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**JOURNAL of the PROCEEDINGS**

**of the**

**CITY COUNCIL**

CITY OF CHARLESTON, WEST VIRGINIA

Regular Meeting – Monday, April 4, 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 first meeting in the month of April on the 4th 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 the AmeriCorps. 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-four 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 Lo’ay Alasadi, 201 Georgetown Place, Charleston, WV; alleges damage to vehicle.

Referred to City Solicitor.

1. A claim of Abdo Chamber, 703 Charlie Street, Hurricane, WV; alleges damage to vehicle.

Referred to City Solicitor.

1. A claim of Dewey Kinser, PO Box 11043., Charleston, WV; alleges damage to vehicle.

Referred to City Solicitor.

1. A claim of Nichole M. Koenig, 250 Red Mulberry Way, Charleston, WV; alleges damage to vehicle.

Referred to City Solicitor.

***COMMUNICATIONS***

**EXECUTIVE DEPARTMENT**

**EXECUTIVE DEPARTMENT**

**CITY OF CHARLESTON**

**PROCLAMATION**

**WHEREAS:** Service to others is a hallmark of the American character, and central to how we meet our challenges. The nation’s mayors are increasingly turning to national service and volunteerism as a cost-effective strategy to meet the city needs; and

**WHEREAS:** AmeriCorps and Senior Corps address the most pressing challenges facing our cities and nation, from educating students for the jobs of the 21st century and supporting veterans and military families to preserving the environment and helping communities recover from natural disasters; and

**WHEREAS:** National service participants serve in more than 50,000 locations across the country, bolstering the civic, neighborhood, and faith-based organizations that are so vital to our economic and social well-being. They also increase the impact of the organizations they serve with, both through their direct service and by recruiting and managing millions of additional volunteers; and

**WHEREAS:** National service represents a unique public-private partnership that invests in community solutions and leverages non-federal resources to strengthen community impact and increase the return on taxpayer dollars; and

**WHEREAS:** AmeriCorps members and Senior Corps volunteers demonstrate commitment, dedication, and patriotism by making an intensive commitment to service, a commitment that remains with them in their future endeavors; and

**WHEREAS:** The corporation for National and Community Service shares a priority with mayors nationwide to engage citizens, improve lives, and strengthen communities; and is joining with mayors across the country to support the Mayors Day of Recognition for National Service; and

**Now therefore, I,** Danny Jones, Mayor of the City of Charleston, do hereby proclaim April 5, 2016 as:

**NATIONAL SERVICE RECOGNITION DAY**

in the City of Charleston, West Virginia and urge all citizens to recognize the positive impact of national service in our city, to thank those who serve and to find ways to give back to their communities.

**IN WITNESS WHEREOF,** I have set my hand and caused the Seal of the Executive Department to be affixed this 10th day of March 2016.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**DANNY JONES, MAYOR**

**EXECUTIVE DEPARTMENT**

**CITY OF CHARLESTON**

**PROCLAMATION**

**By the Mayor**

**WHEREAS:** Each day about 10,000 Baby Boomers, who are members of a generation largely unsure of its financial future, are about to enter their retirement years and most rely on their own savings to provide for their financial security in retirement; and

**WHEREAS:** A unique set of challenges has emerged, including changes in employee benefits, longer life spans, as well as the rising cost of health care, that has made preparing for retirement increasingly more difficult and many are unprepared for their retirement years; and

**WHEREAS:** There is a growing need to educate Americans about retirement planning, carving some time out on a routine basis to review one’s finances and assess one’s financial preparedness for retirement in an achievable first step, and being proactive about retirement planning and seeking professional guidance when necessary can help Americans achieve financial freedom; and

**WHEREAS:** Developing a comprehensive retirement plan is an important step that will lead many Americans to save more and ultimately achieve a financially secure future; and

**WHEREAS:** Experts from the National Retirement Planning Coalition, the group that organizes National Retirement Planning Week, are urging Americans to use this time to develop, review and/or revise their retirement plans with the tools and help available at www.RetireOnYourTerms.org; and

**NOW THEREFORE, I,** Danny Jones, Mayor of the City of Charleston, do hereby proclaim April 11th to 15th, 2016, as

**NATIONAL RETIREMENT PLANNING WEEK**

**BE IT FURTHER RESOLVED**, that the City of Charleston supports and joins in this national effort to help consumers focus on their needs in retirement.

**IN WITNESS WHEREOF,** I have set my hand and caused the Seal of the Executive Department to be affixed this 1st day of April 2016.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**DANNY JONES, MAYOR**

***REPORTS OF COMMITTEES***

**COMMITTEE ON PLANNING**

Council lady Davis, Chair of the Council Committee on Planning, submitted the following reports:

1. Your committee on Planning has had under consideration Bill No. 7682, and reports the same to Council with the recommendation that the bill do pass.

Bill No. 7682 amending the Zoning Ordinance of the City of Charleston, West Virginia, adopted January 1, 2006, as amended, to allow blade signs in the CBD and UCD zoning District.

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

The Zoning Ordinance for the City of Charleston, West Virginia, effective January 1, 2006, is hereby amended as follows:

1. In Section 2-020 Definitions

Amend as follows:

**~~Sign, Shingle.~~** ~~A sign suspended from and located entirely under a covered porch, covered walkway or awning.~~

**Sign, Blade.** A projecting sign mounted on a building façade oriented primarily for pedestrians.

1. In Section 23-050 Prohibited Signs

Amend subsection**:**

1. Projecting signs~~.~~, except were blade signs are specifically permitted
2. In Section 23-080 On-Premise Signs Permitted in Commercial and Industrial Districts (C-4, C-8, C-10, C-12, CBD, UCD, PMC, I-2, I-4)

Insert subsection:

**Section 23-080-02 Supplemental Regulations for Blade Signs in the CBD and UCD Districts**

Blade signs are permitted in the CDB and UCD zoning districts provided the following conditions are met:

1. Such signs may project over a public right-of-way.
2. Shall be at least nine (9) feet above ground level and no more than twelve (12) feet above ground level.
3. Shall not exceed thirty (36) inches in width and twenty four (24) inches in height, excluding the structural bracket.
4. Shall not be internally illuminated.

Renumber subsections 23-080-02 through 23-080-5

1. In Table 23-080.01

Amend table as follows:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Signs Permitted in the CBD and UCD** | | | | |
| Building Signplates | 1 per public entrance | 2 sq ft | NA | NA |
| ~~Shingle Signs~~ | ~~1 per public entrance~~ | ~~4 sq ft~~ | ~~NA~~ | ~~NA~~ |
| Blade Signs | 1 per public street front entrance | 6 sq ft | NA | NA |
| Wall, Awning, Canopy or Marquee Signs | 1 per business per building frontage | 1.5 sq ft per linear ft of building frontage\* | NA | NA |
| Monument Signs | 1 per building | 24 sq ft | 10 ft | 3 ft from property line |
| Electronic Message Board (when in compliance with section 22-080-05) | 1 per building | 100 sq ft | 18 ft | NA |
| Temporary Signs | 2 per building | 32 sq ft | 4 ft | Flush against building |
| Instructional Signs | Exempt from regulations when in compliance with Sec. 22-080-04. | | | |

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

Council lady Davis moved to approve the Bill. Councilman 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, Reishman, Richardson, Salisbury, Smith, Steele, Talkington, Ware, Mayor Jones

NAYS: NONE

ABSENT: Miller, Slater, Snodgrass

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 7680 adopted.

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

Your committee on Planning had under consideration as request to name a private drive at Littlepage Terrace located off of Rebecca Street as Nesmith Court.

Your committee finds the name complies with the E911 Addressing Regulations and reports the same to Council with the recommendation the private drive be named Nesmith Court.

Council lady Davis moved to approve the Street Naming. Councilman Lane seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the Street Naming, adopted.

**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 Resolution No. 721-16, and reports the same to Council with the recommendation that the resolution do pass.

Resolution No. 721-16 : “Authorizing the Mayor or his designee to submit an application to the West Virginia Division of Justice and Community Services (DJCS) for a Justice Assistance Grant (JAG) in the amount of $57,092.00 to provide partial salary reimbursement for a Prevention Resource Officer (PRO) at Capital High School and Stonewall Jackson Middle School, plus travel/training funds. The City is required to provide a 25% match to supplement the grant funds requested for the PRO positions.”

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

That the Mayor is hereby authorized and directed to submit an application to the West Virginia Division of Justice and Community Services (DJCS) for a Justice Assistance Grant (JAG) in the amount of $57,092.00 to provide partial salary reimbursement for a Prevention Resource Officer (PRO) at Capital High School and Stonewall Jackson Middle School, plus travel/training funds. The City is required to provide a 25% match to supplement the grant funds requested for the PRO positions

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 721-16 adopted.

1. Your committee on Finance has had under consideration Resolution No. 722-16, and reports the same to Council with the recommendation that the resolution do pass.

Resolution No. 722-16 : “Authorizing the Mayor or his designee to submit a grant application to the West Virginia Division of Justice and Community Services (DJCS) for a Justice Assistance Grant (JAG) in the amount of $112,000.00 to provide partial salary reimbursement for Metro Drug Unit Officers from the Charleston, South Charleston, Nitro, and St. Albans police departments. A 25% match for this grant is comprised of supplemental salary and benefit costs incurred by each participating agency.”

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 to the West Virginia Division of Justice and Community Services (DJCS) for a Justice Assistance Grant (JAG) in the amount of $112,000.00 to provide partial salary reimbursement for Metro Drug Unit Officers from the Charleston, South Charleston, Nitro, and St. Albans police departments. A 25% match for this grant is comprised of supplemental salary and benefit costs incurred by each participating agency

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 722-16 adopted.

1. Your committee on Finance has had under consideration Resolution No. 723-16, and reports the same to Council with the recommendation that the resolution do pass.

Resolution No. 723-16 : “Authorizing the Chief of Police to enter into a Memorandum of Understanding (MOU) between the U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and the Charleston Police Department (CPD) to formalize relationships between ATF and CPD with regard to procedures and utilization of resources in order to maximize interagency cooperation and coordination in violent crime investigations and other incidents within the jurisdiction of the CPD and ATF.”

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

That the Chief of Police is hereby authorized and directed to enter into a Memorandum of Understanding (MOU) between the U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and the Charleston Police Department (CPD) to formalize relationships between ATF and CPD with regard to procedures and utilization of resources in order to maximize interagency cooperation and coordination in violent crime investigations and other incidents within the jurisdiction of the CPD and ATF

Councilman Reishman moved to approve the resolution. Councilman Ware seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution 723-16 adopted.

1. Your committee on Finance has had under consideration Resolution No. 724-16, and reports the same to Council with the recommendation that the resolution do pass.

Resolution No. 724-16 : “Authorizing the Mayor or his designee to submit a grant application to the MetLife Foundation for up to $20,000 to support the West Invest Project for neighborhood revitalization.”

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 to the MetLife Foundation for up to $20,000 to support the West Invest Project for neighborhood revitalization.

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 724-16 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.

The bid received from Stephens Auto Center, in the amount of $72,371, for purchase of a 2016 Ford F550 dump truck to be used by the Street Department.

*To be charged to Account No. 001-977-00-750-4-459, Street—Capital Outlay, Equipment*

*(Municipal Leasing Corporation Master Lease 21129, Lease Schedule No. 21129)*

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.

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.

The bid submitted by OP Aquatics for purchase of pool chemicals by the Parks & Recreation Department. The pool chemicals will be purchased on an as needed basis and the prices shall remain in effect for a six month period from date of Council approval.

*To be charged to Account No. 001-900-00-000-3-341, P&R—Materials & Supplies*

Councilman Reishman moved to approve the Committee Report. Councilman Ware 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. Report of the City of Charleston Payroll Variance Analysis; March, 2016.

*Received and Filed.*

***NEW BILLS***

1. Introduced by Council member Robert Reishman on April 4, 2016:

Bill No. 7688- A Bill and Order relating to the laying of levies on real, personal and public utility property within the City of Charleston, West Virginia, including excess levies previously provided for in the Official Municipal Budget Document for the fiscal year beginning the first day of July, two thousand sixteen.

*Referred to Finance Committee*

***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, Reishman, Richardson, Salisbury, Smith, Steele, Talkington, Ware, Mayor Jones

ABSENT: Miller, Slater, Snodgrass

At 7:20 p.m., by a motion from Councilmember Harrison, Council adjourned until Tuesday, March 22, 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