



JOURNAL of the PROCEEDINGS of the CITY COUNCIL

CITY OF CHARLESTON, WEST VIRGINIA

Regular Meeting – Monday, March 1, 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 first meeting in the month of March on the 1st day, in the year 2021, 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 Councilmember Pharr. 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*
PERSINGER
ROBINSON
STEELE**

**BAILEY
CAMPBELL
FAEGRE

KNAUFF
MINARDI
PHARR
SHEETS
WESLEY-PLEAR**

**BAYS
CEPERLEY
HAAS
JONES
LAIRD
OVERSTREET
REISHMAN
SNODGRASS
MAYOR GOODWIN**

With twenty-six members being present, the Mayor declared a quorum present.

*Councilmember McKinney arrived at 7:06; her first vote was for Resolution No. 431-21

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

NONE

CLAIMS

NONE

COMMUNICATIONS

1.

Amy Shuler Goodwin
Office of the Mayor
City of Charleston



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

TO: CITY COUNCIL MEMBERS
DEPARTMENT HEADS

FROM: MAYOR AMY SHULER GOODWIN 

DATE: MARCH 1, 2021

RE: PERSONNEL APPOINTMENT – MOECD DIRECTOR

I am pleased to announce that Andrew Backus has been appointed the next Director of the Mayor's Office of Economic and Community Development (MOECD). Mr. Backus started his employment, February 22, 2021.

Mr. Backus was born and raised in Charleston. He is a graduate of George Washington High School and holds degrees from West Virginia University, Marshall University and Liberty University.

Please help me welcome Mr. Backus as he takes on his new role with the City.

Received and filed.

REPORTS OF COMMITTEES

1. Resolution No. 435-21 - Recognizing and Honoring the life of David Kent “Dave” Higgins, former City Council Member and Member of the West Virginia House of Delegates, honorable public servant, and valued community member.

WHEREAS, Dave Higgins served as a distinguished Member of the City Council of Charleston from 2003 through 2011, representing Ward 15; and

WHEREAS, Dave Higgins served honorably as Chair of the Streets and Traffic Committee throughout his term on City Council; and

WHEREAS, Dave Higgins served as Chair of the Home Rule Committee, established in 2007; and

WHEREAS, Dave Higgins served the City through additional special committees, including the Charleston Land Trust, a committee studying the City’s unfunded pension liability in 2003, the Election Process Task Force, and the Committee on Metro Government; and

WHEREAS, Dave Higgins sponsored and supported numerous pieces of legislation relating to traffic issues, as well as the Urban Deer Hunt ordinance; and

WHEREAS, Dave Higgins also served as a Member of the West Virginia House of Delegates from 2007 through 2008, representing the City of Charleston and Kanawha County with distinction; and

WHEREAS, Dave Higgins was married to the love of his life, Patti Hamilton, with whom he shared a tireless passion for public service; and

WHEREAS, David Kent Higgins sadly died in the early morning hours of Saturday, February 13, at the age of 72, after a recurrence of cancer.

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

That the City of Charleston hereby recognizes and honors the life of David Kent “Dave” Higgins and expresses the City’s sincere appreciation for Dave’s commitment to public service and his exceptional service to the City of Charleston and its residents. The City of Charleston sends its deepest condolences to Patti Hamilton and all of Dave’s family, friends, and colleagues.

Councilmember Minardi 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. 435-21 adopted.

REPORTS OF COMMITTEES

COMMITTEE ON FINANCE

Councilmember Reishman, Vice 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. 431-21 be adopted.

Resolution No. 431-21 - Authorizing the Mayor or City Manager to enter into a construction agreement with the Kanawha Valley Regional Transportation Authority (“KRT”) to provide KRT with a right of entry onto real property owned or controlled by the City of Charleston during the course of construction of new streetscaping and a building on Laidley Street as part of a larger City Center project, where the terms of the construction agreement are attached hereto as Exhibit A.

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 construction agreement with the Kanawha Valley Regional Transportation Authority (“KRT”) to provide KRT with a right of entry onto real property owned or controlled by the City of Charleston during the course of construction of new streetscaping and a building on Laidley Street as part of a larger City Center project, where the terms of the construction agreement are attached hereto as Exhibit A.

Councilmember Reishman added that the resolution is for the development of the new KRT Center on Laidley Street.

Councilmember Persinger stated that it was his understanding that the part of Slack Plaza that contains the bus station was paid for with Federal money. As such, it couldn’t be moved for a certain number of years, and asked what length of time was left on that. With the permission of Council, Doug Hartley representing the KRT, replied that as long as that area is used for transportation then no repayment will need to be made. A Community Block Grant purchased the old Greyhound property which has become Slack Plaza. The City was able to access those funds through the Federal Transit. While the City owns the land, if they do not use it for transit, they will be required to pay back that money (approximately \$2.4 million, depending on the current land value).

Councilmember Reishman 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. 431-21 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. 432-21 do pass.

Resolution No. 432-21 - Authorizing the Mayor or City Manager to enter into a lease agreement with the Kanawha Valley Regional Transportation Authority (“KRT”) to provide KRT with rights of tenancy relating to certain real property owned or controlled by the City of Charleston along Laidley Street, including a new mass transportation boarding and ticket building being constructed at KRT expense, where the terms of the lease agreement are attached hereto as Exhibit A.

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 lease agreement with the Kanawha Valley Regional Transportation Authority (“KRT”) to provide KRT with rights of tenancy relating to certain real property owned or controlled by the City of Charleston along Laidley Street, including a new mass transportation boarding and ticket building being constructed at KRT expense, where the terms of the lease agreement are attached hereto as Exhibit A.

Councilmember Reishman added that the resolution basically gives the KRT access to the property.

Councilmember Reishman 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. 432-21 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. 433-21 do pass.

Resolution No. 433-21 - Authorizing the Mayor or City Manager to enter into a direct purchase agreement with Stryker Medical for the purchase of four (4) power cots for the Charleston Fire Department at a cost not to exceed \$69,524, where the purchase price matches the rates associated with a competitively-sourced federal General Services Administration (GSA) contract.

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 direct purchase agreement with Stryker Medical for the purchase of four (4) power cots for the Charleston Fire Department at a cost not to exceed \$69,524, where the purchase price matches the rates associated with a competitively-sourced federal General Services Administration (GSA) contract.

Councilmember Reishman added that the cots will match the previously purchased equipment for use in ambulances.

Councilmember Reishman 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. 433-21 adopted.

**CharlestonFD-4Cots-Feb21**

Quote Number: 10327791

Remit to: **Stryker Medical**

Version: 1

P.O. Box 93308

Prepared For: CHARLESTON FIRE DEPT

Chicago, IL 60673-3308

Attn:

Rep: Austin Long

Email: austin.long@stryker.com

Phone Number: (858) 774-0394

Quote Date: 02/22/2021

Expiration Date: 06/30/2021

Delivery Address		End User - Shipping - Billing		Bill To Account	
Name:	CHARLESTON FIRE DEPT	Name:	CHARLESTON FIRE DEPT	Name:	CHARLESTON FIRE DEPT
Account #:	1080876	Account #:	1080876	Account #:	1080876
Address:	808 VIRGINIA ST W	Address:	808 VIRGINIA ST W	Address:	808 VIRGINIA ST W
	CHARLESTON		CHARLESTON		CHARLESTON
	West Virginia 25302-1820		West Virginia 25302-1820		West Virginia 25302-1820

Equipment Products:

#	Product	Description	Qty	Sell Price	Total
1.0	650605550003	6506 MTS PWRPRO COT HIGH CNFIG	4	\$19,881.00	\$79,524.00
Equipment Total:					\$79,524.00

Trade In Credit:

Product	Description	Qty	Credit Ea.	Total Credit
TR-SPCOT-PPXT	TRADE-IN-STRYKER POWER COT TOWARDS PURCHASE OF POWERPRO XT	4	-\$2,500.00	-\$10,000.00

Price Totals:

Grand Total:	\$69,524.00
--------------	-------------

Prices: In effect for 60 days.

Terms: Net 30 Days

Ask your Stryker Sales Rep about our flexible financing options.

4. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 434-21 do pass.

Resolution No. 434-21 - Authorizing the Mayor or City Manager to purchase one (1) vehicle from Matheny Motor Truck Company in the amount of \$27,445, where the vehicle will serve as a replacement vehicle to be used by the Metropolitan Drug Enforcement Network Team (MDENT) and titled to the Kanawha County Sheriff's Office. The purchase will be made through a competitively sourced state-wide contract.

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 Matheny Motor Truck Company in the amount of \$27,445, where the vehicle will serve as a replacement vehicle to be used by the Metropolitan Drug Enforcement Network Team (MDENT) and titled to the Kanawha County Sheriff's Office. The purchase will be made through a competitively sourced state-wide contract.

Councilmember Reishman 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. 434-21 adopted.

5. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 436-21 do pass.

Resolution No. 436-21 - Authorizing the Mayor or City Manager to enter into a Mutual Aid Agreement with the Kanawha-Charleston Health Department (“KCHD”) for the City’s provision of and reimbursement for mutual aid rendered to KCHD in responding to the COVID-19 public health crisis, where the terms of the Mutual Aid Agreement are attached hereto as Exhibit A.

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 Mutual Aid Agreement with the Kanawha-Charleston Health Department (“KCHD”) for the City’s provision of and reimbursement for mutual aid rendered to KCHD in responding to the COVID-19 public health crisis, where the terms of the Mutual Aid Agreement are attached hereto as Exhibit A.

Councilmember Reishman added that this will reimburse KCHD for services provided, then the City will themselves be reimbursed.

Councilmember Reishman 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. 436-21 adopted.

6. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 437-21 do pass.

Resolution No. 437-21 - Authorizing the Mayor or City Manager, subject to final review by the City Attorney, to enter into contracts through Assured Partners of WV and Arthur J. Gallagher Risk Management Services, Inc., at a price of \$1,630,042.69, for the City's Risk Management and Property, Casualty, and Cyber Insurance coverage for the period March 31, 2021 through March 31, 2022, in accordance with the costs attached, and specifically by rejecting all underinsured motorists coverage and accepting uninsured motorists coverage with statutory minimum limits of \$25,000/\$50,000/\$25,000 only; and Risk Management Services Co. (RMSC) for Third Party Administration of Workers Compensation and Property/Casualty Claims in accordance with the costs attached and a fee advance of \$103,720.00; and further authorizing the Mayor or City Manager to sign the appropriate forms rejecting the underinsured motorists coverage and accepting the uninsured motorists coverage.

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

That the Mayor or City Manager is hereby authorized and directed, subject to final review by the City Attorney, to enter into contracts through Assured Partners of WV and Arthur J. Gallagher Risk Management Services, Inc., at a price of \$1,630,042.69, for the City's Risk Management and Property, Casualty, and Cyber Insurance coverage for the period March 31, 2021 through March 31, 2022, in accordance with the costs attached, and specifically by rejecting all underinsured motorists coverage and accepting uninsured motorists coverage with statutory minimum limits of \$25,000/\$50,000/\$25,000 only; and Risk Management Services Co. (RMSC) for Third Party Administration of Workers Compensation and Property/Casualty Claims in accordance with the costs attached and a fee advance of \$103,720.00; and further authorizing the Mayor or City Manager to sign the appropriate forms rejecting the underinsured motorists coverage and accepting the uninsured motorists coverage.

Councilmember Reishman added that the Finance Committee received an extensive review, and agreed this is the best and most beneficial policy for the City.

Councilmember Snodgrass stated she would be voting no because last year they had asked for some competitive bids as this is one of the City's largest items in the budget and it has not been put out to bid in over forty (40) years. There is now a committee formed to look at that.

Councilmember Knauff asked for clarification about the line that references consultation with the City Attorney. City Attorney, Kevin Baker, clarified that he will review the final documents before they are signed.

Councilmember Burton abstained from voting as he is employed by the company.

Councilmember Reishman added that the individual policies within the overall program have been bid out every year.

Councilmember Reishman moved to approve the resolution. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting in the majority in the affirmative, with two (2) Nays from Knauff and Snodgrass and one (1) Abstention, the Mayor declared Resolution No. 437-21 adopted.

REPORTS OF OFFICERS

1. Report of the City of Charleston Payroll Variance Analysis; February 2021.
Received and Filed, Thank You.

NEW BILLS

None

MISCELLANEOUS/UNFINISHED BUSINESS

-
1. Mayor Goodwin commended the Street and Refuse Departments for their work during the recent flooding.

REMARKS BY MEMBERS

1. Councilmember Faegre, regarding Resolution No. 424-21, confirmed that the title of the vehicle will be to the Kanawha County Sherriff's Department

ADJOURNMENT

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

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

NAYS: NONE

ABSENT: Jenkins

At 7:28 p.m., by a motion from Councilmember Ceperley, Council adjourned until Monday, March 15, 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