

MINUTES
FINANCE COMMITTEE MEETING
6:30 P.M., FEBRUARY 3, 2020
A/V CONFERENCE ROOM

Joseph Jenkins, Chairperson, called the meeting of the Charleston City Council Committee on Finance to order at 6:30 p.m., February 3, 2020, in the Audio/Visual Room in City Hall.

A silent roll was taken by the Clerk and a quorum was established. The following committee members were present:

Joseph Jenkins, Chair
Bobby Reishman, Vice Chair
Brent Burton
Mary Beth Hoover
Will Laird
Shannon Snodgrass
Keeley Steele

I. DISCUSSION:

a. Councilmember Reishman asked for unanimous consent to dispense with the reading of the minutes for the January 21, 2020 meeting and that they be approved as distributed. There was no objection and the minutes were approved.

Councilmember Jenkins asked that the financial audit discussion be taken up at the end of the meeting. There was no objection and the meeting continued.

b. Financial Audit – City Manager, Jonathan Storage stated that Pursuant to State Law, the City's financial records are audited each year by either an outside auditing firm or the State Auditor's Office. For the first time in the memory of City staff, the City received a clean audit opinion from the independent auditors. This means that the City did not receive a single audit finding relating to its financial records or its internal risk control measures relating to the handling of public money. The importance of a clean financial audit should not be understated, as it reflects the ideals of transparency and accountability influencing the Goodwin Administration every day. Every Department Head works diligently to be good stewards of taxpayer funds. Storage and Mayor Goodwin would like to specifically thank the City Auditor, Tia Robertson, and the entire Accounting Department staff for their hard work in ensuring that the City's financial records remain in good order and ensuring that proper control mechanisms are in place to minimize fraud and waste. Notable items in the financial report show that the City has reduced its bond debt by \$4.7 Million. The City's contributions to police and fire pensions equaled over \$12 Million.

II. RESOLUTIONS:

- a. Resolution No. 282-20 - Authorizing the Mayor or City Manager to submit applications to the West Virginia State Police Commission on Drunk Driving Prevention during the spring, summer and fall 2020 grant cycles for funds in the amount of \$15,000 each and administer any funds awarded. Funds will be utilized for DUI checkpoints and road patrols by the Charleston Police Department.

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

That the Mayor or City Manager is authorized to submit grant applications to the West Virginia State Police Commission on Drunk Driving Prevention during the spring, summer and fall 2020 grant cycles for funds in the amount of \$15,000 each and administer any funds awarded. Funds will be utilized for DUI checkpoints and road patrols by the Charleston Police Department.

Storage, added that, unlike previously, the Committee will be giving permission to seek all the grants instead of seasonally. The grants will be used for roving DUI patrols and DUI checkpoints. In 2019, there were 10 DUI checkpoints with: 26 DUI arrests, 24 other arrests and 260 total citations issued.

Councilmember Reishman moved to approve the Resolution. With a majority of members present recorded thereon as voting in the affirmative, Chairperson Jenkins declared Resolution No. 282-20 approved.

- b. Resolution No. 284-20 - Authorizing approval of Amendment No. 6 in the FY 2019-2020 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 Amendment No. 6 in the FY 2019-2020 General Fund Budget as indicated on the attached list of accounts is approved.

Storage added that the first transaction in the budget amendment addresses funds appropriated to facilitate the City's Family Reunification Program. The funds were originally appropriated to Prestera, which worked with the Kanawha Valley Collective to continue the program. This appropriation allows the City to pay KVC directly without having to go through a third-party intermediary. The revenue to the Parks and Recreation Department recognizes a contribution from Huntington Bank. Mayor Goodwin added that the remaining listings were from a contribution from ATT&T to be used for dilapidated home demolitions, new mattresses for the fire stations and after school programs.

Councilmember Reishman moved to approve the Resolution. With a majority of members present recorded thereon as voting in the affirmative Chairperson Jenkins declared Resolution No. 284-20 approved.

General Fund FY 2019-2020 Budget Amendment No. 6 - February 3, 2020

Account No.	Department	Account Description	Amount
001 804 00 000 5 568	Other Health Programs	Other Contributions	(55,000)
001 412 00 000 2 230	City Manager	Contracted Services	55,000

To reallocated funds due to change in the contract for homeless outreach services.

001 368 11 0000	Revenue	Contributions from Others	(60,000)
001 979 00 900 4 458	Parks & Recreation	Capital Outlay - Major Improvements	60,000

To rollover the contribution from Huntington Bank to be used for improvements to the Martin Luther King Jr. Community Center.

001 368 06 0000	Revenue	Contributions from Others	(45,000)
001 436 00 000 2 230	Building Commission	Contracted Services	32,000
001 706 00 000 3 341	Fire	Materials & Supplies	8,000
001 409 00 000 5 568	Mayor's Office	Other Contributions	5,000

To recognize contribution for AT&T to be used for dilapidated home demolition, purchasing new mattresses for the fire stations, and after school programs.

- c. Resolution No. 285-20 - Authorizing and directing the Finance Director to establish Fund 019, Tourism and Promotions Fund, a Special Revenue Fund, to account for revenues received from transfers from other funds and other available sources of funding to be used for marketing, direct advertising, business development, and public relations promoting travel and tourism within the city and the city's image and brand identity.

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

The Finance Director is authorized and directed to establish Fund 019, Tourism and Promotions Fund, a Special Revenue Fund, to account for revenues received from transfers from other funds and other available sources of funding to be used for marketing, direct advertising, business development, and public relations promoting travel and tourism within the city and the city's image and brand identity.

Storage added that that this resolution and the two that follow represent a follow-up to the Council budget appropriations made on January 21st. The resolution authorizes the establishment of a special revenue fund to be used for the purpose as stated in the resolution.

Councilmember Reishman moved to approve the Resolution. With a majority of members present recorded thereon as voting in the affirmative Chairperson Jenkins declared Resolution No. 285-20 approved.

- d. Resolution No. 286-20 - Authorizing and directing the Finance Director to establish Fund 020, Business Development and Economic Incentives Fund, a Special Revenue Fund, to account for revenues received from transfers from other funds and other available sources of funding to be used for economic development initiatives that promote business formation, expansion, and retention, focusing particularly on small business initiatives.

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

The Finance Director is authorized and directed to establish Fund 020, Business Development and Economic Incentives Fund, a Special Revenue Fund, to account for revenues received from transfers from other funds and other available sources of funding to be used for economic development initiatives that promote business formation, expansion, and retention, focusing particularly on small business initiatives.

Councilmember Reishman moved to approve the Resolution. With a majority of members present recorded thereon as voting in the affirmative Chairperson Jenkins declared Resolution No. 286-20 approved.

- e. Resolution No. 287-20 - Authorizing and directing the Finance Director to establish Fund 021, Community Participation Grant Program Fund, a Special Revenue Fund, to account for revenues received from transfers from other funds and other available sources of funding to be used for issuing grants to eligible organizations for projects and programs that enhance and strengthen the various neighborhoods and communities of Charleston. Expenditures from the fund are subject to program guidelines established by the City Manager.

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

The Finance Director is authorized and directed to establish Fund 021, Community Participation Grant Program Fund, a Special Revenue Fund, to account for revenues received from transfers from other funds and other available sources of funding to be used for issuing grants to eligible organizations for projects and programs that enhance and strengthen the various neighborhoods and communities of Charleston. Expenditures from the fund are subject to program guidelines established by the City Manager.

Storage added that the resolution contains proposed guidelines for how the money in the fund may be requested and used.

Councilmember Jenkins added that this is exciting and important as it will allow Councilmembers to directly impact their community. He confirmed with Storage that expenditures have to go through a 501(c)(3).

Councilmember Hoover confirmed with Storage that the minimum increment is \$500, but that they could also choose to spend their allotment at once.

Councilmember Reishman moved to approve the Resolution. With a majority of members present recorded thereon as voting in the affirmative Chairperson Jenkins declared Resolution No. 287-20 approved.

COMMUNITY PARTICIPATION GRANT PROGRAM GUIDELINES

I. PURPOSE

The Community Participation Grant Program is established to promote flexibility and public input regarding the decision-making process for reinvesting a portion of the City's water settlement funds back into the Charleston community.

II. General Terms and Conditions

1. Each Council Member is apportioned a one-time sum of \$5,000 to be spent in accordance with these program guidelines.
2. Members may consolidate some or all of their apportioned funds with one another to facilitate larger projects in the community.
3. Members may spend their apportioned funds by requesting that a financial contribution be made only to charitable organizations, as defined by §501(c)(3) of the Internal Revenue Code.
 - 3.1. Such organizations may not engage in the following activities:
 - 3.1.1 attempt to influence legislation as a substantial part of its activities;
 - 3.1.2 participate in any campaign activity for or against candidates for public office; or
 - 3.1.3 be organized or operated for the benefit of private interests.
4. Members may request the expenditure of their apportioned funds by submitting the attached form to the City Manager. The City Manager reserves the right to refuse a request if, in his/her opinion, and in consultation with the City Attorney, the fulfillment of the request would be in violation of applicable federal, state, or local laws.
5. Members must adhere to the applicable provisions of the West Virginia Governmental Ethics Act, W. Va. Code § 6B-1-1, *et seq.*, and Members may not use apportioned funds for personal gain.
6. All expenditures of funds under this program will be in the name of the City of Charleston only.
7. Members may request to spend all or some portion of their apportioned funds at any time; however, the expenditure of such funds must be in increments of \$500. Payments to an organization will be in the form of a duly-issued City check. No reimbursements to Members for contributions made with private funds will be authorized.
8. The City Manager will keep accurate records of all apportioned funds and their expenditures. Members may request an accounting of his/her fund balance at any time.

- f. Resolution No. 288-20 Authorizing the Mayor or City Manager to enter into a contract with Progressive Electric, Inc. in the amount of \$29,435 for the purchase and installation of an electric generator for the City Service Center, 915 Quarrier Street, East, where the cost of the purchase will be expensed to the Parking System's operational budget.

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 Progressive Electric, Inc. in the amount of \$29,435 for the purchase and installation of an electric generator for the City Service Center, 915 Quarrier Street, East, where the cost of the purchase will be expensed to the Parking System's operational budget.

Storage added that that the City sought bids for the purchase and installation of a new electric generator for the City Service Center. The City Manager's Office received 2 bids on January 14, 2020. One bidder submitted a non-responsive bid, as it failed to submit a bid bond as required by the solicitation. Progressive Electric submitted a compliant bid in the amount of \$29,435. Additionally, while it ultimately doesn't matter in this instance, Progressive Electric qualified as a Local Vendor under the City's Purchasing Rules.

Councilmember Reishman moved to approve the Resolution. With a majority of members present recorded thereon as voting in the affirmative Chairperson Jenkins declared Resolution No. 288-20 approved.

Purchase and Installation of a New Generator for the Parking System

Project No. 2019-002

Bid Opening: January 14, 2020 @ 11:00am

	Progressive Electric		
	PO Box 3695		
	Charleston WV, 25336		
	P: (304) 345-1253		
	rrhodes@wewireu.com		
Project Total	\$29,435.00		
Local Vendor Preference (4%)	(1,177.40) \$28,257.60		
Project Completion	90 days		
Successful Bidder with Local Preference Consideration			

- g. Resolution No. 289-20 as Amended - Authorizing the Mayor or City Manager to acknowledge and approve an Allonge to Note, permitting a maturity date extension to December 1, 2020², on a \$350,000 loan issued by the Charleston Urban Renewal Authority to Charleston Renaissance Development Corporation, dated June 4, 1991, and where Religious Coalition for Community Renewal, Inc. is the successor in interest to the original loan and the principal amount outstanding on the loan is approximately \$39,000.

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

The Mayor or City Manager is authorized to acknowledge and approve an Allonge to Note, permitting a maturity date extension to December 1, 2020², on a \$350,000 loan issued by the Charleston Urban Renewal Authority to Charleston Renaissance Development Corporation, dated June 4, 1991, and where Religious Coalition for Community Renewal, Inc. is the successor in interest to the original loan and the principal amount outstanding on the loan is approximately \$39,000.

Storage added that the date on the resolution should be changed to read "2022" instead of "2020." Additionally, he stated that in 1991, the City of Charleston, CURA, and the Charleston Renaissance Development Corporation entered into a \$350,000 loan arrangement for the renovation of Smith Street Station to be used to address homelessness. The loan is nearly paid off, but RCCR needs a little more time to make the final payments.

Councilmember Reishman moved to approve the Resolution. With a majority of members present recorded thereon as voting in the affirmative Chairperson Jenkins declared Resolution No. 289-20 approved.

Councilmember Jenkins confirmed with Storage that the property is the Smith Street Station located on the end of Court Street. It is a City property that is run by RCCR.

Councilmember Reishman moved to approve the Resolution to amend the listed date to "2022." With a majority of members present recorded thereon as voting in the affirmative Chairperson Jenkins declared Resolution No. 289-20 approved as amended.

- h. Bill No. 7860 - A Bill closing, abandoning and discontinuing as a public right of way a portion of the alley that runs between and is perpendicular to Randolph Street and Wyoming Street, in Charleston West Tax District of the City of Charleston, Kanawha County, West Virginia.

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

1. Being a portion of the alley that runs between and is perpendicular to Randolph Street and Wyoming Street, in the City of Charleston, West Virginia, in Charleston West Tax District of the City of Charleston, Kanawha County, West Virginia, is more particularly described as follows:

Beginning at a point on the western right of way of Wyoming Street, said point is situate N 30°02'00"W, 120.00' from the northern right of way of Ohio Avenue, thence leaving Wyoming Street, and now running with the northern line of Tax Map 25 Parcel 292, S 60°W, 120.00' to a point; thence leaving Parcel 292, and now running across said Alley, N 30°02'00"W, 10.00' to a point; thence with the southern line of Parcel 288, N 60°00'00"E, 120.00' to a point on the western right of way of Wyoming Street, S 30°02'00"E, 10.00' to the point of beginning, containing 1,200 Square Feet.

Reference is made to a plat entitled "PLAT OF SURVEY SHOWING PROPOSED ABANDONMENT OF A 10' x 120' Alley Containing 1200 SQ. FT. FOR THE PROPOSED PURCHASE BY JERICK FARMS IN. FROM THE CITY OF CHARLESTON" by Keely Surveying, dated December 11, 2019, as surveyed by Timothy L. Keely, WV Professional Surveyor No. 972, attached hereto and made a part hereof as Attachment A.

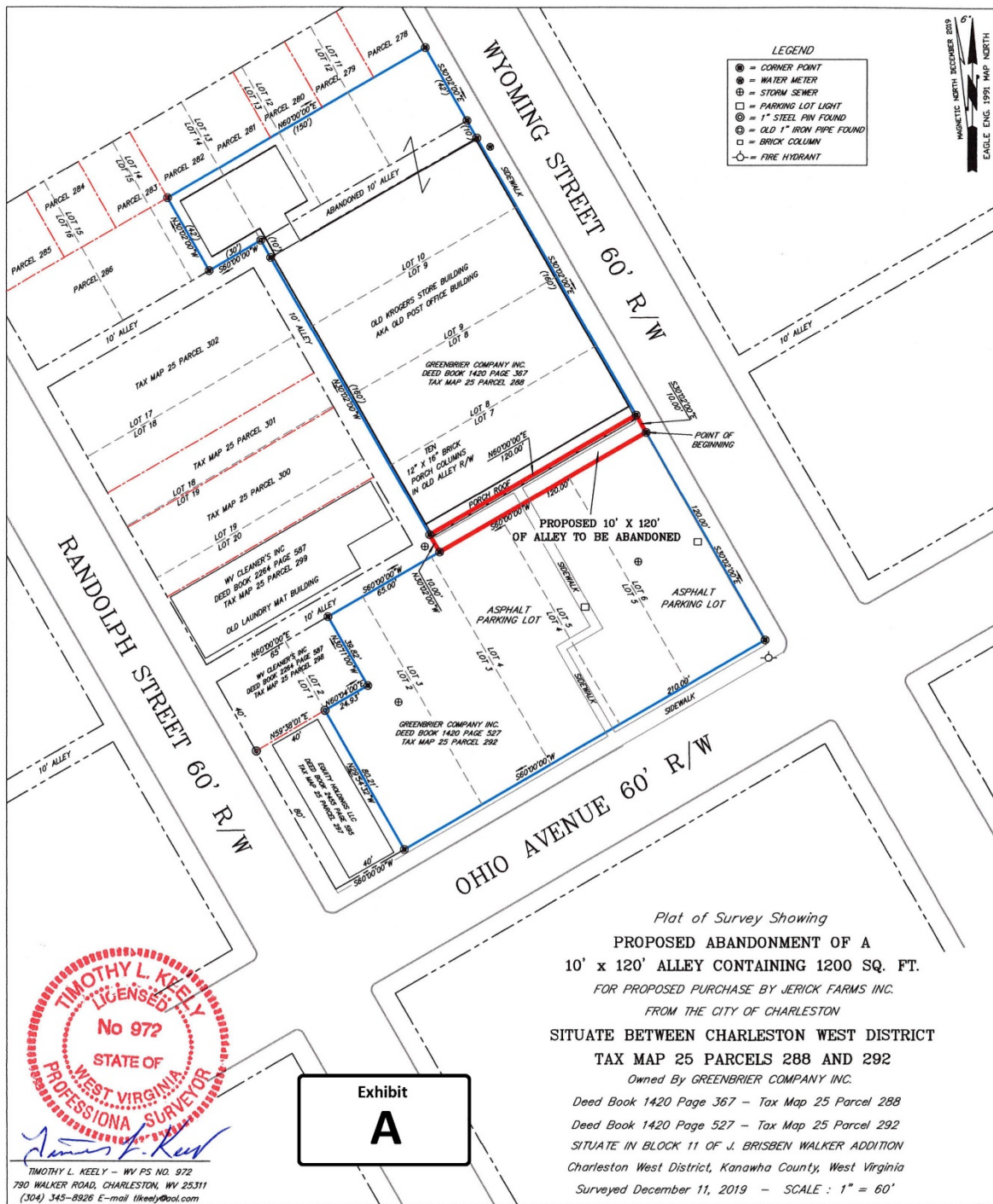
2. The Mayor of the City of Charleston be, and is hereby authorized and directed to execute, acknowledge and deliver a proper deed conveying to Jerick Farms Inc., and its successors and assigns, all right, title and interest in and to said property as described in Section 1 above, for the consideration of \$6,800.

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

Storage added that Quinton Walker wishes to reuse the former West Side Post Office as an indoor self-storage facility. Mr. Walker has requested the closure of a public alley between the front of the facility and the facility's parking lot. An independent appraisal of the alley determined the fair value of the alley to be \$6,800. The Municipal Planning Commission has recommended approval of the closure. On January 27th, the Committee on Planning, Streets, and Traffic considered the closure and concurred in the Municipal Planning Commission's recommendation. The closure of the alley will not negatively impact traffic and similar alley closures have occurred in the area.

Councilmember Snodgrass asked the Planning Director, Dan Vriendt, to clarify what the use of the building will be. Vriendt answered that Mr. Walker desires to use the facility as indoor self-storage. He added that a small piece of the property is zoned residential. When a property is split by a zoning district, it takes on the regulations of the least restrictive zoning district. A companion bill presented at Council that night will re-zone the property to be entirely commercial. Councilmember Hoover added that this is something that should have probably been done years ago, but it was previously a Post Office.

Councilmember Reishman moved to approve the Bill. With a majority of members present recorded thereon as voting in the affirmative Chairperson Jenkins declared Bill No. 7860 approved.



- i. Bill No. 7861 Committee Substitute - AN ORDINANCE WITH RESPECT TO APPROVING THE WOODWARD BRANCH SANITARY SEWER REPLACEMENT AND REHABILITATION PROJECT.

WHEREAS, the Sanitary Board is pursuing a sewer replacement and rehabilitation project in the Woodward Branch area of the City of Charleston which is necessary to correct older, failing sewer collection lines and is necessary for the health and welfare of the citizens of the City of Charleston (the "Woodward Branch Project"); and

WHEREAS, Chapter 24, Article 2, Section 11(l) of the Code of West Virginia, 1931, as amended, provides that the Council of the City of Charleston shall read the proposed construction and the proposed rates, fees and charges at two meetings, with at least two weeks between each meeting, with a public hearing to be conducted with or following the second reading, and that enactment of the proposed construction and the proposed rates, fees and charges shall follow an affirmative vote of the governing body and shall be effective no sooner than forty-five days following the action of the governing body; and

WHEREAS, the Woodward Branch Project consists of two separate Phases and consists of work including the planning, design, acquisition and construction of certain extensions, additions, betterments and improvements to its existing sewerage system, including but not limited to, the replacement and or rehabilitation of existing sewers in the areas of: Phase 1: 26th Street (between 7th Avenue and Washington Street West); Washington Street West (East and West from intersection with 26th Street and Woodward Drive); Woodward Drive (from intersection with Washington Street West to Headley Drive); Woodhaven Drive; Woodpath Lane; and Wilmore Lane; and Phase 2: Larchmont Drive; Spring Drive; Thompson Circle; Ledge Hill Drive; an unnamed alley between Woodward Drive; Blackwell Drive; Larchmont Drive; Savary Drive; and Zabel Drive; and streets intersecting Woodward Drive including Blackwell Drive, Savary Drive; Zabel Drive; and Spring Drive; Thompson Circle; Diana Court; and Ledge Hill Road; provided, that the work will further include all necessary appurtenances; further provided, that to the extent that funds remain available, extensions, additions, betterments and improvements to the remaining portion of the existing sewer system; and

WHEREAS, the Sanitary Board is not proposing an increase in its rates, fees and charges to support the Woodward Branch Project, thus the rates, fees and charges previously approved by the Council of the City of Charleston for the Sanitary Board will be charged; Now, therefore, be it ordained by the Council of the City of Charleston, West Virginia:

Section 1. That the construction of the Sanitary Board's Woodward Branch Sewer Replacement and Rehabilitation Project consisting of two separate Phases and consisting of work including the planning, design, acquisition and construction of certain extensions, additions, betterments and improvements to its existing sewerage system, including but not limited to, the replacement and or rehabilitation of existing sewers in the areas of: Phase 1: 26th Street (between 7th Avenue and Washington Street West);

Washington Street West (East and West from intersection with 26th Street and Woodward Drive); Woodward Drive (from intersection with Washington Street West to Headley Drive); Woodhaven Drive; Woodpath Lane; and Wilmore Lane; and Phase 2: Larchmont Drive; Spring Drive; Thompson Circle; Ledge Hill Drive; an unnamed alley between Woodward Drive; Blackwell Drive; Larchmont Drive; Savary Drive; and Zabel Drive; and streets intersecting Woodward Drive including Blackwell Drive; Savary Drive; Zabel Drive; and Spring Drive; Thompson Circle; Diana Court; and Ledge Hill Road; provided, that the work will further include all necessary appurtenances; further provided, that to the extent that funds remain available, extensions, additions, betterments and improvements to the remaining portion of the existing sewer system is hereby authorized and approved; and

Section 2. That, in accordance with the requirements of Chapter 24, Article 2, Section 11 of the Code of West Virginia, 1931, as amended, the approval of the proposed construction shall be effective no sooner than 45 days from the date of said approval; and

Section 3. This Ordinance shall be effective immediately upon adoption.

Passed on First Reading: _____

Adopted on Second Reading: _____

Mayor Amy Shuler Goodwin

City Clerk Miles Cary

A representative of the CSB explained that the first reading of the bill was in January 2020. The purpose of the project is to complete a sewer replacement and rehabilitation on the Woodward Branch area. As there are many older and failing sewer collection lines, it is necessary for the health and welfare of the citizens to have the lines replaced or rehabilitated. The proposed bill will approve both phases of the project. The bill has been changed since its introduction to make the streets listed more orderly, to correct a misspelling and to individually list streets in the description.

Councilmember Jenkins added that the changes are to more properly identify where the project will take place.

Councilmember Reishman moved to approve the Bill. With a majority of members present recorded thereon as voting in the affirmative Chairperson Jenkins declared Bill No. 7861 Committee Substitute approved.

- j. Bill No. 7865 - A BILL to amend and reenact Section 54-105 of the Municipal Code of the City of Charleston, as amended, relating to updating fire department holiday compensation to be consistent with state law.

Now, therefore, be it ordained by the Council of the City of Charleston:

That Section 54-105 of the Municipal Code of the City of Charleston, as amended, be amended and reenacted to read as follows:

ARTICLE II. – FIRE DEPARTMENT.

DIVISION 3. - VACATION, OTHER LEAVE, DUTY HOURS, AND CALCULATION OF OVERTIME PAY.

Sec. 54-105 – Legal Holidays.

(a) The following days shall be regarded, treated and observed as legal holidays:

- (1) January 1, New Year's Day;
- (2) The third Monday of January, Martin Luther King's Birthday;
- (3) The third Monday of February, Presidents' Day;
- (4) The last Monday in May, Memorial Day;
- (5) June 20, West Virginia Day;
- (6) July 4, Independence Day;
- (7) The first Monday of September, Labor Day;
- (8) The second Monday of October, Columbus Day;
- (9) November 11, Veterans Day;
- (10) The fourth Thursday and Friday of November, Thanksgiving Day Holidays;
- (11) December 25, Christmas Day;
- (12) Any national, state or other election day throughout the district or municipality wherein the election is held, provided, that if a special or other election of a political subdivision other than the City of Charleston falls on a Saturday or Sunday, the City of Charleston may choose not to recognize the day of the election as a holiday if a majority of the City of Charleston City Council votes not to recognize the day of the election as a holiday; and
- (13) All days which may be appointed or recommended by the mayor, the governor or the President of the United States as days of thanksgiving or for the general cessation of business.

When any of such days or dates falls on Saturday or Sunday, either the preceding Friday or the succeeding Monday shall be regarded, treated and observed as such legal holiday.

(b) Uniformed members on 24-hour shift duty who are required to receive additional compensation for legal holidays under state law pursuant to West Virginia Code section 8-15-10a shall, upon the occurrence of a legal holiday, be paid for an extra day (i.e., 12 hours) at their regular rate of pay, regardless of whether the member is required to work on the legal holiday or the legal holiday occurs on the member's regularly

scheduled day off, shall either be (1) paid at a rate of one and one-half times the member's regular rate of pay for twenty-four hours; or (2) allowed equal time off at such time as may be approved by the fire chief or his or her designee.

(c) Uniformed members on a 40-hour week who are required to work on a legal holiday, or if the legal holiday occurs on their regularly scheduled day off shall be allowed up to one working day (8 consecutive hours) of time off, which must be taken in the same calendar year in which it is accrued, and at such time as approved by the fire chief or his or her designee.

Storage added that the proposed bill will update the City Code to be compliant with state law.

Councilmember Reishman moved to approve the Bill. With a majority of members present recorded thereon as voting in the affirmative Chairperson Jenkins declared Bill No. 7865 approved.

Councilmember Reishman motioned to adjourn the meeting.

Meeting adjourned.