



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

CITY OF CHARLESTON, WEST VIRGINIA

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Regular Meeting – Monday, February 3, 2014

at 7:00 P.M.

Council Chamber – City Hall – Charleston, West Virginia

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**OFFICIAL RECORD**

**Danny Jones**  
Mayor

**James M. Reishman**  
City Clerk

***CALL TO ORDER***

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The Council met in the Chambers of the City Building at 7:00 P.M., for the first meeting in the month of February on the 3rd day, in the year 2014, 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 Boy Scout Troop 164. The Honorable James M. Reishman, City Clerk, called the roll of members and it was found that there were present at the time:

|                    |                  |                  |
|--------------------|------------------|------------------|
| <b>DAVIS</b>       | <b>BURTON</b>    | <b>CLOWSER</b>   |
| <b>EALY</b>        | <b>DENEALT</b>   | <b>DODRILL</b>   |
| <b>HOOVER</b>      | <b>HAAS</b>      | <b>HARRISON</b>  |
| <b>LANE</b>        |                  | <b>KNAUFF</b>    |
| <b>NICHOLS</b>     | <b>MILLER</b>    | <b>MINARDI</b>   |
| <b>RICHARDSON</b>  | <b>PERSINGER</b> | <b>REISHMAN</b>  |
| <b>SHEETS</b>      |                  | <b>SALISBURY</b> |
| <b>TALKINGTON</b>  |                  | <b>SNODGRASS</b> |
| <b>MAYOR JONES</b> | <b>WARE</b>      | <b>WHITE</b>     |

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.

**COMMUNICATION**

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**TO: JAMES REISHMAN  
CITY CLERK**

**FROM: DANNY JONES  
MAYOR**

**RE: MUNICIPAL PLANNING COMMISSION**

**DATE: FEBRUARY 3, 2014**

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I recommend that Steve Blackwell, 1201 Williamsburg Way, Charleston, WV 25314, be appointed to the Municipal Planning Commission, with an initial term to expire July 1, 2016. He is replacing Angela Baker.

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.

**PUBLIC HEARING**

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After duly being published as required, the Mayor declared the floor open for a Public Hearing on Resolution No. 411-14. No one from the public came to speak in reference to the Public Hearing. The Mayor declared the Public Hearing CLOSED.

**REPORTS OF COMMITTEES**

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**COMMITTEE ON PLANNING**

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

1. Your committee on Planning has had under consideration Bill No. 7610, and reports the same to Council with the recommendation that the bill do pass.

Bill No. 7610 –A BILL amending the Zoning Ordinance of the City of Charleston, West Virginia, enacted the 1st day of January 2006, as amended, and the map made a part thereof, by rezoning from an R-8 district to a C-10 district, that certain parcel of land situate at the corner of 27th Street and Washington Street West, Charleston, West

Virginia.

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

1. The Zoning Ordinance of the City of Charleston, West Virginia, enacted the 1st day of January 2006, as amended, is hereby amended by rezoning from an R-8 district to a C-10 district the whole of the following described parcel of land:

Parcel No. 197 as shown on North Charleston Tax Map No. 85. Subject parcel commonly known as Lots 157, 158 and 159 in the Mohler Addition to the City of Charleston, West Virginia, as shown on a map thereof recorded in the Office of the Clerk of the County Commission of Kanawha County, WV in Map Book 2, at page 107. Said tax map is of record in the Planning Office.

2. The Zoning Map, attached to and made a part of said Zoning Ordinance, is hereby amended in accordance with Article 27 of this ordinance.
3. All prior ordinances or parts of ordinances, inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

Councilman Davis moved to approve the Bill. Councilman Lane seconded the motion. The question being on the passage of the Bill. A roll call was taken and there were; yeas – 24, nays – 0, absent- 4, as follows:

YEAS: Burton, Clowser, Davis, Deneault, Dodrill, Ealy, Haas, Harrison, Hoover, Kirk, Knauff, Lane, Miller, Minardi, Nichols, Persinger, Reishman, Richardson, Salisbury, Sheets, Talkington, Ware, White, Mayor Jones.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill 7610 adopted.

2. Your committee on Planning has had under consideration Bill No. 7611, and reports the same to Council with the recommendation that the bill do pass

Bill No. 7611- A BILL amending the Zoning Ordinance for the City of Charleston, West Virginia, adopted November 21, 2005 by changing “Family Day Care Facility” and “Family Day Care Adult Facility” from an accessory use to a permitted use in the R-O Residential-Office 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 November 21, 2005, is hereby amended as follows:

| LAND USE                              | R-2 | R-4 | R-6 | R-8 | R-10 | R-O       | C-4 | C-8 | C-10 | C-12 | CB D | UC D | PM C | I-2 | I-4 | PU D | SUP P. |
|---------------------------------------|-----|-----|-----|-----|------|-----------|-----|-----|------|------|------|------|------|-----|-----|------|--------|
| <b>Family Day Care Facility</b>       | A   | A   | A   | A   | A    | <u>AP</u> | P   | P   | P    | P    | P    | P    | P    |     |     | C    | 22     |
| <b>Family Day Care Adult Facility</b> | A   | A   | A   | A   | A    | <u>AP</u> | P   | P   | P    | P    | P    | P    | P    |     |     | C    | 22     |

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

Councilman Davis moved to approve the Bill. Councilman Lane seconded the motion. The question being on the passage of the Bill. A roll call was taken and there were; yeas – 24, nays – 0, absent- 4, as follows:

YEAS: Burton, Clowser, Davis, Deneault, Dodrill, Ealy, Haas, Harrison, Hoover, Kirk, Knauff, Lane, Miller, Minardi, Nichols, Persinger, Reishman, Richardson, Salisbury, Sheets, Talkington, Ware, White, Mayor Jones.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill 7611 adopted.

**COMMITTEE ON FINANCE**

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

1. Your committee on Finance has had under consideration Resolution No. 406-14, and reports the same to Council with the recommendation that the resolution do pass.

Resolution No. 406-14 - Authorizing the Mayor or City Manager to enter into an agreement with Suntrust Equipment Finance Leasing, in the amount of approximately \$727,000.00 for a three year lease purchase period at a rate of 1.25% and approximately \$755,000.00 for a five year lease purchase period at a rate of 1.57%, to provide for the purchase of police cars and various equipment for City departments, contingent upon the bidder establishing and funding an escrow account for the aforementioned amounts and contingent upon the City being allowed to procure all vehicles and equipment according to its purchasing procedures and subject to review and final approval by legal counsel for the City.”

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 Suntrust Equipment Finance Leasing, in the amount of approximately \$727,000.00 for a three year lease purchase period at a rate of 1.25% and approximately \$755,000.00 for a five year lease purchase period at a rate of 1.57%, to

provide for the purchase of police cars and various equipment for City departments, contingent upon the bidder establishing and funding an escrow account for the aforementioned amounts and contingent upon the City being allowed to procure all vehicles and equipment according to its purchasing procedures and subject to review and final approval by legal counsel for the City.

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 406-14 adopted.

2. Your committee on Finance has had under consideration Resolution No. 407-14, and reports the same to Council with the recommendation that the resolution do pass.

Resolution No. 407-14 - Authorizing the Mayor or City Manager to enter into an agreement with Suddenlink to provide telephone and Internet services for the Charleston Civic Center at a cost of \$1,400.00 per month for telephones and \$700.00 per month for 20 MBs of Internet. The agreement is for a one year period with two one-year automatic renewals unless a 60-day cancellation notice is exercised by either party.”

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 Suddenlink to provide telephone and Internet services for the Charleston Civic Center at a cost of \$1,400.00 per month for telephones and \$700.00 per month for 20 MBs of Internet. The agreement is for a one year period with two one-year automatic renewals unless a 60-day cancellation notice is exercised by either party.

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 407-14 adopted.

3. Your committee on Finance has had under consideration Resolution No. 408-14, and reports the same to Council with the recommendation that the resolution do pass.

Resolution No. 408-14 - Authorizing the Mayor to receive and administer funds in the amount of \$40,000 from the 2013 Highway Safety Grant program to provide in-car cameras for the Charleston Police Department (\$30,000); and for a high school Distracted Driving Campaign (\$10,000).”

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

That the Mayor is hereby authorized and directed to receive and administer funds in the amount of \$40,000 from the 2013 Highway Safety Grant program to provide in-car cameras for the Charleston Police Department (\$30,000); and for a high school Distracted Driving Campaign (\$10,000)..

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 408-14 adopted.

4. Your committee on Finance has had under consideration Resolution No. 409-14, and reports the same to Council with the recommendation that the resolution do pass.

Resolution No. 409-14 - Authorizing the Mayor or City Manager to receive and administer funds in the amount of \$25,000 awarded through the West Virginia Division of Energy, Local Energy Efficiency Grant Program, to be used for educational activities in promoting energy efficiency awareness to local residents and businesses.

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 receive and administer funds in the amount of \$25,000 awarded through the West Virginia Division of Energy, Local Energy Efficiency Grant Program, to be used for educational activities in promoting energy efficiency awareness to local residents and businesses.

Councilman Reishman moved to approve the Resolution. Councilman Deneault seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution 409-14 adopted.

5. Your committee on Finance has had under consideration Resolution No. 410-14, and reports the same to Council with the recommendation that the resolution do pass.

Resolution No. 410-14 - Authorizing the Mayor or City Manager to execute a Lease Agreement with Pitney Bowes for a Connect +300 Series Mail Machine and meter equipment. The lease will be on a month-to-month basis for one year at a cost of \$329.00 per month. After the first year, the City has the option to renew the lease up to four (4) additional years at a cost of \$472.00 per month for the ensuing period subject to approval by legal counsel for the City. The monthly cost includes maintenance for the five year period and either party has the right to terminate the lease during this term by giving a 30-day written cancellation notice prior to any renewal period.

*To be charged to Account No. 001-439-00-000-2-219, Information Systems—Building and Equipment Rents*

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 execute a Lease Agreement with Pitney Bowes for a Connect +300 Series Mail Machine and meter equipment. The lease will be on a month-to-month basis for one year at a cost of \$329.00 per month. After the first year, the City has the option to renew the lease up to four (4) additional years at a cost of \$472.00 per month for the ensuing period subject to approval by legal counsel for the City. The monthly cost includes maintenance for the five year period and either party has the right to terminate the lease during this four-year period by giving a 30-day written cancellation notice prior to any renewal period.

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 410-14 adopted.

6. Your committee on Finance has had under consideration Resolution No. 411-14, and reports the same to Council with the recommendation that the resolution do pass.

Resolution No. 411-14 - Authorizing the Mayor or City Manager to enter into a Lease Agreement with the West Virginia University Board of Governors on behalf of West Virginia University for 1,600 square feet, more or less, of space at 601 Morris Street at a rental rate of \$2,520.00 per month starting February 17, 2014, for a period of five (5) years with the option to renew for two (2) additional five (5) year periods.”

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 a Lease Agreement with the West Virginia University Board of Governors on behalf of West Virginia University for 1,600 square feet, more or less, of space at 601 Morris Street at a rental rate of \$2,520.00 per month starting February 17, 2014, for a period of five (5) years with the option to renew for two (2) additional five (5) year periods.

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 411-14 adopted.



**ADJOURNMENT**

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

YEAS: Burton, Clowser, Davis, Deneault, Dodrill, Ealy, Haas, Harrison, Hoover, Kirk, Knauff, Lane, Miller, Minardi, Nichols, Persinger, Reishman, Richardson, Salisbury, Sheets, Talkington, Ware, White, Mayor Jones

ABSENT: Burka, Kirk, Russell, Smith

At 7:16 p.m., by a motion from Councilmember Harrison, Council adjourned until Tuesday, February 18, 2014, 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