

CHARLESTON CITY COUNCIL

Regular Meeting

July 20, 2020

at 7:00 PM



UNTIL FURTHER NOTICE, COUNCIL MEETINGS WILL BE MADE AVAILABLE TO THE PUBLIC VIA ZOOM AND CIVICCLERK

City Hall, 501 Virginia St. E.

Charleston, WV

AGENDA

***Join via internet:**

<https://us02web.zoom.us/j/83082297591?pwd=NDRKNUpydFVWRTdYRHZJbFhIYXlYZz09>

Password: 159617

***Join via Telephone: (312) 626-6799 or (929) 436-2866**

Webinar ID: 830 8229 7591

***Join via CivicClerk: <https://charlestonwv.civicclerk.com>**

CALL TO ORDER BY THE MAYOR

INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC SPEAKERS AND CLAIMS

1. **INTERESTED PUBLIC SPEAKERS MUST REGISTER WITH THE CLERK'S OFFICE VIA PHONE ON JULY 20, 2020 FROM 3:00-6:00 P.M. FIVE (5) SPEAKERS WILL BE PERMITTED (RULE NO. 22 (B)). 304-348-8179.**
2. Claims 7-20-2020

PROCLAMATIONS

1. 7-20-2020

COMMUNICATIONS

1. 7-20-2020

REPORTS OF STANDING COMMITTEES

FINANCE

1. Resolution No. 349-20 - Authorizing the Mayor to submit a substantial amendment to the City of Charleston's 2019 Annual Action Plan to the U.S. Department of Housing and Community Development
2. Resolution No. 358-20 - Authorizing the Mayor or City Manager to enter into a renewal of the Agreement with Suttle and Stalnaker to conduct a Single Audit for the City of Charleston for FY 2020
3. Resolution No. 359-20 – Authorizing the Mayor or City Manager to renew an annual software maintenance contract for a records management system for the Charleston Police Department.
4. Resolution No. 360-20 - Authorizing the Mayor or City Manager to enter into a contract with Oval Construction Management LLC for concrete sidewalk & accessible ramp project construction services
5. Resolution No. 361-20 - Authorizing the Mayor or City Manager to enter into a contract with Thaxton Construction Company, Inc. for pile and lagging retaining wall services
6. Resolution No. 362-20 - Authorizing the Finance Director to establish a special revenue fund, to be known as the Charleston LGBTQ Working Group Fund
7. Resolution No. 363-20 - Authorizing the Mayor or City Manager to enter into an Agreement with WesBanco, Inc. for a Standby Letter of Credit and cancelling the Letter of Credit approved by City Council on April 20, 2020
8. Resolution No. 364-20 - Authorizing approval of Amendment No. 1 in the FY 2020-2021 General Fund Budget as indicated on the attached list of accounts.
9. Resolution No. 365-20 - Coal Severance Budget Amendment No. 1
10. Resolution No. 366-20 - Coliseum & Convention Center Budget Amendment No. 1

REPORTS OF OFFICERS

1. 7-20-2020

NEW BILLS

1. 7-20-2020

UNFINISHED BUSINESS AND/OR MISCELLANEOUS BUSINESS

ROLL CALL

ADJOURNMENT

THE NEXT REGULAR MEETING OF COUNCIL WILL BE HELD AUGUST 3 , 2020 AT 7:00 P.M.



AFFIDAVIT
City of Charleston



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

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

Paula M Dunlap, Claimant,
who, after being first by me duly sworn, deposes and says:

That this affiant resides at: 1913 Hudson St Charleston, WV 25302

Telephone Number: 304-549-8828

and that on the 28th day of May, 2019 2020 at approximately 12:15 am pm
in the City of Charleston, West Virginia, he/she sustained

Cracked passenger side mirror

Nature Of Injury And/Or Damage

As A Result Of:

low hanging tree branch directly passed Westmoreland
Park - Whitney. Limb was hanging over road. Oncoming
traffic prevented me from swerving to avoid it. Holder cracked
apart but I was able to snap it back together.

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

Paula M Dunlap

Signature of Claimant

Taken, subscribed and sworn to before me this _____ day of _____, 2020.
My commission expires _____.

Notary Public



AFFIDAVIT City of Charleston



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

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

Roger Earle, Claimant,

who, after being first by me duly sworn, deposes and says:

That this affiant resides at: 5405 Virginia Ave SE, Charleston, WV 25304

Telephone Number: 304-993-1883

and that on the 31 st day of October, (2019)2020, at approximately 3:30 am(pm)
in the City of Charleston, West Virginia, he/she sustained

Property damage to 1994 Chevrolet truck parked at 5404 Staunton Ave SE, Charleston WV 25304

(Damage to hood and right front fender, repair cost estimated to be \$1,388.65)

Nature Of Injury And/Or Damage

As A Result Of:

High winds caused a large branch to break from a tree. The limb struck and dented the hood and right front fender of the 1994 Chevrolet truck. The limb also struck the front steps to the residence (5404 Staunton Ave SE) and damaged the steps, railing, and rain gutter.

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

Roger Earle

Signature of Claimant

Taken, subscribed and sworn to before me this 9 day of July, 2020.
My commission expires 4/17/2020

[Signature]
Notary Public



CITY OF CHARLESTON
OFFICE OF THE MAYOR



**TO: MILES CARY
CITY CLERK**

**FROM: AMY SHULER GOODWIN
MAYOR**

RE: MUNICIPAL PLANNING COMMISSION

DATE: JULY 20, 2020

A handwritten signature in blue ink, appearing to read "ASG", is written over the "FROM" line of the memo.

I recommend Todd Dorcas and Quintie Smith be appointed to the Municipal Planning Commission with their initial terms to expire July 1, 2022. Mr. Dorcas is replacing Dallas Staples and Mr. Smith is replacing Chad Robinson.

I respectfully request City Council's approval of this recommendation.

ASG/mls

CITY OF CHARLESTON
OFFICE OF THE MAYOR



**TO: MILES CARY
CITY CLERK**

**FROM: AMY SHULER GOODWIN
MAYOR**

A handwritten signature in blue ink, appearing to be "ASG", is written over the name "AMY SHULER GOODWIN".

RE: CHARLESTON URBAN RENEWAL AUTHORITY

DATE: JULY 20, 2020

I recommend Paula Flaherty be reappointed to the Charleston Urban Renewal Authority, with her term to expire March, 3, 2025.

I respectfully request City Council's approval of this recommendation.

ASG/mls

CITY OF CHARLESTON
OFFICE OF THE MAYOR



**TO: MILES CARY
CITY CLERK**

**FROM: AMY SHULER GOODWIN
MAYOR**

RE: KANAWHA CHARLESTON BOARD OF HEALTH

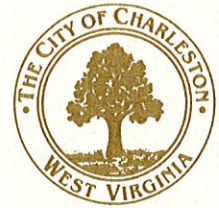
DATE: JULY 20, 2020

I recommend Dara Aliff Lao be appointed to the Kanawha Charleston Board of Health, with an initial term to expire June 30, 2025. She is replacing William Payne.

I respectfully request City Council's approval of this recommendation.

ASG/mls

CITY OF CHARLESTON
OFFICE OF THE MAYOR



**TO: MILES CARY
CITY CLERK**

**FROM: AMY SHULER GOODWIN
MAYOR**

RE: HISTORIC LANDMARKS COMMISSION

DATE: JULY 20, 2020

A handwritten signature in blue ink, appearing to be "ASG", is written over the "FROM" line of the memo.

I recommend Howard Swint be appointed to the Historic Landmarks Commission, with an initial term to expire September 1, 2023. He is filling a vacant seat.

I respectfully request City Council's approval of this recommendation.

ASG/mls

CITY OF CHARLESTON
OFFICE OF THE MAYOR



**TO: MILES CARY
CITY CLERK**

**FROM: AMY SHULER GOODWIN
MAYOR**

RE: CHARLESTON CONVENTION AND VISITORS BUREAU BOARD

DATE: JULY 20, 2020

I recommend Donteako Wilson be appointed to the Charleston Convention and Visitors Bureau Board with an initial term to expire February 17, 2023. He is replacing Gary Chernenko on the Board

I respectfully request City Council's approval of this recommendation.

ASG/mls

Resolution No. 349-20

Introduced in Council:

July 20, 2020

Adopted by Council:

Introduced by:

Joseph Jenkins

Referred to:

Finance

1 Resolution No. 349-20 - Authorizing the Mayor to submit a substantial amendment to the City
2 of Charleston's 2019 Annual Action Plan to the U.S. Department of Housing and Urban
3 Development. The amendment will include \$892,222 in Community Development Block Grant
4 CV (CDBG-CV) funds, made available by the CARES Act. Further authorizing the Mayor to sign all
5 required forms and certifications related to the CDBG-CV amendment. Funds will be used for
6 activities as indicated below. This is contingent upon no adverse citizen comments being
7 received during the 5-day comment period required through the MOECD Citizen Participation
8 Plan.

9

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

11

12 That the Mayor is hereby authorized to submit a substantial amendment to the City of
13 Charleston's 2019 Annual Action Plan to the U.S. Department of Housing and Urban
14 Development. The amendment will include \$892,222 in Community Development Block Grant
15 CV (CDBG-CV) funds, made available by the CARES Act. Further authorizing the Mayor to sign all
16 required forms and certifications related to the CDBG-CV amendment. Funds will be used for
17 activities as indicated below.

18

19 Funds may be used for the following activities:

20 Family Relief Funds - activities to provide one-time or short-term (no more than three months)
21 emergency payments on behalf of individuals or families, in response to COVID-19. Examples
22 include utility payments to prevent cutoff of service, and rent/mortgage payments to prevent
23 eviction and medical needs/co-pays related to COVID-19.

24 \$170,000

25 Public Service - activities to assist homeless and low- to- moderate income individuals or
26 households in response to Covid-19.

27 \$515,000

28 General Administration – Costs incurred for the general management, oversight, and
29 coordination of the CDBG-CV grant funds.

30 \$119,000

31 Unprogrammed Funds – Funds to assist with cost overruns and emergencies for coronavirus
32 efforts.

33 \$88,222

	<u>Activity/Description</u>	<u>Allocation</u>
1	Covenant House, LLC - Funding for rental and utility assistance. 600 Shrewsbury Street, Charleston, WV 25301.	\$ 20,000.00
2	Salvation Army - Funding for reimbursement of food and supplies. 301 Tennessee Ave, Charleston, WV 25302	\$ 10,000.00
3	YWCA Sojourners - Funding for PPE's, Supplies and Food expense. 1418 Washington Street, E., Charleston, WV 25301	\$ 10,000.00
4	YWCA RFAP - Funding for medical needs/co-pays. 1426 Kanawha Blvd., East, Charleston, WV 25301	\$ 5,000.00
5	Manna Meal - Funding for food expenses 1105 Quarrier Street, Charleston, WV 25301	\$ 100,000.00
6	Kanawha Valley Collective McCormick Hub - Funding for operational expenses at the shower and laundry facility. 1001 Smith Street, Charleston, WV 25301	\$ 25,000.00
7	United Way United We House - Funding for Rental Deposits First Months Rent and Utility Deposits and salary expense for outreach worker. 1 United Way Square, Charleston, WV 25301	\$ 150,000.00
8	Pro-Kids- Funding for salary expense supplies, equipment and minor renovations. 209 Morris Street, Charleston, WV 25301	\$ 15,000.00
9	Step-by-Step - Funding for personnel expenses and supplies. 415 Dickinson Street, Charleston, WV 25301	\$ 20,000.00
10	Health Outreach Coordinator - Mental Health Services Funding for salary/ benefit expense for a Mental Health Coordinator as a member of the Mayor's CARE Office. TPT Center, Charleston, WV	\$ 130,000.00
11	MOECD CDBG-CV Public Service Project - Funding to assist with public service activities used for coronavirus efforts.	\$ 200,000.00
	TOTAL CDBG-CV Requests	\$ 685,000.00
12	CDBG-CV Admin - These funds will be used for the administration of the Community Development Block Grant-CV Program.	\$ 119,000.00
	TOTAL CDBG-CV Requests with Admin	\$ 804,000.00

	<u>Activity/Description</u>	<u>Allocation</u>
	<u>TOTAL CDBG-CV ALLOCATION</u>	\$ 892,222.00
	<u>Unprogrammed Funds</u> - Funds to help with cost overruns and emergencies for coronavirus efforts.	\$ 88,222.00

Resolution No. 358-20

Introduced in Council

Passed by Council

July 20, 2020

Introduced by
Joseph Jenkins

Referred from
Finance Committee

1 Resolution No. 358-20 - Authorizing the Mayor or City Manager to enter into a
2 renewal of the Agreement with Suttle and Stalnaker to conduct a Single Audit for
3 the City of Charleston for FY 2020 in the amount of \$79,920.00 in accordance with
4 Federal OMB Circular A-133. This amount includes \$74,000 to Suttle & Stalnaker
5 for the audit contract and \$5,920 to the WV State Auditor's Office for a processing
6 fee.

7

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

9

10 That the Mayor or City Manager is hereby authorized to enter into a renewal of the
11 Agreement with Suttle and Stalnaker to conduct a Single Audit for the City of
12 Charleston for FY 2020 in the amount of \$79,920.00 in accordance with Federal
13 OMB Circular A-133. This amount includes \$74,000 to Suttle & Stalnaker for the
14 audit contract and \$5,920 to the WV State Auditor's Office for a processing fee.

15

Resolution No. 359-20

Introduced in Council

Passed by Council

July 20, 2020

Introduced by
Joseph Jenkins

Referred from
Finance Committee

1 Resolution No. 359-20 – Authorizing the Mayor or City Manager to renewal an annual
2 software maintenance contract with Trittech Software Systems (formerly Zuercher
3 Technologies) for the provision of a records management system for the Charleston Police
4 Department in an amount not to exceed \$66,121.19.

5

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

7

8 The Mayor or City Manager is authorized to renewal an annual software maintenance
9 contract with Trittech Software Systems for the provision of a records management
10 system for the Charleston Police Department in an amount not to exceed \$66,121.19.

11



Invoice

Invoice No
283783

Date
7/30/2020

Page
1 of 3

Tritech Software Systems, formerly Zuercher Technologies,
LLC, a CentralSquare Company
1000 Business Center Drive
Lake Mary, FL 32746

Billing Inquiries: Accounts.Receivable@centralsquare.com

Bill To
Charleston Police Department
Mark Fuiks
PO Box 2749 Room 309
Charleston WV 25301
United States

Ship To
Charleston Police Department
Mark Fuiks
PO Box 2749 Room 309
Charleston WV 25301
United States

Customer No	Customer Name	Customer PO #	Currency	Terms	Due Date
16248	Charleston Police, WV		USD	Net 30	8/29/2020

	Description	Units	Rate	Extended
1	Administration Core Annual Maintenance Fee - Annual Maintenance Fee Administration Server License Maintenance: Start:8/29/2020, End: 8/28/2021	1	\$1,963.50	\$1,963.50
2	Extend Adapter License (ZU) Annual Maintenance Fee - Annual Maintenance Fee Extend Adapter License Maintenance: Start:8/29/2020, End: 8/28/2021	1	\$550.15	\$550.15
3	Mobile Core Annual Maintenance Fee - Annual Maintenance Fee Mobile Server License Maintenance: Start:8/29/2020, End: 8/28/2021	1	\$3,141.60	\$3,141.60
4	Mobile NCIC Annual Maintenance Fee - Annual Maintenance Fee Mobile NCIC Client License Maintenance: Start:8/29/2020, End: 8/28/2021	40	\$0.00	\$0.00
5	Mobile Records Annual Maintenance Fee - Annual Maintenance Fee Mobile Records Client License Maintenance: Start:8/29/2020, End: 8/28/2021	40	\$149.25	\$5,969.88
6	Portal Server License Annual Maintenance Fee - Annual Maintenance Fee Portal Server License Maintenance: Start:8/29/2020, End: 8/28/2021	1	\$2,591.98	\$2,591.98
7	Records - N-DEx Adapter (IA IEPD) Annual Maintenance Fee - Annual Maintenance Fee Records - N-DEx Adapter (IA IEPD) Maintenance: Start:8/29/2020, End: 8/28/2021	1	\$0.00	\$0.00
8	Records - WV Crime Reporting (NIBRS) Interface Annual Maintenance Fee Records - WV Crime Reporting (WV NIBRS) Interface Maintenance: Start:8/29/2020, End: 8/28/2021	1	\$0.00	\$0.00



Invoice

Invoice No
283783

Date
7/30/2020

Page
2 of 3

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Customer No	Customer Name	Customer PO #	Currency	Terms	Due Date
16248	Charleston Police, WV		USD	Net 30	8/29/2020

	Description	Units	Rate	Extended
9	Records Core Annual Maintenance Fee - Annual Maintenance Fee Records Server License Maintenance: Start:8/29/2020, End: 8/28/2021	2	\$9,426.38	\$18,852.75
10	Records Property and Evidence Extend Annual Maintenance Fee - Annual Maintenance Fee Property and Evidence Extend Client License Maintenance: Start:8/29/2020, End: 8/28/2021	2	\$55.12	\$110.25
11	Reporting Core Annual Maintenance Fee - Annual Maintenance Fee Reporting Server License Maintenance: Start:8/29/2020, End: 8/28/2021	1	\$0.00	\$0.00
12	ZSuite - Time Synchronization Interface Annual Maintenance F - Annual Maintenance Fee Zuercher Suite - Time Synchronization Interface Maintenance: Start:8/29/2020, End: 8/28/2021	1	\$0.00	\$0.00
13	ZSuite - WEAPON/NCIC Interface (Basic Queries) Annual Maintenance - Annual Maintenance Fee Zuercher Suite - WEAPON/NCIC Interface (Basic Queries) Maintenance: Start:8/29/2020, End: 8/28/2021	1	\$1,832.93	\$1,832.93
14	ZSuite Production GIS Server Hardware Maintenance - Annual Maintenance Fee Zuercher Suite Production GIS Server (Virtualized Server, OS, Software, Analytic Maintenance: Start:8/29/2020, End: 8/28/2021	1	\$2,827.91	\$2,827.91
15	ZSuite Production NCIC Server Hardware Maintenance - Annual Maintenance Fee Zuercher Suite Production NCIC Server (Virtualized Server, OS, Installation & Te Maintenance: Start:8/29/2020, End: 8/28/2021	1	\$1,256.85	\$1,256.85
16	ZSuite Production Server Hardware Maintenance - Annual Maintenance Fee Zuercher Suite Production Server (Dell Server, OS, Zuercher Suite Base Software, Maintenance: Start:8/29/2020, End: 8/28/2021	1	\$8,641.40	\$8,641.40



Invoice

Invoice No
283783

Date
7/30/2020

Page
3 of 3

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Customer No	Customer Name	Customer PO #	Currency	Terms	Due Date
16248	Charleston Police, WV		USD	Net 30	8/29/2020

	Description	Units	Rate	Extended
17	ZSuite Training/Testing Server Hardware Maintenance - Annual Maintenance Fee Zuercher Suite Training/Testing Server (Dell Server, OS, Zuercher Suite Base Sof Maintenance: Start:8/29/2020, End: 8/28/2021	1	\$5,655.83	\$5,655.83
18	ZSuite Warm Standby GIS Server - Annual Maintenance Fee Zuercher Suite Warm Standby GIS Server (Virtualized Server, OS, Software, Analyt Maintenance: Start:8/29/2020, End: 8/28/2021	1	\$2,827.91	\$2,827.91
19	ZSuite Warm Standby NCIC Server - Annual Maintenance Fee Zuercher Suite Warm Standby NCIC Server (Virtualized Server, OS, Installation & Maintenance: Start:8/29/2020, End: 8/28/2021	1	\$1,256.85	\$1,256.85
20	ZSuite Warm Standby Server - Annual Maintenance Fee Zuercher Suite Warm Standby Server (Dell Server, OS, Zuercher Suite Base Softwar Maintenance: Start:8/29/2020, End: 8/28/2021	1	\$8,641.40	\$8,641.40

Please include invoice number(s) on your remittance advice,
made payable to Tritech Software Systems

Subtotal \$66,121.19

Tax \$0.00

ACH:
Routing Number 121000358
Account Number 1416612641
E-mail payment details to: Accounts.Receivable@CentralSquare.com

Invoice Total \$66,121.19

Payments Applied \$0.00

Check:
12709 Collection Center Drive
Chicago, IL 60693

Balance Due \$66,121.19

Resolution No. 360-20

Introduced in Council

Passed by Council

July 20, 2020

Introduced by
Joseph Jenkins

Referred from
Finance Committee

- 1 Resolution No. 360-20 - Authorizing the Mayor or City Manager to enter into a contract
2 with Oval Construction Management LLC for concrete sidewalk & accessible ramp project
3 construction services for \$283,868.40, as the result of a competitive bidding process.
4
5 Be it Resolved by the Council of the City of Charleston, West Virginia:
6
7 The Mayor or City Manager is authorized to enter into a contract with Oval Construction
8 Management LLC for concrete sidewalk & accessible ramp project construction services
9 for \$283,868.40, as the result of a competitive bidding process.

Concrete Sidewalk & Accessible Ramp Project Summer 2020

Project No. 2020-018
 Bid Opening: July 2, 2020 at 11:00am

			Garcie R. Marker & Sons, Inc. 1119 Jefferson Road South Charleston, WV 25309 P: (304) 744-0590 gmarkersons@aol.com		McClanahan Construction Co. 744 N. Poca River Road Poca, WV 25159 P: (304) 776-3355 bruce@mccclanahanconstruction.com		Wolf Creek Contracting Co., LLC 5461 Big Tyler Road, Charleston, WV 25313 P: (740) 749-3459 hoffenberger@wolfcreekcontractors.com		Oval Construction Management LLC 1506 Hansford St. Charleston, WV 25311 P: (304) 347-8820 JCARNEY@ovalconstruction.com		Jim Construction Inc. P.O. Box 3926 Charleston, WV 25339 P: (304) 343-7448 sagekerkes@yahoo.com	
Item	Unit	Estimated Quantity	Price per Unit	Total Cost	Price per Unit	Total Cost	Price per Unit	Total Cost	Price per Unit	Total Cost	Price per Unit	Total Cost
Item No. 3.01 Concrete Ramp and Sidewalk	SF	13,330	\$21.00	\$279,930.00	\$21.40	\$285,262.00	\$33.00	\$439,890.00	\$18.49	\$246,471.70	\$26.93	\$358,976.90
Item No. 3.02 Curb and Gutter	LF	150	\$50.00	\$7,500.00	\$45.00	\$6,750.00	\$157.50	\$23,625.00	\$13.99	\$2,098.50	\$134.00	\$20,100.00
Item No. 3.03 Integral Curb	LF	2,200	\$21.00	\$46,200.00	\$21.40	\$47,080.00	\$23.00	\$50,600.00	\$7.99	\$17,578.00	\$46.00	\$101,200.00
Item No. 3.04 Plain Curb	LF	300	\$25.00	\$7,500.00	\$20.00	\$6,000.00	\$95.00	\$28,500.00	\$7.49	\$2,247.00	\$30.00	\$9,000.00
Item No. 3.05 Detectable Warning Surfaces	EA	96	\$500.00	\$48,000.00	\$230.00	\$22,080.00	\$214.00	\$20,544.00	\$199.99	\$19,199.04	\$145.00	\$13,920.00
Item No. 3.06 Curb Inlet Adjustment	EA	15	\$250.00	\$3,750.00	\$200.00	\$3,000.00	\$172.00	\$2,580.00	\$1.00	\$15.00	\$646.00	\$9,690.00
Item No. 3.07 Asphalt Replacement	SY	84	\$150.00	\$12,600.00	\$140.00	\$11,760.00	\$167.00	\$14,028.00	\$14.99	\$1,259.16	\$217.00	\$18,228.00
TOTAL PROJECT COST				\$405,480.00		\$381,932.00		\$579,767.00		\$288,868.40		\$531,114.90
Local Vendor Preference (4%)				(\$5,000.00) \$400,480.00		(\$5,000.00) \$376,932.00		N/A		(\$5,000.00) \$283,868.40		(\$5,000.00) \$526,114.90
Successful Bidder with Local Preference Consideration												

Resolution No. 361-20

Introduced in Council

Passed by Council

July 20, 2020

Introduced by
Joseph Jenkins

Referred from
Finance Committee

1 Resolution No. 361-20 - Authorizing the Mayor or City Manager to enter into a contract
2 with Thaxton Construction Company, Inc. for pile and lagging retaining wall services for
3 \$276,900, as the result of a competitive bidding process.

4

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

6

7 The Mayor or City Manager is authorized to enter into a contract with Thaxton
8 Construction Company, Inc. for pile and lagging retaining wall services for \$276,900, as
9 the result of a competitive bidding process.

10

2020 Pile and Lagging Retaining Wall Project

Project No. 2020-019

Bid Opening: July 14, 2020 at 11:00am

Alan Stone Company

1324 Ellis Run Road

Cutler, OH 45724

P: (304) 375-6484

blake@alanstonecompany.com

Thaxton Construction Company, Inc. of Sissonville

PO Box 13279

Charleston, WV 25360

P: (304) 984-2299

thaxtonconstruction@gmail.com

Item	Unit	Quantity	Price per Unit	Total Cost	Price per Unit	Total Cost
Item No. 3.01 Mobilization	LS	1	\$16,000.00	\$16,000.00	\$1,000.00	\$1,000.00
Item No. 3.02 Predrilled Soldier Pile HP10x42	LF	1,500	\$113.00	\$169,500.00	\$80.00	\$120,000.00
Item No. 3.04 Steel Wale HP6x28	LF	150	\$204.00	\$30,600.00	\$40.00	\$6,000.00
Item No. 3.05 Concrete Lagging 8x24x45	EA	200	\$510.00	\$102,000.00	\$80.00	\$16,000.00
Item No. 3.06 Allowances		1	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00
Base Bid Total				\$333,100.00		\$158,000.00
Alternate No. 1						
Item No. 4.01 Clearing, Grubbing and Debris Removal	SF	3,000	\$5.00	\$15,000.00	\$9.30	\$27,900.00
Item No. 4.02 Excavation Onsite Soils	CY	650	\$35.00	\$22,750.00	\$60.00	\$39,000.00
Item No. 4.03 Rock Buttress	CY	650	\$37.00	\$24,050.00	\$80.00	\$52,000.00
Alternate No. 1 Total				\$61,800.00		\$118,900.00
TOTAL PROJECT COST				\$394,900.00		\$276,900.00
Local Vendor Preference (4%)				N/A	(\$5,000.00) \$271,900.00	
Successful Bidder with Local Preference Consideration					✔	

Resolution No. 362-20

Introduced in Council:

Adopted by Council:

July 20, 2020

Introduced by:

Referred to:

Joseph Jenkins

Finance

Resolution No. 362-20 – Authorizing the Finance Director to establish a special revenue fund, to be known as the Charleston LGBTQ Working Group Fund, that accounts for revenues received from various sources to be dedicated to furthering the Working Group’s mission, which is stated as follows:

The Working Group recognizes all voices and perspectives must be considered to make lasting, equitable change and remains committed to maintaining a welcoming, safe and inclusive environment. Members shall make a concerted effort to think creatively about issues, consider the interconnected nature of social categorization [race, color, religion, ancestry, sex, age, disability, marital status, military status, sexual orientation, gender identity, gender expression, income status, etc.], encourage cross-community, cross-sector and cross-issue collaboration and establish opportunities throughout the City for LGBTQ+ individuals. The Working Group will continually strive to ensure the LGBTQ+ community's voices are heard and ensure both the unique needs and experiences of the community are reflected in the recommendations provided to the Mayor.

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

The Finance Director to establish a special revenue fund, to be known as the Charleston LGBTQ Working Group Fund, that accounts for revenues received from various sources to be dedicated to furthering the Working Group’s mission, which is stated as follows:

The Working Group recognizes all voices and perspectives must be considered to make lasting, equitable change and remains committed to maintaining a welcoming, safe and inclusive environment. Members shall make a concerted effort to think creatively about issues, consider the interconnected nature of social categorization [race, color, religion, ancestry, sex, age, disability, marital status, military status, sexual orientation, gender identity, gender expression, income status, etc.], encourage cross-community, cross-sector and cross-issue collaboration and establish opportunities throughout the City for LGBTQ+ individuals. The Working Group will continually strive to ensure the LGBTQ+ community's voices are heard and ensure both the unique needs and experiences of the community are reflected in the recommendations provided to the Mayor.

July 15, 2020

Mayor Amy Shuler Goodwin
501 Virginia Street, East
Charleston, WV 25301



Dear Mayor Goodwin,

Recently, the LGBTQ Working Group was approached regarding a funding opportunity related to our mural project. We kindly request the City of Charleston to establish a special fund dedicated to furthering the work of the Group—bringing greater visibility to the LGBTQ+ community and its needs; developing recommendations which will result in lasting, equitable change; and ensuring the LGBTQ+ community's voices are heard.

In advance of this request, we approved a revision to our bylaws (pending the outcome of our request to establish a special fund) which will put in place a process to ensure any funds received by the Working Group are deposited and spent in accordance with applicable City ordinance and rules, ensure accurate records are maintained, and ensure information is made available to the Working Group at each regular meeting.

We recognize the importance of listening to all voices and perspectives and remain committed to maintaining a welcoming, safe, and inclusive environment. While we have made progress in areas of visibility and advocacy, we still have much work to do. Some of the things we have accomplished in the past year include:

1. Drafting the letter advocating for more inclusive health care options for City workers, including trans-inclusive care that covers medically necessary gender-affirming treatments, as well as coverage for workers who are in domestic partnerships.
2. Voicing concerns about the inclusion of a virulently homophobic author who was invited to a paid speaking role as part of the West Virginia Book Festival. In response to our concerns, the Book Festival's steering committee reached out to the LGBTQ Working Group to invite a member of our group to join in future decision making.

3. Participating in our first All Kinds Are Welcome Here Lobby Day to bring greater visibility to our Group and show support for others who advocate on behalf of the LGBTQ+ community at the state Capitol.
4. Initiating preliminary conversations regarding youth involvement—with some focus on anti-bullying work.
5. Facilitating the installation of the “All for Love and Love for All” mural—a collaboration with the Charleston Office of Public Art, Black Sheep Burritos and Brews, Rainbow Pride of West Virginia and an anonymous funder.
6. Developing the “All Kinds Are Welcome Here: Charleston” initiative, which will showcase welcoming and inclusive businesses, faith-based organizations, civic groups, nonprofits and others in the Capital City.
7. Putting in motion a plan for the installation of an LGBTQ+ crosswalk on the East End of Charleston—a collaboration with the City of Charleston and Covenant House.

We appreciate the City’s continued support of the Charleston LGBTQ Working Group and welcome the opportunity to further discuss our work.

Sincerely,

A handwritten signature in black ink, consisting of a stylized 'J' followed by a series of loops and a horizontal line at the end.

Jake Jarvis
Chair, Charleston LGBTQ Working Group

CC: Jonathan Storage, City Manager
LGBTQ Working Group Members

Resolution No. 364-20

Introduced in Council:

Adopted by Council:

July 20, 2020

Introduced by:

Referred to:

Joseph Jenkins

Finance

1 Resolution No. 364-20 – Authorizing approval of Amendment No. 1 in the FY 2020-2021
2 General Fund Budget as indicated on the attached list of accounts.

3

4

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

6

7 That Amendment No. 1 in the FY 2020-2021 General Fund Budget as indicated on the attached
8 list of accounts is approved.

9

General Fund FY 2020-2021 Budget Amendment No. 1 - July 20, 2020

Account No.	Department	Account Description	Amount
001 976 00 700 4 459	Police	Capital Outlay - Equipment	1,117,280
001 976 00 706 4 459	Fire	Capital Outlay - Equipment	444,996
001 977 00 750 4 459	Street	Capital Outlay - Equipment	51,705
001 978 00 800 4 459	Refuse	Capital Outlay - Equipment	300,000
001 980 00 952 4 459	Spring Hill Cemetery	Capital Outlay - Equipment	10,000
001 298 0	Assigned Fund Balance		(1,923,981)

Manual Encumbrances - To adjust proper accounts in the FY 2021 Municipal Budget for the purchase of equipment not completed within FY 2020 including: 30 Police Interceptor SUV and related equipment and install costs for the Police Department, 4 ambulances for the Fire Department, 1 pickup truck for the Street Department, 1 packer truck and 2 stake body trucks for the Refuse Department, and 1 hydraulic hammer tractor attachment for the Spring Hill Cemetery.

001 305 01 0000	Revenues	B & O Tax - Current Year	359,397
001 296 0	Restricted Fund Balance		(359,397)

Restricted Fund Balances - To recognize funds restricted for Ball Park Debt Service.

001 305 01 0000	Revenues	B & O Tax - Current Year	1,045,727
001 295 0	Non-Spendable Fund Balance		(1,045,727)

Nonspendable Fund Balance - To recognize nonspendable fund balances for Prepaid Insurance expenses.

001 910 01 000 5 566	CCCC Subsidy	Debt Service Subsidy	17,541
001 910 01 001 5 566	CCCC Subsidy	Health Benefits Subsidy	(17,541)

To re-classify certain Coliseum and Convention Center subsidies as a result of estimated coal severance revenue

Reportable: To Maintain compliance with the budgetary guidelines of the State of West Virginia

Resolution No. 365-20

Introduced in Council:

July 20, 2020

Introduced by:

Joseph Jenkins

Adopted by Council:

Referred to:

Finance

1 Resolution No. 365-20 – Authorizing approval of Amendment No. 1 of the FY 2020-2021 Coal
2 Severance Budget as indicated on the attached list of accounts.

3

4

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

6

7 That Amendment No. 1 of the FY 2020- Coal Severance Budget as indicated on the attached list
8 of accounts is approved.

9

Coal Severance Fund FY 2020-2021 Budget Amendment No. 1 - July 20, 2020

Account No.	Department	Account Description	Amount
002 298 0		Coal Severance Tax - Balance on Hand	17,541
002 000 00 000 5 566		Contributions to Other Funds	(17,541)
To recognize coal severance tax receivable to establish the beginning balance for FY 2021			

Reportable: To maintain compliance with the budgetary guidelines of the State of West Virginia.

Colesium and Convention Center FY 2020-2021 Budget Amendment No. 1 - July 20, 2020

Account No.	Department	Account Description	Amount
402 358 00 0342	Civic Center Revenues	Trf In - Coal Severance Fund	17,541
402 358 00 0341	Civic Center Revenues	Trf In - General Fund - Debt Svc.	(17,541)

To true up sources of transfer-in revenues as a result of estimated coal severance revenue.

Resolution No. 366-20

Introduced in Council:

Adopted by Council:

July 20, 2020

Introduced by:

Referred to:

Joseph Jenkins

Finance

1 Resolution No. 366-20 – Authorizing approval of Amendment No. 1 of the FY 2020-2021
2 Charleston Coliseum and Convention Center Budget as indicated on the attached list of
3 accounts.

4

5

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

7

8 That Amendment No. 1 of the FY 2020- Charleston Coliseum and Convention Center as
9 indicated on the attached list of accounts is approved.

10

**MUNICIPAL COURT
CITY OF CHARLESTON**

**Post Office Box 2749
Charleston, West Virginia 25330
(304) 348-8079**

Anne B. Charnock, Judge

Conrad Lucas, Clerk

TO: Mayor Amy Shuler Goodwin
FROM: Conrad Lucas, Clerk
DATE: **Thursday, July 2nd, 2020**
RE: **June 2020 Financial Information, Charleston Municipal Court**

TOTAL CITATIONS FILED: 498

Criminal Violations: 138
Traffic Violations: 360
Parking: 0
Building Search Warrants: 0

RESTITUTION COLLECTED (paid to victims): \$1,819.97

Primarily related to shoplifting cases, restitution monies are collected and refunded to the store/victim.

FINANCIAL REPORT ATTACHED

cc: Judge Anne B. Charnock
Miles Cary, City Clerk
Victor Grigoraci, Treasurer
Scott Dempsey, Deputy Chief of Police
Tony Harmon, Building Department
David Potters, Office of the City Attorney
Captain Mark Abbott, CPD
Nikki Smith, City Clerk's Office

CHARLESTON MUNICIPAL COURT
 Report For June 1, 2020 Thru June 30, 2020
 Page: 1
 FILEDST

 Violations by Filed Date...

TRAFFIC	360	
CRIMINAL	138	
Total Filed Violations		498

 Completed Cases...

Paid Fine...		
TRAFFIC	225	
CRIMINAL	14	
Total Paid Fines		239
Before Judge...		
TRAFFIC	11	
CRIMINAL	15	
Total Before Judge		26
Total Completed		265

 Other Completed...

DISMISS- OFFICER NOT WITH CITY		
TRAFFIC	0	
CRIMINAL	3	
Total		3
DEFENDANT DECEASED		
TRAFFIC	0	
CRIMINAL	2	
Total		2
DISMISSED OFFICER FAIL TO PROS		
TRAFFIC	25	
CRIMINAL	13	
Total		38
DISMISSED(PRESENTED INSURANCE)		
TRAFFIC	46	
CRIMINAL	0	
Total		46
DISMISSED (BY JUDGE'S ORDER)_		
TRAFFIC	5	
CRIMINAL	0	
Total		5
DISMISSED E-PROOF		
TRAFFIC	1	
CRIMINAL	0	

CHARLESTON MUNICIPAL COURT
 Report For June 1, 2020 Thru June 30, 2020
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Total		1
DISMISSED STORE CLOSED		
TRAFFIC	0	
CRIMINAL	4	
Total		4
DISMISSED OFF FAIL TO PROV VIN		
TRAFFIC	2	
CRIMINAL	0	
Total		2
DISMISSED (PROSECUTOR'S ORDER)		
TRAFFIC	86	
CRIMINAL	10	
Total		96
DISMISSED PRESENTED RECORDS		
TRAFFIC	52	
CRIMINAL	0	
Total		52
DISMISSED AFTER PT DIVERSION		
TRAFFIC	30	
CRIMINAL	30	
Total		60
DISMISSED WITHOUT PREJUDICE		
TRAFFIC	42	
CRIMINAL	38	
Total		80
VOIDED DOCKET		
TRAFFIC	2	
CRIMINAL	1	
Total		3
Total Other Completed		392
Grand Total Completed		657
Net Difference Filed/Complete		159-

Warrants...

Issued...		
TRAFFIC	540	
CRIMINAL	621	
Total Violations		1,161
Total Warrants Issued		1,161
Cleared...		
TRAFFIC	206	

CHARLESTON MUNICIPAL COURT
 Report For June 1, 2020 Thru June 30, 2020
 Page: 3
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CRIMINAL	176	
Total Violations		382
Total Warrants Cleared		382
Change in Total Warrants	779	

Other Paid Cases...

Paid Fine...		
Total Other Paid Fines		53

FINE FINE	\$28,597.04
ADMIN ADMINISTRATIVE COST	\$416.48
CCF COMMUNITY CORRECTIONS FUND	\$257.00
CVC CRIME VICTIM'S FUND	\$1,680.00
LAWFND LAW ENFORCE. TRAIN STATE	\$1,828.00
JAILF REGIONAL JAIL CORR.	\$8,958.88
REST RESTITUTION	\$3,351.97
LAWLOC LAW ENFORCE. TRAIN (LOCAL)	\$910.00
OP OVER PAYMENT	\$7.90
Total Fees/Fines Paid	\$46,007.27

Monthly Report – Definition Key

Violations by Filed Date:

Violations keyed into the Court software during the month

Completed Cases:

Cases where the fine and court costs were paid in full and the case was closed during the month.

Before Judge:

Number of violations where a case set for trial before the judge; the defendant was found guilty or entered a guilty plea at trial and the defendant paid off all costs/fines in full thereby closing the case.

Other Completed -Dismissed (By Complainant):

The City Attorney moved to dismiss cases because the person who filed the complaint no longer wishes to pursue the charges.

Defendant Deceased:

Cases dismissed because the defendant died.

Dismissed Officer Fail to Pros:

Cases dismissed because the officer failed to appear in Court.

Dismissed (presented insurance):

Cases dismissed because the defendant presented valid proof of insurance for the offense date.

Dismissed (presented DL):

Cases dismissed because the defendant presented a valid driver's license.

Dismissed Mistaken Identity:

Cases dismissed cases on the City Attorney's motion due to mistaken identity.

Dismissed (Prosecutor's Order):

Cases dismissed on the City Attorney's motion or as a result of a plea agreement.

Dismissed Presented Records:

Cases dismissed because the defendant presented records to satisfy a code or Court requirement.

Dismissed After PT Diversion:

Cases dismissed because the defendant entered into a Pre-Trial Diversion agreement with the City and satisfied the requirements of the Pre-Trial Diversion.

Dismissed Victim/Witness FTA:

Cases dismissed because the witness or victim did not appear in Court for trial.

Dismissed without prejudice:

Cases dismissed but the City having the option to re-file the case within one (1) year of the date of the offense.

Dismissed No Drug Results:

Drug results were not received for trial.

Dismissed – Officer Not With City

Officer/Witness is no long employed by the City.

Warrants

The Court issues warrants for Failure to Appear in Court for court sessions. These warrants are printed and copied to the CPD Warrants Division.

Cleared:

The Court clears warrants once the warrant is served by an officer or when a defendant self reports to the Court. The Court also clears warrants if a person is deceased, posts bond and or, in some cases, enters a plea.

Other Paid Cases:

The Court received a partial payment for a case; however, the defendant still has a balance due.

Search Warrant Issued:

A search warrant document was prepared and presented to the court by the City Attorney's office with regard to safety and public health concerns of a structure/property.

This report is not indicative of the case volume in Municipal Court. Rather, this information reflects payment status/coding for cases.



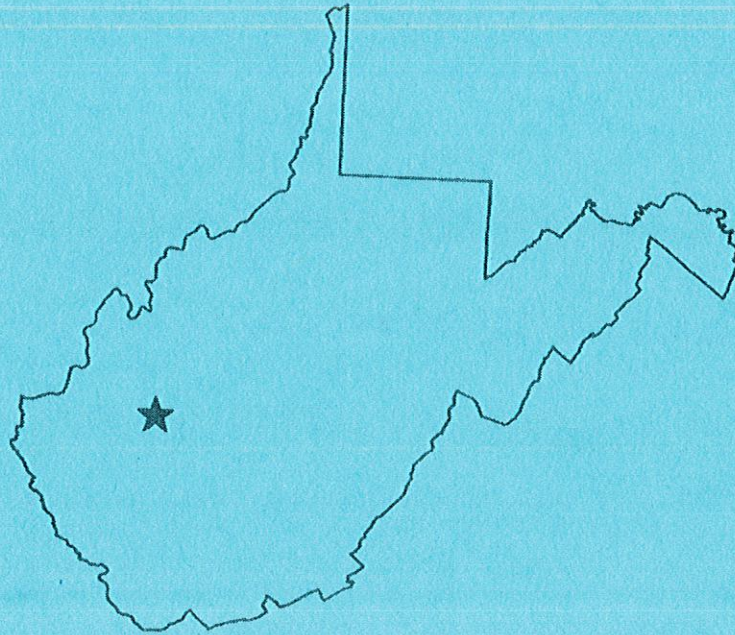
City of Charleston West Virginia

Vic Grigoraci, City Treasurer

City Treasurer's Report to City Council

Month Ended

June 2020



Respectfully submitted,

Victor Grigoraci, CPA – City Treasurer

<u>Fund / Description</u>	<u>Balance June 2019</u>	<u>Balance May 2020</u>	<u>Collections June 2020</u>	<u>Withdrawals June 2020</u>	<u>Balance June 30, 2020</u>
001 General Fund	4,695,341.31	13,102,187.14	7,839,251.92	11,571,048.96	9,370,390.10
002 Coal Severance Tax	64.03	20.99	0.00	0.00	20.99
003 Municipal Stabilization	4,286,026.08	4,342,423.28	388,543.24	0.00	4,730,966.52
009 Community Development	205.35	4,830.55	58,427.12	62,383.49	874.18
010 Supportive Housing	0.00	0.00	25,913.93	25,913.93	0.00
012 West Side Improvement	29.75	9,577.25	0.00	78.00	9,499.25
014 IT Infrastructure	89,377.00	90,944.08	450,013.60	0.00	540,957.68
015 Charleston Land Reuse	0.00	26,179.24	250,005.54	684.00	275,500.78
016 Charleston Land Trust	45,531.22	0.00	0.00	0.00	0.00
017 Project West Invest	516.31	559.37	0.05	0.00	559.42
019 Tourism & Promotions	0.00	0.00	500,006.83	0.00	500,006.83
020 Business Development	0.00	0.00	751,322.26	0.00	751,322.26
021 Community Participation	0.00	0.00	130,001.78	0.00	130,001.78
026 Uniform Pension Reserve Fund	17,152,547.81	21,132,245.05	100,630.34	0.00	21,232,875.39
035 Municipal Beautification	32,148.97	32,748.42	2.68	0.00	32,751.10
036 Special Demolition	18,091.00	18,329.04	1.50	0.00	18,330.54
037 Sister Cities	27,219.33	27,577.51	2.26	0.00	27,579.77
038 Solid Waste	288,324.42	762,152.19	438,478.35	940,489.92	260,140.62
039 Waste Disposal	0.00	0.00	101,947.60	101,947.60	0.00
040 Landfill Closure	3,317,326.80	3,413,955.02	17,122.06	0.00	3,431,077.08
041 Police Contributions	11,377.90	10,942.35	500.91	0.00	11,443.26
042 Police Evidence	1,261,036.67	1,071,621.34	87.70	2,611.90	1,069,097.14
043 Forfeited Funds	263,369.01	298,997.29	63,399.84	4,397.47	357,999.66
044 Municipal Court	198,052.31	223,618.47	44,037.63	31,287.88	236,368.22
045 Homeland Security	13,078.00	61,372.88	2,406.26	63,779.14	0.00
047 Health Insurance Reserves	6,157,613.38	6,238,637.66	511.36	0.00	6,239,149.02
048 Wayfinding Commission	73,627.47	21,223.71	1.74	0.00	21,225.45
049 Live On The Levee	48,477.53	13,827.98	1.08	729.33	13,099.73
080 Human Rights	176,793.29	176,793.29	0.00	0.00	176,793.29
081 Home Program	13,684.46	71,097.21	53,818.39	52,984.78	71,930.82
085 Firefighters Assistance Grant	77.08	77.08	0.00	0.00	77.08
088 SBA Riverfront Project Donation Account	9.18	9.18	0.00	0.00	9.18
088 SBA Riverfront Project Grant Account	10,167.71	10,167.71	0.00	0.00	10,167.71
089 Rail Trail Project	0.00	277,010.16	985,205.34	1,262,215.50	0.00
095 Police Grants	192,734.88	166,851.11	19,213.07	10,312.57	175,751.61
096 Historic Preservation	2,601.00	20,601.00	0.00	1,490.00	19,111.00
099 Public Arts Grant	146,264.34	148,914.34	30,000.00	0.00	178,914.34
100 Sinking Fund	4,072,960.98	4,023,310.60	349.88	0.00	4,023,660.48
200 Infrastructure	151,400.72	153,392.91	12.57	0.00	153,405.48
214 Civic Center Capital Improvement	367,306.95	351,706.43	28.83	0.00	351,735.26
215 Municipal Auditorium Capital Improvement	159,938.05	166,814.24	1,384.42	0.00	168,198.66
220 General Maintenance	2,208,740.64	3,021,328.90	899,725.46	0.00	3,921,054.36
221 City Service Fee Capital Project	3,176,321.50	392,663.18	1,977,036.73	450,038.25	1,919,661.66
222 Facilities Maintenance	305,606.01	992,122.32	3,060.98	7,771.28	987,412.02
255 Ballpark Maintenance	55,356.12	53,193.60	25,005.25	0.00	78,198.85
402 Civic Center Revenue	67,355.10	70,080.77	296,549.57	266,809.73	99,820.61
406 Parking System Revenue	4,250,981.35	5,226,998.46	243,076.66	1,051,560.11	4,418,515.01
426 Parking Operation and Maintenance	1,762,558.70	1,435,406.17	900,129.95	0.00	2,335,536.12
427 Civic Center TIF Project	33,077.10	213,511.43	39.53	0.00	213,550.96
900 M - DENT	753,861.60	644,632.00	107,890.39	51,352.47	701,169.92
901 Pending Forfeiture	899,728.16	849,251.97	69.21	7,200.00	842,121.18
Working Cash Advance Fund	32,925.00	32,925.00	0.00	0.00	32,925.00
Total All Funds	56,819,831.57	69,402,829.87	16,705,213.81	15,967,086.31	70,140,957.37

Bill No. 7876

Introduced in Council:

July 20, 2020

Introduced by:

Joseph Jenkins

Adopted by Council:

Referred to:

Finance

Bill No. 7876 - A BILL to amend and reenact Chapter 2, Article VII, Section 2-553 of the Code of the City of Charleston, as amended, relating to authorizing the Charleston Coliseum and Convention Center/Municipal Auditorium Board to recommend a private management contract in lieu of a general manager and setting forth a process for proceeding in that fashion.

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

That Chapter 2, Article VII, Section 2-553 of the Code of the City of Charleston be amended and reenacted to read as follows:

Sec. 2-553. - Powers and duties.

(a) The Charleston Coliseum and Convention Center/Municipal Auditorium Board shall have power, authority, and duty to supervise, administer, operate, and maintain the municipal civic, cultural, and educational center of the city, located on Civic Center Drive, commonly called the "Charleston Coliseum and Convention Center," and the Municipal Auditorium, located on Virginia and Truslow streets, commonly called the "Auditorium;" to prepare, make, adopt, prescribe, and promulgate instructions, procedures, rules, and regulations appropriate for the management of the Charleston Coliseum and Convention Center and the Auditorium; to provide for the safeguarding of and accountability for all funds derived from and in connection with the operation of the Charleston Coliseum and Convention Center and Auditorium; and to determine, prescribe and collect all charges, fees, and revenue of any kind due to the city for the use of the Charleston Coliseum and Convention Center and Auditorium. However, any schedule of fees, rates, or charges shall be first approved by the city council before being put into effect.

(b) The board shall not allow the property under its control to be used for or in connection with any program or purpose that is prohibited by law or resolution of council.

(c) If a vacancy occurs in the position of general manager, the board may appoint an interim general manager until the mayor makes an appointment pursuant to this subsection. Upon the request of the mayor, the board shall initiate a nationwide search

36 for a new general manager and, upon conclusion of the search and pursuant to the
37 timeline set by the mayor, provide no less than three and no more than seven
38 recommendations to the mayor to fill the general manager position. The mayor shall
39 appoint a general manager, by and with the advice and consent of the council, who
40 shall work with the board to execute a vision for the Charleston Coliseum and
41 Convention Center and Auditorium. The mayor shall fix the compensation of the general
42 manager, subject to council approval, and have the full and complete power of removal
43 of the general manager, subject to any employment contract approved by the board and
44 authorized by resolution of council. The general manager shall have the authority to
45 employ such other employees as are necessary to effectively operate the Charleston
46 Coliseum and Convention Center and Auditorium and to fix the compensation of such
47 employees consistent with the budget approved by council.

48

49 (d) Notwithstanding the provisions of subsection (c) of this section, the Board
50 may recommend a private management contract in lieu of a general manager employed
51 by the City. In order to proceed with a private management contract, the Board shall
52 adopt a formal recommendation to present to City Council that details the general terms
53 of the proposal as part of a City Council resolution. If City Council approves a resolution
54 authorizing a private management contract for the Charleston Coliseum and Convention
55 Center and Municipal Auditorium, the Board shall retain oversight responsibility of the
56 management company and all other relevant provisions of this Code shall apply.

Bill No. 7877

Introduced in Council:

July 20, 2020

Adopted by Council:

Introduced by:

Jeanine Faegre

Referred to:

Ordinance and Rules

Bill No. 7877 - A BILL to amend and reenact Section 14-33 of the Code of the City of Charleston, as amended, by updating references to the state building code in order to conform to the state requirements.

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

That Section 14-33 of the Code of the City of Charleston, as amended, is hereby amended and reenacted to read as follows:

CHAPTER 14 – BUILDINGS AND BUILDING REGULATIONS.

ARTICLE II. – BUILDING CODE.

Sec. 14-33. - Adoption of state building code; exercise of authority beyond corporate limits.

(a) There is adopted the state building code as authorized by W. Va. Code § 8-12-13 and promulgated pursuant to W. Va. Code § ~~29-3-5b~~ 15A-11-5, and by the State of West Virginia in Title 87, Legislative Rule Series 4 (§ 87-4-1 et seq.), state building code, which are collectively adopted by reference as if fully restated herein, and the provisions of such code sections and regulations shall be controlling within the city.

(b) The following amendments are made and incorporated into the codes adopted by subsection (a) of this section:

Whenever referenced in the several ICC codes adopted herein, any reference to the International Fire Code should be substituted with the NFPA Life Safety Code 2015 2018 edition.	
The ANSI/ASHRAE/IESNA Standard 90.1-2010 edition for commercial buildings.	
International Building Code 2015:	
Section 101.1	Insert "the City of Charleston"
Section 1612.3	Insert "the City of Charleston" dated "April 3, 1985"
Section 3412.2	Insert "April 30, 2019"
Delete Section 101.4.5 Fire Prevention, in its entirety.	

Delete Section 113.3 Qualifications, in its entirety and replace with the following: 113.3 Qualifications. The Board of Appeals shall consist of five members, with up to three alternates, who are qualified by experience or training to pass on matters pertaining to building construction and are not employees of the jurisdiction. They may include, but are not limited to, a WV Registered Professional Architect or Engineer, or a WV Licensed General Building, Residential, Electrical, Piping, Plumbing, Mechanical or Fire Protection Contractor, with at least 10 years' experience, five of which shall be in responsible charge or work. No less than one of the members of such Board of Appeals shall be a WV Registered Professional Architect or Engineer, or a WV Licensed General Building, Residential, Electrical, Piping, Plumbing, Mechanical or Fire Protection Contractor.	
Section 4.1.k.l. Omit references to International Fire Code and substitute NFPA Life Safety Code 2009 18 Edition.	
International Residential Code for One and Two Family Dwellings 2015:	
Chapter 11 entitled "Energy Efficiency" is exempt from Title 87, Legislative Rule Series.	
Section R101.1	Insert "the City of Charleston"
Section G2415.12(404.10)	Delete and replace with: Minimum Burial Depth. Underground piping systems shall be installed a minimum depth of 12 inches (305 mm) below grade. If the minimum depth cannot be maintained, the piping system shall be installed in conduit or shielded in an approved manner.
Table R301.2(1)	Insert into blank spaces as follows: Ground Snow Load - "20 psf" Wind Speed - "115 mph" Seismic Design Category - "C" Weathering - "Severe" Frost Line Depth - "24 inch" Termite - "Moderate to Heavy" Decay - "Slight to Moderate" Winter Design Temper-ature - "11 degrees" Ice Shield Underlayment - No Flood Hazards - "see FIRM 1985 Floodplain Ordinance Air Freezing Index - 500 Mean Annual Temp - 54.5 Topographic effects - "No"
Section P2603.6.1	Insert "30 inches" and "12 inches"
Delete Section 303.5.1 Light Activation, in its entirety.	
Delete sections R 311.3.1 Landings at doors in its entirety.	

International Plumbing Code 2015:	
Section 101.1	Insert "the City of Charleston"
Section 106.6.2	Insert "See the Building Department Administrative Manual, Appendix A"
Section 106.6.3	In No. 2 Insert "100%" In No. 3 Insert "100%"
Section 108.4	Insert "misdemeanor," "\$1,000," "0 days"
Section 108.5	Amend last sentence in paragraph to read as follows: Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine up to \$1,000.00"
Section 305.6.1	Insert "30 inches" and "12 inches"
Section 904.1	Insert "12 inches"
International Mechanical Code 2015:	
Section 101.1	Insert "the City of Charleston"
Section 106.5.2	Insert "See the Building Department Administrative Manual, Appendix A"
Section 106.5.3	In No. 2 Insert "100%" In No. 3 Insert "100%"
Section 108.4	Insert "misdemeanor," "\$1,000," "0 days"
Section 108.5	Amend last sentence in paragraph to read as follows: Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine up to \$1,000.00"
International Existing Building Code 2015:	
Section 101.1	Insert "the City of Charleston"
Section 1301.2	Insert "April 30, 2019"

International Energy Conservation Code 2009:	
Section 101.1	Insert "the City of Charleston"
International Fuel Gas Code 2015:	
Section 101.1	Insert "the City of Charleston"
Section 106.6.2	Insert "See the Building Department Administrative Manual, Appendix A"
Section 106.6.3	In No. 2 Insert "100%" In No. 3 Insert "100%"
Section 108.4	Insert "misdemeanor," "\$1,000," "0 days"
Section 108.5	Amend last sentence in paragraph to read as follows: Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine up to \$1,000.00"
Section 404.10	Section 404.10 is deleted in its entirety and replaced with the following: "Underground piping systems shall be installed a minimum depth of 12 inches (305 mm) below grade. If the minimum depth cannot be maintained, the piping system shall be installed in conduit or shielded in an approved manner."
International Property Maintenance Code 2015:	
Section 101.1	Insert "the City of Charleston"
Section 103.5	Insert "See the Building Department Administrative Manual, Appendix A"
Section 110.3	Modified as follows: Unless authorized by W. Va. Code § 8-12-16, or absent the express consent of the owner, if the owner of a premises fails to comply with a demolition order within the time prescribed, the legal counsel of the jurisdiction shall institute appropriate action in the Circuit Court of the County in which the property is located against the owner of

	the premises where the structure is or was located seeking an order causing the structure to be demolished and removed. Thereafter, the local jurisdiction, through an available public agency or by contract or arrangement with private persons, shall demolish and remove the structure and the costs thereof, as well as all fees and costs incurred in the legal action, shall be a lien upon such real estate.
Section 112.4	Amend last sentence in paragraph to read as follows: Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine up to \$1,000.00"
Section 302.4	Insert "10 inches"
Section 303.14	Insert "January 1 st to December 31 st "
Section 602.3	Insert "January 1 st to December 31 st "
Section 602.4	Insert "September 1 st to June 1 st "
20142017 National Electrical Code, NFPA 70: [insert] 4.1.k.1. For renovations in one- and two-family homes where no new square footage is involved, arc-fault circuit interrupter (AFCI) protection shall not be required, except for in bedrooms. For renovation in one- and two-family homes where square footage is added but no electrical service is installed, arc-fault circuit interrupter (AFCI) protection shall not be required.	
2009 ICC/ANSI A117.1 American National Standards for Accessibility & Usable Buildings and Facilities:	
Title 87 Legislative Rule, State Fire Commission, Series 4 § 87-4-5 Fire Protection of Floors in Residential Buildings 5.1 New one and two family dwellings over one level in height, new one and two family dwellings containing a basement, and new one and two family dwellings containing a crawl space containing a fuel burning appliance below the first floor, shall provide one of the following methods for fire protection of floors: (1) A ½ inch (12.7 mm) gypsum wallboard membrane, 5/8 inch (16 mm) wood structural panel membrane, or equivalent on the underside of the floor framing member; (2) Wood floor assemblies using dimension lumber or structural composite lumber equal or greater than 2 inch by 10 inch (50.8 mm by 254 mm) nominal dimension, or other approved floor assemblies demonstrating equivalent fire performance; or (3) An automatic fire sprinkler system as set forth in section R313.2 of the 2009 edition of the International	

Residential Code for One and Two Family Dwellings, provided that floor assemblies located directly over a space protected by an automatic sprinkler system as set forth in section R313.2 of the 2009 edition of the International Residential Code for One and Two Family Dwellings are exempt from this requirement.

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(c) Nothing in this section hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause of action acquired or existing, under any provision hereby repealed; nor shall any right or remedy of any character be lost, impaired or affected by this chapter.