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**JOURNAL of the PROCEEDINGS**

**of the**

**CITY COUNCIL**

CITY OF CHARLESTON, WEST VIRGINIA

Regular Meeting – Tuesday, January 17, 2017

at 7:00 P.M.

Council Chamber – City Hall – Charleston, West Virginia

**OFFICIAL RECORD**

**JB Akers**

**City Clerk**

**Danny Jones**

**Mayor**

***CALL TO ORDER***

The Council met in the Chambers of the City Building at 7:00 P.M., for the second meeting in the month of January on the 17th day, in the year 2017, and was called to order by the Honorable Mayor, Danny Jones. The invocation was delivered by Councilmember Richardson and the Pledge of Allegiance was led by Alexa Webb. The Honorable Clerk, JB Akers, called the roll of members and it was found that there were present at the time:

**BURKA BURTON CEPERLEY**

**CHESTNUT CLOWSER DAVIS**

**EALY FAEGRE HAAS**

**HARRISON HOOVER IRELAND LANE MILLER MINARDI OVERSTREET PERSINGER REISHMAN RICHARDSON SALISBURY SLATER SMITH SNODGRASS STEELE TALKINGTON WARE MAYOR JONES**

With twenty-three members being present, the Mayor declared a quorum present.

Pending the reading of the Journal of the previous meeting, the reading thereof was dispensed with and the same duly approved.

***PUBLIC SPEAKERS***

None

***CLAIMS***

1. A claim of Lorena Ammar, 3820 Noyes Avenue, Charleston, WV; alleges damage to property.

Refer to City Solicitor.

1. A claim of Thompson E. Pearcy, 202 27th Street East, Charleston, WV;

alleges damage to property.

Refer to City Solicitor.

1. A claim of Keith Pickens Jr., 797 Pacific Street, Charleston, WV; alleges loss of property.

Refer to City Solicitor.

***MISCELLANEOUS RESOLUTIONS***

1. Resolution No. 849-17 -

Introduced in Council

January 17, 2017

Tom Lane, Mary Jean Davis, Jack Harrison, Bobby Reishman, Becky Ceperley and Susie Salisbury on behalf of all members of City Council

WHEREAS: Arthur James “Archie” Chestnut lived just about all of his life in Charleston, West Virginia, the city where he was born in 1937 and where he served in so many ways, as a volunteer and elected leader, in both the private and public sectors; and

WHEREAS: Archie was elected in 2003 to represent the 10th Ward of Charleston on City Council and then, after boundaries were redrawn, re-elected to Council in 2015 to represent the 7th Ward, through which he served several different neighborhoods over time; and

WHEREAS: His public service in the City of Charleston also included experience as an inspector for the Building Commission, and as director of Traffic Engineering, Public Grounds, and the Parking system, giving him a perspective of public life and leadership that few others here have ever had; and

WHEREAS: After working in telecommunications, Archie’s business acumen led him to become one of our city’s leaders in real estate development and management, and he shared his expertise within our city, county and state in several capacities; and

WHEREAS: In addition to membership and leadership within several civic organizations, Archie truly followed his passion as an award-winning chili cook by helping to create and develop the annual Smoke on the Water Chili Cook-off in 1998 and lending his experience to the two World Championship Chili Cook-offs hosted in Charleston over the past decade; and

WHEREAS: With another passion for his family, Archie and his wife Rutha were married for 39 years and, in addition to being a proud father and step-father, he was a grandfather of 11 and great-grandfather of seven as he invested in the next generations.

Therefore be it resolved by The Council and Mayor of The City of Charleston, West Virginia:

That we, the elected leaders of Charleston, do hereby recognize and honor Archie Chestnut for his long-time service to our City and his positive impacts throughout our community – in so many roles, over so many decades. We celebrate his life and legacy with his wife Rutha, our new colleague on Council.

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Danny Jones, Mayor Tom Lane, City Council President

Councilmember Lane moved to approve the Resolution. Councilmember Harrison seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution 849-17 adopted.

1. Resolution No. 848-17 -

Introduced in Council

January 17, 2017

Tom Lane, Mary Jean Davis, Jack Harrison, Bobby Reishman, Becky Ceperley and Susie Salisbury on behalf of all members of City Council

WHEREAS: In June 2003, John H. Miller, Jr. was sworn in as the Council representative from the 18th Ward in the City of Charleston, representing a large section of Kanawha City; and

WHEREAS: In short order, John established himself as a conscientious and hard-working member of this City Council and as an effective voice for his Ward, offering well-prepared, thoughtful and convincing comments in discussions during Council and committee meetings; and

WHEREAS: As ward boundaries changed, John won every election in which he ran, including his 2015 election to represent the 17th Ward, and his diligent and hard work led to important improvements in his Ward, making it one of the most vibrant areas in the City; and

WHEREAS: John’s service to this City complemented his service to the entire community where he served as a teacher for more than 33 years, having a tremendous impact on the children and young adults in Kanawha County for his entire adult life; and

WHEREAS: John’s career in education led him to espouse the fundamental truth that parents are the most important educators in their children’s lives and, in turn, this led John to advocate publicly the importance of parental involvement in the education of all children; and

WHEREAS: His passion for the importance of nurturing children also led him to appear in televised public service announcements, imploring all parents with the cogent messages and questions: “It’s 10 p.m. Do you know where your children are?” and “It’s 10 p.m. Do you know who your children are with?”

Therefore be it resolved by The Council and Mayor of The City of Charleston, West Virginia:

That we, the elected leaders of Charleston, do hereby recognize and honor John H. Miller, Jr. for nearly 15 years of exceptional service to the City of Charleston and the neighborhoods that he served and the many accomplishments that result from his work on this Council.

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Danny Jones, Mayor Tom Lane, City Council President

Councilmember Lane moved to approve the Resolution. Councilmember Harrison seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution 848-17 adopted.

***COMMUNICATIONS***

1. NOMINATION OF VACANT COUNCIL SEAT WARD 17

The Mayor declared the floor open for nominations to fill the vacancy for the unexpired Ward 17 seat. Councilmember Lane made a motion to nominate Charles R. Webb; the motion was seconded by Councilmember Reishman.

The question being on the approval of the nomination. A roll call was taken as follows:

YEAS: Burka, Burton, Ceperley, Chestnut, Clowser, Davis, Ealy, Faegre, Haas, Harrison, Hoover, Lane, Minardi, Overstreet, Persinger, Reishman, Richardson, Salisbury, Slater, Smith, Snodgrass, Talkington, Ware, Mayor Jones

NAYS: NONE ABSENT: Ireland, Steele, Ware

With a majority of members elected recorded thereon as voting in the affirmative the nomination of Charles R. Webb approved. The Mayor declared Charles R. Webb Councilmember for Ward 17.

Charles R. Webb came forward and took the oath of office given by JB Akers, City Clerk.

TO: J.B. AKERS CITY CLERK

FROM: DANNY JONES MAYOR

RE: COUNCIL COMMITTEE ASSIGNMENTS

DATE: JANUARY 17, 2017

Upon his election to City Council, I am appointing Rusty Webb to the Council Committees on Parks and Recreation, Public Safety, and Facilities.

DJ/rbb

Received and filed.

TO: J. B. AKERS CITY CLERK

FROM: DANNY JONES MAYOR

RE: CHARLESTON-KANAWHA HOUSING AUTHORITY

DATE: JANUARY 17, 2017

I recommend that Marie Prezioso, 219 Mariel Drive, Charleston, WV 25311, be reappointed to the Charleston-Kanawha Housing Authority, with a said term to expire December 10, 2020.

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

DJ/dmp

Councilmember Harrison moved to approve the Appointment. Councilmember Lane seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Marie Prezioso appointed.

TO: J. B. AKERS CITY CLERK

FROM: DANNY JONES MAYOR

RE: CHARLESTON-KANAWHA HOUSING AUTHORITY

DATE: JANUARY 17, 2017

I recommend that Allen McVey, P.O. Box 6278, Charleston, WV 25362, be reappointed to the Charleston-Kanawha Housing Authority for a five-year term, expiring on December 1, 2021. He has been nominated by the President of the Kanawha County Commission to represent residents of Kanawha County.

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

DJ/dmp

Councilmember Harrison moved to approve the Appointment. Councilmember Lane seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Allen McVey appointed.

TO: J. B. AKERS CITY CLERK

FROM: DANNY JONES MAYOR

RE: CIVIC CENTER BOARD

DATE: JANUARY 17, 2017

I recommend that Mary Jean Davis, 1527 Dogwood Road, Charleston, WV 25314, be reappointed to the Civic Center Board, with a said term to expire June 22, 2020.

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

DJ/dmp

Councilmember Harrison moved to approve the Appointment. Councilmember Lane seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Mary Jean Davis appointed.

***REPORTS OF COMMITTEES***

**COMMITTEE ON FINANCE**

Councilmember Reishman, Chair of the Council Committee on Finance, submitted the following reports:

1. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 847-17 do pass.

Resolution No. 847-17 - Authorizing the Finance Director to amend the FY 2016-2017 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 FY 2015-2016 General Fund budget as indicated on the attached list of accounts.

**General Fund FY 2016-2017 Budget Amendment No. 08 - January 17, 2017**

**Account No. Department Account Description Amount**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 001 368 00 | 000 | Revenue | Insurance Claims | (354,158) |
| 001 417 00 | 000 2 229 | City Attorney | Court Costs & Claims | 354,158 |

Proceeds received from Brit Insurance Services USA for claim related to the *Akers Case.*

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| 001 | 368 | 00 | 0000 | Revenue | Insurance Claims | (95,000) |
| 001 | 417 | 00 | 000 2 223 | City Attorney | Professional Services | 12,890 |
| 001 | 444 | 04 | 700 5 566 | Transfers to Other Funds | Facilities Maintenance Capital Project Fund | 82,110 |

Insurance proceeds from Central Mutual Insurance Company for claim settlement for North Charleston and King Center

roof failures.

|  |  |  |  |
| --- | --- | --- | --- |
| 001 368 00 0000 | Revenue | Contributions from Others - Charleston Alliance | (10,000) |
| 001 412 00 000 2 223 | City Manager | Professional Services | 10,000 |

To recognize receipts from the ABC Award and allocate the resources to City Manager professional services buudget to

develop a strategy to market the EDGE concept to prospective participants.

Councilman Reishman moved to approve the Resolution. Councilman Lane seconded the motion. A roll call was taken:

YEAS: Burka, Burton, Ceperley, Chestnut, Clowser, Davis, Ealy, Faegre, Haas, Harrison, Hoover, Lane, Minardi, Overstreet, Persinger, Reishman, Richardson, Salisbury, Slater, Smith, Snodgrass, Talkington, Ware, Mayor Jones

NAYS: NONE ABSENT: Ireland, Steele, Ware

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 7723 Committee Substitute passed.

1. Your committee on Finance has had under consideration the following committee report, and reports the same to Council with the recommendation that committee report pass.

Proposal submitted by Foremost Medical Equipment for purchase of 2 Reconditioned Lifepak 15 Monitors in the total amount of $37,990.00. The Monitors will be used by the Charleston Police Department.

To be charged to Account No. 001-976-00-000-4-459, Police- Capital Outlay

Councilman Reishman moved to approve the Committee Report. Councilman Lane seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the Committee Report adopted.

***REPORTS OF OFFICERS***

1. City of Charleston, WV – Financial Statements, for the one-month period ending July 31, 2016

Received and Filed.

1. City of Charleston, WV – Financial Statements, for the two-month period ending August 31, 2016

Received and Filed.

1. City of Charleston, WV – Financial Statements, for the three-month period ending September 30, 2016

Received and Filed.

1. City of Charleston, WV – Financial Statements, for the four-month period ending October 31, 2016

Received and Filed.

1. City Treasurer’s Report to City Council Month Ending December 2016.

Received and Filed.

1. Municipal Court Report to City Council Month Ending December 2016.

Received and Filed.

***ADJOURNMENT***

*The Clerk, JB Akers, called the closing roll call:*

YEAS: Burka, Burton, Ceperley, Chestnut, Clowser, Davis, Ealy, Faegre, Haas, Harrison, Hoover, Lane, Minardi, Overstreet, Persinger, Reishman, Richardson, Salisbury, Slater, Smith, Snodgrass, Talkington, Ware, Mayor Jones

NAYS: NONE ABSENT: Ireland, Steele, Ware

At 7:30 p.m., by a motion from Councilmember Harrison, Council adjourned until Monday, February 6, 2017, at 7:00 p.m., in the Council Chamber in City Hall.

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Danny Jones, Honorable Mayor

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JB Akers, City Clerk