

MINUTES
FINANCE COMMITTEE MEETING
6:15 P.M., AUGUST 16, 2021
AV ROOM #308, CITY HALL

Joseph Jenkins, Chairperson, called the meeting of the Charleston City Council Committee on Finance to order at 6:15 p.m., August 16, 2021.

A silent roll was taken by the Clerk and a quorum was established. The following committee members were present:

Joseph Jenkins, Chair
Bobby Reishman, Vice Chair
Ben Adams
Brent Burton (arrived at 6:16, after approval of the minutes)
Becky Ceperley
Mary Beth Hoover

Absent:
None

Other Councilmembers present:
Chad Robinson

I. DISCUSSION:

a. Approval of Previous Minutes - Councilmember Reishman asked for unanimous consent to dispense with the reading of the minutes for the August 2, 2021 meeting and that they be approved as distributed. There were no objections, and the minutes were approved.

II. RESOLUTIONS:

- a. Resolution No. 523-21 – Authorize the Mayor or City Manager to submit an application to the WV Governor’s Highway Safety Program in the amount of \$518,000 and administer any funds awarded. These funds will be used to reimburse overtime expended by Charleston Police and law enforcement agencies in the eight-county Metro Valley Highway Safety Region for enforcement activities including DUI, seat belt, child restraint, work zone safety, distracted and aggressive driving, equipment purchases and travel/training, as well as partial reimbursement for the CPD Highway Safety Coordinator and Assistant’s salaries.

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

That the Mayor or City Manager is authorized to submit an application to the WV Governor’s Highway Safety Program in the amount of \$518,000 and administer any funds awarded. These funds will be used to reimburse overtime expended by Charleston Police and law enforcement agencies in the eight-county Metro Valley Highway Safety Region for enforcement activities including DUI, seat belt, child restraint, work zone safety, distracted and aggressive driving, equipment purchases and travel/training, as well as partial reimbursement for the CPD Highway Safety Coordinator and Assistant’s salaries.

Public Service - activities to assist homeless and low- to- moderate income individuals or households in response to Covid-19.

\$423,000

Unprogrammed Funds – Funds to assist with cost overruns and emergencies for coronavirus efforts.

\$30,897

City Manager, Jonathan Storage, added that the resolution is for a grant program that the City has administered for over 20 years, and has partnered with other municipalities and jurisdictions to help coordinate the funds.

Councilmember Jenkins asked if the amount listed was typically what the City has received. Grant Coordinator, Melissa Taylor, replied that it was a typical amount, although it has steadily increased over the 20 years. She added that the amount has almost tripled for this year.

Councilmember Reishman moved to approve the Resolution. With members present recorded thereon as voting unanimously in the affirmative, Chairperson Jenkins declared Resolution No. 523-21 approved.

- b. Resolution No. 524-21 – Authorizing the Mayor or City Manager to enter into a contract with HDR Engineering, Inc. in an amount not to exceed \$49,768.93 to complete a traffic study at the intersection of Virginia Street West and Delaware Avenue, where the study will include, but is not limited to, the evaluation of current traffic conditions, pedestrian characteristics, and physical characteristics of the intersection to accommodate increased pedestrian traffic.

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 HDR Engineering, Inc. in an amount not to exceed \$49,768.93 to complete a traffic study at the intersection of Virginia Street West and Delaware Avenue, where the study will include, but is not limited to, the evaluation of current traffic conditions, pedestrian characteristics, and physical characteristics of the intersection to accommodate increased pedestrian traffic.

Storage added that the resolution refers to the 5-Corners section on the West Side. There has been an increase in pedestrian traffic due to the recent move of HealthRite to the area. Some crosswalk deficiencies, etc. have been identified, so a study is needed to accurately calibrate the timing for traffic devices.

Councilmember Adams what was the timing for the study. Storage replied that the intent was to begin within the next two weeks, and will be a three to four month process.

Councilmember Jenkins asked if it would be possible to address discussions that have been had concerning converting one-way streets to two-way streets. He asked if the study would still be effective if one of the streets involved was converted to a two-way street. Director of Streets and Traffic, Matt Hartline, replied that they could discuss that possibility with the firm.

Councilmember Reishman moved to approve the Resolution. With members present recorded thereon as voting unanimously in the affirmative, Chairperson Jenkins declared Resolution No. 524-21 approved.

- c. Resolution No. 525-21 - Authorizing the Mayor or City Manager to enter into an Agreement with Environmental Systems Research Institute, Inc. ("ESRI"), for a total of \$112,000.00 for a three-year software license agreement for the Geographic Information System ("GIS") software licenses for the Information Systems Department.

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

That the Mayor or City Manager is authorized to enter into an Agreement with Environmental Systems Research Institute, Inc. ("ESRI"), in the amount of \$112,000.00 for a three-year software license agreement to upgrade the current Geographic Information System ("GIS") software licenses for the Information Systems Department.

Storage added that the City has been using the mapping system for many years, specifically by the IS and Planning Departments. He added that the three-year contract is at a reduced rate.

Councilmember Jenkins added that the program is a very useful and powerful tool. He confirmed that the change in rate was due to population decrease.

Councilmember Reishman moved to approve the Resolution. With members present recorded thereon as voting unanimously in the affirmative, Chairperson Jenkins declared Resolution No. 525-21 approved.

- d. Resolution No. 526-21 - Authorizing the Mayor or City Manager to enter into a contract with Suttle & Stalnaker, PLLC in the amount of \$85,000 to perform pension calculations on behalf of the Charleston Firemen's Pension and Relief Fund Board of Trustees to determine whether current pension distributions conform with applicable State law.

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 Suttle & Stalnaker, PLLC in the amount of \$85,000 to perform pension calculations on behalf of the Charleston Firemen's Pension and Relief Fund Board of Trustees to determine whether current pension distributions conform with applicable State law.

Storage added that the Municipal Pension Oversight Board had alerted the City to the fact that there may be miscalculations in pensions as prior secretaries for the Charleston Fire Pension Board were not using the State calculator tool. It was also recommended that the City use an outside firm.

Councilmember Jenkins confirmed with Storage that payment for the audit would come from the City Manager's Professional Services account.

Councilmember Reishman moved to approve the Resolution. With members present recorded thereon as voting unanimously in the affirmative, Chairperson Jenkins declared Resolution No. 526-21 approved.

- e. Resolution No. 527-21 - Authorizing the General Manager of the Charleston Coliseum & Convention Center to enter into a contract with ESI Production Services in the amount of \$61,049.67 to install a sound system for the performance theater located within the Charleston Coliseum & Convention Center, where the contract will first be reviewed by the City Solicitor for approval as to form.

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

That the General Manager of the Charleston Coliseum & Convention Center is authorized to enter into a contract with ESI Production Services in the amount of \$61,049.67 to install a sound system for the performance theater located within the Charleston Coliseum & Convention Center, where the contract will first be reviewed by the City Solicitor for approval as to form.

Executive Director of the Charleston Coliseum & Convention Center, Patrick Leahy, added that the proposed permanent, state of the art sound system would eliminate the need to rent equipment for concert events.

Councilmember Reishman moved to approve the Resolution. With members present recorded thereon as voting unanimously in the affirmative, Chairperson Jenkins declared Resolution No. 527-21 approved.

- f. Resolution No. 528-21 - Authorizing settlement of pending disputed claims against the City in the matter known as Johnny L. Barker v. City of Charleston, et al., Civil Action No. 2:20-cv-00357 in the United States District Court for the Southern District of West Virginia, as recommended by the City Solicitor.

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

That the City Council hereby authorizes and approves the settlement of pending disputed claims against the City by Johnny L. Barker, as contained in Civil Action No. 2:20-cv-00357 in the United States District Court for the Southern District of West Virginia, in the amount of \$45,000, as recommended by the City Solicitor. The City Council authorizes the City Solicitor and City Manager to take all necessary steps to finalize resolution of the claims.

City Attorney, Kevin Baker, added that the incident involved a homeowner who called the police on a trespasser inside a vacant house. After repeated warnings to exit a crawlspace, a canine was released. The individual suffered injuries due to this, and was in the hospital for approximately 14 days, and accrued approximately \$300,000 in medical bills. Baker added that they brought a lawsuit against the City, which they have been defending over the last year. The City won a vast majority of the case on summary judgement, with trial being set for next week. Baker's recommendation to settle is based on the potential risk if the City did not succeed at trial. While he does believe the City would succeed. The cost of going to trial would likely exceed the proposed settlement amount.

Councilmember Ceperley asked if settling would set a precedent for future lawsuits. Baker replied that he couldn't speak to how the public would view it, but he has to analyze every incident individually to determine what is in the best interest of the City. He added that the judges order was in the City's favor for the vast majority of the case, which is good for the City to have as a precedent. Baker added that he was not concerned about a negative precedence in this scenario.

Councilmember Reishman moved to approve the Resolution. With members present recorded thereon as voting in the majority as affirmative, with at least one recognized Nay from Ceperley, Chairperson Jenkins declared Resolution No. 528-21 approved.

III. DISCUSSION:

Councilmember Jenkins asked the Committee if they would want to move back to meeting virtually in light of the Delta variant and increases in Covid-19. Councilmembers Reishman and Ceperley mentioned that they would prefer to keep meeting in person.

Councilmember Reishman motioned to adjourn the meeting.
Meeting adjourned.