



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

CITY OF CHARLESTON, WEST VIRGINIA

Regular Meeting – Monday, July 6, 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 July on the 6th 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 Knauff, Jonah Knauff, Bailey Burton, Lindy Burton and Amelia Childress. 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

1. Brandi O’Dell – Asked that the City more effectively enforce the fireworks ordinance.
2. Linda Whaley – Spoke in favor of moving the Kanawha Riflemen Memorial providing it is placed in a suitable museum or returned to the WV chapter of the United Daughters of the Confederacy.
3. Ernest Blevins – Spoke against moving the Kanawha Riflemen Memorial to preserve history.
4. Cyrus Forman – Spoke in favor of moving the Kanawha Riflemen Memorial.
5. Betty Rivard – Spoke in favor of moving the Kanawha Riflemen Memorial.

CLAIMS

1. A claim of Joseph A Carter Jr., Charleston, WV;
alleges damage to vehicle.
Refer to City Solicitor.
2. A claim of Vincent Quinn, Charleston, WV;
alleges damage to property.
Refer to City Solicitor.
3. A claim of Meghan S Shears, Charleston, WV;
alleges damage to vehicle.
Refer to City Solicitor.
4. A claim of Jaclyn Chantel Tudor, Charleston, WV;
alleges damage to vehicle.
Refer to City Solicitor.

MISCELLANEOUS RESOLUTIONS

1.

Resolution No. 358-20 - Declaring unequivocally that Black lives matter and reaffirming City of Charleston policies and ordinances that prohibit discrimination.

WHEREAS, the City of Charleston strives to be a vibrant and welcoming city, where all people feel protected, included, secure and safe;

WHEREAS, the City of Charleston has adopted polices and ordinances that prohibit discrimination because of race, religion, color, national origin, ancestry, sex, age, blindness, handicap, sexual orientation, or familial status;

WHEREAS, despite the City policies and ordinances, as well as similar state and federal laws, discrimination and racism still exists in our country, our state, and our City;

WHEREAS, systemic racism manifests itself both overtly and covertly through examples such as the recent killing of George Floyd by four members of the Minneapolis Police Department, the disproportionate representation of people of color in prison, the recent rise of white supremacist groups throughout the country, and implicit biases and stereotypes that result in disparate treatment for people of color throughout our country;

WHEREAS, the City of Charleston stands with community members who have peacefully protested acts of racism, injustice, and inequality;

WHEREAS, the City of Charleston recognizes that some of the City's earliest white inhabitants were slave owners and fought in the Civil War for the Confederacy against the Union;

WHEREAS, the City of Charleston recently took steps to remove a monument from Ruffner Park that commemorated the Kanawha Riflemen, which was a militia unit that ultimately became Company H of the 22nd Regiment of the Virginia Infantry during the Civil War against the Union;

WHEREAS, the City of Charleston expressly recognizes that the history of the Civil War should not be forgotten, but that museums and history books are the place to learn about the City, state, and nation's past—not prominent monuments on City or state property or by glorifying Confederate leaders on school names or other public buildings;

WHEREAS, the City of Charleston is committed to combatting systemic racism and ensuring that

the City continues to be welcoming for all; and

WHEREAS, the City of Charleston unequivocally declares that Black lives matter.

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

That Black lives matter.

That the City reaffirms its anti-discrimination policies and ordinances and commits to working with the community to take all action necessary to create additional anti-racist policies and ordinances that address racism.

And that City Administration and City Council are committed to receiving implicit bias training from a nationally certified training entity or entities.

Councilmember Ceperley moved to approve the Resolution. Councilmember Overstreet seconded the motion. With a majority of members present recorded thereon as voting in the affirmative, the Mayor declared Resolution No. 358-20 adopted.

REPORTS OF COMMITTEES

COMMITTEE ON 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 the following resolution, and reports the same to Council with the recommendation that Bill No. 7872 do pass.

Bill No. 7872 - A Bill closing, abandoning and discontinuing as public streets two parcels and transferring ownership to the State of West Virginia Department of Administration: (1) a portion of Michigan Avenue located at the end of Michigan Avenue (at Virginia Terrace) to the railroad tracks at the State Capitol Complex; and (2) a portion of the alleyway from Washington Street to the railroad tracks at the State Capitol Complex behind the Chiller Plant, to include the abandonment of any City sewer and stormwater lines within this tract.

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

1. References the following pieces of property to be deeded to the State:
 - (a) BEING a portion of Michigan Avenue, a variable width public right of way, as shown on a map entitled “Map of DeGruyter Addition to the City of Charleston, W. Va.” Of record in the office of the Clerk of the County Commission of Kanawha County, West Virginia in Deed Book 96 at Page 295 in the City of Charleston and as shown on Tax Map 28 in Tax District 11, Kanawha County, West Virginia and more particularly described as set forth in the attached legal description prepared by Chapman Technical Group titled “A Portion of Michigan Avenue Proposed for Closure”, and the plat entitled “PLAT OF SURVEY SHOWING A PORTION OF MICHIGAN AVENUE PROPOSED FOR CLOSURE AT THE STATE CAPITOL COMPLEX CITY OF CHARLESTON, KANAWHA COUNTY, WEST VIRGINIA” by Chapman Technical Group dated November 7, 2019, as surveyed by Jason E. Brown, WV Professional Surveyor No. 2188, both attached hereto and made a part hereof as Attachment A; and
 - (b) BEING a 14-foot wide public alley located northerly and adjacent to the Washington Street East right of way line and the southerly and adjacent to a rail road right of way, easterly of California Avenue and westerly of (formerly Jefferson Street and more particularly described as set forth in the attached legal

description prepared by Chapman Technical Group titled “A 14-Foot Alley Proposed for Closure”, and the plat entitled “PLAT OF SURVEY SHOWING A 14-FOOT ALLEY PROPOSED FOR CLOSURE AT THE STATE CAPITOL COMPLEX CITY OF CHARLESTON, KANAWHA COUNTY, WEST VIRGINIA” by Chapman Technical Group dated April 27, 2020, as surveyed by Jason E. Brown, WV Professional Surveyor No. 2188, both attached hereto and made a part hereof as Attachment B.

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 the State Of West Virginia, Department Of Administration, and its successors and assigns, all rights, title and interest in and to said real property as described in Section 1 above, for mutual consideration, as authorized by West Virginia Code § 1-5-3, and to include the abandonment of any City sewer and stormwater lines within the tract set forth in paragraph 1(a) above.

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 right of ways are dead ends and do not serve as part of a pattern of streets, and it makes sense to transfer the property.

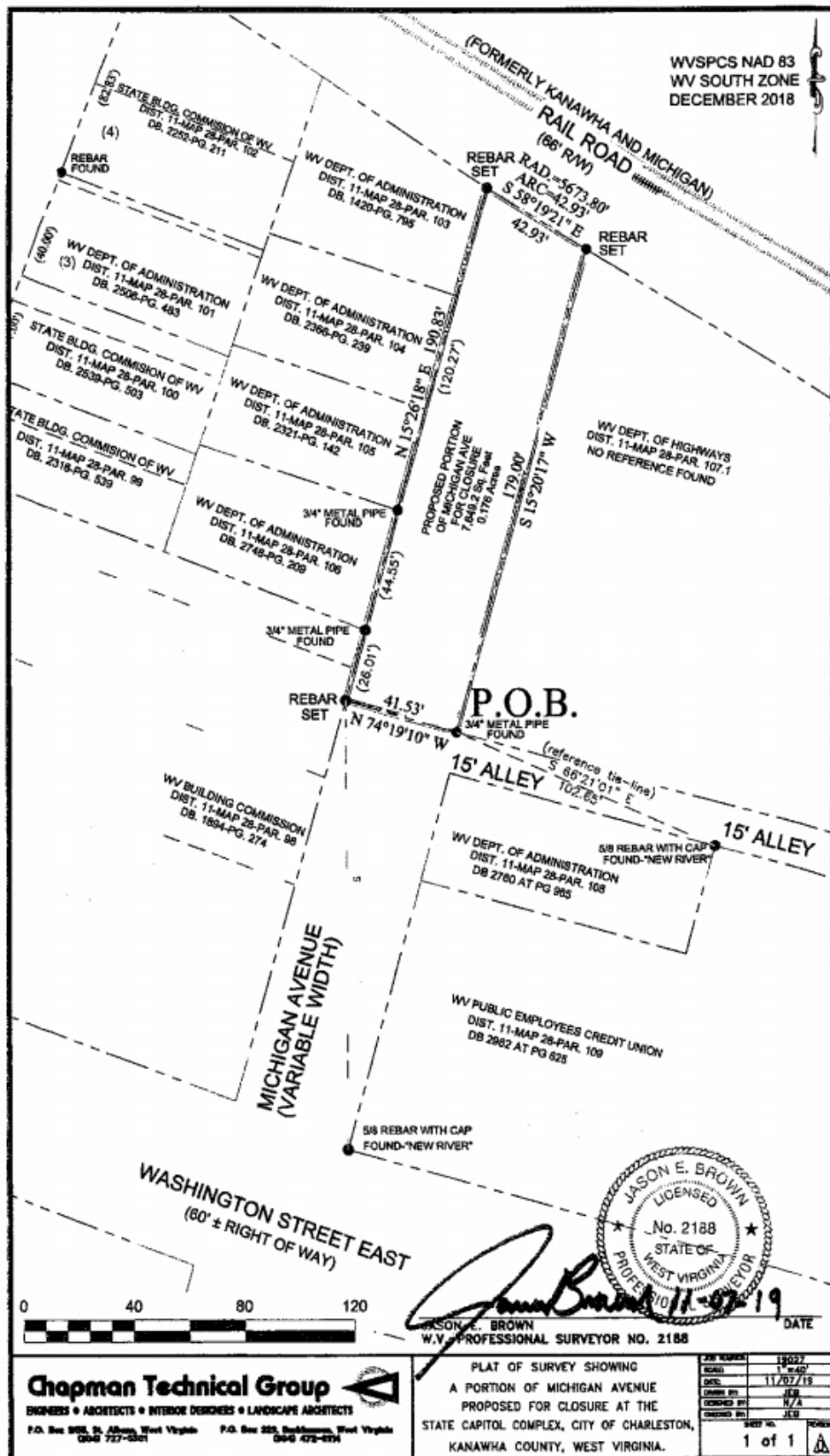
Councilmember Hoover moved to approve the bill. Councilmember Ceperley seconded the motion. A roll call was taken:

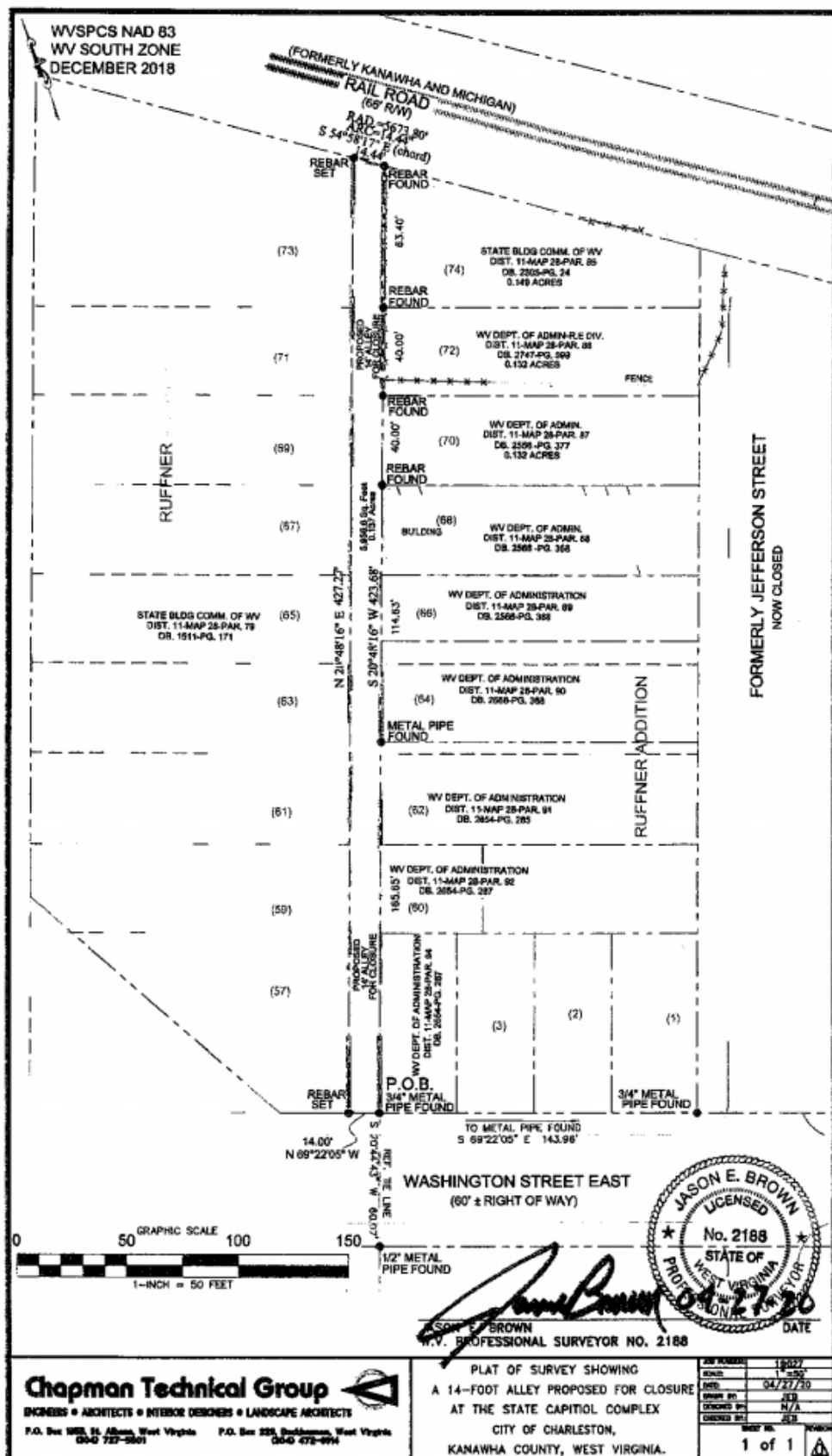
YEAS: Adams, Bays, Bailey, Burton, Campbell, Ceperley, Cook, Faegre, Haas, Hoover, Jenkins, Jones, King, Knauff, Laird, McKinney, Minardi, Overstreet, Persinger, Pharr, Reishman, Robinson, Sheets, Snodgrass, Steele, Wesley-Plear, Mayor Goodwin

NAYS: NONE

ABSENT: NONE

With a majority of members present recorded thereon as voting in the affirmative, the Mayor declared Bill No. 7872 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. 350-20 do pass.

Resolution No. 350-20 - Authorizing the Mayor or City Manager to purchase Bituminous Concrete (asphalt) from WV Paving, Inc. on an as needed basis at \$76.50 per ton for Wearing Course Material Type 1; and \$73.25 per ton for Patching and Leveling Material Type 1 to be used by the Public Works Department, as the result of a competitive bidding process.

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

The Mayor or City Manager is authorized to purchase Bituminous Concrete (asphalt) on an as needed basis at \$76.50 per ton for Wearing Course Material Type 1; and \$73.25 per ton for Patching and Leveling Material Type 1 to be used by the Public Works Department, as the result of a competitive bidding process.

Councilmember Jenkins added that that this is an annual purchase. There is only one (1) bidder as there is only one (1) hot asphalt plant in the area. He added that the prices are in line with what has been bid in the past.

Councilmember Persinger said that the City joined an antitrust suit against WV Paving a few years ago. He asked what the status of the suit, and how the City could make a purchase from a company it is suing. Councilmember Jenkins answered that the trial was postponed due to the pandemic. Additionally, purchases have been approved over the years because there are no other options. Councilmember Snodgrass asked who is representing the City in the suit. City Manager, Jonathan Storage replied that Bailey & Glasser was representing the City and others and Goodwin and Goodwin is representing WV Paving and others.

Councilmember Campbell abstained from voting.

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 (1) abstention, the Mayor declared Resolution No. 350-20 adopted.

Bituminous Concrete for Public Works			
Project No. 2020-014			
Bid Opening: June 24, 2020 @ 11:00am			
	WV Paving, Inc.		
	2950 Charles Avenue		
	Dunbar, WV 25064		
	P: (304) 768-9733		
	rjohnson@wvpaving.com		
Wearing Course Material Type I, Item 401-2-1	\$76.50 per ton		
Patching and Leveling Type I, Item 401-3-1	\$73.25 per ton		
Successful Bidder	✓		

2. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 351-20 do pass.

Resolution No. 351-20 - Authorizing the Mayor or City Manager to purchase Portland Cement (concrete) from Hanson Ready Mix to be used by the Public Works Department on an as needed basis at the prices listed on the attached tabulation sheet, as the result of a competitive bidding process.

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

The Mayor or City Manager is authorized to purchase Portland Cement (concrete) from Hanson Ready Mix to be used by the Public Works Department on an as needed basis at the prices listed on the attached tabulation sheet, as the result of a competitive bidding process.

Councilmember Jenkins added that the determined price will be used when the Street Department needs to patch holes or use for various projects. The prices are in line with what has been bid in the past.

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. 351-20 adopted.

Portland Cement Concrete for Public Works			
Project No. 2020-16			
Bid Opening: June 24, 2020 @ 11:00am			
	Hanson Ready Mix		
	1105 9th Street		
	Vienna, WV 26105		
	P: (304) 485-2191		
	Bradley.Rucker@lehighhanson.com		
(a) Full Load (unload in 30 minutes or less), per cubic yard, delivered to job site:			
Class A 3500# Concrete	\$136.00		
Class B 3500# Concrete	\$136.00		
Class C 2500# Concrete	\$131.00		
Class D 2000# Concrete	\$125.00		
Controllable Low Strength Material	\$107.00		
(b) Partial Load Charge (if applicable)	\$100.00		
(c) Unloading Charge past 30 minutes	\$85.00		
(d) Cost of Adding Fiber to Concrete	\$6.50		
Fuel Surcharge	\$15.00		
Successful Bidder			

3. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 352-20 do pass.

Resolution No. 352-20 - Authorizing the Mayor or City Manager to purchase road salt from Cargill, Inc. to be used by the Public Works Department on an as needed basis for snow and ice removal in the amount of \$71.71 per ton, as the result of a competitive bidding process with local vendor preference consideration.

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

The Mayor or City Manager is authorized to purchase road salt from Cargill, Inc. to be used by the Public Works Department on an as needed basis for snow and ice removal in the amount of \$71.71 per ton, as the result of a competitive bidding process with local vendor preference consideration.

Councilmember Jenkins added that that the resolution will lock in a price for when the road salt is needed in inclement weather. The prices are in line with what has been bid in the past.

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, the Mayor declared Resolution No. 352-20 adopted.

Purchase of Road Salt for the Street Department		
Project No. 2020-013		
Bid Opening: June 24, 2020 @ 11:00am		
	Cargill, Inc.	Morton Salt, Inc.
	24950 Country Club Blvd., Suite 450	444 West Lake Street, Suite 3000
	North Olmsted, OH 44070	Chicago, IL 60606
	P: (800) 600-7258	P: (855)665-4540
	Salt_CustomerCareRoadSafety@Cargill.com	buyroadsalt@mortonsalt.com
Price Per Ton	\$71.71	74.58
Successful Bidder		

4. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 353-20 do pass.

Resolution No. 353-20 - Authorizing the Mayor or City Manager to purchase various classes and sizes of aggregate from Shamblin Stone, Inc. at the prices listed on the attached tabulation sheet, as the result of a competitive bidding process. The aggregate will be used by the Public Works Department on projects undertaken throughout Fiscal Year 2020-2021.

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

The Mayor or City Manager is authorized to purchase various classes and sizes of aggregate from Shamblin Stone, Inc. at the prices listed on the attached tabulation sheet, as the result of a competitive bidding process. The aggregate will be used by the Public Works Department on projects undertaken throughout Fiscal Year 2020-2021.

Councilmember Jenkins added that the resolution provides a set price for various materials (such as gravel) needed by the Street Department throughout the year.

Councilmember Campbell abstained from voting.

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 (1) abstention, the Mayor declared Resolution No. 353-20 adopted.

Aggregate for Public Works			
Project No. 2020-015			
Bid Opening: June 24, 2020 @ 11:00am			
	Shamblin Stone, Inc.		
	70 Dunbar Avenue		
	Dunbar, WV 25064		
	P: (304) 766-7318		
	tmattox@wvpaving.com		
River Gravel:			
River Gravel #57	\$28.20		
Masonry Sand	\$25.65		
Dry Bed	\$22.45		
Limestone:			
#2	No Bid		
#3	\$26.05		
#57	\$26.05		
#67	\$26.75		
1 1/2" Crusher Run	\$25.55		
#467	\$26.05		
Plant Location Address:	70 Dunbar Avenue, Dunbar, WV		
Successful Bidder	✓		

5. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 354-20 do pass.

Resolution No. 354-20 - Authorizing the Mayor or City Manager to enter into an agreement with MSW Consultants in the amount of \$35,300.00, for a feasibility study for the Recycling Program, as the result of a competitive bidding process.

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

The Mayor or City Manager is authorized to enter into an agreement with MSW Consultants in the amount of \$35,300.00 for a feasibility study for the Recycling Program, as the result of a competitive bidding process.

Councilmember Jenkins added that the resolution is part of a grant that the City has received from the DEP for the evaluation of the recycling program. The last such study was in 2015. He added that the intent is to take a comprehensive, holistic approach to the entire recycling program to see what can be done to encourage more participation, and to evaluate local resources that might be able to be used.

Councilmember Persinger said the City could benefit from trying to force the hand of Waste Management to recycle for the City. He added that they already separate cardboard, and that they have the means, ability and know-how to recycle. Mayor Goodwin asked if he was aware if there had been previous conversations with Waste Management. Councilmember Persinger replied that he has brought it up over the years during Council meetings, and has discussed it with other Councilmembers.

Councilmember Snodgrass asked if consulting companies look at things like the possibility of joining forces with other cities. She added that increasing the poundage would make the venture more attractive to entities. Councilmember Bailey added that was a great idea, and they have had some conversations with South Charleston about that. The main issue is that the recycling is not sorted and Kanawha County (who owns Slack Street) is not set up for that. Raleigh County may start charging for their services. As such, now is a great time to seek help from consultants.

Councilmember Minardi confirmed with Storage that there is a matching component to the grant, although the majority of the expenses will be covered by the grant. The total grant was for \$45,000, which was set aside specifically for the feasibility study. The City will be matching any overages for the staffing that was added as a result.

Councilmember Steele that during her last term on the Environment and Recycling Committee,

they were told repeatedly that it was a losing proposition. She added that they should look at the City's contract with Waste Management.

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. 354-20 adopted.

Feasibility Study for the Recycling Program				
Project No. 2020-011				
Bid Opening: June 15, 2020 @ 11:00am				
		New/Gen Strategie and Solutions, LLC	MSW Consultants	GT Environmental, Inc
		8140 N Mopac Expy, Bldg 1, Ste 240	11875 High Tech Ave, Ste 150	2400 Corporate Exchange Dr, Ste 150
		Austin, TX 78759	Orlando, FL 32817	Columbus, OH 43231
		P: (512) 649-1254	p: (407) 380-8951	P: (614) 794-3570
		dyanke@newgenstrategies.net	jculbertson@mswconsultants.com	Rhansen@gtenvironmental.com
CRITERIA	Points Possible			
Cost Estimate	0-20	20	18	10
Proven ability to successfully meet all project milestones and complete project by contract deadline.	0-40	40	35	40
Experience in conducting Feasibility Studies.	0-20	12	19	15
Experience with Waste Management and Recycling Projects.	0-10	6	10	9
References from projects completed in the last five years.	0-10	10	10	10
Total Points	100	88	92	84
Project Total		\$34,840.00	\$35,300.00	\$49,900.00
Project Completion		75	90	90
Successful Bidder			✓	

6. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 355-20 do pass.

Resolution No. 355-20 - Authorizing the Mayor or City Manager to enter into an agreement with Bear Contracting LLC in the amount of \$1,471,800.00, for the City's Street Paving Project, as the result of a competitive bidding process with local vendor preference consideration.

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

The Mayor or City Manager is authorized to enter into an agreement with Bear Contracting LLC in the amount of \$1,471,800.00, for the City's Street Paving Project, as the result of a competitive bidding process with local vendor preference consideration.

Councilmember Jenkins added that this is the continuation of the City's paving program, the budget for which has been increased since 2019. He added that he received a lot of compliments last year concerning the amount of paving that had been done across the City.

Councilmember Robinson said that last year they received a spreadsheet of roads included in the project, and wanted to know if there was a similar list for this year. Councilmember Jenkins said that there was a list that he didn't think to ask for until the end of last week and received the day of the meeting. He will send it to all Councilmembers. He added that the list estimates 18,000 tons. Councilmember Robison expressed concern over voting for the resolution when he did not know what roads were included in the project.

Councilmember Burton stated that City Engineer, Chris Knox, does a great job of identifying which streets need to be paved. Councilmember Reishman agreed.

Councilmember King motioned to table the resolution. Councilmember Wesley-Plear seconded the motion.

A roll call was taken:

YEAS: Bailey, Campbell, Haas, Jones, King, Knauff, McKinney, Robinson, Snodgrass, Wesley-Plear

NAYS: Adams, Bays, Ceperley, Cook, Faegre, Hoover, Jenkins, Laird, Minardi, Overstreet, Persinger, Pharr, Reishman, Sheets, Steele, Mayor Goodwin

ABSTAIN: Burton

ABSENT: NONE

With a majority of members present recorded thereon as voting in the affirmative with 10 YEAS

16 NAYS and 1 ABSTAIN, the Mayor declared the motion to table Resolution No. 355-20 not passed.

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, the Mayor declared Resolution No. 355-20 adopted.

Road Paving June 2020			
Project No. 2020-017			
Bid Opening: June 29, 2020 @ 11:00am			
	Bear Contracting LLC	WV Paving	MR Asphalt, Inc.
	PO Box 1196	2950 Charles Avenue	148 Hunters Cove
	Bridgeport, WV 26330	Dunbar, WV 25064	Charleston, WV 25320
	P: (304) 326-0160	P: (304) 768-9733	P: (304) 988-3789
	urso@bear-contracting.com	ben.bragg@wvpaving.com	mrasphaltboggess@aol.com
Project Total	\$1,471,800.00	\$1,518,160.00	\$1,593,900.00
Local Vendor Preference (4%)	(5,000.00) \$1,466,800.00	(5,000.00) \$1,513,160.00	(5,000.00) \$1,588,900.00
Successful Bidder with Local Preference Consideration	✓		

7. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 356-20 do pass.

Resolution No. 356-20 - Authorizing settlement of pending disputed claims against the City in the matter known as Freda Gilmore v. City of Charleston, et al., Civil Action No. 2:20-cv-00022 in the United States District Court for the Southern District of West Virginia, as recommended by the City Solicitor.

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

That the City Council hereby authorizes and approves the settlement of pending disputed claims against the City by Freda Gilmore, as contained in Civil Action No. 2:20-cv-00022 in the United States District Court for the Southern District of West Virginia, in the amount of \$80,000, as recommended by the City Solicitor. The City Council acknowledges that the settlement funds for Ms. Gilmore will be placed in trust for her benefit. The City Council authorizes the City Solicitor and City Manager to take all necessary steps to finalize resolution of the claims.

Councilmember Jenkins added that the resolution approves the settlement reached with Ms. Gilmore, who was represented by counsel and a family member; the City was represented by the City Solicitor. The settlement is believed to be in the best interest of all parties.

Councilmember Wesley-Plear asked if any policies related the case had been addressed. Mayor Goodwin replied that they have been meeting since last October on these policies. City Attorney, Kevin Baker, added that the settlement in this case were handled separately from any policy changes moving forward. Councilmember Wesley-Plear requested to be part of discussions regarding those policy changes.

Councilmember Snodgrass confirmed with Baker that he represented the City, the individual law enforcement officers were represented by Mike Mullins from Steptoe & Johnson PLLC and Ms. Gilmore was represented by Michael Cary from Cary Law Office PLLC.

Councilmember McKinney asked if specifics from the case were going to be discussed, such as what happened and what they can do as community leaders to prevent it from happening again. Baker said that policy changes are ongoing and will be dealt with in a separate manner. Mayor Goodwin added that they have been having discussions with the Chief of Police, secured funding to hire a Homeless Outreach Coordinator, etc. The Mayor added that there is so much more to do, and community leaders can stay engaged and involved with the Administration.

Councilmember Campbell asked Baker to discuss the trust that is referenced in the resolution.

Baker replied that the trust will be in the name of Ms. Gilmore's uncle, who has been her primary caretaker. The trust would be used for her benefit (food, housing, clothing etc.), and would not be used for police training or anything similar. The details of the trust will be in a sperate document that the City will not be a part of.

Councilmember Reishman added that Council is voting on a settlement that both parties have agreed to that is not related to changing policies.

Councilmember Snodgrass confirmed that the settlement in no way implies any wrongdoing by the Police Department or the individual officers.

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 two (2) NAYS from Campbell and Persinger, the Mayor declared Resolution No. 356-20 adopted.

8. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 357-20 do pass.

Resolution No. 357-20 - Authorizing the Mayor and City Manager to take all necessary steps to loan or donate the Kanawha Riflemen Memorial monument to the Craik-Patton House museum, the West Virginia State Museum, or another West Virginia history museum where it can be preserved and presented in historical context and requesting the Charleston Historic Landmarks Commission to prepare a proposal to the City regarding a new monument and other historical markers necessary to present the history of Ruffner Park in a historically accurate manner.

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

That the Mayor and City Manager are authorized to take all necessary steps to loan or donate the Kanawha Riflemen Memorial monument to the Craik-Patton House museum, the West Virginia State Museum, or another West Virginia history museum where it can be preserved and presented in historical context.

And that the Charleston Historic Landmarks Commission is requested to prepare a proposal to the City regarding a new monument and other historical markers necessary to present the history of Ruffner Park in a historically accurate manner.

Councilmember Jenkins added that the plaque has been removed pending the approval of the resolution. Additionally, Councilmember Jenkins did not believe that there was no place for a memorial for men that raised arms against the United States, and it is time for monuments like this to be placed in proper historical context.

Councilmember Persinger agreed with the removal of the plaque, and suggested donating it to the Cultural Center.

Councilmember Faegre asked if there was a record of who was still buried in the area. Baker replied that there is a map of where the burials are, but there is not indication of who they are. There is a reprint of the map, but the original map has not been located. He added that no one listed on the plaque is actually buried there.

Councilmember Pharr confirmed that it is acceptable with the United Daughters of the Confederacy to either accept back the plaque or have it displayed in an appropriate museum.

Councilmember Faegre confirmed that the monument was gifted to 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, the Mayor declared Resolution No. 357-20 adopted.

REPORTS OF OFFICERS

NONE

NEW BILLS

Introduced by Councilmember Chuck Overstreet on July 6, 2020:

Bill No. 7875 – A Bill to establish a 10 MPH speed limit on Woodward Court from Orchard Street to the end of Woodward Court and amending the Traffic Control Map and Traffic Control File.
Refer to Planning, Streets and Traffic Committee

MISCELLANEOUS/UNFINISHED BUSINESS

1. Councilmember Robinson clarified that he was not questioning the judgment of the City Engineer during the discussion for Resolution No. 355-20.
2. Councilmember Bailey complemented the Administration on a great Fourth of July fireworks show.
3. Councilmember King listed the paving budget percentage from last year as: North Charleston 3%, West Side 10%, Greenbrier Street/Elk River Area 8%, East End/Downtown 13%, Kanawha City 7% and South Hills 60%. He added that the distribution seemed disproportionate. He added that he only noticed one street from his Ward on the new paving list. Councilmember Reishman added that there had been a lot of sewer work in South Hills, so a lot of that paving that was done was to repair that work. Councilmember Faegre added the sewer systems on the West Side are atrocious, and have not been touched. Mayor Goodwin added that roads are not necessarily chosen by Ward, but by wear and tear and immediate need. Councilmembers are encouraged to reach out to the Administration over their paving concerns and needs. Councilmember King confirmed that the Sanitary Board was responsible for repairing the roads due to their work, and that would not have come out of the City's paving budget. Councilmember Campbell added that he had requested a list of the current roads to be paved and was told that it was still being discussed.
4. Councilmember Pharr said that the Kanawha County Board of Education unanimously voted to rename Stonewall Jackson Middle School. During an impromptu gathering, citizens raised \$46,000 that will go to offset the costs of the renaming. She added that Cam Harris is a remarkable young man.
5. Councilmember Wesley-Plear complemented a young group of people that gather on 2nd Avenue to play basketball that are wearing masks, etc. without drama.

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 8:35 p.m., by a motion from Councilmember Ceperley, Council adjourned until Monday, July 20, 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