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 **JOURNAL of the PROCEEDINGS**

**of the**

**CITY COUNCIL**

CITY OF CHARLESTON, WEST VIRGINIA

Regular Meeting – Tuesday, January 3, 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 first meeting in the month of January on the 3rd 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 Councilmember Talkington. 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-two 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***

None

***COMMUNICATIONS***

1. NOMINATION OF VACANT COUNCIL SEAT WARD 7

The Mayor declared the floor open for nominations to fill the vacancy for the unexpired Ward 7 seat. Councilmember Davis made a motion to nominate Rutha Chestnut; the motion was seconded by Councilmember Harrison.

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

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

NAYS: NONE ABSENT: Chestnut, Miller, Reishman, Slater, Smith

With a majority of members elected recorded thereon as voting in the affirmative the nomination of Rutha Chestnut approved. The Mayor declared Rutha Chestnut Councilmember for Ward 7.

Rutha Chestnut came forward and took the oath of office given by JB Akers, City Clerk.



Received and filed.

***REPORTS OF COMMITTEES***

**COMMITTEE ON PLANNING**

1. Your committee on Planning has had under consideration the following bill, and reports the same to Council with the recommendation that Bill No. 7723 Committee Substitute do pass.

Bill No. 7723 Committee Substitute – A Bill closing, abandoning and discontinuing an unimproved 10 foot public right of way, located in the 100 block of East Point Drive, situate in Charleston North District, Kanawha County, West Virginia.

BE IT ORDAINED BY THE CITY COUNCIL OF CHARLESTON, WEST VIRGINIA

1. The unimproved 10 foot wide public right of way, situate off of the 100 block of East Point Drive, Charleston North District, Kanawha County, West Virginia, as shown on a plat of survey by Timothy L. Keely, dated October 5, 2011, and attached hereto as Exhibit A. The right of way being divided into two tracts is more particularly described as follows:

Description for the proposed division of an abandoned Ten (10) Foot Right of Way. The Northern Portion containing 0.005 Acres (216 sq. ft.) more or less, to be added to Combined Lots (21) and (22). The Southern Portion Containing 0.005 Acres (208 sq. ft.) more or less, to be added to Lot (20) of BLOCK 3 of The BREAM ADDITION To The City of Charleston, as recorded in the Kanawha County Clerks Office in Map Book 6, Page 2 and 3. Lots (21) and (22), owned by EDITH R. CANTRELL, Deed Book 1558, Page 253 – Tax Map 71 Parcel 96.

Lot (20) owned by KRISTIE D. CORNETT, Deed Book 2308 Page 420 – Tax Map 71 Parcel 97. Situate on East Point Drive in the Charleston North District, Kanawha County, West Virginia. As shown on “Plat of Survey…by Timothy L. Keely – WV PS No. 972… dated October 5, 2011”. Being more particularly described as follows:

Northern Portion to be conveyed to Edith R. Cantrell

Beginning at a point at the southeastern corner of Lot (21), on the western right of way of East Point Drive; thence leaving Lot (21), and now running with said right of way, S 14-00-00 W, 5.00’ to a point thence leaving East Point Drive, and now making a new division line up through the middle of the old aforesaid abandoned Ten (10) Foot Right of Way, N 74-37-28 W, 42.48’ to a point on the old eastern right of way of Norton Avenue (Shown as Black Hawk Way on old sub-division map, in Map Book 6, Page 2); thence leaving said old right of way N 4-47-00 W, 5.32’ to a point at the southwestern corner of Lot (21); thence leaving said old right of way, and now running with the southerly line of Lot (21), S 74-37-28 E, 44.19’ to the point of beginning containing 0.005 Acre (216 sq. ft.) more or less.

Southern Portion to be conveyed to Kristie D. Cornett

Beginning at a point at the northeastern corner of Lot (20), on the western right of way of East Point Drive; thence leaving East Point Drive, and now running up the hill with the northerly line of Lot (20), N 74-37-28 W, 40.76’ to a point on the old eastern right of way of Norton Avenue (shown as Black Hawk Way on old sub-division map, in Map Book 6, Page 2); thence with said old right of way, N 4-47-00 W, 5.32’ to a point; thence leaving said old right of way, and now running down the center of the aforesaid old Abandoned Ten (10) Foot Right of Way, S 74-37-28 E, 42.48’ to a point on the western right of way of East Point Drive; thence with said right of way, S 14-00-00 W, 5.00’ to the point of beginning containing 0.005 Acre (208 sq. ft.) more or less.

2. The Mayor of the City of Charleston be, and is hereby authorized and directed to execute, acknowledge and deliver a proper deed to the adjacent property owners, Edith R. Cantrell and Kristie D. Cornett, and their successors in office, all rights, title and interest in and to said real property as described in Section 1 above, for the consideration of Sixty-four dollars 80/100 ($64.80) from Edith R. Cantrell and Sixty-two dollars and 40/100 ($62.40) from Kristie D. Cornett.

3. All prior ordinances, or parts of ordinances, inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

Councilmember Davis moved that the bill be referred to Finance Committee. Councilmember Lane seconded the motion.

Received and Filed.

**COMMITTEE ON FINANCE**

Councilmember Harrison, Vice 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. 845-17 do pass.

Resolution No. 845-17 - Authorizing the Mayor or City Manager to enter into an Agreement with PAR Roofing Company INC, in the amount of $ 56,850.00, to replace the roof at the Sign Shop.

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

That the Mayor or City Manager is hereby authorized and directed to enter into an Agreement with PAR Roofing Company INC, in the amount of $ 56,850.00, to replace the roof at the Sign Shop.

Councilmember Harrison moved to approve the Resolution. Councilmember Lane seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution 846-17 adopted.

1. Your committee on Finance has had under consideration the following bill, and reports the same to Council with the recommendation that Bill No. 7723 Committee Substitute do pass.

Bill No. 7723 Committee Substitute - A Bill closing, abandoning and discontinuing an unimproved 10 foot public right of way, located in the 100 block of East Point Drive, situate in Charleston North District, Kanawha County, West Virginia.

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Southern Portion to be conveyed to Kristie D. Cornett

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3. All prior ordinances, or parts of ordinances, inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.



Councilmember Harrison moved to approve the Bill. Councilmember Lane seconded the motion. A roll call was taken:

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

NAYS: NONE ABSENT: Miller, Reishman, Slater, Smith

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

***ADJOURNMENT***

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

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

NAYS: NONE ABSENT: Miller, Reishman, Slater, Smith,

At 7:13 p.m., by a motion from Councilmember Harrison, Council adjourned until Tuesday, January 17, 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