



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

CITY OF CHARLESTON, WEST VIRGINIA

Regular Meeting – Tuesday, February 16, 2021

at 7:00 P.M.

* – Charleston Coliseum and Convention Center, West Hall 1 –
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 February on the 16th day, in the year 2021, and was called to order by the Honorable Mayor, Amy Shuler Goodwin. The invocation was delivered by Councilmember Campbell 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
BURTON
COOK
HOOVER
KING
MCKINNEY**

**BAILEY
CAMPBELL
FAEGRE
JENKINS
KNAUFF
MINARDI
PHARR
SHEETS
WESLEY-PLEAR**

**CEPERLEY
HAAS
JONES
LAIRD
OVERSTREET

SNODGRASS
MAYOR GOODWIN**

With twenty-four 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.

*The meeting of Council was conducted in person, adhering to all medical guidelines. The meeting was made available to the public in person and as a live stream via Zoom (per the agenda).

PUBLIC SPEAKERS

1. Robert Burton – Requested a resolution of recognition be presented to Robert Edward Easley Senior, a retired Police Officer.
2. Lill Prosperino – Asked that the opinions of drug users in regard to harm reduction programs.
3. Erin Vanoy – Spoke in favor of SOAR.
4. Liira Raines – Spoke in favor of harm reeducation programs.
5. Martec Washington – Spoke about his dissatisfaction with the state of Charleston.

CLAIMS

1. A claim of Marisha Cooper, Charleston, WV;
alleges damage to vehicle.
Refer to City Solicitor, Please.
2. A claim of Jeanne L. Kamer, Charleston, WV;
alleges damage to property.
Refer to City Solicitor, Please.

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

A handwritten signature in blue ink, likely of Amy Shuler Goodwin, is written over the "FROM" line.

RE: GREEN TEAM

DATE: FEBRUARY 16, 2021

To fulfill the requirement to create a Green Team committee to provide recommendations to the City Administration and the City Council's Environment & Recycling Committee, I am recommending the following individuals be appointed to the committee:

Emmett Pepper – Ward 9
James Young – Ward 11
Justin Marlowe – Ward 6
Linda Frame – Ward 15
Patti Hamilton – Ward 15
Rod Watkins – Ward 12
Ted Armbrecht – Ward 14

Pam Nixon – Green Team Advisor

I respectfully request City Council's approval of this recommendation.

ASG/mls

Councilmember Ceperley motioned to approve the appointments. Councilmember Hoover seconded the motion. By unanimous vote, the appointments were confirmed.

2.



City of Charleston
P.O. Box 2749
Charleston, WV 25330

February 12, 2021

Honorable Amy Shuler Goodwin
and Members of City Council
Charleston, WV 25330

Dear Mayor Goodwin and Council members:

Please withdraw the following bill. The committee of Streets and Traffic has requested the withdrawal.

Bill No. 7892 – Amending the Zoning Ordinance by rezoning from a R-4 Single Family Residential District to a R-O Residential-Office District, a parcel of land located at 1133 Oakhurst Drive.

This bill was introduced on February 1, 2021, and the petitioner has sent an email withdrawing the request. and should be withdrawn.

Sincerely,
Streets and Traffic Committee

A handwritten signature in blue ink, reading "Mary Beth Hoover".

Mary Beth Hoover, Committee Chair

Councilmember Hoover motioned to withdraw the bill. Councilmember Ceperley seconded the motion. By unanimous vote, Bill No. 7892 was withdrawn.

REPORTS OF COMMITTEES

COMMITTEE ON ENVIRONMENT AND RECYCLING

Councilmember Bailey, Chair of the Council Committee on Environment and Recycling, submitted the following reports:

1. Your committee on Environment and Recycling has had under consideration the following bill, and reports the same to Council with the recommendation that Bill No. 7894 do pass.

Bill No. 7894 - A BILL to amend the Municipal Code of the City of Charleston, by adding thereto new sections, designated Sections 102-331, 102-332, and 102-333 within a newly created Article IX, Chapter 102 of said Code, relating to establishing the Charleston Adopt-A-Street Program.

WHEREAS, the West Virginia Legislature recently adopted SB 225 during the 2020 Regular Session that empowers municipalities to enact Adopt-A-Street programs, W. Va. Code § 8-12-20; and

WHEREAS, the City of Charleston recognizes the success of the state Adopt-A-Highway program in West Virginia where 25,000 volunteers regularly pick up litter on 4000 miles of highway and have been responsible for the removal of 40 million pounds of litter since the state program began; and

WHEREAS, the City of Charleston recognizes the commitment of many of its citizens, organizations and businesses to the improvement of the quality of the City's environment through the elimination of litter; and

WHEREAS, the City of Charleston and the state has received inquiries from the public about adopting streets maintained by the City; and

WHEREAS, the City of Charleston wants to formally recognize the community's commitment, respond to the public's desire for such a program, and to further encourage the public to participate in the shared commitment to a clean and litter free environment; and

WHEREAS, the City of Charleston finds it in the best interests of the public and the quality of the City's environment to establish the Charleston Adopt-A-Street Program.

Now, therefore, be it ordained by the Council of the City of Charleston:

That the Municipal Code of the City of Charleston, as amended, be amended by adding thereto new sections, designated Sections 102-331, 102-332, and 102-333, within a newly created Article IX, Chapter 102 of said Code, all to read as follows:

ARTICLE IX. – CHARLESTON ADOPT-A-STREET PROGRAM.

Sec. 102-331 – General.

- (a) There is hereby created the Charleston Adopt-A-Street Program. The program will be administered by the Director of Public Works, in consultation with the City of Charleston Traffic Engineer. The director is encouraged to coordinate with the state Adopt-A-Highway program and its administrators, the West Virginia Department of Environmental Protection and West Virginia Division of Highways, and other state or federal agencies, to seek any and all available assistance and grant funding for the program.

Sec. 102-332 – Eligible Streets.

- (a) Any street maintained by the City of Charleston is eligible for adoption, including, without limitation, alleys, dirt roads and streets off the beaten path as well as major streets; *provided, however*, the following are not eligible for adoption:
 - (1) Interstates, interstate exchanges and interstate on/entrance ramps and off/exit ramps; and
 - (2) Streets deemed unsafe.
- (b) Adopted streets must be at least six blocks long or a relatively equivalent length if the street does not have traditional or identifiable blocks. The overall length of an adopted street should take into account the reasonable beginning and end of the eligible street and the reasonableness of dividing an eligible street into adoptable sections to maximize adoption and minimize the orphaning of sections, parts or blocks of a street.
- (c) Adopters may select a street for adoption or request the director to suggest an adoptable street. The director, in consultation with the traffic engineer, shall approve the streets to be adopted, taking into consideration the requirements herein and the safety of the volunteers and the traveling public.

Sec. 102-333 – Program Participation.

- (a) Individuals, families, churches, businesses, schools, civic organizations, government agencies, scouting groups, fraternities, sororities, and communities may participate in the Charleston Adopt-A-Street Program.
- (b) The director shall implement an application process for the program. An adopter is

expected to commit to three cleanups per year for at least two years. Those that complete the six required cleanups in the two-year contract period are awarded a certificate of accomplishment signed by the mayor. An adopter may continue with their adoption of the street as long as they perform three cleanups per year. If an adopter fails to perform at least five cleanups in a two-year period, the adopted street shall be eligible for adoption by another adopter.

- (c) Each cleanup shall be at least 30 days apart. The director shall set forth requirements for scheduling cleanups and for the submission of cleanup reports.
- (d) The City shall provide volunteers garbage bags, gloves, safety vests, safety training similar to or the same as that required by the state, and traffic warning signs; and such other items that may be provided at the discretion of the director.
- (e) The safety of the volunteers participating in an adoption is of the utmost importance. Therefore:
 - (1) Volunteers shall be at least 12 years old;
 - (2) Volunteers shall wear safety vests provided by the City during the cleanup at all times;
 - (3) Adopters shall post traffic warning signs provided by the City during the cleanup; and
 - (4) Adopters and their volunteers shall adhere to any other requirements of the director.
- (f) As volunteers pick up litter, bags that have been filled shall be placed on street sides for removal and disposal by the City. Recycling of items found during a cleanup is encouraged.
- (g) Adopters must clean adopted streets with their own volunteers and may not subcontract the work.
- (h) The director, in consultation with the traffic engineer, shall erect a sign at each end of the adopted street bearing the Adopt-A-Street logo and the name of the adopter after two cleanups have been reported.

Secs. 102-334—102-340 - Reserved.

Councilmember Bailey stated that the bill sponsored by Councilmember Jenkins establishes a system where interested parties can adopt local roads and conduct litter clean-ups on them. This is essentially a mirror of the State program.

Councilmember Jenkins added that this is a great program, and he has heard from several citizens wanting to adopt City Roads. He is looking forward to adopting a road in his Ward.

Councilmember Bailey moved to approve the bill. Councilmember Ceperley seconded the motion. A roll call was taken:

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

NAYS:

ABSENT: Bays, Persinger, Reishman

With the votes of members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Bill No. 7894 passed.

COMMITTEE ON ORDINANCE AND RULES

Councilmember Faegre, Chair of the Council Committee on Ordinance and Rules, submitted the following reports:

1. Your committee on Ordinance and Rules has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 425-21 be adopted.

Resolution No. 425-21 - Authorizing the filing with the City Clerk of the 2021 Charleston Fire Department Policies and Procedures Manual, attached hereto as Exhibit A, and approving said Policies and Procedures Manual along with a process for future amendments.

Now, therefore, be it Resolved by the Council of the City of Charleston, West Virginia:

That the City Council authorizes the filing with the City Clerk of the 2021 Charleston Fire Department Policies and Procedures Manual, attached hereto as Exhibit A, and further approves of the process noted therein that any future amendments to said Policies and Procedures may be made in writing with the signature of the Fire Chief, City Attorney, and Mayor.

Councilmember Faegre stated that the City Attorney and Fire Department have worked to get this manual finalized which has been in draft from since around 2015. Some updates include how the CFD utilizes the TeleStaff Software and changes to some position titles. Any changes can be approved by the Fire Chief, City Attorney, and Mayor and will be filed with the City Clerk.

Councilmember Faegre moved to approve the resolution. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Resolution No. 425-21 adopted.

2. Your committee on Ordinance and Rules has had under consideration the following bill, and reports the same to Council with the recommendation that Bill No. 7895 do pass.

Bill No. 7895 - A BILL to amend and reenact Section 54-41 of the Municipal Code of the City of Charleston, as amended, relating to updating the names of the fire department's divisions.

Now, therefore, be it ordained by the Council of the City of Charleston:

That Section 54-41 of the Municipal Code of the City of Charleston, as amended, is amended and reenacted to read as follows:

CHAPTER 54 – FIRE PREVENTION AND PROTECTION.

ARTICLE II. – FIRE DEPARTMENT.

DIVISION 1. – GENERALLY.

Sec. 54-41. - Composition and organization of department.

(a)The fire department shall include the Fire, EMS, and Rescue Operations Division, the Training Division, and the Fire Prevention Bureau, fire prevention bureau, training division, fire suppression division and the emergency medical service division, with such personnel having such ranks and grades as shall from time to time be authorized by the city council.

(b)The organization of the fire department shall be as prescribed by the fire chief, except as may be provided otherwise by the mayor or city council.

(c)The fire civil service commission is authorized to establish by appropriate procedure existing and/or future rank structure budgeted by the council to provide for the orderly efficient operation of the emergency medical service division of the fire department. The fire chief may petition the fire department civil service commission to effectuate the placement of rank structure in the emergency medical service division of the fire department from time to time as necessary.

Councilmember Faegre stated that the bill came out of the process of update the Policies and Procedures Manual to update the Code to changes in the names of certain divisions with the Fire Department, and will update the Code to the CFD's current practice.

Councilmember Faegre moved to approve the bill. Councilmember Ceperley seconded the motion. A roll call was taken:

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

NAYS:

ABSENT: Bays, Persinger, Reishman

With the votes of members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Bill No. 7895 passed.

COMMITTEE ON PUBLIC SAFETY

Councilmember Steele, Chair of the Council Committee on Public Safety, submitted the following reports:

1. Your committee on Public Safety has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 419-21 Committee Substitute be adopted.

Resolution No. 419-21 Committee Substitute – WHEREUPON, the ~~herein signatory~~ members of the City Council of Charleston, WV are presented with an issue of ongoing public concern - the distribution and/or exchange of hypodermic syringes for the purpose of intravenous drug use. ~~These members note~~ City Council notes that the City's first responder community, namely police and fire, have not been fully informed of the status of this issue that impacts their daily work lives. Likewise, other City employees directly impacted by this issue, such as sanitation and refuse workers, likewise do not appear to have been fully apprised of the status of this current debate.

WHEREAS, ~~these signatory Council members~~ City Council further notes that input and cooperation of first responders is considered so critical on this issue that it was recently cited by the West Virginia Department of Health and Human Resources as a factor when it considered and rejected the application of a proposed syringe distribution program within Charleston City limits. ~~These members~~ City Council agrees and believes the additional input of sanitation workers is necessary for good governance, employee morale and community safety.

WHEREAS, ~~these signatory members of~~ the Charleston, WV City Council ~~request affirmation from our City Government that it~~ Public Safety Committee will actively survey and obtain input from the full membership of our first responder community and the full membership of our ~~sanitation~~ Public Works workers before taking further action with regard to approving, creating, expanding or otherwise acting upon any syringe exchange or distribution programs. ~~We request affirmation from our City Government that t~~ The City Council of Charleston, WV shall be fully included in this survey process, which may be conducted anonymously or in any other way deemed appropriate for the protection of City workers. This Resolution in no way prohibits any City Department from enforcing existing laws that revolve around this issue.

WHEREAS, ~~these signatory members of~~ the Charleston, WV City Council recognizes the crucial role of our first responders and ~~sanitation~~ Public Works workers on this issue. We value and seek their expertise and opinions. ~~These signatory members of the Charleston, WV City Council ask the City Council of Charleston, WV to adopt this Resolution at the next regularly scheduled meeting of Council and to take any such further action necessary to effectuate its~~

~~spirit and purpose.~~

Now, therefore, be it resolved by the Council of the City of Charleston, West Virginia:

That the Public Safety Committee is hereby directed to create a survey regarding opinions about the distribution and/or exchange of hypodermic syringes in order to obtain anonymous City employee responses; and to work with the Charleston Police Department Chief, the Charleston Fire Department Chief, and the Director of Public Works to distribute the survey to the employees of these departments.

And that we request any organization currently operating a needle distribution without state certification to suspend such distribution until the City Council takes action on the pending legislation.

Councilmember King stated that the resolution is to allow the Public Safety Committee to create a survey with a list of eight or ten questions to gather input from first responders and Public Works employees on how they feel about harm reduction. He added that the resolution also asks that any organization not certificated by the State stop their programs while they discuss harm reduction and the legislation.

Councilmember Steele submitted an amendment to Resolution No. 419-21 Committee Substitute, and stated that the amendment strikes out a few of the lines at the end of the resolution that pertain to requesting any organizations that are currently operating needle distribution without State certification to suspend those services. Councilmember Steele added that it is not an enforceable request, makes no sense and confuses the intent of the resolution. By striking those last few lines, the intent of the original resolution stays intact and clear.

AMENDMENT

TO: Clerk of the Council of the City of Charleston, West Virginia
AMENDMENT TO RESOLUTION: 419-21 Committee Substitute
OFFERED BY: Keeley Steele

The following amendment to Resolution No. 419-21 Committee Substitute is proposed:
On Page 2, at line 10, after the word “departments.”, by striking out the remainder of the resolution.

Councilmember Ceperley agreed with the amendment, and stated she would not be able to vote for the resolution if the amendment were not to pass. She would like to see the amendment adopted so that they can move forward and get they information they need to make a valid decision.

Councilmember Minardi added that the lines in question are only asking to suspend the needle

distribution program, not the entire harm reduction program, which he did not have a problem with.

Councilmember Pharr stated that prior to the lines in question being added at the past Public Safety Committee, there was a specific organization that was named. She took issue with any body of Councilmembers naming a specific organization as it is discriminatory. Councilmember Pharr added that everyone should have the opportunity to explain what it is they are offering.

Councilmember Laird stated the he believed he could support the resolution if the amendment was adopted. He added that a resolution will not require the suspension of the programs mentioned, and he did not believe they would suspend their programs as they obviously believe in what they are doing.

Councilmember Overstreet stated he would vote for the amendment because he felt that the resolution would not pass otherwise, and he wants to get input from first responders and others.

Councilmember King urged for the rejection of the amendment, adding that the language is just a request and does not specifically mention any organization.

Councilmember Steele moved to approve the amendment. Councilmember Ceperley seconded the motion. A roll call was taken:

YEAS: Adams, Bailey, Ceperley, Cook, Hoover, Jenkins, Laird, McKinney, Overstreet, Pharr, Robinson, Sheets, Steele, Wesley-Plear, Mayor Goodwin

NAYS: Burton, Campbell, Faegre, Haas, Jones, King, Knauff, Minardi, Snodgrass

ABSENT: Bays, Persinger, Reishman

With the votes of members present recorded thereon as voting in the majority in the affirmative with 15 Yeas and 9 Nays, the Mayor declared the amendment adopted.

Councilmember McKinney stated that there has been a lot of disrespect and confusion around this topic. She added that harm reduction is a big umbrella and is not just about needles. She urged everyone to do their homework and respect each other's opinions.

Councilmember Ceperley added that Councilmember Reishman regrets that he was unable to attend due to the weather and wanted to urge the Public Safety Committee to seek professional advice as they begin to make the survey.

Councilmember Snodgrass stated that she wanted to respect the Police Officers and Fire Fighters. She apologized that it has taken so long to get a resolution passed so their opinion can be taken

as they are the ones that are the most impacted along with Public Works.

Councilmember Cook stated that she was glad they were going to be able to hear from the first responders and others, however she hoped that the resolution is the beginning of them listening and learning as they approach harm reduction going forward. She added that this affects every life in the community.

Councilmember Pharr stated that she believes that everyone on Council is for having the proposed survey conducted, but there has been so much disrespect to the point where there is so much tension during their discussions. She felt like voices are not being heard, and she hoped they could get back to a civil decorum. Councilmember Pharr stated that she believes the resolution has taken so long because there are agendas that have been pushed that have not listened to the consensus of Council.

Councilmember Steele added that there are numerous professionals planned to speak at the next Public Safety meeting in order for the Committee to create the proposed survey. She added that just because they don't like something, it doesn't necessarily belong in a bill. For her, this is a fact-finding mission to hear from all sides.

Councilmember Laird stated the he was in support of the resolution because he believes in the importance of gathering information and opinions. He also felt like the resolution was not entirely necessary as a resolution from Council is not required for the Administration to do a survey like what is being proposed. He encouraged the Administration to consider conducting a similar survey with health care professionals, mental health providers, service providers, etc.

Councilmember King moved to approve the resolution. A roll call was taken:

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

NAYS: Haas

ABSENT: Bays, Persinger, Reishman

With the votes of members present recorded thereon as voting in the majority in the affirmative with 23 Yeas and 1 Nays, the Mayor declared Resolution No. 419-21 Committee Substitute as Amended adopted.

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. 426-21 be adopted.

Resolution No. 426-21 - Authorizing the Mayor or City Manager to enter into an agreement with Piper Sandler & Co. for underwriting or placement agent services relating to refunding certain outstanding municipal bonds based on an evaluation of responses received as part of an Expression of Interest selection process. Fees are contingent on successful closing of the refunding bonds in an amount not to exceed \$3.50/\$1,000 of the par amount of bonds issued.

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 an agreement with Piper Sandler & Co. for underwriting or placement agent services relating to refunding certain outstanding municipal bonds based on an evaluation of responses received as part of an Expression of Interest selection process. Fees are contingent on successful closing of the refunding bonds in an amount not to exceed \$3.50/\$1,000 of the par amount of bonds issued.

Councilmember Jenkins added that they are looking to refund the City's longer-term bonds due in 2030 and 3035 as the interest rates are currently very low. He and Councilmember Laird worked with the City Manager and Finance Director to review the proposals and determined that Piper Sandler (who originally helped the City receive those bonds) should be chosen because they have a direct relationship with the majority holder of those bonds. The goal is to have this put in place by May 15, before a payment is due.

Councilmember Snodgrass confirmed with Councilmember Jenkins that the proposed resolution did not have anything to do with the mall parking bonds.

Councilmember Bailey confirmed that the resolution is to essentially refinance those bonds that will potentially save the City many of thousands of dollars in interest over the life of the bonds.

Councilmember Ceperley complimented the Administration for undertaking this process.

Councilmember Jenkins moved to approve the resolution. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Resolution No. 426-21 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. 427-21 do pass.

Resolution No. 427-21 - Authorizing the Mayor or City Manager to purchase four (4) Class 10 Ford Ranger R1F Extended Cab 4X4 pickup trucks from Matheny Motor Truck Company for a total purchase price of \$107,916 pursuant to a competitively-sourced state contract. The new vehicles will replace Units 606, 607, 609, and 613 within the Parking System as part of a standard capital outlay replacement cycle.

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 four (4) Class 10 Ford Ranger R1F Extended Cab 4X4 pickup trucks from Matheny Motor Truck Company for a total purchase price of \$107,916 pursuant to a competitively-sourced state contract. The new vehicles will replace Units 606, 607, 609, and 613 within the Parking System as part of a standard capital outlay replacement cycle.

Councilmember Jenkins added that there are four (4) trucks within the Parking System that are being used that are ten (10) years or older, well beyond their normal replacement cycle.

Councilmember Jenkins moved to approve the resolution. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Resolution No. 427-21 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. 428-21 do pass.

Resolution No. 428-21 - Authorizing the Mayor or City Manager to contract with Ozark Materials LLC in the amount of \$29,472.85 for the purchase of 1,870 gallons of yellow traffic marking paint and 1,595 gallons of white traffic marking paint to be used by the Traffic Engineering Department, where the contract is being awarded following 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 contract with Ozark Materials LLC in the amount of \$29,472.85 for the purchase of 1,870 gallons of yellow traffic marking paint and 1,595 gallons of white traffic marking paint to be used by the Traffic Engineering Department, where the contract is being awarded following a competitive bidding process.

Councilmember Jenkins added that the resolution is for the annual purchase for the Traffic Department to re-mark lines on roads. He added that it is a little higher than previous years because they are looking to repaint a lot more parking lots than in previous years.

Councilmember Jenkins moved to approve the resolution. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Resolution No. 428-21 adopted.

*Councilmember King was not present in the room for this vote.

Traffic Marking Paint				
Project No. 2021-004				
Bid Opening: February 12, 2021 @ 11:00am				
Ozark	Sherwin Williams	Osburn Associates Inc	Ennis- Flint	
591 Glendale Ave	1010 Prospekt Ave; 1500Midland	PO BOX 912	4161 Piedmont Parkway	
Greenville, AL 36037	Cleveland OH 41115	Logan, OH 43138	Greensboro NC 27410	
P: (334) 371-2303	P: (800) 597-2929	P: (800) 523-8917	P: (336) 663-6612	
dyana@ozarkmaterials.net	hwinsidesales@sherwin.com	jenniferl@osburns.com	Drussell@ennisflint.com	
Traffic Marking Paint	\$29,472.85	\$30,717.50	\$42,107.92	\$31,440.75
Local Vendor Preference (4%)	(\$1,178.91) \$28,293.94	(\$1,228.70) \$29,488.80	Did Not Apply	(\$1,257.63) \$30,183.12
Successful Bidder	✓			

4. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 429-21 do pass.

Resolution No. 429-21 - Authorizing the Mayor or City Manager to contract with Nitro Construction Services to purchase and install a fire alarm system for the Kanawha City Community Center at a total price of \$25,050.00. The purchase price was determined through a competitive bidding process, of the which the awarded bidder qualified for local vendor preference 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 contract with Nitro Construction Services to purchase and install a fire alarm system for the Kanawha City Community Center at a total price of \$25,050.00. The purchase price was determined through a competitive bidding process, of the which the awarded bidder qualified for local vendor preference for one year.

Councilmember Jenkins added that because of the after-school program that was started at the Kanawha City Community Center and after a recent fire inspection, it was discovered that there was no fire alarm system installed.

Councilmember Wesley-Plear confirmed a typo on the bid tab.

Councilmember Jenkins moved to approve the resolution. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Resolution No. 429-21 adopted.

Fire Alarm System for Kanawha City Community Center

Project No. 2021-003

Bid Opening: February 02 , 2021 @ 11:00am

	Nitro Construction	Brewer and Co.
	4300 1st Ave	
	Nitro, WV 25213	
	P: (304) 204-1568	P: (304) 807-3566
	rlayton@nitrocs.com	casey.harbour@brewerfire.com
Fire Alarm System	\$25,050.00	\$28,400.00
Local Vendor Preference (4%)	(\$1,002) \$24,048.00	(\$1,136) \$27,264.00
Successful Bidder		

5. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 430-21 do pass.

Resolution No. 430-21 - Authorizing the Mayor or City Manager to submit an application to the FEMA Fire Prevention and Safety Grant Program in the amount of \$37,000 that includes the required 5% cash match and administer any funds awarded. The Charleston Fire Department will use these funds to purchase carbon monoxide and smoke detectors as part of a fire safety community outreach project.

Now, therefore, be it Resolved by the Council of the City of Charleston, West Virginia:

That the Mayor or City Manager is authorized to submit an application to the FEMA Fire Prevention and Safety Grant Program in the amount of \$37,000 that includes the required 5% cash match and administer any funds awarded. The Charleston Fire Department will use these funds to purchase carbon monoxide and smoke detectors as part of a fire safety community outreach project.

Councilmember Jenkins added that this program to FEMA is for community outreach for fire prevention and safety. The grant will provide smoke detectors, carbon monoxide detectors and smoke detectors for the hearing impaired.

Councilmember Jenkins moved to approve the resolution. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Resolution No. 430-21 adopted.

REPORTS OF OFFICERS

1. Municipal Court Report to City Council Month Ending January 2021.
Received and Filed, Thank You.
2. City Treasurer’s Report to City Council Month Ending January 2021.
Received and Filed, Thank You.
3. Report of the City of Charleston Payroll Variance Analysis; January 2021.
Received and Filed, Thank You.

NEW BILLS

Introduced by Councilmember Brady Campbell

February 1, 2021:

Bill No. 7892 – Amending the Zoning Ordinance by rezoning from a R-4 Single Family Residential District to a Residential-Office District, that certain parcel of land located at 1133 Oakhurst Drive.

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

Introduced by Councilmember Chuck Overstreet

February 1, 2021:

Bill No. 7895 - A BILL to amend and reenact Section 54-41 of the Municipal Code of the City of Charleston, as amended, relating to updating the names of the fire department’s divisions.

Refer to Ordinance and Rules Committee, Please

MISCELLANEOUS/UNFINISHED BUSINESS

Resolution No. 422-21 - Authorizing the Mayor or City Manager to purchase a rear-loading miniature refuse collection truck for the Charleston Refuse Department from West Virginia Tractor Company in the amount of \$91,975.00 as the result 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 purchase a rear-loading miniature refuse collection truck for the Charleston Refuse Department from West Virginia Tractor Company in the amount of \$91,975.00 as the result of a competitive bidding process.

Councilmember Ceperley requested that Resolution No. 422-21 be brought back to the floor for consideration. There were no objections.

Councilmember Jenkins that there had been a concern from the last meeting to hear from the Recycling Study report before making the purchase. The proposed vehicle will allow for easier access to tighter spaces that a regular refuse truck cannot go, will reduce the numbers of trips that a top-loading truck can make and keeps the trash enclosed within the truck to prevent spillage.

Councilmember Adams confirmed that the truck does not require a CDL to operate.

Councilmember Jenkins moved to approve the resolution. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Resolution No. 422-21 adopted.

REMARKS BY MEMBERS

1. Councilmember Snodgrass stated that it was the practice of the previous Administration to periodically inform Councilmembers as to any current law suits that involve the City, and requested that practice be continued. She added that they are responsible as elected officials to be generally informed about these matters.
2. Councilmember Jones apologized for remarks he made at a recent Public Safety Committee meeting. He added that he is passionate about Charleston and the West Side.
3. Councilmember Minardi acknowledged the passing of former Councilmember Dave Higgins.
4. Councilmember Faegre urged everyone to read the investigation report into SOAR. She added that there is a harm reduction program that has been operating in the City for several years, and urged Councilmembers to visit West Virginia Health Right. She added that she is representing the people of Ward 5, not her own personal opinions.
5. Councilmember Knauff added that Dave Higgins also did great work during his time with the House of Delegates.
6. Councilmember Pharr stated that there will be a meeting of the Facilities Committee on 2-23-2021. She added that her previous remarks were not directed at Councilmember Jones. She objected to individuals being called out by name, adding that things will go more smoothly if they can respect each other.
7. Councilmember Wesley-Plear added thanked City workers for taking care of the roads during the adverse weather conditions.
8. Councilmember Snodgrass added that that she and Councilmember Knauff did not approve \$35,000 to a coalition to house homeless people that had been diagnosed with Covid-19. She suggested that they halt or ask some questions if they are going to donate money to an organization before they conduct backgrounds checks in light of recent legal news.

9. Councilmember King apologized for any comments that he might have made by calling out individuals, and that his remarks were not meant to be personal or offensive.

ADJOURNMENT

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

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

NAYS:

ABSENT: Bays, Persinger, Reishman

At 8:28 p.m., by a motion from Councilmember Ceperley, Council adjourned until Monday, March 1, 2021, at 7:00 p.m., in West Hall 1 at the Coliseum and Convention Center.

Amy Shuler Goodwin, Honorable Mayor

Miles C. Cary II, City Clerk