends and reenacts certain sections of the City Code of the City of Charleston, as amended, all relating to the City's Service Fee, to read as follows:

## **Sec. 2-734. Findings.**

- (a) The city council of the city finds that the city provides to all individuals within its borders certain services, whether they are residents employed within the city, or individuals living outside the city and employed within the corporate boundaries of the city.
- (b) The city council of the city finds that such services include police protection and traffic and street maintenance, ~~and other valuable services associated with the police department and public works department.~~
- (c) The city council of the city finds that such services are within the authority and are the responsibility of the Municipal Government of the City of Charleston as provided under the general laws of the State of West Virginia.
- (d) The city council of the city finds that since such services are essential to the creation and maintenance of those jobs which provide livelihood to all individuals employed within the city, as well as to the property interests of residents and visitors to the city, it is therefore, reasonable to derive a portion of the cost of providing and maintaining such services from said individuals.
- (e) The city council of the city finds that W. Va. Code § 8-13-13 provides that every municipality has the plenary power and authority to provide by ordinance for the installation, continuance, maintenance or improvement of such services, to make reasonable regulations with respect thereto, and to impose by ordinance upon the users of such services reasonable rates, fees and charges to be collected in the manner prescribed in the ordinance.
- (f) The city council of the city finds that all of those individuals, who use, enjoy and benefit from these services, should bear an equitable share of the costs thereof.
- (g) The city council of the city finds that the imposition of the city service fee established herein is a reasonable system of distributing the costs to all of the users that the city can reach through reasonable and prudent means and legislation.
- (h) The city council of the city finds that the legislature of the State of West Virginia has conferred upon municipalities the plenary power to enact reasonable administrative provisions to ensure the efficient, orderly and equitable implementation and collection of the service fees from all users.
- (i) The city council of the city finds that it is in the best interests of the citizens of the city and the users of city services to enact this article to impose a city service fee.
- (j) The city council of the city finds that there are tens of thousands of individuals who benefit from municipal services who are not owners of property or residents of the city, but who are employed within the city.

(k) The city council of the city finds that employers located within the city possess important employment information necessary to properly enforce certain aspects and provisions of this article and that, therefore, reasonable regulations concerning obtaining certain information from such employers shall be a necessary and important part of the administration of the city service fee.

(l) The city council of the city finds that raising the fee from one dollar (\$1.00) to two dollars (\$2.00) is reasonable, not excessive, and warranted based upon a reasonable allocation of the fee payers' usage of the municipal services contemplated herein.

**Sec. 2-737. Imposition of fee; rate.**

There is hereby imposed a city service fee upon each employee and self-employed individual at the rate of ~~\$1.00~~ two dollars (\$2.00) per calendar week of employment within the city. No individual shall pay the fee more than once for the same week of employment regardless of multiple employment. The fee imposed by the article is in addition to all other fees imposed by the city. The previous city service fee of one dollar (\$1.00) per calendar week of employment within the city imposed upon each employee and self-employed individual shall continue to be imposed up to and including January 5, 2008.

**Sec. 2-738. Effective date.**

~~The imposition of the city service fee shall take effect beginning January 1, 2004~~ city service fee of two dollars (\$2.00) per calendar week of employment within the city shall take effect beginning January 6, 2008. The previous city service fee of one dollar (\$1.00) per calendar week of employment within the city imposed upon each employee and self-employed individual will continue to be imposed up to and including January 5, 2008.

**Sec. 2-741. Delinquent accounts; penalties.**

(a) The fee imposed by this article, if not paid when due, shall bear interest at the rate of eight percent per annum from the due date of the remittance until paid.

(b) Payment of fees not received upon the due date shall be considered delinquent. The city collector shall assess each delinquent account a penalty of five percent of the balance thereof. If the delinquency exceeds a month, an additional penalty of two percent shall be added to the total outstanding delinquent fee at the end of each additional month or part thereof. Without limiting the generality of the foregoing, the delinquency penalty may be assessed against any employer responsible for withholding and remitting the fee of any employee subject to the fee imposed in this article. The city collector may waive or abate the penalty hereunder for reasonable cause.

Mayor referred Bill No. 7394 to Finance.

## **FINANCE**

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

1. Your Committee on Finance has had under consideration Resolution No. 293-07, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 293-07 : “Authorizing “Citizen Appreciation Parking” for Saturday, November 24, 2007, and four Saturdays in December 2007 (Dec. 1<sup>st</sup>, 8<sup>th</sup>, 15<sup>th</sup> and 22<sup>nd</sup>). “Citizen Appreciation Parking” shall include the waiving of hourly parking fees at all City-Operated facilities (excluding Municipal Parking Building No. 2 / Cinema), and all metered on-street parking spaces.”

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

That “Citizen Appreciation Parking” for Saturday, November 24, 2007, and four Saturdays in December 2007 (Dec. 1<sup>st</sup>, 8<sup>th</sup>, 15<sup>th</sup> and 22<sup>nd</sup>) is hereby approved. “Citizen Appreciation Parking” shall include the waiving of hourly parking fees at all City-Operated facilities (excluding Municipal Parking Building No. 2 / Cinema), and all metered on-street parking spaces.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 293-07, adopted.

2. Your Committee on Finance has had under consideration Resolution No. 294-07, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 294-07 : “Authorizing the Mayor to sign and submit an Intent-to-Apply Form to the West Virginia Department of Transportation, Division of Highways, for the CSX Train Trestle.”

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 an Intent-to-Apply Form to the West Virginia Department of Transportation, Division of Highways, for the CSX Train Trestle.

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

YEAS: Burton, Clowser, Davis, Deitzler, Ealy, Hall, Hanna, Harris, Harrison, Higgins, Jones, Kirk, Knauff, Lane, Lanham, Miller, Payne, Reed, Reishman, Salisbury, Sheets, Talkington, Ware, Weintraub, White, Mayor Jones.

ABSENT: Russell, Smith.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 294-07, adopted.

3. Your Committee on Finance has had under consideration Resolution No. 295-07, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 295-07 : “Authorizing the Mayor to sign a contract between the City of Charleston and the West Virginia Development Office for FY 2007 Community Partnership Grant on behalf of the REA of Hope Fellowship Home. The grant is in the amount of \$5,000 and will be used to purchase office equipment and supplies.”

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 2007 Community Partnership Grant on behalf of the REA of Hope Fellowship Home. The grant is in the amount of \$5,000 and will be used to purchase office equipment and supplies.

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

YEAS: Burton, Clowser, Davis, Deitzler, Ealy, Hall, Hanna, Harris, Harrison, Higgins, Jones, Kirk, Knauff, Lane, Lanham, Miller, Payne, Reed, Reishman, Salisbury, Sheets, Talkington, Ware, Weintraub, White, Mayor Jones.

ABSENT: Russell, Smith.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 295-07, adopted

4. Your Committee on Finance has had under consideration Resolution No. 296-07, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 296-07: “Authorizing the Finance Director to amend the 2007-2008 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 2007-2008 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: Burton, Clowser, Davis, Deitzler, Ealy, Hall, Hanna, Harris, Harrison, Higgins, Jones, Kirk, Knauff, Lane, Lanham, Miller, Payne, Reed, Reishman, Salisbury, Sheets, Talkington, Ware, Weintraub, White, Mayor Jones.

ABSENT:Russell, Smith.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 296-07, adopted

5. Your Committee on Finance has had under consideration Resolution No. 297-07, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 297-07: "Authorizing the Finance Director to amend the 2007-2008 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 2007-2008 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: Burton, Clowser, Davis, Deitzler, Ealy, Hall, Hanna, Harris, Harrison, Higgins, Jones, Kirk, Knauff, Lane, Lanham, Miller, Payne, Reed, Reishman, Salisbury, Sheets, Talkington, Ware, Weintraub, White, Mayor Jones.

ABSENT:Russell, Smith.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 297-07, adopted

6. Your Committee on Finance has had under consideration Resolution No. 298-07, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 298-07: "Authorizing the Mayor to enter into an Agreement with Tyler Technologies, in an amount up to \$101,692, for purchase of an INCODE Court Case Management Software Package and related materials for Municipal Court. The software package includes accessing ticket information and dockets, tracking payments, bond management, warrants, restitution, and reporting to the West Virginia Department of Motor Vehicles."

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 Tyler Technologies, in an amount up to \$101,692, for purchase of an INCODE Court Case Management Software Package and related materials for Municipal Court. The software package includes accessing ticket information and dockets, tracking payments, bond management, warrants, restitution, and reporting to the West Virginia Department of Motor Vehicles.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 298-07, adopted.

7. Your Committee on Finance has had under consideration: bid submitted by State Equipment, Inc., in the amount of \$14,150, for purchase of a new Kubota 1100CW-A Rough Terrain Vehicle (RTV) to be used at Spring Hill Cemetery. To be charged to Account No. 001-980-00-952-4-459, Spring Hill Cemetery—Capital Outlay, Equipment

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: proposal submitted by Stephen's Auto Center for purchase of a vehicle to be used by the Metro Drug Enforcement Unit (MDENT), in the amount of \$17,493, less trade-in of vehicle currently in use (estimated value \$3,800, based on model and mileage). The actual trade-in amount of the used vehicle will be determined upon delivery of new vehicle in approximately 60 days. To be charged to Account No. 900-173-00-976-4-459, MDENT—Capital Outlay, Equip.

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 Fiscal Year Ended - Month Period Ended June 30, 2007.  
Received and Filed.
2. Report of the City of Charleston Financial Statements for the One - Month Period Ended July 31, 2007.  
Received and Filed.
3. Report of the City of Charleston Financial Statements for the Two - Month Period

Ended August 31, 2007.  
Received and Filed.

4. Report of the City of Charleston Financial Statements for the Three - Month Period Ended September 30, 2007.  
Received and Filed.

5. Report of the City of Charleston Payroll Variance Analysis; September 2007;  
Received and Filed.

6. Report of the City of Charleston Payroll Variance Analysis; October 2007;  
Received and Filed.

### **NEW BILLS**

Introduced by Councilmember Mary Jean Davis, on November 5, 2007  
Bill No. 7295 – A bill to amend 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 establishing R-O Residential - Office Zoning District for parcels within the Gettysburg Subdivision known as parcels 30.1, Washington Tax District Map 30 and adjacent roads and rights of way within the subdivision.  
Refer to Municipal Planning Commission

Introduced by Councilmember Jim Harris, on November 5, 2007  
Bill No. 7296 – A Bill to amend 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 R-6 Medium Density Residential District to C-10 General Commercial District that parcel of land known as a portion of North Charleston Tax Map 60, Parcel 4.1 . Said tax map is of record in the City of Charleston Planning Office  
Refer to Municipal Planning Commission

Introduced by Councilmember Mary Jean Davis, on November 5, 2007  
Bill No. 7297 – A Bill to amend 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 R-8 High Density Residential District to C-8 Village Commercial District that parcel of land known as West Charleston Tax Map 20, Parcels 253 and 254. Map is of record in the City Planning Department.  
Refer to Municipal Planning Commission

Introduced by Councilmember Mary Jean Davis, on November 5, 2007  
Bill No. 7298: A BILL to amend § 2-020, § 22-010, § 22-040, § 22-050, § 22-060, and § 22-070-03, and Tables 22-070-04.01 and 22-080.01, and to enact § 22-101, § 22 - 102, and § 22-103 of The Zoning Ordinance for the City of Charleston.  
Refer to Municipal Planning Commission

Introduced by Councilmember Mary Jean Davis, on November 5, 2007  
Bill No. 7299 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 C-4 Neighborhood Commercial District to C-10 General Commercial District a portion of that certain parcel of land situate at 1601 Kanawha Boulevard, West, Charleston, West Virginia, and more specifically located at Parcel 130 on Map 23 of the Charleston West Tax Assessment Map.  
Refer to Municipal Planning Commission

Introduced by Councilmember Jack Harrison, on November 5, 2007  
Bill 7300 to establish a No Parking Anytime Tow-Away zone on Hunters Ridge Road from a point 255 feet north of Powderhorn Road to a point 45 feet south of Powderhorn Road 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.  
Refer to Streets and Traffic

Introduced by Councilmember Jack Harrison, on November 5, 2007  
Bill 7301 is to establish a No Parking Anytime Tow-Away zone on Hunters Ridge Road from a point 150 feet north of Buckhorn Road to a point 150 feet south of Buckhorn Road 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.  
Refer to Streets and Traffic

Introduced by Councilmember Jack Harrison, on November 5, 2007  
Bill 7302 to establish a Stop sign on Hunters Ridge Road at the intersection of Hunters Road and Smith Road 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.  
Refer to Streets and Traffic

Introduced by Councilmember Jim Harris, on November 5, 2007  
Bill 7303 to establish a Stop intersection on Woodbridge Drive at the intersection of Woodbridge Drive and Winding Woods Road requiring vehicles southbound on Winding Woods Road to stop and requiring vehicles northbound on Woodbridge Drive to stop except when turning right 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.  
Refer to Streets and Traffic

Introduced by Councilmember Jack Harrison, on November 5, 2007  
Bill 7304 to establish Hunters Ridge Road as through street 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.  
Refer to Streets and Traffic

Introduced by Councilmember Jack Harrison, on November 5, 2007  
Bill 7305 to establish a 20 Mile Per Hour speed limit on Hunters Ridge Road 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  
Refer to Streets and Traffic

Introduced by Councilmember John Miller, on November 5, 2007  
Bill 7306 to establish a One Hour Limited Time Parking Zone on the westerly side of 38<sup>th</sup> Street from a point 30 feet north of MacCorkle Avenue to a point 138 feet north of MacCorkle Avenue 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.  
Refer to Streets and Traffic

Introduced by Councilmember Robert Reishman, on November 5, 2007  
Bill No. 7307: Authorizing the Mayor to convey by quitclaim deed and thereby relinquish any right, title or interest of the City of Charleston (the "City") in and to that certain parcel of real estate situated in the City of Charleston, Kanawha County, West Virginia, located at the westerly end of Mountain Road and comprising approximately 4,912.00 square feet, more or less, and being Lot 127-A, Block "P," Vandalia Addition, Charleston South Annex District, to Kim Pittman, an adjoining landowner to the subject property.  
Refer to Finance

Introduced by Councilmember Jack Harrison, on November 5, 2007  
Bill No. 7308: A BILL to amend § 2-551(a) of Article VII of Chapter 2 of the code of the City of Charleston, to create an additional civic Center - Auditorium Board seat.  
Refer to Rules and Ordinances

## ROLL CALL

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

YEAS: Burton, Clowser, Davis, Deitzler, Ealy, Hall, Hanna, Harris, Harrison, Higgins, Jones, Kirk, Knauff, Lane, Lanham, Miller, Payne, Reed, Reishman, Salisbury, Sheets, Talkington, Ware, Weintraub, White, Mayor Jones.

ABSENT: Russell, Smith.

At 8:15 p.m., on motion of Councilmember Harrison, Council adjourned until Monday, November 19, 2007, at 7:00 p.m.

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Danny Jones, Honorable Mayor

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James M. Reishman, City Clerk