



**JOURNAL of the PROCEEDINGS
of the
CITY COUNCIL**

CITY OF CHARLESTON, WEST VIRGINIA

Regular Meeting – Monday, October 2, 2017

at 7:00 P.M.

Council Chamber – City Hall – Charleston, West Virginia

OFFICIAL RECORD

**Danny Jones
Mayor**

**JB Akers
City Clerk**

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 October on the 2nd 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 Burton’s daughter. The Honorable Clerk, JB Akers, called the roll of members and it was found that there were present at the time:

**BURKA
CHESTNUT
EALY

JONES
MINARDI
REISHMAN
SMITH
TALKINGTON**

**BURTON
CLOWSER
FAEGRE
HOOVER
KING
OVERSTREET
RICHARDSON

WARE**

**DAVIS
HAAS
IRELAND

SALISBURY
STEELE
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

1. Bill Kimmons – asked that Council table Bill No. 7763.
2. Peter Harris – asked that Council table Bill No. 7763.

CLAIMS

1. A claim of James Cook, 1033 Orchard Street, Charleston, WV;
Alleges damage to property.
Refer to City Solicitor.

MISCELLENOUS RESOLUTIONS

1. Resolution No. 959-17 - A Resolution expressing Charleston City Council support for the passage of West Virginia Amendment #1, Bonds for Roads and Bridges Measure.

WHEREAS, during the 2017 Legislative Session, several pieces of legislation were passed to address improvements to West Virginia roads and bridges in an effort to benefit the West Virginia economy, facilitate tourism, and improve safety throughout the State; and

WHEREAS, the Legislature and Governor Justice have called for an amendment to the Constitution of the State of West Virginia enabling the Legislature to issue and sell state bonds up to \$1.6 Billion to finance the road and bridge improvements; and

WHEREAS, the special election to adopt the Constitutional Amendment will be held of October 7, 2017; and

WHEREAS, the infrastructure projects will create jobs and contribute to economic development; and

WHEREAS, the infrastructure projects will improve the safety of West Virginia’s citizens and visitors to our state; and

WHEREAS, the infrastructure projects will aid Charleston in its efforts to improve its image as a destination City for tourism and as an economic hub of West Virginia;

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

That the Charleston City Council supports the passage of West Virginia Amendment #1, Bonds for Roads and Bridges Measure, and encourages that citizens of Charleston to vote for the amendment in the special election on October 7, 2017.

Councilmember Burka moved to approve the Resolution. Councilmember Ware seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution 959-17 adopted.

2. Resolution No. 960-17 -

WHEREAS: Charleston and West Virginia, like much of America, has a national health crisis with preventable diseases as the leading cause of death and disability, including 68.8% of Americans are overweight/obese, 70% of deaths in the U.S. are preventable, 86% of all healthcare expenditures are for people with one or more chronic diseases, and \$315.4 billion is spent on healthcare each year treating heart disease and stroke; and

WHEREAS: Seafood nutrition offers significant solutions for all ages, such as lowering the risk of cardiovascular disease, helping expectant mothers to have babies with better outcomes for brain and eye health, and providing higher levels of omega-3 fatty acids in seniors to help them live healthier and longer lives; and

WHEREAS: U.S. Department of Agriculture (USDA) and Health and Human Services dietary guidelines continue to recommend eating seafood at least twice a week for multiple health and nutrition benefits, and more awareness leads to a healthier diet that includes seafood (currently only 10% of Americans consume seafood twice a week); and

WHEREAS: The national non-profit Seafood Nutrition Partnership seeks to educate and encourage citizens to reduce risks of heart disease and improve baby brain wellness by educating Americans about the multiple health benefits of eating more seafood and building awareness of seafood's benefits and nutrients from eating more seafood ; and

WHEREAS: Charleston is one of eight cities nationally to be designated by the Seafood Nutrition Partnership for a grassroots public health campaign to educate and engage people in our city, state, and nation about health and nutritional benefits of seafood; and

WHEREAS: The public education and advocacy of a nutritional diet in year three of the Seafood Nutrition Partnership's public health campaign complements Charleston's other efforts toward becoming a healthier City, combatting obesity and diminishing the incidence of cardiovascular disease in our community.

Therefore be it resolved by The Council and Mayor of The City of Charleston, West Virginia:
That we, the elected leaders of Charleston, designate October 2017 as
Seafood Nutrition Partnership Month

And, in partnership with coalition members representing healthcare, academia, business and non-profit organizations, we encourage people in our City to take the Healthy Heart Pledge by eating at least two servings of seafood each week as recommended by the USDA Dietary Guidelines for Americans. By participating in this challenge and eating more seafood, we will lower the risk of cardiovascular disease, help expectant mothers to have babies with better outcomes for brain and eye health, and provide higher levels of omega-3 fatty acids in older

Americans to help them live healthier and longer lives.

Councilmember Richardson moved to approve the Resolution. Councilmember Ware seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution 960-17 adopted.

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. 953-17 do pass.

Resolution No. 953-17 - Authorizing the City Manager to execute Change Order No. 2 with Multivista Construction Documentation, in relation to the Civic Center Expansion and Renovation Project, in the amount of \$ 5,643.72, as listed in Exhibit A, attached hereto. Change Order No. 2 increases the contract price from \$114,560.55 to \$120,204.27.

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

That the City Manager is hereby authorized and directed to execute Change Order No. 2 with Multivista Construction Documentation, in relation to the Civic Center Expansion and Renovation Project, in the amount of \$ 5,643.72.00, as listed in Exhibit A, attached hereto. Change Order No. 2 increases the contract price from \$114,560.55 to \$120,204.27.

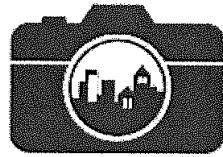


Exhibit A

CHANGE ORDER NO. 2

BuildView, LLC DBA Multivista

204 East Joppa Road, Suite L5, Towson, MD 21286

(443) 823-1827 p (443) 927-7244 f

j.donahoe@multivista.com / www.multivista.com

PROJECT QUOTE & AGREEMENT

CLIENT

Name: City of Charleston
Address:
T:
F:
Website:
Email:

PROJECT

Name: Description/Type: Charleston Civic Center
Location: Renovation / Addition project

Size (SQFT): 275,000 GSF
Start Date: Sept. 1st – Nov. 30 2017
Duration: Six (6) Additional Weekly site visits

Buildview LLC ("MULTIVISTA") is pleased to provide City of Charleston ("CLIENT") with Multivista Documentation services for the Renovation / Addition project project in accordance with the Scope and Terms listed in this document and in the accompanying RIDER: Multivista Project Quote Terms and Conditions.

MULTIVISTA: PROJECT QUOTE & AGREEMENT

PRICING

TOTAL FEES: \$ 5,643.72

BILLED AS:

CO No. 2 Monthly Fee in addition to current monthly fees billed as follows-

\$1,881.24 per month for 3 months.

Councilmember Reishman moved to approve the Resolution. Councilmember Ware seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution 953-17 adopted.

2. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 954-17 do pass.

Resolution No. 954-17 - Authorizing the Mayor or the City Manager to receive and administer a grant in the amount of \$506,100.00 from the West Virginia Governor's Highway Safety Program for the purpose of coordinator salary reimbursement, training, equipment and overtime funds for Click It or Ticket, DUI, Target Red, aggressive driving and underage alcohol enforcement.

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

That the Mayor or the City Manager is hereby authorized and directed to receive and administer a grant in the amount of \$506,100.00 from the West Virginia Governor's Highway Safety Program for the purpose of coordinator salary reimbursement, training, equipment and overtime funds for Click It or Ticket, DUI, Target Red, aggressive driving and underage alcohol enforcement.

Councilmember Reishman moved to approve the Resolution. Councilmember Ware seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution 954-17 adopted.

3. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 955-17 do pass.

Resolution No. 955-17 - Authorizing the Mayor or his designee to enter into agreement with the Department of Corrections in an amount up to \$30,000.00 for labor assistance with projects being conducted under Project West Invest Phase II.

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 enter into agreement with the Department of Corrections in an amount up to \$30,000.00 for labor assistance with projects being conducted under Project West Invest Phase II.

Councilmember Reishman moved to approve the Resolution. Councilmember Ware seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution 955-17 adopted.

4. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 956-17 do pass.

Resolution No. 956-17 - Authorizing the Mayor or his designee to submit application to the Homeland Security Grant Program in the amount of \$22,000 for the purchase of IRP radios for MDENT.

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 application to the Homeland Security Grant Program in the amount of \$22,000 for the purchase of IRP radios for MDENT.

Councilmember Reishman moved to approve the Resolution. Councilmember Ware seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution 956-17 adopted.

5. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 957-17 do pass.

Resolution No. 957-17 - Authorizing the Mayor or his designee to submit application to the Homeland Security Grant Program in the amount of \$99,396.00 to purchase equipment for the Regional Response Team.

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 application to the Homeland Security Grant Program in the amount of \$99,396.00 to purchase equipment for the Regional Response Team.

Councilmember Reishman moved to approve the Resolution. Councilmember Ware seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution 957-17 adopted.

6. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 958-17 do pass.

Resolution No. 958-17 - Authorizing the City Manager to execute Change Order No. 1 with Asphalt Contractors and Site Work, Inc., in relation to the Loudon Heights Road Retaining Wall Repair Project, in the amount of \$ 39,630.00, as listed in Exhibit A, attached hereto. Change Order No. 1 increases the contract price from \$172,325.00 to \$211,955.00.

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

That the City Manager is hereby authorized and directed to execute Change Order No. 1 with Asphalt Contractors and Site Work, Inc., in relation to the Loudon Heights Road Retaining Wall Repair Project, in the amount of \$ 39,630.00, as listed in Exhibit A, attached hereto. Change Order No. 1 increases the contract price from \$172,325.00 to \$211,955.00.

CITY OF CHARLESTON
Loudon Heights Road Retaining Wall Repair
2017

CHANGE ORDER NO. 1

Date of Approval: September 25, 2017

Contractor: Asphalt Contractors & Site Work, Inc.
20 Dixon Dam Road
Lavalette, WV 25535

The Contract is changed as follows:

An addition of 20 lineal feet of Retaining Wall will be required to tie into an existing concrete retaining wall and prevent future failure of an old stacked stone and mortar retaining wall. An addition of 200 SF Roadway Restoration will be required as well. The City will provide 2 sections of guard rail and the contractor will install them to complete the change order.

Description	Unit	Quantity	Cost	Total
Retaining wall	LF	20	\$1,885.00	\$37,700.00
Roadway Restoration	SF	200	\$ 9.65	\$ 1,930.00
Total				\$39,630.00

Original Contract Price:	\$172,325.00
Total of this Change Order	\$ 39,630.00
Total of previously approved Change Orders	\$ 0.00
Contract Price with all Approved Change Orders:	\$211,955.00

Councilmember Reishman moved to approve the Resolution. Councilmember Ware seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution 958-17 adopted.

7. 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 Finley Fire Equipment Co. Inc., in the total amount of \$40,845.00, for purchase of five (5) Air Mask Systems and ten (10) Spare Air Cylinders.

To be charged to Account No. 001-976-00-706-4-459, Fire- Capital Outlay, Equipment

Councilmember Reishman moved to approve the Committee Report. Councilmember 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; September 2017.
Received and Filed.

NEW BILLS

Introduced by Councilmember Bruce King on October 2, 2017:

Bill No. 7762 - A Bill Amending the Zoning Ordinance by allowing “Swimming Pool – Community” as a conditional use permit in the R-2 Single Family Residential District.
Refer to Municipal Planning Commission and Planning Committee.

Introduced by Councilmember Bobby Reishman on October 2, 2017:

Bill No. 7763 - A Bill authorizing the purchase of properties located along Anderson Heights Road for the purpose of widening Anderson Heights Road and creating a turnaround for local vehicular traffic.
Refer to Finance Committee.

ADJOURNMENT

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

YEAS: Burka, Burton, Chestnut, Clowser, Davis, Ealy, Faegre, Haas, Hoover, Ireland, Jones, King, Minardi, Overstreet, Reishman, Richardson, Salisbury, Smith, Steele, Talkington, Ware, Mayor Jones

NAYS:

ABSENT: Ceperley, Harrison, Lane, Persinger, Snodgrass

At 7:19 p.m., by a motion from Councilmember Ware, Council adjourned until Monday, October 16, 2017, at 7:00 p.m., in the Council Chamber in City Hall.

Danny Jones, Honorable Mayor

JB Akers, City Clerk