



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

CITY OF CHARLESTON, WEST VIRGINIA

Regular Meeting – Monday, May 4, 2020

at 7:00 P.M.

* – City Hall – Charleston, West Virginia

OFFICIAL RECORD

Amy Shuler Goodwin
Mayor

Miles C. Cary II
City Clerk

CALL TO ORDER*

The Council met at 7:00 P.M., for the first meeting in the month of May on the 4th day, in the year 2020, and was called to order by the Honorable Mayor, Amy Shuler Goodwin. The invocation was delivered by Councilmember Knauff and the Pledge of Allegiance was led by Noah and Jonah Knauff. 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****BAILEY****CAMPBELL****FAEGRE****JENKINS****KNAUFF****MINARDI****PHARR****SHEETS****WESLEY-PLEAR****BAYS****CEPERLEY****HAAS****JONES****LAIRD****OVERSTREET****REISHMAN****SNODGRASS****MAYOR GOODWIN**

With twenty-seven 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.

*In response to the COVID-19 pandemic, the meeting of Council was conducted electronically. The City Clerk and Mayor Goodwin were physically present, while the remaining members of Council attended via conference call. The meeting was made available to the public as a live stream via Zoom and CivicClerk (per the agenda).

PUBLIC SPEAKERS

NONE

CLAIMS

1. A claim of Kathryn Parcell, Cross Lanes, WV;
alleges damage to vehicle.
Refer to City Solicitor.
2. A claim of Mike Wynn, Charleston, WV;
alleges damage to property.
Refer to City Solicitor.

COMMUNICATIONS

NONE

PROCLAMATIONS

NONE

REPORTS OF COMMITTEES

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. 327-20 do pass.

Resolution No. 327-20 - Authorizing the City of Charleston to amend its Citizen Participation Plan for the City's CDBG and HOME Programs. Copy of the proposed amendment of the Citizen Participation Plan is available for review at: <https://www.charlestonwv.gov/>. This is contingent upon no adverse citizen comments being received during the 30-day comment period required through the MOECD Citizen Participation Plan.

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

Authorizing the City of Charleston to adopt the amended Citizen Participation Plan for the City's CDBG and HOME Programs. Copy of the proposed amendment of the Citizen Participation Plan is available for review at: <https://www.charlestonwv.gov/>. This is contingent upon no adverse citizen comments being received during the 30-day comment period required through the MOECD Citizen Participation Plan." The amendment to the Citizen Participation Plan is the following:

Declaration of an Emergency

When a Declaration of an Emergency has been ordered by the President of the United States, or the Governor of West Virginia, the City of Charleston will follow the following process concerning public hearings and public display of plans.

If the City is unable to hold open public hearings in person, the City will be allowed to instead hold virtual public hearings through conference calls or an online video conference call platforms as long as the public is able to provide public comments during the virtual public hearing.

If the City is not able to publicly place the plans on public display at the locations referenced in the Citizen Participation Plan, the City will put the plans on the City's

website (<https://www.charlestonwv.gov>) and will also email copies of the plans to any person who will request a copy of the plans via email upon request.

If the City Council is unable to conduct an open public forum type meeting, the City then can approve the plans at a City Council meeting through an on-line virtual City Council meeting, if an in-person Council meetings are not happening because of the Emergency.

All other sections of the Citizen Participation Plan will not be amended at this time and shall remain in full force and effect.

Councilmembers Jenkins added that the resolution amends, for emergency situations, citizen participation in the City's CDBG and Home Program. Typically, there would be public meetings and forums where input could be gathered. Because of the current situation, the plan is being amended to allow virtual community forums and participation.

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 No. 327-20 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. 328-20 do pass.

Resolution No. 328-20 - Authorizing the Mayor or City Manager to submit an application to the US Department of Justice, Office of Justice Programs under the Coronavirus Emergency Supplemental Funding Program for \$335,274.00 and administer the awarded funds. These funds will be utilized by the Charleston Police Department to provide overtime, equipment and supplies for the response to the spread of the Coronavirus.

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 US Department of Justice, Office of Justice Programs under the Coronavirus Emergency Supplemental Funding Program for \$335,274.00 and administer the awarded funds. These funds will be utilized by the Charleston Police Department to provide overtime, equipment and supplies for the response to the spread of the Coronavirus.

Councilmember Jenkins added that the resolution allows the City to get funding for the Police Department for their COVID-19 response. The amount of \$335,274 is from a total pot of 1.9 million given to the State.

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 No. 328-20 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. 329-20 do pass.

Resolution No. 329-20 - Authorizing approval of Amendment No. 9 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. 9 in the FY 2019-2020 General Fund Budget as indicated on the attached list of accounts is approved.

Councilmember Jenkins added that the budget amendment will take \$200,000 (\$100,000 from Kanawha County and \$100,000 matched by the City from the Contingency Fund) for Hero Pay to assist the City in increasing the pay of CPD, CFD and Refuse workers for being on the front lines. It will be implemented May 17, 2020 and will last for approximately thirty (30) days.

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 No. 329-20 adopted.

General Fund FY 2019-2020 Budget Amendment No. 9 - May 4, 2020

Account No.	Department	Account Description	Amount
001 368 13 0000	Revenue	Contributions from Others - Kanawha Commission	(100,000)
001 699 00 000 5 598	Contingency	Contingency	(100,000)
001 700 00 000 1 103	Police Department	Salaries & Wages	76,500
001 700 00 000 1 104	Police Department	FICA	1,109
001 700 00 001 1 107	Police Department	Uniformed Pension - MPFRS	2,867
001 706 00 000 1 103	Fire Department	Salaries & Wages	89,600
001 706 00 000 1 104	Fire Department	FICA	1,299
001 706 00 001 1 107	Fire Department	Uniformed Pension - MPFRS	2,742
001 800 00 000 1 103	Refuse & Recycling	Salaries & Wages	22,000
001 800 00 000 1 104	Refuse & Recycling	FICA	1,683
001 800 00 000 1 106	Refuse & Recycling	PERS	2,200

To recognize the contribution from the Kanawha County Commission and to reallocate funds to match from the Contingency account in order to provide a hazard pay premium to Police, Fire, and Refuse department employees for 1 month.

4. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 330-20 do pass.

Resolution No. 330-20 - Authorizing the Mayor or City Manager to take all appropriate action to convey any and all interest the City has in property situated at 739 Central Avenue, Charleston, WV, to the Charleston Land Reuse Agency (“CLRA”), pursuant to the authority granted in West Virginia Code § 1-5-3.

whereas, the City of Charleston owns property situated at 739 Central Avenue, Charleston, WV;

Whereas, the City has no current for plans to develop or sell the property to place it into productive use and otherwise has no need for the property;

whereas, the CLRA is a public body authorized by the laws of the State of West Virginia and established by the Charleston Municipal Code to promote the productive use of property by identifying available properties suitable for public space, conservation, housing, and commercial use and pursuing the acquisition, management, inventory, and disposition of those properties according to certain priorities;

Whereas, the CLRA has identified the property situated at 739 Central Avenue as worthy and capable of suitable development;

Whereas, the CLRA Board has formally requested that the Charleston City Council convey the City’s interest in the property to the CLRA so that the property may be placed into productive use for the benefit of the community;

Whereas, the CLRA will seek appropriate public input before initiating any development plans for the property and generally has a need for the property to further the purposes of the CLRA and provide benefits to the public;

Whereas, West Virginia Code § 1-5-3 permits public bodies to convey real property to other public bodies for less than fair market value, and without public auction;

Whereas, the City Council recognizes that there is a lack of need for the property in comparison to the benefit to the City if the property is conveyed to the CLRA; and

Whereas, the City Council recognizes that there is a demonstrable need for the property by the CLRA to be able to perform redevelopment services benefiting the public.

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

The Mayor or City Manager is authorized to take all appropriate action to convey any and all interest the City has in property situated at 739 Central Avenue, Charleston, WV, to the Charleston Land Reuse Agency.

Councilmember Jenkins added that the resolution refers to a vacant property that the City owns as part of a settlement. The resolution transfers the property to the Charleston Land Reuse Agency, which is better equipped to get vacant properties into useful hands.

Councilmember Wesley-Plear confirmed that after the property has been transferred to the CLRA, community members can inquiry as to the use of the property with that agency. Councilmember Jenkins added that the CLRA intends to have a public forum concerning the property.

Councilmember Faegre confirmed that it is the old Park Place property.

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 No. 330-20 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. 331-20 do pass.

Resolution No. 331-20 - Authorizing the Mayor or City Manager to submit an application to the FEMA Assistance to Firefighter Grant Program – COVID-19 Supplemental in the amount of \$100,000 that includes the required 10% match and administer any funds awarded. The Charleston Fire Department will use these funds to purchase N95 masks, respirators, Tyvek suits, fogger disinfecting system and respiratory equipment testing machine.

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

That the Mayor or City Manager is authorized to submit an application to the FEMA Assistance to Firefighter Grant Program – COVID-19 Supplemental in the amount of \$100,000 that includes the required 10% match and administer any funds awarded. The Charleston Fire Department will use these funds to purchase N95 masks, respirators, Tyvek suits, fogger disinfecting system and respiratory equipment testing machine.

Councilmember Jenkins added that the resolution is to apply for a grant that is part of the CARES Act to address the COVID-19 pandemic. It will provide funds to purchase mainly PPE for the CFD.

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 No. 331-20 adopted.

REPORTS OF OFFICERS

1. Report of the City of Charleston Payroll Variance Analysis;
April 2020.
Received and Filed.

NEW BILLS

Introduced by Councilmember Chuck Overstreet on May 4, 2020:

Bill No. 7871 – A Bill to amend and reenact Municipal Code of the City of Charleston by adding a new section, all relating to fire prevention and continuing the operation and authority of the fire prevention bureau.

Refer to Public Safety Committee

MISCELLANEOUS/UNFINISHED BUSINESS

1. Mayor Goodwin updated Council by saying that while they have been taken off the hotspot list, the City will still continue to run operations as they have been. They will continue to do testing and outreach. The Mayor added that she felt very confident in working with Dr. Young and her team. There will be a slow, steady approach to bringing things back to normal operations. As they cannot see a way to ensure everyone's safety, it is unlikely that large events like Live on the Levee will happen this year, but they are exploring all options.
2. Councilmember Knauff thanked the CPD, Community Services Bureau Chief Lieutenant Garten and Community Officers for handling an animal safety assessment issue over the weekend.
3. Councilmember Bailey asked if there was an update on the recycling center in Raleigh County opening. Mayor Goodwin replied that they had not received an update, but will get back to him.
4. Councilmember King requested that the Administration and Council try to address the difficult situation of the criminal vagrancy situation around the City. Councilmembers Jones, Robinson and Faegre also expressed those concerns. Mayor Goodwin agreed that a group will be formed to address this. Councilmember Snodgrass suggested that they reach out to the medical community, as there is a large psychiatric component involved both for the safety of the homeless and citizens.

ADJOURNMENT

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

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

NAYS: NONE

ABSENT: NONE

At 7:34 p.m., by a motion from Councilmember Ceperley, Council adjourned until Monday, May 18, 2020, at 7:00 p.m., in the Council Chambers in City Hall or electronically as needed.

Amy Shuler Goodwin, Honorable Mayor

Miles C. Cary II, City Clerk