

CHARLESTON CITY COUNCIL

Regular Meeting
November 19, 2018
at 7:00 PM



Council Chamber, 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

CLAIMS

1. Claims for November 19, 2018

COMMUNICATIONS

REPORTS OF STANDING COMMITTEES

PARKING

1. Resolution No. 143-18- Authorizing "Citizen Appreciation Parking" on designated Saturdays at all metered on-street parking spaces (refer to Finance).

FINANCE

1. Resolution No. 141-18 - Receive and administer \$40,000 from WV Division of Homeland Security and Emergency Management for Charleston Fire Regional Response Team equipment.

2. Resolution No. 142-18 - Receive and administer \$15,000 from the WV State Police Commission on Drunk Driving Prevention to fund overtime DUI patrols and checkpoints.
3. Resolution No. 143-18- Authorizing "Citizen Appreciation Parking" on designated Saturdays at all metered on-street parking spaces.
4. Bill No. 7799 - A Bill to Change the name of the Charleston Civic Center to the Charleston Coliseum and Convention Center
5. Lease of a Mail Inserter Machine for Information Systems Mailroom. Monthly lease amount: \$792.46 for a total 5 year lease amount of \$47,547.60. Service contract is included in that figure.
6. Approval of pricing related to items of Work Clothes for TPT, Construction/Building Maintenance, Parks & Recreation and Spring Hill Cemetery. Pricing is also to be made available to any City employee from any department.

REPORTS OF OFFICERS

1. Municipal Court Report to City Council Month Ending October 2018.

NEW BILLS

1. New Bills for 11-19-2018

UNFINISHED BUSINESS AND/OR MISCELLANEOUS BUSINESS

ROLL CALL

ADJOURNMENT

**THE NEXT REGULAR MEETING OF COUNCIL WILL BE
DECEMBER 3, 2018 at 7:00 p.m.**



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, Mona Frederoski, Claimant, who, after being first by me duly sworn, deposes and says:

That this affiant resides at: 2018 Mt. Vernon Rd, Hurricane, WV 25526

Telephone Number: 304-542-3553 (cell) 304-558-8989 (work)

and that on the 29 day of October, 2017/2018, at approximately 4:15 am/pm in the City of Charleston, West Virginia, he/she sustained

Damage to Vehicle

Nature Of Injury And/Or Damage

As A Result Of:

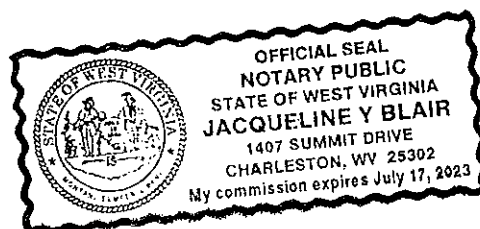
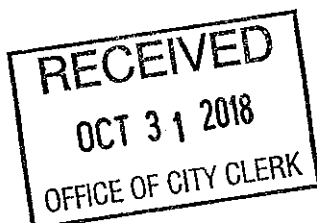
Due to construction in garage - concrete was
splashed on my car (see photos)

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

Mona M. Frederoski
Signature of Claimant

Taken, subscribed and sworn to before me this 31st day of October, 2018.
My commission expires July 17, 2023.

Jacqueline Y Blair
Notary Public



Resolution No. 143-18

Passed by Council

Introduced
in Council: November 19, 2018

Introduced
by: Bobby Reishman

Referred to
Finance and Parking
Committee

- 1 Resolution No. 143-18 – Authorizing “Citizen Appreciation Parking” for November 24th,
2 December 1st, December 8th, December 15th, December 22nd, and December 29th, 2018.
3 “Citizen Appreciation Parking” shall include the waiving of hourly parking fees at all metered
4 on-street parking spaces. The parking revenue losses will amount to approximately \$1,600 per
5 Saturday.
6
7 Be it Resolved by the Council of the City of Charleston, West Virginia:
8
9 That “Citizen Appreciation Parking” for November 24th, December 1st, December 8th, December
10 15th, and December 22nd 2018. “Citizen Appreciation Parking” shall include the waiving of
11 hourly parking all metered on-street parking spaces. The parking revenue losses will amount to
12 approximately \$1,600 per Saturday.

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in Council: November 19, 2018

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4 on-street parking spaces. The parking revenue losses will amount to approximately \$1,600 per
5 Saturday.
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7 Be it Resolved by the Council of the City of Charleston, West Virginia:
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9 That “Citizen Appreciation Parking” for November 24th, December 1st, December 8th, December
10 15th, and December 22nd 2018. “Citizen Appreciation Parking” shall include the waiving of
11 hourly parking all metered on-street parking spaces. The parking revenue losses will amount to
12 approximately \$1,600 per Saturday.

Bill No.
7799

Introduced in Council
November 5, 2018

Passed by Council:

Introduced by:
**Jack Harrison, Mary Jean
Davis, Mike Clowser and
Andy Richardson**

Referred to:

Finance

BILL NO. 7799 : A BILL amending and re-enacting Chapter 2, Article VIII, Division 3, Sections 2-551 through 2-556; Chapter 78, Article III, Division 2, Section 78-165, and Article IV, Division 1, Section 78-212; Chapter 82, Article 1, Section 82-4; Chapter 110, Article IV, Division 1, Section 110-223; and Chapter 111, Section 111-14, of the Code of the City of Charleston to Change the name of the Charleston Civic Center to the Charleston Coliseum and Convention Center, and make other changes made necessary by the renovations to the new Charleston Coliseum and Convention Center.

WHEREAS, in 2015, in order to continue developing Charleston into a competitive convention destination and to increase the City's ability to attract, service, and support new convention and tourist business, the City began a major and essential improvement project to the Charleston Civic Center to expand its capacity and modernize its infrastructure; and

WHEREAS, the expansion and improvements are substantially complete and the facility is being aggressively marketed as a convention destination; and

WHEREAS, the Charleston City Council, the City Administration, and the facility's administration have determined that the name of the facility should reflect the transformation of the facility into a premier convention destination, and should be rebranded and renamed the Charleston Coliseum and Convention Center;

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

That, effective _____, 2018, Chapter 2, Article VIII, Division 3, Sections 2-551 through 2-556; Chapter 78, Article III, Division 2, Section 78-165, and Article IV, Division 1, Section 78-212; Chapter 82, Article 1, Section 82-4; Chapter 110, Article IV, Division 1, Section 110-223; and Chapter 111, Section 111-14, of the Code of the City of Charleston are hereby amended and re-enacted, all to read as follows:

DIVISION 3. - ~~CIVIC CENTER~~CHARLESTON COLISEUM AND CONVENTION CENTER—/MUNICIPAL AUDITORIUM BOARD

Sec. 2-551. - Creation; term; vacancies; compensation.

(a) There is created a board to be known as "The ~~Civic Center~~Charleston Coliseum and Convention Center—Municipal Auditorium Board ~~of Charleston~~." The board shall consist of 15 appointed members, two of whom shall be members of the city council, one of whom shall be a representative from the Racing Corporation of West Virginia dba Tri-State Racetrack & Gaming Center, one of whom shall be the President/CEO of the Charleston West Virginia Convention & Visitors Bureau, who shall be appointed by the mayor and confirmed by the council. The city manager shall also be a member of the board, ex officio.

(b) The councilmembers of the board shall serve for terms coextensive with their terms as members of the council; and the other appointed members shall serve for a term of four years each and until their respective successors are appointed and qualified, as follows: On or before June 22 of each year, three members shall be appointed; except that on or before June 22 in the year 1977 and every four years thereafter, only two members shall be appointed. Each member so appointed shall take office on June 22 of the year of his appointment.

(c) Vacancies other than by reason of expiration of term of office shall be filled for the unexpired term only.

(d) Members of the board shall serve without compensation.

(Code 1975, § 2-156; Bill No. 7308, 12-17-2007; Bill. No. 7573, 5-5-2013)

Sec. 2-552. - Officers; rules for transaction of business; meetings; records.

The ~~civic center~~Charleston Coliseum and Convention Center ~~auditorium board~~/Municipal Auditorium Board shall elect from its membership a chairman, secretary and such other officers as it determines to be necessary for the performance of its duties. The board shall adopt such rules as may be necessary for the transaction of its business; hold regular meetings, which shall be open to the public; and keep a record of its official proceedings, an official copy of which shall be filed in the city clerk's office.

(Code 1975, § 2-157)

Sec. 2-553. - Powers and duties.

The ~~civic center~~Charleston Coliseum and Convention Center ~~auditorium board~~Municipal Auditorium Board shall have power, authority and duty to supervise, administer, operate and maintain the municipal civic, cultural and educational center of the city, located on Reynolds

~~StreetCivic Center Drive~~, commonly called the "~~Civic-Center~~Charleston Coliseum and Convention Center," and the ~~municipal-auditorium~~Municipal Auditorium, located on Virginia and Truslow streets, commonly called the "Auditorium"; to prepare, make, adopt, prescribe and promulgate instructions, procedures, rules and regulations appropriate for the management of the ~~civic-center~~Charleston Coliseum and Convention Center and the ~~a~~AAuditorium; to provide for the safeguarding of and accountability for all funds derived from and in connection with the operation of the ~~civic-center~~Charleston Coliseum and Convention Center and ~~a~~AAuditorium; and to determine, prescribe and collect all charges, fees and revenue of any kind due to the city for the use of the ~~civic-center~~Charleston Coliseum and Convention Center and ~~a~~AAuditorium. However, any schedule of fees, rates or charges shall be first approved by the city council before being put into effect. The board shall not allow the property under its control to be used for or in connection with any program or purpose that is prohibited by law or resolution of council. The board shall have the authority to employ a manager and such other employees as are necessary properly to operate the ~~civic-center~~Charleston Coliseum and Convention Center and ~~a~~AAuditorium and, subject to approval of the council, to fix the compensation of such employees.

(Code 1975, § 2-158)

Sec. 2-554. - Finances.

All revenue derived from the use and operation of the ~~civic-center~~Charleston Coliseum and Convention Center and the ~~a~~AAuditorium shall be paid into the city treasury, general fund; and all connected expenditures shall be requisitioned and accounted for in the same manner as other general fund expenditures.

(Code 1975, § 2-159)

Sec. 2-555. - Quarterly reports to city council.

The ~~civic-center~~Charleston Coliseum and Convention Center~~-auditorium-board~~/Municipal Auditorium Board shall make a written report to the city council of its operating expenses and finances, quarterly.

(Code 1975, § 2-160)

Sec. 2-556. - Schedule of rates, rentals and other charges for use of services and facilities.

(a) A true copy of the schedule of fees, rates and charges for the use of the ~~civic-center~~Charleston Coliseum and Convention Center and the ~~a~~AAuditorium, as approved by the city council pursuant to the provisions of section 2-553, shall be maintained on file in the office of the ~~civic-center~~Charleston Coliseum and Convention Center~~-auditorium-board~~/Municipal Auditorium Board or the manager of the ~~civic-center~~Charleston Coliseum and Convention Center and ~~a~~AAuditorium.

(b) All fees, rates and charges for the use of the ~~civic center~~Charleston Coliseum and Convention Center and the ~~a~~Auditorium established or approved by the city council and in effect immediately prior to the effective date of this Code are continued in full force and effect until such time as new fees, rates and charges are determined, prescribed and approved pursuant to the provisions of section 2-553, as set forth in Chapter 82, Article 1, Section 82-4, Schedule of Rates and Rentals.

~~{c) This section relates, inter alia, to charges for:~~

~~{1) The grand arena;~~

~~{2) The West Virginia room;~~

~~{3) The north gallery;~~

~~{4) The south gallery;~~

~~{5) The civic theater;~~

~~{6) The ice skating rink;~~

~~{7) The parking lot; and~~

~~{8) All other services and equipment.~~

~~{Code 1975, § 2-161}~~

Secs. 2-557—2-580. - Reserved.

Sec. 78-165. - Carrying weapons upon municipal public property.

It shall be unlawful for any person to carry on or about his person any revolver or pistol, dirk, bowie knife, slingshot, razor, billy club, metallic or other false knuckles, or other dangerous or deadly weapon of like kind or character in or upon city hall, ~~m~~Municipal ~~a~~Auditorium, the ~~civic center~~Charleston Coliseum and Convention Center, and all parks and recreation buildings and facilities, including recreation centers, playgrounds, swimming pools, dressing areas, tennis courts, parks and recreation areas and all parking facilities, owned or occupied by the City of Charleston; however, the provisions of this section shall not apply to city, county, state and federal law enforcement officers and to exhibitors and performers at city-sanctioned events who obtain advance written authorization from the chief of police.

(Ord. No. 4941, 4-19-1993; Bill No. 7103, 12-6-2004; ord. No. 7471, 6-6-2011)

Sec. 78-212. - Noise control.

(a) Declaration of policy . This section is enacted to prevent excessive sound that may jeopardize the health, welfare, or safety of the citizens of Charleston or degrade the quality of life. It is not the intent of this section to interfere unduly with the freedoms of speech or religion.

(b) Definitions . The following words and terms, when used in this section, shall have the following meanings, unless the context clearly indicates otherwise:

City means the jurisdictional limits of the City of Charleston, West Virginia.

Dwelling means a residence or abode, including, but not limited to, a house, mobile-home, condominium, apartment or other structure used as a home.

Dynamic braking system means a device used primarily on trucks for the conversion of the engine from an internal combustion engine to an air compressor for the purpose of braking without the use of wheel brakes, which devices are commonly referred to as "Jacob's brakes" or "jake brakes."

Fireworks as used in this section shall have the same meaning as defined in W. Va. Code Section 29-3E-2, but shall not include sparkling devices, novelties, toy caps, or model rockets.

Motorboat means every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on water, propelled by an electric, steam, gas, diesel or other fuel propelled or driven by motor, whether or not the motor is the principal source of propulsion, but does not include a boat which has a valid marine document issued by the Bureau of the United States government or any federal agency successor thereto.

Motorcycle means every motor vehicle having a seat or a saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, excluding a tractor.

Motor vehicle means any self-propelled vehicle including passenger cars, trucks, truck-trailers, semi-trailers, recreational vehicles, campers and racing vehicles.

Muffler means a properly functioning sound dissipative device or system for abating the sound of escaping gasses on equipment where such a device is part of the normal configuration of the equipment.

Noise means any sound of such character, level or duration: 1) which may be injurious to human health or welfare; or 2) which unreasonably interferes with the enjoyment of life or property throughout the city or in any portion thereof; or 3) which disturbs the good order or quiet of the community; or 4) which annoys or disturbs a reasonable person of normal sensitivity.

(c) Noise prohibited ; generally. Subject to the exceptions contained herein, no person shall make, continue or cause to be made any noise as defined herein.

(d) Noise prohibited ; motor vehicles, motorcycles, motorboats.

(1) All motor vehicles, motorcycles, and motorboats shall be operated as quietly as possible at all times within the city. No person shall operate any motor vehicle, motorcycle or motorboat in such a manner so as to cause unnecessary noise within the city.

(2) No person operating or occupying a motor vehicle on a street or highway shall amplify from within the motor vehicle the sound produced by a radio, tape player, or other mechanical soundmaking device or instrument used for entertainment, so that the sound is plainly audible at a distance of 25 feet or more from the motor vehicle.

(3) No person shall remove or render inoperative, or cause to be removed or rendered inoperative, other than for purposes of maintenance, repair, or replacement, any muffler or sound dissipative device on a motor vehicle, motorcycle or motorboat operated within the city.

(4) No person shall operate, or permit the operation within the city of any motor vehicle, motorcycle, or motorboat without factory installed mufflers or their equivalent; provided that if no factory installed or equivalent muffler was present at the time of manufacture of the motor vehicle, motorcycle, or motorboat, then sound emanating from the motor vehicle, motorcycle, or motorboat shall be effectively muffled in a reasonable manner by equipment so constructed and used to muffle sound.

(5) No person shall use a muffler cutout, bypass, or similar device upon a motor vehicle or motorcycle operated within the city.

(6) No person in actual physical control of a motor vehicle within the city shall use a dynamic braking system unless said use is necessary to prevent or avoid an accident that may cause property damage, injury, or loss of life. This provision shall not apply to fire trucks or other emergency vehicles equipped with a dynamic braking system.

(e) Noise prohibited-; dwelling.

(1) No person occupying a dwelling within the city shall amplify from within the dwelling the sound produced by a radio, tape player, television or other mechanical soundmaking device or instrument used for the purposes of entertainment, so that the sound is plainly audible at a distance of 25 feet or more from the dwelling.

(f) Exemptions .

(1) The following are exempt from the provisions of this section:

- a. Noise resulting from emergency or necessary maintenance work as performed by the City of Charleston, State of West Virginia or its political subdivisions, or public utility companies, including, but not limited to, any work of any kind on roads, streets, bridges, alleys, rights-of-way or government owned property;
- b. Noise resulting from any emergency vehicle, when responding to an emergency call or acting in time of emergency, or during training exercises and maintenance;
- c. Noise from emergency signaling devices except as provided in subsection 78-212(f)(1)d., herein;
- d. Noise from a burglar or fire alarm installed on any building, motor vehicle or other property so long as the alarm terminates its operation within five minutes of its activation; provided that it shall be deemed reasonable for an activated alarm to continue to operate if a crime or fire is in progress at or near the property and/or until law enforcement or other emergency personnel have responded to a legitimate call for assistance related in any way to the property at which the activated alarm is located;
- e. Noise from domestic power tools, landscaping and yard maintenance equipment, and agricultural equipment when operated between the hours of 7:00 a.m. and 9:00 p.m. on weekdays and between the hours of 8:00 a.m. and 9:00 p.m. on weekends and legal holidays;
- f. Noise from commercial or industrial power tools, landscaping and yard maintenance equipment, and agricultural equipment on a residential property or within 250 feet of a residential property line when operated on commercial or industrial property, between the hours of 7:00 a.m. and 9:00 p.m. on weekdays and between the hours of 8:00 a.m. and 9:00 p.m. on weekends and legal holidays;
- g. Noise from church bells and chimes when used as part of a religious observance or service or for national celebrations or public holidays, and those bells and chimes that are presently installed and in use, provided said use is reasonable and for a church related purpose;
- h. Noise generated during the normal course of business by any properly licensed commercial or industrial enterprise operating lawfully within an area properly zoned for said enterprise, unless or until said lawful business use is deemed abandoned as a matter of law or fact;
- i. Noise from construction, drilling, earthmoving, excavating, or demolition activity provided all motorized equipment used in such activity is equipped with functioning mufflers;
- j. Noise from snow blowers, snow throwers, and snow plows when operated with a muffler for the purpose of snow removal;
- k. Noise generated in situations within the jurisdiction of the Federal Occupational Safety and Health Administration;

l. Noise generated from city sponsored or approved celebrations or events, including, but not limited to, parades, outdoor concerts, and athletic events;

m. Noise generated from secondary school and higher education sponsored or approved celebrations or events, including, but not limited to, outdoor concerts or band festivals and outdoor athletic events and practices;

n. Noise produced by a governmental body or employee in the performance of a governmental function;

o. Noise generated from athletic events or practices;

p. Noise generated from airplanes at Yeager Airport;

q. Noise generated from railroads within the city;

r. Noise generated from events at the ~~civic center~~Charleston Coliseum and Convention Center or ~~municipal auditorium~~Municipal Auditorium;

s. Noise generated from the ignition, discharge, detonation, or other use of fireworks when such use is sponsored or approved by the city;

t. Noise generated from events promoted by the Charleston Convention and Visitors Bureau; and

u. Noise generated by the ignition, discharge, detonation, or other use of fireworks between 11:00 a.m. and 11:00 p.m. on Memorial Day, Independence Day and Labor Day, or between 11:00 a.m. on December 31 and 1:00 a.m. on January 1, or at such other day or time as may be approved by the chief of police to the extent permitted by this Code.

(2) For purposes of the exemptions contained in subsection 78-212(f)(1)l. and m., all celebrations and events held at Appalachian Power Park and University of Charleston Stadium at Laidley Field are presumed to be city sponsored or approved or secondary school and higher education approved. FestivAll, Live on the Levee, Doo-Wop and Rod Run, Symphony Sunday, The Wine and Jazz Festival, and Multifest, are also presumed to be "city sponsored or approved" and are specifically exempt from the foregoing prohibitions. The list of presumed city sponsored or approved and secondary school and higher education approved celebrations and events listed under this subsection is not intended to be exclusive.

(g) Enforcement . Any person found guilty of violating section 78-212, as defined herein shall be punished by a fine as follows: \$100.00 for the first offense within a 24 month period; \$200.00 for a second offense within a 24-month period; \$300.00 dollars for a third offense within a 24-month period; \$400.00 dollars for a fourth offense within a 24-month period and \$500.00

dollars for the fifth and each subsequent offense within a 24-month period. If the violation is of a continuing nature, each day during which it occurs shall constitute an additional, separate, and distinct offense.

(h) Severability .

(1) If any provision or portion of a provision of this section is held to be unconstitutional, preempted by federal or state law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the section shall not be invalidated.

(2) All ordinances or parts of ordinances which are materially inconsistent with any provisions of this section are hereby repealed as to the extent of any such material inconsistency.

(Code 1975, § 18-47; Bill. No. 7375, 8-17-2009; Bill No. 7514, 4-2-2012; Bill No. 7713, 10-3-2016)

State Law reference— Disorderly conduct, W. Va. Code § 61-6-1b.

Sec. 82-4. - Schedule of rates and rentals.

(a) The following schedule of rates and rentals shall apply for the use of the services and facilities of the Municipal Auditorium and the ~~Civic Center~~Charleston Coliseum and Convention Center, owned and operated by the city, including any additions, extensions or improvements:

(1) Municipal Auditorium (3,483 permanent seats):

a. Regular rate, per day or evening:

~~For events occurring prior to July 1, 2017 or 10 percent of gross admissions, after taxes, whichever is greater \$1,250.00~~

~~For events occurring on or after July 1, 2017 or 10 percent of gross admissions, after taxes, whichever is greater \$1,500.00~~ or 10 percent of gross admissions, after taxes, whichever is greater

b. Regular rehearsal:

~~For events occurring prior to July 1, 2017 \$650.00~~

~~For rehearsals occurring on or after July 1, 2017 \$800.00~~

c. Cultural rate:

~~For events occurring prior to July 1, 2017 \$1,000.00~~

~~For events occurring on or after July 1, 2017 \$1,200.00~~

d. Cultural rehearsal:

~~For events occurring prior to July 1, 2017 \$550.00~~

~~For rehearsals occurring on or after July 1, 2017 \$700.00~~

e. Preceding rates for the Municipal Auditorium include only space, air conditioning and janitorial services.

f. Qualified technicians, approved by the center, are required for handling all lighting, sound and stage at the lessees cost.

g. In addition to the rates set forth in this subsection (1), a capital improvement fee will be imposed upon the event ticket price as follows:

\$0.00—\$9.99 \$0.00

\$10.00—\$19.99 \$1.00

\$20.00—\$39.99 \$1.50

\$40.00 and up \$2.00

A fee of \$50.00 will be imposed for all full day rentals not qualifying under ticket fees.

h. All receipts from this capital improvement fee shall be dedicated to a special fund to be used solely for capital improvements at the Municipal Auditorium. Such special fund to be established and maintained by the city.

(2) Coliseum (seats up to 13,500 concerts, 12,500 basketball):

a. Regular rental rate (all usage except those qualifying under b., or c., per day or evening:

~~For events occurring prior to July 1, 2018 or 12 percent of gross admissions, after taxes, whichever is greater \$4,500.00~~

~~For events occurring on or after July 1, 2018 or 12 percent of gross admissions, after taxes, whichever is greater \$5,000.00~~ or 12 percent of gross admissions, after taxes, whichever is greater

b. Local charitable and cultural events as approved by the ~~civic center~~Charleston Coliseum and Convention Center-/Municipal aAuditorium ~~b~~Board, per day or evening:

~~For events occurring prior to July 1, 2018 \$2,500.00~~

~~for events occurring on or after July 1, 2018 \$3000.00~~

c. Exhibit shows (using floor space):

~~For shows occurring prior to July 1, 2018 \$3,500.00~~

~~For shows occurring on or after July 1, 2018 \$3,950.00~~

d. The preceding rates for Coliseum are for space rentals and include heat, air conditioning, lights and janitorial services.

e. In addition to the rates set forth in this subsection (2), a capital improvement fee will be imposed upon the event ticket price as follows:

\$0.00—\$9.99 \$0.00

\$10.00—\$19.99 \$1.00

\$20.00—\$39.99 \$1.50

\$40.00 and up \$2.00

For rentals not qualifying under ticket fees \$50.00

f. All receipts from this capital improvement fee shall be dedicated to a special fund to be used solely for capital improvements at the Charleston Coliseum and Convention Center~~Charleston Civic Center~~. Such special fund to be established and maintained by the city.

(3)

a. Meeting rooms ~~e~~Coliseum:

Parlor A (1,469 sq. ft.):

~~For events occurring prior to July 1, 2018 \$275.00~~

~~For events occurring on or after July 1, 2018 \$325.00~~

Parlor B (1,320 sq. ft.):

~~For events occurring prior to July 1, 2018 \$275.00~~

~~For events occurring on or after July 1, 2018 \$325.00~~

Parlor C (1,320 sq. ft.):

~~For events occurring prior to July 1, 2018 \$275.00~~

~~For events occurring on or after July 1, 2018 \$325.00~~

Parlor D (2,700 sq. ft.):

~~For events occurring prior to July 1, 2018 \$300.00~~

~~For events occurring on or after July 1, 2018 \$375.00~~

Parlors A—D Combined \$1,250.00

b. Preceding rates for meeting rooms include heat, air conditioning, lights and janitorial services.

c. In addition to the rates set forth in this subsection (3), a capital improvement fee of \$5.00 will be imposed upon the rental rate. All receipts from this capital improvement fee shall be dedicated to a special fund to be used solely for capital improvements at the ~~Charleston Civic Center~~Charleston Coliseum and Convention Center. Such special fund to be established and maintained by the city.

(4) Exhibition Hall:

a. Grand Hall (50,086 sq. ft.), daily rate):

~~For events occurring prior to July 1, 2018 or 12 percent of gross ticket sales after taxes whichever is greater \$3,600.00~~

~~For events occurring on or after July 1, 2018 or 12 percent of gross ticket sales after taxes whichever is greater \$4,000.00~~ or 12 percent of gross ticket sales after taxes whichever is greater

b. North or South Hall (19,285 sq ft.):

~~For events occurring prior to July 1, 2018 or 12 percent of gross ticket sales after taxes whichever is greater \$1,375.00~~

~~For events occurring on or after July 1, 2018 or 12 percent of gross ticket sales after taxes whichever is greater \$1,600.00~~ or 12 percent of gross ticket sales after taxes whichever is greater

c. West Hall I or II (5,767 sq. ft.):

~~For events occurring prior to July 1, 2018 or 12 percent of gross ticket sales after taxes whichever is greater \$450.00~~

~~For events occurring on or after July 1, 2018 or 12 percent of gross ticket sales after taxes whichever is greater \$475.00~~ or 12 percent of gross ticket sales after taxes whichever is greater

d. Conference rooms:

Room 202 (971 sq. ft.):

~~For events occurring prior to July 1, 2018 \$300.00~~

~~For events occurring on or after July 1, 2018 \$325.00~~

Room 203 (971 sq. ft.):

~~For events occurring prior to July 1, 2018 \$300.00~~

~~For events occurring on or after July 1, 2018 \$325.00~~

Room 204 (971 sq. ft.):

~~For events occurring prior to July 1, 2018 \$300.00~~

~~For events occurring on or after July 1, 2018 \$325.00~~

Room 205 (971 sq. ft.): ~~For events occurring prior to July 1, 2018 \$300.00~~

~~For events occurring on or after July 1, 2018 \$325.00~~

Rooms 202—205 combined (3,884 sq. ft.):

~~For events occurring prior to July 1, 2018 \$1,000.00~~

~~For events occurring on or after July 1, 2018 \$1,100.00~~

Room 206 \$225.00

Room 210 (1,190 sq. ft.) \$400.00

Room 211 (860 sq. ft.) \$300.00

Room 212 (1,130 sq. ft.) \$400.00

Room 213 (1,115 sq. ft.) \$400.00

Room 214 (1,140 sq. ft.) \$400.00

Room 215 (1,390 sq. ft.) \$400.00

Room 216 (1,310 sq. ft.) \$400.00

Room 217 (1,225 sq. ft.) \$475.00

Rooms 212—214 combined (3,385 sq. ft.) \$1,000.00

Rooms 215—217 combined (3,925 sq. ft.) \$1,100.00

e. Ballroom:

1. Friday and Saturday rates:

Ballroom (25,000 sq. ft.) \$15,000.00

Ballroom A (3,666 sq. ft.) \$2,500.00

Ballroom B (3,666 sq. ft.) \$2,500.00

Ballroom C (7,333 sq. ft.) \$5,000.00

Ballroom D (3,666 sq. ft.) \$2,500.00

Ballroom E (3,666 sq. ft.) \$2,500.00

Ballroom A and B Combined (7,332 sq. ft.) \$5,000.00

Ballroom D and E Combined (7,332 sq. ft.) \$5,000.00

2. Sunday through Thursday rates:

Ballroom (25,000 sq. ft.) \$12,000.00

Ballroom A (3,666 sq. ft.) \$2,000.00

Ballroom B (3,666 sq. ft.) \$2,000.00

Ballroom C (7,333 sq. ft.) \$4,000.00

Ballroom D (3,666 sq. ft.) \$2,000.00

Ballroom E (3,666 sq. ft.) \$2,000.00

Ballroom A and B Combined (7,332 sq. ft.) \$4,000.00

Ballroom D and E Combined (7,332 sq. ft.) \$4,000.00

f. The preceding rates for exhibition halls, conference rooms, and ballrooms are for space rentals and include heat, air conditioning, lights and janitorial services.

g. In addition to the rates set forth in this subsection (3), a capital improvement fee in accordance with the following schedule will be imposed upon the rental rate:

Grand Hall \$50.00

North or South Hall \$25.00

West Halls I or II, each \$25.00

Ballroom A—E, combined \$100.00

Ballroom A—E, each \$25.00

Conference Rooms, each \$5.00

h. All receipts from this capital improvement fee shall be dedicated to a special fund to be used solely for capital improvements at the ~~Charleston Civic Center~~Charleston Coliseum and Convention Center. Such special fund to be established and maintained by the city.

(5) Civic theater (738 permanent seats):

a. Regular rate, per day or evening:

~~For events occurring prior to July 1, 2018 or ten percent gross admissions, after taxes, whichever is greater \$675.00~~

~~For events occurring on or after July 1, 2018 or ten percent of gross admissions, after taxes, whichever is greater..... \$750.00~~ or ten percent of gross admissions, after taxes, whichever is greater.

b. Regular rehearsal:

~~For rehearsals occurring prior to July 1, 2018 \$350.00~~

~~For rehearsals occurring on or after July 1, 2018 \$400.00~~

c. Cultural rate:

~~For events occurring prior to July 1, 2018 \$400.00~~

~~For events occurring on or after July 1, 2018 \$500.00~~

d. Cultural rehearsal:

~~For rehearsals occurring prior to July 1, 2018 \$150.00~~

~~For rehearsals occurring on or after July 1, 2018 \$200.00~~

e. Meeting rate (less than four consecutive hours, no access to stage):

~~For meetings occurring prior to July 1, 2018 \$450.00~~

~~For meetings occurring on or after July 1, 2018 \$500.00~~

f. The preceding rates for the Civic Theater include only space, heating, air conditioning and janitorial services.

g. Qualified technicians, approved by the center, are required for handling all lighting, sound and staging at the ~~lessees~~lessee's cost.

h. In addition to the rates set forth in this subsection (5), a capital improvement fee of \$25.00 will be imposed upon the rental rate for the full rental or cultural performances only. All receipts from this capital improvement fee shall be dedicated to a special fund to be used solely for capital improvements at the ~~Charleston Civic Center~~Charleston Coliseum and Convention Center. Such special fund to be established and maintained by the city.

(b) The fees used to establish the capital improvement funds for the ~~Charleston Civic Center~~Charleston Coliseum and Convention Center (CCCC) and the Municipal Auditorium (MA) are to be used to fund CCCC and MA building improvements and renovation, repair or replacement of equipment or mechanical systems that are not normally provided in standard

operating budgets. Items costing less than \$15,000.00 will be funded from standard operating budgets unless they are unexpected. The capital improvement funds are not intended to be used to fund ordinary maintenance and repairs. The capital improvement funds are not considered to be in lieu of ordinary maintenance and capital improvement items historically included in the CCCC and MA budgets.

(c) Special arrangements and exceptional conditions, which call for a different fee or rate to be charged than what is specified in this ordinance, may be negotiated by the manager subject to board approval.

(d) All other rates, fees, rentals and other charges incidental to the operation of the CCCC and MA facilities shall be set and approved by the ~~Civic Center~~Charleston Coliseum and Convention Center-Auditorium Board, pursuant to the provisions of section 2-553 of the Code of the City of Charleston.

(Ord. No. 6679, §§ 1—3, 6-19-2000; Bill No. 6807, §§ 1(I)—(V), 2(A), 2(B), 3, 6-8-2001; Ord. No. 7458, 4-18-2011; Bill No. 7747, 6-5-2017)

Sec. 110-223. - Disposition of proceeds.

(a) Generally. The net proceeds of the tax collected and remitted to the taxing authority pursuant to this article shall be deposited into the general revenue fund of the city and, after appropriation, shall be expended only as provided in subsections (b) and (c) of this section.

(b) Required expenditures. At least 50 percent of the net revenue receivable by the city during the fiscal year pursuant to this article shall be transmitted to the Charleston Convention and Visitor's Bureau for the promotion of conventions and tourism.

(c) Permissible expenditures. After making the appropriation required by subsection (b) of this section, the remaining portion of the net revenues receivable by the city during the fiscal year pursuant to this article may be expended for one or more of the purposes set forth in this subsection, but for no other purpose. The purposes for which expenditures may be made pursuant to this subsection are as follows:

(1) The planning, construction, reconstruction, establishment, acquisition, improvement, renovation, extension, enlargement, equipment, maintenance, repair and operation of publicly owned convention facilities, including but not limited to arenas, auditoriums, civic centers and convention centers.

(2) The payment of principal or interest, or both, on revenue bonds issued to finance such convention facilities.

(3) The promotion of conventions.

(4) The construction, operation or maintenance of public parks, tourist information centers and recreation facilities (including land acquisition).

(5) The promotion of the arts.

(6) Historic sites.

(7) Beautification projects.

(d) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Convention and visitor's bureau and visitor's and convention bureau are interchangeable and means the Charleston Convention and Visitor's Bureau.

Convention center means the ~~Charleston Civic Center~~Charleston Coliseum and Convention Center, a convention facility owned by the city or other public entity or instrumentality and shall include all facilities, including armories, commercial, office, community service and parking facilities and publicly owned facilities constructed or used for the accommodation and entertainment of tourist and visitors, constructed in conjunction with the convention center and forming reasonable appurtenances to the convention center.

Fiscal year means the year beginning July 1 and ending June 30 of the next calendar year.

Net proceeds means the gross amount of tax collection less the amount of tax lawfully refunded.

Promotion of the arts means activity to promote public appreciation and interest in one or more of the arts. It includes the promotion of music of all types, the dramatic arts, dancing, painting and the creative arts through shows, exhibits, festivals, concerts, musicals and plays.

Recreational facilities means and includes any public park, parkway, playground, public recreation center, athletic field, sports arena, stadium, skating rink or arena, golf course, tennis courts and other park and recreational facilities, whether of a like or different nature, that are owned by the city.

Historic sites means any site listed on the United States National Register of Historic Places, or listed by a local historical landmarks commission, established under state law, when such sites are owned by a city, a county or a nonprofit historical association and are open, from time to time, to accommodate visitors.

(Code 1975, § 6-184; Bill No. 7151, 7-5-2005)

Sec. 111-14. - Deposit of taxes collected in special revenue funds.

(a) The special revenue fund in the city treasury previously established, designated and known as the City Sales and Use Tax Fund is hereby continued. The second special revenue fund in the city treasury previously established, designated and known as the Uniform Pensions Reserve Fund is hereby continued. The City Sales and Use Tax Fund shall continue to receive all revenues received from collection of the city's sales and use taxes, including any interest, additions to tax and penalties deposited with the city treasurer until September 30, 2015. During the period of October 1 through October 31, 2015, or at such other time as the city treasurer receives the quarterly remittance from the state tax department representing collections for the period of June, July, and August, 2015, 60 percent of the revenues received from the taxes imposed by this chapter, including interest and additions to tax, shall be deposited in the City Sales and Use Tax Fund and 40 percent of the revenues shall be deposited in the Uniform Pensions Reserve Fund. Beginning November 1, 2015, one-half of the revenues received from the taxes imposed by this chapter, including interest and additions to tax, shall be deposited in the City Sales and Use Tax Fund and the second half of the revenues shall be deposited in the Uniform Pensions Reserve Fund. Additionally, there shall be deposited in each fund: (1) all appropriations to the particular fund; (2) all interest earned from investment of the particular fund; and (3) any gifts, grants or contributions received and placed by the city into the City Sales and Use Tax Fund or the Uniform Pensions Reserve Fund. Revenues in the City Sales and Use Tax Fund and the Uniform Pensions Reserve Fund shall not be treated by any person as general revenue of the city. Revenues in the City Sales and Use Tax Fund shall be disbursed in the manner and consistent with the priorities set forth in subsection (b) below. Revenues in the Uniform Pensions Reserve Fund shall be disbursed in the manner and consistent with the priorities set forth in subsection (c) below.

(b) Revenues in the City Sales and Use Tax Fund shall be used: (i) first, to satisfy the debt service requirements each fiscal year on any bonds issued by, or other obligations incurred by, the city, from time to time, including any refunding bonds, to finance improvements to the ~~Charleston Convention and Civic Center~~ Charleston Coliseum and Convention Center and for any other economic development or public safety projects, including the funding of any reserve funds relating to any such bonds or other obligations, and/or to make lease payments which secure bonds issued to finance improvements to such ~~convention and civic center~~ Charleston Coliseum and Convention Center or other economic development projects; and (ii) second, after providing for payment of first priority items, any unencumbered revenue in the City Sales and Use Tax Fund may periodically be transferred as necessary or convenient to the city's general revenue account.

(c) Revenues in the Uniform Pensions Reserve Fund shall be used: (i) first, to satisfy the balance of the benefit obligations imposed and assumed by the city on a pay-as-you-go basis for those members who have retired after election of the conservation method set forth in W.Va. Code § 8-22-20(f) after first applying the member contributions and premium tax proceeds not required to be retained in the closed trusts pursuant to W.Va. Code § 8-22-20(f)(2), and any other dedicated or designated income sources as authorized by law, to any such obligations; (ii) second, after providing for payment of first priority items, to satisfy the city's obligations to the

Municipal Police Officers and Firefighters Retirement System for the new members hired after adoption of the conservation method as provided by W.Va. Code §§ 8-22-20(f)(3) and 8-22a-1, et. seq.; and (iii) third, at such time as the actuarial report required by W.Va. Code § 8-22-20(f) indicates no actuarial deficiency in the closed municipal policemen's or firemen's pension and relief funds, and after providing for payment of first and second priority items and normal costs as contemplated by W.Va. Code § 8-22-20(f)(4), any remaining and unencumbered revenues may be transferred as necessary or convenient to the city's general revenue account; Provided: nothing herein shall preclude transfers from the Uniform Pensions Reserve Fund into the city's general revenue account or any other fund or account from time to time in such amounts as may be necessary or convenient to facilitate the payment of obligations or to accomplish the purposes herein, so long as consistent with the priorities set forth in this subsection.

(d) Notwithstanding any other provision of this section to the contrary, revenues deposited into the Uniform Pensions Reserve Fund may be pledged, as a priority over any other uses of such revenues set forth in subsection (c) of this section, as security for any bonds issued by, or other obligations incurred by, the city, from time to time, including any refunding bonds, to finance improvements to the ~~Charleston Convention and Civic Center~~ Charleston Coliseum and Convention Center, and/or to make lease payments which secure bonds issued to finance improvements to the ~~Charleston Convention and Civic Center~~ Charleston Coliseum and Convention Center. In the event there are insufficient funds available in the City Sales and Use Tax Fund to satisfy scheduled debt service obligations on any bond indebtedness, or other obligations, issued or incurred by the city pursuant to this section, the city treasurer shall transfer the amount of such insufficiency from the Uniform Pensions Reserve Fund to the City Sales and Use Tax Fund to permit the city to meet such scheduled debt service obligations. In the event the city treasurer is required to make such a transfer from the Uniform Pensions Reserve Fund to the City Sales and Use Tax Fund, such amounts so transferred shall be repaid to the Uniform Pensions Reserve Fund as soon as possible from revenues deposited in the City Sales and Use Tax Fund available therefore, from time to time, after satisfaction of succeeding scheduled debt service obligations payable from the City Sales and Use Tax Fund.

(Bill No. 7577, § 1, 5-20-2013; Bill No. 7633, 11-3-2014; Ord. No. 7660, 7-20-2015)

Mail Inserter for Information Systems Mailroom

Bid Opening: November 8, 2018 @ 11:00 a.m.

	Pitney Bowes 27 Waterview Drive Shelton, CT 06484 P: (304) 891-9298 Susan.Lopinsky@pb.com		ProSource Inc. 4720 Glendale Milford Road Cincinnati, OH 45242 P: (304) 522-7022 athompson@totalprosource.com		ProSource 4720 Glendale Milford Road Cincinnati, OH 45242 P: (304) 522-7022 athompson@totalprosource.com	
	Bid #1		Bid #2			
	Purchase Option	5 Year Lease Term	Purchase Option	5 Year Lease Term	Purchase Option	5 Year Lease Term
Manufacturer and Model No.:	Relay 5000 Inserter		Formax FD 6608		Formax 7202	
Cost of Equipment:	\$26,222.23	\$792.46	\$59,900.00	\$1,119.53	\$89,900.00	\$1,680.23
Shipping:	\$525.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Cost of Equipment:	\$26,747.23	\$47,547.60	\$59,900.00	\$67,171.80	\$89,900.00	\$100,813.80
Service Contract - Year 1:	\$2,673.75	Included	\$5,875.00	\$5,875.00	\$7,685.00	\$7,685.00
Service Contract - Year 2:	\$2,673.75	Included	\$5,875.00	\$5,875.00	\$7,685.00	\$7,685.00
Service Contract - Year 3:	\$2,673.75	Included	\$5,875.00	\$5,875.00	\$7,685.00	\$7,685.00
Service Contract - Year 4:	\$2,673.75	Included	\$5,875.00	\$5,875.00	\$7,685.00	\$7,685.00
Service Contract - Year 5:	\$2,673.75	Included	\$5,875.00	\$5,875.00	\$7,685.00	\$7,685.00
Delivery & Installation Complete:	30 days		15 days		Not Indicated	
Total Investment:	\$40,115.98	\$47,547.60	\$89,275.00	\$96,546.80	\$128,325.00	\$139,238.80

Work Clothing Items - Various Departments

Bid Opening: November 13, 2018 @ 11:00 a.m.

	Aramark Uniform Services 855 Cleveland Ave. Salem, VA 24153 P: (800) 785-2299 x. 713119 macmillan.diane@aramark.com			West Virginia Embroidery and Alterations 11 JC Drive Hernshaw, WV 25107 P: (304) 533-0331 tanderson3329@gmail.com		
Item	Manufacturer	Manufacturer No.	Unit Cost	Manufacturer	Manufacturer No.	Unit Cost
TOPS						
T-Shirts, 100% Cotton	Aramark	GN2000	\$5.00-7.00	S&S	2300	\$11.00
T-Shirts, 50/50 Cotton Blend	Aramark	GN8000	\$5.00-7.00	S&S	29MP	\$9.00
Men's Polo, Type 1 - with Pocket	Aramark	\$11,120.00	\$13.00-20.00	SANMAR	436MP	\$13.00
Men's Polo, Type 1 - without Pocket	Aramark	\$11,138.00	\$13.00-20.00	S&S	537MR	\$12.00
Men's Polo, Type 2	Aramark	\$11,132.00	\$13.00-25.00	S&S	0100	\$14.00
Women's Button Down, Long Sleeve	Aramark	14082	\$17.00-21.00	VT	5281L	\$20.00
Women's Polo, Short Sleeve	Aramark	12238	\$17.00-21.00	SANMAR	L455	\$23.00
BOTTOMS						
Men's Cargo Pants	Aramark	2515	\$18.00	S&S	PT88	\$29.00
Men's Cargo Shorts	Aramark	20259	\$17.00	S&S	PT66	\$22.00
Women's Cargo Pants, Type 1	Aramark	2529	\$22.00	DICKIES	FP223	\$29.00
Women's Cargo Pants, Type 2	Aramark	9797	\$27.00	DICKIES	FP2372S	\$29.00
Women's Cargo Shorts, Type 1	Aramark	20261	\$17.00	DICKIES	FP223S	\$29.00
Women's Cargo Shorts, Type 2	Aramark	2541	\$15.00	DICKIES	FP2372S	\$29.00
OUTERWEAR						
Crewneck Sweatshirt	Aramark	1285	\$19.00-27.00	S&S	18000	\$11.50
Blizzard Proof, Hooded Sweatshirt Jacket	Aramark	19946	\$24.75-32.00	ERB	CS620	\$50.00
Tundra Parka	Aramark	82405	\$42.00-63.00	ERB	W144	\$62.00
Seasonal Jacket	Aramark	82401	\$65.00-86.00	SANMAR	JP54	\$42.00
Waterproof Jacket	Aramark	170127	\$67.00-80.00	SANMAR	J333	\$45.00
Rain Suit	Aramark	801	\$25.00	NEESE	1600S	\$14.00
Coveralls, Regular	Aramark	316	\$25.00	DICKIES	TB239	\$79.00
Coveralls, Bibbed	Aramark	10504	\$75.00	DICKIES	TB839	\$69.00
HEADWEAR						
Baseball Caps, Summer and Winter	Aramark	6077	\$8.50	SANMAR	CP80	\$8.50
Outdoor Wide-Brim Hat	Aramark	6052	\$8.00	SANMAR	C921	\$16.00
Toboggan	Aramark	7039	\$8.00	S&S	18595	\$7.50
ONE-TIME SETUP FEES						
Embroidered City of Charleston Patch (3")	n/a		\$0.00	n/a		\$0.00
Silk Screened City of Charleston Logo (2 1/2")	n/a		\$0.00	n/a		\$0.00
Silk Screened City of Charleston Logo (1 3/4")	n/a		\$0.00	n/a		\$0.00
Delivery	16-21 days			30-90 days		
Other Pricing/Delivery Notes	Higher end cost shown within ranges above are for extended sizes (2XL and above). Screen print order must be minimum 12 pieces of same logo. Embroidery orders must be minimum 5 pieces of same logo.			T-Shirt Pricing is for 50/50 Cotton Blend Tops: Add 25% on sizes 2XL-3XL, Add 30% for 4XL-5XL Men's Pants: Add 25% on Sizes 44 and Above Jackets/Coveralls/Bibs: Add 25% for 2XL-3XL, Add 30% for 4XL-5XL Ladies Items: Add 25% to Pants 22 and Above and Shirts 2XL		
				Alternate/Upgraded Rain Suit, Model No. 1820-S: \$30.00 Alternate Parka, Model No. J799: \$99.99 Embroidery Charges: \$8.00, Screen Print Included (for above 2 items)		

**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 Danny Jones
FROM: Conrad Lucas, Clerk
DATE: Monday, November 5, 2018
RE: October 2018 Financial Information, Charleston Municipal Court

TOTAL CITATIONS FILED 776	
Criminal Violations:	274
Traffic Violations:	490
Parking:	0
Building Search Warrants	12 Properties

RESTITUTION COLLECTED (paid to victims): \$ 2,872.29

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

FINANCIAL REPORT ATTACHED

cc: Judge Anne B. Chamock
J.B. Akers, City Clerk
Victor Grigoraci, Treasurer
Major Beckett, Deputy Chief of Police
Tony Harmon, Building Department
David Potters, Office of the City Attorney
Captain Abbott, CPD
Nikki Smith, City Clerk's Office

Violations by Filed Date...

CRIMINAL	274	
TRAFFIC	490	
BUILDING SEARCH WARRANT	12	
Total Filed Violations		776

Completed Cases...

Paid Fine...

CRIMINAL	10	
TRAFFIC	161	
BUILDING SEARCH WARRANT	0	
Total Paid Fines		171

Before Judge...

CRIMINAL	6	
TRAFFIC	18	
BUILDING SEARCH WARRANT	0	
Total Before Judge		24
Total Completed		195

Other Completed...

DISMISS- OFFICER NOT WITH CITY

CRIMINAL	5	
TRAFFIC	1	
BUILDING SEARCH WARRANT	0	
Total		6

DEFENDANT DECEASED

CRIMINAL	11	
TRAFFIC	4	
BUILDING SEARCH WARRANT	0	
Total		15

DISMISSED OFFICER FAIL TO PROS

CRIMINAL	6	
TRAFFIC	8	
BUILDING SEARCH WARRANT	0	
Total		14

DISMISSED (PRESENTED INSURANCE)

CRIMINAL	0	
TRAFFIC	33	
BUILDING SEARCH WARRANT	0	
Total		33

DISMISSED E-PROOF

CRIMINAL	0	
TRAFFIC	6	
BUILDING SEARCH WARRANT	0	
Total		6
DISMISSED (PRESENTED DL)		
CRIMINAL	0	
TRAFFIC	3	
BUILDING SEARCH WARRANT	0	
Total		3
DISMISSED OFF FAIL TO PROV VIN		
CRIMINAL	0	
TRAFFIC	3	
BUILDING SEARCH WARRANT	0	
Total		3
DISMISSED (PROSECUTOR'S ORDER)		
CRIMINAL	43	
TRAFFIC	57	
BUILDING SEARCH WARRANT	0	
Total		100
DISMISSED PRESENTED RECORDS		
CRIMINAL	1	
TRAFFIC	48	
BUILDING SEARCH WARRANT	0	
Total		49
DISMISSED AFTER PT DIVERSION		
CRIMINAL	25	
TRAFFIC	15	
BUILDING SEARCH WARRANT	0	
Total		40
DISMISSED VICTIM/WITNESS FTA		
CRIMINAL	2	
TRAFFIC	0	
BUILDING SEARCH WARRANT	0	
Total		2
DISMISSED WITHOUT PREJUDICE		
CRIMINAL	23	
TRAFFIC	18	
BUILDING SEARCH WARRANT	0	
Total		41
VOIDED DOCKET		
CRIMINAL	1	
TRAFFIC	0	
BUILDING SEARCH WARRANT	0	
Total		1
Total Other Completed		313

Grand Total Completed	508
Net Difference Filed/Complete	268

Warrants...

Issued...

CRIMINAL	498	
TRAFFIC	366	
BUILDING SEARCH WARRANT	0	
Total Violations		864
Total Warrants Issued		864

Cleared...

CRIMINAL	294	
TRAFFIC	278	
BUILDING SEARCH WARRANT	0	
Total Violations		572
Total Warrants Cleared		572
Change in Total Warrants		292

Other Paid Cases ...

Paid Fine...

Total Other Paid Fines	108
------------------------	-----

FINE FINE	\$24,660.50
LAWFND LAW ENFORCE. TRAIN STATE	\$344.00
LAWLOC LAW ENFORCE. TRAIN (LOCAL)	\$740.00
eve CRIME VICTIM'S FUND	\$1,371.00
ADMIN ADMINISTRATIVE COST	\$344.00
JAILF REGIONAL JAIL CORR.	\$6,352.00
CCF COMMUNITY CORRECTIONS FUND	\$230.00
REST RESTITUTION	\$2,204.29-
Total Fees/Fines Paid	\$31,837.21

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 longer 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.

Bill No. 7797

Introduced in Council

November 5, 2018

Introduced by

Deanna McKinney

Passed by Council

Referred to

**Municipal Planning Commission
Planning Committee**

Bill No. 7797: Amending the Zoning Ordinance of the City of Charleston, West Virginia, enacted the 1st day of January 2006, as amended, and the map made a part thereof, by rezoning from C-10 General Commercial District to UCD Urban Corridor District, those certain parcels of land located at 609 & 611, 613, 615, and 617 Tennessee Avenue and 707 & 709, 711, and 713 & 715 Bigley Avenue being Charleston West District, Map 27, Parcels 104, 105, 106, 107, 225, 226, 227, 228, 238, 239,240, and 241 Charleston, West Virginia.

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

1. The Zoning Ordinance of the City of Charleston, West Virginia, enacted the 1st day of January 2006, as amended, is hereby amended by rezoning from a C-10 General Commercial District to UCD Urban Corridor District whole of the following described parcels of land:

Parcel Nos. 104, 105, 106, 107, 225, 226, 227, 228, 238, 239,240, and 241 as shown upon Charleston Tax Map No. 27. Subject Parcels commonly known as 609 & 611, 613, 615, and 617 Tennessee Avenue and 707 & 709, 711, and 713 & 715 Bigley Avenue and unaddressed parcels, Charleston, West Virginia. Said tax map is of record in the Planning Office.

2. The Zoning Map, attached to and made a part of said Zoning Ordinance, is hereby amended in accordance with Article 28 of this ordinance.

3. All prior ordinances, or parts of ordinances, inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

Bill No. 7798

Introduced in Council:

November 19, 2018

Introduced By:

Mike Clowser

Passed by Council:

Referred To:

Planning Committee
Municipal Planning Commission

Bill No. 7798: A Bill amending the Zoning Ordinance of the City of Charleston, West Virginia, enacted the 21st day of November, 2005, as amended, and the map made a part thereof, by rezoning from a PMC district to an C-8 district, that certain strip, lots or parcels of land at the corner of 33rd Street and MacCorkle Avenue, S.E., in Kanawha City, in the City of Charleston, Kanawha County, State of West Virginia, owned by Charleston Area Medical Center, Inc., a West Virginia nonprofit, nonstock corporation.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CHARLESTON, WEST VIRGINIA
THAT:

1. The Zoning Ordinance of the City of Charleston, West Virginia, enacted the 21st day of November, 2005, as amended, is hereby amended by rezoning from a PMC district to a C-8 district the whole of the following described strip, lots or parcels of land:

Beginning at a survey nail in concrete, found in the northern right of way line of MacCorkle Avenue, S.E. (WV Route 61) at the southwesterly corner of Lot 14 of Block 18 of the Revised Map of Kanawha City, as recorded in the Office of the Clerk of the County Commission of Kanawha County in Map Book 2, at Pages 148 and 149, said point being in the existing eastern right of way line of 33rd Street and located, for reference, N.84°22'40"W., a distance of 150.00 feet, as measured along the northern right of way line of MacCorkle Avenue, S.E., from a survey nail found at the intersection of the northern right of way line of MacCorkle Avenue, S.E. with the western right of way line of 34th Street; thence, from said beginning point, leaving said Lot 14 and with said right of way line of MacCorkle Avenue, S.E., N.84°22'40"W. ~ 12.99 feet to a 5/8 inch diameter capped rebar, thirty inches long, set; thence leaving MacCorkle Avenue, S.E. and running with the proposed new eastern right of way line of 33rd Street, on a line approximately five feet from the back of the concrete sidewalk along the eastern side of 33rd Street, with a curve to the right, said curve having a radius of 47.00 feet and an arc length of 64.45 feet, the chord of which bears N.33°37'45"W., for a distance of 59.52 feet to a 5/8 inch diameter capped rebar, thirty inches long, set; thence continuing with the proposed new eastern right of way line of 33rd Street, N.05°39'23"E. ~ 11.93 feet to a 5/8 inch diameter capped rebar, thirty inches long, set; thence continuing with the proposed new eastern right of way line of 33rd Street, on a line approximately five feet from the back of the concrete sidewalk along the eastern side of 33rd Street, with a curve to the left, said curve having a radius of 224.39 feet and an arc length of 73.43 feet, the chord of which

bears N.03°43'05"W., for a distance of 73.10 feet to a 5/8 inch diameter capped rebar, thirty inches long, set; thence continuing with the proposed new eastern right of way line of 33rd Street, N.13°05'33"W. ~ 11.64 feet to a 5/8 inch diameter capped rebar, thirty inches long, set; thence continuing with the proposed new eastern right of way line of 33rd Street, on a line approximately five feet from the back of the concrete sidewalk along the eastern side of 33rd Street, with a curve to the right, said curve having a radius of 175.61 feet and an arc length of 9.26 feet, the chord of which bears N.11°34'56"W., for a distance of 9.26 feet to a 5/8 inch diameter capped rebar, thirty inches long, set; thence continuing with the proposed new eastern right of way line of 33rd Street, S.84°22'40"E., at 18.98 feet passing the existing eastern right of way line of 33rd Street at its intersection with the southern right of way line of an alley, 16 feet wide, and from this point continuing with the southern right of way line of said alley for 50 feet, for a total distance on this bearing of 68.98 feet to a capped rebar found at the northwesterly corner of the aforementioned Lot 14 of Block 18 of the Revised Map of Kanawha City, said capped rebar being located, for reference, N.84°22'40"W., a distance of 150.00 feet, as measured along the southern right of way line of the said alley, from a survey nail found at the intersection of the southern right of way line of said alley with the western right of way line of 34th Street; thence leaving said alley and with the westerly line of said Lot 14, S.05°37'20"W. ~ 150.00 feet to the point of beginning, containing 7,750 square feet (0.178 acres), more or less.

Being Tax Parcels 88.1 and 89 as shown on Kanawha City Tax Map No. 18. Said tax map is of record in, and used as zoning map sectionals by, the City Planning Office.

2. The Zoning Map, attached to and made a part of said Zoning Ordinance, is hereby amended in accordance with Section 1 of this Ordinance.

3. All prior ordinances, or parts of ordinances, inconsistent with this Ordinance, are hereby repealed to the extent of said inconsistency.