

# CHARLESTON CITY COUNCIL

Regular Meeting

July 15, 2019

at 7:00 PM



Council Chambers, Third Floor  
City Hall, 501 Virginia St. E.  
Charleston, WV

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## AGENDA

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CALL TO ORDER BY THE MAYOR

INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC SPEAKERS AND CLAIMS

1. Claims 7-15-2019

PROCLAMATIONS

1. Proclamations

COMMUNICATIONS

1. Communications

REPORTS OF STANDING COMMITTEES

ENVIRONMENT AND RECYCLING

1. Resolution No. 213-19 - Requesting the City Manager to work with City employees to create a policy for the distribution of excess black trash bags to city residents through a needs-based determination.

2. Bill No. 7825 - A Bill to amend and reenact Section 98-121 of the Municipal Code of the City of Charleston, relating to recyclables collection.

## ORDINANCE AND RULES

1. Resolution No. 218-19 - Amending and reenacting Rule 14 of the Rules of Council in order to update the process for using a previous roll call to record a vote.

## FINANCE

1. Resolution No. 214-19 - Authorizing approval of Amendment No. 1 in the FY 2019- 2020 General Fund Budget.
2. Resolution No. 217-19 – Renewal of Agreement with Suttle and Stalnaker to conduct a Single Audit for the City of Charleston.
3. Resolution No. 219-19 - Authorizing the Mayor or City Manager to submit a grant application to the Division of Administrative Services Justice and Community Services Division in the amount of \$56,000 to provide partial salary reimbursement for two Charleston Police Department Prevention Resource Officers.
4. Resolution No. 220-19 - Authorizing the Mayor or City Manager to enter into a Memorandum of Understanding with the Kanawha County Board of Education for continued placement of three Prevention Resource Officers.
5. Resolution No. 221-19 - Authorizing the Mayor or City Manager to submit a grant application to the Division of Administrative Services Justice and Community Services Division in the amount of \$112,000 to provide partial salary reimbursement for four members of the Metropolitan Drug Enforcement Network Team.
6. Resolution No. 222-19 - Authorizing the Mayor or City Manager to enter into a Memorandum of Understanding with the West Virginia Division of Highways to pave a section of Oakwood Road from U.S. 119 to Connell Road (including the replacement of six accessible ramps).
7. Purchase of Road Salt.

## REPORTS OF OFFICERS

1. July 15, 2019

## NEW BILLS

1. New Bills

## UNFINISHED BUSINESS AND/OR MISCELLANEOUS BUSINESS

## ROLL CALL

## ADJOURNMENT

THE NEXT REGULAR MEETING OF COUNCIL WILL BE HELD AUGUST 5, 2019 AT 7:00 P.M.

**\*Meetings may be recorded and broadcast via internet <https://charlestonwv.civicclerk>**



# AFFIDAVIT City of Charleston



STATE OF WEST VIRGINIA  
COUNTY OF KANAWHA, to-wit:

The Mayor, Recorder, and/or Municipal Attorney of the City of Charleston, West Virginia, will take notice that this day appeared before the undersigned authority, Congregation B'nai Jacob by Ted Kanner, Treasurer, Claimant, who, after being first by me duly sworn, deposes and says:

That this affiant resides at: 1599 Virginia St. E.

Telephone Number: 304-346-4722

and that on the 24th day of June, 2018/2019, at approximately 7:15 pm/pm in the City of Charleston, West Virginia, he/she sustained

Hole in roof and damage to garage at B'nai Jacob

Nature Of Injury And/Or Damage

As A Result Of:

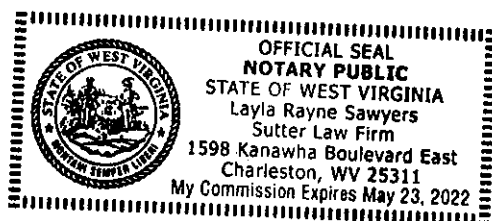
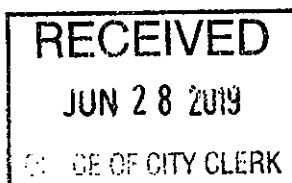
Branch from City property Kan. P. Fleman (Puffer Park) Park on Kanawha Blvd. falling onto our roof of garage

As a result of which accident the Claimant, Congregation B'nai Jacob, does hereby make claim against the City of Charleston, West Virginia, for damages incurred and to be incurred by him/her in the future.

Ted Kanner, Treasurer  
Signature of Claimant

Taken, subscribed and sworn to before me this 28 day of June, 2019.  
My commission expires May 23, 2022

Layla Sawyers  
Notary Public





**AFFIDAVIT**  
**City of Charleston**



**STATE OF WEST VIRGINIA**  
**COUNTY OF KANAWHA, to-wit:**

The Mayor, Recorder, and/or Municipal Attorney of the City of Charleston, West Virginia, will take notice that this day appeared before the undersigned authority,

Nicholas W. Johnson, Claimant,  
who, after being first by me duly sworn, deposes and says:

That this affiant resides at: 1579 Virginia Street East, Charleston, WV 25311

Telephone Number: 304-346-4488

and that on the 24<sup>th</sup> day of June, 2018(2019), at approximately 7:15 am/pm  
in the City of Charleston, West Virginia, he/she sustained

Damages to chain link fence, 18'x36' swimming pool and deck furniture  
and related property damage.  
Nature Of Injury And/Or Damage

As A Result Of:

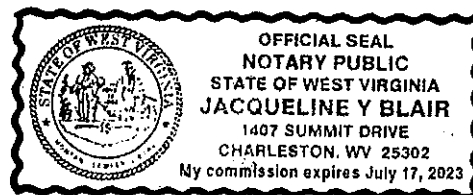
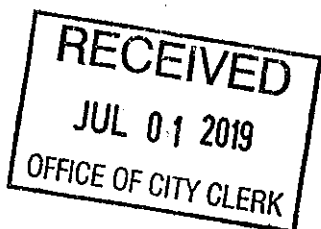
Storm of June 24<sup>th</sup> (Tornado) approximately four(4) trees from  
Ruffner Park falling on Real Estate of Claimant.

As a result of which accident the Claimant, Nicholas W. Johnson, does hereby  
make claim against the City of Charleston, West Virginia, for damages incurred and to be incurred by  
him/her in the future.

Nicholas W. Johnson  
Signature of Claimant

Taken, subscribed and sworn to before me this 1<sup>st</sup> day of July, 2019.  
My commission expires July 17, 2023.

Jacqueline Y Blair  
Notary Public



CITY OF CHARLESTON  
OFFICE OF THE MAYOR

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**TO: MILES CARY  
CITY CLERK**

**FROM: AMY SHULER GOODWIN**   
**MAYOR**

**RE: CHARLESTON COLISEUM AND CONVENTION CENTER**

**DATE: JULY 15, 2019**

---

I recommend Ronnie Murad be appointed to the Charleston Coliseum and Convention Center Board, with an initial term to expire June 22, 2024. He is replacing JB Akers.

I respectfully request City Council's approval of this recommendation.

ASG/mls

CITY OF CHARLESTON  
OFFICE OF THE MAYOR

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**TO: MILES CARY**  
**CITY CLERK**

**FROM: AMY SHULER GOODWIN**   
**MAYOR**

**RE: CHARLESTON COLISEUM AND CONVENTION CENTER**

**DATE: JULY 15, 2019**

---

I recommend Bernie Layne be appointed to the Charleston Coliseum and Convention Center Board, with an initial term to expire June 22, 2024. He is replacing Michael Cary.

I respectfully request City Council's approval of this recommendation.

ASG/mls

CITY OF CHARLESTON  
OFFICE OF THE MAYOR

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**TO:** MILES CARY  
CITY CLERK

**FROM:** AMY SHULER GOODWIN   
MAYOR

**RE:** CHARLESTON COLISEUM AND CONVENTION CENTER

**DATE:** JULY 15, 2019

---

I recommend Andy Richardson be reappointed to the Charleston Coliseum and Convention Center Board, with the term to expire June 22, 2024.

I respectfully request City Council's approval of this recommendation.

ASG/mls

CITY OF CHARLESTON  
OFFICE OF THE MAYOR

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**TO: MILES CARY  
CITY CLERK**

**FROM: AMY SHULER GOODWIN**   
**MAYOR**

**RE: MUNICIPAL PLANNING COMMISSION**

**DATE: JULY 15, 2019**

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I recommend Terry Pickett, 208 Bradford Street, Apt 1, Charleston, WV 25301 be appointed to the Municipal Planning Commission, with an initial term to expire July 1, 2023. She is replacing Christi Smith.

I respectfully request City Council's approval of this recommendation.

ASG/mls

CITY OF CHARLESTON  
OFFICE OF THE MAYOR

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**TO: MILES CARY  
CITY CLERK**

**FROM: AMY SHULER GOODWIN**   
**MAYOR**

**RE: MUNICIPAL PLANNING COMMISSION**

**DATE: JULY 15, 2019**

---

I recommend JoeEllen Zacks, 640 Holly Road, Charleston, WV 25314 be appointed to the Municipal Planning Commission, with an initial term to expire July 1, 2023. She is replacing Lex Williamson.

I respectfully request City Council's approval of this recommendation.

ASG/mls

CITY OF CHARLESTON  
OFFICE OF THE MAYOR

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**TO: MILES CARY  
CITY CLERK**

**FROM: AMY SHULER GOODWIN**   
**MAYOR**

**RE: MUNICIPAL PLANNING COMMISSION**

**DATE: JULY 15, 2019**

---

I recommend Alyce Hypes, 1612 Kanawha Blvd, East, Charleston, WV 25311 be appointed to the Municipal Planning Commission, with an initial term to expire July 1, 2023. She is replacing Jesse Forbes.

I respectfully request City Council's approval of this recommendation.

ASG/mls

CITY OF CHARLESTON  
OFFICE OF THE MAYOR

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**TO: MILES CARY  
CITY CLERK**

**FROM: AMY SHULER GOODWIN**   
**MAYOR**

**RE: CHARLESTON-KANAWHA HOUSING AUTHORITY**

**DATE: JULY 15, 2019**

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I recommend Paulette Justice be appointed to the Charleston-Kanawha Housing Authority, with an initial term to expire December 1, 2024. She is replacing Tim Morris.

I respectfully request City Council's approval of this recommendation.

ASG/mls

CITY OF CHARLESTON  
OFFICE OF THE MAYOR

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**TO: MILES CARY  
CITY CLERK**

**FROM: AMY SHULER GOODWIN  
MAYOR**

A handwritten signature in blue ink, appearing to read "ASG", is written over the name "AMY SHULER GOODWIN".

**RE: SPRING HILL CEMETERY PARK COMMISSION**

**DATE: JULY 15, 2019**

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I recommend John Kennedy Bailey be appointed as a City Council representative to the Spring Hill Cemetery Park Commission. His term will expire at the end of his elected term to City Council.

I respectfully request City Council's approval of this recommendation.

ASG/mls

Resolution No. 213-19

Introduced in Council:

July 15, 2019

Introduced by:

John Kennedy Bailey

Adopted by Council:

Referred to:

Environment & Recycling

Resolution No. 213-19 - Requesting the City Manager to work with City employees to create a policy for the distribution of excess black trash bags to city residents through a needs-based determination.

Now, therefore, be it Resolved by the Council of the City of Charleston, West Virginia:

That the City Council requests the City Manager to work with City employees to create a policy for the distribution of excess black trash bags to city residents through a needs-based determination.

**Bill No. 7825**

**Introduced in Council:**

**July 1, 2019**

**Introduced by:**

**John Kennedy Bailey**

**Adopted by Council:**

**Referred to:**

**Environment & Recycling**

**Bill No. 7825** - A BILL to amend and reenact Section 98-121 of the Municipal Code of the City of Charleston, relating to recyclables collection.

**Now, therefore, be it ordained by the Council of the City of Charleston:**

**Article II. – Collection and Disposal.**

**Division 4. Recyclables.**

**Sec. 98-121. - Separation of recyclables from municipal solid waste.**

(a) Residences. Persons shall separate all recyclables, including aluminum bi-metal, and steel cans; newspaper; and plastics identified by the society of plastics industry (SPI) code numbers 1 and 2, boxboard, corrugated cardboard, office mix paper, magazines, and junk mail, from municipal solid waste generated at residences and shall store the recyclables until they are collected for recycling. Pursuant to West Virginia code Chapter 22, Article 15A, Section 18(b)(1), each person, partnership, corporation or other entity in the city shall separate at least three recyclables from municipal solid waste. The city manager shall have the authority to designate the three recyclables that will be collected by the city and may amend the designated recyclables from time to time. The city manager shall provide notice of his designations to residents.

(b) All residents receiving refuse collection services by the city shall place all designated recyclables into a either a clear plastic bag or a bin or other container clearly marked as containing recycling goods and place for collection in the manner set forth in section 98-101: Provided, That any paper or cardboard recyclables shall be placed in a clear plastic bag in order to protect the recyclables from water damage.

(c) An owner, landlord, or agent of an owner or landlord of a multi-family rental dwelling with four or more units receiving refuse service from the city may establish a collection system at each such property. The collection system shall include a separate suitable receptacle specifically for collection and storing recyclables which tenants have separated in ~~clear plastic bags~~ in compliance with section 98-121(b) of this Code, and written instructions to the occupants concerning the use and availability of the collection system. The receptacle shall be clearly marked as designated for recyclables only and shall be placed in a location easily accessible to the tenants. Owners, landlords, or agents of owners or landlords who provide a collection system under this section shall

37 not be liable for non-compliance of occupants of their buildings.

38

39 (d) Commercial, industrial and institutional establishments shall separate at least three  
40 materials from refuse generated at such establishments and shall store such materials  
41 until they are collected for recycling in a manner consistent with section 98-122(b) of  
42 this Code. "Community activities" as used here includes events that are sponsored by  
43 public or private agencies or individuals that include but are not limited to regattas, fairs,  
44 bazaars, socials, picnics, performances, and organized sporting events attend by five  
45 hundred or more individuals per day. Any person or entity in charge of a community  
46 activity shall provide for separation of at least three recyclables from refuse generated  
47 at such event and shall store such materials until they are collected for recycling in a  
48 manner consistent with section 98-122(b) of this Code. The three recyclables shall be  
49 chosen from the following group; office paper, computer paper, corrugated paper,  
50 newspaper, clear glass jugs/jars/bottles, aluminum, bi-metal and steel cans, automotive  
51 or industrial lead acid batteries, tires, computer ribbons, laser toner cartridges, copier  
52 toner cartridges, yard (green) waste or e-waste.

53

54 (e) An owner, landlord, or agent of an owner or landlord of a commercial, industrial or  
55 institutional establishment that leases its premises to other such establishments shall  
56 be deemed to have complied with its recycling responsibilities if it establishes a  
57 collection system meeting the requirements of the collection system for multi-family  
58 dwellings described in subsection (c) of this section.

59

Resolution No. 218-19

Introduced in Council:

Adopted by Council:

July 15, 2019

Introduced by:

Referred to:

Becky Ceperley and Jeanine Faegre

Ordinance and Rules

1 Resolution No. 218-19 - Amending and reenacting Rule 14 of the Rules of Council in  
2 order to update the process for using a previous roll call to record a vote.

3

4 Now, therefore, be it Resolved by the Council of the City of Charleston, West Virginia:

5

6 That Rule 14 of the Rules of Council be amended and reenacted to read as follows:

7

8 Rule No. 14. - Use of a previous roll call.

9

10 On any question, the roll call immediately next preceding may be used to record  
11 the vote of the city council upon ~~motion~~ a unanimous consent request by any member,  
12 provided such previous roll call was unanimous. If any member objects to the use of the  
13 previous roll call, the clerk will call the roll for the vote as if it were the first vote of the  
14 meeting.

15

Resolution No. 214-19

Introduced in Council

Passed by Council

July 15, 2019

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Introduced by  
Joseph Jenkins

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Referred from  
Finance Committee

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- 1 Resolution No. 214-19 - Authorizing approval of Amendment No. 1 in the FY
- 2 2019- 2020 General Fund Budget as indicated on the attached list of accounts.
- 3
- 4 Be it Resolved by the Council of the City of Charleston, West Virginia:
- 5
- 6 That the approval of Amendment No. 1 in the FY 2019- 2020 General Fund
- 7 Budget as indicated on the attached list of accounts.

## General Fund FY 2019-2020 Budget Amendment No. 1 - July 15, 2019

| Account No.          | Department            | Account Description        | Amount      |
|----------------------|-----------------------|----------------------------|-------------|
| 001 975 00 567 4 459 | Public Grounds        | Capital Outlay - Equipment | 139,000     |
| 001 976 00 700 4 459 | Police                | Capital Outlay - Equipment | 828,000     |
| 001 976 00 706 4 459 | Fire                  | Capital Outlay - Equipment | 1,000,875   |
| 001 977 00 750 4 459 | Street                | Capital Outlay - Equipment | 630,000     |
| 001 978 00 800 4 459 | Refuse                | Capital Outlay - Equipment | 132,000     |
| 001 979 00 900 4 459 | Parks & Recreation    | Capital Outlay - Equipment | 26,000      |
| 001 298 0            | Assigned Fund Balance |                            | (2,755,875) |

**Manual Encumbrances** - To adjust proper accounts in the FY 2020 Municipal Budget for the purchase of equipment not completed within FY 2019 including: 1 tree truck for Public Grounds, 15 Police Interceptor SUV and related lightbars and equipment for the Police Department, 3 ambulances, 1 pumper apparatus, and ventilation fans for the Fire Department, 5 dump trucks for the Street Department, 1 packer truck for the Refuse Department, and 1 side-by-side and 1 riding lawnmower for the Parks & Recreation Department.

|                 |                         |                          |           |
|-----------------|-------------------------|--------------------------|-----------|
| 001 305 01 0000 | Revenues                | B & O Tax - Current Year | 407,324   |
| 001 296 0       | Restricted Fund Balance |                          | (407,324) |

**Restricted Fund Balances** - To recognize funds restricted for Ball Park Debt Service.

|                 |                            |                          |           |
|-----------------|----------------------------|--------------------------|-----------|
| 001 305 01 0000 | Revenues                   | B & O Tax - Current Year | 547,845   |
| 001 295 0       | Non-Spendable Fund Balance |                          | (547,845) |

**Nonspendable Fund Balance** - To recognize nonspendable fund balances for Prepaid Insurance per GASB 54.

|                      |                         |                               |             |
|----------------------|-------------------------|-------------------------------|-------------|
| 001 409 00 000 5 568 | Mayor's Office          | Other Contributions           | 237,259     |
| 001 412 00 000 2 219 | City Manager            | Building & Equipment Rents    | 105,000     |
| 001 417 00 000 2 229 | Legal                   | Court Costs & Damages         | 600,000     |
| 001 700 01 000 1 103 | Police - Civilian       | Salaries & Wages              | 50,000      |
| 001 700 01 000 1 104 |                         | FICA                          | 3,825       |
| 001 700 01 000 1 105 |                         | Medical & Life Insurance      | 13,539      |
| 001 700 01 000 1 106 |                         | Retirement                    | 5,000       |
| 001 700 01 000 1 111 |                         | Dental/Optical Insurance      | 466         |
| 001 700 01 000 1 112 |                         | Insurance - Payroll Deduction | (2,012)     |
| 001 700 01 000 2 226 |                         | Insurance - WC and UC         | 969         |
| 001 299 0            | Unassigned Fund Balance |                               | (1,014,046) |

**Unassigned Fund Balances** - To allocate a portion of the remaining unassigned fund balance for the Mayor's Contributions to carry forward the remaining balance from FY 2019, City Managers Building & Equipment Rents to pay for City Hall parking and copier rental, the City Attorney's Court Cost & Damages fund, and to create a new civilian position in the Police Department as an Outreach Coordinator.

**Reportable: To Maintain compliance with the budgetary guidelines of the State of West Virginia**

Resolution No. 217-19

Introduced in Council

Passed by Council

July 15, 2019

Introduced by  
Joseph Jenkins

Referred from  
Finance Committee

1 Resolution No. 217-19 - Authorizing the Mayor or City Manager to enter into a  
2 renewal of the Agreement with Suttle and Stalnaker to conduct a Single Audit for  
3 the City of Charleston for FY 2019 in the amount of \$77,760.00 in accordance with  
4 Federal OMB Circular A-133. This amount includes \$72,000 to Suttle & Stalnaker  
5 for the audit contract and \$5,760 to the WV State Auditor's Office for a process  
6 fee.

7

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

9

10 That the Mayor or City Manager is hereby authorized to enter into a renewal of the  
11 Agreement with Suttle and Stalnaker to conduct a Single Audit for the City of  
12 Charleston for FY 2019 in the amount of \$77,760.00 in accordance with Federal  
13 OMB Circular A-133.

Resolution No. 219-19

Introduced in Council

Passed by Council

July 15, 2019

Introduced by  
Joseph Jenkins

Referred from  
Finance Committee

1 Resolution No. 219-19 - Authorizing the Mayor or City Manager to submit a grant  
2 application to the Division of Administrative Services Justice and Community  
3 Services Division in the amount of \$56,000 and administer any funds awarded.  
4 These funds will provide partial salary reimbursement for the two Charleston Police  
5 Department Prevention Resource Officers (PRO) assigned to Stonewall Jackson  
6 Middle School and Capitol High School. There is a 25% required match that will  
7 be met by the un-reimbursed officer salary portion absorbed by the police  
8 department's salary and wage budget.

9  
10 Be it Resolved by the Council of the City of Charleston, West Virginia:

11  
12 That the Mayor or City Manager is hereby authorized to submit a grant application  
13 to the Division of Administrative Services Justice and Community Services Division  
14 in the amount of \$56,000 and administer any funds awarded. There is a 25%  
15 required match that will be met by the un-reimbursed officer salary portion  
16 absorbed by the police department's salary and wage budget.

17

Resolution No. 220-19

Introduced in Council

Passed by Council

July 15, 2019

Introduced by  
Joseph Jenkins

Referred from  
Finance Committee

1 Resolution No. 220-19 - Authorizing the Mayor or City Manager to enter into a  
2 Memorandum of Understanding with the Kanawha County Board of Education for  
3 continued placement of three Prevention Resource Officers at schools in  
4 Charleston – Stonewall Jackson Middle School, Capitol High School and George  
5 Washington High School.

6

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

8

9 That the Mayor or City Manager is hereby authorized to enter into a Memorandum  
10 of Understanding with the Kanawha County Board of Education for continued  
11 placement of three Prevention Resource Officers at schools in Charleston –  
12 Stonewall Jackson Middle School, Capitol High School and George Washington  
13 High School.

Resolution No. 221-19

Introduced in Council

Passed by Council

July 15, 2019

Introduced by  
Joseph Jenkins

Referred from  
Finance Committee

1 Resolution No. 221-19 - Authorizing the Mayor or City Manager to submit a grant  
2 application to the Division of Administrative Services Justice and Community  
3 Services Division in the amount of \$112,000 and administer any funds awarded.  
4 These funds will provide partial salary reimbursement for four members of the  
5 Metropolitan Drug Enforcement Network Team (MDENT) from Charleston, Nitro,  
6 St. Albans and South Charleston Police Departments. There is a 25% required  
7 match that will be met by the un-reimbursed officer salary portion absorbed into  
8 each of those city's police salary and wage budgets.

9

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

11

12 That the Mayor or City Manager is hereby authorized to submit a grant application  
13 with to the Division of Administrative Services Justice and Community Services  
14 Division in the amount of \$112,000 and administer any funds awarded. These  
15 funds will provide partial salary reimbursement for four members of the  
16 Metropolitan Drug Enforcement Network Team (MDENT) from Charleston, Nitro,  
17 St. Albans and South Charleston Police Departments. There is a 25% required  
18 match that will be met by the un-reimbursed officer salary portion absorbed into  
19 each of those city's police salary and wage budgets.

20

Resolution No. 222-19

Introduced in Council

Passed by Council

July 15, 2019

---

Introduced by  
Joseph Jenkins

---

Referred from  
Finance Committee

---

1 Resolution No. 222-19 - Authorizing the Mayor or City Manager to enter into a  
2 Memorandum of Understanding with the West Virginia Division of Highways to  
3 pave a section of Oakwood Road from U.S. 119 to Connell Road (including the  
4 replacement of six accessible ramps), wherein the City may commit to  
5 administering the paving project under the City's existing asphalt paving contract  
6 and receive reimbursement of 50% of the City's actual costs from the Division of  
7 Highways.

8

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

10

11 The Mayor or City Manager is authorized to enter into a Memorandum of  
12 Understanding with the West Virginia Division of Highways to pave a section of  
13 Oakwood Road from U.S. 119 to Connell Road (including the replacement of six  
14 accessible ramps), wherein the City may commit to administering the paving  
15 project under the City's existing asphalt paving contract and receive  
16 reimbursement of 50% of the City's actual costs from the Division of Highways.

## **COMMITTEE REPORT**

**TO:** Clerk of the Council of the City of Charleston, West Virginia

**FROM:** The Committee on Finance

Your Committee on Finance has had under consideration:

A bid submitted by Compass Minerals America INC., in the amount of \$81.63 per ton, for purchase of road salt to be used by the Public Works Department on an as needed basis for snow and ice removal.

To be charged to Account No. 001-750-00-000-3-359, Street—Snow Removal Materials

and reports the same to Council with the recommendation that the

committee report be adopted

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CHAIRMAN

**Road Salt - Public Works**  
Bid Opening: July 8, 2019 @ 11 a.m.

|                           |                                                                                                                                                                                                 |                                                                                                                                                                                                 |
|---------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                           | <b>Compass Minerals America Inc</b><br>9900 W. 109th St., Suite 100<br>Overland Park, KS 66210<br>P: (913) 344-9360<br><a href="mailto:dyerd@compassminerals.com">dyerd@compassminerals.com</a> | <b>Cargill, Inc. - Salt, Road Safety</b><br>24950 Country Club Blvd., Suite 450<br>North Olmsted, OH 44070<br>P: (800) 600-7258<br><a href="mailto:bid_Cdt@cargill.com">bid_Cdt@cargill.com</a> |
| <b>Total Bid per Ton:</b> | \$81.63                                                                                                                                                                                         | \$93.78                                                                                                                                                                                         |

**MUNICIPAL COURT  
CITY OF CHARLESTON**

**Post Office Box 2749  
Charleston, West Virginia 25330  
(304) 348-8079**

**Anne B. Charnock, Judge**

**Conrad Lucas, Clerk**

**TO:** Mayor Amy Shuler Goodwin  
**FROM:** Conrad Lucas, Clerk  
**DATE:** Tuesday, July 2, 2019  
**RE:** June 2019 Financial Information, Charleston Municipal Court

**TOTAL CITATIONS FILED: 951**

Criminal Violations: 209

Traffic Violations: 721

Parking: 0

Building Search Warrants: 20 Properties\*

**RESTITUTION COLLECTED (paid to victims): \$0.00**

Primarily related to shoplifting cases, restitution monies are collected and refunded to the store/victim.

\*This monthly report shows 20 properties which is the correct number; the computer generated report attached shows 21 properties. This discrepancy is due to a clerical error resulting from a duplicate entry of one property which has been voided in the system. It is still counted on the report due to the docket number assigned.

**FINANCIAL REPORT ATTACHED**

cc: Judge Anne B. Charnock  
Miles Cary, City Clerk  
Victor Grigoraci, Treasurer  
Lieutenant Paul Perdue, Deputy Chief of Police  
Tony Harmon, Building Department  
David Potters, Office of the City Attorney  
Captain Mark Abbott, CPD  
Nikki Smith, City Clerk's Office

|            |                        |                         |    |                   |                                       |
|------------|------------------------|-------------------------|----|-------------------|---------------------------------------|
| SW20190023 | PETRY, RONNIE H        | 605 21 ST STREET        | SW | 6/12/2019 3:30 PM | SEARCH WARRANT ISSUED - BUILDING CODE |
| SW20190024 | PETRY, MARJORIE        | 605 21ST STREET         | SW | 6/12/2019 3:30 PM | SEARCH WARRANT ISSUED - BUILDING CODE |
| SW20190025 | BALLENGEE, ELIZABETH A | 1033 BEECH AVENUE       | SW | 6/12/2019 3:30 PM | SEARCH WARRANT ISSUED - BUILDING CODE |
| SW20190026 | BOWEN, RICHARD A       | 915 HUNT AVENUE         | SW | 6/12/2019 3:30 PM | SEARCH WARRANT ISSUED - BUILDING CODE |
| SW20190027 | HARRISON, RONNIE RAY   | 2 PARK AVENUE           | SW | 6/12/2019 3:30 PM | SEARCH WARRANT ISSUED - BUILDING CODE |
| SW20190028 | BARNETT, DAVID         | 1559 BEECH AVENUE       | SW | 6/12/2019 3:30 PM | SEARCH WARRANT ISSUED - BUILDING CODE |
| SW20190029 | BARNETT, BETTY         | 1559 BEECH AVENUE       | SW | 6/12/2019 3:30 PM | SEARCH WARRANT ISSUED - BUILDING CODE |
| SW20190030 | CAVANAUGH, WALTER M    | 1016 BEECH AV           | SW | 6/12/2019 3:30 PM | SEARCH WARRANT ISSUED - BUILDING CODE |
| SW20190031 | CAVANAUGH, WALTER M    | 1016 BEECH AV           | SW | 6/12/2019 3:30 PM | SEARCH WARRANT ISSUED - BUILDING CODE |
| SW20190032 | MINTER, ROBERT         | 1012 BEECH AVENUE       | SW | 6/12/2019 3:30 PM | SEARCH WARRANT ISSUED - BUILDING CODE |
| SW20190033 | HAMM, BETTY JO         | 604 GILMORE ROAD        | SW | 6/12/2019 3:30 PM | SEARCH WARRANT ISSUED - BUILDING CODE |
| SW20190034 | CLAIR, CLARISSA        | 604 GILMORE ROAD        | SW | 6/12/2019 3:30 PM | SEARCH WARRANT ISSUED - BUILDING CODE |
| SW20190035 | MILLER, EMMETT H       | 401 1/2 SWINBURN STREET | SW | 6/12/2019 3:30 PM | SEARCH WARRANT ISSUED - BUILDING CODE |
| SW20190036 | FRAGLE, SAMMY II       | 924 A BARLOW DRIVE      | SW | 6/12/2019 3:30 PM | SEARCH WARRANT ISSUED - BUILDING CODE |
| SW20190037 | CASTO, ALICIA D        | 922 BARLOW DRIVE        | SW | 6/12/2019 3:30 PM | SEARCH WARRANT ISSUED - BUILDING CODE |
| SW20190038 | JOHNSON, ZYLPHIA       | 1325 RED OAK STREET     | SW | 6/12/2019 3:30 PM | SEARCH WARRANT ISSUED - BUILDING CODE |
| SW20190039 | MULLINS, DAVID R       | 1037 1/2 ADELE STREET   | SW | 6/12/2019 3:30 PM | SEARCH WARRANT ISSUED - BUILDING CODE |
| SW20190040 | MULLINS, TIMOTHY A     | 1037 1/2 ADELE STREET   | SW | 6/12/2019 3:30 PM | SEARCH WARRANT ISSUED - BUILDING CODE |
| SW20190041 | SHAFFER, RONALD L      | 2029 CARSON STREET      | SW | 6/12/2019 3:30 PM | SEARCH WARRANT ISSUED - BUILDING CODE |
| SW20190042 | STEBEC, LLC,           | 408 PRICE STREET        | SW | 6/19/2019 3:30 PM | SEARCH WARRANT ISSUED - BUILDING CODE |

## MUNICIPAL COURT REPORT - FILED CASES

CHARLESTON MUNICIPAL COURT  
Report For June 1, 2019 Thru June

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30, 2019 FILEDST

## Violations by Filed Date...

|                         |     |     |
|-------------------------|-----|-----|
| CRIMINAL                | 209 |     |
| TRAFFIC                 | 721 |     |
| BUILDING SEARCH WARRANT | 21  |     |
| Total Filed Violations  |     | 951 |

## Completed Cases...

|                         |     |     |
|-------------------------|-----|-----|
| Paid Fine...            |     |     |
| CRIMINAL                | 5   |     |
| TRAFFIC                 | 264 |     |
| BUILDING SEARCH WARRANT | 0   |     |
| Total Paid Fines        |     | 269 |
| Before Judge...         |     |     |
| CRIMINAL                | 4   |     |
| TRAFFIC                 | 11  |     |
| BUILDING SEARCH WARRANT | 0   |     |
| Total Before Judge      |     | 15  |
| Total Completed         |     | 284 |

## Other Completed...

|                                 |    |    |
|---------------------------------|----|----|
| DISMISS- OFFICER NOT WITH CITY  |    |    |
| CRIMINAL                        | 8  |    |
| TRAFFIC                         | 4  |    |
| BUILDING SEARCH WARRANT         | 0  |    |
| Total                           |    | 12 |
| DEFENDANT DECEASED              |    |    |
| CRIMINAL                        | 11 |    |
| TRAFFIC                         | 16 |    |
| BUILDING SEARCH WARRANT         | 0  |    |
| Total                           |    | 27 |
| DISMISSED OFFICER FAIL TO PROS  |    |    |
| CRIMINAL                        | 6  |    |
| TRAFFIC                         | 10 |    |
| BUILDING SEARCH WARRANT         | 0  |    |
| Total                           |    | 16 |
| DISMISSED (PRESENTED INSURANCE) |    |    |
| CRIMINAL                        | 0  |    |
| TRAFFIC                         | 49 |    |
| BUILDING SEARCH WARRANT         | 0  |    |
| Total                           |    | 49 |
| DISMISSED (BY JUDGE'S ORDER)_   |    |    |

## MUNICIPAL COURT REPORT - FILED CASES

CHARLESTON MUNICIPAL COURT  
Report For June 1, 2019 Thru June

30, 2019

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FILEDST

| Report For June                | 1, 2019 Thru June | 30, 2019 |
|--------------------------------|-------------------|----------|
| CRIMINAL                       | 0                 |          |
| TRAFFIC                        | 3                 |          |
| BUILDING SEARCH WARRANT        | 0                 |          |
| Total                          |                   | 3        |
| DISMISSED E-PROOF              |                   |          |
| CRIMINAL                       | 0                 |          |
| TRAFFIC                        | 7                 |          |
| BUILDING SEARCH WARRANT        | 0                 |          |
| Total                          |                   | 7        |
| DISMISSED (PRESENTED DL)       |                   |          |
| CRIMINAL                       | 0                 |          |
| TRAFFIC                        | 11                |          |
| BUILDING SEARCH WARRANT        | 0                 |          |
| Total                          |                   | 11       |
| DISMISSED STORE CLOSED         |                   |          |
| CRIMINAL                       | 3                 |          |
| TRAFFIC                        | 0                 |          |
| BUILDING SEARCH WARRANT        | 0                 |          |
| Total                          |                   | 3        |
| DISMISSED OFF FAIL TO PROV VIN |                   |          |
| CRIMINAL                       | 0                 |          |
| TRAFFIC                        | 4                 |          |
| BUILDING SEARCH WARRANT        | 0                 |          |
| Total                          |                   | 4        |
| DISMISSED (PROSECUTOR'S ORDER) |                   |          |
| CRIMINAL                       | 35                |          |
| TRAFFIC                        | 60                |          |
| BUILDING SEARCH WARRANT        | 0                 |          |
| Total                          |                   | 95       |
| DISMISSED PRESENTED RECORDS    |                   |          |
| CRIMINAL                       | 0                 |          |
| TRAFFIC                        | 72                |          |
| BUILDING SEARCH WARRANT        | 0                 |          |
| Total                          |                   | 72       |
| DISMISSED AFTER PT DIVERSION   |                   |          |
| CRIMINAL                       | 3                 |          |
| TRAFFIC                        | 12                |          |
| BUILDING SEARCH WARRANT        | 0                 |          |
| Total                          |                   | 15       |
| DISMISSED WITHOUT PREJUDICE    |                   |          |
| CRIMINAL                       | 32                |          |
| TRAFFIC                        | 18                |          |
| BUILDING SEARCH WARRANT        | 0                 |          |
| Total                          |                   | 50       |
| VOIDED DOCKET                  |                   |          |

## MUNICIPAL COURT REPORT - FILED CASES

CHARLESTON MUNICIPAL COURT  
Report For June 1, 2019 Thru June

30, 2019

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|                               |   |     |
|-------------------------------|---|-----|
| CRIMINAL                      | 0 |     |
| TRAFFIC                       | 0 |     |
| BUILDING SEARCH WARRANT       | 1 |     |
| Total                         |   | 1   |
| Total Other Completed         |   | 365 |
| Grand Total Completed         |   | 649 |
| Net Difference Filed/Complete |   | 302 |

## Warrants...

|                          |     |     |
|--------------------------|-----|-----|
| Issued...                |     |     |
| CRIMINAL                 | 323 |     |
| TRAFFIC                  | 375 |     |
| BUILDING SEARCH WARRANT  | 0   |     |
| Total Violations         |     | 698 |
| Total Warrants Issued    |     | 698 |
| Cleared...               |     |     |
| CRIMINAL                 | 344 |     |
| TRAFFIC                  | 244 |     |
| BUILDING SEARCH WARRANT  | 0   |     |
| Total Violations         |     | 588 |
| Total Warrants Cleared   |     | 588 |
| Change in Total Warrants |     | 110 |

## Other Paid Cases...

|                        |  |    |
|------------------------|--|----|
| Paid Fine...           |  |    |
| Total Other Paid Fines |  | 80 |

|                                   |             |
|-----------------------------------|-------------|
| FINE FINE                         | \$23,128.52 |
| JAILF REGIONAL JAIL CORR.         | \$7,651.00  |
| LAWLOC LAW ENFORCE. TRAIN (LOCAL) | \$864.00    |
| ADMIN ADMINISTRATIVE COST         | \$380.00    |
| CVC CRIME VICTIM'S FUND           | \$1,488.00  |
| LAWFND LAW ENFORCE. TRAIN STATE   | \$372.00    |
| REST RESTITUTION                  | \$325.61    |
| CCF COMMUNITY CORRECTIONS FUND    | \$190.00    |
| BF BOND FORFEITURE                | \$474.00    |
| OP OVER PAYMENT                   | \$227.43    |
| Total Fees/Fines Paid             | \$35,100.56 |

## Monthly Report – Definition Key

### **Violations by Filed Date:**

Violations keyed into the Court software during the month

### **Completed Cases:**

Cases where the fine and court costs were paid in full and the case was closed during the month.

### **Before Judge:**

Number of violations where a case set for trial before the judge; the defendant was found guilty or entered a guilty plea at trial and the defendant paid off all costs/fines in full thereby closing the case.

### **Other Completed -Dismissed (By Complainant):**

The City Attorney moved to dismiss cases because the person who filed the complaint no longer wishes to pursue the charges.

### **Defendant Deceased:**

Cases dismissed because the defendant died.

### **Dismissed Officer Fail to Pros:**

Cases dismissed because the officer failed to appear in Court.

### **Dismissed (presented insurance):**

Cases dismissed because the defendant presented valid proof of insurance for the offense date.

### **Dismissed (presented DL):**

Cases dismissed because the defendant presented a valid driver's license.

### **Dismissed Mistaken Identity:**

Cases dismissed cases on the City Attorney's motion due to mistaken identity.

### **Dismissed (Prosecutor's Order):**

Cases dismissed on the City Attorney's motion or as a result of a plea agreement.

### **Dismissed Presented Records:**

Cases dismissed because the defendant presented records to satisfy a code or Court requirement.

### **Dismissed After PT Diversion:**

Cases dismissed because the defendant entered into a Pre-Trial Diversion agreement with the City and satisfied the requirements of the Pre-Trial Diversion.

### **Dismissed Victim/Witness FTA:**

Cases dismissed because the witness or victim did not appear in Court for trial.

### **Dismissed without prejudice:**

Cases dismissed but the City having the option to re-file the case within one (1) year of the date of the offense.

### **Dismissed No Drug Results:**

Drug results were not received for trial.

### **Dismissed – Officer Not With City**

Officer/Witness is no long employed by the City.

### **Warrants**

The Court issues warrants for Failure to Appear in Court for court sessions. These warrants are printed and copied to the CPD Warrants Division.

### **Cleared:**

The Court clears warrants once the warrant is served by an officer or when a defendant self reports to the Court. The Court also clears warrants if a person is deceased, posts bond and or, in some cases, enters a plea.

### **Other Paid Cases:**

The Court received a partial payment for a case; however, the defendant still has a balance due.

### **Search Warrant Issued:**

A search warrant document was prepared and presented to the court by the City Attorney's office with regard to safety and public health concerns of a structure/property.

This report is not indicative of the case volume in Municipal Court. Rather, this information reflects payment status/coding for cases.



# City of Charleston West Virginia

**Miles C. Cary, City Clerk**

## City Treasurer's Report To City Council

Month Ended

June 2019

**Please Note:**

1. Here is the June 2019 Page 1  
"All Funds Collections & Withdrawals"  
that shows the total of each fund balance.
2. A full copy of the June 2019 Report has  
been emailed to you.
3. The Report is searchable.
4. If you would like a paper copy of the full  
report, or if you need assistance in any  
way, please contact my office  
at 304-348-8029.

Respectfully submitted,

**Victor Grigoraci, CPA – City Treasurer**

| <u>Fund / Description</u>                    | <u>Balance<br/>June 2018</u> | <u>Balance<br/>May 2019</u> | <u>Collections<br/>June 2019</u> | <u>Withdrawals<br/>June 2019</u> | <u>Balance<br/>June 30, 2019</u> |
|----------------------------------------------|------------------------------|-----------------------------|----------------------------------|----------------------------------|----------------------------------|
| 001 General Fund                             | 1,666,645.87                 | 7,070,244.87                | 5,783,115.50                     | 8,158,019.06                     | 4,695,341.31                     |
| 002 Coal Severance Tax                       | 28.41                        | 64.03                       | 0.00                             | 0.00                             | 64.03                            |
| 003 Municipal Stabilization                  | 4,194,035.24                 | 4,277,763.55                | 8,262.53                         | 0.00                             | 4,286,026.08                     |
| 009 Community Development                    | 3,402.57                     | 22,330.14                   | 81,005.30                        | 103,130.09                       | 205.35                           |
| 010 Supportive Housing                       | 0.00                         | 0.00                        | 7,311.39                         | 7,311.39                         | 0.00                             |
| 012 West Side Improvement                    | 0.00                         | 98.50                       | 29.75                            | 98.50                            | 29.75                            |
| 014 IT Infrastructure                        | 0.00                         | 0.00                        | 89,377.00                        | 0.00                             | 89,377.00                        |
| 016 Charleston Land Trust                    | 44,893.31                    | 46,232.07                   | 139.15                           | 840.00                           | 45,531.22                        |
| 017 Project West Invest                      | 31,065.42                    | 515.31                      | 1.00                             | 0.00                             | 516.31                           |
| 026 Uniform Pension Reserve Fund             | 12,652,176.41                | 17,068,060.25               | 84,487.56                        | 0.00                             | 17,152,547.81                    |
| 035 Municipal Beautification                 | 31,458.97                    | 32,086.99                   | 61.98                            | 0.00                             | 32,148.97                        |
| 036 Special Demolition                       | 15,085.80                    | 15,386.96                   | 2,704.04                         | 0.00                             | 18,091.00                        |
| 037 Sister Cities                            | 26,635.11                    | 27,166.86                   | 52.47                            | 0.00                             | 27,219.33                        |
| 038 Solid Waste                              | 136,940.74                   | 791,978.55                  | 338,609.48                       | 842,263.61                       | 288,324.42                       |
| 039 Waste Disposal                           | 0.00                         | 46,872.20                   | 91,369.00                        | 138,241.20                       | 0.00                             |
| 040 Landfill Closure                         | 3,186,916.48                 | 3,306,138.61                | 11,188.19                        | 0.00                             | 3,317,326.80                     |
| 041 Police Contributions                     | 7,950.03                     | 11,434.65                   | 22.00                            | 78.75                            | 11,377.90                        |
| 042 Police Evidence                          | 31,848.27                    | 1,260,586.07                | 2,433.68                         | 1,983.08                         | 1,261,036.67                     |
| 043 Forfeited Funds                          | 350,155.51                   | 252,541.62                  | 12,483.83                        | 1,656.44                         | 263,369.01                       |
| 044 Municipal Court                          | 178,461.00                   | 202,510.14                  | 37,121.56                        | 41,579.39                        | 198,052.31                       |
| 045 Homeland Security                        | 0.00                         | 12,625.29                   | 15,292.63                        | 14,839.92                        | 13,078.00                        |
| 047 Health Insurance Reserves                | 6,025,452.72                 | 6,145,742.84                | 11,870.54                        | 0.00                             | 6,157,613.38                     |
| 048 Wayfinding Commission                    | 72,757.29                    | 73,485.53                   | 141.94                           | 0.00                             | 73,627.47                        |
| 049 Live On The Levee                        | 59,520.68                    | 67,522.35                   | 7,881.33                         | 26,926.15                        | 48,477.53                        |
| 080 Human Rights                             | 176,793.29                   | 176,793.29                  | 0.00                             | 0.00                             | 176,793.29                       |
| 081 Home Program                             | 6,724.29                     | 13,431.15                   | 37,506.55                        | 37,253.24                        | 13,684.46                        |
| 085 Firefighters Assistance Grant            | 77.08                        | 77.08                       | 0.00                             | 0.00                             | 77.08                            |
| 088 SBA Riverfront Project Donation Account  | 9.18                         | 9.18                        | 0.00                             | 0.00                             | 9.18                             |
| 088 SBA Riverfront Project Grant Account     | 10,167.71                    | 10,167.71                   | 0.00                             | 0.00                             | 10,167.71                        |
| 091 Byrne Justice 10/11                      | 0.10                         | 0.00                        | 0.00                             | 0.00                             | 0.00                             |
| 095 Police Grants                            | 67,657.83                    | 204,051.03                  | 25,202.80                        | 36,518.95                        | 192,734.88                       |
| 096 Historic Preservation                    | 2,601.00                     | 2,601.00                    | 0.00                             | 0.00                             | 2,601.00                         |
| 099 Public Arts Grant                        | 148,160.00                   | 147,264.34                  | 0.00                             | 1,000.00                         | 146,264.34                       |
| 100 Sinking Fund                             | 3,988,870.49                 | 4,064,267.23                | 8,693.75                         | 0.00                             | 4,072,960.98                     |
| 200 Infrastructure                           | 148,151.20                   | 151,108.85                  | 291.87                           | 0.00                             | 151,400.72                       |
| 207 South Side Recreation                    | 9,931.07                     | 0.00                        | 0.00                             | 0.00                             | 0.00                             |
| 214 Civic Center Capital Improvement         | 337,868.35                   | 318,692.37                  | 48,614.58                        | 0.00                             | 367,306.95                       |
| 215 Municipal Auditorium Capital Improvement | 138,326.82                   | 153,459.14                  | 6,478.91                         | 0.00                             | 159,938.05                       |
| 218 Soccer Fields                            | 3,080.92                     | 0.00                        | 0.00                             | 0.00                             | 0.00                             |
| 220 General Maintenance                      | 1,014,634.55                 | 1,792,360.63                | 541,419.41                       | 125,039.40                       | 2,208,740.64                     |
| 221 City Service Fee Capital Project         | 4,602,704.79                 | 2,171,033.61                | 1,005,287.89                     | 0.00                             | 3,176,321.50                     |
| 222 Facilities Maintenance                   | 3,660,209.74                 | 2,308,834.98                | 2,512.26                         | 2,005,741.23                     | 305,606.01                       |
| 255 Ballpark Maintenance                     | 90,692.69                    | 62,949.49                   | 111.89                           | 7,705.26                         | 55,356.12                        |
| 402 Civic Center Revenue                     | 34,988.46                    | 267,301.60                  | 325,909.37                       | 525,855.87                       | 67,355.10                        |
| 406 Parking System Revenue                   | 3,912,986.24                 | 4,910,227.77                | 225,727.25                       | 884,973.67                       | 4,250,981.35                     |
| 426 Parking Operation and Maintenance        | 1,603,416.32                 | 1,091,449.37                | 715,840.11                       | 44,730.78                        | 1,762,558.70                     |
| 427 Civic Center TIF Project                 | 1,398,108.95                 | 38,177.59                   | 1,296.30                         | 6,396.79                         | 33,077.10                        |
| 900 M - DENT                                 | 522,932.37                   | 786,138.14                  | 13,279.93                        | 45,556.47                        | 753,861.60                       |
| 901 Pending Forfeiture                       | 2,157,165.11                 | 923,861.56                  | 6,273.29                         | 30,406.69                        | 899,728.16                       |
| Working Cash Advance Fund                    | 37,460.00                    | 32,925.00                   | 0.00                             | 0.00                             | 32,925.00                        |
| <b>Total All Funds</b>                       | <b>52,789,148.38</b>         | <b>60,358,569.49</b>        | <b>9,549,408.01</b>              | <b>13,088,145.93</b>             | <b>56,819,831.57</b>             |