



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

CITY OF CHARLESTON, WEST VIRGINIA

Regular Meeting – Monday, August 20, 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 August on the 20th 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 Ware. The Honorable Clerk, JB Akers, called the roll of members and it was found that there were present at the time:

CHESTNUT	BURTON	DAVIS
EALY	FAEGRE	HAAS
HARRISON	HOOVER	IRELAND
JONES	KING	LANE
MINARDI	OVERSTREET	PERSINGER
REISHMAN	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

1. Wayne Griffith – spoke about speeding issues
2. Andrew McDavid Jr – B&O taxes
3. Tyler Markham – B&O Taxes
4. Jacob Skinner – B&O Taxes
5. Jordan Crist – B&O Taxes
6. Austin Haney – B&O Taxes

CLAIMS

1. A claim of Angelo L. Argento, 4103 Washington Ave, Charleston, WV; alleges damage to vehicle.
Refer to City Solicitor.
2. A claim of Stanley G Milem, 229 9th Ave, Charleston, WV; alleges damage to vehicle.
Refer to City Solicitor.

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. 102-18 be adopted.

Resolution No. 102-18 - Authorizing the Mayor or City Manager, subject to final review by the City Attorney, to enter into contracts through Commercial Insurance Services and Beasley Insurance Company (Syndicate 2623/623 at Lloyds of London), at a price of \$23,302.00 for Cyber Security and Data Breach Coverage pursuant to the attached.

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

That the Mayor or City Manager is hereby authorized and directed, subject to final review by the City Attorney, to enter into contracts through Commercial Insurance Services and Beasley Insurance Company (Syndicate 2623/623 at Lloyds of London), at a price of \$23,302.00 for Cyber Security and Data Breach Coverage pursuant to the attached.

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 with an abstention from Councilmember Burton the Mayor declared Resolution No. 102-18 adopted.

City of Charleston and Charleston Sanitary Board

Cyber Coverage & Pricing



City of Charleston

Insurance Co. / Coverage:	Beazley Insurance Company
Annual or Policy Aggregate as Indicated:	There are three (3) annual aggregates: (1) Aggregate for up to 250,000 Notifications; (1) Aggregate for up to \$1,000,000 or Crisis Management Services; (1) Policy Aggregate
1st Party Liability Limits:	
Cyber Incident Response Fund: 1 st Party Expenses Incurred as the result of a Privacy / Security breach including but not limited to forensic expenses, public relation expenses, notification & legal expenses.	(1) Aggregate for up to 250,000 (1) Aggregate of \$1,000,000 for Crisis Management Services
Electronic Business Interruption & Extra Expense Loss Caused by a Network Security Breach: 1 st party expenses for loss of income	\$3,000,000 (Waiting Period = 10 Hours)
Electronic Business Interruption & Extra Expense Loss Caused by a Network Failure: 1 st party expenses for loss of income	\$3,000,000 (Waiting Period = 10 Hours)
Dependent Electronic Business Interruption & Extra Expenses Loss Caused by a security breach at a 3rd Party Vendor: 1 st party expenses for loss on income.	\$1,000,000 Across All Options (Waiting Period = 10 Hours)

<p>Dependent Electronic Business Interruption & Extra Expense Caused by a Systems Failure at the 3rd Party Vendor: 1st party expenses for loss of income</p>	<p>\$1,000,000 Across All Options (Waiting Period = 10 Hours)</p>
<p>Digital Data Recovery: 1st Party Expenses associated with the recovery of damaged data on an insured computer system as the result of a cyber breach</p>	<p>\$3,000,000</p>
<p>Electronic Extortion: Payments to prevent or ameliorate a cyber breach</p>	<p>\$3,000,000</p>

City of Charleston

<p>Insurance Co. / Coverage:</p>	<p>Beazley Insurance Company</p>
<p>3rd Party Liability Limits:</p>	
<p>Cyber, Privacy and Network Security Liability: This provides liability coverage if an insured fails or their computer system fails to prevent a Privacy or Security Breach</p>	<p>\$3,000,000</p>
<p>Internet Media Communications: Coverage is provided for those circumstances where an insured commits a personal injury peril including the theft of intellectual property.</p>	<p>\$3,000,000</p>
<p>Regulatory Defense, Fines & Penalties: Coverage is provided for the defense of any type of regulatory investigation or lawsuit including potential payment of fines & penalties.</p>	<p>\$3,000,000</p>
<p>Other Insurance Coverages:</p>	
<p>PCI Fines & Penalties:</p>	<p>\$3,000,000</p>

HIPAA/HITECH Fines & Penalties:	\$3,000,000
Telecommunications Fraud:	\$250,000 Across All Options
Social Engineering / Fraudulent Instruction:	\$250,000 Across All Options
Electronic Crime / Funds Transfer Fraud:	\$250,000 Across All Options
Consequential Reputational Damage / Loss:	\$1,000,000 Across All Options
Criminal Reward Coverage	\$50,000 for All Options
Retentions / Agreement:	\$25,000 per Insuring Agreement
Continuity Date / Pending or Prior Acts Date:	Inception
Retroactive Date:	Full Prior Acts

City of Charleston and Charleston Sanitary Board Cyber

Coverage & Pricing

Beazley

Limit	Retention	Premium
\$3,000,000	\$25,000	\$23,302.11

Note:

Including Taxes & Fees

2. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 103-18 be adopted.

Resolution No. 103-18 - Authorizing the Mayor or City Manager, subject to final review by the City Attorney, to enter into contracts through Commercial Insurance Services to increase the property value coverage section for the Civic Center. The new total insured value is \$166,000,000 with an additional pro-rata premium of \$18,876.00

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

That the Mayor or City Manager is hereby authorized and directed, subject to final review by the City Attorney, to enter into contracts through Commercial Insurance Services and Beasley Insurance Company (Syndicate 2623/623 at Lloyds of London), to increase the property value coverage section for the Civic Center. The new total insured value is \$166,000,000 with an additional pro-rata premium of \$18,876.00

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 with an abstention from Councilmember Burton the Mayor declared Resolution No. 103-18 adopted.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

NAMED ASSURED: City of Charleston, Sanitary Board City of Charleston, and all Boards, Departments, Divisions, Commissions under Supervision or control of the City
Policy Number: PK1007018

Effective Date: August 1, 2018

Authority Ref No: B0356JA281N18

Endorsement No. 16

**COVERAGE SECTION I – PROPERTY – CIVIC CENTER –
INCREASE IN BUILDING VALUE**

It is understood and agreed that under **Coverage Section I Property**, the following location is amended as follows:

1. Civic Center
200 Civic Drive
Charleston, WV 25300
Total Insured Value: \$166,000,000

In consideration of the above, a pro-rata additional premium of \$18,876 is due.

3. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 104-18 be adopted.

Resolution No. 104-18 - Authorizing the City Manager, to enter into an agreement with W.Q. Watters Company in the amount of \$54,400.06 to sand, prime and paint thirty-one Street Light Poles located on the Kanawha Boulevard in the Charleston West District.

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

That the City Manager is hereby authorized and directed, to enter into an agreement with W.Q. Watters Company in the amount of \$54,400.06 to sand, prime and paint thirty-one Street Light Poles located on the Kanawha Boulevard in the Charleston West District.

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 No. 104-18 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. 105-18 be adopted.

Resolution No. 105-18 - Authorizing the Mayor or City Manager to receive and administer \$56,000.00 from the WV Division of Justice and Community Services for partial salary reimbursement for the two Prevention Resource Officers at Capital High School and Stonewall Jackson Middle School.

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 \$56,000.00 from the WV Division of Justice and Community Services for partial salary reimbursement for the two Prevention Resource Officers at Capital High School and Stonewall Jackson Middle School.

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 No. 105-18 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. 106-18 be adopted.

Resolution No. 106-18 - Authorizing the Mayor or City Manager to receive and administer \$112,000.00 from the WV Division of Justice and Community Services for partial salary reimbursement for MDENT officers. This grant will provide partial salary reimbursements for four officers assigned to the Metro Drug Unit from Charleston, Nitro, St. Albans, and South Charleston Police Departments.

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 \$112,000.00 from the WV Division of Justice and Community Services for partial salary reimbursement for MDENT officers. This grant will provide partial salary reimbursements for four officers assigned to the Metro Drug Unit from Charleston, Nitro, St. Albans, and South Charleston Police Departments.

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 No. 106-18 adopted.

6. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 107-18 be adopted.

Resolution No. 107-18 - Authorizing the participation of the Charleston Police Department with the National Association of Police Athletic/Activities Leagues, Inc., to provide funding through the US Department of Justice for mentoring and other positive youth development activities for at-risk/high-risk youth in the City of Charleston; and additionally authorizing the City Manager, and other appropriate Charleston Police Department officials, to execute all documents, agreements, instruments, or other necessary papers required to implement participation in the project.

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

That Council hereby authorizes the participation of the Charleston Police Department with the National Association of Police Athletic/Activities Leagues, Inc., to provide funding through the US Department of Justice for mentoring and other positive youth development activities for at-risk/high-risk youth in the City of Charleston; and further authorizes the City Manager, and other appropriate Charleston Police Department officials, to execute all documents, agreements, instruments, or other necessary papers required to implement participation in the project.

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 No. 107-18 adopted.

7. 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 Forms and Surfaces in the amount of \$49,368.00, for purchase of Stainless Steel Panels for installation along the Elk River Walkway as part of the Civic Center Expansion and Renovation Project. This manufacturer is a sole source of this product as specified by the designer to aesthetically comply with permitting requirements and will be attached to custom frames that will be engineered for this specific project.

To be charged to Account No. 216-979-00-000-4-460, Civic Center – Capital Outlay, Construction in Progress

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

8. 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 Sunbelt Rentals, Inc. in the amount of \$48,252.75, for purchase of an Articulating Boom Lift 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 Lane seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the Committee Report adopted.

Articulating Boom Lift

Bid Opening: August 13, 2018 @ 11:00 a.m.

	Sunbelt Rentals, Inc. 2341 Deerfield Drive Fort Mill, SC 29715 P: (800)		C.J. Walker Machinery Company 3 Park Road Nitro, WV 25143 P: (304) 759-6400 smcgrew@walker-cat.com		All Around Access LLC 2095 47th Ave. NE Naples, FL 34120 P: (239) 206-7594 rick@allaroundaccess.com		Jefferds Corporation 2070 Winfield Road St. Albans, WV 25177 P:		Leslie Equipment Co. 19 Goff Crossing Drive Cross Lanes, WV 25313 P: (304) 204-	
	Make/Model	Unit Cost	Make/Model	Unit Cost	Make/Model	Unit Cost	Make/Model	Unit Cost	Make/Model	Unit Cost
Articulating Boom Lift	JLG E450AJ	\$46,952.75	JLG E450AJ	\$51,806.00	Genie Z45/25JDC	\$56,859.00	Genie Z-45/25JDC	\$55,113.00	JLG E450AJ	\$61,225.00
Training		\$0.00		\$0.00		\$0.00		\$1,500.00		\$400.00
Shipping		\$1,300.00		\$0.00		\$0.00		\$2,200.00		\$0.00
Delivery	up to 60 days		14 days		90-120 days		50 days		40 days	
Total Bid	\$48,252.75		\$51,806.00		\$56,859.00		\$58,813.00		\$61,625.00	

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 West Virginia Embroidery and Alterations for purchase of Uniforms for the Public Works Department. The prices on the attached bid tab sheet are for a one-year term.

Funds for the uniforms are available in the uniform line item for various divisions in the department

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

REPORTS OF OFFICERS

1. City Treasurer's Report to City Council Month Ending July, 2018.
Received and Filed.

ADJOURNMENT

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

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

NAYS: NONE

ABSENT: Burka, Ceperley, Clowser, Smith

At 7:32 p.m., by a motion from Councilmember Harrison, Council adjourned until Tuesday, September 4, 2018, at 7:00 p.m., in the Council Chamber in City Hall.

Danny Jones, Honorable Mayor

JB Akers, City Clerk