

**JOURNAL
OF THE
COUNCIL
CITY OF CHARLESTON
WEST VIRGINIA
JANUARY 22, 2013**

THE COUNCIL MET IN CHAMBERS OF THE CITY BUILDING AT 7:00 P.M., FOR THE SECOND MEETING IN THE MONTH OF JANUARY ON THE 22nd DAY, IN THE YEAR 2013, AND WAS CALLED TO ORDER BY THE HONORABLE MAYOR, DANNY JONES. THE INVOCATION WAS DELIVERED BY HARRISON AND THE PLEDGE OF ALLEGIANCE WAS LED BY JARRETT JONES.

**BURKA
DAVIS
EALY
KIRK
MINARDI
REISHMAN
SALISBURY

WARE
MAYOR JONES**

**BURTON

HAAS
LANE
NICHOLS
RICHARDSON
SHEETS
STAJDUHAR**

**CLOUSER
DODRILL
HARRISON
MILLER
PERSINGER
RUSSELL
SMITH
TALKINGTON
WHITE**

WITH TWENTY-FIVE MEMBERS BEING PRESENT, THE MAYOR DECLARED A QUORUM.

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 Robert Stewart, 799 Pacific St., Charleston, WV; alleges damage to property. Refer to City Solicitor.

2. A claim of Charles Gang, 101 49th Street SE., Charleston, WV; alleges damage to property. Refer to City Solicitor.

The Clerk read the Certificate of Appreciation:

**CITY OF CHARLESTON
EXECUTIVE OFFICE OF THE MAYOR
Certificate of Appreciation**

PRESENTED ON THE 22ND DAY OF JANUARY, 2013 TO

These eleven artists: Ian Bode ... Kelly Bryant ... Janet Chambers ... Dustin Durham ... Charly Hamilton ... Sharon Harms ... Rodney Harper ... Leonard Hoover ... Jeff Pierson ... Emma Plagemann ... and Dave Thomas

- ✪ In honor of your artistic talents that expand the vision and understanding of the many people who see all that you create; and
- ✪ In recognition of how you applied your artistry to highway piers under Interstate 64 during the 2012 Peer to Pier project, which added vitality, color and attractive art to what had been an uninviting, undeveloped public space; and
- ✪ In appreciation for your personal, professional, creative and artistic contributions to our city through the Peer to Pier Project and beyond to help make our City become “a work of art,” as the FestivALL slogan says, and to make our community a much more attractive place to be.

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the Executive Department to be affixed this 22nd day of January, 2013.

Danny Jones, Mayor

The Clerk read the Proclamation:

EXECUTIVE DEPARTMENT

CITY OF CHARLESTON

PROCLAMATION

By the Mayor

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

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

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

WHEREAS: The support of The Greater Kanawha Valley Foundation has been crucial in the effort to reconnect these parts of the City through public art and the beautification of a neglected public spaces; and

WHEREAS: Funding provided by The Greater Kanawha Valley Foundation through FestivALL has created jobs for local artists, allowing them to tell stories of Charleston's history in images that enhance a gateway between the West Side and downtown; and

WHEREAS: The successful application of 20 murals on Interstate 64 support piers has helped to fulfill FestivALL's mission to make the City truly become a work of art.

Now Therefore, I, Danny Jones, Mayor of the City of Charleston, do hereby recognize

The Greater Kanawha Valley Foundation

as a valuable asset to the arts community and the City of Charleston and urge all citizens to commend the Foundation for investing in the future of the City of Charleston.

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the Executive Department to be affixed this 22nd day of January, 2013.




DANNY JONES, MAYOR

The Clerk read the Proclamation:

EXECUTIVE DEPARTMENT

CITY OF CHARLESTON

PROCLAMATION

By the Mayor

- WHEREAS:** The Mayor and City Council have declared as a priority the installation, inventory and maintenance of public art throughout the City of Charleston for the enjoyment of residents and visitors alike; and
- WHEREAS:** Public art contributes to the City's character and quality of life and creates an environment that both informs and inspires; and
- WHEREAS:** Interstate 64 bisects the City of Charleston between the Downtown and the West Side, creating a visual barrier for motorists and pedestrians; and
- WHEREAS:** The partnership with and cooperation of the West Virginia Division of Highways is crucial in the effort to reconnect these parts of the City through public art and the beautification of a previously neglected public spaces; and
- WHEREAS:** The West Virginia Division of Highways considers it to be in the public interest of the City of Charleston to permit artwork within the Department of Transportation's right-of-way and supports such projects with guidance in regard to public safety and traffic control; and
- WHEREAS:** The successful application of 20 murals on Interstate 64 support piers has provided jobs for local artists and greatly enhanced a gateway into the Downtown and West Side of Charleston.

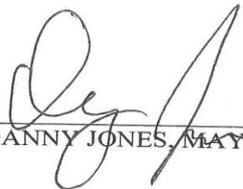
Now **Therefore, I, Danny Jones**, Mayor of the City of Charleston, do hereby recognize the

**West Virginia Department of Transportation
Division of Highways**

as a valuable asset to the arts community and the City of Charleston, and I join our citizens to commend the Division of Highways for investing in the future of our City.

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the Executive Department to be affixed this 22nd day of January, 2013.




DANNY JONES, MAYOR

FINANCE

Councilperson Bobby Reishman, Chairperson of the Council Committee on Finance, submitted the following reports.

1. Your Committee on Finance has had under consideration Resolution No 245-13, and reports the same to Council with the recommendation that the resolution be adopted.

Resolution No. 245-13 _____: “Authorizing the Finance Director to amend FY 2012-2013 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 FY 2012-2013 General Fund budget as indicated on the attached list of accounts.

The question being on the adoption of the Resolution. A roll call was taken and there were; yeas –25, absent -3, as follows:

YEAS: Burka, Burton, Clowser, Davis, Dodrill, Ealy, Haas, Harrison, Kirk, Lane, Miller, Minardi, Nichols, Persinger, Reishman, Richardson, Russell, Salisbury, Sheets, Smith, Stajduhar, Talkington, Ware, White, Mayor Jones.

ABSENT: Deneault, Snodgrass, Weintraub

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 245-13, adopted.

2. Your Committee on Finance has had under consideration Resolution No 246-13, and reports the same to Council with the recommendation that the resolution be adopted.

Resolution No. 246-13 _____: “Authorizing the Mayor or City Manager to sign an application to the Division of Justice and Community Services Purdue Pharma Asset Forfeiture Grant Program for funds in the amount of \$15,000 for the purpose of conducting a narcotics officer conference in August 2013.”

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 sign an application to the Division of Justice and Community Services Purdue Pharma Asset Forfeiture Grant Program for funds in the amount of \$15,000 for the purpose of conducting a narcotics officer conference in August 2013.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 246-13 adopted.

3. Your Committee on Finance has had under consideration Resolution No 247-13, and reports the same to Council with the recommendation that the resolution be adopted.

Resolution No. 247-13 _____: “Authorizing the Mayor or City Manager to sign an Agreement with Kronos, Incorporated, in the amount of \$32,465, for purchase of an upgrade to the City’s Kronos System from Version 5.1 to Version 6.3 and educational/training services supporting the new upgrade.”

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 sign an Agreement with Kronos, Incorporated, in the amount of \$32,465, for purchase of an upgrade to the City's Kronos System from Version 5.1 to Version 6.3 and educational/training services supporting the new upgrade.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 247-13 adopted.

4. Your Committee on Finance has had under consideration Resolution No 248-13, and reports the same to Council with the recommendation that the resolution be adopted.

Resolution No. 248-13: "Authorizing the Mayor or City Manager to sign an Agreement with Kronos, Incorporated, in the amount of \$134,710, for purchase of TeleStaff Uniform Scheduling Software and related components as provided for the Police and Fire departments in the Agreement with Kronos dated August 24, 2005, and amended on May 6, 2009, and extending the terms and conditions of the amended Agreement to apply to this purchase, subject to final approval by legal counsel for the City of Charleston."

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 sign an Agreement with Kronos, Incorporated, in the amount of \$134,710, for purchase of TeleStaff Uniform Scheduling Software and related components as provided for the Police and Fire departments in the Agreement with Kronos dated August 24, 2005, and amended on May 6, 2009, and extending the terms and conditions of the amended Agreement to apply to this purchase, subject to final approval by legal counsel for the City of Charleston.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 248-13 adopted.

REPORTS OF OFFICERS

1. City Treasurer's Report to City Council Month Ending December 2012.
Received and Filed.

2. Report of the City of Charleston Financial Statements for the Six-Month period ended December 31, 2012.
Received and Filed.

ROLL CALL

The Clerk called the roll:

YEAS: Burka, Burton, Clowser, Davis, Dodrill, Ealy, Haas, Harrison, Kirk, Lane, Miller, Minardi, Nichols, Persinger, Reishman, Richardson, Russell, Salisbury, Sheets, Smith, Stajduhar, Talkington, Ware, White, Mayor Jones.

ABSENT: Deneault, Snodgrass, Weintraub

At 7:25 p.m., by a motion from Councilmember Harrison, Council adjourned until Monday, February 4, 2013, at 7:00 p.m.

Danny Jones, Honorable Mayor

James M. Reishman, City Clerk