

CHARLESTON CITY COUNCIL

Regular Meeting

December 2, 2019

at 7:00 PM



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

AGENDA

CALL TO ORDER BY THE MAYOR

INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

SWEARING IN OF YOUTH COUNCIL

PUBLIC SPEAKERS AND CLAIMS

1. Claims 12-2-2019

PROCLAMATIONS

1. 12-2-2019

COMMUNICATIONS

1. 12-2-2019

REPORTS OF STANDING COMMITTEES

PLANNING, STREETS AND TRAFFIC

1. Street Dedication: A request by WV IL- AL Investors, LLC to dedicate Peyton Way located off Parkway Road as a city street.

2. Bill No. 7846 Committee Substitute - Amending the Zoning Ordinance of the City of Charleston, West Virginia, adopted January 1, 2006, as amended, by allowing "Automotive Body and Paint Shop" as a permitted use in the C-8 Village Commercial District.
3. Bill No. 7855 - A Bill to establish a 15 MPH speed limit on Woodhaven Drive from Woodward Drive to end of Woodhaven Drive 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.

FINANCE

1. Resolution No. 267-19 - Authorizing the Mayor or City Manager to purchase of four ambulances.
2. Resolution No. 268-19 - Authorizing the Mayor or City Manager to enter into a contract with Stantec Consulting Services, Inc. to perform project administration services for the South Side Bridge rehabilitation project.
3. Resolution No. 269-19 – Authorizing the Finance Director to establish a special fund for the Planning Department to receive forgivable loan proceeds from the WV Housing Development Fund.
4. Resolution No. 270-19 – Purchase of a print and laminating system for Traffic Engineering.

REPORTS OF OFFICERS

1. 12-2-2019

NEW BILLS

1. 12-2-2019

UNFINISHED BUSINESS AND/OR MISCELLANEOUS BUSINESS

ROLL CALL

ADJOURNMENT

THE NEXT REGULAR MEETING OF COUNCIL WILL BE HELD DECEMBER 16, 2019 AT 7:00 P.M.

***Meetings may be recorded and broadcast via internet <https://charlestonwv.civicclerk>**



AFFIDAVIT City of Charleston



STATE OF WEST VIRGINIA
COUNTY OF KANAWHA, to-wit:

The Mayor, Recorder, and/or Municipal Attorney of the City of Charleston, West Virginia, will take notice that this day appeared before the undersigned authority,

RICHARD T. BUTLER, Claimant,
who, after being first by me duly sworn, deposes and says:

That this affiant resides at: 1122 WILKIE DR. CHAR. W.V. 25314-1725

Telephone Number: (304) 3420595

and that on the 31ST day of OCTOBER, 2018/2019, at approximately 2:00 am/pm
in the City of Charleston, West Virginia, he/she sustained

Nature Of Injury And/Or Damage

As A Result Of:

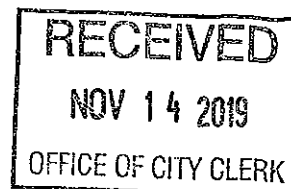
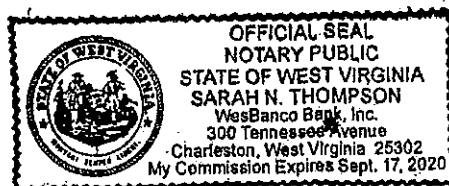
ON OCTOBER 31 2019 AROUND 2:00 PM A LARGE WIND & RAIN STORM
BLOW THRU KANAWHA CITY. A LARGE LIMB (ON CITY PROPERTY) FELL
ONTO MY VEHICLE. 2018 HYUNDAI THRON SE, CAUSING \$4,771.26 WORTH
OF DAMAGE. FOR WHICH I'M RESPONSIBLE FOR \$500.00 MY DEDUCTIBLE

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

Signature of Claimant

Taken, subscribed and sworn to before me this 12 day of November, 2019.
My commission expires 9/17/20

Sarah Thompson
Notary Public





AFFIDAVIT
City of Charleston



STATE OF WEST VIRGINIA
COUNTY OF KANAWHA, to-wit:

The Mayor, Recorder, and/or Municipal Attorney of the City of Charleston, West Virginia, will take notice, that this day appeared before the undersigned authority,
William Elswick, Claimant,
who, after being first by me duly sworn, deposes and says:

That this affiant resides at: 106 Delaware Ave Charleston WV 25302

Telephone Number: 304-244-5534

and that on the 18th day of November, 2018/2019, at approximately 10 am/pm
in the City of Charleston, West Virginia, he/she sustained

Car hit a hole in the middle lane on Lee St. before
Tenn Ave. Had a flat tire and called to be towed
Nature Of Injury And/Or Damage

As A Result Of:

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

William Elswick
Signature of Claimant

Taken, subscribed and sworn to before me this 18th day of November, 2019.
My commission expires November 14, 2024.

Niall R. Smith
Notary Public

**EXECUTIVE DEPARTMENT
CITY OF CHARLESTON
PROCLAMATION**

- WHEREAS:** The history of professional baseball in Charleston, West Virginia dates back to 1910 beginning with the Charleston Statesmen and continues today with the West Virginia Power; and
- WHEREAS:** As a locally-owned business, the West Virginia Power infuses approximately \$3 million into our local economy, employs more than 100 people, attracts visitors to the area, provides affordable, live family entertainment, and assists local charities in raising hundreds of thousands of dollars every year; and
- WHEREAS:** Major League Baseball's Commissioner and owners have targeted the West Virginia Power and 41 other minor league teams for elimination from their player development structure following the 2020 season in their quest to add profits within their \$10 billion industry; and
- WHEREAS:** While Major League Baseball claims that its restructuring proposal is based primarily on geography and quality of minor league facilities, Appalachian Power Park has always met or exceeded official ballpark standards and Charleston is centrally located in the heart of the Minor League Baseball footprint covering much of the eastern part of the country; and
- WHEREAS:** We urge Major League Baseball to reconsider its proposal which threatens the future of professional baseball in our City, State and Country. We also urge our federal representatives to examine whether Major League Baseball still deserves their antitrust exemption.

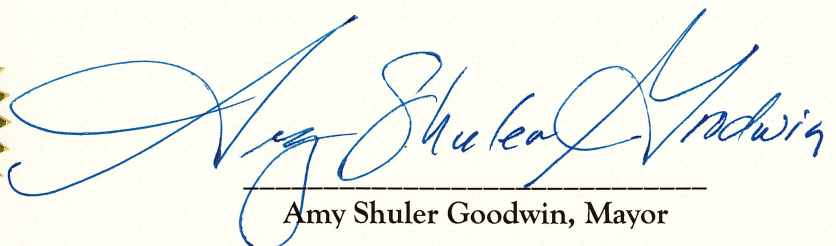
NOW THEREFORE, I, Amy Shuler Goodwin, Mayor of the City of Charleston, do hereby proclaim that I and City Council Members of Charleston

**RESOLVE TO SUPPORT THE WEST VIRGINIA POWER
AND THE THREE OTHER STATE MINOR LEAGUE TEAMS**

as valuable partners in job creation, economic development, tourism, quality of life and charitable community support in our Capital City and the Mountain State.

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the Executive Department to be affixed this 2nd day of December 2019.




Amy Shuler Goodwin, Mayor

City of Charleston

Executive Office of the Mayor

CERTIFICATE OF APPRECIATION

presented on the 2nd day of December 2019, to

PHYLLIS BREWER-SPENCER

In celebration of your compassionate and dedicated service to those in your community; and
In recognition of your role in reuniting Ashley Mullins with her family in Logan County; and
In honor of your work, every day, to make our Capital City a more vibrant place to live, work and play.





Amy Shuler Goodwin, Mayor

IN WITNESS WHEREOF, I have set my hand
and caused the Seal of the Executive Department
to be affixed this 2nd day of December 2019.

City of Charleston
Executive Office of the Mayor

CERTIFICATE OF APPRECIATION

presented on the 2nd day of December 2019, to

ANNA BREWER

In celebration of your compassionate and dedicated service to those in your community; and

In recognition of your role in reuniting Ashley Mullins with her family in Logan County; and

In honor of your work, every day, to make our Capital City a more vibrant place to live, work and play.



**IN WITNESS WHEREOF, I have set my hand
and caused the Seal of the Executive Department
to be affixed this 2nd day of December 2019.**



Amy Spuler Goodwin, Mayor

City of Charleston
Executive Office of the Mayor

CERTIFICATE OF APPRECIATION

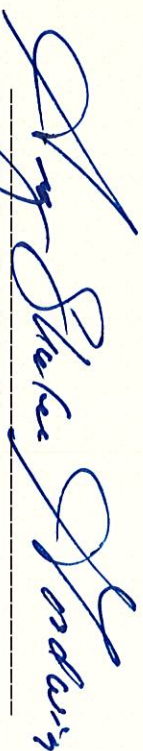
presented on the 2nd day of December 2019, to

GREG BREWER

In celebration of your compassionate and dedicated service to those in your community; and
In recognition of your role in reuniting Ashley Mullins with her family in Logan County; and
In honor of your efforts to make our Capital City a more vibrant place to live, work and play.



IN WITNESS WHEREOF, I have set my hand
and caused the Seal of the Executive Department
to be affixed this 2nd day of December 2019.



Amy Skuler Goodwin, Mayor

WV IL- AL Investors, LC

4423 Pheasant Ridge Road, Suite 301
Roanoke, Virginia 24014

Friday October 18, 2019

City of Charleston

Attn: Dan Vriendt

915 Quarrier Street, Suite 1

Charleston, WV 25301

Dear Mr. Vriendt,

The portion of the road, Peyton Way, leading to 801 Peyton Way Charleston, WV has been completed to the satisfaction of the Engineering Department. Corey Maynard has inspected the road and is satisfied with construction of road.

WV IL- AL Investors, LLC respectfully requests that the road be dedicated to the city at this time.

Sincerely,

Aubury Holmes

Senior Development Manager

Bill No. 7846, Committee Substitute

Introduced in Council

Passed by Council

November 4, 2019

Introduced by

Referred to

Adam Knauff

Planning, Streets & Traffic Committee
Municipal Planning Commission

Bill No. 7846 amending the Zoning Ordinance of the City of Charleston, West Virginia, adopted January 1, 2006, as amended, by allowing "Automotive Body and Paint Shop" as a permitted use in the C-8 Village Commercial District.

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

The Zoning Ordinance for the City of Charleston, West Virginia, effective January 1, 2006, is hereby amended as follows:

1) In Article 3 Establishment of Zoning Districts and Map

Section 3-050 Permitted Land Uses

LAND USE	R-2	R-4	R-6	R-8	R-10	R-O	C-4	C-8	C-10	C-12	CBD	UCD	CVD	PMC	I-2	I-4	PUD	SUPP.
Automotive Body and Paint Shop								P	P	P					P	P		14, 55

55. Vehicles with body damage shall sit no more than 72 hours before being moved into an area with a privacy fence or into the shop.

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

1 **Bill No. 7855**

2 Passed by Council:

3 Introduced in Council

4 **November 4, 2019**

5 Referred to

6 Introduced by:

7 **Pat Jones**

Planning, Streets and Traffic

8
9
10 **Bill No. 7855** - A Bill to establish a 15 MPH speed limit on Woodhaven Drive from
11 Woodward Drive to end of Woodhaven Drive and amending the Traffic Control Map and
12 Traffic Control File, established by the code of the City of Charleston, West Virginia, two
13 thousand and three, as amended, Traffic Laws, Section 263, Division 2, Article 4,
14 Chapter 114, to conform therewith.

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

16 Section 1. Establish a 15 MPH speed limit on Woodhaven Drive from Woodward
17 Drive to end of Woodhaven Drive.

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

22
23 Section 3. All prior Ordinances, including but not limited to Ordinance 936, which are
24 inconsistent with this Ordinance are hereby repealed to the extent of said inconsistency.

Resolution No. 267-19

Introduced in Council:

Adopted by Council:

December 2, 2019

Introduced by:

Referred to:

Joseph Jenkins

Finance

1 Resolution No. 267-19 – Authorizing the Mayor or City Manager to enter into an agreement
2 with J&J Emergency Vehicle Sales, in the amount of \$444,996.00, for purchase of four
3 ambulances (\$111,249.00 each) to be used by the Charleston Fire Department.

4

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

6

7 The Mayor or City Manager are authorized to enter into an agreement with J&J Emergency
8 Vehicle Sales, in the amount of \$444,996.00, for purchase of four ambulances (\$111,249.00
9 each) to be used by the Charleston Fire Department.

10

Purchase of four (4) Ambulances for CFD

Bid Opening: November 7, 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 joe@pennccare.net			J&J Emergency Vehicle Sales 951 Point Marion Road Morgantown, WV 26508 P: (304) 296-9741 jbodkin@jjemergencyvehicles.com		
Item	Quantity	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	\$112,643.25	\$450,573.00	2020 Chevrolet K3500 4X4 MedixRP90 Type 1	\$118,355.00	\$473,420.00	2020 Chevrolet K3500 4x4 Frontline	\$111,249.00	\$444,996.00
TOTAL BID		\$450,573.00			\$473,420.00			\$444,996.00		
Time of Completion		90-120 days			90-120 days			95 days		

Resolution No. 268-19

Introduced in Council:

Adopted by Council:

December 2, 2019

Introduced by:

Referred to:

Joseph Jenkins

Finance

1 Resolution No. 268-19 – Authorizing the Mayor or City Manager to enter into a contract with
2 Stantec Consulting Services, Inc. to perform project administration services for the South Side
3 Bridge rehabilitation project. The fee is based on time and materials, with a Not To Exceed cost
4 of \$91,605. Inspection services will include one WVDOT TRET Level 3 Supervisor, 24 hours per
5 week for a 6-month project duration. The Construction Administration portion of the fee will
6 include project management, steel shop drawing reviews, answering RFI's and site visits as
7 needed.

8

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

10

11 The Mayor or City Manager is authorized to enter into a contract with Stantec Consulting
12 Services, Inc. to perform project administration services for the South Side Bridge rehabilitation
13 project. The fee is based on time and materials, with a Not To Exceed cost of \$91,605.

INDEX

City of Charleston
South Side Bridge Rehabilitation

6 Month Duration
Feb. 1 2020 - July 31, 2020

SUMMARY

DESIGN SERVICES: HOUR DISTRIBUTION / LABOR COST

CONSTRUCTION INSPECTION: HOUR DISTRIBUTION / LABOR COST

DIRECT COSTS

Prepared by:

Stantec Consulting Services Inc.

PROJECT COST SUMMARY

City of Charleston
South Side Bridge Rehabilitation

6 Month Duration
Feb. 1 2020 - July 31, 2020

Stantec Consulting Services Inc.

Design Labor	\$	15,434.00
CEI Labor	\$	61,615.20
Directs	\$	<u>14,555.36</u>

Total Cost \$ **91,604.56**

Total Rounded \$ **91,605.00**

Proposal Notes:

1. Inspection personnel includes one (1) WVDOH TRET Level 3 Supervisor with associated Project Management and Administrative Assistant charges.
2. Proposal based on a six (6) month duration at 24 hours per week
3. Lodging and meal allowance has been included in the event the approved inspector does not reside within commuting distance to the project area.

DESIGN SERVICES: HOUR DISTRIBUTION / LABOR COSTS

City of Charleston
South Side Bridge Rehabilitation

6 Month Duration
Feb. 1 2020 - July 31, 2020

Stantec Consulting Services, Inc.	Classification			Subtotal	
	Design Manager	Sr Structural Engineer	Structural Engineer	Hours	Subtotal
	\$161.00	\$141.00	\$127.00		
Project Management	20	0	0	20	\$ 3,220.00
Steel Shop Drawings	2	16	24	42	\$ 5,626.00
Construction RFIs	2	20	20	42	\$ 5,682.00
Site Visit	3	3	0	6	\$ 906.00
Totals				110	\$15,434.00

Proposal Notes:

Based on assumed 50 sheets of steel shop drawings

Assumed 20 RFIs

Assumed 3 site visits

Excludes any design revisions requests

CONSTRUCTION INSPECTION: HOUR DISTRIBUTION / LABOR COSTS

City of Charleston
South Side Bridge Rehabilitation

6 Month Duration
Feb. 1 2020 - July 31, 2020

Stantec Consulting Services, Inc.	2020												Subtotal	Hourly	Extension
POSITION TITLE	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Hours	Rate	
Construction Manager		16	16	16	16	16	16						96	\$ 123.06	\$ 11,813.76
*Level 3 Supervisor		104	104	104	104	104	104						624	\$ 79.81	\$ 49,801.44
**Level 3 Supervisor (over-time)		0	0	0	0	0	0						0	\$ 96.16	\$ -
Sub Totals													720		\$ 61,615.20

Proposal Notes:

*1-Inspector X 24 Hours/Week X 4.33 wk/month = 104 Hours

365 days year / 12 months / 7 days week - 4.33 wk/ month

Totals 720 \$ 61,615.20

DIRECT COSTS

City of Charleston
South Side Bridge Rehabilitation

6 Month Duration
Feb. 1 2020 - July 31, 2020

Stantec Consulting Services, Inc.

1. Vehicle 10,392 miles @ \$ 0.580 miles \$ 6,027.36

2 WD Vehicle @ 400 miles/wk x 4.33 wk/month x 6 months = 10,392

2. Lodging 52 nights @ \$ 94.00 \$ 4,888.00

Inspectors x 2 nights/week x 4.33 wk/month x 6 months = 52

3. Meals 26 meals @ \$ 56.00 = \$1,456.00 \$3,640.00
52 meals @ \$ 42.00 = \$2,184.00

Inspectors x 1 full meal/week x 4.33 wk/month x 6 months = 26

Inspectors x 2 partial meals/week x 4.33 wk/month x 6 months = 52

Subtotal	\$ 14,555.36
Profit (0%)	\$ -
Total Direct Costs	\$ 14,555.36

Assuptions:

Estimates for meals, lodging, and travel assumes a minimum of a 5 day work week. Inspectors will travel to the project the first work day of the week and travel home the last work day of the week. Lodging estimated at 4 days per week and meal allowance estimated at 3 full meal allowance and two partial meal allowance.

Resolution No. 269-19

Introduced in Council:

Adopted by Council:

December 2, 2019

Introduced by:

Referred to:

Joseph Jenkins

Finance

1 Resolution No. 269-19 – Authorizing the Finance Director to establish special revenue fund 018,
2 Planning Grant Fund, a fund that accounts for revenues received from various granting agencies
3 for consultation services, architectural design services, implementation of blight analysis GIS
4 mapping software, and other resources to coordinate program design and effective and
5 strategic code enforcement efforts.

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

8
9 The Finance Director is authorized to establish special revenue fund 018, Planning Grant Fund, a
10 fund that accounts for revenues received from various granting agencies for consultation
11 services, architectural design services, implementation of blight analysis GIS mapping software,
12 and other resources to coordinate program design and effective and strategic code
13 enforcement efforts.

Resolution No. 270-19

Introduced in Council:

Adopted by Council:

December 2, 2019

Introduced by:

Referred to:

Joseph Jenkins

Finance

Resolution No. 270-19 – Authorizing the City Manager to purchase a print and laminating system for Traffic Engineering from Osburn Associates, Inc. in the amount of \$44,345 as the result of a competitive bidding process. The purchase will be charged to the Parking System account.

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

The City Manager is authorized to purchase a print and laminating system for Traffic Engineering from Osburn Associates, Inc. in the amount of \$44,345 as the result of a competitive bidding process. The purchase will be charged to the Parking System account.

City of Charleston, WV Print & Laminating System for Traffic Engineering Bid Opening: November 25, 2019 @ 10:30am	
	Osburn Associates, Inc. PO Box 912 Logan, OH 43138 (800) 523-8917 jennifort@osburns.com
Print & Laminating System	\$44,345.00
Total Bid	\$44,345.00