

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

September 2, 2008

THE COUNCIL MET IN CHAMBERS OF THE CITY BUILDING AT 7:00 P.M., FOR THE FIRST MEETING IN THE MONTH OF SEPTEMBER ON THE 2ND DAY, IN THE YEAR 2008, 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 MR. CABLE.

**BURTON
DEITZLER
HANNA

KNAUFF
MILLER
REISHMAN
SHEETS
WARE
MAYOR JONES**

**CLOWSER
EALY
HARRIS
JONES
LANE
PAYNE
RUSSELL

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.

CLAIMS

1. A claim of Bren Pompanio, 1237 Highland Road, Charleston, WV; alleges damage to vehicle.

Refer to City Solicitor

2. A claim of Timothy Fields, 1128 Camden Dr., 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 440-08, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 440-08: “Authorizing the Mayor to receive and administer the award of supplemental funds in the amount of \$104,500 to COPS Grant No. F07COPS-02 from the Governor’s Highway Safety Office. The supplemental funds will provide for reimbursement of costs to complete the digital in-car camera project for the Charleston Police Department.”

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 award of supplemental funds in the amount of \$104,500 to COPS Grant No. F07COPS-02 from the Governor’s Highway Safety Office. The supplemental funds will provide for reimbursement of costs to complete the digital in-car camera project for the Charleston Police Department.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 440-08, adopted.

2. Your Committee on Finance has had under consideration Resolution No. 441-08, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 441-08: “Authorizing the Mayor to enter into an Agreement with the United States Department of Justice, Drug Enforcement Administration (“DEA”), on behalf of the Charleston Police Department (“CPD”), to provide resources to CPD for officers to assist the West Virginia DEA HIDTA Task Force in achieving maximum cooperation in combined law enforcement efforts to address drug and violent crime related offenses in Charleston and surrounding communities. Federal funds up to \$16,328.75 per officer will be made available as reimbursement to the CPD for services rendered.”

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 the United States Department of Justice, Drug Enforcement Administration (“DEA”), on behalf of the Charleston Police Department (“CPD”), to provide resources to CPD for officers to assist the West Virginia DEA HIDTA Task Force in achieving maximum cooperation in combined law enforcement efforts to address drug and violent crime related offenses in Charleston and surrounding communities. Federal funds up to \$16,328.75 per officer will be made available as reimbursement to the CPD for services rendered.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 441-08, adopted.

3. Your Committee on Finance has had under consideration Resolution No. 442-08, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 442-08: “Authorizing the Mayor to sign Community Participation Grant Program contracts between the City of Charleston and the West Virginia Development Office on behalf of the following agencies:

West Side Neighborhood Association	08LEDA0192	\$49,500.00
West Side Neighborhood Association	08CPGP0085	\$ 2,500.00
Covenant House, Inc.	06CPGP0080	\$10,000.00
YWCA/Sojourner’s	08LEDA0194	\$17,000.00
Kanawha City Community Association	08LEDA0195	\$10,000.00
Tiskelwah Community Center	08LEDA0191	\$10,000.00

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

That the Mayor is hereby authorized and directed to sign Community Participation Grant Program contracts between the City of Charleston and the West Virginia Development Office on behalf of the following agencies:

West Side Neighborhood Association	08LEDA0192	\$49,500.00
West Side Neighborhood Association	08CPGP0085	\$ 2,500.00
Covenant House, Inc.	06CPGP0080	\$10,000.00
YWCA/Sojourner’s	08LEDA0194	\$17,000.00
Kanawha City Community Association	08LEDA0195	\$10,000.00
Tiskelwah Community Center	08LEDA0191	\$10,000.00

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, Jones, Kirk, Knauff, Lane, Lanham, Miller, Payne, Reed, Reishman, Russell, Salisbury, Sheets,

Talkington, Ware , Weintraub, Mayor Jones.

ABSENT: Higgins, Smith ABSTAIN: Weintraub

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 442-08 adopted

4. Your Committee on Finance has had under consideration Resolution No. 443-08, and reports the same to Council with the recommendation that the committee report be adopted.

Resolution No. 443-08: “Authorizing the Finance Director to allocate funds in the amount of \$32,400 for acquisition of one (1) HOME project located in Kanawha City.”

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 \$32,400 for acquisition of one (1) HOME project located in Kanawha City.

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, Jones, Kirk, Knauff, Lane, Lanham, Miller, Payne, Reed, Reishman, Russell, Salisbury, Sheets, Talkington, Ware , Weintraub, Mayor Jones.

ABSENT: Higgins, Smith

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 443-08 adopted

5. Your Committee on Finance has had under consideration a bid submitted by Daktronics, Inc., in the amount of \$83,000, for purchase of four (4) Scoreboards (\$20,750 each) to be installed at the Charleston Civic Center Coliseum. To be charged to Account No. 402-910-01-000-4-459, Civic Center—Capital Outlay, Equipment 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.

6. Your Committee on Finance has had under consideration a proposal submitted by WatchGuard, in the amount of \$104,500, for purchase of 22 Digital In-car Cameras for installation in vehicles used by the Charleston Police Department (CPD). The CPD will provide matching funds in the amount of \$946, plus \$2,750 for installation of the cameras by Communication Services. This purchase will complete the in-car camera project. To be charged to the following accounts:

\$104,500 Account No. 095-166-07-976-4-459, Police—COPS-07 Grant

\$ 3,696 Account No. 001-976-00-700-4-459, Police—Capital Outlay, Equipment 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.

7. Your Committee on Finance has had under consideration a bid submitted by West Virginia Tractor Company, in the amount of \$252,000, for purchase of two (2) Packer Trucks (\$126,000 each) to be used by the Refuse and Recycling Department. To be charged to Account No. 001-978-00-800-4-459, Refuse—Capital Outlay, Equip. (Part of Lease/Purchase Escrow Account Schedule Outlay, Equip , 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 West Virginia Tractor Company, in the amount of \$24,900, for purchase of Wood Chipper to be used by the Street Department 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 bid submitted by R.F. Steiner & Co., in the amount of \$177,529.68, for purchase of two (2) Dump Trucks (\$88,764.84 each) to be used by the Street Department. To be charged to Account No. 001-977-00-750-4-459, Street—Capital Outlay, Equip. (Part of Lease/Purchase Escrow Account Schedule No. 1000132835 for FY 2008-2009) 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.

NEW BILLS

1. Bill No. 7348 - A Bill to amend and reenact Ordinance No. 6351 passed on June 16, 1997 to increase the 15 minute Parking Tow-Away zone to a 30 Minute Parking Tow Away zone on the northerly side of Smith Street from a point 66 feet east of Shrewsbury Street to a point 297 feet east of Shrewsbury 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 Committee. Introduced by Council Member Ed Talkington on September 2, 2008:

2. Bill No. 7349 - A Bill to establish vehicular parking zone for exclusive use of the physically disabled on the southerly side of Sixth Street from a point 54 feet west of Park Avenue to a point 76 feet west of Park Avenue, to provide for the removal of

vehicles illegally parked in these spaces, to incorporate the provisions of West Virginia Code, Chapter 17C, Article 13, Section 16, 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 hundred 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, Jones, Kirk, Knauff, Lane, Lanham, Miller, Payne, Reed, Reishman, Russell, Salisbury, Sheets, Talkington, Ware , Weintraub, White, Mayor Jones.
ABSENT: Higgins, Smith

At 7:40 p.m., by a motion from Councilmember Harrison, Council adjourned until Monday, September 15, 2008, at 7:00 p.m.

Danny Jones, Honorable Mayor

James M. Reishman, City Clerk