



JOURNAL of the PROCEEDINGS of the CITY COUNCIL

CITY OF CHARLESTON, WEST VIRGINIA

Regular Meeting – Monday, November 2, 2020

at 7:00 P.M.

* – City Hall – Charleston, West Virginia

OFFICIAL RECORD

Amy Shuler Goodwin
Mayor

Miles C. Cary II
City Clerk

CALL TO ORDER*

The Council met at 7:00 P.M., for the second meeting in the month of November on the 2nd day, in the year 2020, and was called to order by the Honorable Mayor, Amy Shuler Goodwin. The invocation was delivered by Councilmember Reishman and the Pledge of Allegiance was led by Mayor Goodwin. 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	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.

*In response to the COVID-19 pandemic, the meeting of Council was conducted electronically. The City Clerk and Mayor Goodwin were physically present, while the remaining members of Council attended via conference call. The meeting was made available to the public as a live stream via Zoom and CivicClerk (per the agenda).

PUBLIC SPEAKERS

1. Jennie Hill – advocate for SOAR.
2. Lois Vance – advocate for SOAR.
3. Ashley Switzer – against SOAR.
4. Sarah Frazier – concerns with increase in homeless.
5. Joyce Ofsa – in favor of Bill No. 7884.
6. Robin Pollini – in favor of harm reduction programs.
7. Rev. Caitlin Coillberg – advocate for SOAR.
8. Dr. Montalto – advocate for SOAR.
9. Ashley Copen - advocate for SOAR.
10. William Nehr - concerns with increase in homeless and vacant houses in the Warren Street area.

CLAIMS

NONE

PROCLAMATIONS

**EXECUTIVE DEPARTMENT
CITY OF CHARLESTON
PROCLAMATION**

- WHEREAS:** It has long been our custom to commemorate November 11, the anniversary of the ending of World War I, by paying tribute to the heroes of that tragic struggle and by rededicating ourselves to the cause of peace; and
- WHEREAS:** In the intervening years the United States has been involved in other great military conflicts, which have added millions of veterans living and dead to the honor rolls of this Nation; and
- WHEREAS:** Congress passed a resolution on June 4, 1928, calling for the observance of November 11 with appropriate ceremonies, and later provided in an act approved May 13, 1938, that the eleventh of November should be a legal holiday and should be known as Armistice Day; and
- WHEREAS:** In order that a grateful nation might pay appropriate homage to the veterans of all its wars who have contributed so much to the preservation of this Nation, the Congress, by an act approved June 1, 1954, changed the name of the holiday to Veterans Day; and
- WHEREAS:** The City of Charleston has among its citizens those who have served in the United States Armed Forces; and
- WHEREAS:** We pay tribute to those who have sacrificed to serve and defend this Nation and are reminded that we are forever indebted to Veterans for their courageous service.

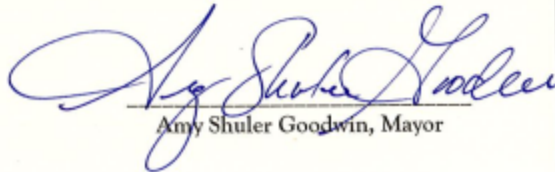
NOW THEREFORE, I, Amy Shuler Goodwin, Mayor of the City of Charleston, do hereby proclaim November 11, 2020, as

VETERANS DAY

in Charleston, West Virginia and encourage all citizens to recognize the sacrifices of our Veterans and their families during wartime and peace.

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the Executive Department to be affixed this 2nd day of October 2020.




Amy Shuler Goodwin, Mayor

The Proclamation was virtually presented to Ed Converse.

COMMUNICATIONS

1.

Amy Shuler Goodwin
Office of the Mayor
City of Charleston



P.O. Box 2749
Charleston, WV 25330
(304) 348-8174 Office

TO: MILES CARY
CITY CLERK

FROM: AMY SHULER GOODWIN 
MAYOR

RE: SELECT COMMITTEE ON CABLE FRANCHISE

DATE: NOVEMBER 2, 2020

In order to thoroughly review the City of Charleston's Cable Franchise Agreement with Altico/Suddenlink, I hereby create the Select Committee on Cable Franchise to review the current Franchise Agreement, engage the public in a community needs assessment, and recommend appropriate actions to take moving forward for the City of Charleston regarding the next Cable Franchise Agreement.

I appoint the following Council Members to the Select Committee on Cable Franchise: Councilman Ben Adams, as chair, Councilwoman Jennifer Pharr, Councilman Courtney Persinger, Councilman Chad Robinson, Councilwoman Caitlin Cook, Councilman Sam Minardi, and Councilman Bobby Reishman.

ASG/kmb

Received and Filed.

REPORTS OF COMMITTEES

COMMITTEE ON PLANNING, STREETS AND TRAFFIC

Councilmember Hoover, Chair of the Council Committee on Planning, Streets and Traffic, submitted the following reports:

1. Your committee on Planning, Streets and Traffic has had under consideration the following resolution, and reports the same to Council with the recommendation that Bill No. 7884 do pass.

Bill No. 7884 - A Bill amending the Zoning Ordinance of the City of Charleston, West Virginia, enacted the 21st day of November, 2005, as amended, and the map made a part thereof, by rezoning from a I-2 district to a C-10 district, that certain strip, lots or parcels of land located at 3050 Chesterfield Avenue at the corner of 31st Street and Chesterfield Avenue, in Kanawha City, in the City of Charleston, Kanawha County, State of West Virginia, owned by Charleston Area Medical Center, Inc., a West Virginia nonprofit, nonstock corporation.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CHARLESTON, WEST VIRGINIA THAT:

1. The Zoning Ordinance of the City of Charleston, West Virginia, enacted the 21st day of November, 2005, as amended, is hereby amended by rezoning from a I-2 district to a C-10 district the whole of the following described strip, lots or parcels of land:

All of that certain lot or parcel of land, together with the improvements thereon and the appurtenances thereunto belonging, situate in Kanawha City, in the City of Charleston, Kanawha County, West Virginia, on the south side of the Chesapeake and Ohio Railway Company right of way, west of Mission Hollow and being more particularly bounded and described as follows:

BEGINNING at an iron pin on the north side of Chesterfield Avenue (formerly Giles-Fayette Kanawha Turnpike) at the easterly front corner of a tract of land owned by Kuhn Construction Company, Inc.; thence leaving Chesterfield Avenue and with the easterly line of said Kuhn Construction Company, Inc., N 22° 45' E 245.81 feet to an iron pin set in concrete in the southerly boundary line of the right of way of The Chesapeake and Ohio Railway Company; thence with said right of way line S 69° 56' E passing the northern corner of a parcel conveyed to The Royal Crown Bottling Company of Charleston, West Virginia, by Banks-Miller Supply Company, by deed dated September 19, 1963, and of record in the Office of the Clerk of the County Commission of Kanawha County, West Virginia, in Deed Book 1393, at page 197, at 200 feet in all 316.81 feet to a point in the westerly line of a parcel of 5,340 square feet conveyed

by the said Banks-Miller Supply Company to the State Road Commission of West Virginia, by deed dated June 28, 1963, and of record in said Clerk's Office in Deed Book 1391, at page 555 which is now the westerly right of way line of 31st Street; thence with said westerly right of way line S 20° 4' W 219.5 feet to a State Road Commission monument; thence with the northerly right of way line of Chesterfield Avenue and passing the southwestern corner of the aforementioned tract acquired from Banks-Miller Supply Company at 127.85 feet, in all 329.35 feet to the place of beginning, containing in all 74,926 square feet, more or less. The property hereby insured is shown on a survey thereof dated September 24, 1976, entitled, "No. 3044 Chesterfield Avenue, Being Part of the C & O Property As Originally Sold by C. B. Early, Trustee, in the City of Charleston, Kanawha County, W. Va. Property of ROYAL CROWN BOTTLING COMPANY OF CHARLESTON, WEST VIRGINIA."

Being Tax Parcels 123 and 124 as shown on Kanawha City Tax Map No. 19. Said tax map is of record in, and used as zoning map sectionals by, the City Planning Office.

2. The Zoning Map, attached to and made a part of said Zoning Ordinance, is hereby amended in accordance with Section 1 of this Ordinance.

3. All prior ordinances, or parts of ordinances, inconsistent with this Ordinance, are hereby repealed to the extent of said inconsistency.

Councilmember Hoover added that the bill concerns a lot that CAMC owns and are putting a training facility there. The Committee found that it is consistent with the zoning map in the area.

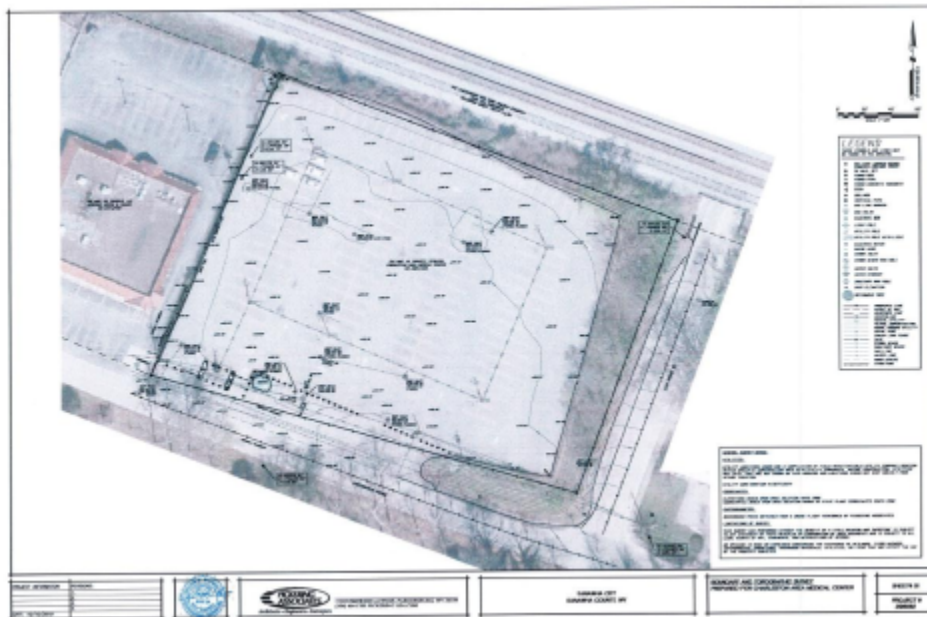
Councilmember Hoover moved to approve the resolution. Councilmember Ceperley seconded the motion. A roll call was taken:

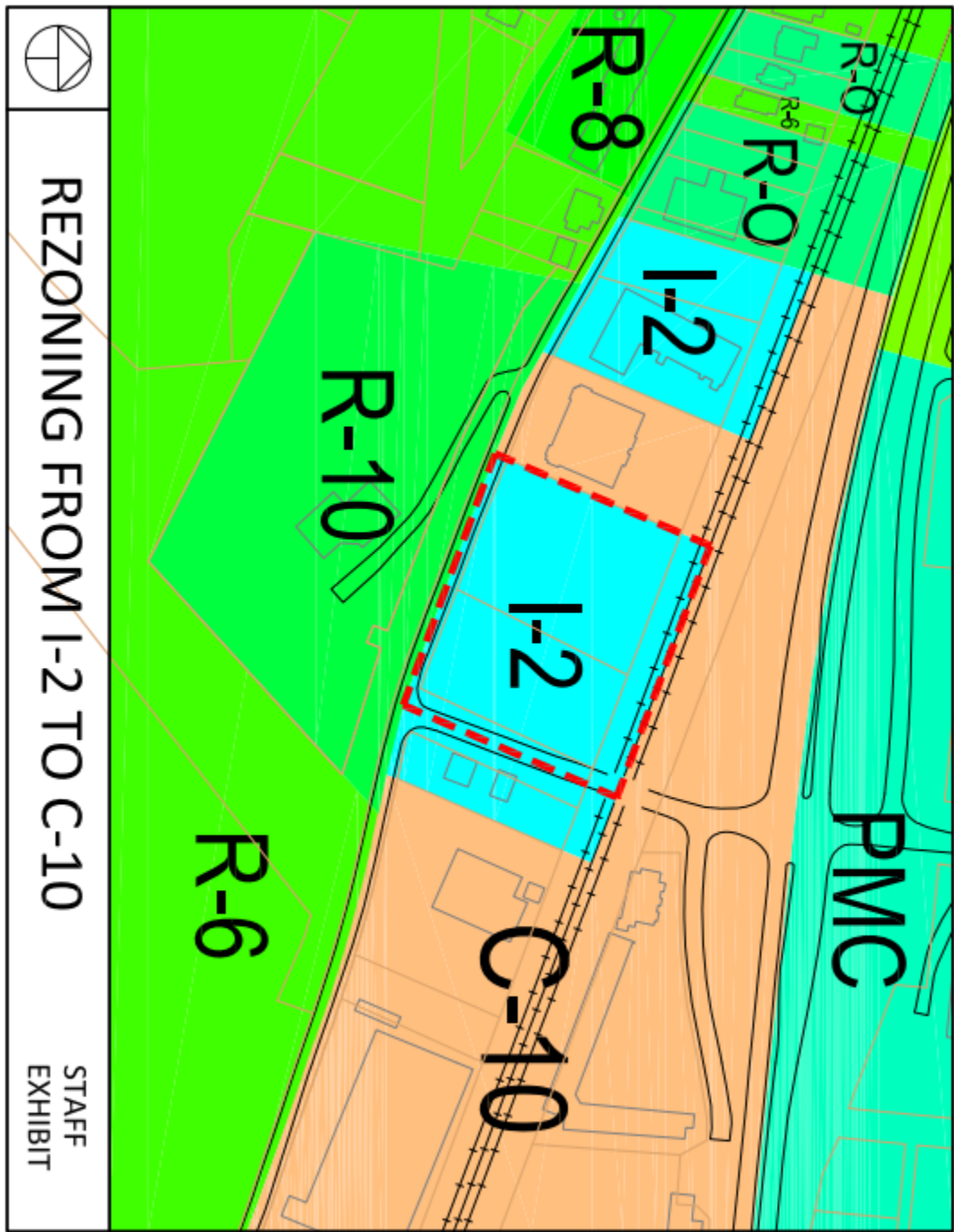
YEAS: Adams, Bays, Bailey, Burton, Campbell, Ceperley, Cook, Faegre, Haas, Hoover, Jenkins, Jones, Knauff, Laird, McKinney, Minardi, Overstreet, Persinger, Pharr, Reishman, Robinson, Sheets, Snodgrass, Steele, Wesley-Plear, Mayor Goodwin

NAYS: King

ABSENT: NONE

With a majority of members present recorded thereon as voting in the affirmative with 26 YEAS and 1 NAY, the Mayor declared Bill No. 7884 passed.





2. Your committee on Planning, Streets and Traffic has had under consideration the following resolution, and reports the same to Council with the recommendation that Bill No. 7885 Committee Substitute do pass.

Bill No. 7885 Committee Substitute - A Bill amending the Zoning Ordinance of the City of Charleston, West Virginia, enacted the 21st day of November, 2005, as amended, and the map made a part thereof, by rezoning from a C-8 district to a C-10 district, that certain strip, lots or parcels of land located at 1625 7th Avenue, ~~Kanawha City~~, in the City of Charleston, Kanawha County, State of West Virginia, currently or formerly owned by Mountain Mission Inc., a West Virginia nonprofit corporation.

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

1. The Zoning Ordinance of the City of Charleston, West Virginia, enacted the 21st day of November, 2005, as amended, is hereby amended by rezoning from a C-8 district to a C-10 district the whole of the following described strip, lots or parcels of land:

All of that certain lot or parcel of land, together with the improvements thereon and the appurtenances thereunto belonging, ~~situate in Kanawha City~~, in the City of Charleston, Kanawha County, West Virginia, on the south side of 1600-block of 7th Avenue, west of Mission Hollow and being more particularly shown on the attached EXHIBIT A and described as:

Being Tax Parcels 288, 290-293, 298, 299, 301, & 302, Charleston, West Virginia.as shown on Charleston West District 12, Tax Map No. 10. Said tax map is of record in, and used as zoning map sectionals by, the City Planning Office.

2. The Zoning Map, attached to and made a part of said Zoning Ordinance, is hereby amended in accordance with Section 1 of this Ordinance.
3. All prior ordinances, or parts of ordinances, inconsistent with this Ordinance, are hereby repealed to the extent of said inconsistency.

Councilmember Hoover added that the bill is a rezoning of parcels of land located at 1625 7th Avenue. Mountain Mission is wanting to build a 55+ housing development to include forty-three (43) units with the zoning (with the zoning, it will only for forty (40)).

Councilmember Wesley-Plear's statement as submitted to the Clerk's Office:

First I want to express my dissatisfaction in how the Bill was introduced. As the Ward representative a common courtesy is usually given to introduce a re-zoning bill in your respective area. This was not done. Also when the Bill was initially introduced it stated Kanawha City twice. I saw the announcement about a development on the West Side on the front page of the paper. I immediately contacted the mayor about my dissatisfaction. It was only after speaking to at least two council members and the mayor did I receive a call from planning. Dan did explain that there was an impending deadline that had to be met so the Bill was sent to the planning Chair to introduce. He also explained that the Bill had been copied and pasted from an older bill and the wording had not been changed to Erase Kanawha City. However, this still concerns me greatly. I appreciate the apology but is this how we are planning to continue? Will we continue to introduce bills without the ward representatives? Think about what this could mean for your ward.

My next concern is about the senior development itself. I truly appreciate the work the church does for the community but this location may not be conducive to senior living. There is already housing for seniors in the area and if we really look at what is already there, seniors have been requesting transfers to different location because they lack the access to basic necessities to live. From this location there is difficulty getting to a bank, a grocery store, pharmacy, a park or even just crossing the street. I know food delivery has become popular during the pandemic but please understand that prior to the pandemic and even now food delivery is limited. Sometimes it's gone from your porch before they send notification that it's there. There is no hand delivery. Not to mention that the Senior services building no longer down the street. The planning department itself mentioned in a recent meeting that this is a dangerous area for traffic. I believe that we need to really dig into this to see what it means not only for the developer but for the residents. I once again see people in poverty being piled upon people in poverty with no resources. I would like additional time to review and consider data from senior housing already established in the area. As well as review our process.

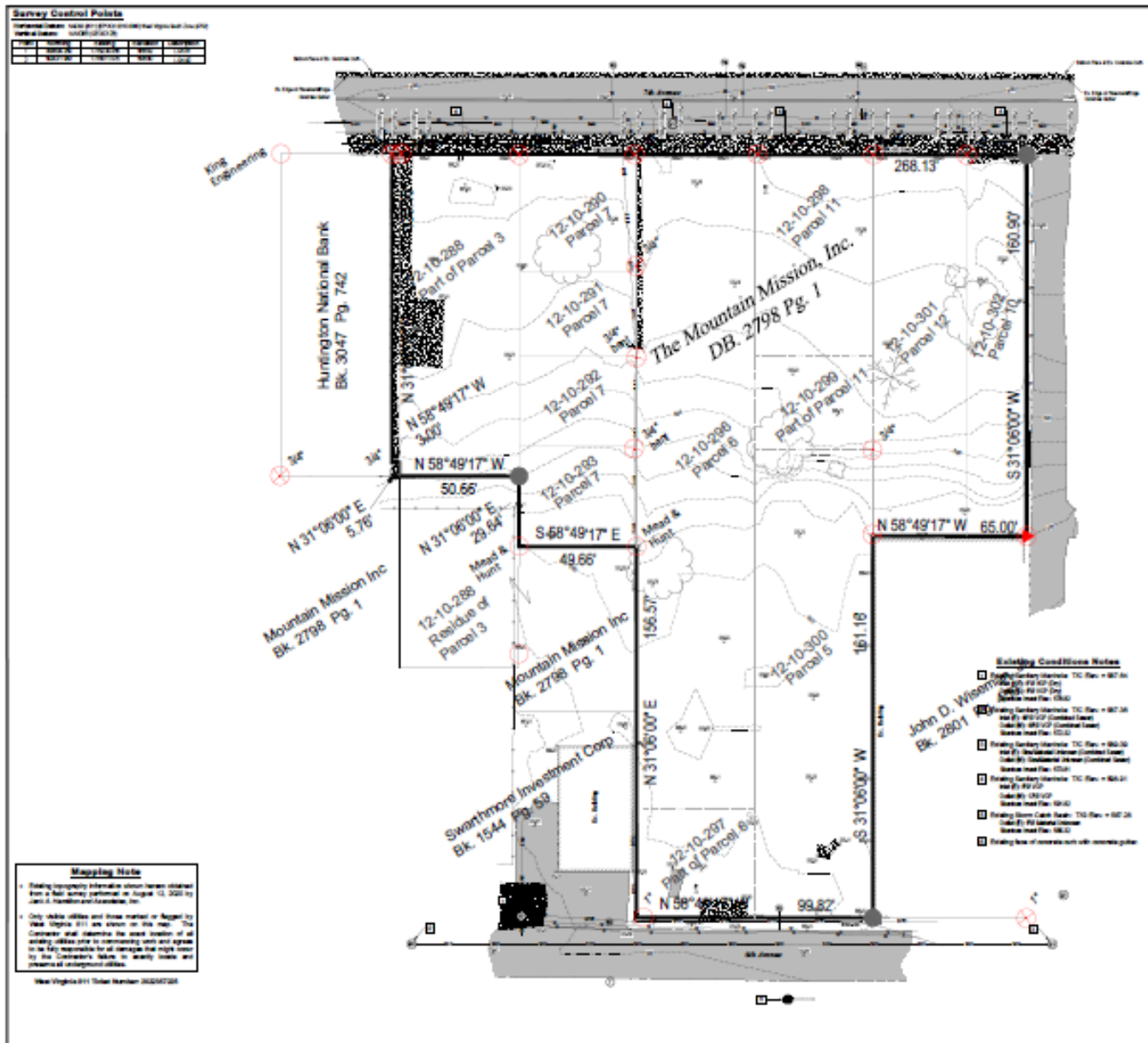
Councilmember Wesley-Plear motioned to table the Bill with a roll call vote until Dec. 7th, 2020. Councilmember Overstreet seconded the motion. A roll call was taken.

YEAS: Bailey, Campbell, Faegre, Jenkins, Jones, King, Knauff, McKinney, Minardi, Overstreet, Persinger, Sheets, Snodgrass, Wesley-Plear

NAYS: Adams, Bays, Burton, Ceperley, Cook, Haas, Hoover, Laird, Pharr, Reishman, Robinson, Steele, Mayor Goodwin

ABSENT: NONE

With a majority of members present recorded thereon as voting in the affirmative with fourteen (14) YEAS and thirteen (13) NAYS, the Mayor declared Bill No. 7885 Committee Substitute tabled until Dec. 7th, 2020.





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. 391-20 do pass.

Resolution No. 391-20 - Authorizing “Citizen Appreciation Parking” for November 14th, November 21st, November 28th, December 5th, December 12th, December 19th, December 26th, 2020, and January 2nd, 2021. “Citizen Appreciation Parking” shall include the waiving of hourly parking fees at all metered on-street parking spaces. The parking revenue losses will amount to approximately \$1,100 per Saturday if portions of Capitol and Hale Street remain closed to vehicular traffic on these Saturdays or approximately \$1,700 per Saturday if the parking meters on those blocks are available for use.

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

That “Citizen Appreciation Parking” is authorized for November 14th, November 21st, November 28th, December 5th, December 12th, December 19th, December 26th, 2020, and January 2nd, 2021. “Citizen Appreciation Parking” shall include the waiving of hourly parking at all metered on-street parking spaces. The parking revenue losses will amount to approximately \$1,100 per Saturday if portions of Capitol and Hale Street remain closed to vehicular traffic on these Saturdays or approximately \$1,700 per Saturday if the parking meters on those blocks are available for use.

Councilmember Jenkins added that it will be every Saturday starting November 14th through January 2nd, 2020 in coordination with the Support Small Business program.

Mayor Goodwin added that two (2) extra dates have been added.

Councilmember Jenkins moved to approve the Resolution. Councilmember Ceperley seconded the motion. With a majority of members present recorded thereon as voting in the affirmative, the Mayor declared Resolution No. 391-20 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. 392-20 do pass.

Resolution No. 392-20 - Authorizing the Mayor or City Manager to purchase twenty-four (24) sets of bunker gear for the Charleston Fire Department from Red Hot Fire Equipment Co., in the amount of \$45,601.44. 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 Mayor or City Manager is authorized to purchase twenty-four (24) sets of bunker gear for the Charleston Fire Department from Red Hot Fire Equipment Co., in the amount of \$45,601.44. 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.

Councilmember Jenkins added that the it is a continuing purchase of bunker gear from a previously approved competitive bid.

Councilmember Jenkins moved to approve the Resolution. Councilmember Ceperley seconded the motion. With a majority of members present recorded thereon as voting in the affirmative, the Mayor declared Resolution No. 392-20 adopted.

3. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 393-20 do pass.

Resolution No. 393-20 - Authorizing approval of Amendment No. 5 of 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. 5 of the FY 2020-2021 General Fund Budget as indicated on the attached list of accounts is approved.

Councilmember Jenkins added that the amendment shifts funds to address the Recycling Program, adding the money is coming from grants to be used to employ a temporary hire to coordinate the efforts of the consultant hired to conduct the recycling program. Councilmember Jenkins added that the amendment also provides accept funds from AARP for an East End dog park and from the Mayor's Contribution for a dog park at Cato Park.

Councilmember King confirmed with Councilmember Hoover that it will be for the existing dog park on the East End.

Councilmember Jenkins moved to approve the resolution. Councilmember Ceperley seconded the motion. A roll call was taken:

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

NAYS: NONE

ABSENT: NONE

With a majority of members present recorded thereon as voting in the affirmative, the Mayor declared Resolution No. 393-20 adopted.

General Fund FY 2020-2021 Budget Amendment No. 5 - November 2, 2020

Account No.	Department	Account Description	Amount
001 366 00 0000	Revenue	State Government Grants	(31,500)
001 299 0		Unassigned Fund Balance	(8,000)
001 412 00 000 1 103	City Manager	Salaries & Wages	19,500
001 412 00 000 2 223	City Manager	Professional Services	20,000

To rollover the balance and recognize the remaining activity for the DEP recycling grant.

001 368 12 0000	Revenue	Contributions - AARP	(15,000)
001 409 00 000 5 568	Mayor	Contributions to Other Entities	(10,000)
001 979 00 900 4 458	Capital Outlay - Park	Major Improvements	25,000

To receive a \$15,000 grant from AARP for an East End Dog Park and reallocate \$10,000 from the Mayor's Contributions to a dog park at Cato Park.

REPORTS OF OFFICERS

NONE

NEW BILLS

Introduced by Councilmember Mary Beth Hoover

November 2, 2020:

Bill No. 7886 – Amending the Zoning Ordinance of the City of Charleston, West Virginia, adopted January 1, 2006, as amended, by removing “Blade Signs”, allowing “Projecting Signs” in commercial and industrial districts, and increasing wall sign area in the R-O residential Office zoning district.

Refer to Municipal Planning Commission and Planning, Streets and Traffic Committee

Introduced by Councilmember Ben Adams

November 2, 2020:

Bill No. 7887 – A BILL to amend the Municipal Code of the City of Charleston, relating to updating the regulation of street vendors and itinerant vendors; and creating certain business and occupation tax relief for street vendors and itinerant vendors.

Refer to Urban Renewal and Economic Development Committee

MISCELLANEOUS/UNFINISHED BUSINESS

1. Mayor Goodwin commended the Parks and Recreation Department for their work hosting safe Halloween events.
2. Councilmember Hoover, concerning Bill No. 7885 Committee Substitute, apologized if any Councilmembers felt left out of the process. She added that the bill went through two other Committees starting October 7th (after it was introduced in Council) with no opposition from Councilmembers or the public. Councilmember Hoover added that adding developments to an area is a process. She added that she is open to all discussion.
3. Councilmember Robinson agreed with Councilmember Hoover. Regarding Bill No. 7884, he stated he never heard from CAMC nor was asked to sponsor the bill. He added that all Councilmembers receive the agendas and are responsible for following that. Councilmember Robinson added that for the third time, his business was a victim of theft. He stated that he is fed up with the lack of attention Kanawha City is receiving in regard to these vagrants committing crimes.
4. Councilmember Jenkins encouraged everyone to vote.
5. Councilmember King agreed with Councilmember Robinson concerning the vagrancy issue in Kanawha City. He added that passing out needles to drug addicts does nothing but enable them and prolong them getting treatment. He added that everyone has compassion and empathy for someone struggling with drug use.
6. Councilmember McKinney stated that because of the previous wording of Bill No. 7885 Committee Substitute, she was not aware that it concerned the West Side. She added that she wants to make sure anything that is put there is beneficial to that area.
7. Councilmember Snodgrass asked how much of the 100 million awarded to municipalities that sued over the paving will be given to Charleston, and where will that money be spent. City Manager, Jonathan Storage, replied that the City was part of that settlement arrangement. A formula was established to calculate the amount of asphalt purchased by all the entities involved. The City will receive approximately 1 million of that. Once the funds have been received, there will be a budget appropriation put

before Council. Storage added that discussions have not yet been had as to where that money will be placed. Councilmember Snodgrass asked that since the City has an ordinance that makes that type of activity illegal, has any citations been written to SOAR. She added that she is sure they are going to try to overthrow that ordinance as there is a lot of money behind that. She asked the Mayor and Police Chief what is being done about that. Mayor Goodwin replied that those questions should be directed to the Chief of Police as there is currently an active investigation, and it would be inappropriate for her to discuss that. In reference to the ordinance passed in 2016, the Mayor added that it allows for harm reduction to happen if the organization is certified by the state of West Virginia or obtains approval from the Chief of Police.

Councilmember Snodgrass asked if that is illegal, then did Chief Hunt allow that to occur. Mayor Goodwin replied that it would be inappropriate to discuss an active investigation, and it is not illegal if the organization is certified by the state of West Virginia or obtains approval from the Chief of Police. Councilmember Snodgrass stated she was not sure about them going through the DHHR as the needles are supposed to be returned. Mayor Goodwin replied that she could not speak to the program.

Councilmember Snodgrass asked if the Mayor knew that SOAR had been in the City since April. Mayor Goodwin replied that she did know that they had been there for some time, and that the conversation will continue. Councilmember Snodgrass thanked Chief of Staff, Matt Sutton, for helping her host a meeting at City Hall. She asked why City Hall was still closed to the public. Storage said that, following CDC recommendations and watching trending numbers, the Administration has made the decision that at this time that they will continue to keep public access limited to the building mostly because of the open floor plan of City Hall. In the beginning of the pandemic, all employees were sent home (except for first responders and refuse workers), and in May new guidelines were established in order to be able to keep accurate contact tracing and to keep the offices safe and secure. Because so many departments are in the same building, it would be concerning to have people congregating in different departments and going to different offices. They have gone to great lengths to try to accommodate interactions with the public, even adding neighborhood meetings outdoors.

8. Councilmember Reishman stated that all Councilmembers have the responsibility to look at the postings that they receive from the different Committees to be informed. He added that the needle program is not designed to stop drug use, it is to stop disease from the reuse of needles.

9. Councilmember Pharr stated that there is a dead zone for vehicles that park on the side of Dunbar Street. There is one area where cars park near the Sacred Heart Day Care that is unsafe to the children. She had requested that a 15-minute parking sign be placed there several months ago. Councilmember Pharr added that the light on Dunbar Street only allows for three cars to go through and stays red for much longer. She added that there will be more traffic in that area. Councilmember Pharr confirmed that, in reference to Bill No. 7885 Committee Substitute the bill was to increase the number of units that it currently has the approval for from forty to forty-three. She added part of the due diligence of Councilmembers is to attend meetings, ask questions, etc. in committee prior to items coming before Council, adding that this is not the first something an item has gone through several committees and is stopped on the Council floor. She added that the City is dealing with population decline and people moving out of the state; she is currently in a building that she has shown over 300 times, and people want to have new, improved and adequate housing. Many people have told her that it is something they had been waiting on for a long time. Councilmembers need to get to Committee meetings and call when they can't or else people will leave when they cannot get the amenities they want. She added that she has shown the commercial space in the Atlas Building four times in two weeks. They cannot continue to have things stumble on the Council floor when they have the responsibility to get to the meetings or do the due diligence ahead of time.
10. Councilmember Jones asked why more than five public speakers were allowed to speak. Mayor Goodwin replied that it was at her discretion to allow more speakers (as she announced). Councilmember Jones agreed with Councilmember Pharr concerning the safety issue by Sacred Heart. Concerning Bill No. 7885 Committee Substitute, he stated that he hopes the West Side doesn't lose a 6-8 million project because of miscommunications etc.
11. Councilmember Laird thanked those that spoke on the polarizing issues. He added that there a middle ground where they can come together and find some solutions to these problems. The important thing is that they are having the conversation.
12. Councilmember Persinger asked, concerning Bill No. 7885 Committee Substitute, if the development was a government subsidized project. Councilmember Hoover replied that the they are getting tax credits from the West Virginia Housing Development Fund, but that she will have to double check that it is not subsidized. Later in the meeting, Councilmember Jones confirmed the project is not subsidized.

13. Councilmember Faegre, concerning Bill No. 7885 Committee Substitute, asked if the word “poor” appeared in the bill. Mayor Goodwin clarified that the word was “core.” She added that there are five low-income housing developments within a five-block radius from the 7th Avenue site. She added that there is not even a bank within walking distance. She asked for clarification on where to access agenda publications, and was told the site is charelstonwv.civiclerk.com.
14. Councilmember King stated that going to Committee and then going to Council is exactly the process that they should be using. He added that Councilmembers should not be promoting or discussing any projects within the City that they are directly involved in during a Council meeting as it seems like a conflict of interest.
15. Councilmember Snodgrass said, concerning the number of public speakers allowed under Rule 22 (b), that it clearly states only five speakers shall be allowed and that the rules should be followed. City Attorney, Kevin Baker, responded that the rule also states that “Nothing in this rule 22(b) shall affect the ability of a member of council to request that a member of the public be allowed to speak pursuant to rule 22(a).” He added that phrase would allow any member of Council, including the Mayor, to allow another person to speak beyond the five max. If a Councilmember should be opposed to that, they can make an objection before the person begins speaking and motion as to whether that person should be allowed to speak. Without any objection being heard beyond the sixth speaker or beyond, there is nothing in the rule that would affect the ability of a member of Council to request that a member of the public be allowed to speak. Councilmember Snodgrass said that should have been addressed in the beginning. Baker replied that it is incumbent on the members of Council to know and understand the rules, and if they feel like one is being violated to object at that time.

Rule No. 22. - Members of the public speaking before city council.

(a) A member of council may ask the floor for a member of the public to speak before council, which said motion is nondebatable. Upon such request, the presiding officer shall inquire of the councilmember the subject matter of the inquiry and ask council if there is any objection to the person speaking, and, if an objection is raised, then council, by majority vote, shall determine whether or not the person shall be allowed to address council. Any person addressing council shall be allowed no more than five minutes to make remarks, unless by unanimous consent council allows a longer period of time.

(b) A maximum of ten minutes shall be set aside at the outset of each meeting of the council to permit members of the public, without leave of council, to address the council on any matter pertaining to the city's business. Any member of the public wishing to address the council shall first register with the clerk of the city council, or the clerk's designated representative for such purpose, in the council's chambers not earlier than 15 minutes before the beginning of each meeting setting forth his or her name, the group, if any, on whose behalf he or she wishes to speak, and the subject matter which he or she wishes to address. If more than one person registers to address council, such persons shall be allocated time on a prorated basis, and shall be permitted to speak only for the time allotted. In no event shall more than five people be

permitted to address the council under this rule 22(b). Nothing in this rule 22(b) shall affect the ability of a member of council to request that a member of the public be allowed to speak pursuant to rule 22(a).

16. Councilmember Pharr stated that she does not attack anyone during Council meetings and she would appreciate it if others would do the same. She added that she is also on the Urban Renewal and Economic Development Committee and Chair of the Facilities Committee. She added that she will leave out the name of the place where she works, but she will also talk about the development of the City because that is what she was elected to do. She can be reached personally if a member of Council has a problem. Additionally, Councilmember Pharr stated that items were meant to be discussed in a committee, especially since other people (such as Department Heads) are available to discuss the various topics.

ADJOURNMENT

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

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

NAYS: NONE

ABSENT: NONE

At 8:48 p.m., by a motion from Councilmember Ceperley, Council adjourned until Monday, November 16, 2020, at 7:00 p.m., in the Council Chambers in City Hall or electronically as needed.

Amy Shuler Goodwin, Honorable Mayor

Miles C. Cary II, City Clerk