



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

CITY OF CHARLESTON, WEST VIRGINIA

Regular Meeting – Monday, March 18, 2019

at 7:00 P.M.

Council Chamber – City Hall – Charleston, West Virginia

OFFICIAL RECORD

Amy Shuler Goodwin
Mayor

Miles C. Cary II
City Clerk

CALL TO ORDER

The Council met in the Chambers of the City Building at 7:00 P.M., for the second meeting in the month of March on the 18th day, in the year 2019, 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 Betsy, Bella and Maxwell from Sacred Heart. The Honorable Clerk, Miles C. Cary II, called the roll of members and it was found that there were present at the time:

ADAMS	BAILEY	BAYS
BURTON	CAMPBELL	CEPERLEY
COOK	FAEGRE	HAAS
HOOVER	JENKINS	JONES
KING	KNAUFF	LAIRD
MCKINNEY (arrived late)	MINARDI	OVERSTREET
PERSINGER	PHARR	REISHMAN
ROBINSON	SHEETS	SNODGRASS
STEELE	WESLEY-PLEAR	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.

PUBLIC SPEAKERS

1. Susie Azevedo – Representing Congressman Alex Mooney.

CLAIMS

1. A claim of Brock Jarrett, 104 Samuel Lane, Poca, WV;
alleges damage to vehicle.
Refer to City Solicitor.

PROCLAMATIONS

1.

**EXECUTIVE DEPARTMENT
CITY OF CHARLESTON
PROCLAMATION**

WHEREAS: Listening to each other and listening across differences for understanding is important in building respect and sustaining our sense of community; and

WHEREAS: Civil discourse is the free and respectful exchange of different ideas in a way that respects and affirms all persons, while hearing their perspectives; and

WHEREAS: Heated rhetoric and a dramatic shift away from collaboration leaves us unable to solve the challenges confronting our community; and

WHEREAS: Exercising civility assists in the process of working together, rebuilding trust and helps us to create lasting solutions to our most pressing challenges, while fostering respect among opposing groups; and

WHEREAS: Sharing our personal hopes, dreams, fears, and the definition of what being American means to us, can help us tell that story of what unites us over what divides us, and can reunite us around shared values during this time when our country needs it; and

WHEREAS: Recognizing the importance of listening to each other, exercising civility in our discourse, rebuilding trust and reconnecting around what unites us, are key elements of the City of Charleston's mission.

NOW THEREFORE, I, Amy Shuler Goodwin, Mayor of the City of Charleston, do hereby proclaim that I and City Council Members of Charleston

RESOLVE TO PRACTICE CIVILITY

by listening respectfully to people who have different views, avoiding language that is insulting or derogatory to others, and supporting efforts to work together across ideological and political lines.

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the Executive Department to be affixed this 18th day of March 2019.



A handwritten signature in blue ink, reading "Amy Shuler Goodwin".

Amy Shuler Goodwin, Mayor

2.

**EXECUTIVE DEPARTMENT
CITY OF CHARLESTON
PROCLAMATION**

WHEREAS: The City of Charleston is a city that is inclusive for all, and serves its residents and visitors regardless of their race, color, creed, religion, ancestry, national origin, age, sex, marital status, parental status, sexual orientation, gender identity, political ideology, disability, immigration or refugee status, homelessness, low-income or veteran status, and the City has a continuing commitment to advocate and support the well-being of all residents and visitors; and

WHEREAS: Charleston fosters a culture and environment that makes it a vibrant city where all residents and visitors can fully participate in and be integrated into the social, civic and economic fabric of Charleston and West Virginia; and

WHEREAS: City employees serve all residents and visitors to make city services accessible for all residents and visitors.

NOW THEREFORE, I, Amy Shuler Goodwin, Mayor of the City of Charleston, joined by City Council Members of Charleston, do hereby proclaim:

**THE CITY OF CHARLESTON IS COMMITTED
TO BEING AN INCLUSIVE COMMUNITY**

where all our residents and visitors feel welcome, safe, and able to fully participate in, and contribute to, our City's economic and social life regardless of their race, color, creed, religion, ancestry, national origin, age, sex, marital status, parental status, sexual orientation, gender identity, political ideology, disability, immigration or refugee status, homelessness, low-income or veteran status. All residents of Charleston are urged to do their part in reaching out and welcoming all those who live in and visit our great city.

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the Executive Department to be affixed this 18th day of March 2019.




Amy Shuler Goodwin, Mayor

Mayor Goodwin thanked Councilmember Ceperley for assisting the administration with the proclamations.

REPORTS OF COMMITTEES

COMMITTEE ON FINANCE

Councilmember Jenkins, Chair of the Council Committee on Finance, submitted the following reports:

1. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 174-19 do pass.

Resolution No. 174-19 - Approving the Official Municipal Budget Document for the Fiscal Year 2019-2020, as proposed and revised, inclusive of the Municipal Levy Rates Estimate for Current Expenses and Excess Levy purposes.

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

That the Official Municipal Budget Document for the Fiscal Year 2019-2020, as proposed and revised, inclusive of the Municipal Levy Rates Estimate, is hereby approved.

Councilmember Jenkins added that the Finance Committee had held an extensive meeting the previous week to discuss various areas of the budget with different departments. A small revision had been made and distributed since that meeting. After a brief discussion during their meeting on March 18, 2019, the committee approved the budget.

Councilmember Jenkins moved to approve the Resolution. Councilmember Ceperley seconded the motion.

Councilmember Shannon Snodgrass read a statement as to why she would not support the 2019-2020 Budget. “Let me first begin by saying that of course everyone understands the impact of the opioid problem in our state and every city throughout our nation. I believe in recovery efforts but believe that these efforts be directed by the health care professionals in the community, with the City having seats at the table with our first responders, and law enforcement. 1. With the recent deep budget cuts this administration made across the board and significant FTE cuts for the sake of balancing the budget for 2019-2020 which included a 200k cut from the police dept., it is tough to ask for support for a new program when we impacted so many employees’ lives with these cuts. I assure you I have NOT had one call from someone in my ward saying “we have too many police officers” “I feel too safe” So in my opinion, if we found another 100k these monies should go back into the City Police budget. 2. The City of Chas has a 100 million dollar Convention Center adjacent to a Mall that is in limbo, so I feel the City needs to focus its efforts on these two very important and pivotal

entities to ensure our downtown viability. 3. The CARE program, that is ill defined as to what the goals, mission and SPECIFIC details of the treatment programs that may be included as well as the 100k funding is duplication as to what is already being done in Chas by health care providers/ leaders in the community. For an example, Thomas Health Care Systems just received one million dollars in funding to assist with their treatment of opioid addiction program and Presteria has received 250 -300k from the State of WV. Furthermore, the EMS Director for the State of WV can give the city the data in any format, as our first responders have to submit to the data base. For the City of Charleston to embark on a path of healthcare and seek grant funding treatment, education, data collection and recovery, to me, is diluting the already compromised monies available for the healthcare experts committed to the opioid epidemic in our City. Again, I believe the first responders and law enforcement should have a seat at the table as it relates to the opioid epidemic but certainly NOT be the captain directing the ship. I believe there are experts outside of City government /City Hall such as our hospitals, Presteria, recovery entities etc. I believe City Government's purpose should be to make our city viable through economic development and bringing jobs to our City and run all the city services as effectively and efficiently as we can for our citizens of Charleston to ensure a safe, clean place to work.... Live.... and play.....”

Councilmember Minardi asked for an explanation as to what the CARE position would do. Mayor Goodwin answered that while there are several programs operating, they do them without coordinating with each other. This Pilot program will bring together key stakeholders, experts and programs focused on addiction prevention, response and treatment. It will also have online data sharing capabilities. There will also be a position dedicated to grants and programming (compassion fatigue etc.).

Councilmember King asked if there was a plan for the excess trash bags. The Mayor answered that the administration is currently working with the appropriate departments to enact a plan after the last round of vouchers has been distributed.

Councilmember Jones asked if there will be new ordinances related to trash pickup and how citizens can dispose of their trash. Mayor Goodwin answered that while this was a concern when the program was enacted in 1972, she offered that the best course of action would be to actively work with the employees in the field to ensure those who need bags will receive them.

Councilmember Sheets suggested that if half of the supply was left over, then the trash bag budget for FY 2019-2020 could be cut in half to allow the program to continue and more time to plan. He suggested that the City look to Charlotte, North Carolina as a model. The Mayor responded that the City will work with any constituents in the Councilmember's Ward to ensure that they receive trash bags.

Councilmember Bailey reminded those present that the spring voucher program is fully paid for from the current fiscal budget. He explained that through the City's contract with Waste Zero, the City never takes physical possession of the bags. The excess bags are from before the current version of the program. He stated that City Council and the Mayor are committed to continuing a recycling program and are currently re-evaluating it. He stated that it would be possible in the future (with a proper contract) for the trash bags to be offered at the same establishments for discounted purchase as opposed to vouchers.

Councilmember Overstreet expressed concern over eliminating the trash bag program after having recently raised fees as well as concern for automated trash pickup. He also stated that more participation was needed for a successful recycling program. Mayor Goodwin noted that the fee was increased to offset the functions of the department.

Councilmember Cook stated that she believes the CARE Program is an investment in the City's future and economic development.

Councilmember King stated that the current refuse fee does not cover the expenses for the Refuse Department. That fee has not changed with inflation. Furthermore, if the department had problems with the budget, they would have already voiced their concerns.

Councilmember Faegre stated that the funds being removed from the Police Department's budget was related to overtime. She also spoke in favor of the CARE Program.

Councilmember Jenkins thanked the Finance Committee and Departments for their previous discussions concerning the budget. He reminded those present that the proposed budget is a guidebook of what the City wants to accomplish from July 1, 2019 through June 30, 2020. It can and most likely will be amended. He stated that the budget process has sparked a conversation of issues facing the City of Charleston that are of interest to its citizens. He believes there is sufficient time to form a plan concerning the trash bags. He stated that the budget is sound.

Councilmember Pharr stated that having lived in several cities, Charleston is the only one of her knowledge that provides trash bags. What she would like to see most is education on what is trash.

A roll call was taken:

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

NAYS: Snodgrass

ABSENT: NONE

With twenty-six (26) Yeas and one (1) Nay of members elected recorded thereon the Mayor declared Resolution No. 174-19 adopted.

2. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 175-19 do pass.

Resolution No. 175-19 - Authorizing approval of Amendment No. 7 in the FY 2018- 2019 General Fund Budget as indicated on the attached list of accounts.

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

That the approval of Amendment No. 7 in the FY 2018- 2019 General Fund Budget as indicated on the attached list of accounts.

Councilmember Jenkins added the budget amendment essentially shifts funds from the Strategy Management Office to the Mayor's Office as part of the CARE initiative.

Councilmember Jenkins moved to approve the Resolution. Councilmember Ceperley seconded the motion.

Councilmember Snodgrass stated, "I oppose the amendment for reasons as in the previous read statement: in summary, I do not feel city government should be in the healthcare business."

A roll call was taken:

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

NAYS: Snodgrass

ABSENT: NONE

With twenty-six (26) Yeas and one (1) Nay of members elected recorded thereon the Mayor declared Resolution No. 175-19 adopted.

General Fund FY 2018-2019 Budget Amendment No. 8 - March 18
2019

Account No.	Department	Account Description	Amount
001 442 00 000 2 230	Strategy Management	Contracted Services	(60,568)
001 409 00 000 2 230	Mayor's Office	Contracted Services	60,568

To reallocated funds for the Coordinated Addiction Response Effort (CARE) Office.

3. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 176-19 do pass.

Resolution No. 176-19 - Authorizing the Mayor or City Manager to enter into contract with Carpenter Reclamation, Inc. in the amount of \$71,494.00 for the slip repair construction project on Gordon Drive.

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

That the Mayor or City Manager is hereby authorized and directed to enter into contract with Carpenter Reclamation, Inc. in the amount of \$71,494.00 for the slip repair construction project on Gordon Drive.

Councilmember Jenkins added this was a bid for slip repair on the back of a home on Gordon Drive, which has had issues with drainage. This was caused by old storm drain infrastructure crumbling. Carpenter Reclamation was the lowest bid and was approved by the City Engineer.

Councilmember Jenkins moved to approve the Resolution. Councilmember Ceperley seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution 176-19 adopted.

4. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 177-19 do pass.

Resolution No. 177-19 - Authorizing the Mayor or City Manager, subject to final review by the City Attorney, to enter into contracts through Commercial Insurance Services and Arthur J. Gallagher Risk Management Services, Inc., at a price of \$1,009,332.00, for the City's Risk Management and Property and Casualty Insurance coverage for the period March 31, 2019 through March 31, 2020, in accordance with the costs attached, and specifically by rejecting all underinsured motorists coverage and accepting uninsured motorists coverage with statutory minimum limits of \$25,000/\$50,000/\$25,000 only; and Risk Management Services Co. (RMSC) for Third Party Administration of Workers Compensation and Property/Casualty Claims in accordance with the costs attached and a fee advance of \$103,720.00; and further authorizing the Mayor or City Manager to sign the appropriate forms rejecting the underinsured motorists coverage and accepting the uninsured motorists coverage.

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

That the Mayor or City Manager is hereby authorized and directed, subject to final review by the City Attorney, to enter into contracts through Commercial Insurance Services and Arthur J. Gallagher Risk Management Services, Inc., at a price of \$1,009,332.00, for the City's Risk Management and Property and Casualty Insurance coverage for the period March 31, 2019 through March 31, 2020, in accordance with the costs attached, and specifically by rejecting all underinsured motorists coverage and accepting uninsured motorists coverage with statutory minimum limits of \$25,000/\$50,000/\$25,000 only; and Risk Management Services Co. (RMSC) for Third Party Administration of Workers Compensation and Property/Casualty Claims in accordance with the costs attached and a fee advance of \$103,720.00; and further authorizing the Mayor or City Manager to sign the appropriate forms rejecting the underinsured motorists coverage and accepting the uninsured motorists coverage.

Councilmember Jenkins added this is the renewal of the City's Property and Liability Insurance. The City is self-insured up to \$300,000, so this would cover any payments beyond that amount. This is an umbrella type of insurance that covers vehicles, injuries on property, workers compensation etc. This is the vast majority of insurance the City covers.

Councilmember King asked if quotes were obtained from any other companies. Councilmember Jenkins responded that it is a unique insurance, pieced together from different liability providers and underwriters. Because of its unique nature, it is difficult to go to another provider for a comparable quote. Councilmember Jenkins further stated that he believes this policy is in the City's best interest and functions according to the City's needs.

Councilmember Jenkins moved to approve the Resolution. Councilmember Ceperley seconded the motion. Councilmember Burton abstained from voting. With a majority of members elected recorded thereon as voting in the affirmative with one (1) abstention the Mayor declared Resolution 177-19 adopted.

5. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 178-19 do pass.

Resolution No. 178-19 - Authorizing the Mayor or City Manager to submit an application for \$39,600.00 to the WV Division of Justice and Community Services and administer any funds awarded. These funds will provide partial salary reimbursement and travel/training funds for Charleston Police Department's Crime Victims Specialist. There is a required 20% match that will be met with the City-funded portion of the current salary budgeted for the position.

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

That the Mayor or City Manager is hereby authorized to submit an application for \$39,600.00 to the WV Division of Justice and Community Services and administer any funds awarded. These funds will provide partial salary reimbursement and travel/training funds for Charleston Police Department's Crime Victims Specialist. There is a required 20% match that will be met with the City-funded portion of the current salary budgeted for the position.

Councilmember Jenkins added this is a long standing grant and position with the Charleston Police Department. This position helps victims of crime.

Councilmember Jenkins moved to approve the Resolution. Councilmember Ceperley seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution 178-19 adopted.

REPORTS OF OFFICERS

1. Municipal Court Report to City Council Month Ending February 2019.
Received and Filed.
2. Report of the City of Charleston Payroll Variance Analysis; February 2019.
Received and Filed.
3. City Treasurer's Report to City Council Month Ending February, 2019.
Received and Filed.

MISCELLANEOUS/UNFINISHED BUSINESS

1. Councilmember Jones announced that on March 19 at 8:30 there will be a Coffee with a Cop gathering at The Smokehouse on the West Side.
2. Councilmember Knauff thanked the Charleston Police Department and Councilmember Bays for coordinating Coffee with a Cop on Spring Street last week.
3. Councilmember Hoover announced a meeting of the Planning, Streets and Traffic Committee Meeting on March 25 at 5:00 pm. They will be discussing two (2) traffic bills, continuing their discussion on medical cannabis zoning and having a discussion on cross walks.
4. Councilmember McKinney stated that on March 25 from 6:00-8:00 pm on the West Side there will be a Kanawha County Board Meeting to discuss reforming disciplinary actions.
5. Councilmember King announced that on March 20 6:00-8:00 pm at Capital High School the school Superintendent will be meeting regarding education reform.
6. Mayor Goodwin announced there will be a CBDG meeting at the Martin Luther King Center 6:00-8:00 pm on March 21.

ADJOURNMENT

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

YEAS: Adams, Bailey, Bays, 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:

At 7:53 p.m., by a motion from Councilmember Ceperley, Council adjourned until Monday, April 1, 2019, at 7:00 p.m., in the Council Chamber in City Hall.

Amy Shuler Goodwin, Honorable Mayor

Miles C. Cary, City Clerk