



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

CITY OF CHARLESTON, WEST VIRGINIA

Regular Meeting – Monday, May 20, 2019

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 in the Chambers of the City Building at 7:00 P.M., for the second meeting in the month of May on the 20th day, in the year 2019, 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 Councilmember Bays. 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****BAILEY****CAMPBELL****FAEGRE****JENKINS****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.

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

PUBLIC SPEAKERS

1. Kristal Reeves – owner of the Purple Leaf Cannabis Dispensary - she introduced herself to Council as a new business in Charleston.

CLAIMS

1. A claim of Kevin Phillips, 117 Tinnel Lane PO BOX 88, Charlton Heights, WV; alleges damage to vehicle.
Refer to City Solicitor.

PROCLAMATIONS

NONE

COMMUNICATIONS

NONE

PUBLIC HEARINGS

1. After duly being published as required, the Mayor declared the floor open for a Public Hearing on Resolution No. 191-19, Authorizing the Mayor, on behalf of the Mayor's Office of Economic and Community Development ("MOECD"), to convey approximately 3,350 square feet of real property at the intersection of Jackson and Thompson Streets in Charleston to Abundant Life Ministries, Inc., a non-profit corporation, in exchange for consideration in the amount of \$5,000. No person from the public came to speak in reference to the Public Hearing. The Mayor declared the Public Hearing CLOSED.

REPORTS OF COMMITTEES

COMMITTEE ON PARKING FACILITIES

Councilmember Jenkins, Chair of the Council Committee on Parking Facilities, submitted the following reports:

1. Your committee on Parking Facilities has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 194-19 do pass.

Resolution No. 194-19 - Authorizing approval of the FY 2019-2020 Parking System Budget as indicated on the attached list of accounts.

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

That the FY 2019-2020 Parking System Budget as indicated on the attached list of accounts is hereby approved.

Councilmember Jenkins explained that the Parking Budget is separate from the General Budget.

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

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

NAYS: NONE

ABSENT: Steele

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 194-19 adopted.

CITY OF CHARLESTON

Municipal Budget **Fiscal Year Ending June 30, 2020**

Section 9

Parking System Budget

CITY OF CHARLESTON
Parking System Budget
Fiscal Year Ending June 30, 2020
Schedule of Revenues

Revenue Category	2017-18 Actual Collected	2018-19 Council Approved	2018-19 Revisions (thru Mar.)	2018-19 Revised Budget	2018-19 Collections (thru Mar.)	2019-20 Admin Proposed
Parking Building Revenues						
Bldg. No. 1 - McFarland						
343-01-0801 Daily	5,477	-	-	-	1,911	-
343-01-0809 Meter - SMART - Credit Card	-	-	-	-	-	800
343-01-0810 Meter - SMART - Park Mobile	-	-	-	-	-	400
343-01-0811 Meter - SMART - Coin	-	-	-	-	1,612	750
343-01-0812 Meter - Mechanical - Park Mobile	-	-	-	-	-	400
343-01-0813 Meter - Mechanical- Coin	-	5,000	-	5,000	1,037	1,000
343-01-0802 Monthly	336,743	314,000	-	314,000	233,234	310,000
343-01-0805 Commercial	147,530	150,000	-	150,000	109,982	145,000
343-01-0808 Special Rates	4,784	7,500	-	7,500	1,604	2,500
Total Building No. 1	494,534	476,500	-	476,500	349,379	460,850
Bldg. No. 2 - Washington						
343-02-0801 Daily	50,610	-	-	-	12,830	20,000
343-02-0813 Meter - Mechanical- Coin	-	50,000	-	50,000	-	-
343-02-0802 Monthly	189,148	183,000	-	183,000	98,040	130,000
343-02-0803 Theatre Parking	15,000	-	-	-	8,750	12,000
343-02-0805 Commercial	75,989	76,000	-	76,000	57,011	75,000
343-02-0807 Theatre Override	32,324	65,000	-	65,000	48,672	65,000
343-02-0808 Special Rates	278	1,000	-	1,000	12	500
Total Building No. 2	363,348	375,000	-	375,000	225,314	302,500
Bldg. No. 5 - Shanklin						
343-05-0801 Daily	45,819	-	-	-	5,511	-
343-05-0809 Meter - SMART - Credit Card	-	-	-	-	-	7,500
343-05-0810 Meter - SMART - Park Mobile	-	-	-	-	-	2,500
343-05-0811 Meter - SMART - Coin	-	-	-	-	27,793	13,000
343-05-0812 Meter - Mechanical - Park Mobile	-	-	-	-	-	4,000
343-05-0813 Meter - Mechanical- Coin	-	45,000	-	45,000	12,031	8,000
343-05-0802 Monthly	153,520	155,000	-	155,000	129,933	175,000
343-05-0808 Special Rates	100,356	100,000	-	100,000	66,029	90,000
Total Building No. 5	299,695	300,000	-	300,000	241,296	300,000
Bldg. No. 6 - Summers						
343-06-0801 Daily	121,730	-	-	-	3,045	-
343-06-0809 Meter - SMART - Credit Card	-	-	-	-	-	14,000
343-06-0810 Meter - SMART - Park Mobile	-	-	-	-	-	10,000
343-06-0811 Meter - SMART - Coin	-	-	-	-	33,547	9,000
343-06-0812 Meter - Mechanical - Park Mobile	-	-	-	-	-	7,000
343-06-0813 Meter - Mechanical- Coin	-	140,000	-	140,000	21,940	15,000
343-06-0802 Monthly	489,196	540,000	-	540,000	397,408	530,000
343-06-0808 Special Rates	3,773	4,500	-	4,500	280	500
Total Building No. 6	614,699	684,500	-	684,500	456,220	585,500
Total Building Revenues	1,772,276	1,836,000	-	1,836,000	1,272,209	1,648,850

CITY OF CHARLESTON
Parking System Budget
Fiscal Year Ending June 30, 2020

Schedule of Revenues

Revenue Category	2017-18 Actual Collected	2018-19 Council Approved	2018-19 Revisions (thru Mar.)	2018-19 Revised Budget	2018-19 Collections (thru Mar.)	2019-20 Admin Proposed
Other Parking Revenue						
327-01-0000 Residential Permit Parking	5,175	5,500	-	5,500	5,220	5,000
342-00-0000 Meter - SMART - Credit Card	-	-	-	-	109,807	100,000
342-01-0000 Meter - SMART - Park Mobile	-	-	-	-	-	35,000
342-02-0000 Meter - SMART - Coin	-	-	-	-	228,855	200,000
342-03-0000 Meter - Mechanical - Park Mobile	-	-	-	-	-	50,000
342-04-0000 Meter - Mechanical- Coin	483,502	438,000	-	438,000	146,088	150,000
343-03-0805 Rent - Commercial	(1,000)	-	-	-	-	-
343-11-0000 Auditorium Lot (Spec. Ev.)	6,574	4,800	-	4,800	2,310	4,000
345-00-0002 Auditorium Lot (Monthly)	6,420	6,500	-	6,500	5,500	7,000
343-15-0000 Morris Square/Morris Street	36,210	40,000	-	40,000	24,571	35,000
343-14-0000 Smith Street Lot	25	-	-	-	5,000	-
343-20-0000 Union Building Parking Lot	29,840	33,000	-	33,000	21,620	30,000
345-00-0000 Rents/Concessions/Leases	79,640	80,000	-	80,000	59,010	80,000
320-00-0000 Police Fines/Court Costs	10,440	12,000	-	12,000	4,680	10,000
320-03-0000 Boot Fees	2,250	3,000	-	3,000	1,500	2,000
321-21-0000 Overtime Meter Violations	124,915	200,000	-	200,000	318,050	180,000
321-22-0000 All Other Parking Violations	213,579	203,000	-	203,000	(32,305)	200,000
321-24-0000 Bagged Meter Fees	-	-	-	-	-	-
381-00-0000 Reimbursements	-	-	-	-	-	-
381-11-0000 Energy Rebates	6,242	-	-	-	-	-
386-00-0000 Insurance Claims	-	-	-	-	-	-
391-00-0000 Recycling Revenue	-	-	-	-	-	-
399-00-0000 Miscellaneous Revenue	1,580	2,000	-	2,000	13,520	2,000
Total Other Revenues	1,005,392	1,027,800	-	1,027,800	913,427	1,090,000
Total Operating Revenue	2,777,668	2,863,800	-	2,863,800	2,185,636	2,738,850
Non-Operating Revenue						
322-00-0085 Transfers from Other Funds	20,150	-	-	-	-	-
365-00-0000 Federal Grants	-	-	-	-	-	-
380-00-0000 Interest on Investments	33,937	35,000	-	35,000	67,600	90,000
380-00-0001 Interest on MBC deposits	11,354	10,000	-	10,000	15,211	20,000
399-05-0000 Cash Over/Short	60	-	-	-	-	-
379-00-0000 Gain/(Loss) Sale of Assets	-	-	-	-	20	-
Total Non-Operating Revenue	65,501	45,000	-	45,000	82,830	110,000
Total System Revenue	2,843,169	2,908,800	-	2,908,800	2,268,466	2,848,850

CITY OF CHARLESTON
Parking System Budget
Fiscal Year Ending June 30, 2020

Schedule of Expenses

406	Parking System	2017-18	2018-19	2018-19	2018-19	2018-19	2019-20
571	Administrative	Actual	Council	Revisions	Revised	Actual	Admin
00		Expended	Approved	(thru Mar)	Budget	(thru Mar)	Proposed
	Personal Services						
000-1-103	Salaries & Wages	672,849	653,833	-	653,833	453,786	661,563
000-1-104	FICA	47,189	50,018	-	50,018	32,385	50,610
000-1-105	Medical & Life Insurance	135,050	171,196	-	171,196	147,720	243,710
000-1-106	Retirement	66,662	60,283	-	60,283	42,052	61,056
000-1-111	Dental/Optical Insurance	12,690	9,046	-	9,046	14,628	8,390
000-1-112	Insurance - Payroll Deduction	(45,320)	(38,371)	-	(38,371)	(25,120)	(36,223)
000-1-113	OPEB-Current	40,000	40,000	-	40,000	-	40,000
	Total Personal Services	929,120	946,005	-	946,005	665,450	1,029,105
	Contractual Services						
000-2-211	Telephone	12,177	20,000	-	20,000	9,011	15,000
000-2-213	Utilities	191,871	200,000	-	200,000	115,590	200,000
000-2-214	Travel	-	7,500	-	7,500	1,681	1,000
000-2-215	Maint. & Repair - Bldg/Ground	78,599	100,000	-	100,000	59,482	46,000
000-2-216	Maint. & Repair - Equipment	22,818	25,000	-	25,000	7,948	25,000
000-2-217	Maint. & Repair - Auto/Truck	9,171	9,700	-	9,700	2,259	9,700
000-2-218	Postage	4,373	5,000	-	5,000	2,541	5,000
000-2-219	Bldg. & Equipment Rents	28,598	33,000	-	33,000	26,302	33,000
000-2-220	Advertising/Legal Publications	287	-	-	-	-	-
000-2-221	Training	-	5,000	-	5,000	564	1,000
000-2-222	Dues & Subscriptions	480	750	-	750	60	750
000-2-223	Professional Services	676	-	-	-	245	-
000-2-226	Insurance - WC and UC	14,371	18,845	-	18,845	12,473	17,495
000-2-227	Insurance	86,713	92,000	-	92,000	58,562	92,000
000-2-230	Contracted Services	195,164	180,000	-	180,000	123,812	275,799
000-2-232	Bank Fees - Lockbox	1,930	2,500	-	2,500	1,345	2,500
001-2-232	Electronic Meter Fees	-	55,000	-	55,000	27,365	55,000
	Total Contractual Services	647,226	754,295	-	754,295	449,239	779,244
	Commodities						
000-3-341	Material & Supplies	56,866	50,000	-	50,000	45,763	50,000
000-3-343	Gas, Oil and Tires	8,432	8,000	-	8,000	4,037	8,000
000-3-345	Uniforms	6,404	7,500	-	7,500	1,944	7,500
	Total Commodities	71,701	65,500	-	65,500	51,744	65,500
	Other						
000-5-566	Transfers to Other Funds	808,845	713,000	-	713,000	-	900,000
	Total Operating Expenses	2,456,892	2,478,800	-	2,478,800	1,166,434	2,773,850
000-6-670	Other Interest	-	-	-	-	-	-
000-6-672	Amorization of Bond Discount	-	-	-	-	-	-
000-6-672	Interest on Bonds	-	-	-	-	-	-
000-6-674	Bond Service Charge	-	-	-	-	-	-
000-6-676	Bad Debts	-	-	-	-	-	-
	Total Non-Operating Expenses	-	-	-	-	-	-
	Total Expenses	2,456,892	2,478,800	-	2,478,800	1,166,434	2,773,850

CITY OF CHARLESTON
Parking System Budget
Fiscal Year Ending June 30, 2020

		Other Expenditures					
406	Parking System	2017-18	2018-19	2018-19	2018-19	2018-19	2019-20
571	Administrative	Actual	Council	Revisions	Revised	Actual	Admin
00		Expended	Approved		Budget	(thru Mar)	Proposed
	000-4-456 C/O - Land	-	-	-	-	-	-
	000-4-458 C/O - Major Improvements	12,399	-	-	-	518,654	-
	000-4-459 C/O - Equipment	288,443	55,000	-	55,000	88,786	75,000
	000-4-461 C/O - Lease Purchase	-	-	-	-	-	-
	Total Capital Outlays	300,842	55,000	-	55,000	607,440	75,000
	Total All Expenses & Capital Outlays	2,757,734	2,533,800	-	2,533,800	1,773,874	2,848,850

CITY OF CHARLESTON
Parking System Budget
Fiscal Year Ending June 30, 2020

Schedule of Cash

	Cash Basis
Total Operating Revenues	2,738,850
Total Non-Operating Revenues	<u>110,000</u>
Total System Revenues	2,848,850
Total Operating Expenses	2,773,850
Total Non-Operating Expenses	<u>-</u>
Total System Cash Expenses	2,773,850
Excess Revenues over Cash Expenses	75,000
Other Cash Outflows:	
Capital Outlay Expenditures	75,000
Principal on Debt Service	<u>-</u>
Total Other Outflows	75,000
Total Cash Outflows	2,848,850
Net Cash Flow	0

Schedule of Non-Cash Expenses

	2019-20 Estimate
Depreciation	837,644
OPEB Long Term	<u>375,000</u>
Total Non-Cash Expenses	1,212,644

CITY OF CHARLESTON
Parking System Budget
Fiscal Year Ending June 30, 2020
Schedule of Capital Outlay Expenditures

Equipment	
Parking Garage Sweeper	75,000
Total Equipment	<u>75,000</u>
Total Capital Outlay	75,000

CITY OF CHARLESTON
Parking System Budget

Parking System Schedule of Authorized Positions

Fiscal Year Ending June 30, 2020

CURRENT			PROPOSED		
Position	Grade/ Class	FY 19 # Emp	Position	Pay Grade	FY 20 # Emp
Deputy Director Parking Operations	119	1	Director Parking Operations	119	1
Lead Parking Technician	107	1	Lead Parking Technician	107	1
Lead Maintenance Worker	107	1	Lead Maintenance Worker	107	1
Lead Parking Enforcement Specialist	107	1	Lead Parking Enforcement Specialist	107	1
Parking Technician	105	9	Parking Technician	105	9
Meter Maintenance	105	1	Meter Maintenance	105	1
Parking Collection & Support Tech.	105	4	Parking Collection & Support Tech.	105	4
		<u><u>18</u></u>			<u><u>18</u></u>

CITY OF CHARLESTON
Municipal Budget
Fiscal Year Ending June 30, 2020

Parking System Schedule of Wages & Salaries

CURRENT		PROPOSED	
Department/Wage Type	Amount	Department/Wage Type	Amount
<u>Parking System (406)</u>		<u>Parking System (406)</u>	
Elected Wages & Salaries	-	Elected Wages & Salaries	-
Regular Wages & Salaries	586,833	Regular Wages & Salaries	594,563
Irregular Part Time (IPT)	51,000	Irregular Part Time (IPT)	51,000
Overtime	16,000	Overtime	16,000
Pro-Pay	-	Pro-Pay	-
Tool Allowance	-	Tool Allowance	-
	<u>653,833</u>		<u>661,563</u>

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. 190-19 do pass.

Resolution No. 190-19 - Authorizing the Mayor or City Manager to enter into a Memorandum of Understanding with West Virginia State University, attached as Exhibit A hereto, permitting an archaeological investigation at Fort Scammon.

WHEREAS, as part of its instructional curriculum, West Virginia State University has proposed to conduct archeological excavations at Fort Scammon with Dr. W. Stephen McBride leading the investigation; and

WHEREAS, these archaeological investigations and mapping will generate the data necessary to more accurately interpret this Civil War fort and preserve its below ground resources;

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

That the City Manager or his designee is hereby authorized to enter into a Memorandum of Understanding with West Virginia State University, attached as Exhibit A hereto, permitting an archaeological investigation at Fort Scammon.

Councilmember Jenkins stated that this will be a great opportunity to teach archaeology to local students.

Councilmember Jenkins moved to approve the Resolution. Councilmember Ceperley seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution 190-19 adopted.

Memorandum of Understanding for
Archaeological Investigations at
Fort Scammon, Charleston, West Virginia

THIS AGREEMENT is made as of this _____ day of May, 2019, between **THE CITY OF CHARLESTON**, a municipal corporation, hereinafter called “**City**,” and **THE DEPARTMENT OF SOCIAL & BEHAVIORAL SCIENCE OF WEST VIRGINIA STATE UNIVERSITY**, hereinafter called “**WVSU**.”

WHEREAS, as part of its instructional curriculum, West Virginia State University has proposed to conduct archeological excavations at Fort Scammon in Charleston, West Virginia, with Dr. W. Stephen McBride leading the investigation; and

WHEREAS, these archaeological investigations and mapping will generate the data necessary to more accurately interpret this Civil War fort and preserve its below ground resources.

WITNESSETH:

1. WVSU will conduct an archaeological investigation at Fort Scammon (hereinafter the “Investigation”) to locate, expose, and map features associated with the powder magazine, revetments, and gun platform locations to better understand their construction so that they may be accurately interpreted and the features preserved for the future.
2. Based upon the archaeologist’s recommendations following the 2016 investigation, the proposed 2019 investigation will focus on further excavation and exposure of the powder magazine, further excavation of the rampart/parapet in order to expose the interface between a gun platform and rampart/parapet, and locating and exposing outer walls of the fort (hereinafter the “Fieldwork”).
3. Students enrolled in WVSU’s Summer Field School will carry out Fieldwork under the supervision of Dr. McBride with assistance from WVSU History professors Dr. Michael E. Workman and Dr. Billy Joe Peyton. All soil from Civil War era strata and features will be sifted through ¼ inch mesh wire screens and artifacts will be collected. Excavation units, trenches, and features will be mapped and photographed, and an overall site map will be completed using survey equipment and a GPS instrument.
4. The Fieldwork will be performed between the hours of 8:00 am and 5:00 pm.
5. Upon the completion of Fieldwork:
 - a) the recovered artifacts will be processed according to West Virginia State Historic Preservation Office (SHPO) standards. All artifacts will be washed, identified, cataloged, and then placed in curation quality zip-lock bags and labeled by artifact type and provenience.
 - b) WVSU agrees to restore the area disturbed to approximately its original condition (e.g., grading, seeding, replanting, and/or replacement of gravel, etc.)
6. City agrees to take all actions necessary to allow WVSU authority to enter the property upon which the Investigation is to be performed. WVSU shall take all reasonable precautions to minimize any damage to the property covered by this Agreement, and to any adjoining property. WVSU acknowledges and agrees that any cost of correction, repair or replacement to such property, or adjoining properties shall be borne by solely WVSU.
7. During the performance of the Investigation, WVSU shall be solely responsible for putting in place adequate safety measures and warnings for pedestrians, and shall exercise reasonable care in restricting access to the ongoing Investigation when no WVSU personnel are on site.
8. WVSU and City agree that as between WVSU and City, WVSU shall be responsible for any and all suits, claims, liability,

losses, liens and demands, fines, costs, criminal and civil penalties, causes of action or any other obligations arising out of or in any manner connected with the Investigation, including (without limitations) liability involving bodily injury, death, property damage or any violation or alleged violation of any Federal, State or local law or regulation, except for any liability or damages due to the willful or intentional unlawful acts or negligence of City, its employees, agents, or contractors. WVSU shall be solely responsible for the safety and protection of all of its students and employees and for all physical injuries or death to its students, agents, and employees.

9. Should any human remains be encountered during the Investigation, WVSU agrees that all work will immediately cease and the West Virginia State Historic Preservation Office (hereinafter “SHPO”) and law enforcement will be contacted and all relevant federal, state, and local laws will be followed. No remains will be disinterred or moved without the appropriate permits. No photographs of human remains will be displayed or published. No member of the public shall be allowed to view human remains.

10. As a result of the Investigation, WVSU will produce a final project report that will include: (i) a brief historical account of the site; (ii) a description of the methods utilized and results of the Investigation; (iii) mapping; (iv) an artifact inventory; and (v) recommendations for future research, preservation, and interpretation of Fort Scammon. WVSU shall provide the final project report to the City, SHPO, and the Council for West Virginia Archaeology.

11. WVSU agrees that any final report, published results, or advertisement arising from the Investigation will include acknowledgment of the corporation of the City of Charleston.

12. Artifacts from this Investigation will be collected for the public domain. After processing, artifacts will be presented to the City of Charleston for curation.

13. If WVSU should fail to perform the Investigation in a professional manner, or create a public nuisance or hazard, the Parties agree that they will exercise good faith and commercially reasonable efforts to resolve any dispute through negotiation. If no reasonable resolution is reached through negotiation, City may, in its sole discretion and upon written notice to WVSU, amend the terms of this Agreement, or terminate this Agreement.

IN WITNESS WHEREOF, The Parties have caused this Agreement to be properly executed by their officer thereunto duly authorized.

THE CITY OF CHARLESTON,
a municipal corporation

Department of Social & Behavioral Science
West Virginia State University

By _____

By _____

Its _____

Its _____

2. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 191-19 do pass.

Resolution No. 191-19 - Authorizing the Mayor, on behalf of the Mayor's Office of Economic and Community Development ("MOECD"), to convey approximately 3,350 square feet of real property at the intersection of Jackson and Thompson Streets in Charleston to Abundant Life Ministries, Inc., a non-profit corporation, in exchange for consideration in the amount of \$5,000, pursuant to the authority of Sec. 3-13 of the Code of Charleston.

WHEREAS, the MOECD acquired the real property consisting of approximately half of the empty lot at the corner of Jackson and Thompson Streets ("the property") on February 3, 1999, as a donation;

WHEREAS, more than 20 years have passed since the acquisition of the property, MOECD has not developed the property into productive use, and the City Council finds that there is a lack of need for the property by the city in comparison to the benefit to the City if the property is conveyed;

WHEREAS, Abundant Life Ministries, Inc., is a non-profit corporation that has obtained the approval of the Board of Zoning Appeals to develop the property into a parking lot in order to allow for additional development on the current Abundant Life Ministries, Inc., parking lot to facilitate the creation of a community center;

WHEREAS, City Code Sec. 3-13 allows the City of Charleston to convey property to non-profit organizations for less than fair market value, and without public auction, when the nonprofit organization is providing services that benefit the public and are services that the City could lawfully provide; and

WHEREAS, there is a demonstrable need for the property by Abundant Life Ministries, Inc., to be able to develop a community center that will perform services benefitting the City and to facilitate parking for that community center, which is a further benefit to the City.

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

That the Mayor, on behalf of the Mayor's Office of Economic and Community Development ("MOECD") is hereby authorized to convey approximately 3,350 square feet of real property at the intersection of Jackson and Thompson Streets in Charleston to Abundant Life Ministries, Inc., a non-profit corporation, in exchange for consideration in the amount of \$5,000, pursuant to the authority of Sec. 3-13 of the Code of Charleston. The deed conveying the property to Abundant Life Ministries, Inc., shall contain reversion wording required by Sec. 3-13(b), which

specifically states the following: “In the event the nonprofit organization should cease to provide such services to the public, the property shall by operation of law, revert to and vest in the city, and such nonprofit organization shall thereafter have no right, title, or interest therein or thereto.” The City shall deliver the deed to Abundant Life Ministries, Inc., after receiving the \$5,000 in consideration and it shall be the responsibility of Abundant Life Ministries, Inc., to record the deed.

Councilmember Jenkins added that the Committee believes it is in the best interest of the City to provide the low market purchase price to Abundant Life Ministries, who provides services to the community and will put the lot to good use.

Councilmember Jenkins moved to approve the Resolution. Councilmember Ceperley seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution 191-19 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. 192-19 do pass.

Resolution No. 192-19 Authorizing the Mayor to sign and submit to the U. S. Department of Housing and Urban Development the Annual Action Plan for Program Year 2019 (July 1, 2019-June 30, 2020), year 5 of the Consolidated Plan, and all required certifications and agreements including sub-recipient project agreements, relating to the Annual Action Plan.”

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

That the Mayor is hereby authorized and directed to sign and submit to the U. S. Department of Housing and Urban Development the Annual Action Plan for Program Year 2019 (July 1, 2019-June 30, 2020), year 5 of the Consolidated Plan, and all required certifications and agreements including sub-recipient project agreements relating to the Annual Action Plan.

Councilmember Jenkins added this is the approval of the plan from the MOECD for the CDBG Grants that fund many local organizations and low/moderate income areas of the City as well as infrastructure improvements including the ADA accessible curbs and upgrades to three (3) of the eligible community centers.

Councilmember Jenkins moved to approve the Resolution. Councilmember Ceperley seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution 192-19 adopted.

2019 CDBG Proposed Projects

Activity/Description	Amount
CDBG	
CORP Admin - (Charleston Owner-Occupied Rehabilitation Program) Administration – These funds will be used for the services and delivery costs of the CORP.	100,000.00
CD Admin - These funds will be used for the administration of the Community Development Block Grant Program.	288,655.00
Planning Admin - These funds will be used for Housing & Blight Analysis Mapping	11,700.00
Sidewalks - This activity will provide for the repair and/or replacement of ADA accessible ramps low income areas of Charleston.	120,000.00
Demolition - Asbestos abatement and demolition of substandard structures throughout Charleston to eliminate health and safety hazards.	175,000.00
Demolition Admin - Service Delivery costs of the demolition program.	25,000.00
Charleston Kanawha Housing Authority - Littlepage Community Playpark - Walkways, benches, protective fall area & accessible play equipment	24,942.00
City of Charleston Parks & Rec - MLK Community Center - Replace Flooring & Repair/Replace A/C units	67,154.00
City of Charleston Parks & Rec - North Charleston Community Center - Repair/Replace A/C Units	42,000.00
City of Charleston Parks & Rec - Roosevelt Community Center - Update women's restroom in gym	2,500.00
City of Charleston Parks & Rec - Slack Plaza - Site preparation & construction of City park	150,000.00
CORP Rehab - (Charleston Owner-Occupied Rehabilitation Program) – Funding for rehabilitation projects for low-to-moderate income families living in the city of Charleston.	200,000.00
City Owned Shelter RSLC Giltinan Center - Major Renovations - Major renovations to RSLC Giltinan Center	10,000.00
COB RCCR Smith Street Station - Major Renovations - Major renovations to Smith Street Station.	10,000.00
COB YWCA Mel Wolf Child Development Center - Major Renovations - Major renovations to YWCA Child Development Center daycare facility	10,000.00
City Owned Shelter YWCA Sojourners - Major Renovations - Major renovations to YWCA Sojourners	10,000.00
Bob Burdette Center - Funding for this afterschool program with locations at 1401 Washington Street, W, 1009 Woodward Drive, 100 Florida St and 550 Hawks Ridge Rd will assist with direct provider salary, benefits & payroll taxes	10,000.00

2019 CDBG Proposed Projects

<u>Activity/Description</u>	<u>Amount</u>
Covenant House, LLC - Funding for this project located at 600 Shrewsbury Street, Charleston, WV 25301 will assist with Centralized Assessment staff salary, benefits & payroll taxes	8,500.00
Daymark - Patchwork - Funding for this program, Patchwork, a crisis intervention center and shelter for youth, located at 1583 Lee Street, Charleston, 25311, will assist with direct provider salaries	20,000.00
Kanawha Valley Fellowship Home - Funding for this halfway house for men recovering from substance abuse will assist with utility expenses at the facilities located at 1121 Virginia Street and 1327 Quarrier Street, Charleston 25301.	15,000.00
Keep Your Faith Foundaton - Raised garden bed kits and supplies for West Side Grown Project located at 305 Delaware Avenue	2,050.00
Pro-Kids, Inc. - Funding for this after school program located at 209 Morris Street, Charleston, 25301, will assist with direct service provider salaries, benefits & payroll taxes.	18,000.00
REA of Hope Fellowship Home - Funding for this halfway house for recovering alcoholic women, located at 1429 Lee Street, Charleston 25301, will assist with utility expenses.	7,500.00
RCCR - Smith Street Station - Funding for this 29 unit low income apartment building, located at 801 Smith Street, Charleston, 25301, will assist with utility expenses.	24,000.00
Roark Sullivan Lifeway Center Health Care Program - Funding to assist with salary, benefits & payroll taxes for the Health Care Outreach Program based at the RSLC located at 505 Leon Sullivan Way, Charleston, WV 25301.	16,000.00
West Virginia Health Right - This facility which offers health care and medications and to the homeless and needy citizens in Charleston and surrounding areas is located at 1520 Washington Street, East, Charleston, 25311. Funding will assist with the purchase of medications and medical supplies/dental supplies & consumables.	48,000.00
WV State University - This pilot program will instruct coding programming for K-5 youth at 100 Florida Street, Charleston, WV 25302. Funds will assist with salaries, benefits and the purchase of laptops & software	20,000.00
WV Women Work - This program, Step Up for Women, offers a skilled trade training class for women. Funds will assist with salaries, benefits & payroll taxes & rent. Program is based at 3601 James Street, Charleston, WV 25387	6,300.00
YWCA - Resolve Family Abuse Program - Funding provided will assist with utility expenses for this DV shelter.	5,000.00
YWCA - SOJOURNERS - Emergency shelter for homeless women and families, located at 1418 Washington Street, East, Charleston, WV 25301. Funding provided will assist salary, benefits & payroll expenses of the substance abuse counselor.	10,000.00
Unprogrammed Funds - Funds for emergency projects and overruns during the program year.	44,474.00

2019 CDBG Proposed Projects	
<u>Activity/Description</u>	<u>Amount</u>
Total CDBG	1,501,775.00
HOME	
HOME Admin - Administrative funds for the Home program	62,472.60
HOME/PROJECT - Funds allocated to qualified persons/families in the city of Charleston and Kanawha County to assist first-time homebuyers with downpayment, closing costs and mortgage subsidies.	468,544.50
HOME/CHDO - Funds allocated to qualified Community Housing Development Organizations (CHDO's) in the city of Charleston and Kanawha County.	93,708.90
Total HOME	624,726.00
Total Grant Funds	2,126,501.00

4. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 193-19 do pass.

Resolution No. 193-19 - Authorizing approval of Amendment No. 9 in the FY 2018- 2019 General Fund Budget as indicated on the attached list of accounts.

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

That the approval of Amendment No. 9 in the FY 2018- 2019 General Fund Budget as indicated on the attached list of accounts.

Councilmember Jenkins added that the amendment shifts unused funds from City Engineering and Planning Departments to the City Manager's Office to potentially hire summer interns. Additionally, excess funds from Public Works' salt budget will be transferred to the Mayor's Discretionary Fund to assist with the resurfacing of the Laidley Field track.

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

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

NAYS: NONE

ABSENT: Steele

With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution No. 193-19 adopted.

General Fund FY 2018-2019 Budget Amendment No. 9 - May 20, 2019

Account No.	Department	Account Description
Amount		

00 42 00 0001 103	Engineering	Salaries & Wages	(3,500)
00 42 00 0001 104	Engineering	FICA	(268)
00 43 00 0001 103	Planning	Salaries & Wages	(12,000)
00 42 00 0001 104	Planning	FICA	(918)
00 41 00 0001 103	City Manager	Salaries & Wages	15,500
00 41 00 0001 104	City Manager	FICA	1,186

To reallocate irregular part time (IPT) wages to allow for hiring of a summer intern.

Account No.	Department	Account Description
Amount		

00175000 000 3 359	Street	Snow Removal Materials	(134,000)
00141200 000 2 214	City Manager	Travel	(48,000)
00141200 000 2 221	City Manager	Training	(5,500)
00140900 000 5 568	Mayor's Office - Discretionary	Other Contributions	187,500

To reallocate unneeded funds budgeted for snow removal and the City Manager's training and travel to the Mayor's Discretionary Contributions.

5. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 196-19 do pass.

Resolution No. 196-19 - Authorizing the Mayor or City Manager to apply for and administer up to \$5,000 in grant funds from the West Virginia Department of Environmental Protection's REAP Program to offset costs associated with City-wide cleanup events. The grant's matching requirements will be satisfied through in-kind services provided during the cleanup events.

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

That the Mayor or City Manager is authorized to apply for and administer up to \$5,000 in grant funds from the West Virginia Department of Environmental Protection's REAP Program to offset costs associated with City-wide cleanup events.

Councilmember Jenkins added this is in association with the April Team-Up-to-Clean-Up Event. The Finance Committee recognizes that the events fostered a sense of pride in the communities

Councilmember Jenkins moved to approve the Resolution. Councilmember Ceperley seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution 196-19 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. 197-19 do pass.

Resolution No. 197-19 - Authorizing the Mayor or City Manager to submit a grant application to the Federal Emergency Management Agency (FEMA) Port Security grant program in the amount of \$875,500.00 for the purchase of a new boat for the Charleston Fire Department and administer any funds received. The estimated boat purchase price is \$700,400, and the grant requires a 25% in-kind or cash match that will be met with manpower hours for emergency responses, special events, fuel, maintenance and boat storage costs over a period of three years. Total grant application, including in-kind contributions, is \$875,500.00.

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

The Mayor or City Manager is authorized to submit a grant application to the Federal Emergency Management Agency (FEMA) Port Security grant program in the amount of \$875,500 for the purchase of a new boat for the Charleston Fire Department and administer any funds received.

Councilmember Jenkins stated that the Finance Committee recognizes that the current Fire Department boat is in need of an upgrade.

Councilmember Jenkins moved to approve the Resolution. Councilmember Ceperley seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared Resolution 197-19 adopted.

7. Your committee on Finance has had under consideration the following committee report, and reports the same to Council with the recommendation that committee report do pass.

The Purchase of Personal Protective Equipment for the Charleston Fire Department Rapid Response Team in the amount of \$32,050.50.

To be charged to Account No. 045-000-19-001-3-341, 2018 Homeland Security Grant RRT

Councilmember McKinney noted that the amount on the copy in the Council Packet had a different purchase amount listed. Councilmember Jenkins replied that an addition error was noted and corrected during the Finance Committee meeting.

Councilmember Jenkins moved to approve the Committee Report. Councilmember Ceperley seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the Committee Report adopted.

Personal Protective Equipment for CFD
Rapid Response Team (RRT)

Bid Opening: May 9, 2019 @ 11:00 a.m.

		Finley Fire Equipment Co. Inc. 5255 N St. Rt. 60 NW McConnelsville, OH 43756 P: (740) -962-4328 F: (740) -962-5244 jparsons@finleyfire.com			Galls LLC 1340 Russell Cave Road Lexington, KY 40505			Bob Barker Company Inc. 7925 Purfoy Road Fuquay-Varina, NC 27526 P: (919) 946-2137 F: (800) 322-7537 taliahair@bobbarker.com		
		Quantit	Manufacturer	Unit Cost	Total Cost	Manufacture	Unit Cost	Total Cost	Manufactur	Unit
Long Sleeve Rip Stop Jacket	53	Propper	\$52.00	\$2,756.00	Propper	\$33.50	\$1,775.50	Propper	\$34.00	\$1,802.00
Rip Stop Pants	53	Propper	\$25.00	\$1,325.00	Propper	\$27.50	\$1,457.50	Propper	\$24.50	\$1,298.50
Globe USAR Boots	53	Globe	\$390.00	\$20,670.00	Globe	\$399.00	\$21,147.00	No Bid	\$0.00	\$0.00
WolfPak Vest	24	N/A	\$0.00	\$0.00	Wolfpack	\$345.00	\$8,280.00	No Bid	\$0.00	\$0.00
Shipping				\$0.00			\$0.00			\$0.00
Delivery	90 - 120 days			30 days			Delivery date not listed			

Total Bid	\$24,751.00	\$32,660.00	\$3,100.50
------------------	--------------------	--------------------	-------------------

8. Your committee on Finance has had under consideration the following committee report, and reports the same to Council with the recommendation that committee report do pass.

The purchase of fifteen 2020 Ford Police Interceptor Utility Vehicles with All Wheel Drive from Stephens Auto Center, 104 Stephens Drive, Danville, WV, which recently was awarded a state contract for law enforcement vehicles through a competitive agency procurement with the West Virginia State Police. Stephens Auto Center has agreed to honor the state contract pricing for the City of Charleston. The price per vehicle is \$36,069, and the total purchase price is \$541,035. The purchased vehicles will replace current vehicles in the police fleet according to a standard replacement cycle.

To be charged to Account No. 001-976-00-700-4-459, Public Safety Capital Outlay

Councilmember Jenkins added this is for a regular vehicle rotation as the police patrol vehicles experience heavy mileage of over one hundred thousand miles (100,000).

Councilmember Sheets asked if bullet proof doors will be on the vehicles. Councilmember Jenkins answered that to date, the only purchase of vehicles with bullet proof doors was in 2013. He also added that it was costly, and that when the vehicles are rotated out of use and put up for public auction, those doors have to be removed which is also costly. Deputy Chief Perdue represented the patrol officers in saying that this is not a feature they feel is essential to their safety.

Councilmember Cook asked what will be done with the vehicles that are being replaced. It was answered that they will be put up for public auction.

Councilmember Jenkins moved to approve the Committee Report. Councilmember Ceperley seconded the motion. With a majority of members elected recorded thereon as voting in the affirmative the Mayor declared the Committee Report adopted.

REPORTS OF OFFICERS

1. Municipal Court Report to City Council Month Ending April 2019.
Received and Filed.
2. City Treasurer's Report to City Council Month Ending April, 2019.
Received and Filed.

NEW BILLS

Introduced by Councilmember Caitlin Cook on May 20, 2019:

Bill No. 7819 - A BILL to amend the Code of the City of Charleston, by adding thereto a new section within Chapter 78, Article IV, designated 78-235, relating to access to health care facilities and picketing activities at health care facilities; preserving a right to protest; protecting patients from obstructions to their entry or exit from a health care facility; creating misdemeanor offenses for certain violations; and preserving a private right of action in addition to the criminal penalties. Refer to Ordinance and Rules Committee

MISCELLANEOUS/UNFINISHED BUSINESS

1. Councilmember Jones asked if the City Attorneys can draft tougher fines for property owners that let their burnt out properties stay vacant.
2. Councilmember Sheets thanked Councilmember Steele for setting up Narcan Training.

ADJOURNMENT

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

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

NAYS: NONE

ABSENT: Steele

At 7:45 p.m., by a motion from Councilmember Ceperley, Council adjourned until Monday, June 3, 2019, at 7:00 p.m., in the Council Chamber in City Hall.

Amy Shuler Goodwin, Honorable Mayor

Miles C. Cary, City Clerk