

MINUTES
FINANCE COMMITTEE MEETING
6:15 P.M., OCTOBER 19, 2020
A/V CONFERENCE ROOM*

Joseph Jenkins, Chairperson, called the meeting of the Charleston City Council Committee on Finance to order at 6:15 p.m., October 19, 2020, in the Audio/Visual Room in City Hall*.

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

Joseph Jenkins, Chair
Bobby Reishman, Vice Chair
Ben Adams
Brent Burton
Becky Ceperley
Mary Beth Hoover
Will Laird

*In response to the COVID-19 pandemic, the meeting of the Finance Committee was conducted electronically. The meeting was made available to the public as a live stream via Zoom and CivicClerk (per the agenda).

I. DISCUSSION:

a. Approval of Previous Minutes - Councilmember Reishman asked for unanimous consent to dispense with the reading of the minutes for the October 5, 2020 meeting and that they be approved as distributed. There was no objection and the minutes were approved.

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 will continue Gallery 64 installations on interstate piers within the Division of Highways' right-of-way adjacent to Pennsylvania Avenue.

Now Therefore, 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 the West Virginia Department of Transportation, Division of Highways for the purpose of installing and maintaining public art, which will continue Gallery 64 installations on interstate piers within the Division of Highways' right-of-way adjacent to Pennsylvania Avenue.

Public Arts Director, Jeff Pierson, added that that the Gallery 64 project was started in 2011. Since then, 57 piers have been painted by various artists. The agreement with the State allows for the painting of the pillars, with the City owning the rights to the art. The resolution proposed that 6 new pillars be painted in concert with the new, proposed skate park. Once the State approves the agreement, they will receive RFPs, which will be chosen by a selection committee.

Councilmember Jenkins confirmed that the Committee will most likely be composed of an art patron, a member of the Planning Department and a representative of the Administration.

Councilmember Hoover thanked Pierson for organizing the project, and stressed that it is a great project for the City.

Councilmember Reishman moved to approve the Resolution. With a majority of members present recorded thereon as voting in the affirmative, Chairperson Jenkins declared Resolution No. 387-20 approved.

- b. Resolution No. 388-20 - RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLESTON, WEST VIRGINIA AUTHORIZING THE FILING OF A CIVIL ACTION FOR THE CONDEMNATION OF PROPERTY FOR SANITARY SEWER EASEMENTS NECESSARY FOR THE SANITARY BOARD OF THE CITY OF CHARLESTON, WEST VIRGINIA TO CONSTRUCT, INSTALL AND COMPLETE THE REPLACEMENT OF A SANITARY SEWER MAIN LINE ON PROPERTY ALONG HILLCREST DRIVE

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

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

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

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

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

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

WHEREAS, the Project includes the replacement of the current above-ground temporary sanitary sewer line that was put in place immediately after the landslide occurred in order to maintain continuous sewer service to existing customers, and permanent easements

and temporary construction easements from the three owners of the property are necessary to undertake and complete the Project;

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

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

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

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

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

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

Tim Haapala, form the Charleston Sanitary Board, stated that a landslide took out a section of sewer line on Hillcrest Drive. The Sanitary Board installed a temporary line to bypass the slide until the DOH could repair it. They have been trying unsuccessfully to negotiate an easement with the three heirs of the property. The Board would like to proceed with the resolution in case they are unable to procure the easement from the heirs to be able to install a permanent sewer line.

Councilmember Reishman moved to approve the Resolution. With a majority of members present recorded thereon as voting in the affirmative, Chairperson Jenkins declared Resolution No. 388-20 approved.

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

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

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

City Manager, Jonathan Storage, added that the purchase is in line with an existing supply contract approved by Council.

Councilmember Jenkins confirmed with Storage that bunker gear sets are the fire retardant clothing worn while fighting fires.

Councilmember Adams confirmed that the awarded company is out of state.

Councilmember Laird confirmed that the purchase is to supply new hires or replace worn out gear.

Councilmember Reishman moved to approve the Resolution. With a majority of members present recorded thereon as voting in the affirmative, Chairperson Jenkins declared Resolution No. 389-20 approved.

- d. Resolution No. 390-20 - Authorizing approval of Amendment No. 4 in the FY 2020-2021 General Fund Budget as indicated on the attached list of accounts.

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

That Amendment No. 4 in the FY 2020-2021 General Fund Budget as indicated on the attached list of accounts is approved.

Storage added that the amendment proposes the transfer of \$38,000 in accumulated revenue received from the payment of demolition lien debt from across the City, and to place it within the General Fund expense account relating to Contracted Services within the Building Department. This will further aid the Building Department with its ongoing demolitions of dilapidated properties.

Councilmember Jenkins added that the Director, Tony Harmon has done an excellent job in addressing the abandoned homes concerns.

Councilmember Laird confirmed with Harmon that they are likely to demolish more structures in the current year; 163 properties have been demolished since January 1, 2019. He added that the City is mostly likely to collect liens when interest rates go down as property owners apply for loans and the liens show up on their credit report.

Councilmember Hoover confirmed with Harmon that the current cost to demolish a house averages at \$8,200.

Councilmember Reishman moved to approve the Resolution. With a majority of members present recorded thereon as voting in the affirmative, Chairperson Jenkins declared Resolution No. 390-20 approved.

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.

Councilmember Reishman motioned to adjourn the meeting.

Meeting adjourned.