



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

CITY OF CHARLESTON, WEST VIRGINIA

Regular Meeting – Monday, December 2, 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 December on the 2nd day, in the year 2019, and was called to order by the Honorable Mayor, Amy Shuler Goodwin. The invocation was delivered by Councilmember Sheets and the Pledge of Allegiance was led by Councilmember 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

STEELE**

**BAILEY
CAMPBELL
FAEGRE
JENKINS
KNAUFF
MINARDI
PHARR
SHEETS
WESLEY-PLEAR**

**BAYS
CEPERLEY
HAAS
JONES
LAIRD
OVERSTREET
REISHMAN
SNODGRASS
MAYOR GOODWIN**

With twenty-six 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. Rod Blackstone – WV Power – spoke concerning efforts to prevent Major League Baseball's restructuring proposal which would remove WV Power from the league.
2. Martec Washington – asked for the resignation of Chief Smith.

YOUTH COUNCIL

The members of the 2019/2020 Youth Council were sworn in by Mayor Goodwin.

CLAIMS

1. A claim of Richard T. Butler, Charleston, WV;
alleges damage to vehicle.
Refer to City Solicitor

2. A claim of William Elswick, Charleston, WV;
alleges damage to vehicle.
Refer to City Solicitor

PROCLAMATIONS

1.

**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.

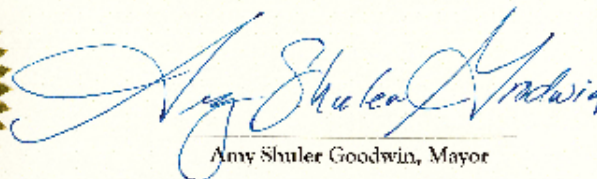
NOW THEREFORE, I, Amy Shuler Goodwin, Mayor of the City of Charleston, do hereby proclaim that I and City Council Members of Charleston

**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.

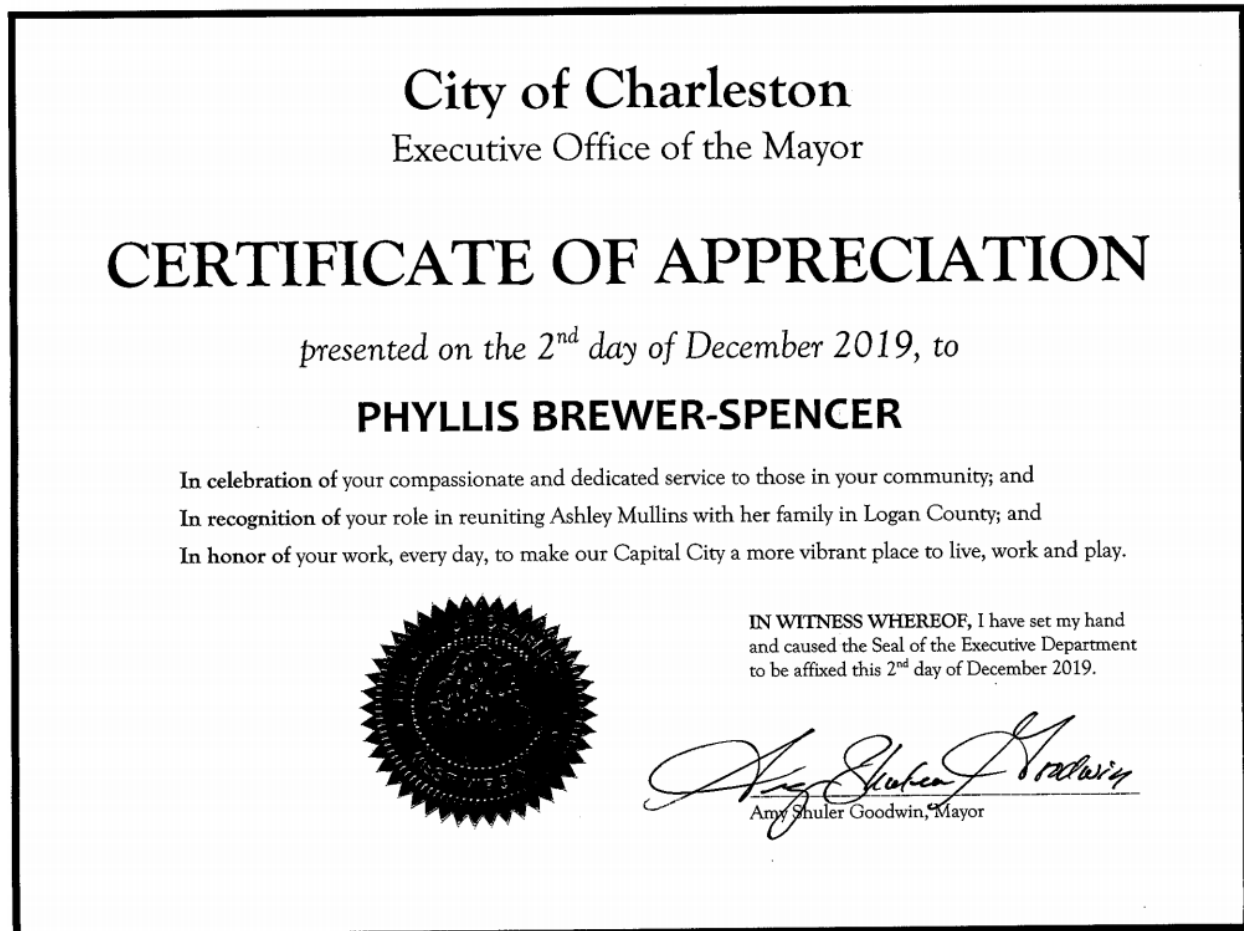
IN WITNESS WHEREOF, I have set my hand and caused the Seal of the Executive Department to be affixed this 2nd day of December 2019.




Amy Shuler Goodwin, Mayor

COMMUNICATIONS

1.



2.

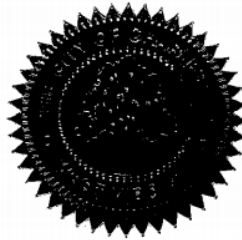
City of Charleston
Executive Office of the Mayor

CERTIFICATE OF APPRECIATION

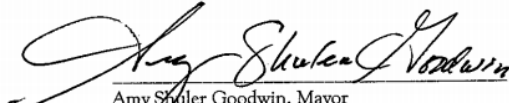
presented on the 2nd day of December 2019, to

ANNA BREWER

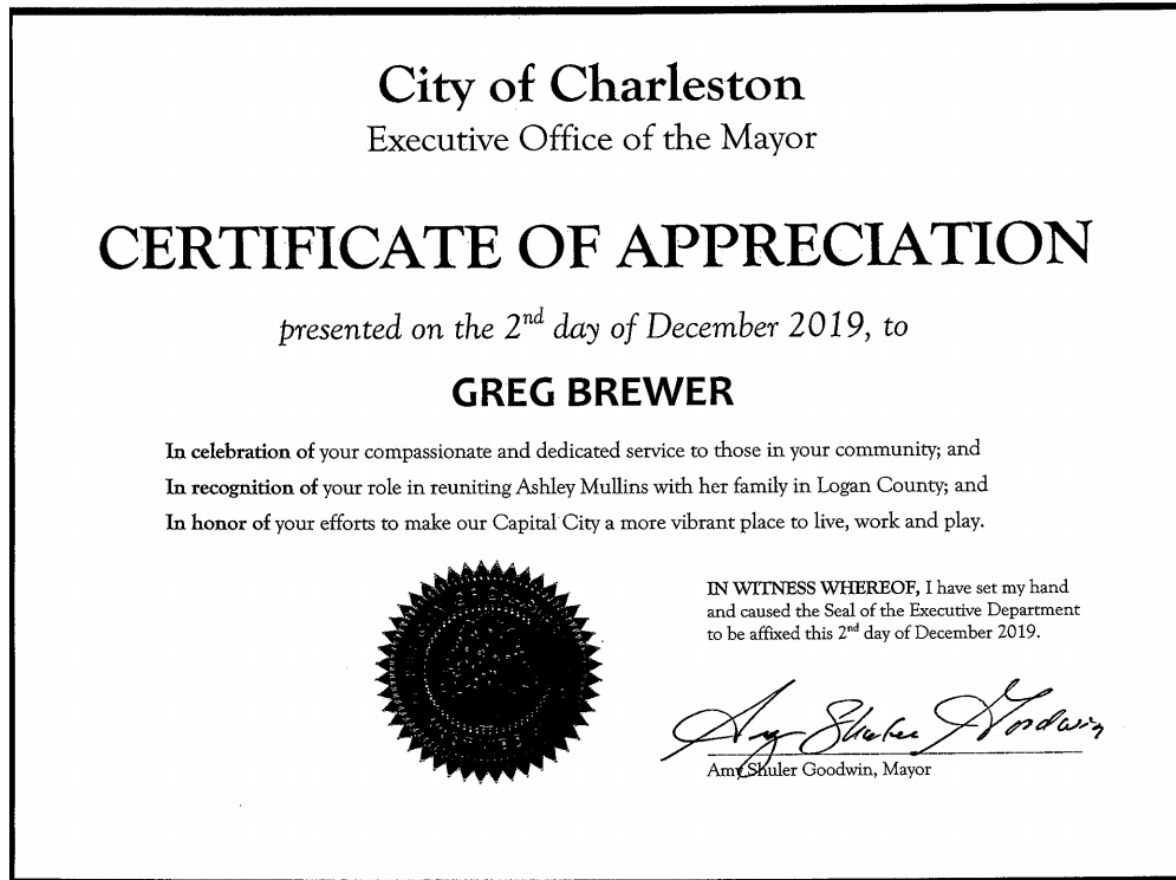
In celebration of your compassionate and dedicated service to those in your community; and
In recognition of your role in reuniting Ashley Mullins with her family in Logan County; and
In honor of your work, every day, to make our Capital City a more vibrant place to live, work and play.



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

3.



REPORTS OF COMMITTEES

PLANNING, STREETS AND TRAFFIC

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

1. Your Committee on Planning, Streets and Traffic has had under consideration a street dedication request and reports the same to Council with the recommendation that the street dedication do pass contingent upon the submittal and approval of a two-year maintenance bond.

The Committee finds:

1. The amount of the bond adequately safeguards the city in the event of failure of the roadway;
2. The construction of the street conforms to all development standards contained in the Subdivision Regulations as inspected by the City Engineer; and
3. The development of the independent living facility and other improvements conforms with all requirements of DSI-17-0027 and Resolution No. 912-17.

Councilmember Hoover added that the street where a new assisted living center is being built.

Councilmember Hoover moved to approve the Street Naming. Councilmember Ceperley seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Peyton Way street dedication passed.

2. Your committee on Planning, Streets and Traffic has had under consideration the following bill, and reports the same to Council with the recommendation that Bill No. 7846 Committee Substitute do pass.

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.

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	CB D	UC D	CV D	PM C	I-2	I-4	PU D	SUP P.
Automotive Body and Paint Shop								<u>P</u>	P	P					P	P		14, <u>55</u>

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.

Councilmember Hoover added that the EPA has strict guidelines concerning Automotive Body and Paint Shops. The committee substitute adds for the removal of damaged vehicles after 72 hours.

Councilmember Hoover moved to approve the bill. Councilmember Ceperley seconded the motion. A roll call was taken:

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

NAYS: NONE

ABSENT: Robinson

With a majority of members present recorded thereon as voting in the affirmative the Mayor declared Bill No. 7846 Committee Substitute passed.

3. Your committee on Planning, Streets and Traffic has had under consideration the following bill, and reports the same to Council with the recommendation that Bill No. 7855 do pass.

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.

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

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

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

Councilmember Hoover added that this road in the North Charleston area is very short and narrow, which warrants the slower speed limit.

Councilmember Hoover moved to approve the bill. Councilmember Ceperley seconded the motion. A roll call was taken:

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

NAYS: NONE

ABSENT: Robinson

With a majority of members present recorded thereon as voting in the affirmative the Mayor declared Bill No. 7855 passed.

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. 267-19 do pass.

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

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

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

Councilmember Jenkins added that bids for the ambulances had been previously approved, however, the bids were challenged by one of the bidders. The bids were retracted and re-bid for the 2020 models.

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 260-19 adopted.

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@penncare.net			J&J Emergency Vehicle Sales 951 Point Marion Road Morgantown, WV 26508 P: (304) 296-9741 jbodkin@jiemergencyvehicles.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		

2. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 268-19 do pass.

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. The fee is based on time and materials, with a Not To Exceed cost of \$91,605. Inspection services will include one WVDOT TRET Level 3 Supervisor, 24 hours per week for a 6-month project duration. The Construction Administration portion of the fee will include project management, steel shop drawing reviews, answering RFI's and site visits as needed.

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

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

Councilmember Jenkins added that the resolution is in addition to the previously approved construction contract. Stantec Consulting Services, Inc. will essentially serve as project manager and will perform other administrative tasks.

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 268-19 adopted.

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	\$	14,555.36

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.

3. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 269-19 do pass.

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

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

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

Councilmember Jenkins added that the resolution established a fund for the efficient use of the forgivable loan proceeds previously approved.

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 269-19 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. 270-19 do pass.

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.

Councilmember Jenkins added that the proposed system will save a lot of labor hours from the current system. Mayor Goodwin added that the quality of the materials will also improve.

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 270-19 adopted.

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

REPORTS OF OFFICERS

NONE

NEW BILLS

NONE

MISCELLANEOUS/UNFINISHED BUSINESS

1. Mayor Goodwin announced the creation of a Select Committee on Business Incentives. Councilmember Minardi will Chair the select committee, which will include Councilmembers Adams, Parr, Reishman and Steele.

ADJOURNMENT

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

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

NAYS: NONE

ABSENT: Robinson,

At 7:41 p.m., by a motion from Councilmember Ceperley, Council adjourned until Monday, December 16, 2019, at 7:00 p.m., in the Council Chamber in City Hall.

Amy Shuler Goodwin, Honorable Mayor

Miles C. Cary II, City Clerk