



CITY OF CHARLESTON West Virginia



Council Member – 12th WARD

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Finance Committee, Chair
Parking Committee, Chair
Parks and Recreation Committee

AGENDA

FINANCE COMMITTEE MEETING

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

Monday, October 19, 2020

6:15 PM

***Join via internet:**

<https://us02web.zoom.us/j/89871937875?pwd=SS9zMjgwdE8waG45UzFrSW56TE5nZz09>

Passcode: 130553

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

Webinar ID: 898 7193 7875

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

I. DISCUSSION:

- a. Approval of Previous Minutes 10-5-2020

II. RESOLUTIONS:

- a. Resolution No. 387-20 - Authorizing the Mayor or City Manager to enter into an agreement with the West Virginia Department of Transportation, Division of Highways for the purpose of installing and maintaining public art, which continues Gallery 64 installations on interstate piers adjacent to Pennsylvania Avenue
- b. Resolution No. 388-20 – Authorizing the filing of a civil action for the condemnation of property for sanitary easements necessary for the Sanitary Board to complete the replacement of a sanitary sewer main line on property along Hillcrest Drive
- c. Resolution No. 389-20 - Authorizing the Mayor or City Manager to purchase 20 sets of bunker gear for the Charleston Fire Department
- d. Resolution No. 390-20 - Authorizing approval of Amendment No. 4 in the FY 2020-2021 General Fund Budget

Resolution No. 387-20

Introduced in Council

Passed by Council

October 19, 2020

Introduced by
Joseph Jenkins

Referred from
Finance Committee

1 Resolution No. 387-20 - Authorizing the Mayor or City Manager to enter into an
2 agreement with the West Virginia Department of Transportation, Division of Highways
3 for the purpose of installing and maintaining public art, which will continue Gallery 64
4 installations on interstate piers within the Division of Highways' right-of-way adjacent to
5 Pennsylvania Avenue.

6

7 Now Therefore, Be It Resolved By The Council Of The City Of Charleston, West Virginia:

8

9 The Mayor or City Manager is authorized to enter into an agreement with the West
10 Virginia Department of Transportation, Division of Highways for the purpose of installing
11 and maintaining public art, which will continue Gallery 64 installations on interstate
12 piers within the Division of Highways' right-of-way adjacent to Pennsylvania Avenue.

1 Resolution No. 388-20

2
3 Introduced in Council:

Adopted by Council:

4
5 October 19, 2020

6
7 Introduced by:

Referred to:

8
9
10 Joseph Jenkins

Finance Committee

11
12 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLESTON,
13 WEST VIRGINIA AUTHORIZING THE FILING OF A CIVIL ACTION FOR
14 THE CONDEMNATION OF PROPERTY FOR SANITARY SEWER
15 EASEMENTS NECESSARY FOR THE SANITARY BOARD OF THE CITY OF
16 CHARLESTON, WEST VIRGINIA TO CONSTRUCT, INSTALL AND
17 COMPLETE THE REPLACEMENT OF A SANITARY SEWER MAIN LINE
18 ON PROPERTY ALONG HILLCREST DRIVE
19

20 WHEREAS, the Sanitary Board of the City of Charleston, West Virginia (the “Sanitary Board”)
21 has presented a Resolution requesting the City Council of the City of Charleston, West Virginia to
22 authorize the City of Charleston (the “City”) to file a civil action in the Circuit Court of Kanawha
23 County for the condemnation of property for sanitary sewer permanent easements, temporary
24 easements, and temporary construction access easements, necessary for the Sanitary Board to
25 construct, install and complete the replacement of a sanitary sewer main line on property along
26 Hillcrest Drive (the “Project”);
27

28 WHEREAS, the City, in accordance with the provisions of Chapter 16, Article 13 of the Code of
29 West Virginia, 1931, owns the sewerage system, both within and without the corporate limits of
30 the City, consisting of a sewage treatment plant or plants and its collecting, intercepting and outlet
31 sewers, lateral sewers, drains, force mains, conduits, pumping stations and ejector stations and all
32 other appurtenances, extensions, improvements and betterments necessary, appropriate, useful,
33 convenient or incidental for the collection, treatment, purification and disposal in a sanitary manner
34 of liquid and solid waste, sewage and industrial waste (the “System”);
35

36 WHEREAS, the Sanitary Board, created by Ordinance of the City Council adopted March 17,
37 1952, is a separate entity from the City;
38

39 WHEREAS, by Ordinance of the City Council adopted June 16, 1952, custody, administration,
40 operation and maintenance of the System were placed under the supervision and control of the
41 Sanitary Board;
42

43 WHEREAS, due to statutory provisions under which the City owns the System, it is necessary for
44 the City to file civil actions for the condemnation of property for easements necessary for the
45 System;

1 WHEREAS, the Sanitary Board is pursuing the permanent replacement of a sanitary sewer main
2 line on property along Hillcrest Drive in the City of Charleston (the "Project") which is necessary
3 to correct an existing sanitary sewer main line that was taken out of service by a landslide, and
4 maintain continuous sewer service to existing customers and for the health and welfare of the
5 citizens of the City of Charleston;

6
7 WHEREAS, the Project includes the replacement of the current above-ground temporary sanitary
8 sewer line that was put in place immediately after the landslide occurred in order to maintain
9 continuous sewer service to existing customers, and permanent easements and temporary
10 construction easements from the three owners of the property are necessary to undertake and
11 complete the Project;

12
13 WHEREAS, the Sanitary Board has diligently sought easement agreements for such necessary
14 easements from the affected property owners who all live out-of-state, but has been unable to
15 obtain by negotiation and agreement all of the necessary sewer easements;

16
17 WHEREAS, the Sanitary Board has no choice but to request the City to authorize the filing of a
18 civil action for the acquisition, pursuant to the City's power of eminent domain, certain property
19 interests in order to obtain the necessary sewer easements for the Project; now, therefore,

20
21 Be it Resolved by the Council of the City of Charleston, West Virginia, as follows:

22
23 Section 1. To accomplish construction of the Project necessary to maintain continuous sewer
24 service to existing customers and for the health and welfare of the citizens of the City, the Sanitary
25 Board must obtain easements across and through the property identified as Charleston North
26 District Tax Map 61, Parcel 1.

27
28 Section 2. The Sanitary Board requests the Council of the City to authorize the City, on behalf of
29 and by and through the Sanitary Board and its counsel, to file a civil action for the acquisition for
30 the Sanitary Board, pursuant to the power of eminent domain, of permanent and temporary
31 easements and to take such other and further action as may be reasonably necessary to acquire the
32 property rights for easements necessary to construct, install, operate, maintain, repair, replace,
33 rehabilitate, line and remove sewer lines and appurtenances thereto.

34
35 Section 3. The Council of the City hereby authorizes the City, on behalf of and by and through
36 the Sanitary Board and its counsel, to file a civil action for the acquisition for the Sanitary Board,
37 pursuant to the power of eminent domain, of permanent and temporary easements as needed for
38 the Project and to take such other and further action as may be reasonably necessary to acquire the
39 property rights for easements necessary to construct, install, operate, maintain, repair, replace,
40 rehabilitate, line and remove sewer lines and appurtenances thereto.

Resolution No. 389-20

Introduced in Council

Passed by Council

October 19, 2020

Introduced by
Joseph Jenkins

Referred from
Finance Committee

1 Resolution No. 389-20 - Authorizing the Mayor or City Manager to purchase twenty (20)
2 sets of bunker gear for the Charleston Fire Department from Red Hot Fire Equipment
3 Co., in the amount of \$38,001.20. The gear, which includes jackets and trousers, will be
4 used for structural firefighting. The purchase price was determined through a
5 competitive bidding process, and the vendor was awarded the contract by action of the
6 City Council on March 2, 2020. The successful vendor agreed to hold its prices firm for
7 one year.

8

9 Now Therefore, Be It Resolved By The Council Of The City Of Charleston, West Virginia:

10

11 That, the City Manager or their designee is hereby authorized to purchase twenty (20)
12 sets of bunker gear for the Charleston Fire Department from Red Hot Fire Equipment
13 Co., in the amount of \$38,001.20. The gear, which includes jackets and trousers, will be
14 used for structural firefighting. The purchase price was determined through a
15 competitive bidding process, and the vendor was awarded the contract by action of the
16 City Council on March 2, 2020. The successful vendor agreed to hold its prices firm for
17 one year.

18

Resolution No. 390-20

Introduced in Council

Passed by Council

October 19, 2020

Introduced by
Joseph Jenkins

Referred from
Finance Committee

- 1 Resolution No. 390-20 - Authorizing approval of Amendment No. 4 in the FY 2020-2021
- 2 General Fund Budget as indicated on the attached list of accounts.
- 3
- 4 Now Therefore, Be It Resolved By The Council Of The City Of Charleston, West Virginia:
- 5
- 6 That Amendment No. 4 in the FY 2020-2021 General Fund Budget as indicated on the
- 7 attached list of accounts is approved.
- 8

General Fund FY 2020-2021 Budget Amendment No. 4 - October 19, 2020

Account No.	Department	Account Description	Amount
001 369 00 0000	Revenue	Transfers from Other Funds	(38,000)
001 436 00 000 2 230	Building Commission	Contracted Services	38,000

Transfer of lien redemption proceeds from the Special Demolition Fund to fund additional demolitions.

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