



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

CITY OF CHARLESTON, WEST VIRGINIA

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Regular Meeting – Monday, July 3, 2017

at 7:00 P.M.

Council Chamber – City Hall – Charleston, West Virginia

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**OFFICIAL RECORD**

**Danny Jones  
Mayor**

**JB Akers  
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 July on the 3<sup>rd</sup> day, in the year 2017, and was called to order by the Honorable Mayor, Danny Jones. The Pledge of Allegiance was led by Andrew Jones and the invocation was delivered by Councilmember Harrison. Rutha Chestnut sang the National Anthem. The Honorable Clerk, JB Akers, called the roll of members and it was found that there were present at the time:

**BURKA**

**CHESTNUT**

**HARRISON**

**JONES**

**MINARDI**

**SMITH**

**TALKINGTON**

**CLOWSER**

**FAEGRE**

**HOOVER**

**KING**

**OVERSTREET**

**WARE**

**DAVIS**

**HAAS**

**LANE**

**SALISBURY**

**MAYOR JONES**

With eighteen 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***

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NONE

***CLAIMS***

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1. A claim of Peter A. Sullivan, 611 Gilmer Road, Charleston, WV;  
Alleges damages to property.  
Refer to City Solicitor.

**COMMUNICATIONS**


1.

CITY OF CHARLESTON  
OFFICE OF THE MAYOR

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**TO: J. B. AKERS  
CITY CLERK**

**FROM: DANNY JONES  
MAYOR** 

**RE: CENTRAL WV REGIONAL AIRPORT AUTHORITY**

**DATE: JULY 3, 2017**

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I recommend that Dr. Lewis Whaley, 3 Maple Leaf Lane, Charleston, WV 25314, be appointed to the Central WV Regional Airport Authority, with an initial term to expire June 30, 2020. He's replacing R. Charles Dusic III.

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

DJ/dmp

Councilmember Harrison moved to approve the appointment. Councilmember Lane seconded that motion. By unanimous vote, the appointment was confirmed.

2.

CITY OF CHARLESTON  
OFFICE OF THE MAYOR

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**TO: J. B. AKERS  
CITY CLERK**

**FROM: DANNY JONES  
MAYOR**

**RE: CHARLESTON SANITARY BOARD**

**DATE: JULY 3, 2017**

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I recommend that Jack Rossi, 1627 Stonehenge Road, Charleston, WV 25314, be appointed to the Charleston Sanitary Board, with an initial term to expire March 17, 2018. He is replacing John Tinney, Jr.

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

DJ/dmp

Councilmember Harrison moved to approve the appointment. Councilmember Lane seconded that motion. By unanimous vote, the appointment was confirmed.

3.

CITY OF CHARLESTON  
OFFICE OF THE MAYOR

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**TO: J. B. AKERS  
CITY CLERK**

**FROM: DANNY JONES  
MAYOR**

**RE: CHARLESTON CONVENTION & VISITORS BUREAU**

**DATE: JULY 3, 2017**

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I recommend that Dale Jordan, 600 Kanawha Blvd E, Charleston, WV 25301, be appointed to the Charleston Convention & Visitors Bureau, with an initial term to expire February 17, 2020. He's replacing Mark Cherry.

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

DJ/dmp

Councilmember Harrison moved to approve the appointment. Councilmember Lane seconded that motion. By unanimous vote, the appointment was confirmed.

**MISCELLANEOUS RESOLUTIONS**

1.

Resolution No. 925-17

Introduced in Council

July 3, 2017

Mary Beth Hoover

WHEREAS: The Mayor and City Council have declared as a priority the installation, inventory and maintenance of public art throughout the City of Charleston for the enjoyment of residents and visitors alike; and

WHEREAS: Public art contributes to the City's character and quality of life and creates an environment that both informs and inspires; and

WHEREAS: Interstate 64 bisects the City of Charleston between the Downtown and the West Side, creating a visual barrier for motorists and pedestrians; and

WHEREAS: The West Side program of Charleston Main Streets has proposed a postcard mural to be installed on the northern wall of Gallery 64 beneath Interstate 64 in order to continue the effort to reconnect the West Side and downtown through the beautification and reactivation of a neglected public space; and

WHEREAS: The Gallery 64 project generally and the postcard mural specifically create jobs for local artists, allowing them to tell stories of Charleston's history in images that enhance a gateway to the West Side and Downtown.

Therefore, be it resolved by the Council of the City of Charleston, West Virginia:

That the City of Charleston, West Virginia, recognizes and supports the application and installation of public art as an important contribution to the City's character and quality of life; and that it supports and endorses the 2017 Gallery 64 Postcard Mural project; And further, that the Council hereby directs the Mayor to promptly express the same to the West Virginia Department of Transportation, Division of Highway and other appropriate persons and entities as circumstances require.

Councilmember Hoover moved to approve the resolution. Councilmember Lane seconded the motion. By unanimous vote in the affirmative, Resolution No. 925-17 was adopted.

**REPORTS OF COMMITTEES**

**COMMITTEE ON PLANNING**

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

1. Your committee on Planning has had under consideration the following bill, and reports the same to Council with the recommendation that Bill No. 7742 Committee Substitute do pass.

Bill No. 7742 Committee Substitute – amending the Zoning Ordinance of the City of Charleston, West Virginia, adopted January 1, 2006, as amended, by allowing “Greenhouse” as a conditional use permit in the C-O Residential Office District.

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

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

**Sec. 3-050 Permitted Land Uses**

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	P-M	I-2	I-4	PU-D	SUP P.
<i>Greenhouse or Nursery</i>						<u>C</u>			<i>P</i>	<i>P</i>		<i>P</i>		<i>P</i>			<u>14,</u> <u>23</u>

**Sec. 3-060 Supplemental Regulations Pertaining to Land Use Table**

14. Open storage permitted, excluding the R-O zoning district.
  
23. **Reserved.** Greenhouses in the R-O zoning districts shall comply with the following:
  - a. The greenhouse shall be made of stick frame construction utilizing glass or similar materials. Hoop houses and plastic sheathing are prohibited.
  - b. Selling, displaying, or storage of garden and lawn care items are not permitted.
  
2. All prior ordinances or parts of ordinances, inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.



Councilmember Davis moved to approve the Bill. Councilmember Lane seconded the motion. A roll call was taken:

YEAS: Burka, Chestnut, Clowser, Davis, Faegre, Haas, Harrison, Hoover, Jones, King, Lane, Minardi, Overstreet, Salisbury, Smith, Talkington, Ware, Mayor Jones

NAYS: NONE

ABSENT: Burton, Ceperley, Ealy, , Ireland, Persinger, Reishman, Richardson, Snodgrass, Steele

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 7742 Committee Substitute passed.

## COMMITTEE ON STREETS AND TRAFFIC

Councilmember Hoover, Chair of the Council Committee on Streets and Traffic, submitted the following reports:

1. Your committee on Streets and Traffic has had under consideration the following bill, and reports the same to Council with the recommendation that Bill No. 7748 do pass.

Bill No. 7748 - A Bill to establish a handicapped parking zone at 209 Morris Street on Quarrier Street from a point 30 feet west of Morris Street to a point 102 feet west of Morris Street and amending the Traffic Control Map and Traffic Control File, established by the code of the City of Charleston, West Virginia, two thousand and three, as amended, Traffic Laws, Section 263, Division 2, Article 4, Chapter 114, to conform therewith.

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

Section 1. A handicapped parking zone at 209 Morris Street on Quarrier Street from a point 30 feet west of Morris Street to a point 102 feet west of Morris Street.

Section 2. The Traffic Control Map and Traffic Control File, established by the code of the City of Charleston, West Virginia, two thousand and three, as amended, Traffic Laws, Section 263, Division 2, Article 4, Chapter 114, shall be and hereby are amended, to conform to this Ordinance.

Section 3. It shall be unlawful for any vehicle not displaying the insignia provided for in Section 2 to park in those spaces for the disabled provided for in Section 1. Any vehicle in violation of this section may be ticketed and impounded as provided for in Chapter 114, Vehicles and Traffic Law, Code of the City of Charleston, West Virginia.

Section 4. All prior Ordinances, inconsistent with this Ordinance are hereby repealed to the extent of said inconsistency.

Councilmember Hoover moved to approve the Bill. Councilmember Lane seconded the motion. A roll call was taken:

YEAS: Burka, Chestnut, Clowser, Davis, Faegre, Haas, Harrison, Hoover, Jones, King, Lane, Minardi, Overstreet, Salisbury, Smith, Talkington, Ware, Mayor Jones

NAYS: NONE

ABSENT: Burton, Ceperley, Ealy, , Ireland, Persinger, Reishman, Richardson, Snodgrass, Steele

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 7748 passed.

2. Your committee on Streets and Traffic has had under consideration the following bill, and reports the same to Council with the recommendation that Bill No. 7749 as amended do pass.

Bill No. 7749 as amended - A Bill to establish a 20 15 MPH Speed Limit on Belmont Street from Churchill Drive to dead end of Belmont Street and amending the Traffic Control Map and Traffic Control File established by the Code of the City of Charleston, West Virginia, two thousand three, as amended, Traffic Law, Section 263, Division 2, Article 4, Chapter 114, to conform therewith.

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

Section 1. A 20 MPH Speed Limit on Belmont Street from Churchill Drive to dead end of Belmont Street

Section 2. The Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, two thousand three, as amended, Traffic Law, Section 263, Division 2, Article 4, Chapter 114, shall be amended to conform with this Ordinance.

Section 3. All prior Ordinances inconsistent with this Ordinance are hereby repealed to the extent of said inconsistency.

Councilmember Hoover moved to approve the Bill. Councilmember Lane seconded the motion. A roll call was taken:

YEAS: Burka, Chestnut, Clowser, Davis, Faegre, Haas, Harrison, Hoover, Jones, King, Lane, Minardi, Overstreet, Salisbury, Smith, Talkington, Ware, Mayor Jones

NAYS: NONE

ABSENT: Burton, Ceperley, Ealy, , Ireland, Persinger, Reishman, Richardson, Snodgrass, Steele

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 7749 passed as amended.

3. Your committee on Streets and Traffic has had under consideration the following bill, and reports the same to Council with the recommendation that Bill No. 7750 do pass.

Bill No. 7750 - A Bill to establish a 15 Minute parking zone on the west side of Summers Street between Washington Street East and Donnally Street from a point 30 feet north of Washington Street East to a point 132 feet North of Washington Street East and amending the Traffic Control Map and Traffic Control File, established by the code of the City of Charleston, West Virginia, two thousand and three, as amended, Traffic Laws, Section 263, Division 2, Article 4, Chapter 114, to conform therewith.

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

Section 1. 15 Minute parking zone on the west side of Summers Street between Washington Street East and Donnally Street from a point 30 feet north of Washington Street East to a point 132 feet North of Washington Street East

Section 2. The Traffic Control Map and Traffic Control File, established by the code of the City of Charleston, West Virginia, two thousand and three, as amended, Traffic Laws, Section 263, Division 2, Article 4, Chapter 114, shall be and hereby are amended, to conform to this Ordinance.

Section 3. It shall be unlawful for any vehicle not displaying the insignia provided for in Section 2 to park in those spaces for the disabled provided for in Section 1. Any vehicle in violation of this section may be ticketed and impounded as provided for in Chapter 114, Vehicles and Traffic Law, Code of the City of Charleston, West Virginia.

Section 4. All prior Ordinances, inconsistent with this Ordinance are hereby repealed to the extent of said inconsistency.

Councilmember Hoover moved to approve the Bill. Councilmember Lane seconded the motion. A roll call was taken:

YEAS: Burka, Chestnut, Clowser, Davis, Faegre, Haas, Harrison, Hoover, Jones, King, Lane, Minardi, Overstreet, Salisbury, Smith, Talkington, Ware, Mayor Jones

NAYS: NONE

ABSENT: Burton, Ceperley, Ealy, , Ireland, Persinger, Reishman, Richardson, Snodgrass, Steele

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 7750 passed.

***NEW BILLS***

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Introduced by Councilmember Rutha Chestnut on July 3, 2017:

Bill No. 7746 - Rezoning from an R-6 Medium Density Residential District to a C-10 General Commercial District, that certain parcel of land located between Sherwood Forest Road and Eureka Road on U.S. Route 119

Refer to Municipal Planning Commission and Planning Committee.

Introduced by Councilmember Mary Beth Hoover on July 3, 2017:

Bill No. 7751 - A Bill to close the right hand northbound lane of Clendenin Street between Quarrier Street and Virginia Street to through traffic from the intersection of Quarrier Street to a point 143 feet north of Virginia Street.

Refer to Streets and Traffic Committee.

Introduced by Councilmember Mary Beth Hoover on July 3, 2017:

Bill No. 7752 - A Bill to establish a one-hour limit parking zone along the west side of Clendenin Street from a point 30 feet from the intersection of Washington Street E. to a point 30 feet from the intersection of Lee Street E.

Refer to Streets and Traffic Committee.

Introduced by Councilmember Mary Beth Hoover on July 3, 2017:

Bill No. 7753 - A BILL to amend the Municipal Code of the City of Charleston to reassign the authority and responsibility for establishing and managing parking loading zones from the Chief of Police to the Director of the Traffic, Parking, and Transportation Department.

Refer to Streets and Traffic Committee.

***ADJOURNMENT***

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

YEAS: Burka, Chestnut, Clowser, Davis, Faegre, Haas, Harrison, Hoover, Jones, King, Lane, Minardi, Overstreet, Salisbury, Smith, Talkington, Ware, Mayor Jones

NAYS: NONE

ABSENT: Burton, Ceperley, Ealy, , Ireland, Persinger, Reishman, Richardson, Snodgrass, Steele

At 7:15 p.m., by a motion from Councilmember Harrison, Council adjourned until Monday, July 17, 2017, 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