



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

CITY OF CHARLESTON, WEST VIRGINIA

Regular Meeting – Tuesday, January 16, 2018

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 second meeting in the month of January on the 16th day, in the year 2018, 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 Jarrett and Andrew Jones. The Honorable Clerk, JB Akers, called the roll of members and it was found that there were present at the time:

CHESTNUT	BURTON	CEPERLEY
EALY	CLOWSER	
HARRISON	FAEGRE	HAAS
JONES	HOOVER	IRELAND
MINARDI	KING	LANE
	OVERSTREET	PERSINGER
	RICHARDSON	SALISBURY
	SNODGRASS	STEELE
TALKINGTON	WARE	MAYOR JONES

With twenty-three 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 Jerry W. Bowman, 1214 Walker Avenue, Charleston, WV; alleges loss of property.
Refer to City Solicitor.
2. A claim of Catrina R. Hancock, 1591 Silas-Kanawha 2 Mile Road, Charleston, WV; alleges damage to vehicle.
Refer to City Solicitor.
3. A claim of William M. Potter, 101 Beech Street, Nitro, WV; alleges damage to vehicle.
Refer to City Solicitor.

COMMUNICATIONS

1.



The Certificate of Appreciation was presented to Councilmember Jeanine Feagre.

2.

TO: J. B. AKERS
CITY CLERK

FROM: DANNY JONES
MAYOR

RE: CIVIC CENTER BOARD

DATE: JANUARY 16, 2018

I recommend that Kimber Asseff, 100 27th Street, Charleston, WV 25304, be appointed to the Civic Center Board, with an initial term to expire June 22, 2021. She is replacing Paul Nusbaum.

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.

TO: J. B. AKERS
CITY CLERK

FROM: DANNY JONES
MAYOR

RE: CIVIC CENTER BOARD

DATE: JANUARY 16, 2018

I recommend that F. Eric Nelson, Jr, P.O. Box 186, Charleston, WV 25321, be appointed to the Civic Center Board, with an initial term to expire June 22, 2021. He is replacing Edward Howard.

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. 004-18

Introduced in Council

January 16, 2018

Keeley Steele ...

WHEREAS: In its fifth year as an initiative to encourage people in our community to discover all the great food options offered at restaurants in our City, Charleston Restaurant Week 2018 will be held from Monday, January 29 to Saturday, February 3 and feature 21 independently-owned restaurants that add great flavor to life in Charleston; and

WHEREAS: The first Charleston Restaurant Week was created to get consumers back in the habit of eating at local establishments following the economic devastation that the 2014 water crisis had on people who worked in, owned and operated restaurants here; and

WHEREAS: While its creation resulted from a crisis, Restaurant Week has grown into a positive community celebration of the outstanding food options available in Charleston with participating establishments offering a wide variety of special three-course meals for up to \$30; and

WHEREAS: Six restaurants – Bridge Road Bistro, Ichiban, Paterno's at the Park, Soho's Capitol Market, South Hills Market & Café and Bluegrass Kitchen – have participated every year of the promotion and will be joined by three first-timers in 2018 along with 12 others that have joined the cause in previous years as well; and

WHEREAS: The middle of winter usually represents a slow time for the food hospitality industry, but previous Restaurant Week promotions have led to significant increases in numbers of meals served, greater revenue for our restaurant employers, higher tip income for servers and, according to one credible estimate, an economic impact within our community of \$500,000.

Therefore be it resolved by The Council and Mayor of The City of Charleston, West Virginia:

That we, the elected leaders of Charleston, do hereby recognize and honor the organizers, participating restaurants and consumers that created, developed and continue to support

CHARLESTON RESTAURANT WEEK

in celebration of all of the culinary excellence in Charleston and the economic impact it feeds.

Councilmember Steele 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 004-18 adopted.

PUBLIC HEARINGS

1. After duly being published as required, the Mayor declared the floor open for a Public Hearing on Bill No. 7772. No person from the public came to speak in reference to the Public Hearing. The Mayor declared the Public Hearing CLOSED.

REPORTS OF COMMITTEES

COMMITTEE ON PARKING

Councilmember Harrison, Vice Chair of the Council Committee on Parking, submitted the following reports:

1. Your committee on Parking has had under consideration the following bill, and reports the same to Council with the recommendation that Bill No. 7772 do pass.

Bill No. 7772 - A Bill amending and re-enacting Sections 114-622 and 114-623 of the Municipal Code of the City of Charleston, West Virginia, for the purpose of changing the rates for on-street, metered parking.

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

That Sections 114-622 and 114-623 of the Municipal Code of the City of Charleston, West Virginia, are hereby amended and re-enacted to read as follows:

Sec. 114-622. - Per-hour parking fees established.

In the areas bounded by Broad Street Leon Sullivan Way on the east, Kanawha Boulevard on the south, Elk River on the west, and Piedmont Road on the north, the rental fee for use of any single on-street metered parking meters at the rate of \$0.50 per hour as required by the instructions printed upon each meter. Beginning on February 5, 2018, and continuing thereafter, the rental fee for use of single on-street metered parking in the following areas will be according to the following schedule with no maximum parking time, as required by the instructions printed upon each meter:

Rate of \$1.00 per hour:

400 block of Laidley Street

500 and 600 block of Donnally Street

Rate of \$.25 per hour:

500 block of Summers Street

700 and 800 block of Donnally Street

500 and 600 block of Capitol Street

600 block of Eagan Street

700 and 800 block of Christopher Street

300, 400 and 500 block of Dickenson St.

300, 400 and 500 block of Leon Sullivan Way

300, 400, 500, 600 block of Morris Street
1200 block of Lewis Street
1000, 1100, and 1200 block of Washington Street
1100 and 1200 block of Virginia Street East

Beginning on May 21, 2018, or upon installation of web-based parking meters, whichever occurs later, and continuing thereafter, the rental fee for use of single on-street metered parking, and maximum parking times in the following areas will be according to the following schedule, as required by the instructions printed upon each meter:

Rate of \$1.00 for first hour, \$1.50 for second hour, and an additional \$1.50 for the third hour with a 3 hour maximum time:

100 and 200 block of Hale Street
Unit block of Dunbar Street
200 block of Leon Sullivan Way
Unit block to 400 block of Capital Street
Unit block to 300 block of Summers Street
Unit block to 300 block of Laidley
800 block of Kanawha Blvd.
1000 block of Virginia Street East
500 to 1000 block of Quarrier Street

Provided, where it is determined by the streets and traffic committee that there is a need for further regulation and control of vehicles parking within this area, the city may designate individual on-street metered parking spaces within this area to allow for less than the maximum of two three hours at a rate of not more than \$0.25 \$0.50 per 15-minute increments. Any such parking space shall have the time restrictions and rates printed upon each meter. If the city consents to temporarily bagging or removing a meter to accommodate construction or other activity, the rental fee shall be \$15.00 per day or any portion of a day for each such meter.

Sec. 114-623. - Per-hour parking fee established.

Except as set forth in Sec. 114-622 herein, The rental fee for use of any single on-street metered parking shall be at the rate of \$0.25 per hour as required by the instructions printed upon each meter.

Councilmember Harrison moved to approve the bill. Councilmember Lane seconded the motion. Bill will be voted on under Finance.

COMMITTEE ON PLANNING

Councilmember Harrison, Vice 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. 7770 do pass.

Bill No. 7770 - 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-4 district to an R-6 district, those certain six lots land situate at 1307 Grant Street, 1309 Grant Street, 1311 Grant Street, 1310 2nd Avenue, 1312 2nd Avenue and 1314 2nd Avenue, 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-4 district to an R-6 district the whole of the following described parcels of land:
Parcels Nos. 117, 118 and 19 as shown on Charleston West Tax Map No. 23. Said tax map is of record in the Planning Office.
Parcels Nos. 122, 123 and 124 as shown on Charleston West Tax Map No. 23. 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.
2. All prior ordinances, or parts of ordinances, inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

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

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

NAYS: NONE

ABSENT: Burka, Davis, Reishman, Smith

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 7770 passed.



COMMITTEE ON FINANCE

Councilmember Harrison, Vice 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. 001-18 be adopted.

Resolution No. 001-18 - Authorizing the Finance Director to amend the FY 2017- 2018 General Fund budget as indicated on the attached list of accounts.

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

That the Finance Director is hereby authorized and directed to amend the FY 2017- 2018 General Fund budget as indicated on the attached list of accounts.

General Fund FY 2017-2018 Budget Amendment No. 6 - January 16, 2018

Account No.	Department	Account Description	Amount
001 800 00 000 1 103	Refuse & Recycling	Wages & Salaries	(143,611)
001 800 00 000 1 105	Refuse & Recycling	Medical & Life Insurance	143,611

To correct the characterization of one line item included in Budget Amendment No 4, approved by Council on November 20, 2017. The intent was to increase the Medical & Life Insurance budget for Refuse but the coding caused it to be added to the Wages & Salaries line item. This amendment corrects that mistake.

Councilmember Harrison moved to approve the Resolution. Councilmember Lane seconded the motion. A roll call was taken:

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

NAYS: NONE

ABSENT: Burka, Davis, Reishman, Smith

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 001-18 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. 002-18 be adopted.

Resolution No. 002-18 - Authorizing the Mayor or City Manager to sign a grant application to the West Virginia State Police Commission on Drunk Driving Prevention for funds in the amount of \$15,000 providing for DUI Checkpoints and road patrols by the Charleston Police Department.

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

That the Mayor or City Manager is hereby authorized to sign a grant application to the West Virginia State Police Commission on Drunk Driving Prevention for funds in the amount of \$15,000 providing for DUI Checkpoints and road patrols by the Charleston Police Department.

Councilmember Harrison 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 No. 002-18 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. 003-18 be adopted.

Resolution No. 003-18 - Authorizing the Mayor or his designee to submit an application to the Federal Emergency Management Agency (FEMA) for Assistance to Firefighters Grant (AFG) In the amount of \$180,360, with the City Matching fund in the amount of \$20,040 for a total of \$200,400, providing for funds to purchase replacement fire gear for the Charleston Fire Department.

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

That the Mayor or his designee is hereby authorized to submit an application to the Federal Emergency Management Agency (FEMA) for Assistance to Firefighters Grant (AFG) In the amount of \$180,360, with the City Matching fund in the amount of \$20,040 for a total of \$200,400, providing for funds to purchase replacement fire gear for the Charleston Fire Department.

Councilmember Harrison 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 No. 003-18 adopted.

4. Your committee on Finance has had under consideration the following bill, and reports the same to Council with the recommendation that Bill No. 7772 do pass.

Bill No. 7772 - A Bill amending and re-enacting Sections 114-622 and 114-623 of the Municipal Code of the City of Charleston, West Virginia, for the purpose of changing the rates for on-street, metered parking.

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

That Sections 114-622 and 114-623 of the Municipal Code of the City of Charleston, West Virginia, are hereby amended and re-enacted to read as follows:

Sec. 114-622. - Per-hour parking fees established.

In the areas bounded by Leon Sullivan Way on the east, Kanawha Boulevard on the south, Elk River on the west, and Piedmont Road on the north, the rental fee for use of any single on-street metered parking meters at the rate of \$0.50 per hour as required by the instructions printed upon each meter. Beginning on February 5, 2018, and continuing thereafter, the rental fee for use of single on-street metered parking in the following areas will be according to the following schedule with no maximum parking time, as required by the instructions printed upon each meter:

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600 block of Eagan Street

700 and 800 block of Christopher Street

300, 400 and 500 block of Dickenson St.

300, 400 and 500 block of Leon Sullivan Way

300, 400, 500, 600 block of Morris Street

1200 block of Lewis Street

1000, 1100, and 1200 block of Washington Street

1100 and 1200 block of Virginia Street East

Beginning on May 21, 2018, or upon installation of web-based parking meters, whichever occurs later, and continuing thereafter, the rental fee for use of single on-street metered parking, and maximum parking times in the following areas will be according to the following

schedule, as required by the instructions printed upon each meter:

Rate of \$1.00 for first hour, \$1.50 for second hour, and an additional \$1.50 for the third hour with a 3 hour maximum time:

100 and 200 block of Hale Street
Unit block of Dunbar Street
200 block of Leon Sullivan Way
Unit block to 400 block of Capital Street
Unit block to 300 block of Summers Street
Unit block to 300 block of Laidley
800 block of Kanawha Blvd.
1000 block of Virginia Street East
500 to 1000 block of Quarrier Street

Provided, where it is determined by the streets and traffic committee that there is a need for further regulation and control of vehicles parking within this area, the city may designate individual on-street metered parking spaces within this area to allow for less than the maximum of three hours at a rate of not more than \$0.50 per 15-minute increments. Any such parking space shall have the time restrictions and rates printed upon each meter. If the city consents to temporarily bagging or removing a meter to accommodate construction or other activity, the rental fee shall be \$15.00 per day or any portion of a day for each such meter.

Sec. 114-623. - Per-hour parking fee established.

Except as set forth in Sec. 114-622 herein, the rental fee for use of any single on-street metered parking shall be at the rate of \$0.25 per hour as required by the instructions printed upon each meter.

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

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

NAYS: NONE

ABSENT: Burka, Davis, Reishman, Smith

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 7772 passed.

REPORTS OF OFFICERS

1. Municipal Court Report to City Council Month Ending December 2017.
Received and Filed.
2. City Treasurer's Report to City Council Month Ending December 31, 2017.
Received and Filed.
3. Report of the City of Charleston Payroll Variance Analysis;
December 2017.
Received and Filed.
4. City of Charleston, WV – Comprehensive Annual Financial Report for the fiscal year
ending June 30, 2017
Received and Filed.
5. City of Charleston, WV – Audited Financial Statements for the year ending June 30, 2017
Received and Filed.

NEW BILLS

Introduced by Councilmembers Bobby Reishman and Mary Beth Hoover on January 16, 2018:
Bill No. 7773 - A Bill to establish a No Parking Tow-Away zone on both sides of Brittany Woods
Road from a point 92 feet from Loudon Heights Road
Refer to Streets and Traffic Committee.

ADJOURNMENT

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

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

NAYS: NONE

ABSENT: Burka, Davis, Reishman, Smith

At 7:16 p.m., by a motion from Councilmember Ware, Council adjourned until Monday, February 5, 2018, at 7:00 p.m., in the Council Chamber in City Hall.

Danny Jones, Honorable Mayor

JB Akers, City Clerk