

**JOURNAL OF THE COUNCIL
CITY OF SOUTH CHARLESTON**

The council met in its chambers in City Hall on April 16, 2009 at 7:30 p.m., EDT for the second meeting and was called to order by Mayor Mullens.

Margie Spence, City Clerk, called the roll and the following members were present:

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|-----------------|---------------|
| Ben Paul | Kent Rymer |
| Sonny Holstine | Paul Neal |
| Dayton Griffith | Jef Stevens |
| Jeff Means | Mayor Mullens |

PRAYER

Offered by Dayton Griffith.

PLEDGE OF ALLEGIANCE

Led by Margie Spence.

ALSO IN ATTENDANCE

Margie Spence, City Clerk
Danny Smith, Recreation Director
James Wood, Fire Chief
Brad Rinehart, Police Chief
Steve DeBarr, Sanitary Board Manager/Engineer
Gerald Burgy, Public Works Director
Mark Clark, City Attorney
Hanna Pettit, City Treasurer

MINUTES OF PREVIOUS MEETING

Mr. Paul moved to approve the minutes of the Regular Council meeting of April 2, 2009; seconded by Mr. Means and passed by a unanimous voice vote.

FINANCIAL REPORT

None.

PETITIONS, COMMUNICATIONS AND PUBLIC HEARINGS**NOMINATION TO FILL VACANCY OF WARD II (GRIFFITH)**

It was moved by Mr. Neal to nominate Linda Anderson.

It was moved by Mr. Paul to nominate Ron Hutchison.

It was moved by Mr. Neal; seconded by Mr. Rymer to close the nominations. This passed by a unanimous voice vote.

Therefore, by a 4-3 vote, Ms. Anderson was nominated to serve the unexpired vacancy of Ward II. Voting in the negative was Mr. Paul, Mr. Stevens and Mr. Holstine.

Mayor Mullens gave the Oath of Office to Ms. Anderson and she took her seat on council.

AN ORDINANCE TO AMEND AND READOPT SECTIONS 737.01, 737.19, 737.21, 737.25 AND 737.29 REDUCING B&O TAX OBLIGATIONS (SECOND READING) (PUBLIC HEARING) (MAYOR AND MEANS)

It was moved by Mr. Paul; seconded by Mr. Neal to adopt the ordinance. This passed by a unanimous roll call vote.

AN ORDINANCE AMENDING AND REENACTING SECTION 932.11 REGARDING RATES FOR TRUCKED SEPTIC WASTE OR TRUCKED WASTEWATER (SECOND READING) (PUBLIC HEARING) (MAYOR)

It was moved by Mr. Paul; seconded by Mr. Griffith to adopt the ordinance. This passed by a unanimous roll call vote.

APPROVE CLOSING OF STREETS FOR SOUTH CHARLESTON CHAMBER OF COMMERCE (MAYOR)

Mayor Mullens introduced Joyce Dabiri, Executive Director of the South Charleston Chamber of Commerce. Ms. Dabiri spoke to council asking permission to close certain streets around the Mound for South Charleston Celebration Day, Saturday, May 16 from 8:00 p.m. until 5:00 p.m. Ms. Dabiri also ask for consideration to waive the open container law during this time. After discussion of council, it was moved by Mr. Means; seconded by Mr. Paul to approve closing the requested streets but to deny the request for the waiver of open container. This passed by a 5-3 voice vote with Mr. Holstine, Mr. Stevens and Mr. Neal voting in the negative.

DISCUSSION REGARDING SOUTH CHARLESTON DESIGNATION (NEAL)

Mr. Neal discussed the concern that South Charleston was losing its designation. He said all mailings now have Charleston, WV addresses with South Charleston zip codes. He had talked to Craig Baldwin, the postmaster at the South Charleston branch. Mr. Baldwin was sympathetic but unable to help. Mr. Neal asked Mayor Mullens to contact Capito, Byrd and Rockefeller with these concerns.

CONSIDERATION OF BIDS**CENTRAL AVENUE OVERPASS BRIDGE**

It was moved by Mr. Means; seconded by Mr. Paul to award the bid to Ahern Construction Company in the amount of \$1,745,000.00. This passed by a unanimous roll call vote.

REPORT OF RECREATION COMMITTEE – No written report but Mr. Holstine announced a there would be a meeting April 20 at Joplin Park.

REPORT OF FIRE CHIEF – Submitted a written report.

REPORT OF POLICE CHIEF – No written report.

REPORT OF SANITARY BOARD MANAGER/ENGINEER – No written report.

REPORT OF CITY MANAGER – No written report. Mayor Mullens stated the health clinic has been successful.

REPORT OF PUBLIC WORKS DIRECTOR – No written report.

REPORT OF CITY ATTORNEY – No written report.

REPORT OF CITY TREASURER – No written report.

COMMITTEE REPORTS

None.

CONSIDERATION OF OLD BUSINESS

None.

CONSIDERATION OF NEW BUSINESS

None.

MISCELLANEOUS BUSINESS

Mayor Mullens announced there will be a Special Meeting on Tuesday April 21 at 2:00 p.m. in Council Chambers. The meeting will be to Lay the Levy and Adopt the Budget.

ADJOURNMENT

Mr. Means moved to adjourn the meeting; seconded by Mr. Paul and passed by a unanimous voice vote.

Mayor Mullens adjourned the meeting at 8:25 p.m.

APPROVAL

Approved this ____ day of _____, 2009.

Frank A. Mullens, Jr. Mayor

ATTEST:

Margie Spence, City Clerk

