



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

CITY OF CHARLESTON, WEST VIRGINIA

Regular Meeting – Tuesday, September 3, 2019

at 7:00 P.M.

Council Chamber – City Hall – Charleston, West Virginia

OFFICIAL RECORD

Amy Shuler Goodwin
Mayor

Miles C. Cary II
City Clerk

CALL TO ORDER

The Council met in the Chambers of the City Building at 7:00 P.M., for the first meeting in the month of September on the 3rd day, in the year 2019, and was called to order by the Honorable Mayor, Amy Shuler Goodwin. The invocation was delivered by Councilmember Reishman and the Pledge of Allegiance was led by Conrad Laird. The Honorable Clerk, Miles C. Cary II, called the roll of members and it was found that there were present at the time:

ADAMS**BURTON****COOK****HOOVER****KING****MCKINNEY****PERSINGER****ROBINSON****STEELE****CAMPBELL****JENKINS****KNAUFF****MINARDI****PHARR****SHEETS****WESLEY-PLEAR****BAYS****CEPERLEY****HAAS****JONES****LAIRD****OVERSTREET****REISHMAN****MAYOR GOODWIN**

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. Kristal Reeves – Announced the WV CBD Cannabis Expo

CLAIMS

1. A claim of John Bailes, Charleston, WV;
alleges damage to property.
Refer to City Solicitor
2. A claim of Stacey K. Dean, Charleston, WV;
alleges damage to property.
Refer to City Solicitor
3. A claim of Johnnie A. Gavin, Charleston, WV;
alleges damage to vehicle.
Refer to City Solicitor
4. A claim of Kim R. Pauley, Charleston, WV;
alleges damage to property.
Refer to City Solicitor
5. A claim of Emmett Spencer, Charleston, WV;
alleges damage to property.
Refer to City Solicitor
6. A claim of Sara E. Sullivan, Charleston, WV;
alleges damage to vehicle.
Refer to City Solicitor
7. A claim of Tyrome L. Thomas, Charleston, WV;
alleges damage to vehicle.
Refer to City Solicitor

PROCLAMATIONS

1.

**EXECUTIVE DEPARTMENT
CITY OF CHARLESTON
PROCLAMATION**

WHEREAS: Each year, the Federal Emergency Management Agency (FEMA) designates September as National Preparedness Month to promote family and community disaster and emergency planning and preparedness across the nation; and

WHEREAS: Charleston recognizes that protecting individuals, families, pets, infrastructure, public institutions and businesses within our city from disasters and emergencies is of paramount importance; and

WHEREAS: Proactive preparedness prior to a disaster or emergency is essential in helping to mitigate harm and damage, strengthen response efforts and promote faster community recovery; and

WHEREAS: Active engagement in home and corporate preparedness in conjunction with emergency services personnel can keep Charleston resilient and strong; and

WHEREAS: The citizens of Charleston realize that being prepared to meet the unknown challenges of tomorrow is a duty and responsibility that we all share.

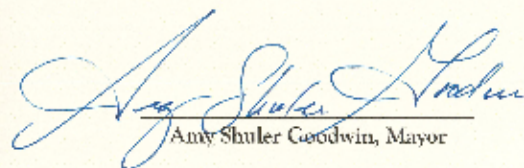
NOW THEREFORE, I, Amy Shuler Goodwin, Mayor of the City of Charleston, do hereby proclaim September 2019, as

PREPAREDNESS MONTH

in the City of Charleston and encourage all citizens to recognize the importance of preparedness and become educated on disaster and emergency preparedness resources.

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the Executive Department to be affixed this 3rd day of September 2019.




Amy Shuler Goodwin, Mayor

2.

**EXECUTIVE DEPARTMENT
CITY OF CHARLESTON
PROCLAMATION**

WHEREAS: Antonio Maurice Harris, known to everyone as Tony, has been the heart and soul of Capital High football – leading the team onto the field for every game – since the school opened in 1989; and

WHEREAS: Tony was named Manager of the Charleston High School football team as a sophomore and held the role until being named “President of Football Operations” under Capital High School’s Head Football Coach John Carpenter, helping teams to five State Championships along the way; and

WHEREAS: While Tony took his role as “Hype-man” for Capital High very seriously, always getting the team and the fans excited for every game, he placed greater importance on being a friend and mentor to every player he met; and

WHEREAS: on June 1, 2019, Tony passed away at the age of 53, leaving a legacy of inspiration, positivity, passion and kindness which has impacted the lives of countless youth in the City of Charleston; and

WHEREAS: Friday, September 6, 2019 Capital High School will take on Conference rival South Charleston High School. While Tony will not lead the team onto the field – his memory lives on through the team’s passion and spirit;

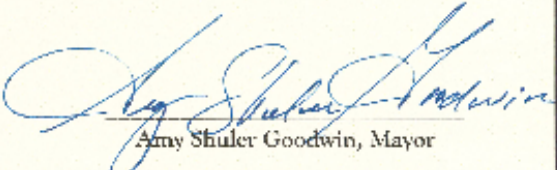
NOW THEREFORE, I, Amy Shuler Goodwin, Mayor of the City of Charleston, do hereby proclaim September 6, 2019, as

TONY HARRIS DAY

in Charleston, West Virginia and encourage all citizens to attend the game at Laidley Field and cheer on the Capital Cougars with the same energy Tony always did.

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the Executive Department to be affixed this 3rd day of September 2019.




Amy Shuler Goodwin, Mayor

REPORTS OF COMMITTEES

COMMITTEE ON PARKS AND RECREATION

Councilmember Cook, Chair of the Council Committee on Parks and Recreation, submitted the following reports:

1. Your committee on Planning, Streets and Traffic has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 235-19 do pass.

Resolution No. 235-19 - Re-dedicating the park located at the corner of 57th Street and Watson Street in the City of Charleston as Hunter Park.

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

That the City Council hereby authorizes and approves that the park located at the corner of 57th Street and Watson Street in the City of Charleston be named Hunter Park in honor of three children that perished in the Upper Donnelly Flood of 1973. The park was originally named The Hunter Playground via Charleston City Council Resolution No. 266-73 in July 1973. The City Council hereby re-dedicates Hunter Park to continue to serve as a memorial “to remind us all of the uncertainty of this life and the duty of us to love, protect and nourish the little ones that dwell among us as friends and neighbors,” as stated by City Council in 1973.

Councilmember Cook moved to approve the Resolution. Councilmember Ceperley seconded the motion. With a majority of members present recorded thereon as voting in the affirmative the Mayor declared Resolution 235-19 adopted.

COMMITTEE ON FINANCE

Councilmember Jenkins, 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. 236-19 do pass.

Resolution No. 236-19 Authoring the Mayor or City Manager to submit an application to the WV Governor's Highway Safety Program in the amount of \$170,000 and administer any primary and supplemental funds awarded. The Charleston Police Department will use these funds to provide reimbursement to the City for overtime expended for DUI, seat belt, child restraint, work zone, distracted and aggressive driving enforcement, equipment and travel/training.

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

That the Mayor or City Manager is hereby authorized to submit an application to the WV Governor's Highway Safety Program in the amount of \$170,000 and administer any primary and supplemental funds awarded.

Councilmember Jenkins added that this program is for DUI checkpoints and other traffic/safety items.

Councilmember Jenkins moved to approve the Resolution. Councilmember Ceperley seconded the motion. With a majority of members present recorded thereon as voting in the affirmative the Mayor declared Resolution 236-19 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. 237-19 do pass.

Resolution No. 237-19 - Authorizing the Mayor or their designee to submit the Centralized Assessment Grant renewal as part of the 2019 Continuum of Care grant to the U. S. Department of Housing and Urban Development and sign all required certifications and agreements including sub-recipient agreements, relating to the Centralized Assessment Team Grant.

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

That the Mayor or their designee is hereby authorized and directed to submit the Centralized Assessment Grant renewal as part of the 2019 Continuum of Care grant to the U. S. Department of Housing and Urban Development and sign all required certifications and agreements including sub-recipient agreements, relating to the Centralized Assessment Team Grant.

Councilmember Jenkins added that this a grant the City has acquired before, and is to place a centralized, coordinated team.

Councilmember Jenkins moved to approve the Resolution. Councilmember Ceperley seconded the motion. With a majority of members present recorded thereon as voting in the affirmative the Mayor declared Resolution 237-19 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. 238-19 do pass.

Resolution No. 238-19 - Authorizing the Mayor or City Manager to enter into an agreement with Dougherty Company in the amount of \$28,900.00 for the replacement of three (3) HVAC units at the Sojourners Homeless Shelter. To be charged as follows: \$19,000 charged to Account No. 009-018-00-002-0-999 and \$9,900 charged to Account No. 009-019-00-002-0-999.

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

That the Mayor or City Manager is authorized to enter into an agreement with Dougherty Company in the amount of \$28,900.00 for the replacement of three (3) HVAC units at the Sojourners Homeless Shelter. To be charged as follows: \$19,000 charged to Account No. 009-018-00-002-0-999 and \$9,900 charged to Account No. 009-019-00-002-0-999.

Councilmember Jenkins added that the City owns the Sojourners Homeless Shelter and that it is run by the YWCA. Funding for the units will come from CDBG funds.

Councilmember Jenkins moved to approve the Resolution. Councilmember Ceperley seconded the motion. With a majority of members present recorded thereon as voting in the affirmative the Mayor declared Resolution 238-19 adopted.

Replacement of HVAC Units at Sojourner's Homeless Shelter
Bid Opening: August 23, 2019 @ 11:00 a.m.

	Dougherty Company, Inc. 600 50th St, S.E. Charleston, WV 25304 P: (304) 925-6664 briansmith@doughertyco.com		DSO Mechanical LLC 515 Third Ave. South Charleston, WV 25303 P: (304) 744-8479 mlaughlin@dsomech.com	
	Unit Price	Total Cost	Unit Price	Total Cost
Total Bid	\$28,900.00		\$35,148.00	
Project Completion	30 days		90 days	

4. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 239-19 do pass.

Resolution No. 239-19 - Authoring the Mayor or City Manager to submit an application to the Kanawha County Commission Public Safety Grant Committee in the amount of \$19,800 and administer any funds awarded. These funds will be utilized by the Charleston Police Department to purchase flashlights, cases and reversible florescent yellow rain coats. There is no match required on these funds.

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

That the Mayor or City Manager is hereby authorized to submit an application to the Kanawha County Commission Public Safety Grant Committee in the amount of \$19,800 and administer any funds awarded.

Councilmember Jenkins added that this grant request is for funds for equipment for CPD.

Councilmember Jenkins moved to approve the Resolution. Councilmember Ceperley seconded the motion. With a majority of members present recorded thereon as voting in the affirmative the Mayor declared Resolution 239-19 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. 240-19 do pass.

Resolution No. 240-19 - Authorizing the Mayor or City Manager to sign Change Order No. 1 with Thaxton Construction Company, Inc., in the amount of \$94,620.00 for additional work performed for the Annual Pile and Lagging Wall Project on Edgewood Drive. The additional costs will increase the contract price from \$416,250.00 to \$510,870.00.

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

That the Mayor or City Manager is hereby authorized and directed to sign Change Order No. 1 with Thaxton Construction Company, Inc., in the amount of \$94,620.00 for additional work performed for the Annual Pile and Lagging Wall Project on Edgewood Drive. The additional costs will increase the contract price from \$416,250.00 to \$510,870.00.

Councilmember Jenkins added this resolution will approve an increase in the price of a contract for an on-call contractor to repair clips, slides and walls. When this contract was first approved, it was specifically for Edgewood Drive, but now the annual contract is for anywhere in the City.

Councilmember Jenkins moved to approve the Resolution. Councilmember Ceperley seconded the motion. With a majority of members present recorded thereon as voting in the affirmative, with one abstention for Burton, the Mayor declared Resolution 240-19 adopted.

2018 Annual Pile and Lagging Wall Project



CHANGE ORDER NO.1

Council Approval of Contract:

September 3, 2019

Contractor:

Thaxton Construction Company, Inc.
P.O. Box 13279
Charleston, WV 25360

Description:

In October 2018 City Council approved a \$416,250.00 contract for the 2018 Annual Pile and Lagging Wall Project.

This change order will allow the contractor to construct approximately 105 linear feet of pile and lagging wall on Edgewood Drive. The wall will consist of 672 linear feet of HP 12x53 Soldier Pile (\$110.00/L.F.), 140 pieces of 8x24x57 Concrete Lagging (\$130.00/EA) and 100 linear feet of HP 6x28 Steel Wale (\$25.00/L.F.). The cost of this additional work is \$94,620.00

Approved by:

Accepted by:

City of Charleston

Thaxton Construction, Inc.

Date

Date

6. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 241-19 do pass.

Resolution No. 241-19 - Authorizing the Mayor or City Manager to purchase fifteen (15) temporary poles and lights from Appalachian Power, a regulated public utility, in an amount not to exceed \$55,000, where the purchase price includes the purchase of poles, wires, lighting fixtures, and installation along the Kanawha Boulevard east of Greenbrier Street.

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

The Mayor or City Manager is authorized to purchase 15 temporary poles and lights from Appalachian Power, a regulated public utility, in an amount not to exceed \$55,000, where the purchase price includes the purchase of poles, wires, lighting fixtures, and installation along the Kanawha Boulevard east of Greenbrier Street.

Councilmember Jenkins added that several lamp posts/lights along the Boulevard are in dire need of replacement, with many more close to needing repair. In anticipation of Daylight Saving Time, the City thinks it would be appropriate to put up temporary lights. This will also allow the City time to evaluate the rest of the lamp posts. Once purchased, the temporary lights/poles can be used for other projects as needed.

Councilmember Jenkins moved to approve the Resolution. Councilmember Ceperley seconded the motion. With a majority of members present recorded thereon as voting in the affirmative the Mayor declared Resolution 241-19 adopted.

7. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 242-19 do pass.

Resolution No. 242-19 - Authorizing the Mayor or City Manager to renew an annual software maintenance contract with Zuercher Technologies LLC for the provision of a records management system for the Charleston Police Department in an amount not to exceed \$62,972.70.

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

The Mayor or City Manager is authorized to renew an annual software maintenance contract with Zuercher Technologies LLC for the provision of a records management system for the Charleston Police Department.

Councilmember Jenkins added this leading-edge software program was purchased for the CPD in 2016. This resolution maintains the ongoing records management system that is necessary for CPD to properly perform its duties.

Councilmember Jenkins moved to approve the Resolution. Councilmember Ceperley seconded the motion. With a majority of members present recorded thereon as voting in the affirmative the Mayor declared Resolution 242-19 adopted.

8. Your committee on Finance has had under consideration the following committee report, and reports the same to Council with the recommendation that committee report do pass.

A purchase from Atlantic Emergency Solutions, in the amount \$455,592.00 for purchase of four (4) ambulances to be used by the Charleston Fire Department. The vendor was selected through a competitive bidding process.

To be charged to Account No. 001-976-00-706-4-459, Public Safety Capital Outlay

Councilmember Jenkins added that the apparent lowest bid did not include the correct color for the vehicles which would have required an additional cost to repaint, which is why Atlantic Emergency Solutions was chosen.

Councilmember Jenkins moved to approve the Committee Report. Councilmember Ceperley seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the Committee Report adopted.

Purchase of four (4) Ambulances for CFD
Bid Opening: August 20, 2019 @ 11:00 a.m.

		Atlantic Emergency Solutions 3045 Victorian Place Hurricane, WV 25526 P: (304) 989-4113 cawalker@atlanticemergency.com			PennCare 1317 North Road Niles, Ohio 44446 P: (800) 392-7233 ext.306 joel@penncare.net			J&J Emergency Vehicle Sales 951 Point Marion Road Morgantown, WV 26508 P: (304) 296-9741 jbodkin@jandjemergencyvehicles.com			J&J Emergency Vehicle Sales 951 Point Marion Road Morgantown, WV 26508 P: (304) 296-9741 jbodkin@jandjemergencyvehicles.com			J&J Emergency Vehicle Sales 951 Point Marion Road Morgantown, WV 26508 P: (304) 296-9741 jbodkin@jandjemergencyvehicles.com		
Item	Quantity	Make/Model	Unit Price	Total Price	Make/Model	Unit Price	Total Price	Make/Model	Unit Price	Total Price	Make/Model	Unit Price	Total Price	Make/Model	Unit Price	Total Price
Ambulance	4	2020 Chevrolet K3500 4x4 Frontline	\$113,898.00	\$455,592.00	2020 Chevrolet Medix Metro Express RP90 Type IK3500	\$131,961.00	\$527,844.00	*** 2020 Chevrolet K3500 4x4 Frontline - Proposal 1	\$114,000.00	\$456,000.00	***2019 Chevrolet K3500 4x4 Frontline - Proposal 2	\$110,500.00	\$442,000.00	***2- 2019 & 2 - 2020 Chevrolet K3500 4x4 Frontline - Proposal 3	112,000.00; 125,000	\$474,000.00
TOTAL BID		\$455,592.00			\$527,844.00			\$456,000.00			\$442,000.00			\$474,000.00		
Time of Completion		40-60 days			90-120 days			90-120 days			90-120 days			90-120 days		

***** Bid Explanation**

J&J Emergency Vehicle Sales submitted three proposals with their bid.

- Proposal 1 - (4) 2020 Ambulance Model, Red
Proposal 2 - (4) 2019 Ambulance Model, All white units
Proposal 3 - (2) - 2019 Ambulance Models, Red, Built
(2) - 2019 Ambulance Models, Red, not built

9. Your committee on Finance has had under consideration the following committee report, and reports the same to Council with the recommendation that committee report do pass.

A bid submitted by MobileTek Consulting, in the amount \$57,300.00 for purchase of fifteen (15) Panasonic CF31 Mobile Data Terminals to be used by the Charleston Police Department. The vendor was selected through a competitive bidding process.

To be charged to Account No. 001-976-00-700-4-459, Police Capital Outlay

Councilmember Jenkins added that the durable laptops are necessary given the heavy use they sustain in police cruisers.

Councilmember Jenkins moved to approve the Committee Report. Councilmember Ceperley seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the Committee Report adopted.

Mobile Data Terminals - CPD

Bid Opening: August 27, 2019 @ 11:00 a.m.

MobileTek Consulting 9902 Carver Rd., Suite 203 Cincinnati, OH 45242 P: (888) 809-5474 hmandel@mobile-tek.com	
Item	Unit Price
Panasonic Toughbook CF-31	\$3,820.00

REPORTS OF OFFICERS

Report of the City of Charleston Payroll Variance Analysis; August 2019
Received and Filed.

NEW BILLS

Introduced by Councilmember Mary Beth Hoover
on September 3, 2019:

Bill No. 7833 – A Bill amending the Zoning Ordinance of the City of Charleston by rezoning from a C-10 General Commercial District to CBD Central Business District, that certain parcel of land located at 216-222 Leon Sullivan Way.

Refer to Municipal Planning Commission and Planning, Streets and Traffic Committee

MISCELLANEOUS/UNFINISHED BUSINESS

1. Mayor Goodwin announced the first ever Charleston Youth Council.

ADJOURNMENT

The Clerk, Miles C. Cary II, called the closing roll call:

YEAS: Adams, Bays, Burton, Campbell, Ceperley, Cook, Haas, Hoover, Jenkins, Jones, King, Knauff, Laird, McKinney, Minardi, Overstreet, Persinger, Pharr, Reishman, Robinson, Sheets, Steele, Wesley-Plear, Mayor Goodwin

NAYS: NONE

ABSENT: Bailey, Faegre, Snodgrass

At 7:32 p.m., by a motion from Councilmember Ceperley, Council adjourned until Monday, September 16, 2019, at 7:00 p.m., in the Council Chamber in City Hall.

Amy Shuler Goodwin, Honorable Mayor

Miles C. Cary, City Clerk