



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

CITY OF CHARLESTON, WEST VIRGINIA

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Regular Meeting – Monday, August 21, 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 second meeting in the month of August on the 21<sup>st</sup> 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 Andrew Jones. 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**

**REISHMAN  
SMITH  
TALKINGTON**

**BURTON  
CLOWSER  
FAEGRE  
HOOVER  
KING  
OVERSTREET  
RICHARDSON  
SNODGRASS  
WARE**

**CEPERLEY  
DAVIS  
HAAS  
IRELAND  
LANE  
PERSINGER  
SALISBURY  
STEELE  
MAYOR JONES**

With twenty-five 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 Daniel McElroy, 930 Ridgeway Road, Charleston, WV;  
Alleges damage to vehicle.  
Refer to City Solicitor.
2. A claim of Steven G. Parks, 51 Chestnut Road, Kutztown, PA;  
Alleges damage to vehicle.  
Refer to City Solicitor.

## ***PROCLAMATIONS***

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### **EXECUTIVE DEPARTMENT**

### **CITY OF CHARLESTON**

### **PROCLAMATION**

#### **By the Mayor**

**WHEREAS:** Gary Taylor began his career with the City of Charleston as an employee of the Parks and Recreation Department in March 1971, and six years later, decided to train to become a firefighter and first responder for the Charleston Fire Department; and

**WHEREAS:** Working within the CFD for more than 26 years, gaining valuable experience responding to emergencies, dealing with citizens over a wide range of circumstances, working effectively with many different colleagues, and managing personnel, Gary Taylor retired from the department as Assistant Fire Chief in June 2004; and

**WHEREAS:** Even after that retirement, Gary's career in public service continued, as I asked him to become the director of the City's Parking system, where he brought consistency and stability to the leadership of that department; and

**WHEREAS:** His record of management and service led me to conclude that his leadership and sense of genuine public service would make him an outstanding leader of the City's Public Works Department, the most complex management position within City government, where he supervised employees of seven different divisions who interact with and provide services for people in our City – and beyond; and

**WHEREAS:** While too many people in government bureaucracies frustrate citizen customers by seeking excuses to say, "No," to requests for help, Gary has consistently led by example by searching for reasons to say, "Yes," and then working to make things happen in any way possible to improve life in our community; and

**WHEREAS:** After 46 years of outstanding service within the City of Charleston to people throughout our greater community, Gary Taylor will retire on Thursday, August 31 when he will spend more time with his wife and family, take some time relaxing on the river and add all that valuable leadership experience in service to his church.

**NOW THEREFORE, I,** Danny Jones, Mayor of the City of Charleston, on behalf of citizens and leaders of Charleston, do hereby proclaim Thursday, August 31, 2017 as

# **GARY TAYLOR DAY**

In the City of Charleston in recognition of Gary Taylor's retirement and in appreciation for his 46 years of very public and very effective public service to our City and citizens.

**IN WITNESS WHEREOF,** I have set my hand and caused the Seal of the Executive Department to be affixed this 21<sup>st</sup> day of August 2017.

The proclamation was presented to Gary Taylor.

**COMMUNICATIONS**

1.

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

**FROM: DANNY JONES**  
**MAYOR**

**RE: CHARLESTON URBAN RENEWAL AUTHORITY**

**DATE: AUGUST 21, 2017**

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I recommend that Tom Hamm, 885 Poplar Road, Charleston, WV 25304, be appointed to the Charleston Urban Renewal Authority, with an initial term to expire March 3, 2022. He's replacing Rusty Webb.

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.

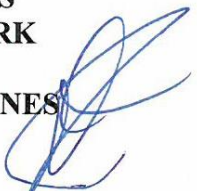
2.

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

**FROM: DANNY JONES**  
**MAYOR**

**RE: HALLOWEEN 2017**

**DATE: AUGUST 21, 2017**



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I recommend that October 31, 2017 from the hours of 6:00 until 8:00 be designated as Trick or Treat in the City of Charleston.

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

DJ/dmp

Councilmember Harrison moved to approve the recommendation. Councilmember Lane seconded the motion. By unanimous vote, the recommendation was approved.

## **REPORTS OF COMMITTEES**

### **COMMITTEE ON PARKS AND RECREATION**

Councilmember Salisbury, Chair of the Council Committee on Parks and Recreation, submitted the following reports:

1. Your committee on Parks and Recreation has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 946-17 do pass.

Resolution No. 946-17 - Authorizing the Mayor or his designee to enter into an agreement with Appalachian Boarding Company granting them a non-exclusive revocable license to use Magic Island as a launch point for Stand Up Paddle Boarding and related activities.

WHEREAS, Magic Island is a City operated park open to the public year-round; and  
WHEREAS, Magic Island is host for several events such as SportsFEST and WV Games; and  
WHEREAS, Appalachian Boarding Company is committed to exploring all the wild and wonderful waterways that West Virginia has to offer; and  
WHEREAS, Appalachian Boarding Company offers American Canoe Association accredited Stand Up Paddleboarding classes; and  
WHEREAS, Appalachian Boarding Company offers paddle therapy programs as well as exhilarating outdoor activities for all ages that support health and wellness; and  
WHEREAS, Appalachian Boarding Company desires a revocable license for the non-exclusive use of Magic Island because of its gradually sloping bank as a launch point for lessons, guided tours, fitness classes, boarding schools, and Stand Up Paddleboarding Yoga; and  
WHEREAS, the City finds it to be in the public interest to grant Appalachian Boarding Company a non-exclusive revocable license for the use of Magic Island as a launching point; now, therefore

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

That the Mayor or his designee is hereby authorized to enter into agreement with Appalachian Boarding Company granting them a non-exclusive revocable license to use Magic Island, subject to the terms and conditions contained herein.”

Councilmember Salisbury moved to approve the Resolution. Councilmember Lane seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution 946-17 adopted.

## **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. 942-17 do pass.

Resolution No. 942-17 - Authorizing the Mayor or City Manager to enter into an agreement with Wolf Creek Contracting Co. LLC, for construction services of Fire Station #3 located at 822 Oakwood Road in an amount up to \$ 1,097,000.00, permitting acceptance of the base bid and Alternate #1.

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 Wolf Creek Contracting Co. LLC, for construction services of Fire Station #3 located at 822 Oakwood Road in an amount up to \$ 1,097,000.00, permitting acceptance of the base bid and Alternate #1.



**A New****Charleston Fire Station No. 3**

Owner: City of Charleston

Architect: Williamson Shriver Architects, Inc.

Due Date / Time: August 18, 2017 at 1:30 p.m.

Bidder	Envelope						FOP				Base Proposal	Base Proposal Calendar Days	Alternate 1 Basement Work	Alternate 2 Second Floor Fit Up Work	Alternate 2 Calendar Days	Unit Price Lean Concrete Fill		
	Valid Bid Bond	Contractors License	City Of Charleston	Drug Free Affidavit	City Of Charleston	Purchasing Affidavit	Stockholders List	Pending Lawsuits	Bidders Registration #	WV Contractor's License #							Receipt of Addenda 1,2,3	Acknowledge B&O Tax
Danhill Construction Company	<	<	<	<	<	<	<	<	<	<	<	<	\$ 1,170,000.00	270	\$ 21,000.00	\$ 216,500.00	120	\$ 298.00
Lombardi Development Company	<	<	<	<	<	<	<	<	<	<	<	<	\$ 1,126,000.00	240	\$ 14,100.00	\$ 182,000.00	270	\$ 280.00
Paramount Builders	<	<	<	<	<	<	<	<	<	<	<	<	\$ 1,248,000.00	270	\$ 23,600.00	\$ 176,700.00	30	\$ 193.00
Wolf Creek Contracting Company	<	<	<	<	<	<	<	<	<	<	<	<	\$ 1,081,000.00	180	\$ 16,000.00	\$ 179,000.00	60	\$ 200.00
FPS Building & Development													No Bid					
Foster Supply													No Bid					
Persinger and Associates													No Bid					
Valley Electric, Inc.													No Bid					
Nitro Mechanical													No Bid					
Wiseman Construction													No Bid					
Neighborgall Construction													No Bid					
MIRC Construction Services													No Bid					
BBBL Carlton, LLC													No Bid					
Robert L. Grishaber & Sons, Inc.													No Bid					
Oval Construction													No Bid					
I Korin 3-10, Inc.													No Bid					
Pray Construction Company													No Bid					
Swope Construction Company													No Bid					
Agsten Construction													No Bid					

Councilmember Reishman moved to approve the Resolution. Councilmember Lane seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution 942-17 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. 943-17 do pass.

Resolution No. 943-17 - Authorizing the City Manager to execute Change Order No. 1 with Stantec Consulting Services Inc., in relation to expansion joint replacement at the western abutment of the Kanawha Boulevard Bridge Project, in the amount of \$12,700, as listed in Exhibit A, attached hereto. Change Order No. 1 increases the contract price from \$115,314.00 to \$128,014.00.

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 Stantec Consulting Services Inc., in relation to expansion joint replacement at the western abutment of the Kanawha Boulevard Bridge Project, in the amount of \$12,700, as listed in Exhibit A, attached hereto. Change Order No. 1 increases the contract price from \$115,314.00 to \$128,014.00.



July 23, 2017

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**Reference:** Fee Proposal for City of Charleston Engineering Services related to Kanawha Boulevard Bridge Joint Inspection and Replacement

<b>Administration</b> (PM, project set up, invoicing, project close out)	\$1190.00
<b>Inspection/survey</b> (inspection, survey)	\$4370.00
<b>Design Plans</b> (plan prep)	\$7140.00
<b>Total</b>	<b>\$12,700.00</b>

We are available to discuss individual items in more detail. Feel free to contact me if you need additional information.

Regards,

STANTEC CONSULTING SERVICES INC.

Stephen Johnson  
Structural Engineer  
Phone: (304) 816-5191  
Fax: (304) 367-9403  
stephen.johnson@stantec.com

cc. Michael Perry

Councilmember Reishman moved to approve the Resolution. Councilmember Lane seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution 943-17 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. 944-17 do pass.

Resolution No. 944-17 - Authorizing the Mayor or his designee to submit an application in the amount of \$135,857 to the Bureau of Justice Assistance Edward Byrne Justice Assistance Grant Program. The Charleston Police Department will use \$104,340.00 for in-car cameras and the Kanawha County Sheriff's Department will use \$31,517.00 for crime scene investigation supplies. Matching funds for the grant are not required.

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 submit an application in the amount of \$135,857.00 to the Bureau of Justice Assistance Edward Byrne Justice Assistance Grant Program. The Charleston Police Department will use \$104,340.00 for in-car cameras and the Kanawha County Sheriff's Department will use \$31,517.00 for crime scene investigation supplies. Matching funds for the grant are not required.

Councilmember Reishman moved to approve the Resolution. Councilmember Lane seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution 944-17 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. 945-17 do pass.

Resolution No. 945-17 - Authorizing The finance director to allocate funds in the amount of \$80,000.00 from Account #081-015-00-005-0-999 and #081-016-00-005-0-999 for acquisition of property located on the east end of Charleston for the Religious Coalition for Community Renewal (RCCR) to be used for construction of three single family housing units.

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

Authorizing The finance director to allocate funds in the amount of \$80,000.00 from Account #081-015-00-005-0-999 and #081-016-00-005-0-999 for acquisition of property located on the east end of Charleston for the Religious Coalition for Community Renewal (RCCR) to be used for construction of three single family housing units.

Councilmember Reishman moved to approve the Resolution. Councilmember Lane seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution 945-17 adopted.

### ***REPORTS OF OFFICERS***

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1. Report of the City of Charleston Payroll Variance Analysis;  
July 2017.  
Received and Filed.
2. City Treasurer's Report to City Council Month Ending July 31 2017.  
Received and Filed.

### ***NEW BILLS***

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Introduced by Councilmember Bobby Reishman on August 21, 2017:

Bill No. 7756 - A Bill claiming and releasing all right title and interest of The City of Charleston under that certain Agreement dated October 1, 1962, between Morris Harvey College and the City of Charleston.

Refer to Finance Committee.

Introduced by Councilmembers Edward Talkington and Bobby Reishman on August 21, 2017:

Bill No. 7757 - A Bill amending the effective date for an increase in the City's Service Fee previously approved by Bill Number 7661 on July 20, 2015.

Refer to Finance Committee.

Introduced by Councilmember Bobby Reishman on August 21, 2017:

Bill No. 7758 - A Bill closing as a public right-of-way and street known as 19<sup>th</sup> Street and a portion of a public right-of-way and street known as Kanawha Avenue S.E., and accepting a dedication of a parcel of land at the westerly terminus of Kanawha Avenue S.E. for a turnaround area.

Refer to Planning Committee and Finance Committee.

Introduced by Councilmembers Bobby Reishman and Jack Harrison on August 21, 2017:

Bill No. 7759 – To Amend the revised ordinances for the City of Charleston, West Virginia, by enacting a new article to Chapter 30 – Community Development for the purpose of operating, facilitating, and managing the early dynamic guidance engagement program.

Refer to Finance Committee.

***MISCELLANEOUS BUSINESS***

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1. Councilmember Jones commended Mayor Jones and the Charleston Police Department.
2. Councilmember Talkington thanked Gary Taylor for his involvement in the Environment and Recycling Committee and for helping the Councilmember in his Ward.

***ADJOURNMENT***

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

YEAS: Burka, Burton, Ceperley, Chestnut, Clowser, Davis, Faegre, Haas, Harrison, Hoover, Ireland, Jones, King, Lane, Overstreet, Persinger, Reishman, Richardson, Salisbury, Smith, Snodgrass, Steele, Talkington, Ware, Mayor Jones

NAYS: NONE

ABSENT: Ealy, Minardi

At 7:20 p.m., by a motion from Councilmember Harrison, Council adjourned until Tuesday, September 5, 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