



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

CITY OF CHARLESTON, WEST VIRGINIA

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Regular Meeting – Monday, May 4, 2015

at 7:00 P.M.

Council Chamber – City Hall – Charleston, West Virginia

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**OFFICIAL RECORD**

**Danny Jones  
Mayor**

**James M. Reishman  
City Clerk**

***CALL TO ORDER***

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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 4<sup>th</sup> day, in the year 2015, and was called to order by the Honorable Mayor, Danny Jones. The invocation was delivered by Councilman Harrison and the Pledge of Allegiance was led by the Children from the King Center. The Clerk, James M. Reishman, called the roll of members and it was found that there were present at the time:

<b>BURKA</b>	<b>BURTON</b>	<b>CLOWSER</b>
<b>DAVIS</b>		<b>DODRILL</b>
	<b>HAAS</b>	<b>HARRISON</b>
<b>HOOVER</b>	<b>KIRK</b>	<b>KNAUFF</b>
<b>LANE</b>	<b>MILLER</b>	<b>MINARDI</b>
<b>NICHOLS</b>	<b>PERSINGER</b>	<b>REISHMAN</b>
<b>RICHARDSON</b>	<b>RUSSELL</b>	
<b>SHEETS</b>	<b>SMITH</b>	
<b>TALKINGTON</b>	<b>WARE</b>	<b>WHITE</b>
<b>MAYOR JONES</b>		

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.

**CLAIMS**

1. A claim of James Foster, 406 Loretta Lane, South Charleston, WV; alleges damage to vehicle.  
*Referred to City Solicitor.*
  
2. A claim of Michael Hashey, 1228 Frame Street., Charleston, WV; alleges damage to vehicle.  
*Referred to City Solicitor.*
  
3. A claim of Mohammad Imani, 20 Chatwood Rd., Charleston, WV; alleges damage to vehicle.  
*Referred to City Solicitor.*
  
4. A claim of Marilyn Rodriguez, PO Box 6346, Charleston, WV; alleges damage to vehicle.  
*Referred to City Solicitor.*

**PROCLAMATION**

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**EXECUTIVE DEPARTMENT**

**CITY OF CHARLESTON**

**PROCLAMATION**

**By the Mayor**

- WHEREAS:** May 16<sup>th</sup>, 2015 is the fifth National Kids to Parks Day organized and launched by the National Kids to Park Trust; and
- WHEREAS:** National Kids to Parks Day empowers kids and encourages families to get outdoors and visit America's parks; and
- WHEREAS:** It is important to introduce a new generation to our nation's parks because of the decline in Park attendance over the last decades; and
- WHEREAS:** We should encourage children to lead a more active lifestyle to combat the issues of childhood obesity, diabetes mellitus, hypertension and hypercholesterolemia; and
- WHEREAS:** National Kids to Parks Day is open to all children and adults across the country to encourage a large and diverse group of participants; and
- WHEREAS:** National Kids to Parks Day will broaden children's appreciation for nature and the outdoors.

**NOW THEREFORE, I, Danny Jones, Mayor of the City of Charleston, do hereby proclaim the 16<sup>th</sup> day of May, 2015, as**

**NATIONAL KIDS TO PARK DAY**

in Charleston, West Virginia, and urge all residents to participate in National Kids to Parks Day and make time to take the children in their lives to a neighborhood, park or national park.

**IN WITNESS WHEREOF, I have set my hand and caused the Seal of the Executive Department to be affixed this 1<sup>st</sup> day of May, 2015.**

**DANNY JONES, MAYOR**

Various children from the Martin Luther King Jr. Center came to accept the proclamation.

**REPORTS OF COMMITTEES**

**COMMITTEE ON PLANNING**

Councilperson Mary Jean Davis, Chairperson of the Council Committee on Planning, submitted the following reports:

1. Your committee on Planning has had under consideration a request to name the newly constructed road that connects Wood Road to Edgewood Elementary as Hawks Ridge, attached hereto and made a part thereof.

Your Committee finds the request complies with the E911 Addressing Regulations and reports the same to Council with the recommendation that the road be name “Hawks Ridge”.

Council Lady Davis 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 street naming approved.

2. Your committee on Planning has had under consideration a request for the dedication of Patriot Way in Connell Pointe Subdivision as a city street attached hereto and made a part thereof.

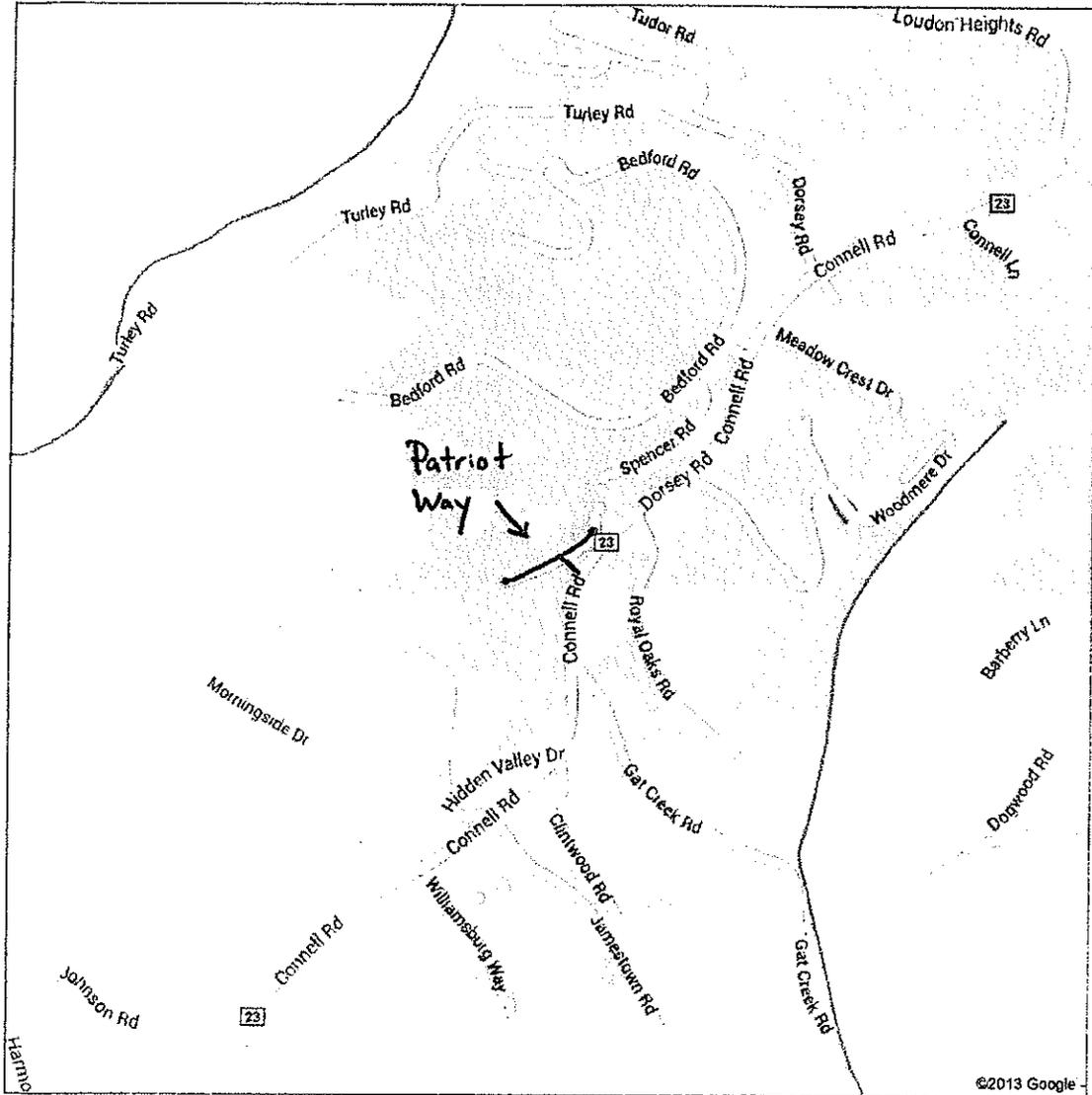
Your Committee finds:

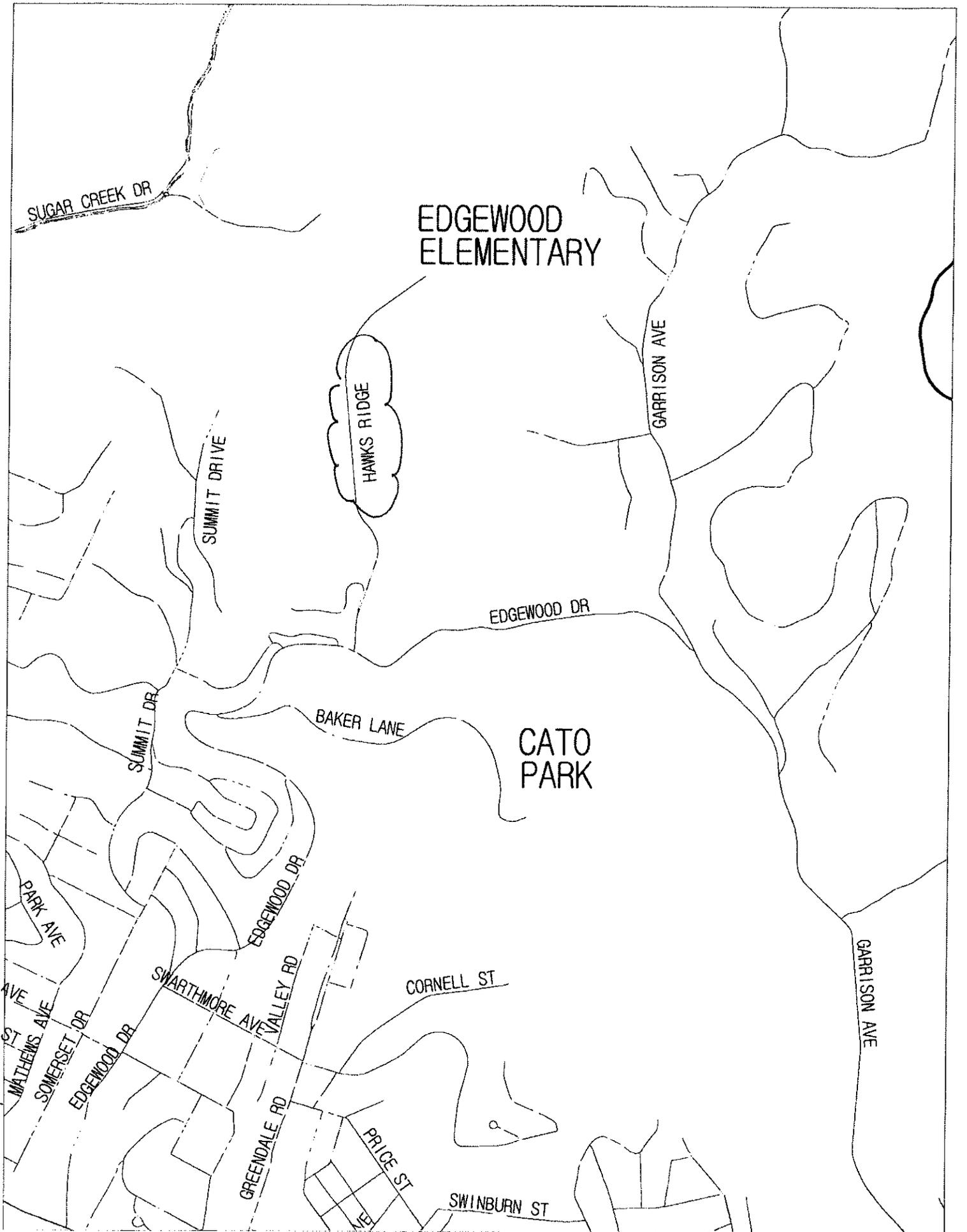
1. The amount of the bond adequately safe guards the city in that it covers 100% of the road replacement cost as opposed to the typical 30% replacement cost;
2. The developer is also the builder, therefore he has more control and a vested stake in ensuring the road does not get damaged due to ongoing construction;
3. It is anticipated that 80% of the houses will be built by the time the city would need to perform winter maintenance;
4. The dedication is for a small street that is built on virgin soil with no fill; therefore the risk of damage to the street from earth movement is very small; and

Reports the same to Council with the recommendation that Patriot Way be dedicated as a city street contingent upon a two year \$25,000 bond.

Council Lady Davis 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 street dedication approved.

Google





SUGAR CREEK DR

EDGEWOOD  
ELEMENTARY

HAWKS RIDGE

GARRISON AVE

SUMMIT DRIVE

EDGEWOOD DR

BAKER LANE

CATO  
PARK

SUMMIT DR

GARRISON AVE

PARK AVE

MATHEWS AVE

SOMERSET DR

EDGEWOOD DR

SWARTHMORE AVE

VALLEY RD

CORNELL ST

GREENDALE RD

PRICE ST

SWINBURN ST

## **COMMITTEE ON 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. 582-15, and reports the same to Council with the recommendation that the resolution do pass.

Resolution No. 582-15 : “Authorizing the Mayor to sign and submit to the U.S Department of Housing and Urban Development the Five Year Consolidated Plan for Program Years 2015 through 2019 (ending June 30, 2020) and the Annual Action Plan for Program Year 2015 to 2016 (ending June 30, 2016) and all required certifications and agreements, including Sub-recipient project contracts relating to the Annual Action Plan.”

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

That the Mayor is hereby authorized and directed to sign and submit to the U. S. Department of Housing and Urban Development the Five Year Consolidated Plan for Program Years 2015 through 2019 (ending June 30, 2020) and the Annual Action Plan for Program Year 2015 to 2016 (ending June 30, 2016) and all required certifications and agreements, including Sub-recipient project contracts relating to the Annual Action Plan.

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 582-15 adopted.

2. Your committee on Finance has had under consideration Resolution No. 583-15, and reports the same to Council with the recommendation that the resolution do pass.

Resolution No. 583-15 : “Authorizing the Mayor to sign and submit applications to the Office of Economic Opportunity as the pass-through unit of local government, for the PY 2015 Emergency Solutions Grant Program to provide maintenance, operating expenses, essential services, homelessness prevention, rapid re-housing, street outreach and administration for the following agencies: Covenant House, Daymark, Prestera, Roark Sullivan Lifeway Center, YWCA/Sojourner’s, YWCA/Resolve Family Abuse and MOECD; and further authorizing the Mayor to sign all required contracts, documents and agreements with all agencies.”

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

That the Mayor is hereby authorized and directed to sign and submit applications to the Office of Economic Opportunity as the pass-through unit of local government, for the PY 2015

Emergency Solutions Grant Program to provide maintenance, operating expenses, essential services, homelessness prevention, rapid re-housing, Street outreach and administration for the following agencies: Covenant House, Daymark, Prestera, Roark Sullivan Lifeway Center, YWCA/Sojourner's, YWCA/Resolve Family Abuse and MOECD; and further authorizing the Mayor to sign all required contracts, documents and agreements with all agencies.”

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 583-15 adopted.

### ***REPORTS OF OFFICERS***

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1. **Municipal Court Report to City Council Month Ending April 2015.  
Received and Filed.**

### ***NEW BILLS***

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Introduced by Council member Mary Jean Davis May 4, 2015:

**Bill No. 7653** - Amending the Zoning Ordinance of the City of Charleston, West Virginia, adopted November 21, 2005, by amending various sections to: (1) update the rules of construction, content and usage; (2) add automotive wrecker service as a permitted use in the I-4 zoning district; (3) clarify that fences, walls, and terraces are permitted encroachments in residential setbacks; (4) clarify that fences, walls, and terraces are permitted encroachments in commercial setbacks; (5) amend the accessory structure setback requirement in the I-2 zoning district; and (6) include gravel as a prohibited surface on any more than fifty (50) percent of the front setback

Refer to Planning Committee and Municipal Planning Commission.

Introduced by Council member Robert Reishman May 4, 2015:

**Bill No. 7654** : A Bill authorizing the purchase of property on Laidley Street adjacent to Slack Plaza, currently known as the Middle East Mart, as more fully described in a deed attached as Exhibit A hereto (the “Property”), from Kanawha Investment, Inc. (the “Owner”) in consideration for a sum of \$85,456.00; and further authorizing payment of up to \$2,000.00 to the existing tenants of the Property for expenses related to relocation of their business in exchange for a full release.

Refer to Finance Committee.

**ADJOURNMENT**

*The Clerk, James M. Reishman, called the closing roll call:*

YEAS: Burka, Burton, Clowser, Davis, Dodrill, Haas, Hoover, Kirk, Knauff, Lane, Minardi, Miller, Nichols, Persinger, Reishman, Richardson, Russell, Sheets, Smith, Talkington, Ware, White, Jones

At 7:25 p.m., by a motion from Councilmember Harrison, Council adjourned until Monday, May 18, 2015, at 7:00 p.m., in the Council Chamber in City Hall.

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Danny Jones, Honorable Mayor

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James M. Reishman, City Clerk