

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

**August 6, 2007**

**THE COUNCIL MET IN CHAMBERS OF THE CITY BUILDING AT 7:00 P.M., FOR THE FIRST MEETING IN THE MONTH OF AUGUST ON THE 6TH 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 HIGGINS.**

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

**CLOUSER  
EALY  
HARRIS  
JONES  
LANE  
PAYNE  
  
SMITH  
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. Ed McMinn – Urban Bowhunting

## **CLAIMS**

1. A claim of Robert E. Tyler Sr., 107 Twilight Drive, Charleston, WV; alleges damage to property.  
Refer to City Solicitor.
2. A claim of Andrea Koontz, 2098 Oakridge Drive Apt. 10, Charleston, WV; alleges damage to property.  
Refer to City Solicitor.
3. A claim of Ruth Marion, 714 Adrian Drive, Charleston, WV; alleges damage to property.  
Refer to City Solicitor.
4. A claim of Tina M. Bragg, 505 Clover Street, Charleston, WV; alleges damage to property.  
Refer to City Solicitor.

## **COMMUNICATIONS**

Proclamation: Firefighter Appreciation Month.

The Clerk read the Communication:

Mayor Danny Jones and  
City Council Members

Please withdraw Bill No. 6720 – Petition of Daniel Anderson to close, abandon, and Discontinue a portion of unimproved alley located adjacent to 1201, 1203, and 1205 Frame Street and 1106 and 1110 Stuart Street.

The Bill was introduced August 23, 2000 and tabled in Finance Committee on November 6, 2000.

Sincerely,  
James “Mose” Lanham, Councilman Ward 3

The question being on the withdraw of the Bill a vote was taken. There being no dissent the Mayor declared Bill No. 6720, withdrawn.

## **ORDINANCE AND RULES**

1. Your Committee on Ordinance and Rules has had under consideration of Bill No. 7274, and reports the same to Council with the recommendation that the bill do pass.

Bill No. 7274 - A Bill authorizing the enactment of Section 102-18 to Article I of Chapter 102 of the Code of the City of Charleston, for the purpose of allowing the City Manager, upon consultation with the Chief of Police, the Chief of the Fire Department, or their designee, to adopt appropriate rules and regulations governing the use of City-owned or City-controlled property when used for Outdoor Events in order to protect and preserve safety health, welfare and good order at any Outdoor Event.

WHEREAS, W. Va. Code § 8-12-5(4), (13), (23) and (44) authorizes the City of Charleston to: regulate the use of streets, avenues, roads, alleys, ways, sidewalks, crosswalks and public places belonging to the City of Charleston; to prevent injury and annoyance to the public or individuals from anything dangerous, offensive or unwholesome; to provide for the elimination of hazards to public health and safety and to abate or cause to be abated anything which in the opinion of a majority of the governing body is a public nuisance and to protect and promote the public morals, safety, health, welfare, and good order; and

WHEREAS, W. Va. Code § 8-11-1 provides that a municipality has plenary power and authority to adopt ordinances, rules and regulations not contrary to the constitution and laws of this state, and to prescribe reasonable penalties for violation of its ordinances, rules and regulations; and

WHEREAS, it is in the public interest to protect the health, welfare and property of Outdoor Event participants and to provide for safe, orderly and lawful conduct at Outdoor Events by assuring that proper sanitary, health, fire, and safety measures are provided and maintained; and

WHEREAS, to promote the safety, health and welfare of Outdoor Event participants, it may be necessary, on occasion, to regulate items which may be brought into Outdoor Events by participants; and

WHEREAS, it is in the public interest for City of Charleston to prohibit the possession of certain items at Outdoor Events which constitute a nuisance or otherwise pose a danger to the health, safety and welfare of members of the public who attend Outdoor Events in the City of Charleston;

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

That the Council for the City of Charleston hereby enacts Section 102-18 to Article I of Chapter 102 of the Code of the City of Charleston for the purpose of allowing the City Manager, upon consultation with the Chief of Police, the Chief of the Fire Department, or their designee, to adopt appropriate rules and regulations governing the use of City-owned or City-

controlled property when used for Outdoor Events in order to protect and preserve safety health, welfare and good order at any Outdoor Event, to read as follows:

#### Section 102-18. Items Prohibited at Outdoor Events

(a) Purpose.

This ordinance is enacted to protect the safety, health and welfare of members of the public and to promote public order at Outdoor Events in the City of Charleston by regulating items that constitute a nuisance or otherwise pose a danger to the safety, health and welfare of members of the public attending Outdoor Events.

(b) Authority to Adopt.

The City Manager, upon consultation with the Chief of Police, the Chief of the Fire Department, or their designee, may adopt appropriate rules and regulations governing the use of City-owned or City-controlled property when used for Outdoor Events in order to protect and preserve safety, health, welfare and good order at Outdoor Events.

(c) Definitions.

The following words, terms and phrases, when used in this Section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Outdoor Event* means those activities or events which occur completely or partially outdoors, that occur on a specific City-owned or City-controlled property, in which the general public is invited to participate. These events shall include but are not limited to cultural events, festivals, fairs, parades, athletic events and concerts.

*City* shall mean the City of Charleston.

(d) Designation of Certain Items Prohibited at Outdoor Events; Notice; Exceptions.

When the City Manager, upon consultation with the Chief of Police, the Chief of the Fire Department, or their designee, determines that it is in the interest of public safety and consistent with the purpose herein to prohibit certain items at any Outdoor Event, the City Manager shall cause a list of prohibited items, together with a reasonable description of the area in which said items shall be prohibited, to be provided to and posted in the City Clerk's office at least ten (10) days prior to the event. The list of prohibited items shall also be posted in plain view at areas of public access to the applicable Outdoor Event. and delivered it City Council Members at there next meeting.

Any prohibitions set forth pursuant to this section shall not apply to emergency personnel, officials or employees of the City acting in their official capacity, vendors providing services for the Outdoor Event, or to Outdoor Event workers. No prohibition set forth pursuant to this section shall be interpreted to limit or preclude in any way an item required to assist a person with a medically diagnosed disability.

(e) Enforcement; Penalties.

Possession at an Outdoor Event of an item from the posted list of prohibited items within the area designated by the City Manager shall be deemed a hazard to the safety, health and good order of the City, and to members of the public who attend Outdoor Events, and shall constitute a nuisance under this Code. Any person who knowingly fails to comply with the prohibitions imposed pursuant to this Section shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00) for each offense. Any person in possession of an item prohibited at an Outdoor Event may be ejected and denied readmittance from the Outdoor Event and prohibited items may be subject to forfeiture.

(ef) Other regulations and ordinances not precluded.

Nothing in this section shall be construed as precluding the City from enacting further ordinances or regulations for the control and regulation of Outdoor Events nor shall this chapter repeal any existing ordinances or regulations regarding the same.

The question being on the passage of the Bill as amended 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, Smith, Talkington, Weintraub, White, Mayor Jones.

ABSENT: Russell, Ware.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 7274, passed.

### **PLANNING**

Councilwoman Mary Jean Davis, Chairman of the Council Committee on Planning, submitted the following reports.

Your Committee on Planning has had under consideration approval of alley naming of Sadies Way associated with the 911 Street Naming and Numbering Law within the City of Charleston attached hereto and made a part thereof.

Your Committee finds that

1. City Council passed an Ordinance approving the 911 addressing system within the City limits.
2. The requested name is to honor Monsignor P. Edward Sadie.
3. The alley is located behind the Sacred Heart rectory and primarily serves the property owned by the Sacred Heart Co-Cathedral.

and reports the same to Council with the recommendation that the street name be accepted.

The question being on the passage of the Bill as amended 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, Russell, Salisbury, Sheets, Smith, Talkington, Ware, Weintraub, White, Mayor Jones.

ABSENT: Russell, Ware.

The question being on the adoption of the Street name a vote was taken. There being no dissent the Mayor declared Sadies Way, approved.

Your Committee on Planning has had under consideration approval of street name Cottage Pointe Lane associated with the 911 Street Naming and Numbering Law within the City of Charleston attached hereto and made a part thereof.

Your Committee finds that

1. City Council passed an Ordinance approving the 911 addressing system within the City limits.
2. The 911 addressing system has approved the name Cottage Pointe Lane which is a private street.

and reports the same to Council with the recommendation that the street name be accepted.

The question being on the passage of the Bill as amended 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, Russell, Salisbury, Sheets, Smith, Talkington, Ware, Weintraub, White, Mayor Jones.

ABSENT: Russell, Ware.

The question being on the adoption of the Street name a vote was taken. There being no dissent the Mayor declared Cottage Pointe Lane, approved.

### **Urban Renewal**

1. Your Committee on Urban Renewal has had under consideration of Bill No. 7265, and reports the same to Council with the recommendation that the bill do pass.

A Bill approving certain modification of the Downtown/Old Charleston Urban Renewal Plan for the City of Charleston, West Virginia, with respect to Authorizing the Charleston Police Department to approve special permits for the selling of alcoholic beverages at special events held outdoors.

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

1. The City Council finds that:

a. The Charleston Urban Renewal Authority has recommended a certain modification of the Downtown/old Charleston Urban Renewal Plan for the City of

Charleston.

b. A general plan known as the Comprehensive Plan for the City of Charleston has been adopted by City Council and is recognized and used as general guide for the development of the City;

c. The Municipal Planning Commission of the City of Charleston has submitted to the Urban Renewal Authority its findings that the proposed modifications conform with said Comprehensive Plan;

d. City Council has duly considered said findings; and

e. Section "F" of said Downtown/Old Charleston Urban Renewal Plan provides that the Plan may be changed from time to time in compliance with the requirements of the law.

2. The modifications of the Downtown/Old Charleston Urban Renewal Plan set forth in the following section of this ordinance are hereby found to be feasible and in compliance with the Comprehensive Plan for the City of Charleston.

3. Section C.3a(1) of the Downtown/Old Charleston Urban Renewal Plan is revised as follows: (Underlined)

"The authorized use of bar/nightclub, lounge, dinner club or restaurant selling alcoholic beverages, including beer and wine, as a matter of right is prohibited and such use shall only be authorized by a special permit approved, in the case of alcoholic beverages other than beer and wine, by City Council, and the case of beer and wine by the Board of Zoning Appeals or in the case of special events outdoors, the Charleston Police Department. . ."

The question being on the passage of the Bill as amended 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, Smith, Talkington, Weintraub, White, Mayor Jones.

ABSENT: Russell, Ware.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 7265, 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. 256-07, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 256-07: “Authorizing the Mayor to receive and administer grant funds through the Governor’s Highway Safety Office, in the amount of \$24,000, as a supplement to the Safe Community Grant. The additional funds will provide for the purchase of laptop computers (\$14,000), and for overtime services in the Click It or Ticket Program (\$10,000).”

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

That the Mayor is hereby authorized and directed to receive and administer grant funds through the Governor’s Highway Safety Office, in the amount of Twenty-four Thousand Dollars (\$24,000), as a supplement to the Safe Community Grant. The additional funds will provide for the purchase of laptop computers (\$14,000), and for overtime services in the Click It or Ticket Program (\$10,000).

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 256-07, adopted.

2. Your Committee on Finance has had under consideration Resolution No. 257-07, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 257-07: “Authorizing the Mayor to receive and administer the FY 2007 Emergency Management Performance Grant (“EMPG”) in the amount of \$70,746.40 through the West Virginia Division of Homeland Security and Emergency Management. This grant will assist the City in continuing and improving its emergency management response system and reimburse the City for fifty percent (50%) of the operating and other costs incurred during the year by the Office of Emergency Services and Homeland Security.”

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

That the Mayor is hereby authorized and directed to receive and administer the FY 2007 Emergency Management Performance Grant (“EMPG”) in the amount of \$70,746.40 through the West Virginia Division of Homeland Security and Emergency Management. This grant will assist the City in continuing and improving its emergency management response system and reimburse the City for fifty percent (50%) of the operating and other costs incurred during the year by the Office of Emergency Services and Homeland Security.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 257-07, adopted.

3. Your Committee on Finance has had under consideration Resolution No. 258-07, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 258-07: “Authorizing the Mayor to sign an amendment to the Agreement with the Kanawha County Board of Education originally entered into on July 19, 2005, to provide off-duty Charleston Police Department officers at monthly school board meetings. The amendment will modify Page 2, Section 6—Compensation, of the Agreement by changing the amount of compensation paid by the Board from \$34.05 per hour to \$36.53 per hour.”

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

That the Mayor is hereby authorized and directed to sign an amendment to the Agreement with the Kanawha County Board of Education originally entered into on July 19, 2005, to provide off-duty Charleston Police Department officers at monthly school board meetings. The amendment will modify Page 2, Section 6—Compensation, of the Agreement by changing the amount of compensation paid by the Board from \$34.05 per hour to \$36.53 per hour.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 258-07, adopted.

4. Your Committee on Finance has had under consideration Resolution No. 259-07, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 259-07: “Authorizing the Mayor to sign a “Letter of Intent” with the Kanawha County Commission that will provide \$25,000 in Public Safety Levy Funds to the Charleston Police Department (“CPD”). These funds will be used by the Training Division of the CPD to purchase laptop computers for the recently remodeled training division in Municipal Parking Building No. 1, located at 118 Dickinson Street.”

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

That the Mayor is hereby authorized and directed to sign a “Letter of Intent” with the Kanawha County Commission that will provide \$25,000 in Public Safety Levy Funds to the Charleston Police Department (“CPD”). These funds will be used by the Training Division of the CPD to purchase laptop computers for the recently remodeled training division in Municipal Parking Building No. 1, located at 118 Dickinson Street.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 259-07, adopted.

5. Your Committee on Finance has had under consideration Resolution No. 260-07, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 260-07: “Authorizing payment to former City of Charleston employee Barry Stewart in the amount of \$20,000, upon recommendation of the City of Charleston’s Third Party Administrator, Alternative Risk Concepts, in exchange for full and final settlement of Mr. Stewart’s uninsured motorist claim against the City of Charleston stemming from an August 26, 2005, automobile accident.”

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

That authorization of payment to former City of Charleston employee Barry Stewart in the amount of \$20,000 in exchange for full and final settlement of the uninsured motorist claim against the City of Charleston stemming from an August 26, 2005 automobile accident 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. 260-07, adopted. Abstained- Hanna.

6. Your Committee on Finance has had under consideration Resolution No. 261-07, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 261-07: “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 budget 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 passage of the Bill 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, Smith, Talkington, Weintraub, White, Mayor Jones.

ABSENT: Russell, Ware.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 261-07, passed.

7. Your Committee on Finance has had under consideration Resolution No. 262-07, and reports the same to Council with the recommendation that the committee report be

adopted.

Resolution No. 262-07: “Authorizing the Mayor to sign Change Order No. 1 with McClanahan Construction Company, LLC, in the amount of \$8,000, for additional work related to the Concrete Curb and Sidewalk Project, providing for 200 lineal feet of 8-inch curb and 24-inch gutter along the west side of Court Street between Quarrier and Lee streets. The change order increases the contract price from \$178,851 to \$186,851.”

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. 1 with McClanahan Construction Company, LLC, in the amount of \$8,000, for additional work related to the Concrete Curb and Sidewalk Project, providing for 200 lineal feet of 8-inch curb and 24-inch gutter along the west side of Court Street between Quarrier and Lee streets. The change order increases the contract price from \$178,851 to \$186,851.

The question being on the adoption of the Resolution a vote was taken. There being no dissent the Mayor declared Resolution No. 262-07, adopted. Burton and Reishman Abstained.

8. Your Committee on Finance has had under consideration Resolution No. 263-07, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 263-07: “Authorizing the Mayor to sign a one year, no cost extension to the EPA Brownfield grant to ensure all Phase I and II site assessments, as well as re-use remedial planning activities and documents, are completed in accordance with the Cooperative Agreement.”

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

That the Mayor is hereby authorized and directed to sign a one year, no cost extension to the EPA Brownfield grant to ensure all Phase I and II site assessments, as well as re-use remedial planning activities and documents, are completed in accordance with the Cooperative Agreement.

The question being on the passage of the Bill 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, Smith, Talkington, Weintraub, White, Mayor Jones.

ABSENT: Russell, Ware.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 263-07, passed.

9. Your Committee on Finance has had under consideration Resolution No. 264-07,

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

Resolution No. 264-07: "Authorizing the Mayor to enter into an Agreement with Central Poly Corporation for purchase of black plastic refuse bags, in the amount of \$266,228.20, with the Town of Marmet being responsible for \$10,729.60 of said sum for 160,000 bags; and clear yard waste bags in the amount of \$97,090, for a total of \$363,318.20. The bags, not otherwise purchased by Marmet, will be distributed to the citizens of Charleston for the one year period from September 2007 to August 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 an Agreement with Central Poly Corporation for purchase of black plastic refuse bags, in the amount of \$266,228.20, with the Town of Marmet being responsible for \$10,729.60 of said sum for 160,000 bags; and clear yard waste bags in the amount of \$97,090, for a total of \$363,318.20. The bags, not otherwise purchased by Marmet, will be distributed to the citizens of Charleston for the one year period from September 2007 to August 2008.

The question being on the passage of the Bill a roll call was taken and there were; yeas- 26, Nays- 1, 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, Smith, Talkington, White, Mayor Jones.

Nay: Weintraub.

ABSENT: Russell, Ware.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 264-07, passed.

10. Your committee on Finance has had under consideration authorizing the City Manager to approve the purchase of an Enterprise Software License for \$37,000 and the first year maintenance and support fee for \$7,400, for a total of \$44,400, from Insightformation, Inc., to be used by City personnel. To be charged to Account No. 001-412-00-000-2-223, City Manager—Professional Services and reports the same to Council with the recommendation that the Committee Report be adopted.

The question being on the adoption of the committee report a vote was taken. There being no dissent the Mayor declared the committee report adopted.

11. Your Committee on Finance has had under consideration: proposal submitted by Capitol Business Interiors, in an amount up to \$27,683.75, for purchase of office furniture to be installed in various City offices.

To be charged to Account No. 220-975-50-440-4-458, General Maintenance Fund—Building, 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.

12. Your Committee on Finance has had under consideration Bill No. 7273, to repeal, amend and reenact Section 22-43 of the City Code relating to establishing fees for Spring Hill Cemetery Park.

**Sec. 22-43. Schedule of rates for the Spring Hill Cemetery Park**

That the price for grave spaces and the fees for services at the Spring Hill Cemetery Park shall be as follows:

**Available Grave Spaces**

No Charge for infants up to two years of age.

Capito Woods (Family Plots sold in groups of even numbers (4,6,8,10, etc.) - 4 spaces being the minimum configuration)

Flat Marker Section	\$ 700.00 per space
Monument Section	\$ 900.00 per space
Wehrle Addition, Section 16	\$ 900.00 per space
Wehrle section 16 A (Monument Section)	\$ 900.00 per space
Willow Lawn Addition	\$ 800.00 per space
Cremation remains burial site	\$ 450.00 per space
Columbarium AGM 64-9-2005-1	\$1,000.00 each niche
(One niche holds two cremations)	
(Price includes first niche plate)	
Available spaces in all older section – EXCEPT Old Historic District	\$900.00 per space
Available spaces in Old Historic District	\$ 2,000.00 per space
Second Right of Internment	\$ 350.00

**Service Pricing**

*The following Table of Service Pricing shall apply:*

**Opening & Closing**

*Standard – includes tent service*

(Additional charges for special equipment or materials will be assessed on a per application basis)

Weekdays M-F	\$ 850.00
Weekends & Holidays (Weekends to include Monday before noon)	\$1,200.00
Disinterment	\$2,000.00

Additional required materials for disinterment will be priced per application.

*Infants up to two years of age*

Weekdays M-F	No Charge	
Weekends & Holidays (Weekends to include Monday before noon)		\$ 250.00

*Mausoleum Crypt*

Additional charges for rental of lift equipment will apply if crypt is above level 3 in a mausoleum. Rental costs are set by the supplier at the time of need.

Weekdays M-F		\$ 400.00
Weekends & Holidays (Weekends to include Monday before noon)		\$ 1,200.00

The use of an insuraliner is required for all entombments. (Funeral Homes will be required to supply the liner).

*Columbarium Niche – includes tent service*

Weekdays M-F		\$ 350.00
Weekends & Holidays (Weekends to include Monday before noon)		\$ 650.00

*Cremation*

Weekdays M-F		\$ 350.00
Weekends & Holidays (Weekends to include Monday before noon)		\$ 650.00

**Other Services**

Tent services for Infants up to two years of age		\$ 150.00
Mausoleum Committal Services – Old Mausoleum		\$ 150.00
Optional tent service for outside mausoleums		\$ 150.00

**Fees**

*The following Table of Fees shall apply:*

**Late Fee**

A late fee shall be charged to funeral homes for arrivals after 3:00 p.m. where completion of our services exceeds 4:00 p.m., to cover overtime labor cost. The late fee will be \$100.00 per hour for each hour, or part thereof, after 4:00 p.m.

**Installation Fees**

Spring Hill Cemetery Park reserves the right to outsource the setting of memorials, mausoleums and columbarium.

*Installation of Memorials (except government supplied)*

Flat markers		\$0.50 per sq. inch
Upright markers		\$0.75 per sq. inch



Account No. 001-700-00-000-2-216, Police—Maintenance & Repairs, Equipment and reports the same to Council with the recommendation that the Committee Report be adopted.

The question being on the adoption of the committee report a vote was taken. There being no dissent the Mayor declared the committee report adopted.

## **REPORTS OF OFFICERS**

1. Report of the City of Charleston, City Treasurer's Report; June 2007.  
Received and Filed

## **NEW BILLS**

Introduced by Councilmember Marc Weintraub, on August 6, 2007

Bill No. 7275- A BILL to amend § 62-2, § 62-3 and § 62-81 of The Charleston Human Rights Ordinance, Chapter 62 of the code of the City of Charleston, to include sexual orientation as a classification protected from discrimination.

Refer to Ordinance and Rules

Introduced by Councilmember Edward Talkington, on August 6, 2007

Bill No. 7277 to repeal Ordinance No. 82 passed by Council on December 18, 1953 relating to THIRTY MINUTE PARKING AT ALL TIMES on Roane 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, Chapter one fourteen, Article five, to conform therewith.

Refer to Streets and Traffic Committee.

Introduced by Councilmember Cubert Smith, on August 6, 2007

Bill NO. 7278 - A Bill to repeal Ordinance No. 6732 passed by Council on August 20, 2001 relating to a Residential Parking Only on Huron Terrace 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 fourteen Article five, to conform therewith.

Refer to Streets and Traffic Committee

Introduced by Councilmember Cubert Smith, on August 6, 2007

Bill NO. 7279 A Bill to repeal Ordinance No. 6729 passed by Council on August 20, 2001 relating to a Residential Parking Only on Farnsworth Drive from Huron Terrace to Spring Hill Cemetery 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 fourteen, Article five, to conform

therewith.  
Refer to Streets and Traffic Committee

### **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, Smith, Talkington, Weintraub, White, Mayor Jones.

ABSENT: Russell, Ware

At 7:45 p.m., on motion of Councilmember Harrison, Council adjourned until Monday, August 20, 2007, at 7:00 p.m.

---

Danny Jones, Honorable Mayor

---

James M. Reishman, City Clerk