

**JOURNAL  
OF THE  
COUNCIL  
CITY OF CHARLESTON  
WEST VIRGINIA**

**July 15, 2013**

**THE COUNCIL MET IN THE CHAMBERS OF THE CITY BUILDING AT 7:00 P.M., FOR THE SECOND MEETING IN THE MONTH OF JULY ON THE 15<sup>TH</sup> DAY, IN THE YEAR 2013, AND WAS CALLED TO ORDER BY THE HONORABLE MAYOR, DANNY JONES. THE INVOCATION WAS DELIVERED BY COUNCILMAN RICHARDSON AND THE PLEDGE OF ALLEGIANCE WAS LED BY COUNCILMAN TALKINGTON.**

**BURKA  
DAVIS  
EALY  
HOOVER  
MILLER  
PERSINGER  
RUSSELL  
SMITH  
TALKINGTON  
MAYOR JONES**

**BURTON  
DENEALT  
HAAS  
KIRK  
MINARDI  
REISHMAN  
SALISBURY  
SNODGRASS  
WARE**

**CLOWSER  
HARRISON  
LANE  
NICHOLS  
RICHARDSON  
SHEETS  
STAJDUHAR  
WHITE**

**WITH TWENTY-SEVEN 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 Charlotte Jones, 313 Hickory Road, Charleston, WV; alleges damage to vehicle.

Refer to City Solicitor.

**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 336-13, and reports the same to Council with the recommendation that the resolution be adopted.

Resolution No. 336-13: “Authorizing the Finance Director to issue a refund to AmerisourceBergen Drug Corporation in the amount of \$161,060.25 for overpayment of B&O taxes for the period January 2010 through December 2012, as a result of the taxpayer filing under the incorrect classification.”

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

That the Finance Director is hereby authorized and directed to issue a refund to AmerisourceBergen Drug Corporation in the amount of \$161,060.25 for overpayment of B&O taxes for the period January 2010 through December 2012, as a result of the taxpayer filing under the incorrect classification.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 336-13 adopted.

2. Your Committee on Finance has had under consideration Resolution No 337-13, and reports the same to Council with the recommendation that the resolution be adopted.

Resolution No. 337-13: “Authorizing the Mayor to receive and administer grant funds from the West Virginia Archives and History Commission in the amount of \$22,500 to be used for ventilation vents, window repair, cleaning and sealing of stone, repointing and entry doors for the Spring Hill Cemetery Mausoleum project. Matching funds in the amount of \$22,500 will be provided by the Cemetery Endowment Fund.”

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 from the West Virginia Archives and History Commission in the amount of \$22,500 to be used for ventilation vents, window repair, cleaning and sealing of stone, repointing and entry doors for the Spring Hill Cemetery Mausoleum project. Matching funds in the amount of \$22,500 will be provided by the Cemetery Endowment Fund.

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 337-13 adopted.

3. Your Committee on Finance has had under consideration Resolution No 338-13, and reports the same to Council with the recommendation that the resolution be adopted.

Resolution No. 338-13: “Authorizing the Finance Director to amend the FY 2013-2014 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 2013-2014 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 – 27, absent-1, as follows:

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

ABSENT: Dodrill

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 338-13, adopted.

4. Your Committee on Finance has had under consideration Resolution No 339-13, and reports the same to Council with the recommendation that the resolution be adopted.

Resolution No. 339-13: “Authorizing the Finance Director to amend the FY 2013-2014 Coal Severance 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 2013-2014 Coal Severance 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 – 27, absent-1, as follows:

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

ABSENT: Dodrill

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 339-13, adopted.

5. Your committee on Finance has under consideration a proposal submitted by Propane Fuel Technologies, LLC, for purchase of four (4) Propane Conversion Kits and

Tanks, in the amount of \$40,000, and installation on four (4) City fleet vehicles.

To be charged to the following accounts:

Account No. 001-975-00-412-4-459, City Mgr.—Capital Outlay, Equipment (\$10,000)

Account No. 001-975-00-420-4-459, Engineering—Capital Outlay, Equipment (\$10,000)

Account No. 001-977-00-750-4-459, Street—Capital Outlay, Equipment (\$10,000)

Account No. 406-571-00-000-4-459, Parking—Capital Outlay, Equipment (\$10,000)

The City will receive reimbursement of the fuel conversion costs through a U.S. Department of Energy Clean Start grant, 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 Municipal Court Financial Statements; June 2013. Received and Filed.

2. City Treasurer's Report to City Council Month Ending June 2013. Received and Filed.

### **NEW BILLS**

Introduced by Council member Bobby Haas on July 15, 2013:

Bill No. 7587 - A Bill to create a No Parking Anytime Tow Away zone on the north side of Palm Drive from a point 54 feet east of Falcon Drive to a point 254 feet east of Falcon Drive 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. Refer to Streets and Traffic Committee.

Introduced by Council member Rick Burka on July 15, 2013:

Bill 7588 - A Bill to establish a parking zone for the exclusive use of the physically disabled on the westerly side of 39th Street, S.E. from a point 27 feet north of Venable Avenue to a point 49 feet north of Venable Avenue, Charleston, West Virginia and to provide for the removal of vehicles illegally parked in this space and amending the Traffic Control Map, 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. Refer to Streets and Traffic Committee.

Introduced by Council member Bill Kirk on July 15, 2013:

Bill No. 7589 - A Bill to create a STOP intersection on Wood Road and New School Road requiring southbound vehicles on Wood Road to stop 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. Refer to Streets and Traffic Committee.

## ROLL CALL

*The Clerk called the roll:*

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

ABSENT: Dodrill

At 7:30 p.m., by a motion from Councilmember Harrison, Council adjourned until Monday, August 5, 2013, at 7:00 p.m.

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Danny Jones, Honorable Mayor

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James M. Reishman, City Clerk