



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

CITY OF CHARLESTON, WEST VIRGINIA

---

Regular Meeting – Monday, May 16, 2016

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 first meeting in the month of May on the 16<sup>th</sup> day, in the year 2016, and was called to order by the Honorable Mayor, Danny Jones. The invocation was delivered by Councilman Ealy and the Pledge of Allegiance was led by Ethan Leef. The Honorable Clerk, JB Akers, called the roll of members and it was found that there were present at the time:

**BURKA  
CHESTNUT  
EALY**

**LANE  
OVERSTREET  
RICHARDSON  
SMITH  
TALKINGTON**

**BURTON  
CLOWSER**

**HOOVER  
MILLER  
PERSINGER  
SALISBURY**

**WARE**

**CEPERLEY  
DAVIS  
HAAS**

**IRELAND  
MINARDI  
REISHMAN**

**STEELE  
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. Paula Vineyard presented a check to the city from the Vineyard Foundation.
2. Brittany Javins handed out pamphlets for FestivAll.

***CLAIMS***

---

None

***COMMUNICATIONS***

---

1. Proclamation by the Mayor to proclaim the 21<sup>st</sup> day of May, 2016 as NATIONAL KIDS TO PARK DAY.
2. The Streets and Traffic Committee submitted the following letter:

Honorable Danny Jones and Members of City Council  
Charleston, WV 25330

Dear Mayor Jones and Council members:

Please withdraw the following bill. The committee of Streets and Traffic has requested the withdrawal.

Bill No. 7689 – A Bill to establish a No Parking Tow Away zone on the Easterly side of Court Street between Lee Street and Quarrier Street from 6 AM to 6PM.

This bill was introduced on April 18, 2016 and was found that this bill was already in the Traffic Control Map and Traffic Control file, therefore, no action needs to be taken with Bill No. 7689 and should be withdrawn.

Sincerely,  
Streets and Traffic Committee  
Mary Beth Hoover, Committee Chair

Council Lady Hoover moved to withdraw Bill No. 7689. Councilman Lane seconded the motion. With the ayes being the majority, Mayor Jones declared Bill No. 7689 officially withdrawn.

***PUBLIC HEARING***

---

1. After duly being published as required, the Mayor declared the floor open for a Public Hearing on Resolution No. 740-16. Jamie Dickenson spoke in favor of the Resolution. The Mayor declared the Public Hearing for Resolution No. 740-16 CLOSED.

**REPORTS OF COMMITTEES**

**COMMITTEE ON STREETS AND TRAFFIC**

Council Lady Hoover, Chair of the Council Committee on Streets and Traffic, submitted the following reports:

1. Your committee on Streets and Traffic has had under consideration the following bill, and reports the same to Council with the recommendation that the bill do pass.

Bill No. 7691 - A Bill to establish a No Parking Tow Away zone on the Easterly side Pennsylvania Avenue at Mary Street from the start of the curb on the south east corner to a point 80 feet south and amending the Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, two thousand three, as amended, Traffic Law, Section 263, Division 2, Article 4, Chapter 114, to conform therewith.

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

Section 1. That a No Parking Tow Away zone on the Easterly side Pennsylvania Avenue at Mary Street from the start of the curb on the south east corner to a point 80 feet south is hereby established.

Section 2. The Traffic Control Map and Traffic Control File, established by the code of the City of Charleston, West Virginia, two thousand three, as amended, Traffic Law, Section 263, Division 2, Article 4, Chapter 114, shall be and hereby are amended, to conform to this Ordinance.

Section 3. All prior Ordinances, inconsistent with this Ordinance are hereby repealed to the extent of said inconsistency.

All prior ordinances or parts of ordinances in consistent with this ordinance are hereby repealed to the extent of such inconsistency.

Council Lady Hoover moved to approve the Bill. Councilman Ware seconded the motion. A roll call was taken:

YEAS: Burka, Burton, Ceperley, Chestnut, Clowser, Davis, Ealy, Haas, Hoover, Ireland, Lane, Miller, Minardi, Overstreet, Persinger, Reishman, Richardson, Salisbury, Smith, Steele, Talkington, Ware, Mayor Jones

NAYS: NONE

ABSENT: Faegre, Harrison, Slater, Snodgrass

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 7691 adopted.

2. Your committee on Streets and Traffic has had under consideration the following bill, and reports the same to Council with the recommendation that the bill do pass.

Bill No. 7692 - A Bill to create a 4-way STOP intersection at the intersection of 37<sup>th</sup> Street, S.E. and Venable Avenue and amending the Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, two thousand three, as amended, Traffic Law, Section 263, Division 2, Article 4, Chapter 114, to conform therewith.

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

Section 1. A 4-way STOP intersection at the intersection of 37<sup>th</sup> Street, S.E. and Venable Avenue is hereby established.

Section 2. The Traffic Control Map and Traffic Control File, established by the code of the City of Charleston, West Virginia, two thousand three, as amended, Traffic Law, Section 263, Division 2, Article 4, Chapter 114, shall be and hereby are amended, to conform to this Ordinance.

Section 3. All prior Ordinances, inconsistent with this Ordinance are hereby repealed to the extent of said inconsistency.

Council Lady Hoover moved to approve the Bill. Councilman Ware seconded the motion. A roll call was taken:

YEAS: Burka, Burton, Ceperley, Chestnut, Clowser, Davis, Ealy, Haas, Hoover, Ireland, Lane, Miller, Minardi, Overstreet, Persinger, Reishman, Richardson, Salisbury, Smith, Steele, Talkington, Ware, Mayor Jones

NAYS: NONE

ABSENT: Faegre, Harrison, Slater, Snodgrass

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 7692 adopted.

3. Your committee on Streets and Traffic has had under consideration the following bill, and reports the same to Council with the recommendation that the bill do pass.

Bill No. 7693- A Bill to establish a 20 MPH Speed Limit on Bauer Avenue and amending the Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, two thousand and three, as amended, Traffic Law, Section 263, Division 2, Article 4, Chapter 114, to conform therewith.

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

Section 1. A 20 Mile Per Hour Speed Limit on Bauer Avenue is hereby established.

Section 2. The Traffic Control Map and Traffic Control File, established by the code of the City of Charleston, West Virginia, two thousand and three, as amended, Traffic Law, Section 263, Division 2, Article 4, Chapter 114, shall be and hereby are amended, to conform to this Ordinance.

Section 3. All prior Ordinances, inconsistent with this Ordinance are hereby repealed to the extent of said inconsistency.

Council Lady Hoover moved to approve the Bill. Councilman Lane seconded the motion. A roll call was taken:

YEAS: Burka, Burton, Ceperley, Chestnut, Clowser, Davis, Ealy, Haas, Hoover, Ireland, Lane, Miller, Minardi, Overstreet, Persinger, Reishman, Richardson, Salisbury, Smith, Steele, Talkington, Ware, Mayor Jones

NAYS: NONE

ABSENT: Faegre, Harrison, Slater, Snodgrass

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 7693 adopted.

4. Your committee on Streets and Traffic has had under consideration the following bill, and reports the same to Council with the recommendation that the bill do pass.

Bill No. 7694 - A Bill to establish a 20 MPH Speed Limit on Grace Avenue and amending the Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston,

West Virginia, two thousand and three, as amended, Traffic Law, Section 263, Division 2, Article 4, Chapter 114, to conform therewith.

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

Section 1. A 20 Mile Per Hour Speed Limit on Grace Avenue is hereby established.

Section 2. The Traffic Control Map and Traffic Control File, established by the code of the City of Charleston, West Virginia, two thousand and three, as amended, Traffic Law, Section 263, Division 2, Article 4, Chapter 114, shall be and hereby are amended, to conform to this Ordinance.

Section 3. All prior Ordinances, inconsistent with this Ordinance are hereby repealed to the extent of said inconsistency.

Council Lady Hoover moved to approve the Bill. Councilman Lane seconded the motion. A roll call was taken:

YEAS: Burka, Burton, Ceperley, Chestnut, Clowser, Davis, Ealy, Haas, Hoover, Ireland, Lane, Miller, Minardi, Overstreet, Persinger, Reishman, Richardson, Salisbury, Smith, Steele, Talkington, Ware, Mayor Jones

NAYS: NONE

ABSENT: Faegre, Harrison, Slater, Snodgrass

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 7694 adopted.

## **COMMITTEE ON FINANCE**

Councilman 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. 737-16 do pass.

Resolution No. 737-16: Authorizing the Finance Director to amend the FY 2015-2016 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 2015-2016 General Fund budget as indicated on the attached list of accounts.

Councilman Reishman moved to approve the Bill. Councilman Lane seconded the motion. A roll call was taken:

YEAS: Burka, Burton, Ceperley, Chestnut, Clowser, Davis, Ealy, Haas, Hoover, Ireland, Lane, Miller, Minardi, Overstreet, Persinger, Reishman, Richardson, Salisbury, Smith, Steele, Talkington, Ware, Mayor Jones

NAYS: NONE

ABSENT: Faegre, Harrison, Slater, Snodgrass

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 737-16 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. 738-16 do pass.

Resolution No. 738-16: Authorizing the Mayor or City Manager to enter into an Agreement with Fairfax, Inc., in the amount of \$165,347.00, for removal of the existing roof and installation of a new roof at the North Charleston Community Center.

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

That the Mayor of City Manager is hereby authorized and directed to enter into an Agreement with Fairfax, Inc., in the amount of \$165,347.00, for removal of the existing roof and installation of a new roof at the North Charleston Community Center.”

Councilman Reishman moved to approve the Resolution. Councilman Lane seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution 738-16 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. 739-16 do pass.

Resolution No. 739-16: Authorizing the Mayor to receive and administer grant funds in the amount of \$3,192.00 from the Kanawha County Sheriff's Department to cover overtime costs for City officers to provide extra security for area proms and graduations.

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

That the Mayor is hereby authorized and directed to receive and administer grant funds in the amount of \$3,192.00 from the Kanawha County Sheriff's Department to cover overtime costs for City officers to provide extra security for area proms and graduations.

Councilman Reishman moved to approve the Resolution. Councilman Lane seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution 739-16 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. 740-16 do pass.

Resolution No. 740-16: A Resolution authorizing the City Manager or his designee to enter into a lease for space in 601 Morris Street with Yoga Power LLC, for the purpose of operating a yoga studio for a term of five (5) years with an option to renew for an additional five (5) years at a monthly rental amount of \$7,500.00, with an option of a monthly credit of \$1,000.00 in exchange for providing free yoga classes to City employees.

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

That, upon final review and approval of the lease by legal counsel, the City Manager or his designee is hereby authorized to enter into lease for space in 601 Morris Street with Yoga Power LLC, for the purpose of operating a yoga studio for a term of five (5) years with an option to renew for an additional five (5) years at a monthly rental amount of \$7,500.00, with an option of a monthly credit of \$1,000.00 in exchange for providing free yoga classes to City employees.

Councilman Reishman moved to approve the Resolution. Councilman Lane seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution 740-16 adopted.

***REPORTS OF OFFICERS***

---

1. City of Charleston, WV – Municipal Court Report to City Council Month Ending April 2016.  
Received and Filed.
  
1. Report of the City of Charleston Payroll Variance Analysis; April, 2016.  
Received and Filed.
  
2. City Treasurer’s Report to City Council Month Ending April 2016.  
Received and Filed.

***NEW RESOLUTIONS***

---

Introduced by Council member Mary Jean Davis on May 16, 2016:

Resolution No.741-16- A Resolution granting CAMC Health Systems, Inc., an Easement for use of air rights over Brooks Street to construct an enclosed steam utility line.

Refer to Finance Committee and Planning Committee.

***ADJOURNMENT***

---

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

YEAS: Burka, Burton, Ceperley, Chestnut, Clowser, Davis, Ealy, Haas, Hoover, Ireland, Lane, Miller, Minardi, Overstreet, Persinger, Reishman, Richardson, Salisbury, Smith, Steele, Talkington, Ware, Mayor Jones

NAYS: NONE

ABSENT: Faegre, Harrison, Slater, Snodgrass

At 7:24 p.m., by a motion from Councilmember Harrison, Council adjourned until Monday June 6, 2016, at 7:00 p.m., in the Council Chamber in City Hall.

---

Danny Jones, Honorable Mayor

---

JB Akers, City Clerk