

MINUTES
FINANCE COMMITTEE MEETING
6:15 P.M., DECEMBER 21, 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., December 21, 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 December 7, 2020 meeting and that they be approved as distributed. There was no objection and the minutes were approved.

II. RESOLUTIONS:

a. Resolution No. 400-20 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLESTON, WEST VIRGINIA AUTHORIZING THE FILING OF A CIVIL ACTION IN THE CIRCUIT COURT OF KANAWHA COUNTY FOR THE CONDEMNATION OF PROPERTY FOR ACQUISITION OF A PARCEL OF LAND CONTAINING 614.42 SQUARE FEET NECESSARY TO CONSTRUCT, INSTALL AND COMPLETE THE SANITARY BOARD OF THE CITY OF CHARLESTON'S BENCH ROAD PUMP STATION REPLACEMENT PROJECT

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 its Bench Road Pump Station Replacement Project (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 a civil action for the condemnation of property for the acquisition of land necessary for the System;

WHEREAS, the Sanitary Board is pursuing the Project in the City of Charleston which is necessary for the health and welfare of the citizens of the City; WHEREAS, the Project includes the construction, installation, replacement, and completion of the Bench Road Pump Station, and the acquisition of a parcel of land containing 614.42 square feet is necessary to undertake and complete the Project;

WHEREAS, the Sanitary Board has diligently sought the purchase of the parcel of land from the affected property owner, however, due to the property owner being uncommunicative or uncooperative, the Sanitary Board has been unable to obtain by negotiation and agreement the necessary parcel of land; and

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, of the necessary parcel of land for the Project; now, therefore,

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

Section 1. To accomplish the construction, installation, and completion of the Bench Road Pump Station Replacement Project in the City of Charleston necessary for the health and welfare of the citizens of the City of Charleston, the Sanitary Board of the City of Charleston, West Virginia (the "Sanitary Board") must acquire a parcel of land containing 614.42 square feet, as shown on Exhibit A to this Resolution.

Section 2. The Sanitary Board requests the City Council of the City of Charleston to authorize the City of Charleston, 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 the parcel of land as shown on Exhibit A and to take such other and further action as may be reasonably necessary to acquire the parcel of land necessary to construct, install and complete the Bench Road Pump Station Replacement Project.

Section 3. The City Council of the City of Charleston hereby authorizes the City of Charleston, 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 the parcel of land shown on Exhibit A as needed and to take such other and further action as may be reasonably necessary to acquire the parcel of land necessary to construct, install and complete the Bench Road Pump Station Replacement Project.

Tim Haapla, representing the Charleston Sanitary Board, added that the project is an upgrade of an existing pump station. They are seeking a proper deed in case something cannot be worked out with the property owner.

Councilmembers Jenkins and Adams confirmed that an additional 110 sq./ft is being sought from the current footprint; the deed's total is about 610 sq./ft.

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. 400-20 approved.

b. Resolution No. 401-20 -

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLESTON, WEST VIRGINIA AUTHORIZING THE FILING OF CIVIL ACTIONS 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 ITS SANITARY SEWER REPLACEMENT AND REHABILITATION PROJECT FOR CONTRACT 18-4 DANNER HOLLOW 18

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 civil actions in the Circuit Court of Kanawha County for the condemnation of property for sanitary sewer permanent and temporary easements necessary for the Sanitary Board to construct, install and complete its Danner Hollow Sewer Replacement and Rehabilitation Project (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, 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 Project in the area of Danner Hollow, which is necessary to correct older, failing sewer collection lines and is necessary for the health and welfare of the citizens of the City;

WHEREAS, the Project includes the replacement and/or rehabilitation of approximately one mile of sewer lines, and numerous permanent easements and temporary construction easements are necessary to undertake and complete the Project;

WHEREAS, the Sanitary Board and its right-of-way agents have diligently sought easement agreements for such necessary easements from the affected property owners and have received and recorded many signed easement agreements;

WHEREAS, due to numerous factors including, but not limited to, out-of-state property owners and uncooperative or uncommunicative property owners, the Sanitary Board has been unable to obtain by negotiation and agreement all of the necessary sewer easements; and 16

WHEREAS, the Sanitary Board has no choice but to request the City to authorize the filing of civil actions 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 sewer replacement and rehabilitation project in the Danner Hollow area of the City of Charleston necessary for the health and welfare of the citizens of the City of Charleston, the Sanitary Board of the City of Charleston, West Virginia (the "Sanitary Board" must obtain easements across and through certain properties as set forth on Exhibit A to this Resolution.

Section 2. The Sanitary Board requests the City Council of the City of Charleston to authorize the City of Charleston, on behalf of and by and through the Sanitary Board and its counsel to file civil actions for the acquisition for the Sanitary Board, pursuant to the power of eminent domain, of the property interests set forth on Exhibit A 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 City Council of the City of Charleston hereby authorizes the City of Charleston, on behalf of and by and through the Sanitary Board and its counsel to file civil actions for the acquisition for the Sanitary Board, pursuant to the power of eminent domain, of the property interests set forth on Exhibit A as needed 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.

Haapla added that the resolution is for a mile-long sewer project on Danner Hollow for which they have already negotiated several easements. The proposed resolution is in case the listed easements cannot be acquired through other means.

Councilmember Jenkins added that the CSB is required to do these upgrades to meet current standards under The DEP.

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. 401-20 approved.

- c. Resolution No. 404-20 - Authorizing the Mayor or City Manager to contract with the American Ramp Company in the amount of \$253,518.69 for the construction of a new City skate park. The contract was sourced through a competitive City evaluation process.

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

That the Mayor or City Manager is authorized to contract with the American Ramp Company in the amount of \$253,518.69 for the construction of a new City skate park. The contract was sourced through a competitive City evaluation process.

Mayor Goodwin added that this had been a goal of the Administration over the past two years.

City Manager, Jonathan Storage added that The City solicited proposals from companies to design and build Charleston's first City skate park. A City review committee considered and approved recommending the proposal received by the American Ramp Company. American Ramp Company has over 20 years of experience creating skate parks and comes highly recommended from cities across the United States. The ultimate design and installation will be entirely movable to adhere to DOH requirements. Upon contract finalization, the total project is estimated to take 65 days to complete. The proposed cost will be covered in part with CDBG funds (\$150,000), with the remainder of the funds coming from the City's General Maintenance Fund.

Councilmember Jenkins added that there will still be parking in that area.

Councilmember Adams added that it is a fantastic investment by the City. Councilmember Laird agreed, adding that it will bring people to Charleston. Mayor Goodwin replied that there are several new businesses coming to the City because of the skate park.

Councilmember Reishman moved to approve the Bill. With a majority of members present recorded thereon as voting in the affirmative, Chairperson Jenkins declared Resolution No. 404-20 approved.

- d. Resolution No. 405-20 - Authorizing the Mayor or City Manager to enter into a contract with Boggs Roofing Inc., in the amount of \$119,500.00 to replace the roof at Fire Station No. 2, located at 8080 Washington Street, West, pursuant to the results of a competitive bidding process.

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

That the Mayor or City Manager is authorized to enter into a contract with Boggs Roofing Inc., in the amount of \$119,500.00 to replace the roof at Fire Station No. 2, located at 8080 Washington Street, West, pursuant to the results of a competitive bidding process.

Storage added that the City received bids to replace the roof at Fire Station No. 2, which also serves as the CFD Administrative Headquarters. The City received 3 bids, and all three companies received consideration as a local vendor under the City's purchasing code. The lowest responsible bidder is Boggs Roofing at a price of \$119,500. \$80,000 of the cost will be funded with CDBG funds, which have been previously budgeted for this expense. The remaining balance will come from the Facilities Maintenance Fund.

Councilmember Reishman moved to approve the Bill. With a majority of members present recorded thereon as voting in the affirmative, Chairperson Jenkins declared Resolution No. 405-20 approved.

- e. Resolution No. 406-20 - Authorizing the Mayor or Chief of Police to execute and enter into a Subaward Recipient Agreement with Appalachia High Intensity Drug Trafficking Area (“HIDTA”) for funds from the United State Office of National Drug Control Policy in the total amount of \$146,000 to be awarded to the Metropolitan Drug Enforcement Network Team (“MDENT”). The 2021 calendar year funds are designated for the purchasing of evidence and information (totaling \$20,000), funding six (6) full-time officers at \$18,000 each (totaling \$108,000), and funding one (1) full-time officer for DEA-HIDTA at \$18,000.

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

That the Mayor or Chief of Police is authorized to execute and enter into a Subaward Recipient Agreement with Appalachia High Intensity Drug Trafficking Area (“HIDTA”) for funds from the United State Office of National Drug Control Policy in the total amount of \$146,000 to be awarded to the Metropolitan Drug Enforcement Network Team (“MDENT”). The 2021 calendar year funds are designated for the purchasing of evidence and information (totaling \$20,000), funding six (6) full-time officers at \$18,000 each (totaling \$108,000), and funding one (1) full-time officer for DEA-HIDTA at \$18,000.

Storage added that each year, the City enters into an agreement with the HIDTA to receive grant funds that cover overtime and evidence acquisition for MDENT. The Administration recommends entering into the proposed subaward agreement with HIDTA, which is in line with what was agreed to last year.

Councilmember Jenkins confirmed with Storage that the City is the fiscal agent of all the agencies that make up MDENT.

Councilmember Reishman moved to approve the Bill. With a majority of members present recorded thereon as voting in the affirmative, Chairperson Jenkins declared Resolution No. 406-20 approved.

- f. Resolution No. 407-20 - Authorizing the Mayor or City Manager to purchase one (1) vehicle from Stephens Auto in the amount of \$29,049.00, where the vehicle will serve as a replacement vehicle to be used by the Metropolitan Drug Enforcement Network Team (MDENT) and titled to the City of Charleston. The purchase will be made through a competitively sourced state-wide contract.

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 one (1) vehicle from Stephens Auto in the amount of \$29,049.00, where the vehicle will serve as a replacement vehicle to be used by the Metropolitan Drug Enforcement Network Team (MDENT) and titled to the City of Charleston. The purchase will be made through a competitively sourced state-wide contract.

Storage added that the resolution seeks to replace an undercover vehicle assigned to MDENT and titled to CPD. The details of the make and model of the car are not disclosed for security reasons, but the vehicle will be purchased off of a competitively sourced State contract with Stephens Auto.

Councilmember Reishman moved to approve the Bill. With a majority of members present recorded thereon as voting in the affirmative, Chairperson Jenkins declared Resolution No. 407-20 approved.

Councilmember Reishman motioned to adjourn the meeting.

Meeting adjourned.