

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

**APRIL 2, 2007**

**THE COUNCIL MET IN CHAMBERS OF THE CITY BUILDING AT 7:00 P.M., FOR THE FIRST MEETING IN THE MONTH OF APRIL ON THE 2<sup>nd</sup> 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 REED.**

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

**CLOWSER  
EALY  
HARRIS  
JONES  
  
MONROE  
REED  
SADD**

**DAVIS  
HALL  
HARRISON  
LANE  
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. Julie Caldwell - CVB

**CLAIMS**

- 1. A claim of Liza Cordeiro, 806 Bauer Ave., Charleston, WV; alleges damage to vehicle.  
Refer to City Solicitor.
- 2. A claim of Carol J. Sheltz, 17 Pin Oak Dr., Culloden, WV; alleges personal injury.  
Refer to City Solicitor.

**COMMUNICATIONS**

The Clerk read the following Appointment:

TO: JAMES REISHMAN  
CITY CLERK

FROM: DANNY JONES  
MAYOR

RE: CHARLESTON HUMAN RIGHTS COMMISSION

DATE: APRIL 2, 2007

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I recommend that Margaret Workman, 1596 Kanawha Boulevard, East, Charleston, WV 25311, be appointed to the Charleston Human Rights Commission, with an initial term to expire June 30, 2009. She is replacing Kelly Charnock.

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

Council approved the Appointment.

**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. 198-07, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 198-07: "Authorizing the Finance Director to provide funds in the amount of \$20,795.94 to the Regional Intergovernmental Council (RIC),

representing the City's share of contributions received annually by RIC from local governmental agencies in Boone, Clay, Kanawha and Putnam counties."

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

That the Finance Director is hereby authorized and directed to provide funds in the amount of Twenty Thousand Seven Hundred Ninety-five Dollars and Ninety-four Cents (\$20,795.94) to the Regional Intergovernmental Council (RIC), representing the City's share of contributions received annually by RIC from local governmental agencies in Boone, Clay, Kanawha and Putnam counties.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 198-07, adopted.

2. Your Committee on Finance has had under consideration Resolution No. 199-07, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 199-07: "Authorizing the Mayor to enter into a contract with Kanawha County Board of Education to apply for a Prevention Resource Officer (PRO) grant through the West Virginia Division of Criminal Justice Services. The grant provides a maximum of \$28,000 as reimbursement to the City for the officer's salary, with the officer's employee benefits used as the grant's required 25% match. The assigned officer will adhere to community policing principles, provide education to all areas of juvenile law, act as a deterrent to crime, and be a positive role model and mentor for the youth in Stonewall Jackson Junior High School from July 2007 to June 2008."

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 Kanawha County Board of Education to apply for a Prevention Resource Officer (PRO) grant through the West Virginia Division of Criminal Justice Services. The grant provides a maximum of Twenty-eight Thousand Dollars (\$28,000) as reimbursement to the City for the officer's salary, with the officer's employee benefits used as the grant's required 25% match. The assigned officer will adhere to community policing principles, provide education to all areas of juvenile law, act as a deterrent to crime, and be a positive role model and mentor for the youth in Stonewall Jackson Junior High School from July 2007 to June 2008.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 199-07, adopted.

3. Your Committee on Finance has had under consideration Resolution No. 200-07, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 200-07: “Authorizing lease of copiers from Komax Business Systems to be assigned to various City departments through a 48-month lease agreement pursuant to the attached pricing list.”

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

That leasing of copiers from Komax Business Systems for assignment to various City departments through a 48-month lease agreement pursuant to the attached pricing list is hereby approved.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 200-07, adopted.

4.. Your Committee on Finance has had under consideration Resolution No. 201-07, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 201-07: “Authorizing renewal of the Agreement with Asbestos Testing, Inc., for Asbestos Inspections / Sample Testing services on structures slated for demolition by the Building Commission, originally approved by Council on March 20, 2006, by exercising the City’s exclusive, irrevocable option to renew the Agreement for two consecutive years under the same terms and conditions, and at the same prices, for the period April 1, 2007 through March 31, 2009.”

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

That the Agreement with Asbestos Testing, Inc., for Asbestos Inspections / Sample Testing services on structures slated for demolition by the Building Commission is hereby renewed. The Agreement was originally approved by Council on March 20, 2006, and the City is exercising its exclusive, irrevocable option to renew the Agreement for two consecutive years under the same terms and conditions, and at the same prices, for the period April 1, 2007 through March 31, 2009. 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 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, Miller, Monroe, Morton, Nielsen, Sadd, Reed, Reishman, Robertson, Talkington, Ware, White, Mayor Jones.  
ABSENT: Loeb, Markham, Weintraub

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 201-07, adopted.

5. Your Committee on Finance has had under consideration Resolution No. 202-07, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 202-07: “Authorizing renewal of the 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, originally approved by Council on March 20, 2006, by exercising the City’s exclusive, irrevocable option to renew the Agreement for two consecutive years under the same terms and conditions, and at the same price, for the period April 1, 2007 through March 31, 2009.”

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

That the 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, is hereby renewed. The Agreement was originally approved by Council on March 20, 2006, and the City is exercising its exclusive, irrevocable option to renew the Agreement for two consecutive years under the same terms and conditions, and at the same price, for the period April 1, 2007 through March 31, 2009.

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

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 202-07, adopted.

6. Your Committee on Finance has had under consideration Resolution No. 203-07, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 203-07: “Authorizing renewal of the Agreement with West Virginia Demolition, Inc., for demolition of substandard structures located throughout the City, at a rate of \$2.99 per square foot, originally approved by Council on March 20, 2006, by exercising the City’s exclusive, irrevocable option to renew the Agreement for two consecutive years under the same terms and conditions, and at the same price, for the

period April 1, 2007 through March 31, 2009.”

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

That the Agreement with West Virginia Demolition, Inc., for demolition of substandard structures located throughout the City, at a rate of \$2.99 per square foot, is hereby renewed. The Agreement was originally approved by Council on March 20, 2006, and the City is exercising its exclusive, irrevocable option to renew the Agreement for two consecutive years under the same terms and conditions, and at the same price, for the period April 1, 2007 through March 31, 2009.

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, Miller, Monroe, Morton, Nielsen, Sadd, Reed, Reishman, Robertson, Talkington, Ware, White, Mayor Jones.

ABSENT: Loeb, Markham, Weintraub

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 203-07, adopted.

6. Your Committee on Finance has had under consideration Resolution No. 204-07, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 204-07: “Authorizing the Finance Director to allocate funds in the amount of \$38,000 for acquisition of one (1) HOME project located in the South Hills section 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 Thirty-eight Thousand Dollars (\$38,000) for acquisition of one (1) HOME project located in the South Hills section of Charleston.

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, Miller, Monroe, Morton, Nielsen, Sadd, Reed, Reishman, Robertson, Talkington, Ware, White, Mayor Jones.

ABSENT: Loeb, Markham, Weintraub

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 204-07, adopted.

## NEW BILLS

Introduced by Councilmember Mary Jean Davis, on April 2, 2007

Bill No. 7254 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 R-O Residential Office District to C-8 Village Commercial District those certain parcels of land situate at 405 and 407 Pennsylvania Avenue, 109 and 111 Roane Street, 113, 114 and 116 Roane Street, and 112 Wyoming Street, Charleston, West Virginia.

Refer to Municipal Planning Commission

Introduced by Councilmember Mary Jean Davis, on April 2, 2007

Bill No. 7256 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 R-4 Single Family Residential District to C-10 General Commercial District that parcel of land known as a portion of North Charleston Tax Map 55, Parcel 27 as shown on the attached map.

Refer to Municipal Planning Commission

## 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, Miller, Monroe, Morton, Nielsen, Sadd, Reed, Reishman, Robertson, Talkington, Ware, White, Mayor Jones.

ABSENT: Loeb, Markham, Weintraub

At 7:30 p.m., on motion of Councilmember Loeb, Council adjourned until Monday, April 16, 2007, at 7:00 p.m.

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Danny Jones, Honorable Mayor

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James M. Reishman, City Clerk