

**JOURNAL
OF THE
COUNCIL
CITY OF CHARLESTON**

WEST VIRGINIA

JANUARY 7, 2008

THE COUNCIL MET IN CHAMBERS OF THE CITY BUILDING AT 7:00 P.M., FOR THE FIRST MEETING IN THE MONTH OF JANUARY ON THE 7TH DAY, IN THE YEAR 2008, AND WAS CALLED TO ORDER BY THE HONORABLE MAYOR, DANNY JONES. THE INVOCATION WAS DELIVERED BY EALY AND THE PLEDGE OF ALLEGIANCE WAS LED BY WARE.

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

**CLOWSER
EALY
HARRIS
JONES
LANE
PAYNE
RUSSELL
SMITH
WEINTRAUB**

**DAVIS
HALL
HARRISON
KIRK
LANHAM
REED
SALISBURY
TALKINGTON**

TWENTY- SEVEN 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. None

CLAIMS

1. A claim of Gloria Rastle., 339 Mill Creek Road, Charleston, WV; alleges personal injury.

Refer to City Solicitor

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. 317-08, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 317-08: "Authorizing the Mayor to sign a contract between the City of Charleston and the West Virginia Development Office for FY 2007 Community Participation Grant No. 07LEDA0167 in the amount of \$20,000, on behalf of the West Side Neighborhood Association, to continue the Florida Street Streetscape and Kanawha Trestle Trail projects."

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 Participation Grant No. 07LEDA0167 in the amount of \$20,000, on behalf of the West Side Neighborhood Association, to continue the Florida Street Streetscape and Kanawha Trestle Trail projects.

The question being on the adoption of the Resolution a roll call was taken and there were; yeas-27, absent - 1, 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, Mayor Jones.

ABSENT: White

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 317-08, adopted.

2. Your Committee on Finance has had under consideration Resolution No. 318-08, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 318-08: "Authorizing the Mayor to sign the TEA-21 application for

the CSX Trestle Project.”

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

That the Mayor is hereby authorized and directed to sign the TEA-21 application for the CSX Trestle Project.

The question being on the adoption of the Resolution a roll call was taken and there were; yeas-27, absent - 1, 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, Mayor Jones.

ABSENT: White

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 318-08, adopted.

3. Your Committee on Finance has had under consideration Resolution No. 319-08, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 319-08: “Authorizing the Mayor to sign a contract between the City of Charleston and the West Virginia Development Office for FY 2007 Community Participation Grant No. 07LEDA0159 in the amount of \$10,000, on behalf of Covenant House Incorporated, to be used for repairs and to purchase equipment.”

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 Participation Grant No. 07LEDA0159 in the amount of \$10,000, on behalf of Covenant House Incorporated, to be used for repairs and to purchase equipment.

The question being on the adoption of the Resolution a roll call was taken and there were; yeas-26, absent - 1, abstain -1 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, Mayor Jones.

ABSENT: White

ABSTAIN: Weintraub

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 319-08, adopted.

4. Your Committee on Finance has had under consideration Resolution No. 320-08, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 320-08: “Authorizing the Finance Director to allocate funds in the amount of \$37,500.00 for acquisition of one (1) HOME project located on the West Side of Charleston”

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

That the Finance Director is hereby authorized and directed to allocate funds in the amount of \$37,500.00 for acquisition of one (1) HOME project on the West Side of Charleston.

The question being on the adoption of the Resolution a roll call was taken and there were; yeas-27, absent - 1, 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, Mayor Jones.

ABSENT: White

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 320-08, adopted.

5. Your Committee on Finance has had under consideration Resolution No. 321-08, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 321-08: “Authorizing the Mayor to enter into an Agreement with Dill’s Fire & Safety Equipment for purchase of a 2000 GPM Fire Apparatus, in the total amount of \$349,157 (base bid of \$344,317, plus optional equipment in the amount of \$4,840) to be used by the Charleston Fire Department.”

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 Dill’s Fire and Safety Equipment for purchase of a 2000 GPM Fire Apparatus, in the total amount of \$349,157 (base bid of \$344,317, plus optional equipment in the amount of \$4,840), to be used by the Charleston Fire Department.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 321-08, adopted

6. Your Committee on Finance has had under consideration Resolution No. 322-08, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 322-08: “Ratifying the Deposit Services Agreement of January 2006 between JP Morgan Chase Bank and the City of Charleston (the “Agreement”), authorizing a two year renewal of the Agreement, and authorizing the Mayor to execute documents necessary for the ratification and renewal subject to final review and approval by legal counsel for the City.”

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

That the ratification and two year renewal of the Deposit Services Agreement of January 2006 between JP Morgan Chase Bank and the City of Charleston is hereby approved, and the Mayor is authorized and directed to execute documents necessary for the ratification and renewal of the Agreement, subject to final review and approval by legal counsel for the City.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 322-08, adopted

7. Your Committee on Finance has had under consideration a bid submitted by Altec Industries, Inc., in the amount of \$84,500, for purchase of one Bucket Truck with Chipper Body to be used by the Public Grounds Department. To be charged to Account No. 001-975-00-567-4-459, Public Grounds—Capital Outlay, through the JP Morgan Chase Lease Purchase Escrow Account, Schedule Number 1000131810, and reports the same to Council with the recommendation that the committee report be adopted.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the committee report, adopted.

8. Your Committee on Finance has had under consideration a bid submitted by R.F. Steiner & Co., in the total amount of \$270,626.88, for purchase of three (3) Dump Trucks (\$90,208.96 each) to be used by the Street Department. To be charged to Account No. 001-977-00-750-4-459, Street—Capital Outlay, through the JP Morgan Chase Lease Purchase Escrow Account, Schedule No. 1000131810, and reports the same to Council with the recommendation that the committee report be adopted.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the committee report, adopted.

9. Your Committee on Finance has had under consideration a proposal submitted by General Truck Sales Corporation, in the total amount of \$64,690, for purchase of a $\frac{3}{4}$ -ton pickup truck to be used by the Street Department (\$21,500); and a $\frac{3}{4}$ -ton pickup truck (\$21,500) and 12 passenger van (\$21,690) for the Parks & Recreation Department. To be charged to the following accounts: \$21,500 - 001-977-00-750-4-459, Street—Capital Outlay; \$43,190 - 001-979-00-900-4-459, P&R—Capital Outlay, Funds for the vehicles are available in the JP Morgan Chase Lease Purchase Escrow Account, Schedule Number 1000131810, and reports the same to Council with the recommendation that the committee report be adopted.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the committee report, adopted.

10. Your Committee on Finance has had under consideration a proposal submitted by

Glen Dale Motors in the amount of \$20,644 for purchase of a Jeep Liberty vehicle to be used by inspectors for the Building Commission. To be charged to Account No. 001-975-00-436-4-459, Building—Capital Outlay, through the JP Morgan Chase Lease Purchase Escrow Account, Schedule Number 1000131810, and reports the same to Council with the recommendation that the committee report be adopted.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the committee report, adopted.

REPORTS OF OFFICERS

1. Report of the City of Charleston Payroll Variance Analysis; November, 2007; Received and Filed.

NEW BILLS

Introduced by Councilmember Mary Jean Davis, on January 7, 2008:

Bill No. 7316 - 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 an R-6 district to a C-8 district, that certain parcel of land situate at 877 Oakwood Road, Charleston, West Virginia.

Refer to Municipal Planning Commission

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, Russell, Salisbury, Sheets, Smith, Talkington, Ware, Weintraub, Mayor Jones.

ABSENT: White

At 7:25 p.m., by a motion from Councilmember Harrison, Council adjourned until Tuesday, January 22, 2008, at 7:00 p.m.

Danny Jones, Honorable Mayor

James M. Reishman, City Clerk