

CHARLESTON CITY COUNCIL

Regular Meeting

March 4, 2019

at 7:00 PM



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

AGENDA

CALL TO ORDER BY THE MAYOR

INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC SPEAKERS AND CLAIMS

1. Claims

PROCLAMATIONS

COMMUNICATIONS

MISCELLENIOUS RESOLUTIONS

PUBLIC HEARINGS

1. For a proposed lease of property located at 601 Morris Street, to Generation West Virginia, Inc., for office space.

REPORTS OF STANDING COMMITTEES

PLANNING, STREETS AND TRAFFIC

1. Bill No. 7803 - A Bill to amend Ordinance No. 7785, which established a two-hour limit parking zone along the east side of Michigan Avenue from a point 30 feet from the intersection of Kanawha Boulevard, E. to the intersection of Quarrier Street such that the aforementioned two-hour limit parking zone is limited to apply only to the hours of 8:00 am until 5:00 pm Monday through Friday and amending the Traffic Control Map and Traffic Control File.

FINANCE

1. Resolution No. 170-19 - Authorizing the City Collector to refund \$98,691.47 to for the overpayment of B&O Taxes for the period of April 1, 2014 - September 30, 2018. During an audit of the Taxpayer's financial records, the City discovered that the business is not located within the city limits of Charleston. The taxpayer has been registered with the City and paying taxes to the City since 1993. (At the request of the City Manager and City Attorney, taxpayer identity information will be stricken from all records of Council and will not be made available to the public. The Clerk's Office will redact any pertinent information before making it available to the public.)
2. Resolution No. 171-19 - Authorizing the Mayor or City Manager to submit an application in the amount of \$40,603 for the National Integrated Ballistic Information Network (NIBIN) Contractor grant from the WV Division of Justice and Community Services to provide funds to hire a contracted person to facilitate the data entry of all gun ballistic evidence into the NIBIN database for the Charleston Police Department and surrounding agencies.
3. Resolution No. 172-19: Authorizing approval of Amendment No. 7 in the FY 2018- 2019 General Fund Budget as indicated on the attached list of accounts.
4. Resolution No. 173-19- Authorizing the Mayor or City Manager to submit an application to receive funds in the amount of \$20,000 for the CPD Neighborhood Assistance Office (NAO) equipment grant from the WV Division of Homeland Security and Emergency Management to provide funds to purchase equipment for the Neighborhood Assistance Officers and the CPD Dive Team. This grant does not require matching funds.
5. Resolution No. 169-19 - A Resolution authorizing the City Manager to enter into a lease for 958 square feet of space in 601 Morris Street with Generation West Virginia, Inc., for office space for a term of five (5) years, with a base rental of \$78,000 payable by monthly rent of \$1,300.

REPORTS OF OFFICERS

NEW BILLS

1. Bill No. 7802 - Amending the Zoning Ordinance of the City of Charleston, West Virginia, by adding the definition of Retail Sales Establishment, amending the Land Use Table, and creating the Corridor Village District zoning classification; and adding the Corridor Village District to the sign regulations.
2. Bill No. 7804 - Amending the Zoning Ordinance of the City of Charleston, West Virginia by rezoning from an R-6 district to an R-10 district, those certain six lots land situate at 1420 Lewis Street, 1426 Lewis Street, 601 Ruffner Avenue, 603 Ruffner Avenue and 605 Ruffner Avenue, Charleston, West Virginia.

3. Bill No. 7805 - A Bill to establish a No Parking Tow-Away zone on the west side of Zable Drive at Ledge Hill Drive to a point 50 feet south of Ledge Hill Drive and amending the Traffic Control Map and Traffic Control File.

UNFINISHED BUSINESS AND/OR MISCELLANEOUS BUSINESS

ROLL CALL

ADJOURNMENT

***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,

Sandra K Estep, Claimant,
who, after being first by me duly sworn, deposes and says:

That this affiant resides at: 130 Lowe St, Ches, WV 25387

Telephone Number: 304 610 3752

and that on the Feb 22 day of Feb, 2018/2019, at approximately 10:22 ampm
in the City of Charleston, West Virginia, he/she sustained

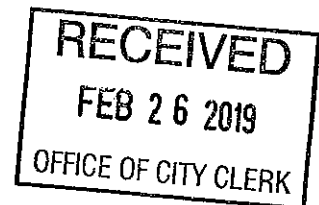
Nature Of Injury And/Or Damage

As A Result Of:

hit fence knocked pole & fence over when backing into Clyde Court

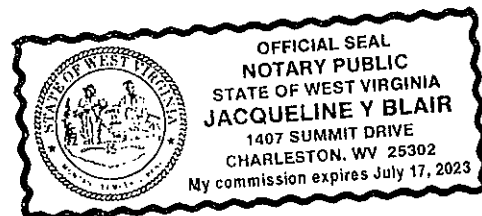
As a result of which accident the Claimant, Sandra K Estep, does hereby make claim against the City of Charleston, West Virginia, for damages incurred and to be incurred by him/her in the future.

Sandra K Estep
Signature of Claimant



Taken, subscribed and sworn to before me this 26 day of February, 2019.
My commission expires July 17, 2023.

Jacqueline Y Blair
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,
Crystal D. Stephens, Claimant,
who, after being first by me duly sworn, deposes and says:

That this affiant resides at: 4703 Venable Ave Charleston WV 25304

Telephone Number: 3043824264

and that on the 17 day of February, 2018/2019, at approximately 3 am/pm
in the City of Charleston, West Virginia, he/she sustained

Damages to property at 4703 Venable Ave, to 2005
GMC Yukon Denali, and to 2007 Chevy Silverado
Nature Of Injury And/Or Damage

As A Result Of:

Tree limbs and branches falling onto my fence and
my vehicles. Due to negligent care from the city.

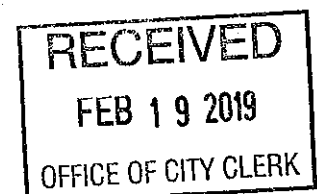
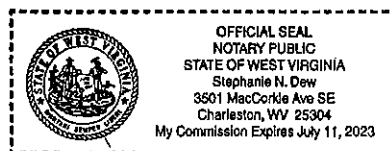
Damages are listed under additional comment on next page.

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

Crystal Stephens
Signature of Claimant

Taken, subscribed and sworn to before me this 18th day of February, 2019.
My commission expires July 11, 2023.

Stephanie N. Dew
Notary Public



COMMITTEE REPORT

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

FROM: Council Committee on Planning, Streets and Traffic

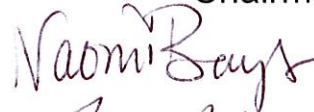
Your Committee on Planning, Streets and Traffic

Has had under consideration:

Bill No. 7803— A Bill to amend Ordinance No. 7785, which established a two-hour limit parking zone along the east side of Michigan Avenue from a point 30 feet from the intersection of Kanawha Boulevard, E. to the intersection of Quarrier Street and amending the Traffic Control Map and Traffic Control File, such that the aforementioned two-hour limit parking zone is limited to apply only to the hours of 8:00 am until 5:00 pm Monday through Friday.

and reports the same to Council with the recommendation that the Bill do pass.


Chairman













1 **Bill No. 7803**

2 Passed by Council:

3 Introduced in Council

4 **February 19, 2019**

5 Referred to:

6 Introduced by:

7 **Keeley Steele**

Planning, Streets and Traffic

8
9 **Bill No. 7803** - A Bill to amend Ordinance No. 7785, which established a two-hour limit
10 parking zone along the east side of Michigan Avenue from a point 30 feet from the
11 intersection of Kanawha Boulevard, E. to the intersection of Quarrier Street and
12 amending the Traffic Control Map and Traffic Control File, established by the code of
13 the City of Charleston, West Virginia, two thousand and three, as amended, Traffic
14 Laws, Section 263, Division 2, Article 4, Chapter 114, to conform therewith, such that
15 the aforementioned two-hour limit parking zone is limited to apply only to the hours of
16 8:00 am until 5:00 pm Monday through Friday.

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

18 Section 1. The Two-Hour limit parking zone along the east side of Michigan Avenue
19 from a point 30 feet from the intersection of Kanawha Boulevard, E. to the intersection
20 of Quarrier Street adopted through Ordinance No. 7785 is hereby amended such that it
21 applies only between the hours of 8:00 am and 5:00 pm, Monday through Friday.

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

26
27 Section 3. All prior Ordinances, inconsistent with this Ordinance are hereby
28 repealed to the extent of said inconsistency.

Resolution No. 171-19

Introduced in Council

Passed by Council

March 4, 2019

Introduced by
Joseph Jenkins

Referred from
Finance Committee

1 Resolution No. 171-19: Authorizing the Mayor or City Manager to submit an
2 application in the amount of \$40,603 for the National Integrated Ballistic Information
3 Network (NIBIN) Contractor grant from the WV Division of Justice and Community
4 Services to provide funds to hire a contracted person to facilitate the data entry of all
5 gun ballistic evidence into the NIBIN database for the Charleston Police Department and
6 surrounding agencies.

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 submit an application in the
11 amount of \$40,603 for the National Integrated Ballistic Information Network (NIBIN)
12 Contractor grant from the WV Division of Justice and Community Services to provide
13 funds to hire a contracted person to facilitate the data entry of all gun ballistic evidence
14 into the NIBIN database for the Charleston Police Department and surrounding
15 agencies.

Resolution No. 173-19

Introduced in Council

Passed by Council

March 4, 2019

Introduced by
Joseph Jenkins

Referred from
Finance Committee

- 1 Resolution No. 173-19: Authorizing the Mayor or City Manager to submit an
2 application to receive funds in the amount of \$20,000 for the CPD Neighborhood
3 Assistance Office (NAO) equipment grant from the WV Division of Homeland Security
4 and Emergency Management to provide funds to purchase equipment for the
5 Neighborhood Assistance Officers and the CPD Dive Team.
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 submit an application to receive
10 funds in the amount of \$20,000 for the CPD Neighborhood Assistance Office (NAO)
11 equipment grant from the WV Division of Homeland Security and Emergency
12 Management to provide funds to purchase equipment for the Neighborhood Assistance
13 Officers and the CPD Dive Team.
14

Resolution No. 169-19 :

Introduced in Council:

Adopted by Council:

Introduced by:

Referred to:

Joseph Jenkins

1 **Resolution No. 169-19 :** “A Resolution authorizing the City Manager to enter into a
2 lease for 958 square feet of space in 601 Morris Street with Generation West Virginia,
3 Inc., for office space for a term of five (5) years, with a base rental of \$78,000 payable
4 by monthly rent of \$1,300.”

5

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

8

9 That, the City Manager is hereby authorized to enter into a five-year lease with
10 Generation West Virginia, Inc., for 958 square feet of office space in 601 Morris Street
11 for a base rental of \$78,000, payable by a monthly rent of \$1,300, and pursuant to all
12 other negotiated terms of the lease agreement. Upon execution of the final lease
13 agreement, the City Manager shall file the agreement with the City Clerk.

1 **Bill No. 7805**

2 Passed by Council:

3 Introduced in Council

4 **March 4, 2019**

5 Referred to:

6 Introduced by:

Planning, Streets and Traffic

7 **Pat Jones**

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11 **Bill No. 7805** - A Bill to establish a No Parking Tow-Away zone on the west side of
12 Zable Drive at Ledge Hill Drive to a point 50 feet south of Ledge Hill Drive and
13 amending the Traffic Control Map and Traffic Control File, established by the code of
14 the City of Charleston, West Virginia, two thousand and three, as amended, Traffic
15 Laws, Section 263, Division 2, Article 4, Chapter 114, to conform therewith.

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

17 Section 1. No Parking Tow-Away zone on the west side of Zable Drive at Ledge Hill
18 Drive to a point 50 feet south of Ledge Hill Drive.

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

23
24 Section 3. All prior Ordinances, inconsistent with this Ordinance are hereby
25 repealed to the extent of said inconsistency.