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 **JOURNAL of the PROCEEDINGS**

**of the**

**CITY COUNCIL**

CITY OF CHARLESTON, WEST VIRGINIA

Regular Meeting – Tuesday, June 21, 2016

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 June on the 21st day, in the year 2016, and was called to order by the Honorable Mayor, Danny Jones. The invocation was delivered by Councilman Richardson and the Pledge of Allegiance was led by Thomas Gravely. 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-one 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***

1. Jim Strawn spoke about the current state of Live on the Levee.
2. Tom Lane presented Jim Strawn a Certificate of Appreciation for his excellent work for Live on the Levee.

***CLAIMS***

1. A claim of Terry Thompson, 424 Woodbridge Drive, Charleston, WV; alleges damage to personal property.

Refer to City Solicitor.

***COMMUNICATIONS***

**TO: JAMES AKERS**

 **CITY CLERK**

**FROM: DANNY JONES**

 **MAYOR**

**RE: COUNCIL HOME RULE COMMITTEE**

**DATE: June 21, 2016**

I am appointing Karan Ireland and Keeley Steele to the Council Home Rule Committee, and they are replacing Chris Doddril1 and Kasey Russell.

DJ/blp

Received and Filed.

***REPORTS OF COMMITTEES***

**COMMITTEE ON FINANCE**

Councilman 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. 757-16 do pass.

Resolution No. 757-16 : “Authorizing the Mayor to enter into a Memorandum of Understanding (MOU) with eleven other participating agencies comprising the Metro Drug Enforcement Network Team (MDENT), consistent with Attachment A hereto, that assists the Charleston area offices of the Drug Enforcement Administration, the Federal Bureau of Investigation and the Bureau of Alcohol, Tobacco, Firearms and Explosives to achieve maximum cooperation in combined law enforcement efforts to address drug and related violent crime offenses in Charleston and surrounding communities. The MOU is in effect for a one year period starting July 1, 2016, and ending June 30, 2017.”

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

That the Mayor is hereby authorized and directed to enter into a Memorandum of Understanding (MOU) with eleven other participating agencies comprising the Metro Drug Enforcement Network Team (MDENT), consistent with Attachment A hereto, that assists the Charleston area offices of the Drug Enforcement Administration, the Federal Bureau of Investigation and the Bureau of Alcohol, Tobacco, Firearms and Explosives to achieve maximum cooperation in combined law enforcement efforts to address drug and related violent crime offenses in Charleston and surrounding communities. The MOU is in effect for a one year period starting July 1, 2016, and ending June 30, 2017.

Councilman Reishman moved to approve the Resolution. Councilman Lane seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution 757-16 adopted.

1. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 758-16 do pass.

Resolution No. 758-16 : “Authorizing the Mayor or his designee to submit an application to the Department of Justice, Bureau of Justice Assistance, for a Grant in the amount of $134,323.00 to purchase interoperable radios and investigative tools for the Charleston Police Department ($100,903.00) and the Kanawha County Sheriff’s Department ($33,420.00), to assist law enforcement officers in the Communication and Crime Investigation Project. Matching funds for the Grant are not required.”

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

That the Mayor or his designee is hereby authorized and directed to submit an application to the Department of Justice, Bureau of Justice Assistance, for a Grant in the amount of $134,323.00 to purchase interoperable radios and investigative tools for the Charleston Police Department ($100,903.00) and the Kanawha County Sheriff’s Department ($33,420.00), to assist law enforcement officers in the Communication and Crime Investigation Project. Matching funds for the Grant are not required.

Councilman Reishman moved to approve the Resolution. Councilman Lane seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution 758-16 adopted.

1. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 759-16 do pass.

Resolution No. 759-16 : “Authorizing the Mayor or his designee to submit a Grant Application in the amount of $39,170.00 to the Kanawha County Public Safety Grant Committee for purchase of six (6) Watchguard in-car cameras, including five (5) year extended warranty ($37,470.00), and two (2) wireless antennas ($1,700.00) to transfer video/audio data from the cameras to the Watchguard server in City Hall, to be installed in vehicles used by the Charleston Police Department. Matching funds for the Grant are not required.”

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

That the Mayor or his designee is hereby authorized and directed to submit a Grant Application in the amount of $39,170.00 to the Kanawha County Public Safety Grant Committee for purchase of six (6) Watchguard in-car cameras, including five (5) year extended warranty ($37,470.00), and two (2) wireless antennas ($1,700.00) to transfer video/audio data from the cameras to the Watchguard server in City Hall, to be installed in vehicles used by the Charleston Police Department. Matching funds for the Grant are not required.

Councilman Reishman moved to approve the Resolution. Councilman Lane seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution 759-16 adopted.

1. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 760-16 do pass.

Resolution No. 760-16 : “A Resolution authorizing participation of the City of Charleston (the “City”) with the Department of the Army, Corps of Engineers (the “Department”), in a Feasibility Cost Sharing Agreement to conduct a study to identify and evaluate alternatives and an implementable solution for Kanawha River stream bank erosion protection along Kanawha Boulevard from Greenbrier Street to the Elk River. The cost of the study is estimated at $220,000 with the Department contributing $100,000 plus 50% of costs above $100,000, and the City contributing 50% of costs above $100,000 up to $60,000.”

Now, therefore, be it Ordained by the Council of the City of Charleston, West Virginia:

That the Council hereby authorizes the Mayor, City Manager, City Attorney and other appropriate City officials, to act for and on behalf of the City in executing, accepting or otherwise approving a Feasibility Cost sharing Agreement and all other documents, instruments, or necessary papers required by the Department to conduct a study to evaluate alternatives and an implementable solution for Kanawha River stream bank erosion protection along Kanawha Boulevard from Greenbrier Street to the Elk River, and further authorizing City to contribute up to $60,000 toward costs associated with the study.

This authorization is granted by Resolution pursuant to the Municipal Code of the City of Charleston Chapter 3, Article II, Section 3-12.

Councilman Reishman moved to approve the Resolution. Councilman Lane seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution 760-16 adopted.

1. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 761-16 do pass.

Resolution No. 761-16 : “Authorizing the City Manager or his designee to enter into an agreement with Premier Entertainment Corporation for use of the City’s stylized “Live on the Levee” service mark, for a term of twenty (20) years for $1.00 with an option to renew for additional twenty (20) year terms for $500.00 per term.”

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

That the City Manager or his designee is hereby authorized and directed to enter into an agreement with Premier Entertainment Corporation for use of the City’s stylized “Live on the Levee” service mark, for a term of twenty (20) years for $1.00 with an option to renew for additional twenty (20) year terms for $500.00 per term.

Councilman Reishman moved to approve the Resolution. Councilman Lane seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution 761-16 adopted.

1. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 762-16 do pass.

Resolution No. 762-16 : “Authorizing the Finance Director to amend the

FY 2015-2016 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.

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, Overstreet, Reishman, Richardson, Smith, Snodgrass, Steele, Talkington, Ware, Mayor Jones

NAYS: NONE

ABSENT: Ireland, Miller, Minardi, Persinger, Salisbury, Slater

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 762-16 adopted.

1. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 763-16 do pass.

Resolution No. 763-16 : “Authorizing the Finance Director to amend FY 2015-2016 Civic Center 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 FY 2015-2016 Civic Center budget as indicated on the attached list of accounts.

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, Overstreet, Reishman, Richardson, Smith, Snodgrass, Steele, Talkington, Ware, Mayor Jones

NAYS: NONE

ABSENT: Ireland, Miller, Minardi, Persinger, Salisbury, Slater

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 763-16 adopted.

1. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 764-16 do pass.

Resolution No. 764-16 : “Authorizing approval of FY 2016-2017 Civic Center Budget as indicated on the attached list of accounts.”

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

That the FY 2016-2017 Civic Center Budget, as indicated on the attached list of accounts, is hereby approved.

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, Overstreet, Reishman, Richardson, Smith, Snodgrass, Steele, Talkington, Ware, Mayor Jones

NAYS: NONE

ABSENT: Ireland, Miller, Minardi, Persinger, Salisbury, Slater

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 764-16 adopted.

***REPORTS OF OFFICERS***

1. Report of the City of Charleston Payroll Variance Analysis; May, 2016.

Received and Filed.

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

Received and Filed.

***NEW BILLS***

 Introduced by Council members Karan Ireland, Mary Jean Davis, Becky Ceperly, Susie Salisbury, Keeley Steele, Mary Beth Hoover, Jack Harrison, Andy Richardson, Richard Burka, Samuel Minardi, Jerry Ware, Robert Reishman, Tom Lane, Michael Clowser, Edward Talkington on June 21, 2016: Bill No. 7696- A BILL authorizing the City of Charleston to submit to the Municipal Home Rule Board a proposed amendment, attached hereto as Exhibit A, to the City of Charleston Municipal Home Rule Plan consistent with W. Va. State Code Section 8-1-5a, requesting approval to allow the sale of alcoholic beverages by certain Alcohol Beverage Control Administration Class “A” license holders beginning at 10:00 a.m. on Sundays. Refer to Home Rule Committee

 Introduced by Council member Cubert Smith on June 21, 2016: Bill No. 7697- A Bill to establish a 20 MPH Speed Limit on Hinton Terrace and Sunset Drive and all streets on Capitol Hill. Refer to Streets and Traffic Committee

 Introduced by Council member Cubert Smith on June 21, 2016: Bill No. 7698- A Bill to create a STOP intersection on Sunset Drive at Hinton Terrace. Refer to Streets and Traffic Committee

 Introduced by Council member Jack Harrison on June 21, 2016: Bill No. 7701- A BILL to amend Chapter 14, Article II, Section 14-33 of the Municipal Code of the City of Charleston for the purpose of updating the Building Code of the City of Charleston to be consistent with the recently amended State Building Code. Refer to Streets and Traffic Committee

***ADJOURNMENT***

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

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

NAYS: NONE

ABSENT: Ireland, Miller, Minardi, Persinger, Salisbury, Slater

At 7:35 p.m., by a motion from Councilmember Harrison, Council adjourned until Tuesday, July 5, 2016, 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