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 **JOURNAL of the PROCEEDINGS**

**of the**

**CITY COUNCIL**

CITY OF CHARLESTON, WEST VIRGINIA

Regular Meeting – Monday, April 6, 2015

at 7:00 P.M.

Council Chamber – City Hall – Charleston, West Virginia

**OFFICIAL RECORD**

**James M. Reishman**

**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 April on the 6th day, in the year 2015, and was called to order by the Honorable Mayor, Danny Jones. The invocation was delivered by Councilman Knauff and the Pledge of Allegiance was led by Councilman Ware. The Clerk, James M. Reishman, called the roll of members and it was found that there were present at the time:

**BURKA BURTON CLOWSER**

**DAVIS DENEAULT DODRILL**

**EALY HAAS HARRISON**

**HOOVER KIRK KNAUFF LANE MILLER MINARDI NICHOLS PERSINGER REISHMAN RICHARDSON RUSSELL SALISBURY SHEETS SMITH SNODGRASS TALKINGTON WARE WHITE**

**MAYOR JONES**

With twenty-six 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. Skip Carson, a West Side resident, came to speak in opposition of Bill No. 7647. This bill will close an alley behind Staats Hospital.

***CLAIMS***

1. A claim of Garry and Lillie Harris, 4522 Washington Ave. SE., Charleston, WV; alleges damage to vehicle.

Refer to City Solicitor.

1. A claim of Jared M Hussell, 231 Bradford Street #1, Charleston, WV; alleges damage to vehicle.

Refer to City Solicitor.

1. A claim of Jean Jones, 1218 Ellen Drive, South Charleston, WV; alleges damage to vehicle.

Refer to City Solicitor.

1. A claim of Virginia McConihay, 1460 S Johnson Ferry Rd., Atlanta, GA; alleges damage to property.

Refer to City Solicitor.

1. A claim of Adam Marcum, 101 Westview Dr., Charleston, WV; alleges damage to vehicle.

Refer to City Solicitor.

1. A claim of Nancy Monroe, 1942 Bona Vista Dr., Charleston, WV; alleges damage to property.

Refer to City Solicitor.

1. A claim of Anita Paul, 406 Beech Ave., Charleston, WV; alleges damage to vehicle.

Refer to City Solicitor.

1. A claim of Sarah Plumley, 1020 Kanawha Blvd, W., Charleston, WV; alleges damage to property.

Refer to City Solicitor.

1. A claim of Mona Taylor, 70 Jamie Lane, Alum Creek, WV; alleges personal injury.

Refer to City Solicitor.

***COMMUNICATIONS***

**TO: JAMES REISHMAN**

 **CITY CLERK**

**FROM: DANNY JONES**

 **MAYOR**

**RE: MUNICIPAL BEAUTIFICATION COMMISSION**

**DATE: April 6, 2015**

I recommend that Sara DeBarr Jones, 504 Linden Road, Charleston, WV 25314 be appointed to the Municipal Beautification Commission, with an initial term to expire September 19, 2017. He is replacing John Porter.

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

Councilman Harrison moved to approve the appointment. Councilman Lane seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the appointment confirmed.

**TO: JAMES REISHMAN**

 **CITY CLERK**

**FROM: DANNY JONES**

 **MAYOR**

**RE: MUNICIPAL BEAUTIFICATION COMMISSION**

**DATE: April 6, 2015**

I recommend that Pauline Lester, 915 Breezemont Drive, Charleston, WV 25302 be appointed to the Municipal Beautification Commission, with a said term to expire September 19, 2017.

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

Councilman Harrison moved to approve the appointment. Councilman Lane seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the appointment confirmed.

**TO: JAMES REISHMAN**

 **CITY CLERK**

**FROM: DANNY JONES**

 **MAYOR**

**RE: MUNICIPAL BEAUTIFICATION COMMISSION**

**DATE: April 6, 2015**

I recommend that Otis Laury, 501 Woodcliff Road, Charleston, WV 25314 be appointed to the Municipal Beautification Commission, with a said term to expire September 19, 2017.

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

Councilman Harrison moved to approve the appointment. Councilman Lane seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the appointment confirmed.

**TO: JAMES REISHMAN**

 **CITY CLERK**

**FROM: DANNY JONES**

 **MAYOR**

**RE: MUNICIPAL BEAUTIFICATION COMMISSION**

**DATE: April 6, 2015**

I recommend that Amy McLaughlin, 7 Arlington Court, Charleston, WV 25301 be appointed to the Municipal Beautification Commission, with a said term to expire September 19, 2017.

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

Councilman Harrison moved to approve the appointment. Councilman Lane seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the appointment confirmed.

**TO: JAMES REISHMAN**

 **CITY CLERK**

**FROM: DANNY JONES**

 **MAYOR**

**RE: KANAWHA-CHARLESTON BOARD OF HEALTH**

**DATE: April 6, 2015**

I recommend that Martha Walker, 11 Quail Cove Road, Charleston, WV 25314 be appointed to the Kanawha-Charleston Board of Health, with a said term to expire September 19, 2017.

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

Councilman Harrison moved to approve the appointment. Councilman Lane seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the appointment confirmed.

***MISCELLANEOUS RESOLUTION***

Resolution No. 562-15 – A Resolution to certify the of results as reflected by the attached Report and Certificate of Results as the official and correct returns and true results of the Primary Election held for the City of Charleston on the 7th day of March, two thousand and fifteen.

WHEREAS, a Select Committee for the Council of the City of Charleston was appointed by the adoption of Resolution No. 545-15 at the City Council meeting on the 20th day of January, 2015, to act as a Canvassing Board to canvass the votes cast for the Primary Election of the City of Charleston on the 7th day of March, two thousand and fifteen, and make a report to Council of the correct returns ascertained from an inspection of the ballots used in said election and a true count of the challenged ballots; and after completing their canvass;

WHEREAS, the said Select Committee completed its canvass of the Primary Election on March 13, 2015, at the Voters Registration office, and has submitted the Report and Certificate of Results, attached hereto, as the official and correct returns and true results of the Primary Election.

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

"That the Council of the City of Charleston hereby adopts the Certificate of Results as reflected by the attached Report and Certificate of Results as the official and correct returns and true results of the Primary Election held for the City of Charleston on the 7th day of March, two thousand and fifteen.”

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 the resolution adopted.

***REPORTS OF COMMITTEES***

**COMMITTEE ON PLANNING**

Councilperson Mary Jean Davis, Chairperson of the Council Committee on Planning, submitted the following report:

1. Your committee on Planning has had under consideration Bill No. 7647, and reports the same to Council with the recommendation that the bill do pass.
2. A Bill closing, abandoning and discontinuing as a public right of way, a 10 foot wide by 80 foot long public right located between Lots 9, 10, 20, and 21, Block 7, J. Brisben Walker Addition, situate in Charleston West District, Kanawha County, West Virginia.
3. **BE IT ORDAINED BY THE CITY COUNCIL OF CHARLESTON, WEST VIRGINIA**
4. 1. The 10 foot wide by 80 foot long public right located between Lots 9, 10, 20, and 21, Block 7, J. Brisben Walker Addition, situate in Charleston West District, Kanawha County, West Virginia, as shown on the that certain map entitled “PLAT FOR SURVEY OF CLOSURE AND MERGER OF ALLEY BETWEEN LOTS 21, 20, 10, AND PART OF LOT 9, BLOCK 7, J. BRISBEN WALKER ADDITION” prepared by Randy Brooks Crace, WV Professional Land Surveyor No. 756, dated December 15, 2014, and attached hereto as Exhibit A. The alley is more particular described as follows:
5. Beginning at a 1/2” Iron Pipe found marking the northeastern corner of Lot 20 at the intersection of the southern and eastern right of way lines of 10 foot wide public alley, and which Pipe is located N. 60°54'07” E. 147.42 feet from the intersection of the eastern right of way line of said 10 foot wide public alley with the northern right of way line of Lee Street, West; thence with a new line crossing the 10 foot wide alley; N. 60°54'07" E. a distance of 10.00 feet to a point marking the northwestern corner of Lot 10 at the intersection of the eastern and northern right of way lines of public 10 foot wide alleys; thence with the northern right of way of said alley; S. 29°00'00" E. a distance of 80.00 feet to a point marking a common corner of Lots 9 and 10; thence with a new line crossing said alley; S. 60°54'07" W. a distance of 10.00 feet to a 3/4” Iron Pipe found bent which Pipe marks the common corner of Lots 21 and 22; thence with the southern right of way line of said alley; N. 29°00'00" W. a distance of 80.00 feet to the Point of Beginning and having an area of 800 square feet or 0.018 acres, more or less.
6. 2. The Mayor of the City of Charleston be, and is hereby authorized and directed to execute, acknowledge and deliver a proper deed conveying to the Charleston Urban Renewal Authority, a West Virginia public body, corporate and politic, 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 Eight Thousand Four Hundred dollars and no cents ($8,400.00).
7. 3. All prior ordinances, or parts of ordinances, inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

Councilman Deneault moved to pass Bill No. 7648. Councilman Lane seconded the motion. The Mayor opened the floor for discussion of the Bill.

There was no discussion regarding the bill in question.

A roll call was taken:

YEAS: Burka, Burton, Clowser, Davis, Deneault, Dodrill, Ealy, Haas, Hoover, Kirk, Knauff, Lane, Miller, Nichols, Persinger, Reishman, Richardson, Russell, Salisbury, Sheets, Smith, Snodgrass, Talkington, Ware, White, Jones

NAYS: None

ABSENT: Minardi

With a majority vote recorded thereon as voting in the affirmative the Mayor declared Bill 7648, adopted – as amended.

**COMMITTEE ON FINANCE**

Councilperson Bobby Reishman, Chairperson of the Council Committee on Finance, submitted the following reports:

1. Your committee on Finance has had under consideration Resolution No. 560-15, and reports the same to Council with the recommendation that the resolution do pass.

**Resolution No. 560-15:** “Authorizing the Mayor to sign and submit the FY 2015 Community Participation Program grant information sheets and all related documents for three projects located within the City of Charleston.”

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

That the Mayor is hereby authorized and directed to sign and submit the FY 2015 Community Participation Program grant information sheets and all related documents for the three projects listed below:

 Charleston Area Alliance 15LEDA0083 $ 5,000

 (Lee Street Area Walkability Plan)

 Charleston Area Alliance 15LEDA0082 $10,000

 (Implementation of Downtown Redevelopment Plan)

 Spring Street Pantry 15LEDA0081 $10,000

 (Handicap Accessible Restrooms)

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 560-15 adopted.

1. Your committee on Finance has had under consideration Resolution No. 561-15, and reports the same to Council with the recommendation that the resolution do pass.

**Resolution No. 561-15:** “Authorizing approval to disburse matching funds in the amount of $50,000 to the West Virginia Department of Transportation, Division of Highways, for the Charleston East End Safe Routes to School (SRTS) project. A budget of $250,000 was approved through the grant award, of which $50,000 is the required 20% match. Disbursement of these funds will enable this grant award to be combined with a previous SRTS grant award for Piedmont Elementary School and thereby enabling the project to be completed in one phase.”

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

That approval is hereby authorized and directed by the Finance Committee and Council to disburse matching funds in the amount of $50,000 to the West Virginia Department of Transportation, Division of Highways, for the Charleston East End Safe Routes to School (SRTS) project. A budget of $250,000 was approved through the grant award, of which $50,000 is the required 20% match. Disbursement of these funds will enable this grant award to be combined with a previous SRTS grant award for Piedmont Elementary School and thereby enabling the project to be completed in one phase.

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 561-15 adopted.

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

A bid submitted by Mobile TEK Consulting in the amount of $52,305 for purchase of 15 Panasonic Toughbooks CF-31 MDTs ($3,487 each) to be placed in vehicles used by the Charleston Police Department (CPD). The vendor was the low bidder on this equipment for the Charleston Fire and Police departments and the initial purchase for the Charleston Fire Department was approved by the Finance Committee and Council on October 6, 2014. The bid specifications called for the prices to remain in effect for a one year period to allow the respective departments to purchase additional equipment on an as needed basis and the CPD is requesting its first purchase of the equipment at this time.

To be charged to Account No. 001-976-00-700-4-459, Police—Capital Outlay, Equipment

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 .** Municipal Court Report to City Council Month Ending February 2015.

**Received and Filed.**

***NEW BILLS***

1. Introduced by Council member Joe Deneault and Robert Sheets on March 16, 2015:

Bill No. 7649 - A Bill to establish a vehicular parking zone for exclusive use of the physically disabled on the northerly side of Smith Street from a point 460 feet west of Ruffner Avenue to a point 580 feet west of Ruffner Avenue.

Referred to Streets and Traffic Committee.

1. Introduced by Council member Joe Deneault and Robert Sheets on March 16, 2015:

Bill No. 7650 - A Bill to create a 15 Minute Parking Zone on the northerly side of Quarrier Street from a point 58 feet west of Capitol Street to a point 100 feet west of Capitol Street

Referred to Streets and Traffic Committee.

***ADJOURNMENT***

*The Clerk, James M. Reishman, called the closing roll call:*

YEAS: Burka, Burton, Clowser, Davis, Deneault, Dodrill, Ealy, Haas, Hoover, Kirk, Knauff, Lane, Miller, Nichols, Persinger, Reishman, Richardson, Russell, Salisbury, Sheets, Smith, Snodgrass, Talkington, Ware, White, Jones

NAYS: None

ABSENT: Minardi

At 7:45 p.m., by a motion from Councilmember Harrison, Council adjourned until Monday, April 6, 2015, at 7:00 p.m., in the Council Chamber in City Hall.

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Danny Jones, Honorable Mayor

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James M. Reishman, City Clerk