



**JOURNAL of the PROCEEDINGS
of the
CITY COUNCIL**

CITY OF CHARLESTON, WEST VIRGINIA

Regular Meeting – Monday, October 16, 2017

at 7:00 P.M.

Council Chamber – City Hall – Charleston, West Virginia

OFFICIAL RECORD

**Danny Jones
Mayor**

**JB Akers
City Clerk**

CALL TO ORDER

The Council met in the Chambers of the City Building at 7:00 P.M., for the second meeting in the month of October on the 16th day, in the year 2017, and was called to order by the Honorable Mayor, Danny Jones. The invocation was delivered by Councilmember Ealy and the Pledge of Allegiance was led by Councilmember Jones. The Honorable Clerk, JB Akers, called the roll of members and it was found that there were present at the time:

**BURKA
CHESTNUT
EALY

JONES
MINARDI
REISHMAN
SMITH
TALKINGTON**

**BURTON
CLOWSER
FAEGRE
HOOVER
KING
OVERSTREET
RICHARDSON

WARE**

**CEPERLEY

HAAS
IRELAND
LANE
PERSINGER
SALISBURY
STEELE
MAYOR JONES**

With twenty-four members being present, the Mayor declared a quorum present.

Pending the reading of the Journal of the previous meeting, the reading thereof was dispensed with and the same duly approved.

PUBLIC SPEAKERS

1. Ralph Miller – representing the West Side Neighborhood Association, asked that the 2008CURA plan be reviewed by the association.
2. Ricardo Martin – asked that a public hearing be called regarding the 2008 CURA Plan.
3. Robert Hardy – concerned for the future of the mall and how that effects the funding of CURA.
4. Peter Harris – asked that Anderson Heights Road not be made into a cul-de-sac.
5. Bill Kimmons – expressed concerns that Bill No. 7763 is an “incomplete bill.”
6. Jordan Herrick – expressed concerns for the criminal homeless problem in the East End.

CLAIMS

1. A claim of Ashley Bryan, 5239 Linda Vista Drive, Cross Lanes, WV;
Alleges damage to vehicle.
Refer to City Solicitor.
2. A claim of Ronald W. Stutler Senior.
Alleges damage to vehicle.
Refer to City Solicitor.

MISCELLENOUS RESOLUTIONS

1. **Resolution No. 967-17** -

WHEREAS: The Federal Historic Tax Credit program (HTC) as we know it today was put in place by Congress and the Reagan Administration to attract capital to historic rehabilitation projects that help stimulate local economies; and

WHEREAS: Since the inception of the HTC, it has created 2.4 million jobs, rehabilitated more than 42,000 buildings, and leveraged \$131.8 billion in private investment; and

WHEREAS: Recognizing the importance of this successful federal economic development program, more than 30 states have enacted complementary state historic tax credit programs to help revitalize the commercial downtowns of their cities and Main Street communities; and

WHEREAS: Federal HTC projects have a 99 percent success rate, leverage four private dollars for every dollar of federal support, and are catalytic, building neighborhood confidence and generating follow-on projects for blocks around; and

WHEREAS: Over the life of this program, the HTC has generated \$29.8 billion in federal tax revenues compared to \$25.2 billion in credits allocated-more than paying for itself; and

WHEREAS: The Federal HTC program has witnessed over \$20 million in property redevelopment since 2002 in the City of Charleston alone; and

NOW THEREFORE BE IT RESOLVED by the City of Charleston in due regular and legal session convened, that the Charleston City Council supports the Federal Historic Tax Credit program and urges the President of the United States and United States Congress to continue the Federal Historic Tax Credit program.

BE IT FURTHER RESOLVED that if any provision of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items, or applications and to this end the provisions of this resolution are declared severable.

BE IT FURTHER RESOLVED that all resolutions or parts thereof in conflict herewith are hereby repealed.

Councilmember Salisbury moved to approve the Resolution. Councilmember Lane seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution 967-17 adopted.

REPORTS OF COMMITTEES

COMMITTEE ON STREETS AND TRAFFIC

Councilmember Hoover, Chair of the Council Committee on Streets and Traffic, submitted the following reports:

1. Your committee on Streets and Traffic has had under consideration the following bill, and reports the same to Council with the recommendation that Bill No. 7760 do pass.

Bill No. 7760 - A Bill to establish a Stop intersection on Olde Ashe Lane at Woodbridge Drive by installing a stop sign on the corner of Olde Ashe Lane and amending the Traffic Control Map and Traffic Control File, established by the code of the City of Charleston, West Virginia, two thousand and three, as amended, Traffic Laws, Section 263, Division 2, Article 4, Chapter 114, to conform therewith.

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

Section 1. Stop intersection on Olde Ashe Lane at Woodbridge Drive by installing a stop sign on the corner of Olde Ashe Lane

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

Section 3. It shall be unlawful for any vehicle not displaying the insignia provided for in Section 2 to park in those spaces for the disabled provided for in Section 1. Any vehicle in violation of this section may be ticketed and impounded as provided for in Chapter 114, Vehicles and Traffic Law, Code of the City of Charleston, West Virginia.

Section 4. All prior Ordinances, inconsistent with this Ordinance are hereby repealed to the extent of said inconsistency.

Councilmember Hoover moved to approve the Resolution. Councilmember Lane seconded the motion. A roll call was taken:

YEAS: Burka, Burton, Ceperley, Chestnut, Clowser, Ealy, Faegre, Haas, Hoover, Ireland, Jones, King, Lane, Minardi, Overstreet, Persinger, Reishman, Richardson, Salisbury, Smith, Steele, Talkington, Ware, Mayor Jones

NAYS: NONE

ABSENT: Davis, Harrison, Snodgrass

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 7760 passed.

2. Your committee on Streets and Traffic has had under consideration the following bill, and reports the same to Council with the recommendation that Bill No. 7761 do pass.

Bill No. 7761 - A Bill to establish a 15 MPH speed limit on Wood Road and amending the Traffic Control Map and Traffic Control File, established by the code of the City of Charleston, West Virginia, two thousand and three, as amended, Traffic Laws, Section 263, Division 2, Article 4, Chapter 114, to conform therewith.

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

Section 1. A 15 MPH speed limit on Wood Road

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

Section 3. It shall be unlawful for any vehicle not displaying the insignia provided for in Section 2 to park in those spaces for the disabled provided for in Section 1. Any vehicle in violation of this section may be ticketed and impounded as provided for in Chapter 114, Vehicles and Traffic Law, Code of the City of Charleston, West Virginia.

Section 4. All prior Ordinances, inconsistent with this Ordinance are hereby repealed to the extent of said inconsistency.

Councilmember Hoover moved to approve the Resolution. Councilmember Lane seconded the motion. A roll call was taken:

YEAS: Burka, Burton, Ceperley, Chestnut, Clowser, Ealy, Faegre, Haas, Hoover, Ireland, Jones, King, Lane, Minardi, Overstreet, Persinger, Reishman, Richardson, Salisbury, Smith, Steele, Talkington, Ware, Mayor Jones

NAYS: NONE

ABSENT: Davis, Harrison, Snodgrass

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill No. 7761 passed.

COMMITTEE ON FINANCE

Councilmember Reishman, Chair of the Council Committee on Finance, submitted the following reports:

1. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 961-17 do pass.

Resolution No. 961-17 - Authorizing the Finance Director to amend the FY 2017- 2018 General Fund budget as indicated on the attached list of accounts.

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

That the Finance Director is hereby authorized and directed to amend the FY 2017- 2018 General Fund budget as indicated on the attached list of accounts.

General Fund FY 2017-2018 Budget Amendment No. 2 - October 16, 2017

Account No.	Department	Account Description	Amount
001 417 00 000 2 223	City Attorney	Professional Services	(5,800)
001 436 00 000 2 230	Building Commission	Contract Services	5,800
To transfer funds from Legal to Building Commission for costs associated with demolition of house at 423 Randolph Street			

Councilmember Reishman moved to approve the Resolution. Councilmember Lane seconded the motion. A roll call was taken:

YEAS: Burka, Burton, Ceperley, Chestnut, Clowser, Ealy, Faegre, Haas, Hoover, Ireland, Jones, King, Lane, Minardi, Overstreet, Persinger, Reishman, Richardson, Salisbury, Smith, Steele, Talkington, Ware, Mayor Jones

NAYS: NONE

ABSENT: Davis, Harrison, Snodgrass

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution 961-17 adopted.

2. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 962-17 do pass.

Resolution No. 962-17 - Authorizing the Mayor or City Manager to enter into a three (year) agreement, pending final review and approval by City Attorney with The Health Plan to serve as the City's Third Party Administrator (TPA) for health, dental and flexible spending account benefits plans effective January 1, 2018. Pursuant to the agreement, the City will pay The Health Plan \$25.20 per month per employee (or \$382,190 annually). The agreement will result in an annual savings of \$413,196 or \$1,239,588 over the term of the three year contract.

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

That the Mayor or the City Manager is hereby authorized and directed to enter into a three (year) agreement, pending final review and approval by City Attorney with The Health Plan to serve as the City's Third Party Administrator (TPA) for health, dental and flexible spending account benefits plans effective January 1, 2018. Pursuant to the agreement, the City will pay The Health Plan \$25.20 per month per employee (or \$382,190 annually). The agreement will result in an annual savings of \$413,196 or \$1,239,588 over the term of the three year contract.

Councilmember Reishman moved to approve the Resolution. Councilmember Lane seconded the motion. A roll call was taken:

YEAS: Burka, Burton, Ceperley, Chestnut, Clowser, Ealy, Faegre, Haas, Hoover, Ireland, Jones, King, Lane, Minardi, Overstreet, Persinger, Reishman, Salisbury, Smith, Steele, Talkington, Ware, Mayor Jones

NAYS: NONE

ABSTAIN: Richardson

ABSENT: Davis, Harrison, Snodgrass

With a majority of members elected recorded thereon as voting in the affirmative with one abstention the Mayor declared Resolution 962-17 adopted.

3. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 963-17 do pass.

Resolution No. 963-17 - Authorizing The finance director to allocate funds in the amount of \$544,500.00 from Account #081-016-00-005-0-999 and #081-017-00-005-0-999 for construction cost, clearance, and development of property located on the east end of Charleston for the Religious Coalition for Community Renewal (RCCR) to be used for construction and sale of three single family homes.

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

Authorizing The finance director to allocate funds in the amount of \$544,500.00 from Account #081-016-00-005-0-999 and #081-017-00-005-0-999 for construction cost, clearance, and development of property located on the east end of Charleston for the Religious Coalition for Community Renewal (RCCR) to be used for construction and sale of three single family homes.

Councilmember Reishman moved to approve the Resolution. Councilmember Lane seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution 963-17 adopted.

4. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 964-17 do pass.

Resolution No. 964-17 - Authorizing the City Manager to execute Change Order No. 18 to the Design-Build contract with BBL Carlton, LLC, in relation to the Civic Center Expansion and Renovation Project, in the amount of \$97,845.83, providing for additions to the base contract as listed in Exhibit A, attached hereto. Change Order No. 18 increases the contract price from \$ 94,003,942.71 to \$94,101,788.54.

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

That the City Manager is hereby authorized and directed to execute Change Order No. 18 to the Design-Build contract with BBL Carlton, LLC, in relation to the Civic Center Expansion and Renovation Project, in the amount of \$97,845.83, providing for additions to the base contract as listed in Exhibit A, attached hereto. Change Order No. 18 increases the contract price from \$ 94,003,942.71 to \$94,101,788.54.

Charleston Civic Center Expansion and Renovation Change Order #18

Draft Exhibit A

10/17/2017

PCO's combined in Change Order #18 (Refer to the attached PCO descriptions):

1. PCO 138 (Overhead Coiling Door At Concourse)	\$13,457.89
2. PCO 139 (Replace Broker Glass At Clendenin St.)	\$6,177.34
3. PCO 140 (Phase 4 Helical Pile Obstructions)	\$10,594.09
4. PCO 141 (Add Roof Drains on Admin. Roof)	\$12,856.18
5. PCO 142 (Supports For Panels At Circle In-fills)	<u>\$54,760.33</u>
TOTAL	\$97,845.83

Councilmember Reishman moved to approve the Resolution. Councilmember Lane seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution 964-17 adopted.

5. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 965-17 do pass.

Resolution No. 965-17 - Authorizing the City Manager to execute Change Order No. 1 to the contract with Wolf Creek Contracting Company, LLC, in relation to the Fire Station #3 Project, in an amount not to exceed \$14,732.00, providing for additions to the base contract as listed in Exhibit A, attached hereto as follows: Base Change of \$8,932.00 with the option at the direction of the City Engineer of adding up to two additional courses of block for \$2,900.00 per course. Change Order No. 1 increases the contract price from \$ 1,097,000.00 to \$ 1,105,932.00 or \$1,111,732.00 if all options are exercised.

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

That the City Manager is hereby authorized and directed to execute Change Order No. 1 to the contract with Wolf Creek Contracting Company, LLC, in relation to the Fire Station #3 Project, in an amount not to exceed \$14,732.00, providing for additions to the base contract as listed in Exhibit A, attached hereto as follows: Base Change of \$8,932.00 with the option at the direction of the City Engineer of adding up to two additional courses of block for \$2,900.00 per course. Change Order No. 1 increases the contract price from \$ 1,097,000.00 to \$ 1,105,932.00 or \$1,111,732.00 if all options are exercised.

Councilmember Reishman moved to approve the Resolution. Councilmember Lane seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution 965-17 adopted.



Wolf Creek Contracting Company, LLC

403 Watertown Road
 Waterford, OH 45787
 740-749-3459 Fax 740-749-0602

Base Change:

1. excavate and prep to install 58 In ft of Verti-Block base block system
2. purchase and install 58 In ft of Verti-Block base block system
3. purchase and install 58 In ft additional course of Verti-Block block system
 ...Verti-Block stacking block dimensions approximately 4'w x 24"h x 3' d

Addition to Contract:

...subcontractor		\$	7,540.00
...OH&P	15.0%		1,131.00
...B&O & Bond	3.0%		<u>261.00</u>

Total Addition **\$ 8,932.00**

Option:

Owner may add additional courses of Verti-Block system for \$ 50 /In ft; one additional 58 In ft course would be \$ 2,900

6. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 968-17 do pass.

Resolution No. 968-17 - Authorizing the Charleston City Manager to execute an equipment transfer/donation agreement with Prester Center, for the purpose of providing a vehicle for use by Prester outreach workers.

WHEREAS, on December 19, 2016, the City entered into a Memorandum of Understanding with Prester Center for the provision of outreach workers to work with the Charleston Police Department, businesses, residents, and homeless individuals to help implement and execute the City's Homeless Encampment and Transient Outdoor Temporary Living Policy, and to help advance the City's goal that all its residents have permanent housing; and

WHEREAS, since January of 2017, outreach workers have provided significant assistance to the Police Department when homeless encampments or transient outdoor living situations are identified, and have continued efforts to initiate and maintain contact with homeless individuals within the City to try to begin their transition to permanent housing; and

WHEREAS, in addition to the assistance to the Police and other members of the community, the Prester outreach workers also transport homeless individuals to service provider's locations, and may transport homeless individuals to transportation hubs as part of the City's Family Reunification and Enhanced Opportunity Pilot Project; and

WHEREAS, Prester Center does not have a vehicle and outreach workers have been utilizing their personal vehicles for the transport of homeless persons in the City, which can limit the assistance they can provide due to sanitation or infestation concerns with their personal vehicles; and

WHEREAS, the City owns vehicles which have been retired from service with the City, and the City no longer has need for these vehicles; and

WHEREAS, Prester has need for a vehicle to be used for the public purpose of providing efficient and effective response when fulfilling the obligations of their MOU and the City's policy, and is willing to enter into an agreement for the transfer of a vehicle, a copy of which is attached hereto as Exhibit A; and

WHEREAS, the lease or conveyance of City property to non-profit organizations for less than fair market value and without public auction is permitted by the Municipal Code of the City of Charleston Chapter 3, Section 3-13; and

WHEREAS, such transfer would result in an overall benefit to the public; now therefore,

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

That the City Manager is hereby authorized to execute an equipment transfer/donation agreement with the Pretera Center, for vehicle for use by Pretera outreach workers.

Councilmember Reishman moved to approve the Resolution. Councilmember Lane seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution 968-17 adopted.

CITY OF CHARLESTON
EQUIPMENT TRANSFER/DONATION AGREEMENT

This Equipment Transfer/Donation Agreement (hereinafter “Agreement”) by and between the CITY OF CHARLESTON, (hereinafter “CITY”), and PRESTERA CENTER, (hereinafter “RECIPIENT”) is entered into as of _____, 2017 (the Effective Date”).

Whereas, the transfer of a Ford Crown Victoria (the “Equipment”) to a non-profit entity for less than market value and without auction is authorized by Charleston City Code Chapter 3, Section 3-13;

Whereas, the CITY is not currently utilizing the Equipment to be transferred, RECIPIENT has need for and will utilize the Equipment for a public purpose, and the transfer will result in an overall benefit to the public.

Therefore, RECIPIENT agrees to the transfer and receipt of the Equipment subject to the following:

1. Scope. This Agreement sets forth the terms and conditions for receipt and use of the Equipment by RECIPIENT. The Equipment is more fully described in Exhibit A hereto. This transfer does not constitute a sale of the Equipment.

2. Exclusion of Warranties. THE EQUIPMENT TRANSFERRED UNDER THIS AGREEMENT IS PROVIDED “AS IS”. CITY MAKES NO WARRANTIES, REPRESENTATIONS OR OTHER AGREEMENTS, EXPRESS OR IMPLIED, WITH RESPECT TO THE EQUIPMENT. ALL WARRANTIES, EXPRESS OR IMPLIED, ARE HEREBY DISCLAIMED, INCLUDING, WITHOUT LIMITATION, WARRANTIES OF QUALITY, PERFORMANCE, MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.

3. Maintenance and Training. CITY shall have no obligation or responsibility whatsoever to provide maintenance for the Equipment, or training on the use of the Equipment.

4. Compliance with Laws. RECIPIENT shall obtain all licenses, permits and approvals required by all government entities applicable to the Equipment, and has complied with or shall comply with all applicable federal, state, and local laws, regulations, statutes, and ordinances, now or hereafter enacted, related in any way to the receipt, possession and use of the Equipment.

5. No resale or use by/transfer to third party. RECIPIENT represents that it shall at all times maintain possession of the Equipment for its own use and agrees that the Equipment shall not be used by any other person or entity. RECIPIENT further acknowledges that the Equipment shall not be resold, remarketed or distributed or transferred to any other person or entity. If RECIPIENT discontinues use or desires to relinquish possession of Equipment, it shall immediately notify CITY of such intention, and shall return the Equipment upon the request of the CITY.

6. Limitation of Liability; assumption of all risk and liability by RECIPIENT. Recipient agrees to accept and to be solely responsible for the Equipment, subject to any and all defects, whether known or unknown by CITY or Recipient, at the time of transfer. By accepting the Equipment, Recipient assumes all risk associated with the Equipment and agrees to be solely responsible for all liability resulting from the use of or related in any way to the Equipment. Recipient acknowledges and agrees that, in no event and under no circumstances shall CITY be liable for any loss or damage incurred by Recipient or any third-party resulting from the use of or related in any way to the Equipment, including, but not limited to, injury or death to any person or damage to any property, and any special, incidental or consequential damages, lost profits, loss of use, delays or any other direct or indirect damages of any kind whatsoever.

7. General.

7.1. Choice of Law. This Agreement shall be interpreted and construed in accordance with the laws of West

Virginia, and the state and federal courts of West Virginia shall have exclusive jurisdiction and venue over any dispute hereunder.

7.2. No Waiver. No waiver of rights under this Agreement by either party shall constitute a subsequent waiver of this or any other right under this Agreement.

7.3. Assignment. This Agreement shall not be assigned or otherwise transferred by RECIPIENT.

7.4. Severability. In the event that any of the terms of this Agreement become or are declared to be illegal by any court of competent jurisdiction, such term(s) shall be null and void and shall be deemed deleted from this Agreement. All remaining terms of this Agreement shall remain in full force and effect.

7.5. Attorneys' Fees. In the event of a breach of this Agreement by RECIPIENT, RECIPIENT shall pay CITY any and all reasonable attorneys' fees and other costs and expenses incurred by CITY in connection with the enforcement of any provisions of this Agreement.

7.6. No Agency. Neither party has the right or authority to, and shall not, assume or create any obligation of any nature whatsoever on behalf of the other party or bind the other party in any respect whatsoever.

7.7. Entire Agreement. This Agreement is the entire agreement between the parties hereto concerning the subject matter hereof and replaces any prior oral or written communications between the parties. This Agreement may only be modified by a written document executed by the parties hereto.

IN WITNESS WHEREOF, the duly authorized representative of the RECIPIENT has caused this Agreement to be duly executed as of the date first written above.

7. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 969-17 do pass.

Resolution No. 969-17 - A Resolution authorizing the Mayor or City Manager to enter into Addendum One to the Memorandum of Understanding (“MOU”) between the City of Charleston (“City”) and Presteria Center (“Presteria”), for the purpose of setting forth the terms and conditions of Presteria’s facilitation of the Family Reunification and Enhanced Opportunity Pilot Project.

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

That, upon final review and approval by legal counsel, the Mayor or City Manager are authorized to enter into Addendum One to the Memorandum of Understanding (“MOU”) between the City of Charleston and Presteria Center, for the purpose of setting forth the terms and conditions of Presteria’s facilitation of the Family Reunification and Enhanced Opportunity Pilot Project.

Councilmember Reishman moved to approve the Resolution. Councilmember Lane seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution 969-17 adopted.

**ADDENDUM #1 TO AGREEMENT FOR DEDICATED OUTREACH WORKERS
AND RELATED SERVICES WITHIN CHARLESTON**

This is Addendum Number One to the Agreement for Dedicated Outreach Workers and Related Services Within Charleston (the “Agreement”) dated January 13, 2017, between the City of Charleston (the “City”) and Pretera Center (“Pretera”).

In addition to the outreach services identified in the Agreement and provided by Pretera, the City and Pretera agree that Pretera will facilitate outreach and transportation as part of the Family Reunification and Enhanced Opportunity Pilot Project (the “Pilot Project”).

City and Pretera agree that they will work together to identify persons who may benefit from participation in the Pilot Project.

Pretera agrees to use reasonable efforts to verify that the participants in the Pilot Project have family members living at the destination to which the participants are seeking relocation.

Pretera agrees to provide transport of participants in the Pilot Project to public transportation in an effort to reunite them with identified family members, or to relocate participants for the purpose of taking advantage of employment and/or service and/or programing opportunities. In the event that participants are leaving incarceration, City, through the Charleston Police Department, shall provide transport to the appropriate public transportation.

Upon approval by City of the participants relocation, Pretera agrees to purchase tickets on public transportation, the cost of which shall be reimbursed by City.

All other terms and conditions of the of the Agreement are unchanged by this Addendum.

8. Your committee on Finance has had under consideration the following bill, and reports the same to Council with the recommendation that Bill No. 7763 do pass.

Bill No. 7763 - A Bill authorizing the purchase of properties located along Anderson Heights Road, as more fully described in Exhibit A hereto, (the “Properties”) from owners set forth in Exhibit A (collectively, the “Owners”) for a total consideration of the sum of \$38,817.24, all for the purpose of widening Anderson Heights Road and creating a turnaround for local vehicular traffic.

WHEREAS, Anderson Heights Road is a single lane, one-way road;

WHEREAS, due to its instability and the prohibitive cost of repairing and maintaining the lower portion of Anderson Heights Road, the City has permanently closed the lower part of the road to vehicular traffic; and

WHEREAS, 5 houses are located on Anderson Heights Road; and

WHEREAS, in order to provide safe ingress and egress to and from the homes located on Anderson Heights Road the road needs to be widened to allow for two vehicle lanes, and an area allowing vehicles to turn around at the end of the road needs to be constructed; and

WHEREAS, the City had the properties appraised by an independent appraiser who returned an appraised value of \$1.24/sq. ft. and has negotiated the sale of property necessary for widening the road and constructing the turnaround;

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

That the purchase of property located along Anderson Heights Road, as more fully described in Exhibit A hereto, from owners set forth in Exhibit A is hereby authorized for a total consideration of the sum of \$38,817.24, all for the purpose of widening Anderson Heights Road and creating a turnaround for local vehicular traffic.

Further, the City Manager or his designee is hereby authorized to execute any documents necessary to effect the sale of the property.

Councilmember Reishman moved to approve the Resolution. Councilmember Lane seconded the motion. A roll call was taken:

YEAS: Burka, Burton, Ceperley, Chestnut, Clowser, Ealy, Faegre, Haas, Hoover, Ireland, Jones, King, Lane, Minardi, Overstreet, Persinger, Reishman, Richardson, Salisbury, Smith, Steele, Talkington, Ware, Mayor Jones

NAYS: NONE

ABSENT: Davis, Harrison, Snodgrass

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Bill 7763 passed.

REPORTS OF OFFICERS

1. Municipal Court Report to City Council Month Ending September 2017.
Received and Filed.
2. City Treasurer’s Report to City Council Month Ending September 30 2017.
Received and Filed.

NEW BILLS

Introduced by Councilmember Jack Harrison on October 16, 2017:

Bill No. 7767 – An Ordinance to create Article VI of Chapter 14 of the Code of the City of Charleston related to the vacating, closing, removal, or demolition of structures, dwellings, or buildings that are unsafe, unsanitary, dangerous, or detrimental to the public safety or welfare. Refer to Ordinance and Rules Committee.

ADJOURNMENT

The Clerk, JB Akers, called the closing roll call:

YEAS: Burka, Burton, Ceperley, Chestnut, Clowser, Ealy, Faegre, Haas, Hoover, Ireland, Jones, King, Lane, Minardi, Overstreet, Persinger, Reishman, Richardson, Salisbury, Smith, Steele, Talkington, Ware, Mayor Jones

NAYS: NONE

ABSENT: Davis, Harrison, Snodgrass

At 7:31 p.m., by a motion from Councilmember Ware, Council adjourned until Monday, November 6, 2017, at 7:00 p.m., in the Council Chamber in City Hall.

Danny Jones, Honorable Mayor

JB Akers, City Clerk