



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

CITY OF CHARLESTON, WEST VIRGINIA

Regular Meeting – Monday, October 15, 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 October 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 Harrison and the Pledge of Allegiance was led by Councilmember Faegre. The Honorable Clerk, JB Akers, called the roll of members and it was found that there were present at the time:

**BURKA
CHESTNUT
EALY
HARRISON
JONES**

**BURTON
CLOWSER
FAEGRE
HOOVER
B. KING**

**CEPERLEY
DAVIS
HAAS**

**OVERSTREET
RICHARDSON
STEELE**

**PERSINGER
SALISBURY
WARE**

**MINARDI
REISHMAN
SNODGRASS
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 Joshua Lafferty, 804 Georges Creek Dr, Charleston, WV; alleges damage to vehicle.
Refer to City Solicitor.
2. A claim of Joseph Mason, 4705 Virginia Ave SE, Charleston, WV; alleges damage to vehicle.
Refer to City Solicitor.
3. A claim of Harry Lee White Jr, 6 Grandview Dr, Charleston, WV; alleges damage to vehicle.
Refer to City Solicitor.

COMMUNICATIONS

1. NOMINATION OF VACANT COUNCIL SEAT WARD 8

The Mayor declared the floor open for nominations to fill the vacancy for the unexpired Ward 8 seat. Councilmember Harrison made a motion to nominate Sharon King; the motion was seconded by Councilmember Reishman.

The question being on the approval of the nomination. A roll call was taken as follows:

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

NAYS: NONE

ABSENT: Ireland, Lane

With a majority of members elected recorded thereon as voting in the affirmative the nomination of Sharon King approved. The Mayor declared Sharon King Councilmember for Ward 8.

Sharon King came forward and took the oath of office given by JB Akers, City Clerk.

2. NOMINATION OF VACANT COUNCIL SEAT WARD 6

The Mayor declared the floor open for nominations to fill the vacancy for the unexpired Ward 6 seat. Councilmember Harrison made a motion to nominate Deanna McKinney; the motion was seconded by Councilmember Reishman.

The question being on the approval of the nomination. A roll call was taken as follows:

YEAS: Burka, Burton, Ceperley, Chestnut, Clowser, Davis, Ealy, Faegre, Haas, Harrison, Hoover, Jones, B. King, S. King, Minardi, Overstreet, Persinger, Reishman, Richardson, Salisbury, Snodgrass, Steele, Ware, Mayor Jones

NAYS: NONE

ABSENT: Ireland, Lane

With a majority of members elected recorded thereon as voting in the affirmative the nomination of Deanna McKinney. The Mayor declared Deanna McKinney Councilmember for Ward 6.

Deanna McKinney came forward and took the oath of office given by JB Akers, City Clerk.

3.

Resolution No. 129-18

Introduced in Council: October 15, 2018

Tom Lane, Mike Clowser, Bob Reishman, Mary Jean Davis, Jerry Ware, Brent Burton, Bruce King, Pat Jones, Rev. James D. Ealy, Mary Beth Hoover, Becky Ceperley, Rutha Chestnut, Chuck Overstreet, Keeley Steele, Shannon Snodgrass, Karan Ireland, Andy Richardson

WHEREAS: An excess levy election has been set for Tuesday, November 6, 2018 to provide the voters of Kanawha County the opportunity to maintain an excess levy for five fiscal years beginning July 1, 2020 to support the operations of the public libraries in Kanawha County, including Nitro Public Library, the South Charleston Public Library, and all of the branches and facilities of the Kanawha County Public Library system, including the Main Library in Charleston; and

WHEREAS: Public libraries are vital to the education, economic development, and quality of life for the citizens of Charleston: helping to bridge the digital divide, serving as a community center and providing free and equal access to information to everyone, regardless of income level; and

WHEREAS: The Main Library in Charleston contributes to the city's appeal as a destination for visitors by bringing people to downtown Charleston for library services with studies indicating that many of those people combine a visit to the library with shopping and dining at local businesses; and

WHEREAS: The excess levy will support operating and maintenance funds to the Kanawha County Public Library system for the continued operation, purchase of books and other materials, staff, maintenance and other operating costs at the public libraries in Kanawha County and to prevent the reduction of service hours and reduction of bookmobile services provided by the Kanawha County Public Library; and further, the excess levy will provide funds to maintain and improve the public libraries in South Charleston and Nitro; and

WHEREAS: The excess levy is sponsored by the Kanawha County Board of Education, with all funds realized from the levy to be used only to support the operational costs to the public libraries, and not for the new library building construction or for operations of the Kanawha County Board of Education.

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

That we, the elected leaders of Charleston, encourage voters in Kanawha County to vote for the levy which will result in the continued operation and improvement of the public libraries within Kanawha County, which are essential to the general welfare of the people of Charleston and all of the people of Kanawha County.



Danny Jones, Mayor

Tom Lane, Council President

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 No. 129-18 adopted.

4.

Resolution No. 130-18

Introduced in Council:

October 15, 2018

Tom Lane, Mary Jean Davis, Bobby Reishman, Becky Ceperley, Susie Salisbury, Jerry Ware, Andy Richardson, Brent Burton, Bruce King, Chuck Overstreet, Jeanine Faegre, Karan Ireland, Mike Clowser, Pat Jones, Rutha Chestnut, Keeley Steele, Sam Minardi, Shannon Snodgrass, Jim Ealy, Mary Beth Hoover, and Jack Harrison on behalf of all members of City Council

WHEREAS: Cubert Smith served honorably and diligently on this City Council for three terms. Like many, Cubert Smith cherished his neighbors and his neighborhood and through his service on this Council he represented that neighborhood, Ward 8 of the City, effectively and well; and

WHEREAS: Cubert Smith also served in a high profession as an educator and teacher, serving as an art teacher for Kanawha County Schools and as an art professor at West Virginia State University from which he was retired; and

WHEREAS: Prior to his service on this Council, Cubert Smith served during Mayor Kemp Melton's administration as the City's director of recycling and environment and thereby advanced and fulfilled one of his passions, recycling and improvement of the environment; and

WHEREAS: During Mayor Melton's administration, Cubert Smith also served as director of the Charleston-Korolev Sister City Program, and thereby advanced a cultural exchange initiative with Korolev, Russia; and

WHEREAS: Dr. Cubert Smith was highly educated, having earned a bachelor's degree from West Virginia State University, master's degrees from Marshall University and the University of Guanajuato in Mexico, and doctorate from Union Graduate College in Yellow Springs, Ohio. He also did post-doctoral work at Harvard University; and

WHEREAS: As an artist, Councilman Smith had some of his most meaningful artwork at the St. Paul's Baptist Church in St. Albans, the bronze plaques attached to the doors of the church, which he attended as a child. Cubert Smith's sculptures can be found at Haddad Riverfront Park, the South Charleston Mound, Yeager Airport and many homes in the City of Charleston; and

WHEREAS: Councilman Smith was, among his many passions, most passionate for his family, his wife Eva Knapp, a prominent educator in her own right, with whom he enjoyed 44 years of marriage, and his beautiful daughter Malyka Knapp-Smith, who continues his legacy of being an educator.

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 **Cubert Smith** for his long-time service to our City and his positive impacts throughout our community – in so many roles, over so many decades. We celebrate his life and legacy.



Danny Jones, Mayor

Tom Lane, Council President

Councilmember Overstreet 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 No. 130-18 adopted.

5.

Resolution No. 131-18

Introduced in Council:

October 15, 2018

Mary Jean Davis, Rev. James D. Ealy, Bobby Reishman, Jack Harrison and Tom Lane on behalf of all members of City Council

WHEREAS: Ed Talkington served honorably and diligently on our City Council for five terms, representing the Sixth Ward on Charleston’s West Side and working with several community organizations to promote and improve that section of our City; and

WHEREAS: After graduating from Barboursville High School and Marshall University and then earning a Master’s Degree from the University of Maryland, Ed came to Charleston to pursue his professional career and, in the process, chose to become involved beyond the office in the life of our city; and

WHEREAS: Whether he was chairing the Environment and Recycling Committee, taking care of the parliamentary orders on the Finance Committee or voting on tough issues before Council, Ed Talkington cared less about the seeking the limelight in public life and more simply about doing whatever needed to be done to help govern and improve our city; and

WHEREAS: That same “get the job done” attitude led Ed to be one of the earliest and steadiest advocates of the user fee, and his leadership on council resulted in an expanded police presence on the West Side – and throughout our City – and an unprecedented amount of street paving in his Ward and beyond; and

WHEREAS: Although he was more dutiful than oratorical, Ed had a strong record of choosing his political battles and a genuineness that meant his colleagues on Council listened when Ed spoke about issues that mattered to his constituents and his conscience; and

WHEREAS: In addition to being Councilman Talkington, he was also a loving and dutiful son, brother, husband, cousin, uncle and friend.

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 **Ed Talkington** for his long-time service to our City and his positive impacts not only in the Ward he represented, but also throughout our City and greater community. We celebrate his life and legacy.



Danny Jones, Mayor

Tom Lane, Council President

Councilmember Davis 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 No. 131-18 adopted.

6.

CITY OF CHARLESTON
OFFICE OF THE MAYOR



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

**FROM: DANNY JONES
MAYOR**

RE: CHANGES IN CITY COUNCIL COMMITTEES

DATE: OCTOBER 15, 2018

With the election of two new members of City Council, I am making the following assignments to City Council Committees for the remainder of this term:

- Sharon King to the Environment and Recycling Committee, the Streets and Traffic Committee, and the Facilities Committee;
- Deanna McKinney to the Environment and Recycling Committee, the Parks and Recreation Committee, and the Urban Renewal Committee.

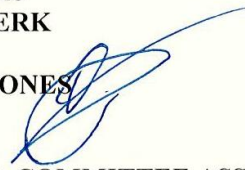
Approved

7.

CITY OF CHARLESTON
OFFICE OF THE MAYOR



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

**FROM: DANNY JONES
MAYOR** 

RE: COUNCIL COMMITTEE ASSIGNMENTS

DATE: OCTOBER 12, 2018

I am appointing Shannon Snodgrass to replace Ed Talkington on the Finance Committee of City Council and removing her from the Parks and Recreation Committee. I also am appointing Mike Clowser to serve as the chair of the Environment and Recycling Committee and Pat Jones to become the vice chair of that committee.

I shall recommend filling the other current vacancies on remaining committees following the election of two new members of City Council on October 15, 2018.

DJ/rbb

Approved

8.

CITY OF CHARLESTON
OFFICE OF THE MAYOR



TO: J. B. AKERS
CITY CLERK

FROM: DANNY JONES
MAYOR

RE: MUNICIPAL BEAUTIFICATION COMMISSION

DATE: OCTOBER 15, 2018

I recommend that Marlene Dial, 1211 Colonial Way, Charleston, WV 25314 be reappointed to the Municipal Beautification Commission, with a said term to expire September 19, 2021.

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

DJ/dmp

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

9.

CITY OF CHARLESTON
OFFICE OF THE MAYOR



TO: J. B. AKERS
CITY CLERK

FROM: DANNY JONES
MAYOR

RE: MUNICIPAL BEAUTIFICATION COMMISSION

DATE: OCTOBER 15, 2018

I recommend that Tim Forren, PO Box 6128, Charleston, WV 25362 be reappointed to the Municipal Beautification Commission, with a said term to expire September 19, 2021.

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

DJ/dmp

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

10.

CITY OF CHARLESTON
OFFICE OF THE MAYOR



TO: J. B. AKERS
CITY CLERK

FROM: DANNY JONES
MAYOR

RE: CHARLESTON BUILDING COMMISSION

DATE: OCTOBER 15, 2018

I recommend that Megan Roskovensky, 2304 Oakridge Road, Charleston, WV 25311, be reappointed to the Charleston Building Commission, with a said term to expire July 20, 2022.

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

DJ/dmp

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

11.

CITY OF CHARLESTON
OFFICE OF THE MAYOR



TO: J. B. AKERS
CITY CLERK

FROM: DANNY JONES
MAYOR

RE: MUNICIPAL BEAUTIFICATION COMMISSION

DATE: OCTOBER 15, 2018

I recommend that Lynne Sandy, 105 Bradford Street #2, Charleston, WV 25301 be reappointed to the Municipal Beautification Commission, with a said term to expire September 19, 2021.

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

DJ/dmp

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

12.

CITY OF CHARLESTON
OFFICE OF THE MAYOR



TO: J. B. AKERS
CITY CLERK

FROM: DANNY JONES
MAYOR

RE: MUNICIPAL BEAUTIFICATION COMMISSION

DATE: OCTOBER 15, 2018

I recommend that Ms. Janet Simpson, 1000 Edgewood Drive, Charleston, WV 25302 be appointed to the Municipal Beautification Commission, with an initial term to expire September 19, 2021. She's replacing Charles Denham.

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

DJ/dmp

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

13.



CITY OF CHARLESTON
OFFICE OF THE MAYOR

TO: J. B. AKERS
CITY CLERK

FROM: DANNY JONES
MAYOR

RE: CHARLESTON BUILDING COMMISSION

DATE: OCTOBER 15, 2018

I recommend that Sandra Thomas, P O Box 1747, Charleston, WV 25326, be reappointed to the Charleston Building Commission, with a said term to expire July 20, 2021.

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

DJ/dmp

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

14.

CITY OF CHARLESTON
OFFICE OF THE MAYOR



TO: J. B. AKERS
CITY CLERK

FROM: DANNY JONES
MAYOR

RE: CHARLESTON BUILDING COMMISSION

DATE: OCTOBER 15, 2018

I recommend that Philip Hereford, 405 Capitol Street, Suite 306, Charleston, WV 25301, be reappointed to the Charleston Building Commission, with a said term to expire July 20, 2023.

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

DJ/dmp

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

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. 121-18 do pass.

Resolution No. 121-18 - Authorizing the Mayor or City Manager to submit a grant application to the West Virginia State Police Committee 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 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 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 121-18 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. 122-18 do pass.

Resolution No. 122-18 - Authorizing the Mayor or City Manager to receive and administer \$148,557.00 from the Bureau of Justice Assistance for Charleston Police and Kanawha County Sheriff's Department to purchase in-car and body-worn cameras (CPD) and crime scene documentation supplies (KCSD).

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 \$148,557.00 from the Bureau of Justice Assistance for Charleston Police and Kanawha County Sheriff's Department to purchase in-car and body-worn cameras (CPD) and crime scene documentation supplies (KCSD).

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 122-18 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. 123-18 do pass.

Resolution No. 123-18 - Authorizing the Finance Director to make a refund to Direct Satellite USA, LLC in the amount of \$79,406.38 for overpayment of Business & Occupation taxes for the period of April 1, 2016 – June 30, 2018. The auditors have validated that the Taxpayer reported revenue generated outside the City of Charleston and the error has resulted in an overpayment of taxes.

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

That the Finance Director is hereby authorized and directed to make a refund to Direct Satellite USA, LLC in the amount of \$79,406.38 for overpayment of Business & Occupation taxes for the period of April 1, 2016 – June 30, 2018. The auditors have validated that the Taxpayer reported revenue generated outside the City of Charleston and the error has resulted in an overpayment of taxes.

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 123-18 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. 124-18 do pass.

Resolution No. 124-18 - A Resolution authorizing and directing the Finance Director to establish Fund 014, IT Infrastructure and Projects Fund, a Special Revenue Fund, to account for revenues received from transfers from other funds and other available sources of funding and to provide for expenditures for long-term IT operating infrastructure and systems, IT planning and related expenditures.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CHARLESTON, WEST VIRGINIA:

That the Finance Director is hereby authorized and directed to establish Fund 014, IT Infrastructure and Projects Fund, a Special Revenue Fund, to account for revenues received from transfers from other funds and other available sources of funding and to provide for expenditures for long-term IT operating infrastructure and systems, IT planning and related expenditures.

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 124-18 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. 125-18 do pass.

Resolution No. 125-18 - Authorizing approval of the FY 2018- 2019 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 FY 2018- 2019 Coal General Fund Budget as indicated on the attached list of accounts is hereby approved.

Councilmember Reishman moved to approve the Resolution. Councilmember Ware seconded the motion. A roll call was taken:

YEAS: Burka, Burton, Ceperley, Chestnut, Clowser, Davis, Ealy, Faegre, Haas, Harrison, Hoover, Jones, B. King, S. King, McKinney, Minardi, Overstreet, Persinger, Reishman, Richardson, Salisbury, Smith, Snodgrass, Steele, Talkington, Ware, Mayor Jones

NAYS: NONE

ABSENT: Ireland, Lane

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 125-18 adopted.

General Fund FY 2018-2019 Budget Amendment No. 3 - October 15, 2018

Account No.	Department	Account Description	Amount
001 975 00 412 4 459	City Manager	Capital Outlay - Equipment	(7,035)
001 975 00 567 4 459	Public Grounds	Capital Outlay - Equipment	45,209
001 977 00 750 4 459	Street	Capital Outlay - Equipment	268,373
001 978 00 800 4 459	Refuse	Capital Outlay - Equipment	(94,603)
001 979 00 900 4 458	Parks & Recreation	Capital Outlay - Maj.Improve.	71,300
001 979 00 900 4 459	Parks & Recreation	Capital Outlay - Equipment	105,948
001 297 0	Assigned Fund Balance		(389,192)

Manual Encumbrances - To adjust proper accounts in the FY2018-2019 Municipal Budget for those amounts included in a reserve for encumbrances.

001 305 01 0000	Revenues	B & O Tax - Current Year	11,509
001 297 0	Non-Spendable Fund Balance		(11,509)

Nonspendable Fund Balance - To recognize nonspendable fund balances for *Prepaid Insurance* per GASB 54.

001 700 00 000 2 239	Police	Fine Supported Training	12,282
001 297 0	Committed Fund Balance		(12,282)

Committed Fund Balance - To recognize committed fund balance for *Police Fine Supported Training*

001 700 04 000 1 103	Police	Wages & Salaries	1,000
001 700 04 000 3 341	Police	Material & Supplies	5,473
001 297 0	Assigned Fund Balance		(6,473)

Assigned Fund Balance - To recognize assigned fund balance for *Police Handle With Care initiative*.

001 409 00 000 1 101	Mayor's Office	Wages & Salaries	11,538
001 409 00 000 1 104	" "	FICA	883
001 409 00 000 1 106	" "	Retirement - P.E.R.S.	1,269
001 410 00 000 1 101	City Council	Wages & Salaries	18,200
001 410 00 000 1 104	" "	FICA	1,392
001 410 00 000 1 106	" "	Retirement - P.E.R.S.	2,002
001 416 00 000 1 101	Municipal Court	Wages & Salaries	2,308
001 416 00 000 1 104	" "	FICA	177
001 416 00 000 1 106	" "	Retirement - P.E.R.S.	254
001 439 00 000 2 211	Information Systems	Telephone & Internet	148,000
001 439 00 000 2 221	Information Systems	Training	26,000
001 439 00 000 2 223	Information Systems	Professional Services	88,000
001 439 00 000 2 230	Information Systems	Contract Services	203,000
001 439 00 000 3 341	Information Systems	Material & Supplies	18,000
001 439 00 000 3 353	Information Systems	Computer Software	200,000
001 439 00 000 5 566	Information Systems	Transfers to Other Funds	89,377
001 410 00 000 1 105	City Council	Medical Claims	62,000
001 567 00 000 1 105	Public Grounds	Medical Claims	263,000
001 700 00 000 1 105	Police	Medical Claims	114,000
001 750 00 000 1 105	Street	Medical Claims	561,000
001 297 0	Unassigned Fund Balance		(1,810,400)

Unassigned Fund Balance - Allocation of unassigned fund balance.

Reportable: To Maintain compliance with the budgetary guidelines of the State of West Virginia

6. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 126-18 do pass.

Resolution No. 126-18 - Authorizing approval of the FY 2018- 2019 Civic Center 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 FY 2018- 2019 Civic Center Fund Budget as indicated on the attached list of accounts is hereby approved.

Councilmember Reishman moved to approve the Resolution. Councilmember Ware seconded the motion. A roll call was taken:

YEAS: Burka, Burton, Ceperley, Chestnut, Clowser, Davis, Ealy, Faegre, Haas, Harrison, Hoover, Jones, B. King, S. King, McKinney, Minardi, Overstreet, Persinger, Reishman, Richardson, Salisbury, Smith, Snodgrass, Steele, Talkington, Ware, Mayor Jones

NAYS: NONE

ABSENT: Ireland, Lane

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 126-18 adopted.

Civic Center FY 2018-2019 Budget Amendment No. 2 - October July 15, 2018

Account No.	Department	Account Description	Amount
402 910 01 000 1 103	Civic Center	Wages & Salaries	12,763
402 910 01 000 1 104	" "	FICA	976
402 910 01 000 1 105	" "	Medical Expense	6,341
402 910 01 000 1 106	" "	Retirement - P.E.R.S.	1,276
402 910 01 000 1 111	" "	Dental/Optical	335
402 910 01 000 1 112	" "	Insurance - Payroll Deduction	(1,421)
402 910 01 000 2 226	" "	Insurance - WC and UC	696
402 910 01 000 2 213	" "	Utilities	(10,966)
402 910 01 000 3 341	" "	Materials & Supplies	(10,000)

To eliminate one (1) Mechanical Maintenance Supervisor (Grade 114) and add two (2) Maintenance Technicians (Grade 109), effective November 1, 2018.

7. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 127-18 do pass.

Resolution No. 127-18 - Authorizing the Mayor or his designee to submit an application to the Federal Emergency Management Agency (FEMA) for Assistance to Firefighters Grant in the amount of \$200,889.00 with City matching funds in the amount of \$25,111.00 for a total of \$226,000 to provide funds to purchase 113 sets of 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 directed to submit an application to the Federal Emergency Management Agency (FEMA) for Assistance to Firefighters Grant in the amount of \$200,889.00 with City matching funds in the amount of \$25,111.00 for a total of \$226,000 to provide funds to purchase 113 sets of replacement fire gear for the Charleston Fire Department.

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 127-18 adopted.

8. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 128-18 do pass.

Resolution No. 128-18 - Authorizing the Mayor or the City Manager to enter into an agreement with WVNET for the purpose of: authorizing WVNET the use of the City Right-of-Way for installation, maintenance and use of conduit and other attendant infrastructure and, as consideration thereof, further memorializing ownership by City of an additional conduit installed by WVNET for the reduced incremental installation cost of \$86,966.00.

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

That the Mayor or the City Manager is hereby directed to enter into an agreement with WVNET for the purpose of: authorizing WVNET the use of the City Right-of-Way for installation, maintenance and use of conduit and other attendant infrastructure and, as consideration thereof, further memorializing ownership by City of an additional conduit installed by WVNET for the reduced incremental installation cost of \$86,966.00.

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 128-18 adopted.

9. 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.

A bid submitted by Zones, LLC in the amount of \$40,364.03, for purchase of a VMware Server for Information Systems.

The lowest bid submitted by NCompass did not meet the minimum specifications, therefore the next to lowest bid submission was selected.

To be charged to Account No. 001-975-00-439-4-459, Information Systems – Capital Outlay

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.

VMware Server

Bid Opening: October 12, 2018 @ 11:00 a.m.

	Ncompass Networks 4 Stonecrest Drive Huntington, WV 25701 P: (304) 529-6069 joe@4ncn.com		Zones, LLC 1102 15th Street SW, Suite 201 Auburn, WA 98001-6524 P: (253) 545-7318 bidteam@zones.com		The Horus Group, LLC 8301 Lakeview Parkway, Suite 111 P: (817) 201-5057 gblack@horusgroupllc.com		Alpha Technologies, Inc. 4003 Outlook Drive Hurricane, WV 25526 P: (304) 721-8993 jwolfe@alpha-tech.us	
	Make/Model	Unit Cost	Make/Model	Unit Cost	Make/Model	Unit Cost	Make/Model	Unit Cost
Vmware Server	Dell PowerEdge R940	\$34,315.47	Dell PowerEdge R940	\$40,367.03	Dell PowerEdge R940	\$41,181.28	Dell PowerEdge R940	\$46,596.89
Shipping		\$0.00		\$0.00		\$500.00		\$0.00
Delivery	21 days		12-15 days		30 days		14 days	
Total Bid	\$34,315.47		\$40,367.03		\$41,681.28		\$46,596.89	

10. 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.

A bid submitted by Centerplate - HSG in the amount of \$57,819.98, for purchase of China, Flatware and Plate Covers as part of the Civic Center Expansion and Renovation Project.

To be charged to Account No. 216-979-01-000-4-460, Civic Center – Capital Outlay, Furniture, Fixtures & 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.

**Purchase of China, Flatware and
Plate Covers Charleston
Coliseum and Convention Center**
11:00 a.m., Friday, October 12,
2018

Centerplate - HSG One Independence Point Greenville, SC 29615 P: (864) 248-2082 john.johnson@centerplate.com	Douglas Equipment 301 North St. Bluefield, WV 24701 P: (304) 327-0149 jen@douglasequipment.us
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Item	Quantity	Make & Model	Unit Cost	Total Price	Unit Cost	Total Price
Item 1	10	Bon Chef Model No. 19000CH-NERO	\$706.77	\$7,067.70	\$726.42	\$7,264.20
Item 2	28	Bon Chef Model No. 19040CH-NERO	\$791.50	\$22,162.00	\$811.61	\$22,725.08
Item 2a	38	812001P Chafer Box	\$81.99	\$3,115.62	\$84.64	\$3,216.32
Item 3	14	Bon Chef Model No. 49105C-NERO	\$980.41	\$13,725.74	\$1,005.99	\$14,083.86
Item 4	5	Bon Chef Model No. 9669-NERO	\$371.55	\$1,857.75	\$385.57	\$1,927.85
Item 5	3	Bon Chef Model No. 9670-NERO	\$488.79	\$1,466.37	\$508.98	\$1,526.94
Item 6	16	Bon Chef Model No. 40505	\$240.83	\$3,853.28	\$248.24	\$3,971.84
Item 6a	16	NERO 40505	\$113.64	\$1,818.24	\$117.96	\$1,887.36
Item 7	4	Bon Chef Model No. 40509-1	\$335.18	\$1,340.72	\$349.57	\$1,398.28
Item 7a	4	NERO 40509	\$113.64	\$454.56	\$122.65	\$490.60
Shipping				\$958.00		\$0.00
Total Bid				\$57,819.98		\$58,492.33
Delivery				14 days		21 days

11. 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.

A bid submitted by Tractor Loader Backhoe for Spring Hill Cemetery in the amount of \$56,225.00, for purchase of a Tractor Loader Backhoe for Spring Hill Cemetery.

To be charged to Account No. 001-980-00-952-4-459, Capital Outlay Equipment, Lease Purchase agreement (BB&T Equipment Financing, Schedule 29948000145)

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.

Tractor Loader Backhoe for Spring Hill Cemetery

Bid Opening: October 12, 2018 @ 11:00 a.m.

	State Equipment Inc. 560 New Goff Mountain Road Cross Lanes, WV 25143 P: (304) 776-4405 jcook@stateequipment.com	
	Make/Model	Unit Cost
Backhoe	Kubota L47	\$56,225.00
Delivery	60-90 days	
Total Bid	\$56,225.00	

12. 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.

A bid submitted by State Equipment for Spring Hill Cemetery in the amount of \$56,225.00, for purchase of a Tractor Loader Backhoe for Spring Hill Cemetery.

To be charged to Account No. 001-980-00-952-4-459, Capital Outlay Equipment, Lease Purchase agreement (BB&T Equipment Financing, Schedule 29948000145)

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.

13. 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.

A proposal submitted by Structural Systems Inc. in the amount of \$75,430.00, for purchase and fabrication of a Stainless-steel structure for installation along the Elk River Walkway as part of the Civic Center Expansion and Renovation Project. This manufacturer is a sole source vendor of this product as specified by the designer to aesthetically comply with permitting requirements and will be used to support panels for this project that have been previously approved for purchase by this Council on August 20, 2018.

To be charged to Account No. 216-979-01-000-4-460, Civic Center – Capital Outlay, Furniture, Fixtures & 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.



**STRUCTURAL
SYSTEMS
INC.**

QUOTATION

QUOTE NO. **8-28-1S**

DATED **AUG. 28, 2018**

.....
120 19TH STREET WEST
NITRO, WV 25143
PHONE (304) 204 - 4766
FAX (304) 204 - 4769

.....
STRUCTURAL STEEL – BAR JOISTS
DECKING – STAIRS & HANDRAILS
COMMERCIAL – INDUSTRIAL – RESIDENTIAL

.....
**TO: CITY OF CHARLESTON SUBJECT: CHARLESTON CIVIC CENTER RIVERFRONT PARK
PURCHASING**

.....
WE ARE PLEASED TO QUOTE THE FOLLOWING SUPPORT STRUCTURE FOR
FORM+SURFACES SEASTONE PANELS AS DESCRIBED BELOW.

SCOPE:

- (68) ANGLE FRAMES MADE FROM L 2 1/2 X 2 1/2 X 1/4 W/ SEASTONE PANELS INSTALLED W/ STAINLESS STEEL FASTENERS, ALONG W/ HOLES & FASTENERS TO ATTACH TO POSTS
- (23) ANGLE FRAMES MADE FROM L 2 1/2 X 2 1/2 X 1/4 S/ BRUSHED STAINLESS STEEL INFILL PANES TO FIT BETWEEN POSTS & EXISTING CAISONS.
- (80) HSS 3 X 3 X 1/4 POSTS APPROX. 8'-0" TALL W/ 1/2" BASE PLATE ALONG W/ 1/2" DIA. S.S. ANCHOR BOLTS, & EPOXY.

TOTAL LOT PRICE \$75,430.00

CLARIFICATIONS:

FIELD TRIP INCLUDED TO VERIFY CAISON CENTERS
DRAWINGS TO BE FURNISHED FOR APPROVAL PRIOR TO FABRICATION
FRAMES ALONG W/ INFILL PANELS TO BE FULLY SHOP ASSEMBLED
ALL ANGLES / HSS SECTIONS TO BE HOT DIPPED GALV. ALL FASTENERS TO BE EITHER STAINLESS STEEL OR ZINC COATED DEPENDING ON LOCATION / APPLICATION
FIELD TO FASTEN PRE-MANUF. ANGLE FRAMES W/ PANELS TO HSS SECTIONS USING SUPPLIED SELF THREADING SCREWS

EXCLUSIONS:

TAXES, ERECTION, FASTENERS NOT ATTACHING SUPPLIED MATERIAL, LIGHT GAUGE METAL FRAMING, P.E. STAMP OR CALCULATIONS, AISC CERTIFICATION, CAST IRON OR ALUMINUM PRODUCTS, GROUT, RETAINAGE, REBAR, TESTING AND INSPECTION

F.O.B. JOBSITE TRUCK UNLOADING BY OTHERS QUOTE GOOD FOR 30 DAYS

TERMS: NET 30 DAYS w/ partial billings

SUBJECT TO APPROVED CREDIT ARRANGEMENTS. INTEREST AT 1 1/2% PER MONTH ON PAST DUE ACCOUNTS

WE AGREE TO FURNISH ONLY MATERIALS LISTED ABOVE AT QUOTED PRICE. CANCELLATION IS NOT PERMISSIBLE AFTER WORK IS IN PROGRESS. STANDARD AISC CONTRACT TERMS GOVERN THIS PROPOSAL.

ACCEPTED:

DATE _____

STRUCTURAL SYSTEMS INCORPORATED

BY *Eric Semrau*

ERIC SEMRAU / SALES ENGINEER

304-204-4766



REPORTS OF OFFICERS

1. Municipal Court Report to City Council Month Ending September 2018.
Received and Filed.
2. City Treasurer's Report to City Council Month Ending September 30, 2018.
Received and Filed.

NEW BILLS

Introduced by Councilmember May Beth Hoover on October 15, 2018:

Bill No. 7796 – A Bill to repeal Bill Number 7788 and to re-establish two parking spaces on the north side of Indiana Avenue beginning at the intersection of Washington Street West offering metered parking with a one hour limit and establishing a 40 foot No Parking Tow-Away zone on the north side of Indiana Avenue from the western border of the Capitol Business Interiors property proceeding east.

Refer to Streets and Traffic Committee

ADJOURNMENT

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

YEAS: Burka, Burton, Ceperley, Chestnut, Clowser, Davis, Ealy, Faegre, Haas, Harrison, Hoover, Jones, B. King, S. King, McKinney, Minardi, Overstreet, Persinger, Reishman, Richardson, Salisbury, Smith, Snodgrass, Steele, Talkington, Ware, Mayor Jones

NAYS: NONE

ABSENT: Ireland, Lane

At 7:36 p.m., by a motion from Councilmember Harrison, Council adjourned until Monday, November 5, 2018, at 7:00 p.m., in the Council Chamber in City Hall.

Danny Jones, Honorable Mayor

JB Akers, City Clerk