



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

CITY OF CHARLESTON, WEST VIRGINIA

Regular Meeting – Monday, August 2, 2021

at 7:00 P.M.

Council Chamber – City Hall – Charleston, West Virginia

OFFICIAL RECORD

Amy Shuler Goodwin
Mayor

Miles C. Cary II
City Clerk

CALL TO ORDER*

The Council met at 7:00 P.M., for the first meeting in the month of August on the 2nd 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 Overstreet. 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**

**BAILEY
CAMPBELL
FAEGRE

KNAUFF**

**BAYS
CEPERLEY
HAAS
JONES
LAIRD**

**OVERSTREET
REISHMAN
SNODGRASS**

**PERSINGER
ROBINSON
STEELE**

**PHARR
SHEETS
MAYOR GOODWIN**

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

Pending the reading of the Journal of the previous meeting, the reading thereof was dispensed with and the same duly approved.

PUBLIC SPEAKERS

1. Durel Miller – spoke grocery stores on the West Side
2. Beverly Bishop – spoke about the homeless population on Capital Street.
3. Dr. Shelia Robinett -spoke in favor of Bill No. 7919
4. Pastor Gary Hall – spoke against Bill No. 7919
5. Dr. Neil Copeland – spoke in favor of Bill No. 7919
6. Dr. Lynda Irons – spoke against Bill No. 7919
7. Reverend Kay Abright – spoke in favor of Bill No. 7919
8. Kim Neil – spoke against Bill No. 7919
9. Loree Stark – spoke in favor of Bill No. 7919
10. Ashley Switzer – spoke against Bill No. 7919
11. Carling McManus – spoke in favor of Bill No. 7919
12. Allen Whitt - spoke against Bill No. 7919

CLAIMS

1. A claim of Douglas Poindexter, Charleston, WV;
alleges damage to vehicle.
Refer to City Solicitor, Please.

PROCLAMATIONS

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: MILES CARY
CITY CLERK

FROM: AMY SHULER GOODWIN
MAYOR

A handwritten signature in blue ink, likely belonging to Amy Shuler Goodwin, is written over the "FROM" field.

RE: KANAWHA CHARLESTON BOARD OF HEALTH

DATE: AUGUST 2, 2021

I recommend Danita Nellhaus be appointed to the Kanawha Charleston Board of Health, with an initial term to expire June 30, 2024. She is filling the seat left vacant by the resignation of Danny Scalise. Danita Nellhaus is a resident of the City of Charleston.

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

ASG/mls

Councilmember Ceperley moved to approve the appointment. Councilmember Hoover seconded that motion. By unanimous vote, the appointment was confirmed.

2.

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: CHARLESTON COLISEUM & CONVENTION CENTER BOARD

DATE: AUGUST 2, 2021



I recommend Andy Richardson, Carrie Fenwick, Eric Nelson, Belle Manjong and Tessa White be reappointed to the Charleston Coliseum & Convention Center Board. Andy Richardson's term will expire June 22, 2023; Carrie Fenwick's term will expire June 22, 2024; Eric Nelson, Belle Manjong and Tessa White's terms will expire June 22, 2025.

In addition, I recommend Brad Marple and John ^{Ingram} be appointed to the Charleston Coliseum & Convention Center Board. Brad Marple is filling a vacant seat and their term will expire June 22, 2023. John Ingram is filling a vacant seat and their term will expire June 22, 2025.

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

ASG/mls

Councilmember Ceperley moved to approve the appointment. Councilmember Hoover seconded that motion. By unanimous vote, the appointment was confirmed.

3.

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: CHARLESTON CONVENTION & VISITORS BUREAU

DATE: AUGUST 2, 2021

I recommend Harry Bell, Kim Burton and Georgette George be reappointed to the Charleston Convention & Visitors Bureau. All their terms will expire February 17, 2024.

In addition, I recommend Michelle Storage be appointed to the Charleston Convention & Visitors Bureau Board. Michelle Storage is filling the seat previously held by Douglas Walters and their term will expire February 17, 2024.

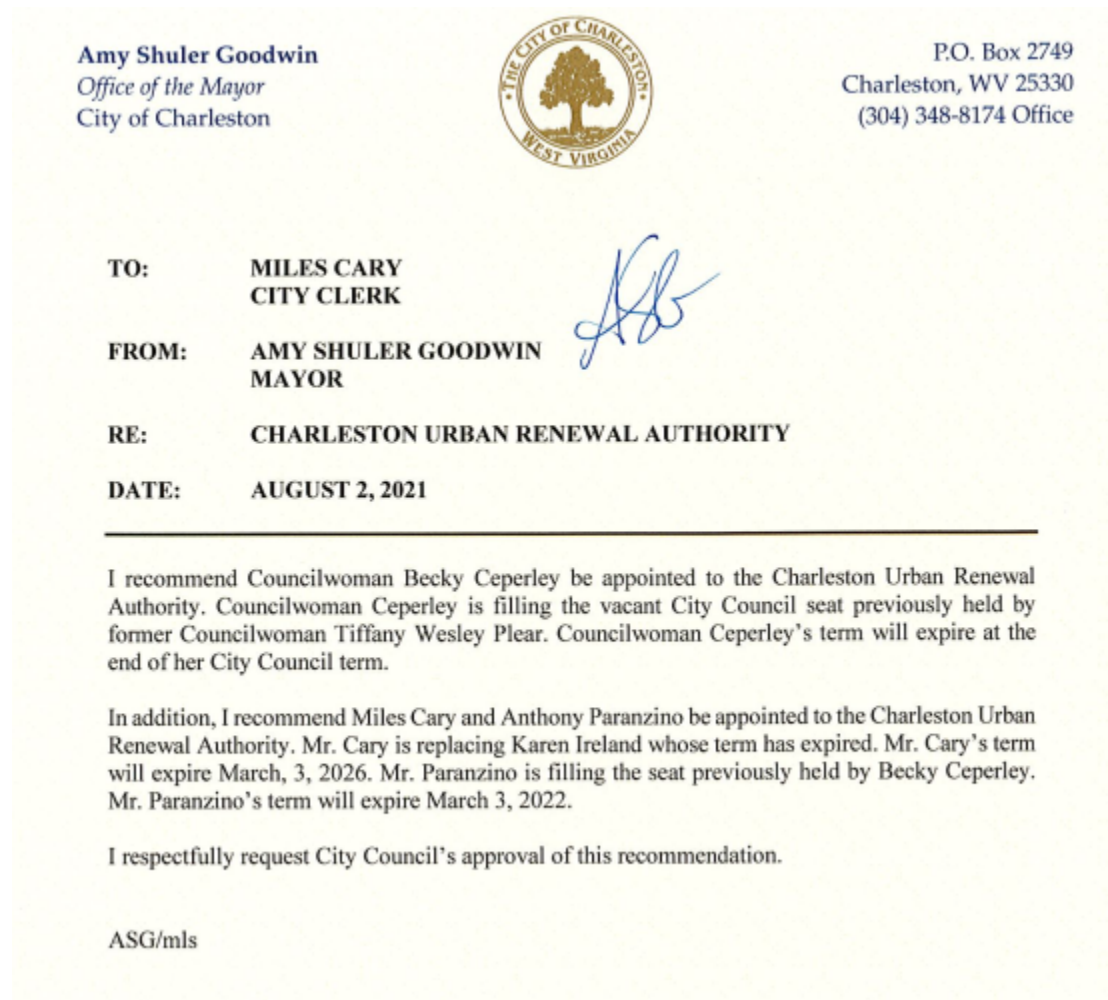
I respectfully request City Council's approval of this recommendation.

ASG/mls

Councilmember Snodgrass pointed out that the wives of the City Manager and Chief of Staff will be appointed to important and powerful Boards. She asked if it was a conflict that they had a close relationship with the Administration. Mayor Goodwin replied that it was specifically requested from the Boards that the appointments be diverse, particularly women of color. They also wanted to consider someone with a diverse background who was a mother with young children. The Mayor added that she did not discuss her recommendation with either husband beforehand. She has recommended people that have an expertise that has been lacking in the Board. Councilmember Snodgrass added that since the Board now directly report to the Mayor, it is a conflict. Mayor Goodwin offered to receive a list from the Councilmember of young women of color with children willing to serve for future appointments.

Councilmember Ceperley moved to approve the appointment. Councilmember Hoover seconded that motion. By a majority vote in the affirmative with at least one (1) recognized Nay from Snodgrass, the appointment was confirmed.

4.



Councilmember Ceperley moved to approve the appointment. Councilmember Hoover seconded that motion. By unanimous vote, the appointment was confirmed.

MISCELLANEOUS RESOLUTIONS

Resolution No. 521-21 – Recognizing that every major medical and mental health organization has rejected the concept of conversion therapy on minors, declaring that individuals or organizations practicing conversion therapy on minors are not welcome within the City of Charleston, and urging the West Virginia Legislature and state professional licensing boards to take action to prohibit conversion therapy on minors in West Virginia and ensure any person practicing conversion therapy in West Virginia faces action against their license.

WHEREAS, every major medical and mental health organization has rejected the practice or treatment of seeking to change an individual's sexual orientation or gender identity, including efforts to change behaviors or gender expressions or eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender, commonly referred to as conversion therapy; and

WHEREAS, minors of the State of West Virginia are particularly vulnerable to the harms associated with conversion therapy, such as anxiety, depression, decreased self-esteem, substance abuse, homelessness, and suicide; and

WHEREAS, the City of Charleston is unable to effectively prohibit conversion therapy in neighboring municipalities or unincorporated areas of Kanawha County that are in close proximity to the City, thus allowing unscrupulous persons performing conversion therapy to move steps outside the City of Charleston and operate freely; and

WHEREAS, the West Virginia Legislature and the state professional licensing boards are in a position to protect all West Virginia minors from the critical health risks of conversion therapy.

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

That the City Council of the City of Charleston hereby recognizes that the practice commonly referred to as conversion therapy has been rejected by every major medical and mental health organization.

That, in an effort to protect the youth of our City, the City Council of the City of Charleston declares that individuals and organizations practicing conversion therapy on minors are not welcome within the City of Charleston.

That the City Council of the City of Charleston wholeheartedly supports the prohibition of conversion therapy in West Virginia and urges the West Virginia Legislature to approve legislation clearly declaring that the widely rejected and harmful practice is not permitted within the State.

That the City Council of the City of Charleston further urges the various West Virginia professional licensing boards to take action to ensure that any person practicing conversion therapy in West Virginia faces disciplinary action against their license.

That the City Council of the City of Charleston hereby directs the Clerk of the City of Charleston to send an official copy of this resolution to the Governor of West Virginia, the President of the West Virginia Senate, the Speaker of the West Virginia House of Delegates, and the Executive Directors of the West Virginia Boards of Medicine, Osteopathy, Counseling, Licensed Practical Nurses, Psychologists, Registered Professional Nurses, and Social Work.

Councilmember Cook clarified that both Resolution No. 521-21 and Bill No. 7919 can be passed without legal conflict.

Councilmember Faegre stated that she found the language in the resolution somewhat complicated. She added that she loves everyone and that conversion therapy is a distasteful treatment, but she will be voting against the resolution.

Councilmember Overstreet agreed with Councilmember Faegre in that he did not fully understand the scope of the resolution concerning the punitive aspects of it.

Councilmember Persinger added that the resolution is separate from the bill, which will have its own vote.

Councilmember Persinger moved to approve the resolution. Councilmember Ceperley seconded the motion. The question being on the adoption of the bill, a roll call was taken:

YEAS: Adams, Bailey, Bays, Burton, Campbell, Ceperley, Cook, Hoover, King, Laird, Persinger, Pharr, Reishman, Robinson, Sheets, Steele, Mayor Goodwin

NAYS: Faegre, Haas, Jones, Knauff, Overstreet, Snodgrass

ABSENT: Jenkins, McKinney, Minardi, Moore

With members present recorded thereon as voting in the majority as affirmative, with seventeen (17) Yeas and six (6) Nays, the Mayor declared Resolution No. 521-21 as adopted.

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 bill, and reports the same to Council with the recommendation that Bill No. 7915 Committee Substitute do pass.

Bill No. 7915 Committee Substitute - A BILL to amend the Municipal Code of the City of Charleston, as amended, by adding thereto a new Article, designated Article XV, consisting of Section 114-940, relating to authorizing the use of low-speed vehicles consistent with state law.

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

That the Municipal Code of the City of Charleston, as amended, by amended by adding thereto a new Article, designated Article XV, consisting of Section 114-940, to read as follows:

ARTICLE XV. - LOW-SPEED VEHICLES.

Sec. 114-940. – Use of low-speed vehicles.

(a) Low-speed vehicle means an electric low-speed vehicle that meets the definition contained in W. Va. Code § 17A-1-1, which is titled and registered by the West Virginia Division of Motor Vehicles pursuant to W. Va. Code § 17A-3-2(c) that meets all the requirements of the Division of Motor Vehicles, as well as state and federal law.

(b) As authorized in W. Va. Code § 17A-3-2(c) and § 17A-13-1, a person with a valid driver's license may operate a low-speed vehicle on a private road within the City or on public roads and streets within the City where the speed limit is 25 miles per hour or less and may cross state routes at traffic lights when the state route does not have a posted speed limit greater than 40 miles per hour.

(c) Low-speed vehicles shall comply with all City traffic and parking ordinances.

Councilmember Hoover added that since the bill passed through the Committee, they have been looking at whether low-speed vehicles should be allowed on certain neighborhoods and streets. Since they are still having that conversation, it was her recommendation that the bill be referred back to the Planning, Streets and Traffic Committee.

Councilmember Faegre asked if it was possible that the bill could be referred to the Public Safety Committee as well. Mayor Goodwin replied that was possible.

Councilmember Hoover moved to refer the bill back to Planning, Streets and Traffic Committee and Public Safety Committee. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Bill No. 7915 Committee Substitute referred to Planning, Streets and Traffic Committee and Public Safety Committee.

COMMITTEE ON ORDINANCE AND RULES

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

1. 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. 7919 do pass.

Bill No. 7919 - A BILL to amend the Municipal Code of the City of Charleston, by adding thereto four new sections, designated Section 58-51, 58-52, 58-53, and 58-54, all relating to protecting the safety and health of Charleston residents—and promoting the public safety, health, welfare and good order of said residents—by prohibiting conversion therapy; defining terms; setting forth enforcement provisions, and stating penalties association with violation.

WHEREAS, West Virginia Code 8-12-2(a)(9) provides that the City of Charleston has plenary power and authority to adopt an ordinance not inconsistent or in conflict with the West Virginia Constitution, state code, or city charter, that provides for the government, protection, order, conduct, safety and health of persons or property; and

WHEREAS, West Virginia Code 8-12-5(23) and (44) provides that the City of Charleston's City Council has the plenary power and authority to adopt an ordinance that provides for the elimination of hazards to public health and safety and to abate or cause to be abated anything which is declared a public nuisance and to protect and promote the public safety, health, welfare and good order; and

WHEREAS, contemporary science recognizes that being lesbian, gay, bisexual, or transgender is part of the natural spectrum of human identity and is not a disease, disorder, or illness; and

WHEREAS, conversion therapy has been rejected by every major medical and mental health organization, including the American Psychological Association, American Psychiatric Association, American Medical Association, American Academy of Pediatrics, American Academy of Child and Adolescent Psychiatry, American Counseling Association, American Psychoanalytic Association, American School Counselor Association, American School Health Association, National Association of Social Workers, and the Pan American Health Organization; and

WHEREAS, conversion therapy leads to critical health risks including anxiety, depression, decreased self-esteem, substance abuse, homelessness, and suicide; and

WHEREAS, minors are especially vulnerable to the harms associated with conversion therapy; and

WHEREAS, the City has a compelling interest in protecting the physical and psychological well-being of minors, including lesbian, gay, bisexual, and transgender youth, and in protecting its minors against exposure to serious harms caused by conversion therapy.

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

That the Municipal Code of the City of Charleston, as amended, is hereby amended to add four new sections, designated Sections 58-51, 58-52, 58-53, and 58-54, all to read as follows:

CHAPTER 58. – HEALTH AND SANITATION.

ARTICLE III. – CONVERSION THERAPY ILLEGAL.

Section 58-51. Definitions.

“Conversion therapy” means any practices or treatments that seek to change an individual’s sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender. Conversion therapy shall not include counseling that provides assistance to a person undergoing gender transition, or counseling that provides acceptance, support, and understanding of a person or facilitates a person’s coping, social support, and identity exploration and development, including sexual-orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices, as long as such counseling does not seek to change an individual’s sexual orientation or gender identity.

“Medical or mental health professional” means any individual who is licensed by the City or State to engage in a profession related to physical or mental health, including any interns, trainees, or apprentices who provide medical or mental health services under the supervision of a licensed medical or mental health professional.

Section 58-52. Conversion Therapy Prohibited.

No person shall engage in conversion therapy with a minor within the City.

Section 58-53. Enforcement.

(a) The City Solicitor shall have the authority to enforce the provisions of this ordinance. If the City Solicitor determines that a violation of this ordinance has occurred, the City Solicitor or the City Solicitor’s designee may mail to the medical or mental health professional written notice to immediately cease and desist the violation. If the medical or mental health professional fails to immediately cease and desist, the City Solicitor or the City Solicitor’s designee may impose a civil fine on the medical or mental health professional as provided in Section 58-54 of this code.

(b) An individual who is the victim of an action in violation of this Article may bring a civil action for appropriate injunctive relief or damages or both against the person or persons who acted in violation of this Article. As used in this subsection, “damages” includes damages for injury or loss caused by each violation of this Article, including reasonable attorney fees.

Section 58-54. Civil Penalty and Appeal Rights.

(a) A violation of Section 58-54 of this code, if enforced by the City Solicitor or the City Solicitor's designee pursuant to Section 58-53 of this code is punishable by up to a \$1,000 fine for each violation. Each day in violation constitutes a separate offense.

(b) A person subjected to a civil penalty under this section may appeal the civil penalty within ten days of its issuance to the municipal court. Prior to filing an appeal with the municipal court, the person shall pay the required civil penalty in full to the City Collector as bond pending evidentiary hearing before and resolution of the case by the municipal court. The City Collector shall issue a receipt showing the amount of the bond paid, which shall be attached with the appeal to the municipal court clerk. Failure to properly effect appeal in a timely manner constitutes waiver of the right to contest the civil penalty. A final decision from the municipal court may be appealed to circuit court in the same manner as a tax appeal, as set forth in Section 110-115 of this code.

(c) Any civil penalties assessed, which remain unpaid within thirty days of a final determination under this section shall be deemed past due and the City shall have all remedies available to the City Collector for collection upon a delinquent debt.

Councilmember Cook stated that the bill does not impact religious entities, it maintains separation of church and state and only pertains to minors. The bill is about protecting and valuing the LGBTQ+ youth community. Councilmember Cook added that the practice of conversion therapy has detrimental short- and long-term effects. Youth that undergo this dangerous practice are more likely to experience depression, self-harm and suicide. Conversion therapy is the intent to make a person that is an "A" (whatever that may mean) into a "C." She added that it does not concern talking about feelings regarding sexual orientation or identity. Councilmember Cook gave an example of conversion therapy to be if her parents had sent her to a therapist with the intent to make her straight. The bill would not prohibit families from seeking counseling or therapy for their children or as a family to discuss sexual orientation or gender identity. Councilmember Cook reiterated that conversion therapy is the expressed intent to change someone's sexual orientation or identity. Every major medical association in the country agree that no minor should be subjected to conversion therapy. Bills such as the one proposed are currently enacted in more than twenty states and ninety municipalities. Councilmember Cook added that the proposed bill is not in contradiction to State law. The bill protects the youth, maintains religious liberties and acts on what the medical community has asked to be done.

Councilmember Snodgrass stated that initially, she did not know a lot about the bill when it was first introduced. She has done some research by speaking to several people to educate herself since the bill concerns parental rights. She added that the bill presented at the State level has been there for at least a decade, and has never gotten out of Committee. She questioned why the West Virginia Licensing Board hasn't done something by making it a violation of their Practice Act, neither have the Boards that would pertain to this bill including the West Virginia Psychology Board. She was told that complaints can be filed with the relevant Board and action

will be taken. She wanted to know what therapist is actually practicing conversion therapy within the City of Charleston, because she was not able to find one. The decision should be left to a Chapter 30 Board or peers with the relevant knowledge of the license and practice involved. Councilmember Snodgrass added that, assuming the bill passes, medical records would have to be sent to the City Attorney, which are highly protected and involve encrypted hard drives, etc. Those decisions should not be left to individuals who do not have a license, and a municipality should be allowed to govern or regulate a belief system.

Councilmember Cook submitted an amendment to Bill No. 7919, herein known as the “Cook Amendment #1.” Councilmember Cook added that the amendment clarifies the religious exemption as previously mentioned. Councilmember Cook motioned to approve the “Cook Amendment #1. Councilmember Reishman seconded.

On Page 2, Section 58-52, line 71, by striking out the entire section and inserting in lieu thereof the following: “No medical or mental health professional shall engage in conversion therapy with a minor within the City. This prohibition does not apply to a clergy member or religious counselor who is acting in a pastoral or religious capacity and not in the capacity of a medical or mental health professional.”

A roll call was taken:

YEAS: Adams, Bailey, Bays, Ceperley, Cook, Faegre, Haas, Hoover, King, Laird, Overstreet, Persinger, Pharr, Reishman, Robinson, Sheets, Steele, Mayor Goodwin

NAYS: Burton, Campbell, Jones, Knauff, Snodgrass

ABSENT: Jenkins, McKinney, Minardi, Moore

With members present recorded thereon as voting in the majority in the affirmative, with eighteen (18) Yeas and five (5) Nays, the Mayor declared the Cook Amendment #1 passed.

Councilmember Cook submitted an amendment to Bill No. 7919, herein known as the “Cook Amendment #2.” Councilmember Cook added that, through discussions with Councilmembers, it was determined that it would be best to adopt the same language and definitions that have been proposed at the State level. Councilmember Cook motioned to approve the “Cook Amendment #2. Councilmember Reishman seconded.

On Page 2, Section 58-51, lines 53 through 67, by striking out the entire section and inserting in lieu thereof the following:

“Conversion therapy” means any practices or treatments that seek to change an individual’s sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender. Conversion therapy shall not include counseling that provides assistance to a person undergoing gender transition, or

counseling that provides acceptance, support, and understanding of a person or facilitates a person's coping, social support, and identity exploration and development, including sexual-orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices, as long as such counseling does not seek to change an individual's sexual orientation or gender identity.

"Medical or mental health provider" means a clinical psychologist licensed under West Virginia Code § 30-21-1 *et seq.*; a school psychologist licensed under West Virginia Code § 30-21-1 *et seq.*; a psychiatrist licensed under West Virginia Code § 30-3-1 *et seq.*; a clinical social worker or social worker licensed under West Virginia Code § 30-30-1 *et seq.*; a marriage and family therapist or associate marriage and family therapist licensed under West Virginia Code § 30-31-1 *et seq.*; a professional counselor or clinical professional counselor licensed under West Virginia Code § 30-31-1 *et seq.*; or any students, interns, volunteers, or other persons assisting or acting under the direction or guidance of any of these licensed professionals

A roll call was taken:

YEAS: Adams, Bailey, Bays, Campbell, Ceperley, Cook, Faegre, Haas, Hoover, King, Laird, Overstreet, Persinger, Pharr, Reishman, Robinson, Sheets, Steele, Mayor Goodwin

NAYS: Burton, Jones, Knauff, Snodgrass

ABSENT: Jenkins, McKinney, Minardi, Moore

With members present recorded thereon as voting in the majority in the affirmative, with nineteen (19) Yeas and four (4) Nays, the Mayor declared the Cook Amendment #2 passed.

Councilmember Jones added that he did not understand why the State lawmakers have not taken up their version of the bill. He added that he had a problem with City Council deciding on what doctor a parent could or could not take their children to.

Councilmember Faegre stated that, as Chair of the Ordinance and Rules Committee, she voted in favor of the bill during their recent meeting. However, she did not feel right about it after their meeting. Councilmember Faegre added that the LGBTQ+ Working Group has been working on the bill since at least January 2021. The bill was introduced and was back to full Council in two weeks, whereas the harm reduction bill took much longer. Councilmember Faegre added that conversion therapy is despicable. She asked what the City was going to do for the youth whose parents do not believe in vaccination, for children that did not get to participate in after school activities because they must babysit their younger siblings or for children whose parents do not seek out medical attention for scratches and cuts. Councilmember Faegre added that there was no discussion during the Committee meeting. She added that the bill should go back to Committee as well as the Public Safety Committee.

Councilmember Knauff added (statement submitted in writing to the Clerk's Officer to be reproduced verbatim)

I don't think there is a need for this ordinance. The proponents of the bill have yet to show that this has ever happened in the city of Charleston, much less anything happening with any regular frequency.

With its passage, it would show a decided shift in our city council and what we are as a body. Historically we have dealt merely with the issues directly affecting the city and avoided sending messages on a national scale, especially with issues that have not been happening here.

Given the absurdly large number of council representatives we have, if we move towards the model of looking at issues not happening currently within the city, that's all we'll be looking at and it's where our emphasis will go - and our constituents will be the ones who suffer the most from it.

Councilmember Campbell added that the bill will move the City in a direction that the Administration has been working towards. The City has led the City in certain protections. He added that it could also put a great amount of work on the City's attorneys, who are already overworked. Councilmember Campbell asked the Administration to look into possibly expanding the City's counsel team. He added that many Councilmembers stated they did not vote for the pan-handling bill on the basis that they did not believe it would survive a legal challenge despite that fact that the City Attorney had stated otherwise.

Councilmember Laird added that he works on policies nation-wide to protect children, and he believes that conversion therapy is inaccurately name as "therapy" implies the fixing of a problem, and gender identity or sexual orientation should not be defined as a problem. He added that it more like child abuse than a form of therapy. The focus should be on Evidence-based Treatments that are proven responses to evidence of child abuse and child sexual abuse, while conversion therapy has been discredited by every major psychological, psychiatric and medical association.

Councilmember King stated that the bill was unnecessary as a resolution was just passed stating that City Council is against conversion therapy. Councilmember King motioned to Table Bill No. 7919 as Amended.

A roll call was taken:

YEAS: Burton, Faegre, Haas, Jones, King, Knauff, Overstreet, Persinger, Snodgrass

NAYS: Adams, Bailey, Bays, Campbell, Ceperley, Cook, Hoover, Laird, Pharr, Reishman, Robinson, Sheets, Steele, Mayor Goodwin

ABSENT: Jenkins, McKinney, Minardi, Moore

With members present recorded thereon as voting in the majority in the negative, with nine (9) Yeas and fourteen (14) Nays, the Mayor declared the motion to Table not passed.

Councilmember Cook stated that it is extremely important that the bill be passed. For six years that State has had a similar bill before them at the direction of medical associations and licensing boards to take action. They are within their right as a municipality to pass an ordinance that is constitutional and maintains religious liberties. She agreed that it would be additional work for the City attorneys, however, any appeals would go through Circuit Court. Every neighboring State has a ban on conversion therapy for minors in some form. As for comments that it's not an issue within the City, Councilmember Cook stated that it must be nice to say that. She added that often, victims of conversion therapy do not have the courage and composure to come forward. It is important that the City take this step to protect the youth. She paraphrased a quote by Charles M. Blow by saying it is never the wrong time to do the right thing.

Councilmember Reishman moved to approve the bill. Councilmember Ceperley seconded the motion. The question being on the adoption of the bill, a roll call was taken:

YEAS: Adams, Bailey, Bays, Campbell, Ceperley, Cook, Hoover, Laird, Pharr, Reishman, Robinson, Sheets, Steele, Mayor Goodwin

NAYS: Burton, Faegre, Haas, Jones, King, Knauff, Overstreet, Persinger, Snodgrass

ABSENT: Jenkins, McKinney, Minardi, Moore

With members present recorded thereon as voting in the majority in the affirmative, with fourteen (14) Yeas and nine (9) Nays, the Mayor declared Bill No. 7919 as Amended passed.

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. 517-21 be adopted.

Resolution No. 517-21 - Authorizing the Mayor or City Manager to submit a grant application to the Department of Justice Edward Byrne Memorial Justice Assistance Grant program in the amount of \$76,294.00 and administer any funds awarded. The Charleston Police Department will utilize these funds to purchase two pole cameras and provide interview and interrogation, shooting incident and homicide investigation training classes to its officers.

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

That the Mayor or City Manager is authorized to submit a grant application to the Department of Justice Edward Byrne Memorial Justice Assistance Grant program in the amount of \$76,294.00 and administer any funds awarded. The Charleston Police Department will utilize these funds to purchase two pole cameras and provide interview and interrogation, shooting incident and homicide investigation training classes to its officers.

Councilmember Reishman added that this is an annual grant submitted by the City. There are no matching funds required.

Councilmember Jones confirmed with the Chief of Police that they are movable.

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. 517-21 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. 518-21 do pass.

Resolution No. 518-21 – Authorizing the City Manager or the Parking System Director to enter into a five-year parking lease agreement with the Supreme Court of Appeals of West Virginia for certain parking spaces located along Venable Avenue and California Avenue, where the terms of such lease are attached hereto.

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

That the City Manager or the Parking System Director is authorized to enter into a five-year parking lease agreement with the Supreme Court of Appeals of West Virginia for certain parking spaces located along Venable Avenue and California Avenue, where the terms of such lease are attached hereto.

Councilmember Robinson stated that the parking on California Avenue abuts the Capital Complex for the Supreme Court. He asked if the other space on California Avenue were available for lease by the private sector. City Attorney, Kevin Baker, replied that the three spaces on California Avenue are already currently leased by the Supreme Court. The City does not typically lease right-of-way parking spaces privately with inter-governmental agreements. This is extending the current lease. Councilmember Robinson added that he would have to purchase residential parking placards for his office, which would not guarantee a parking spot.

Councilmember Reishman added that they are renewing the existing lease.

Councilmember Faegre asked how much the City pays for the lease. Director of Parking, Terri Allen, corrected that the Supreme Court will be paying the City for the spaces.

Councilmember Campbell asked why the City wasn't charging more. Allen replied that previously there was no charge.

Councilmember Knauff asked if the \$40/month was also for the California Avenue spots. Allen replied that she was given to understand that historically, the City had not been paid for those spaces. Councilmember Knauff asked what the market value for those spots would be. Allen did not have that information at that time.

Councilmember Robinson motioned to refer Resolution No. 518-21 to Planning, Streets and Traffic Committee. Councilmember Knauf seconded.

A roll call was taken:

YEAS: Adams, Bailey, Bays, Campbell, Cook, Hoover, Jones, Knauff, Laird, Overstreet, Pharr, Robinson, Steele, Mayor Goodwin

NAYS: Burton, Ceperley, Faegre, Haas, King, Persinger, Reishman, Sheets, Snodgrass

ABSENT: Jenkins, McKinney, Minardi, Moore

With members present recorded thereon as voting in the majority in the affirmative, with fourteen (14) Yeas and nine (9) Nays, the Mayor declared Resolution No. 518-21 referred to Planning, Streets and Traffic Committee.

3. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 519-21 do pass.

Resolution No. 519-21 - Directing the City Treasurer to transfer the amount of \$2,000,000.00 from the Sinking Fund, Fund 100, to the General Maintenance Fund, Fund 220, for the purposes of funding a portion of the construction of the Slack Plaza / City Center renovation project. The balance in the Sinking Fund exceeds the purposes for which it was established.

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

That the City Treasurer is directed to transfer the amount of \$2,000,000.00 from the Sinking Fund, Fund 100, to the General Maintenance Fund, Fund 220, for the purposes of funding a portion of the construction of the Slack Plaza / City Center renovation project. The balance in the Sinking Fund exceeds the purposes for which it was established.

Councilmember Snodgrass asked if the funds were additional. City Manager, Jonathan Storage replied that total for the Slack Plaza renovations was about \$3.2 million. The money listed in the resolution was anticipated to fund that. It is not an additional cost or over-run.

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 at least one (1) recognized Nay from Snodgrass, the Mayor declared Resolution No. 519-21 adopted.

4. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 520-21 do pass.

Resolution No. 520-21 - Authorizing the Mayor or City Manager to enter into a contract with Insight Pipe Contracting in the amount of \$255,510 for the installation of cured-in-place thermosetting resin pipe lining construction services, where the vendor was selected through a competitive bidding process.

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 Insight Pipe Contracting in the amount of \$255,510 for the installation of cured-in-place thermosetting resin pipe lining construction services, where the vendor was selected through a competitive bidding process.

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. 520-21 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. 522-21 do pass.

Resolution No. 522-21 - Authorizing the Mayor or City Manager to enter into a contract with Red Hot Fire Equipment in the amount of \$70,302.22 for the purchase of 37 sets of turnout gear for the Charleston Fire Department, where the purchase will be made using a competitively sourced nation-wide fire equipment 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 contract with Red Hot Fire Equipment in the amount of \$70,302.22 for the purchase of 37 sets of turnout gear for the Charleston Fire Department, where the purchase will be made using a competitively sourced nation-wide fire equipment contract.

Councilmember Reishman added that the purchase is to replace gear as well as for new firefighters.

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. 522-21 adopted.

REPORTS OF OFFICERS

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

NEW BILLS

Introduced by Councilmember Bobby Haas

August 2, 2021:

Bill No. 7917 – A Bill amending the Zoning Ordinance of the City of Charleston by rezoning from a R-4 Single Family Residential District to a R-6 Medium Density Residential District, that certain parcel of land located at 808 Hendrix Avenue.

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

Introduced by Councilmember Shannon Snodgrass

August 2, 2021:

Bill No. 7918 – A Bill amending the Zoning Ordinance of the City of Charleston by rezoning from the R-6: Medium Density Residential to the R-4: Single Family Residential zoning district three district areas within and adjacent to the Woodbridge Subdivision.

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

Introduced by Councilmember Chad Robinson

August 2, 2021:

Bill No. 7920 – A BILL to amend the Municipal Code of the City of Charleston relating to prohibiting parking in a turnaround, cul-de-sac, or similar portion of a street.

Refer to Planning, Streets and Traffic Committee, Please

Introduced by Councilmember Brady Campbell

August 2, 2021:

Bill No. 7921 – A Bill to repeal Ordinance 7301, which created a No Parking Anytime Tow-Away Zone on Hunters Ridge Road from a point 150 feet north of Buckhorn Road to a point 150 Feet south of Buckhorn Road and amending the Traffic Control Map and Traffic Control File.

Refer to Planning, Streets and Traffic Committee, Please

Introduced by Councilmember Larry Moore

August 2, 2021:

Bill No. 7922 – A Bill to establish a no parking zone from 7:00am – 7:00pm on the westerly side of Bream Street from the intersection of Bream Street and 7th Street to a point 165 feet south to alley way and amending the Traffic Control Map and Traffic Control File.

Refer to Planning, Streets and Traffic Committee, Please

MISCELLANEOUS/UNFINISHED BUSINESS

1. Councilmember Snodgrass submitted the following report:

Please withdraw the following bill.

Bill No. 7880 – A Bill amending the Zoning Ordinance by rezoning from Medium Density Residential to Single Family Residential zoning district three district areas within and adjacent to the Woodbridge Subdivision.

I sponsored the bill, which was introduced on September 8, 2020. Since then, it has been substantially changed upon the advice of the City Attorney and Planning Department and will be introduced again as a new bill therefore, no action needs to be taken with Bill No. 7880 and should be withdrawn.

Councilmember Snodgrass motioned to approve the withdrawal. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Bill No. 7880 withdrawn.

REMARKS BY MEMBERS

1. Councilmember Snodgrass stated that it was time that they take a look at the Charleston Police Department to bring their salaries up to par with at least with the County. While they recently did something for new hires, nothing was done for the senior officers. There was a class two Saturdays ago with approximately five applicants and only two/three passed. She reiterated that their salaries have to be increased.
2. Councilmember Jones invited all to the first annual Night Out on Crime on 8-3-2021. Councilmember Jones stated that when a Councilmember is speaking, there should not be rude actions such as talking, rolling eyes, making gestures, etc.
3. Councilmember Overstreet stated that the Charleston Fire Department is losing firefighters to neighboring departments frequently due to higher pay elsewhere. Out of 160, there are only 2 minorities.
4. Councilmember Campbell thanked the Charleston Police Department for working with him. He has become aware of business owners experiencing crime. The City needs to do something to incentivize new recruits. He added that this is vital for Charleston's growth.
5. Councilmember Snodgrass stated that, concerning the CPD, they have to act immediately. She asked if the Administration have met with the officers individually, and asked them what it will take to make them stay.
6. Councilmember Pharr thanked those for reaching out to her concerning her recent family losses. Her niece, Fawn Washington's last wish was for donations of school supplies. She added that African American Heritage Night is on 8-5-2021 at Power Park.
7. Councilmember Faegre stated that she has repeatedly mentioned that the Streets and Refuse Departments are underpaid. She added that there were five dumpster fires on the West Side over the previous week. She wanted some churches and other organizations on the West Side that contribute to the community to receive at least \$50,000 each from the American Rescue Plan Act.

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, Overstreet, Persinger, Pharr, Reishman, Robinson, Sheets, Snodgrass, Steele, Mayor Goodwin

NAYS: None

ABSENT: Jenkins, McKinney, Minardi, Moore

At 9:16 p.m., by a motion from Councilmember Ceperley, Council adjourned until Monday, August 16, 2021, 7:00 p.m., in Council Chamber at City Hall.

Amy Shuler Goodwin, Honorable Mayor

Miles C. Cary II, City Clerk