

**JOURNAL
OF THE
COUNCIL
CITY OF CHARLESTON**

WEST VIRGINIA

JUNE 18, 2012

THE COUNCIL MET IN CHAMBERS OF THE CITY BUILDING AT 7:00 P.M., FOR THE SECOND MEETING IN THE MONTH OF JUNE ON THE 18TH DAY, IN THE YEAR 2012, AND WAS CALLED TO ORDER BY THE HONORABLE MAYOR, DANNY JONES. THE INVOCATION WAS DELIVERED BY STAJDUHAR AND THE PLEDGE OF ALLEGIANCE WAS LED BY MILLER.

BURKA

EALY

KIRK

MINARDI

REISHMAN

SALISBURY

SNODGRASS

WARE

MAYOR JONES

BURTON

DENEULT

HAAS

LANE

NICHOLS

RICHARDSON

SHEETS

STAJDUHAR

CLOWSER

DODRILL

HARRISON

MILLER

PERSINGER

RUSSELL

SMITH

WITH TWENTY- FOUR 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

1. Hedda Hanning

STREETS AND TRAFFIC

Councilperson Joe Deneault, Chairperson of the Council Committee on Streets and Traffic, submitted the following reports.

1. Your Committee on Streets and Traffic has had under consideration Bill No. 7524, and reports the same to Council with the recommendation that the bill do pass.

Bill 7524 - A Bill to establish parking restrictions facilitating street cleaning operations on Washington Street East and to amend the Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, as amended, Chapter 114 - Traffic Ordinance, Article IV, Division 2, to conform herewith.

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

Section 1. Parking is prohibited every Tuesday from April 1st through October 31st between the hours of 9:00 a.m. and 12:00 p.m. on the south side of Washington Street, East from Veazey Street to Michigan Avenue.

Section 2. Parking is prohibited every Thursday from April 1st through October 31st between the hours of 1:00 p.m. and 4:00 p.m. on the north side of Washington Street East from Veazey Street to Michigan Avenue.

Section 3. The Traffic Control Map and Traffic Control File, established by the Code of the City of Charleston, West Virginia, as amended, Chapter 114 - Traffic Ordinance, Article IV, Division 2, is hereby amended to conform herewith.

The question being on the passage of the Bill. A roll call was taken and there were; yeas –24, absent - 4, as follows:

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

ABSENT: Davis, Talkington, Weintraub, White

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 7524 passed.

2. Your Committee on Streets and Traffic has had under consideration Bill No. 7526, and reports the same to Council with the recommendation that the bill do pass.

Bill No. 7526 - A Bill to repeal Ordinance number 6733 passed by Council on September 18, 2000 relating to a No Parking Anytime Tow Away zone on the northerly side of Huron Terrace and amending that 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 No Parking Anytime Tow Away zone on the northerly side of Huron Terrace is hereby repealed.

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.

The question being on the passage of the Bill. A roll call was taken and there were; yeas –24, absent - 4, as follows:

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

ABSENT: Davis, Talkington, Weintraub, White

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 7526 passed.

3. Your Committee on Streets and Traffic has had under consideration Bill No. 7527, and reports the same to Council with the recommendation that the bill do pass.

Bill No. 7527 - A Bill to repeal Ordinance number 6727 passed by Council on September 18, 2000 relating to a No Parking zone on the easterly side of Farnsworth Drive from Huron Terrace to a point 350 feet north of Huron Terrace 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 No Parking zone on the easterly side of Farnsworth Drive from Huron Terrace to a point 350 feet north of Huron Terrace is hereby repealed.

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.

The question being on the passage of the Bill. A roll call was taken and there were; yeas –24, absent - 4, as follows:

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

ABSENT: Davis, Talkington, Weintraub, White

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 7527, passed.

4. Your Committee on Streets and Traffic has had under consideration Bill No. 7528, as amended, and reports the same to Council with the recommendation that the bill do pass.

Bill No. 7528, as amended - A Bill to establish a No Parking Anytime Tow Away zone on the easterly side of Farnsworth Drive from Huron Terrace to a point 164 feet north of Huron Terrace and from a point 606 feet north of Huron Terrace to the entrance of Spring Hill Cemetery and on the westerly side of Farnsworth Drive from Huron Terrace to a point 606 feet north of Huron Terrace 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 No Parking Anytime Tow Away zone on the easterly side of Farnsworth Drive from Huron Terrace to a point 164 feet north of Huron Terrace and from a point 606 feet north of Huron Terrace to the entrance of Spring Hill Cemetery and on the westerly side of Farnsworth Drive from Huron Terrace to a point 606 feet north of Huron Terrace 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.

The question being on the passage of the Bill. A roll call was taken and there were; yeas –24, absent - 4, as follows:

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

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 7528, as amended, passed.

5. Your Committee on Streets and Traffic has had under consideration Bill No. 7529, and reports the same to Council with the recommendation that the bill do pass.

Bill No. 7529 - A Bill to establish a No Parking Anytime Tow Away zone on the northerly side of Huron Terrace and on the southerly side of Huron Terrace from Farnsworth Drive to a point 66 feet east of Farnsworth Drive and in the turnaround at the end of Huron Terrace 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 No Parking Anytime Tow Away zone on the northerly side of Huron Terrace and on the southerly side of Huron Terrace from Farnsworth Drive to a point 66 feet east of Farnsworth Drive and in the turnaround at the end of Huron Terrace 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.

The question being on the passage of the Bill. A roll call was taken and there were; yeas –24, absent - 4, as follows:

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

ABSENT: Davis, Talkington, Weintraub, White

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 7529, passed.

6. Your Committee on Streets and Traffic has had under consideration Bill No. 7530 as amended, and reports the same to Council with the recommendation that the bill do pass.

Bill No. 7530, as amended - A Bill to establish a No Parking Anytime Tow Away zone in the turnaround on Breezemont Drive 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 No Parking Anytime Tow Away zone in the turnaround on Breezemont Drive 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.

The question being on the passage of the Bill. A roll call was taken and there were; yeas –24, absent - 4, as follows:

YEAS: Burka, Burton, Clowser, Deneault, Dodrill, Ealy, Haas, Harrison, Kirk, Lane, Miller, Minardi, Nichols, Persinger, Reishman, Richardson, Russell, Salisbury, Sheets, Smith,

Snodgrass, Stajduhar, Ware, Mayor Jones.
ABSENT: Davis, Talkington, Weintraub, White

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 7530 as amended, passed.

FINANCE

Councillperson Robert Reishman, Chairperson of the Council Committee on Finance, submitted the following reports.

1. Your Committee on Finance has had under consideration Resolution No 152-12, and reports the same to Council with the recommendation that the resolution be adopted.

Resolution No. 152-12: “Authorizing approval of the FY 2012-2013 Civic Center Budget as indicated on the attached list of accounts.”

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

That City Council is hereby authorized and directed to approve the FY 2012-2013 Civic Center Budget, as indicated on the attached list of accounts.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the Resolution No. 152-12, adopted.

2. Your Committee on Finance has had under consideration Resolution No 153-12, and reports the same to Council with the recommendation that the resolution be adopted.

Resolution No. 153-12: “Authorizing the Mayor to enter into a Memorandum of Understanding with eight (8) other participating agencies comprising the Metro Drug Enforcement Network Team (MDENT) that assist the Charleston area offices of the Drug Enforcement Administration, the Federal Bureau of Investigations and the Bureau of Alcohol, Tobacco, and Firearms to achieve maximum cooperation in combined law enforcement efforts to address drug and violent crime related offenses in and around the Charleston area.”

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

That the Mayor is hereby authorized and directed to enter into a Memorandum of Understanding with eight (8) other participating agencies comprising the Metro Drug Enforcement Network Team (MDENT) that assist the Charleston area offices of the Drug Enforcement Administration, the Federal Bureau of Investigations and the Bureau of Alcohol, Tobacco, and Firearms to achieve maximum cooperation in combined law enforcement efforts to address drug and violent crime related offenses in and around the Charleston area.

The question being on the adoption of the resolution. A roll call was taken and there were; yeas –24, absent - 4, as follows:

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

ABSENT: Davis, Talkington, Weintraub, White

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 153-12.

3. Your Committee on Finance has had under consideration Resolution No 154-12, and reports the same to Council with the recommendation that the resolution be adopted.

Resolution No. 154-12 : “Authorizing the Mayor to receive and administer grant funds in the amount of \$30,000 from the Governor’s Highway Safety Program providing for the Charleston Police Department Metro Valley Highway Safety Program to air radio public service announcements on seat belt safety, DUI, aggressive driving, and speeding.”

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 \$30,000 from the Governor’s Highway Safety Program providing for the Charleston Police Department Metro Valley Highway Safety Program to air radio public service announcements on seat belt safety, DUI, aggressive driving, and speeding.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the Resolution No. 154-12, adopted.

4. Your Committee on Finance has had under consideration Resolution No 155-12, and reports the same to Council with the recommendation that the resolution be adopted.

Resolution No. 155-12 : “Authorizing the Mayor to enter into an agreement with Electronic Specialty Company, in the amount of \$26,415.75, for purchase and installation of cameras and a monitoring system in the booking office and juvenile detention area of the Charleston Police Department.”

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

That the Mayor is hereby authorized and directed to enter into an agreement with Electric Specialty Company, in the amount of \$26,415.75, for purchase and installation of cameras and a monitoring system in the booking office and juvenile detention area of the Charleston Police Department.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the Resolution No. 155-12, adopted.

5. Your Committee on Finance has had under consideration Resolution No 156-12, and reports the same to Council with the recommendation that the resolution be adopted.

Resolution No. 156-12 : “Authorizing the Finance Director to establish Fund 099 to receive and administer funds for the *Public Arts Grant*.”

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 099 to receive and administer funds for the *Public Arts Grant*.

The question being on the adoption of the resolution. A roll call was taken and there were; yeas –24, absent - 4, as follows:

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

ABSENT: Davis, Talkington, Weintraub, White

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 156-12.

6. Your Committee on Finance has had under consideration Resolution No 157-12, and reports the same to Council with the recommendation that the resolution be adopted.

Resolution No. 157-12 : “Authorizing the Mayor or City Manager to submit an application to the West Virginia Department of Environmental Protection for a Recycling Grant in the amount of \$60,060.00 to provide funds for the purchase of a new 1.5 ton, 4x4 state body dump truck with lift gate to be used by the Refuse & Recycling Department to collect and deliver bulky recyclables such as e-waste, tires and/or white goods. The City will provide in-kind matching funds in the amount of \$61,630.36.”

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 submit an application to the West Virginia Department of Environmental Protection for a Recycling Grant in the amount of \$60,060.00 to provide funds for the purchase of a new 1.5 ton, 4x4 state body dump truck with lift gate to be used by the Refuse & Recycling Department to collect and deliver bulky recyclables such as e-waste, tires and/or white goods. The City will provide in-kind matching funds in the amount of \$61,630.36

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the Resolution No. 157-12, adopted. (Voted against the Resolution– Smith, Kirk)

7. Your Committee on Finance has had under consideration Resolution No 158-12, and reports the same to Council with the recommendation that the resolution be adopted.

Resolution No. 158-12 : “Authorizing the Finance Director to allocate funds in the amount of \$575,055.00 for pre-development and construction costs for three (3) single family homes in the East End of Charleston. These funds will be awarded to the Religious Coalition for Community Renewal (RCCR) for Affordable Housing Development.”

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

That the Finance Director is hereby authorized and directed to allocate funds in the amount of \$575,055.00 for pre-development and construction costs for three (3) single family homes in the East End of Charleston. These funds will be awarded to the Religious Coalition for Community Renewal (RCCR) for Affordable Housing Development.

The question being on the adoption of the resolution. A roll call was taken and there were; yeas –24, absent - 4, as follows:

YEAS: Burka, Burton, Clowser, Deneault, Dodrill, Ealy, Haas, Harrison, Kirk, Lane, Miller,

Minardi, Nichols, Persinger, Reishman, Richardson, Russell, Salisbury, Sheets, Smith, Snodgrass, Stajduhar, Ware, Mayor Jones.
ABSENT: Davis, Talkington, Weintraub, White

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 158-12.

8. Your Committee on Finance has had under consideration a bid submitted by MSCNS, in the amount of \$95,822, for purchase of computers by the Information Systems Department for installation in various City departments and continuation of the City's on-going program to update computer equipment on a regular basis. To be charged to Account No. 001-975-00-439-4-459, I.S. Dept.—Capital Outlay, Equip, and reports the same to Council with the recommendation that the Committee Report be adopted.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the committee report adopted.

9. Your Committee on Finance has had under consideration a proposal submitted by Capitol Business Interiors, in the amount of \$35,358.64, for purchase of furniture needed for offices in the new Spring Hill Cemetery Administrative Building. To be charged to Account No. 001-980-00-952-4-459, Spring Hill cemetery—Capital Outlay, Major Improvements, and reports the same to Council with the recommendation that the Committee Report be adopted.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the committee report adopted.

REPORTS OF OFFICERS

1. Report of the City of Charleston Payroll Variance Analysis; May 2012.
Received and Filed.

2. City Treasurer's Report to City Council Month Ending May 2012.
Received and Filed.

3. Report of the City of Charleston Financial Statements for the Eleven-Month period ended May 31, 2012.
Received and Filed.

ROLL CALL

The Clerk called the roll:

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

ABSENT: Davis, Talkington, Weintraub, White

At 7:45 p.m., by a motion from Councilmember Harrison, Council adjourned until Monday, June 12, 2012, at 7:00 p.m.

Danny Jones, Honorable Mayor

James M. Reishman, City Clerk