



CITY OF CHARLESTON WEST VIRGINIA



Council Member – AT-LARGE

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Environment and Recycling Committee, Chair
Ordinance and Rules Committee

TO: Environment and Recycling Committee
FROM: John Kennedy Bailey, Chair
RE: Committee Meeting

A meeting of the Council Committee on Environment and Recycling will be held on Wednesday, February 3, 2021. The meeting will begin promptly at 5:30 PM.

UNTIL FURTHER NOTICE, MEETINGS WILL BE MADE AVAILABLE TO THE PUBLIC VIA ZOOM

***Join via internet:**

<https://us02web.zoom.us/j/84110259309?pwd=NzZPa0pUOGxhb0oydVZLbkd3WXhSUT09>

Passcode: 617366

***Join via Telephone: (312) 626-6799 or (929) 436-2866**

Webinar ID: 841 1025 9309

Agenda

APPROVAL OF PREVIOUS MINUTES

1. 1-6-2021

PRESENTATION OF RECYCLING STUDY RESULTS

BILLS

1. Bill No. 7894 – A BILL to amend the Code of the City of Charleston relating to establishing the Charleston Adopt-A-Street Program.

ADJOURN

JKB/jb

MINUTES

ENVIRONMENT & RECYCLING COMMITTEE MEETING JANUARY 6, 2021 – 5:30 PM- VIA REMOTE

Committee Members Present: John Kennedy Bailey, Chair – Bruce King, Vice Chair
Bobby Haas- Naomi Bays -Caitlin Cook -Ben Adams
Will Laird

Others Present: Jane Bostic-Brent Webster-Jared Lanham-Sam Strickland-Stephen Birurakis
JustinTallerico of Tallerico Energy -Craig Arnold w/ Waste Management

John Kennedy Bailey, Chairman called the meeting to order. He entertained a motion to dispense with the reading of and approval of previous meeting minutes. Naomi Bays made motion-Bobby Haas seconded. Minutes approved as written.

The Chairman began with the Green Team Appointment Update: He stated that members of the Green Team have not yet been named but are in the hands of the Mayor's Office. He anticipates the list could be available by the next council meeting. He added that if anyone on this committee had any other suggestions to forward them to the Mayor's Office or the City Attorney's office.

Next Agenda Item: Update on Recycling Study – The Chairman stated that the study is in final stages of completion. Jane Bostic informed that the City had received a Draft of the study and would be sharing it with this committee. She asked members to coordinate a date and time in which she would email the draft report and outline the results of the study.

Next Agenda Item – Landfill Gas Collection Plant - The Chairman deferred to Justin Tallerico, owner of Tallerico Energy for an overview. Justin began by stating that the plant was originally built to generate electricity. The power program that the EPA had in place at the time gave tax credits which were so devalued that power prices were not sustainable due to low power prices. In 2017 the built a plant that cleans up the gas and puts it into a pipeline and creates RNG, Renewable natural gas. He added that the plant is operating quite well and generating more gas now than at any other point in the history of the project. The Chairman opened the floor for Questions. Naomi Bays asked what if anything it costs the city to run the plant. Justin Tallerico responded that it costs the city nothing but that they pay the City a flat fee based on the volume of gas collected based on the index price for natural gas. Will Laird asked if there was a severance tax on the landfill gas. Justin Tallerico responded he does not believe so as its not considered as a natural resource. Craig Arnold with Waste Management added that the current relationship with Tallerico and city Landfill Engineer Sam Strickland is working quite well. He added that they are expanding the landfill which will allow for more refuse which is turn will produce more gas.

Next Agenda Item: Storm Water Management: The Chairman deferred to Stephen Birurakis, city storm water manager. He began by informing the committee the permit is federally mandated (NPDES) natural pollution discharge and elimination system and the city is (MS4) municipally separated storm sewer system working within the guidelines of EPA and DEP regulations. He provided a detailed description of the storm water management system. The Chairman opened the floor for questions. Naomi Bays asked about the percentage of line separation. Stephen Birurakis responded that they did not have the entire city mapped but they may have them archived and they revise as they go. Naomi Bays also asked about public education. Stephen Birurakis responded that since 2019 they do not have a dedicated education Position, which is the case with most cities. He added that with limited personnel they do as much as they can. Naomi Bays also asked how many years they were into the 5 year plan. Stephen Birurakis responded that they were still operating under the rules of the 2014-2019 Permit and was unsure what will change when the new permit is issued.

Bruce King asked if sewer pipe runoff goes directly into the river and if it is constant or overflow. Stephen Birurakis said that it was basically overflow but was a better question for the Sanitary Board. He added that there might be a constant flowing stream, but there should be nothing coming from the sewer pipes. The Chairman re-stated that most cities, including Charleston originally built pipes that collected sewage and rainwater that went straight to the river but that in the 1960's and 1970's got better and had sewage treatment plants the City essentially built a big pipe that collected everything and sent it to the plant. As a result, there was too much rainwater in the system causing some overflow problems. He added that one of the challenges now and something that over the years need to work towards is separating so there is no overflow during big storms. He added that this was a topic that this committee would like to revisit in the future.

There being no further comments, questions or concerns the Chairman entertained a motion to adjourn. Caitlin Cook made motion. Naomi Bays seconded. Meeting was adjourned.

The next E&R Meeting is scheduled for Wednesday, February 3, 2021 at 5:30 PM

Bill No. 7894

Introduced in Council:

January 19, 2021

Introduced by:

Joseph Jenkins; John Kennedy Bailey

Adopted by Council:

Referred to:

Environmental & Recycling

1 **Bill No. 7894** - A BILL to amend the Municipal Code of the City of Charleston, by adding
2 thereto new sections, designated Sections 102-331, 102-332, and 102-333 within a newly
3 created Article IX, Chapter 102 of said Code, relating to establishing the Charleston
4 Adopt-A-Street Program.

5
6 *WHEREAS*, the West Virginia Legislature recently adopted SB 225 during the 2020
7 Regular Session that empowers municipalities to enact Adopt-A-Street programs, W. Va.
8 Code § 8-12-20; and

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10 *WHEREAS*, the City of Charleston recognizes the success of the state Adopt-A-Highway
11 program in West Virginia where 25,000 volunteers regularly pick up litter on 4000 miles
12 of highway and have been responsible for the removal of 40 million pounds of litter since
13 the state program began; and

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15 *WHEREAS*, the City of Charleston recognizes the commitment of many of its citizens,
16 organizations and businesses to the improvement of the quality of the City's environment
17 through the elimination of litter; and

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19 *WHEREAS*, the City of Charleston and the state has received inquiries from the public
20 about adopting streets maintained by the City; and

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22 *WHEREAS*, the City of Charleston wants to formally recognize the community's
23 commitment, respond to the public's desire for such a program, and to further encourage
24 the public to participate in the shared commitment to a clean and litter free environment;
25 and

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27 *WHEREAS*, the City of Charleston finds it in the best interests of the public and the quality
28 of the City's environment to establish the Charleston Adopt-A-Street Program.

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

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32 That the Municipal Code of the City of Charleston, as amended, be amended by adding
33 thereto new sections, designated Sections 102-331, 102-332, and 102-333, within a
34 newly created Article IX, Chapter 102 of said Code, all to read as follows:

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36 **ARTICLE IX. – CHARLESTON ADOPT-A-STREET PROGRAM.**

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38 **Sec. 102-331 – General.**

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40 (a) There is hereby created the Charleston Adopt-A-Street Program. The program
41 will be administered by the Director of Public Works, in consultation with the
42 City of Charleston Traffic Engineer. The director is encouraged to coordinate
43 with the state Adopt-A-Highway program and its administrators, the West
44 Virginia Department of Environmental Protection and West Virginia Division of
45 Highways, and other state or federal agencies, to seek any and all available
46 assistance and grant funding for the program.

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48 **Sec. 102-332 – Eligible Streets.**

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50 (a) Any street maintained by the City of Charleston is eligible for adoption,
51 including, without limitation, alleys, dirt roads and streets off the beaten path as
52 well as major streets; *provided, however*, the following are not eligible for
53 adoption:

54 (1) Interstates, interstate exchanges and interstate on/entrance ramps and
55 off/exit ramps; and

56 (2) Streets deemed unsafe.

57 (b) Adopted streets must be at least six blocks long or a relatively equivalent length
58 if the street does not have traditional or identifiable blocks. The overall length
59 of an adopted street should take into account the reasonable beginning and
60 end of the eligible street and the reasonableness of dividing an eligible street
61 into adoptable sections to maximize adoption and minimize the orphaning of
62 sections, parts or blocks of a street.

63 (c) Adopters may select a street for adoption or request the director to suggest an
64 adoptable street. The director, in consultation with the traffic engineer, shall
65 approve the streets to be adopted, taking into consideration the requirements
66 herein and the safety of the volunteers and the traveling public.

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68 **Sec. 102-333 – Program Participation.**

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70 (a) Individuals, families, churches, businesses, schools, civic organizations,
71 government agencies, scouting groups, fraternities, sororities, and
72 communities may participate in the Charleston Adopt-A-Street Program.

73 (b) The director shall implement an application process for the program. An
74 adopter is expected to commit to three cleanups per year for at least two years.
75 Those that complete the six required cleanups in the two-year contract period
76 are awarded a certificate of accomplishment signed by the mayor. An adopter
77 may continue with their adoption of the street as long as they perform three
78 cleanups per year. If an adopter fails to perform at least five cleanups in a two-
79 year period, the adopted street shall be eligible for adoption by another adopter.

80 (c) Each cleanup shall be at least 30 days apart. The director shall set forth
81 requirements for scheduling cleanups and for the submission of cleanup

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reports.

- (d) The City shall provide volunteers garbage bags, gloves, safety vests, safety training similar to or the same as that required by the state, and traffic warning signs; and such other items that may be provided at the discretion of the director.
- (e) The safety of the volunteers participating in an adoption is of the utmost importance. Therefore:
 - (1) Volunteers shall be at least 12 years old;
 - (2) Volunteers shall wear safety vests provided by the City during the cleanup at all times;
 - (3) Adopters shall post traffic warning signs provided by the City during the cleanup; and
 - (4) Adopters and their volunteers shall adhere to any other requirements of the director.
- (f) As volunteers pick up litter, bags that have been filled shall be placed on street sides for removal and disposal by the City. Recycling of items found during a cleanup is encouraged.
- (g) Adopters must clean adopted streets with their own volunteers and may not subcontract the work.
- (h) The director, in consultation with the traffic engineer, shall erect a sign at each end of the adopted street bearing the Adopt-A-Street logo and the name of the adopter after two cleanups have been reported.

Secs. 102-334—102-340 - Reserved.