

CHARLESTON CITY COUNCIL

Regular Meeting

October 4, 2021

at 7:00 PM



THIS MEETING WILL TAKE PLACE IN PERSON AND CAN BE VIEWED LIVE VIA

<https://charlestonwv.civicclerk.com/web/home.aspx>

Council Chambers, Third Floor
City Hall, 501 Virginia St. E.
Charleston, WV

AGENDA

CALL TO ORDER BY THE MAYOR

INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC SPEAKERS AND CLAIMS

1. **INTERESTED PUBLIC SPEAKERS MUST REGISTER AT THE CLERK'S TABLE IN PERSON NO EARLIER THAN 15 MINUTES BEFORE THE MEETING STARTS. FIVE (5) SPEAKERS WILL BE PERMITTED (RULE NO. 22 (B)).**
2. Claims 10-4-2021

PROCLAMATIONS

1. 10-4-2021

COMMUNICATIONS

1. 10-4-2021

REPORTS OF STANDING COMMITTEES

PLANNING, STREETS AND TRAFFIC

1. Bill No. 7924 - A Bill amending the Zoning Ordinance of the City of Charleston, West Virginia by rezoning from a Light Industrial District to a Village Commercial District, that certain parcel of land located at 1313 Bigley Avenue.
2. Bill No. 7929 - A Bill to establish a no parking zone on the north side of Preston Street from Elmore Avenue to Monroe Street and amending the Traffic Control Map and Traffic Control File.

FINANCE

1. Resolution No. 539-21 - Authorizing settlement of pending disputed claims against the City in the matters known as Walter R. Myers, et al. v. City of Charleston, et al., Civil Action No. 2:19-cv-00757 and Certain Underwriters at Lloyds, London Subscribing to Certificate No. PL1007017 v. City of Charleston, et al., Civil Action No. 2:21-cv-00344.
2. Resolution No. 540-21 - Authorizing the Mayor or City Manager to enter into a contract with Benchmark Construction Company Incorporated to construct a walking trail, bicycle pump track, and disc golf course at Cato Park.
3. Resolution No. 541-21 - Authorizing the Mayor or City Manager to enter into a contract with McClanahan Construction Company to substantially repair a sidewalk along Chesterfield Avenue.
4. Resolution No. 542-21 - Authorizing the Mayor or City Manager to enter into a 5 year contract with Axon Enterprise, Inc. for the purchase of 90 conducted electrical weapons and associated equipment.
5. Resolution No. 543-21 - Authorizing approval of Amendment No. 3 of the FY 2021—2022 General Fund Budget as indicated on the attached list of accounts.

REPORTS OF OFFICERS

1. 10-4-2021

NEW BILLS

1. 10-4-2021

UNFINISHED BUSINESS AND/OR MISCELLANEOUS BUSINESS

REMARKS BY MEMBERS

ROLL CALL

ADJOURNMENT

THE NEXT REGULAR MEETING OF COUNCIL WILL BE HELD OCTOBER 18 , 2021 AT 7:00 P.M.

***Meetings may be recorded and broadcast via internet <https://charlestonwv.civicclerk.com>**



Charleston Sanitary Board



STATE OF WEST VIRGINIA
COUNTY OF KANAWHA, to-wit:

The Mayor, Recorder, and/or Municipal Attorney of the City of Charleston, West Virginia, will take notice that this day appeared before the undersigned authority,

Karl L. Nester, Claimant,
who, after being first by me duly sworn, deposes and says:

That this affiant resides at: 939 Woodward Dr. 25387

Telephone Number: 304-807-7842

and that on the 27 day of 09, 2020 (2021) at approximately 12:10 am/pm
in the City of Charleston, West Virginia, he/she sustained

Nature Of Injury And/Or Damage

As A Result Of:

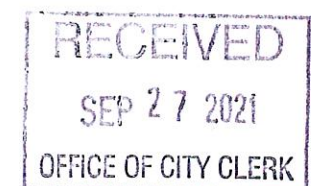
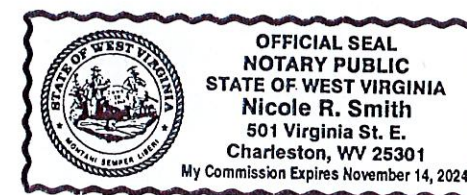
Damage of Flood The Basement Do To Pulling
SEWER in up Woodward, DR. they Broke Basement drain

As a result of which accident the Claimant, _____, does hereby
make claim against the City of Charleston, West Virginia, for damages incurred and to be incurred by
him/her in the future.

Karl L. Nester
Signature of Claimant

Taken, subscribed and sworn to before me this 27 day of 09, 2021.
My commission expires _____.

Nicole R. Smith
Notary Public





AFFIDAVIT
City of Charleston



STATE OF WEST VIRGINIA
COUNTY OF KANAWHA, to-wit:

The Mayor, Recorder, and/or Municipal Attorney of the City of Charleston, West Virginia, will take notice that this day appeared before the undersigned authority,

Charles Mueller, Claimant,
who, after being first by me duly sworn, deposes and says:

That this affiant resides at: 145 Pioneer Knoll Drive White Sulphur Springs, WV 24986

Telephone Number: 304-206-8252

and that on the 27th day of January, 2020/2021 at approximately 7:30 am/pm
in the City of Charleston, West Virginia, he/she sustained

damage to the driver side door and passenger side door of my
2017 Hyundai Tucson

Nature Of Injury And/Or Damage

As A Result Of:

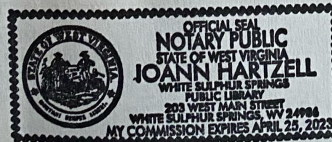
a Charleston garbage truck (Plak # B55-825) backing into my car
while stopped on Norwood Road in Charleston, WV

As a result of which accident, the Claimant, Charles Mueller, does hereby
make claim against the City of Charleston, West Virginia, for damages incurred and to be incurred by
him/her in the future.

CM
Signature of Claimant

Taken, subscribed and sworn to before me this 27 day of September, 2021.
My commission expires 4/25/2023.

Joann Hartzell
Notary Public





**TO: MILES CARY
CITY CLERK**

**FROM: AMY SHULER GOODWIN
MAYOR**

RE: CITY CENTER BUSINESS IMPROVEMENT DISTRICT BOARD

DATE: OCTOBER 4, 2021



To fulfill the requirement to create a 7-member City Center Business Improvement District Board for the City Center Improvement District, I am recommending the following individuals be appointed to the committee:

Will Carter – term to expire October 4, 2026
Lewis Payne – term to expire October 4, 2026
Kent George – term to expire October 4, 2025
Morgan Pack – term to expire October 4, 2024
Stuart McMillan – term to expire October 4, 2024
Leslie Deel – term to expire October 4, 2023
Christy Elliott – term to expire October 4, 2022

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

ASG/mls



**TO: MILES CARY
CITY CLERK**

**FROM: AMY SHULER GOODWIN
MAYOR**

RE: COUNCIL COMMITTEE APPOINTMENT COMMUNICATION

DATE: OCTOBER 4, 2021



The following are appointments for City Council committee assignments effective October 4, 2021:

Finance/Parking: Jenkins (Chair), Reishman (Vice), Adams, Ceperley, Burton, Hoover, Robinson

Environment & Recycling: Cook (Chair), Persinger (Vice), Sheets, King, Brown, Snodgrass

Facilities: Pharr (Chair), Bays (Vice), Faegre, Snodgrass, Minardi, Brown, Jones

Ordinance & Rules: Robinson (Chair), Reishman (Vice), Steele, Adams, Ceperley, Knauff

Parks & Recreation: Moore (Chair), King (Vice), Jones, Robinson, McKinney, Faegre, Jenkins

Planning/Streets & Traffic: Hoover (Chair), Bays (Vice), Ceperley, Campbell, Pharr, Minardi, Haas

Public Safety: Steele (Chair), Overstreet (Vice), Adams, Cook, Moore, Jenkins, Campbell

Urban Renewal & Economic Development: Burton (Chair), Overstreet (Vice), Haas, Knauff, Sheets, Persinger, McKinney

ASG/mls



PLANNING, STREETS AND TRAFFIC COMMITTEE

Mary Beth Hoover, Chair

COMMITTEE REPORT

To: Miles Carey, City Clerk
From: Council's Committee on Planning, Streets and Traffic
Date: September 27, 2021
Subject: Bill No. 7924

The Committee on Planning, Streets and Traffic has had under consideration Bill no. 7924 attached hereto and an made a part thereof.

The Committee finds:

1. The rezoning is consistent with the future land use map which designates this property as "Consumer Commercial".
2. The rezoning supports the comprehensive plan's description of "Consumer Commercial" which is defined as "low intensity uses, that can be adjacent to residential neighborhoods".
3. The parcel is adjacent to similarly developed lots that are zoned C-8, therefore the request is a minor expansion of the district and does not constitute "spot zoning".
4. The rezoning supports the continued use and maintenance of a dwelling unit in one of Charleston's core neighborhoods.

and reports the same to Council with the recommendation that the Bill do pass.

Mary Beth Hoover
Chair
Naomi Bays
Rebecca C. Caperley
Bob & Brown
[Signature]
[Signature]
[Signature]

Bill No. 7924:

Introduced in Council

September 7, 2021

Introduced by:

Adam Knauff

Passed by Council:

Referred to:

Municipal Planning Commission
Planning, Streets and Traffic

Bill No. 7924: A Bill amending the Zoning Ordinance of the City of Charleston, West Virginia, enacted the 1st day of January 2006, as amended, and the map made a part thereof, by rezoning from a I-2 Light Industrial District to a C-8 Village Commercial District, that certain parcel of land located at 1313 Bigley Avenue being Charleston West District, Map 29, Parcel 25, Charleston, West Virginia.

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

1. The Zoning Ordinance of the City of Charleston, West Virginia, enacted the 1st day of January 2006, as amended, is hereby amended by rezoning from a I-2 Light Industrial District to a C-8 Village Commercial District whole of the following described parcels of land:

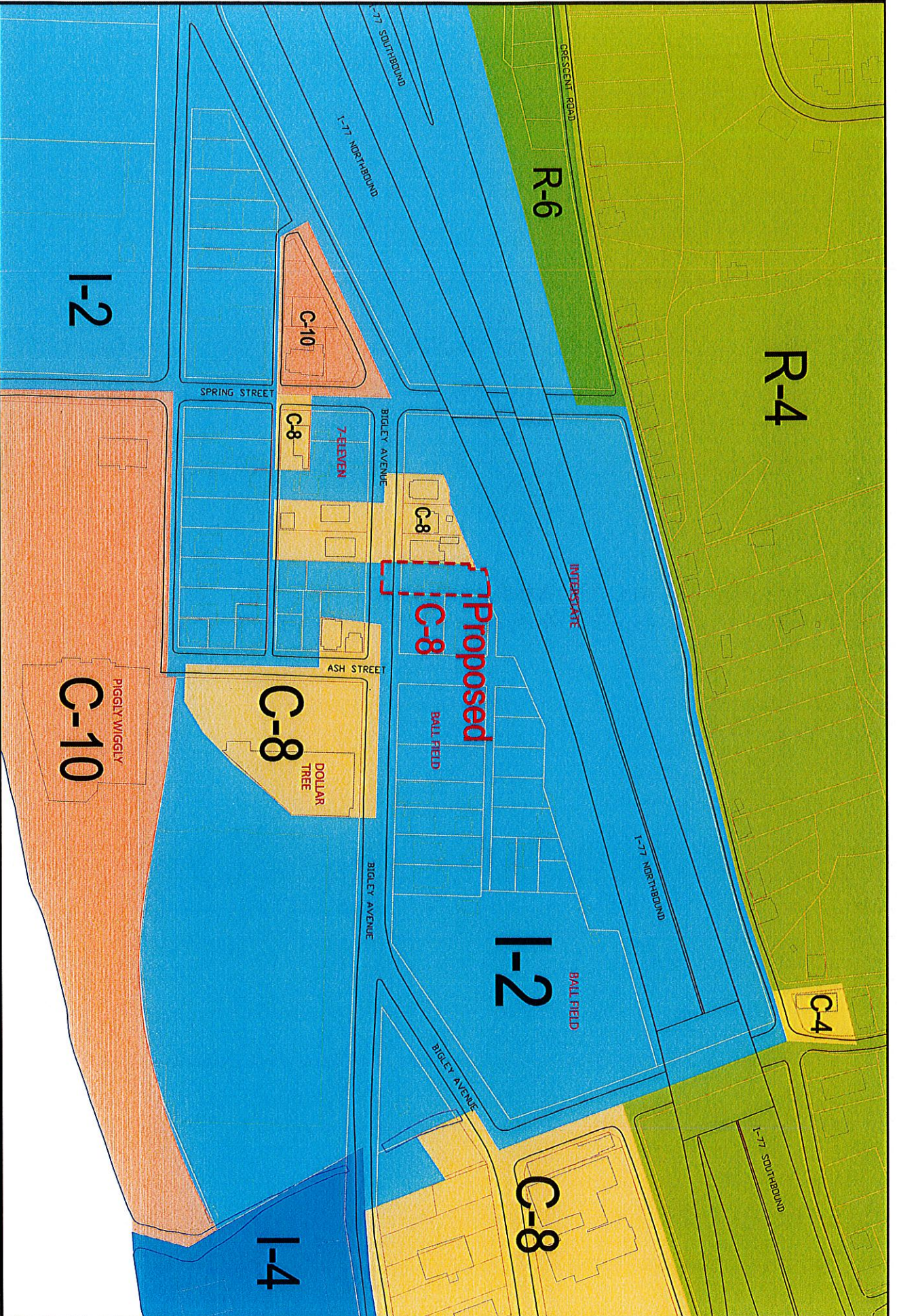
Parcel No. 25 as shown upon West Charleston Tax Map No. 29. Subject Parcel commonly known as 1313 Bigley Avenue, Charleston, West Virginia. Said tax map is of record in the Planning Office.

2. The Zoning Map, attached to and made a part of said Zoning Ordinance, is hereby amended in accordance with Article 29 of this ordinance.

3. All prior ordinances, or parts of ordinances, inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.



REZONING FROM I-2 TO C-8





PLANNING, STREETS AND TRAFFIC COMMITTEE

Mary Beth Hoover, Chair

COMMITTEE REPORT

To: Miles Carey, City Clerk
From: Council's Committee on Planning, Streets and Traffic
Date: September 27, 2021
Subject: Bill No. 7929

The Committee on Planning, Streets and Traffic has had under consideration:

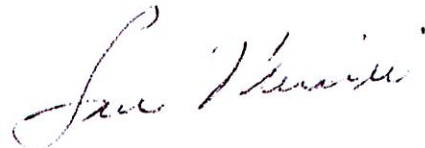
Bill No. 7929 - A Bill to establish a no parking zone on the north side of Preston Street from Elmore Avenue to Monroe Street and amending the Traffic Control Map and Traffic Control File, established by the code of the City of Charleston, West Virginia, two thousand and three, as amended, Traffic Laws, Section 263, Division 2, Article 4, Chapter 114, to conform therewith.

and reports the same to Council with the recommendation that the Bill do pass.


Chair

Nay- Naomi Bays
Nay- Rebecca C. Capley
Boh Brown

 no



1 **Bill No. 7929**

2

Passed by Council:

3 Introduced in Council

4 **September 20, 2021**

5 Introduced by:

Referred to

6 **Adam Knauff**

Planning, Streets and Traffic

7

8 **Bill No. 7929** - A Bill to establish a no parking zone on the north side of Preston Street
9 from Elmore Avenue to Monroe Street and amending the Traffic Control Map and Traffic
10 Control File, established by the code of the City of Charleston, West Virginia, two
11 thousand and three, as amended, Traffic Laws, Section 263, Division 2, Article 4,
12 Chapter 114, to conform therewith.

13 **Be it Ordained by the Council of the City of Charleston, West Virginia:**

14 Section 1. A Bill to establish a no parking zone on the north side of Preston Street from
15 Elmore Avenue to Monroe Street

16 Section 2. The Traffic Control Map and Traffic Control File, established by the code
17 of the City of Charleston, West Virginia, two thousand and three, as amended, Traffic
18 Laws, Section 263, Division 2, Article 4, Chapter 114, shall be and hereby are
19 amended, to conform to this Ordinance.

20 Section 3. All prior Ordinances, inconsistent with this Ordinance are hereby
21 repealed to the extent of said inconsistency.



Resolution No. 539-21

Introduced in Council:

Adopted by Council:

October 4, 2021

Introduced by:

Referred to:

Joseph Jenkins

Finance

1 Resolution No. 539-21 - Authorizing settlement of pending disputed claims against the City in
2 the matters known as Walter R. Myers, et al. v. City of Charleston, et al., Civil Action No. 2:19-
3 cv-00757 and Certain Underwriters at Lloyds, London Subscribing to Certificate No. PL1007017
4 v. City of Charleston, et al., Civil Action No. 2:21-cv-00344, both of which are in the United
5 States District Court for the Southern District of West Virginia, as recommended by the City
6 Solicitor.

7

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

9

10 That the City Council hereby authorizes and approves the settlement of pending disputed
11 claims against the City in the matters known as Walter R. Myers, et al. v. City of Charleston, et
12 al., Civil Action No. 2:19-cv-00757 and Certain Underwriters at Lloyds, London Subscribing to
13 Certificate No. PL1007017 v. City of Charleston, et al., Civil Action No. 2:21-cv-00344, both of
14 which are in the United States District Court for the Southern District of West Virginia, for a full
15 and final payment by the City of Charleston in the amount of \$300,000, as recommended by
16 the City Solicitor. The City Council authorizes the City Solicitor and City Manager to take all
17 necessary steps to finalize resolution of the claims.

Resolution No. 540-21

Introduced in Council:

Adopted by Council:

October 4, 2021

Introduced by:

Referred to:

Joseph Jenkins

Finance

1 Resolution No. 540-21 - Authorizing the Mayor or City Manager to enter into a contract with
2 Benchmark Construction Company Incorporated in the amount of \$278,850 to construct a
3 walking trail, bicycle pump track, and disc golf course at Cato Park.

4

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

6

7 That the Mayor or City Manager is authorized to enter into a contract with Benchmark
8 Construction Company Incorporated in the amount of \$278,850 to construct a walking trail,
9 bicycle pump track, and disc golf course at Cato Park.

Cato Trail, Pump- Track, Disc Golf Project #: P206/21-137
Bid Opening Date 9/27/21

			Benchmark Construction PO Box 1018 Hurricane WV 25526 304-881-1735 tim@bmcwv.com		Steorts Home Design & Construction 97 Chase Drive Hurricane WV 304-760-6018 jsteorts@steortshomes.com		Tempo Construction LLC. PO Box 40028 Charleston WV 25364 304-741-5588 mary.cleland@tempowv.com	
Item	Unit	Qty	Unit Cost	Item Total	Unit Cost	Item Total	Unit Cost	Item total
Item 3.01 – Mobilization (≤5%)	LS	1	\$12,500.00	\$12,500.00	\$12,000.00	\$12,000.00	\$7,000.00	\$7,000.00
Item 3.02 – Erosion & Sediment Control	LS	1	\$7,500.00	\$7,500.00	\$7,000.00	\$7,000.00	\$18,000.00	\$18,000.00
Item 3.03 – Wooden Trail Bridge	LS	1	\$9,000.00	\$9,000.00	\$7,050.00	\$7,050.00	\$24,000.00	\$24,000.00
Item 3.04 – Cut & Fill Excavation	SY	5500	\$10.00	\$55,000.00	\$35.00	\$192,500.00	\$18.75	\$103,125.00
Item 3.05 – Engineering Fabric	SY	4300	\$1.50	\$6,450.00	\$0.90	\$3,870.00	\$1.70	\$7,310.00
Item 3.06 – Base Aggregate	CY	500	\$130.00	\$65,000.00	\$60.00	\$30,000.00	\$195.00	\$97,500.00
Item 3.07 – Top Aggregate	CY	250	\$150.00	\$37,500.00	\$60.00	\$15,000.00	\$192.00	\$48,000.00
Item 3.08 – Pump-Track	LS	1	\$20,000.00	\$20,000.00	\$33,000.00	\$33,000.00	\$45,000.00	\$45,000.00
Item 3.09 – Grass Seed & Straw Mulch	LS	1	\$10,000.00	\$10,000.00	\$9,000.00	\$9,000.00	\$22,000.00	\$22,000.00
Item 3.10 – Allowances	LS	1	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00
Item 3.11 – Disc Golf Tee Pad	EA	36	\$550.00	\$19,800.00	\$1,440.00	\$51,840.00	\$990.00	\$35,640.00
Item 3.12 – Disc Golf Target Sleeve	EA	37	\$300.00	\$11,100.00	\$285.00	\$10,545.00	\$430.00	\$15,910.00
Base Bid Total			\$278,850.00		\$396,805.00		\$448,485.00	
Local Vendor Preference (4%)			 (\$5,000) \$273,850.00		(\$5,000) \$391,805.00		(\$5,000) \$443,485.00	

Resolution No. 541-21

Introduced in Council:

Adopted by Council:

October 4, 2021

Introduced by:

Referred to:

Joseph Jenkins

Finance

1 Resolution No. 541-21 - Authorizing the Mayor or City Manager to enter into a contract with
2 McClanahan Construction Company to substantially repair a sidewalk along Chesterfield
3 Avenue.

4

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

6

7 That the Mayor or City Manager is authorized to enter into a contract with McClanahan
8 Construction Company in the amount of \$259,950 to substantially repair a sidewalk along
9 Chesterfield Avenue.

CHESTERFIELD AVENUE SIDEWALK PROJECT #:E209/21-140
Bid Opening Date 9/23/21

			McClanahan Construction 744 Poca Road Poca WV 25159 304-766-3355 Bruce@mcclanahanconstruction.com		Garcie R. Marker & Sons 1119 Jefferson Road South Charleston WV 25309 304-744-0590 grmarkersons@aol.com		SQP Construction 281 Smiley Drive Albans WV 25177 440-9200 dgatewood@sqpgc.com		Wolf Creek Contracting 403 Waterton Road Waterford OH 45786 740-749-3459 mwyscarver@wolfcreekcontractors.com	
Item	Unit	Qty	Unit Cost	Item Total	Unit Cost	Item Total	Unit Cost	Item total	Unit Cost	Item Total
Item 3.01 – Mobilization (≤5%)	LS	1	\$11,930.00	\$11,930.00	\$10,000.00	\$10,000.00	\$13,195.00	\$13,195.00	\$8,892.94	\$8,892.94
Item 3.02 – Traffic Control	LS	1	\$11,500.00	\$11,500.00	\$19,500.00	\$19,500.00	\$21,100.00	\$21,100.00	\$23,336.99	\$23,336.99
Item 3.03 – Concrete Ramp and Sidewalk	SF	8,150	\$17.00	\$152,150.00	\$22.00	\$196,900.00	\$15.71	\$140,625.00	\$15.55	\$139,172.50
Item 3.04 – Concrete Sidewalk Drain	EA	4	\$2,850.00	\$11,400.00	\$1,200.00	\$4,800.00	\$1,325.00	\$5,300.00	\$1,662.96	\$6,651.84
Item 3.05 – Integral Curb Front	LF	2250	\$17.00	\$38,250.00	\$24.00	\$54,000.00	\$22.46	\$50,525.00	\$33.26	\$74,835.00
Item 3.06 – Integral Curb Back	LF	950	\$17.00	\$16,150.00	\$48.00	\$45,600.00	\$23.21	\$22,050.00	\$33.26	\$31,597.00
Item 3.07 – Handrail	LF	70	\$80.00	\$5,600.00	\$150.00	\$10,500.00	\$61.43	\$4,300.00	\$80.54	\$5,637.80
Item 3.08 – Rip Rap Ditch	TN	85	\$122.00	\$10,370.00	\$90.00	\$7,560.00	\$76.47	\$6,500.00	\$70.78	\$6,016.30
Item 3.09 – Detectable Warning Surface	EA	13	\$200.00	\$2,600.00	\$250.00	\$3,250.00	\$326.92	\$4,250.00	\$155.51	\$2,021.63
Base Bid Total			\$259,950.00		\$352,200.00		\$267,845.00		\$298,162.00	
Local Vendor Preference (4%)			 (\$5,000) \$254,950.00		(\$5,000) \$347,200.00		(\$5,000) \$262,845.00		(\$5,000) \$293,162.00	

CHESTERFIELD AVENUE SIDEWALK PROJECT #:E209/21-140
Bid Opening Date 9/23/21

Resolution No. 542-21

Introduced in Council:

Adopted by Council:

October 4, 2021

Introduced by:

Referred to:

Joseph Jenkins

Finance

1 Resolution No. 542-21 - Authorizing the Mayor or City Manager to enter into a five-year
2 contract with Axon Enterprise, Inc., in the amount of \$298,850 for the purchase of 90
3 conducted electrical weapons ("CEW") and associated equipment and supplies, where the
4 vendor is a sole source provider of the Taser 7 CEW.

5

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

7

8 That the Mayor or City Manager is authorized to enter into a five-year contract with Axon
9 Enterprise, Inc., in the amount of \$298,850 for the purchase of 90 conducted electrical
10 weapons ("CEW") and associated equipment and supplies, where the vendor is a sole source
11 provider of the Taser 7 CEW.



AXON

Charleston Police Department - WV

AXON SALES REPRESENTATIVE

Josh Sparks

jsparks@axon.com

ISSUED

5/20/2021

Q-300161-44339.603JS

1



Axon Enterprise, Inc.
17800 N 85th St.
Scottsdale, Arizona 85255
United States
Phone: (800) 978-2737

Q-300161-44339.603JS

Issued: 05/20/2021



Quote Expiration: 08/31/2021

Account Number: 111086

Payment Terms: Net 30
Delivery Method: Fedex - Ground

SALES REPRESENTATIVE

Josh Sparks

Phone:

Email: jsparks@axon.com

Fax:

PRIMARY CONTACT

Shawn Midkiff

Phone: (304) 348-1091

Email: shawn.midkiff@charlestonwvpolice.org

SHIP TO

Shawn Midkiff
Charleston Police Department - WV
501 Virginia Street East
Charleston, WV 25301
US

BILL TO

Charleston Police Department - WV
P.O. BOX 2749
Charleston, WV 25330
US

Year 1

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Axon Plans & Packages						
20248	TASER 7 EVIDENCE.COM ACCESS LICENSE	60	90	0.00	0.00	0.00
20246	TASER 7 DUTY CARTRIDGE REPLACEMENT ACCESS LICENSE	60	90	0.00	0.00	0.00
20248	TASER 7 EVIDENCE.COM ACCESS LICENSE	60	1	0.00	0.00	0.00
Hardware						
20160	TASER 7 HOLSTER - SAFARILAND, RH+CART CARRIER		80	0.00	0.00	0.00
20161	TASER 7 HOLSTER - SAFARILAND, LH+CART CARRIER		10	0.00	0.00	0.00
20050	HOOK-AND-LOOP TRAINING (HALT) SUIT		2	0.00	0.00	0.00
22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS		270	0.00	0.00	0.00
22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS		270	0.00	0.00	0.00
20008	TASER 7 HANDLE, YLW, HIGH VISIBILITY (GREEN LASER), CLASS 3R		90	0.00	0.00	0.00
20040	TASER 7 HANDLE WARRANTY, 4-YEAR		90	0.00	0.00	0.00
22179	TASER 7 INERT CARTRIDGE, STANDOFF (3.5-DEGREE) NS		50	0.00	0.00	0.00
22181	TASER 7 INERT CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS		50	0.00	0.00	0.00
22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS		180	0.00	0.00	0.00

Year 1 (Continued)

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Hardware (Continued)						
22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS		180	0.00	0.00	0.00
22177	TASER 7 HOOK-AND-LOOP TRN (HALT) CARTRIDGE, STANDOFF NS		180	0.00	0.00	0.00
22178	TASER 7 HOOK-AND-LOOP TRN (HALT) CARTRIDGE, CLOSE QUART NS		180	0.00	0.00	0.00
20018	TASER 7 BATTERY PACK, TACTICAL		108	0.00	0.00	0.00
20041	TASER 7 BATTERY PACK WARRANTY, 4- YEAR		108	0.00	0.00	0.00
20042	TASER 7 DOCK & CORE WARRANTY, 4- YEAR		1	0.00	0.00	0.00
70033	WALL MOUNT BRACKET, ASSY, EVIDENCE.COM DOCK		1	0.00	0.00	0.00
74200	TASER 7 6-BAY DOCK AND CORE		1	0.00	0.00	0.00
80090	TARGET FRAME, PROFESSIONAL, 27.5 IN. X 75 IN., TASER 7		1	0.00	0.00	0.00
74200	TASER 7 6-BAY DOCK AND CORE		1	1,500.00	1,500.00	1,500.00
20042	TASER 7 DOCK & CORE WARRANTY, 4- YEAR		1	300.00	300.00	300.00
Other						
20430	TASER 7 CERTIFICATION BUNDLE HEADER	60	90	0.00	0.00	0.00
20437	TASER 7 CERTIFICATION BUNDLE PAYMENT	12	90	690.00	510.00	45,900.00
20120	TASER 7 INSTRUCTOR COURSE VOUCHER		1	0.00	0.00	0.00
20119	TASER 7 MASTER INSTRUCTOR SCHOOL VOUCHER		1	0.00	0.00	0.00
80087	TASER 7 TARGET, CONDUCTIVE, PROFESSIONAL (RUGGEDIZED)		1	0.00	0.00	0.00
Services						
85147	CEW STARTER		1	2,750.00	2,750.00	2,750.00
					Subtotal	50,450.00
					Estimated Shipping	0.00
					Estimated Tax	0.00
					Total	50,450.00

Spares

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Hardware						
20008	TASER 7 HANDLE, YLW, HIGH VISIBILITY (GREEN LASER), CLASS 3R		3	0.00	0.00	0.00
20040	TASER 7 HANDLE WARRANTY, 4-YEAR		3	0.00	0.00	0.00
Subtotal						0.00
Estimated Tax						0.00
Total						0.00

Year 2

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Hardware						
22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS		180	0.00	0.00	0.00
22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS		180	0.00	0.00	0.00
Other						
20437	TASER 7 CERTIFICATION BUNDLE PAYMENT	12	90	690.00	690.00	62,100.00
20120	TASER 7 INSTRUCTOR COURSE VOUCHER		1	0.00	0.00	0.00
20119	TASER 7 MASTER INSTRUCTOR SCHOOL VOUCHER		1	0.00	0.00	0.00
Subtotal						62,100.00
Estimated Tax						0.00
Total						62,100.00

Year 3

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Hardware						
22178	TASER 7 HOOK-AND-LOOP TRN (HALT) CARTRIDGE, CLOSE QUART NS		180	0.00	0.00	0.00
22177	TASER 7 HOOK-AND-LOOP TRN (HALT) CARTRIDGE, STANDOFF NS		180	0.00	0.00	0.00

Year 3 (Continued)

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Hardware (Continued)						
22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS		180	0.00	0.00	0.00
22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS		180	0.00	0.00	0.00
Other						
20437	TASER 7 CERTIFICATION BUNDLE PAYMENT	12	90	690.00	690.00	62,100.00
20120	TASER 7 INSTRUCTOR COURSE VOUCHER		1	0.00	0.00	0.00
20119	TASER 7 MASTER INSTRUCTOR SCHOOL VOUCHER		1	0.00	0.00	0.00
					Subtotal	62,100.00
					Estimated Tax	0.00
					Total	62,100.00

Year 4

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Hardware						
22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS		180	0.00	0.00	0.00
22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS		180	0.00	0.00	0.00
Other						
20437	TASER 7 CERTIFICATION BUNDLE PAYMENT	12	90	690.00	690.00	62,100.00
20120	TASER 7 INSTRUCTOR COURSE VOUCHER		1	0.00	0.00	0.00
20119	TASER 7 MASTER INSTRUCTOR SCHOOL VOUCHER		1	0.00	0.00	0.00
					Subtotal	62,100.00
					Estimated Tax	0.00
					Total	62,100.00

Year 5

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Hardware						
22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS		180	0.00	0.00	0.00

Year 5 (Continued)

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Hardware (Continued)						
22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS		180	0.00	0.00	0.00
Other						
20437	TASER 7 CERTIFICATION BUNDLE PAYMENT	12	90	690.00	690.00	62,100.00
20120	TASER 7 INSTRUCTOR COURSE VOUCHER		1	0.00	0.00	0.00
20119	TASER 7 MASTER INSTRUCTOR SCHOOL VOUCHER		1	0.00	0.00	0.00
					Subtotal	62,100.00
					Estimated Tax	0.00
					Total	62,100.00
Grand Total						298,850.00

Discounts (USD)

Quote Expiration: 08/31/2021

List Amount	315,050.00
Discounts	16,200.00
Total	298,850.00

**Total excludes applicable taxes*

Summary of Payments

Payment	Amount (USD)
Year 1	50,450.00
Spares	0.00
Year 2	62,100.00
Year 3	62,100.00
Year 4	62,100.00
Year 5	62,100.00
Grand Total	298,850.00

Tax is subject to change at order processing with valid exemption.

Axon's Sales Terms and Conditions

This Quote is limited to and conditional upon your acceptance of the provisions set forth herein and Axon's Master Services and Purchasing Agreement (posted at www.axon.com/legal/sales-terms-and-conditions) and the Axon Customer Experience Improvement Program Appendix, which includes the sharing of de-identified segments of Agency Content with Axon to develop new products and improve your product experience (posted at www.axon.com/legal/sales-terms-and-conditions), as well as the attached Statement of Work (SOW) for Axon Fleet and/or Axon Interview Room purchase, if applicable. **The Axon Customer Experience Improvement Program Appendix ONLY applies to Customers in the USA.** In the event you and Axon have entered into a prior agreement to govern all future purchases, that agreement shall govern to the extent it contemplates the products and services being purchased and does not conflict with the Axon Customer Experience Improvement Program Appendix. Any purchase order issued in response to this Quote is subject solely to the above referenced terms and conditions. By signing below, you represent that you are lawfully able to enter into contracts. If you are signing on behalf of an entity (including but not limited to the company, municipality, or government agency for whom you work), you represent to Axon that you have legal authority to bind that entity. If you do not have this authority, please do not sign this Quote.

Signature:	_____	Date:	_____
Name (Print):	_____	Title:	_____
PO# (Or write N/A):	_____		

Please sign and email to Josh Sparks at jsparks@axon.com or fax to

Thank you for being a valued Axon customer. For your convenience on your next order, please check out our online store buy.axon.com

The trademarks referenced above are the property of their respective owners.

Axon Internal Use Only

		SFDC Contract #:
		Order Type:
		RMA #:
		Address Used:
		SO #:
Review 1	Review 2	
Comments:		

ATTENTION

This order may qualify for freight shipping, please fill out the following information.

What is the contact name and phone number for this shipment?	
What are your receiving hours? (Monday-Friday)	
Is a dock available for this incoming shipment?	
Are there any delivery restrictions? (no box trucks, etc.)	



17800 N 85TH STREET
SCOTTSDALE, ARIZONA 85255

AXON.COM

4/20/2021

To: United States state, local and municipal law enforcement agencies

Re: Sole Source Letter for Axon Enterprise, Inc.'s TASER Energy Weapons

A sole source justification exists because the following goods and services required to satisfy the agency's needs are only manufactured and available for purchase from Axon Enterprise. Axon is also the sole distributor and retailer of all TASER brand products in the States of AR, CT, DE, FL, GA, HI, IA, IL, IN, KS, LA, MA, MD, ME, MI, MN, MO, MS, NC, ND, NE, NH, NJ, NY, OK, OR, PA, RI, SC, SD, VA, VI, VT, WI, WV, and the District of Columbia and Guam.

TASER Energy Weapon Descriptions

TASER 7 Energy Weapon

- Multiple-shot energy weapon
- High-efficiency flashlight
- Close Quarter and Standoff cartridges
- Green LASER and dual red LASERs that adjust for cartridge angle
- Arc switch enables drive-stun with or without a TASER 7 Cartridge installed
- Central Information Display (CID): Displays mission critical data such as remaining battery energy, burst time, and cartridge status.
- Weapon logs
- TASER 7 Dock connected to Axon Evidence (Evidence.com) services
- Onboard self-diagnostic and system status monitoring and reporting
- Real-time clock updated when the battery pack is plugged into the TASER 7 Dock
- Ambidextrous safety switch
- Can be configured by the agency to alert Axon camera systems
- The trigger activates a single cycle (approximately five seconds). Holding the trigger down will continue the discharge beyond the standard cycle (unless configured by the agency to stop at five seconds). The energy weapon cycle can be stopped by placing the safety switch in the down (SAFE) position.
- Compatible with TASER 7 Cartridges only

TASER 7 CQ Energy Weapon

- Multiple-shot energy weapon for agencies that deploy energy weapons mostly at close quarters (CQ)
- High-efficiency flashlight
- Close Quarter cartridges
- Arc switch enables drive-stun with or without a TASER 7 Cartridge installed
- Central Information Display (CID): Displays mission critical data such as remaining battery energy, burst time, and cartridge status.
- Weapon logs
- TASER 7 Dock connected to Axon Evidence (Evidence.com) services
- Onboard self-diagnostic and system status monitoring and reporting
- Real-time clock updated when the battery pack is plugged into the TASER 7 Dock
- Ambidextrous safety switch
- Can be configured by the agency to alert Axon camera systems
- The trigger activates a single cycle (approximately five seconds). Holding the trigger



17800 N 85TH STREET
SCOTTSDALE, ARIZONA 85255

AXON.COM

down will continue the discharge beyond the standard cycle (unless configured by the agency to stop at five seconds). The energy weapon cycle can be stopped by placing the safety switch in the down (SAFE) position.

- Compatible with 12-degree TASER 7 Cartridges only

X2 Energy Weapon

- Multiple-shot energy weapon
- High efficiency flashlight
- Static dual LASERs (used for target acquisition)
- ARC switch enables drive-stun with or without a Smart Cartridge installed
- Central Information Display (CID): Displays mission-critical data such as remaining battery energy, burst time, operating mode, and user menu to change settings and view data on a yellow-on-black display
- The Trilogy log system records information from a variety of sensors into three data logs: Event log, Pulse log, and Engineering log. Data can be downloaded using a universal serial bus (USB) data interface module connected to a personal computer (PC). Data may be transferred to Axon Evidence (Evidence.com) services.
- Real-time clock with back-up battery
- Onboard self-diagnostic and system status monitoring and reporting
- Ambidextrous safety switch
- Capable of audio/video recording with optional TASER CAM HD recorder
- The trigger activates a single cycle (approximately 5 seconds). Holding the trigger down will continue the discharge beyond the standard cycle (except when used with an APPM or TASER CAM HD AS). The energy weapon cycle can be stopped by placing the safety switch in the down (SAFE) position.
- Compatible with TASER Smart Cartridges only

X26P Energy Weapon

- High efficiency flashlight
- Red LASER (used for target acquisition)
- Central Information Display (CID): Displays data such as calculated remaining energy, burst time, and notifications
- The Trilogy log system records information from a variety of sensors into three data logs: Event log, Pulse log, and Engineering log. Data can be downloaded using a universal serial bus (USB) data interface module connected to a personal computer (PC). Data may be transferred to Axon Evidence (Evidence.com) services.
- Real-time clock with back-up battery
- Onboard self-diagnostic and system status monitoring and reporting
- Ambidextrous safety switch
- Capable of audio/video recording with optional TASER CAM HD recorder
- The trigger activates a single cycle (approximately five seconds). Holding the trigger down will continue the discharge beyond the standard cycle (except when used with an APPM or TASER CAM HD AS). The energy weapon cycle can be stopped by placing the safety switch in the down (SAFE) position.
- Compatible with TASER standard series cartridges

Axon Signal Performance Power Magazine (SPPM)

- Battery pack for the X2 and X26P energy weapons



17800 N 85TH STREET
SCOTTSDALE, ARIZONA 85255

AXON.COM

- Shifting the safety switch from the down (SAFE) to the up (ARMED) positions sends a signal from the SPPM. Upon processing the signal, an Axon system equipped with Axon Signal technology transitions from the BUFFERING to EVENT mode.

TASER Brand Energy Weapon Model Numbers

1. Energy Weapons:
 - TASER 7 Models: 20008, 20009, 20010, and 20011
 - TASER 7 CQ Models 20213, 20214
 - TASER X2 Models: 22002 and 22003
 - TASER X26P Models: 11002 and 11003
2. Optional Extended Warranties for energy weapons:
 - TASER 7 – 4-year extended warranty, item number 20040
 - X2 – 4-year extended warranty, item number 22014
 - X26P – 2-year extended warranty, item number 11008
 - X26P – 4-year extended warranty, item number 11004
3. TASER 7 Cartridges (compatible with the TASER 7; required for this energy weapon to function in the probe deployment mode)
 - Standoff cartridge, 3.5 degrees, Model 20012
 - Close Quarter cartridge, 12 degrees, Model 20013
4. TASER standard cartridges (compatible with the X26P; required for this energy weapon to function in the probe deployment mode):
 - 15-foot Model: 22188
 - 21-foot Model: 22189
 - 21-foot non-conductive Model: 44205
 - 25-foot Model: 22190
5. TASER Smart cartridges (compatible with the X2; required for this energy weapon to function in the probe deployment mode):
 - 15-foot Model: 22184
 - 25-foot Model: 22185
 - 25-foot inert simulation Model: 22155
 - 25-foot non-conductive Model: 22157
6. Power Modules for TASER 7 energy weapons:
 - Tactical battery pack Model 22018
 - Compact battery pack Model 22019
 - Non-Rechargeable battery pack Model 22020
 - Disconnect battery pack Model 20027
7. TASER CAM HD recorder Model: 26810 (full HD video and audio) and TASER CAM HD with AS (automatic shut-down feature) Model: 26820. The TASER CAM HD is compatible with both the X26P and X2 energy weapons.
 - TASER CAM HD replacement battery Model: 26764
 - TASER CAM HD Download Kit Model: 26762
 - TASER CAM HD optional 4-year extended warranty, item number 26763



17800 N 85TH STREET
SCOTTSDALE, ARIZONA 85255

AXON.COM

8. Power Modules (Battery Packs) for X26P and X2 energy weapons:
 - Performance Power Magazine (PPM) Model: 22010
 - Tactical Performance Power Magazine (TPPM) Model: 22012
 - Automatic Shut-Down Performance Power Magazine (APPM) Model: 22011
 - eXtended Performance Power Magazine (XPPM) Model: 11010
 - eXtended Automatic Shut-Down Performance Power Magazine (XAPPM) Model: 11015
 - Axon Signal Performance Power Magazine (SPPM) Model: 70116
9. TASER 7 Dock:
 - TASER 7 Dock Core and Multi-bay Module: 74200
10. TASER Dataport Download Kits:
 - Dataport Download Kit for the X2 and X26P Model: 22013
11. TASER Blast Door Repair Kit Model 44019 and TASER Blast Door Replenishment Kit Model 44023
12. Energy Weapon Holsters:
 - Right-hand TASER 7 holster by Safariland Model: 20063
 - Left-hand TASER 7 holster by Safariland Model: 20068
 - Right-hand TASER 7 holster with cartridge carrier by Safariland Model: 20160
 - Left-hand TASER 7 holster by with cartridge carrier by Safariland Model: 20161
 - Right-hand X2 holster by BLACKHAWK Model: 22501
 - Left-hand X2 holster by BLACKHAWK Model: 22504
 - Right-hand X26P holster by BLACKHAWK Model: 11501
 - Left-hand X26P holster by BLACKHAWK Model: 11504
13. TASER Simulation Suit II Model 44550
14. TASER 7 conductive target Model: 80087

TASER Product Packages

1. **Officer Safety Plan:** Includes an X2 or X26P energy weapon, Axon camera and Dock upgrade, and Axon Evidence (Evidence.com) license and storage. See your Sales Representative for further details and Model numbers.
2. **Officer Safety Plan 7:** Includes a TASER 7 energy weapon, Axon Body 3 camera, Axon Dock, Axon Camera and Dock upgrade, Axon Evidence (Evidence.com) licenses and storage, Axon Aware, and Axon Records Core.
3. **Officer Safety Plan 7 Plus:** Includes a TASER 7 energy weapon, Axon Body 3 camera, Axon Evidence (Evidence.com) licenses and storage, Axon Records Core, Axon Aware +, Axon Auto-Tagging Services, Axon Performance, Axon Citizen for Communities, Axon Redaction Assistant, and Axon Signal Sidearm.
4. **TASER Assurance Plan (TAP):** Hardware extended warranty coverage, Spare Products, and Upgrade Models available for the X2 and X26P energy weapons, and the TASER CAM HD recorder. (The TAP is available only through Axon Enterprise, Inc.)



17800 N 85TH STREET
SCOTTSDALE, ARIZONA 85255

AXON.COM

5. **TASER 7 Certification:** Pays for TASER 7 program in installments over 5 years including access to Evidence.com for energy weapon program management, annual training cartridges, unlimited duty cartridges and online training content.
6. **TASER Certification Add-On:** Allows the agency to pay an annual fee to receive an annual allotment of training cartridges, unlimited duty cartridges and online training content.
7. **TASER 7 Certification with Virtual Reality (VR):** Pays for the TASER 7 program in installments over 5 years including access to Evidence.com for energy weapon program management, annual training cartridges, unlimited duty cartridges, online training content, and VR training.
8. **TASER 60:** Pay for X2 and X26P energy weapons and Spare Products in installments over 5 years.
9. **Unlimited Cartridge Plan:** Allows agency pay an annual fee to receive annual training cartridges, unlimited duty cartridges and unlimited batteries for the X2 and X26P.
10. **TASER 60 Unlimited:** Pay for X2 and X26P energy weapons and Spare Products in installments over 5 years and receive unlimited cartridges and batteries.
11. **TASER 7 Close Quarters Dock Plan:** Pays for TASER 7 Close Quarters Plan over a 5-year period in installments including access to Evidence.com for energy weapon program management, rechargeable batteries, annual cartridge shipments, unlimited duty cartridges, and access to online training.



17800 N 85TH STREET
SCOTTSDALE, ARIZONA 85255

AXON.COM

SOLE AUTHORIZED DISTRIBUTOR FOR TASER BRAND ENERGY WEAPON PRODUCTS WEST VIRGINIA	SOLE AUTHORIZED REPAIR FACILITY FOR TASER BRAND ENERGY WEAPON PRODUCTS
Axon Enterprise, Inc. 17800 N. 85th Street, Scottsdale, AZ 85255 Phone: 800-978-2737 Fax: 480-991-0791	Axon Enterprise, Inc. 17800 N. 85th Street, Scottsdale, AZ 85255 Phone: 800-978-2737 Fax: 480-991-0791

Please contact your local Axon sales representative or call us at 1-800-978-2737 with any questions.

Sincerely,

Josh Isner
Chief Revenue Officer
Axon Enterprise, Inc.

BLACKHAWK! is a trademark of the Blackhawk Products Group, and Safariland is a trademark of Safariland, LLC.

The Delta Axon Logo, Axon, Axon Aware, Axon Citizen, Axon Evidence, Axon Records, Evidence.com, X2, X26, TASER, and TASER 7 are trademarks of Axon Enterprise, Inc., some of which are trademarks in the US and other countries. For more information visit www.axon.com/legal. All rights reserved. © 2021 Axon Enterprise, Inc.

Resolution No. 543-21

Introduced in Council:

Adopted by Council:

October 4, 2021

Introduced by:

Referred to:

Joseph Jenkins

Finance

- 1 Resolution No. 543-21 - Authorizing approval of Amendment No. 3 of the FY 2021—2022
2 General Fund Budget as indicated on the attached list of accounts.
3
4 Be it Resolved by the Council of the City of Charleston, West Virginia:
5
6 That Amendment No. 3 of the FY 2021—2022 General Fund Budget as indicated on the
7 attached list of accounts is approved.

General Fund FY 2021-2022 Budget Amendment No. 3 - October 4, 2021

Account No.	Department	Account Description	Amount
001 369 00 0000	Revenue	Transfers from Other Funds	(33,000)
001 436 00 000 2 230	Building Commission	Contracted Services	33,000
Transfer of lien redemption proceeds from the Special Demolition Fund to fund additional demolitions.			
001 377 00 0001	Capital Lease Revenue - Installment Purchases		(298,850)
001 976 00 700 4 459	Capital Outlay - Public Safety	Capital Outlay - Equipment	298,850
001 699 00 000 5 598	Contingency	Contingency	(50,450)
001 976 00 700 4 461	Capital Outlay - Public Safety	Lease Purchase Payment	50,450

To purchase 90 conducted electrical weapons, including startup costs and training, using a no-interest installment plan offered by the vendor and to pay for the Year 1 installment payment for the purchase of conducted electrical weapons.

Reportable: To Maintain compliance with the budgetary guidelines of the State of West Virginia

CITY OF CHARLESTON
Payroll Variance Analysis
September 2021

Department		Type	Current Month				Year To Date				Annual	
Name	Code	Wages	Budget	Actual	Variance	%	Budget	Actual	Variance	%	Budget	Available
Mayor	409	Regular	23,247	23,000	247	1.06%	69,741	68,815	925	1.33%	302,210	233,395
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	23,247	23,000	247	1.06%	69,741	68,815	925	1.33%	302,210	233,395
Mayor - CARE Office	409-02	Regular	20,439	15,754	4,685	22.92%	61,316	48,677	12,639	20.61%	265,704	217,027
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	20,439	15,754	4,685	22.92%	61,316	48,677	12,639	20.61%	265,704	217,027
City Council	410	Regular	13,000	12,500	500	3.85%	39,000	33,750	5,250	13.46%	169,000	135,250
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	13,000	12,500	500	3.85%	39,000	33,750	5,250	13.46%	169,000	135,250
City Manager - Admin.	412-00	Regular	41,842	35,646	6,196	14.81%	122,718	115,358	7,360	6.00%	543,948	428,590
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	41,842	35,646	6,196	14.81%	122,718	115,358	7,360	6.00%	543,948	428,590
City Treasurer	413	Regular	10,136	9,881	255	2.51%	30,409	29,606	803	2.64%	131,772	102,166
		IPT	692	600	92	13.33%	2,077	2,000	77	3.70%	9,000	7,000
		OT	-	-	-		-	-	-		-	-
		Total	10,829	10,481	347	3.21%	32,486	31,606	880	2.71%	140,772	109,166
City Collector	414	Regular	52,379	49,033	3,347	6.39%	157,138	137,796	19,342	12.31%	680,933	543,137
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	5	(5)		-	(5)
		Total	52,379	49,033	3,347	6.39%	157,138	137,801	19,337	12.31%	680,933	543,132
City Clerk	415	Regular	10,062	9,847	215	2.13%	30,186	29,542	644	2.13%	130,804	101,262
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	10,062	9,847	215	2.13%	30,186	29,542	644	2.13%	130,804	101,262
Municipal Court	416	Regular	22,674	22,748	(74)	-0.33%	68,022	68,072	(50)	-0.07%	294,761	226,689
		IPT	1,385	-	1,385	100.00%	4,154	1,722	2,432	58.54%	18,000	16,278
		OT	1,809	611	1,198	66.21%	5,428	2,101	3,326	61.29%	23,520	21,419
		Total	25,868	23,359	2,509	9.70%	77,603	71,895	5,708	7.36%	336,281	264,386

CITY OF CHARLESTON
Payroll Variance Analysis
September 2021

Department		Type	Current Month				Year To Date				Annual	
Name	Code	Wages	Budget	Actual	Variance	%	Budget	Actual	Variance	%	Budget	Available
City Attorney	417	Regular	29,851	29,154	697	2.33%	89,552	87,462	2,091	2.33%	388,059	300,597
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	29,851	29,154	697	2.33%	89,552	87,462	2,091	2.33%	388,059	300,597
Accounting	418	Regular	22,030	24,991	(2,961)	-13.44%	66,090	68,451	(2,361)	-3.57%	286,388	217,937
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	22,030	24,991	(2,961)	-13.44%	66,090	68,451	(2,361)	-3.57%	286,388	217,937
Engineering - General	420-00	Regular	38,055	37,177	878	2.31%	114,164	111,532	2,633	2.31%	494,712	383,180
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	38,055	37,177	878	2.31%	114,164	111,532	2,633	2.31%	494,712	383,180
Engineering - Stormwater	420-01	Regular	10,558	10,250	308	2.91%	31,674	30,751	923	2.91%	137,252	106,501
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	10,558	10,250	308	2.91%	31,674	30,751	923	2.91%	137,252	106,501
MOECD	421	Regular	29,451	26,937	2,514	8.54%	88,352	84,285	4,067	4.60%	382,858	298,573
		IPT	-	1,019	(1,019)		-	4,331	(4,331)		-	4,331
		OT	-	-	-		-	-	-		-	-
		Total	29,451	27,956	1,495	5.08%	88,352	88,616	(264)	-0.30%	382,858	302,904
Human Resources	422	Regular	30,944	30,320	624	2.02%	92,832	91,064	1,768	1.90%	402,272	311,208
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	30,944	30,320	624	2.02%	92,832	91,064	1,768	1.90%	402,272	311,208
Mail Room	431	Regular	2,704	-	2,704	100.00%	8,113	1,313	6,800	83.82%	35,157	33,844
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	2,704	-	2,704	100.00%	8,113	1,313	6,800	83.82%	35,157	33,844
Building Commission	436	Regular	52,410	51,091	1,319	2.52%	157,229	153,189	4,040	2.57%	681,327	528,138
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	52,410	51,091	1,319	2.52%	157,229	153,189	4,040	2.57%	681,327	528,138

CITY OF CHARLESTON
Payroll Variance Analysis
September 2021

Department		Type	Current Month				Year To Date				Annual	
Name	Code	Wages	Budget	Actual	Variance	%	Budget	Actual	Variance	%	Budget	Available
Planning	437	Regular	35,978	31,279	4,698	13.06%	107,933	93,670	14,263	13.22%	467,710	374,040
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	35,978	31,279	4,698	13.06%	107,933	93,670	14,263	13.22%	467,710	374,040
Information Systems	439	Regular	46,702	41,690	5,012	10.73%	140,106	122,661	17,445	12.45%	607,126	484,465
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	46,702	41,690	5,012	10.73%	140,106	122,661	17,445	12.45%	607,126	484,465
General Services	440	Regular	34,895	29,662	5,233	15.00%	102,784	93,252	9,531	9.27%	453,634	360,382
		IPT	3,462	-	3,462	100.00%	10,385	2,058	8,327	80.19%	45,000	42,943
		OT	5,040	3,895	1,145	22.72%	15,120	19,456	(4,336)	-28.67%	65,520	46,064
		Total	43,396	33,557	9,839	22.67%	128,288	114,766	13,523	10.54%	564,154	449,388
Constituent Services	442-01	Regular	13,857	8,310	5,547	40.03%	36,918	21,329	15,589	42.23%	180,139	158,810
		IPT	1,800	-	1,800	100.00%	3,600	-	3,600	100.00%	23,400	23,400
		OT	-	-	-		-	-	-		-	-
		Total	15,657	8,310	7,347	46.93%	40,518	21,329	19,189	47.36%	203,539	182,210
Morris Square Property	500	Regular	1,986	2,090	(104)	-5.24%	5,957	6,305	(348)	-5.84%	25,814	19,509
		IPT	-	-	-		-	-	-		-	-
		OT	775	5	771	99.37%	2,326	15	2,312	99.37%	10,080	10,065
		Total	2,761	2,095	666	24.14%	8,283	6,320	1,964	23.71%	35,894	29,574
Public Works	566	Regular	14,769	14,063	706	4.78%	44,308	42,091	2,217	5.00%	192,000	149,909
		IPT	-	-	-		-	-	-		-	-
		OT	231	26	205	88.80%	692	817	(124)	-17.95%	3,000	2,183
		Total	15,000	14,089	911	6.08%	45,000	42,907	2,093	4.65%	195,000	152,093
Public Grounds - Adm.	567-00	Regular	65,644	63,762	1,881	2.87%	196,931	186,196	10,736	5.45%	853,369	667,173
		IPT	-	-	-		-	-	-		-	-
		OT	1,938	394	1,545	79.69%	5,815	4,170	1,645	28.29%	25,200	21,030
		Total	67,582	64,156	3,426	5.07%	202,747	190,366	12,381	6.11%	878,569	688,203
Public Grounds - C/T	567-01	Regular	5,035	5,035	0	0.00%	15,106	15,227	(122)	-0.80%	65,458	50,231
		IPT	-	-	-		-	-	-		-	-
		OT	323	-	323	100.00%	969	1,198	(229)	-100.00%	4,200	3,002
		Total	5,358	5,035	323	6.03%	16,075	16,425	(350)	-2.18%	69,658	53,233

CITY OF CHARLESTON
Payroll Variance Analysis
September 2021

Department		Type	Current Month				Year To Date				Annual	
Name	Code	Wages	Budget	Actual	Variance	%	Budget	Actual	Variance	%	Budget	Available
Police - Uniform	700-00	Regular	648,984	606,205	42,779	6.59%	1,946,952	1,820,735	126,217	6.48%	8,436,790	6,616,055
		OT	146,241	186,136	(39,896)	-27.28%	438,722	580,749	(142,027)	-32.37%	1,901,129	1,320,380
		Reimb.	(1,923)	(6,496)	4,573	237.79%	(5,769)	(13,392)	7,623	132.13%	(25,000)	(11,608)
		Total	793,301	785,846	7,456	0.94%	2,379,904	2,388,091	(8,187)	-0.34%	10,312,919	7,924,828
Police - Civilian	700-01	Regular	66,161	64,365	1,796	2.71%	198,484	192,009	6,475	3.26%	860,096	668,087
		IPT	3,846	2,920	926	24.08%	11,538	3,810	7,728	66.98%	50,000	46,190
		OT	7,237	7,564	(327)	-4.52%	21,711	19,509	2,202	10.14%	94,080	74,571
		Total	77,244	74,849	2,395	3.10%	231,733	215,328	16,405	7.08%	1,004,176	788,848
Fire - Uniform	706-00	Regular	698,215	673,566	24,649	3.53%	2,094,645	2,034,096	60,549	2.89%	9,076,795	7,042,699
		OT	112,989	116,979	(3,990)	-3.53%	338,967	333,273	5,694	1.68%	1,468,858	1,135,585
		Reimb.	(923)	(5,493)	4,570	495.08%	(2,769)	(12,439)	9,670	349.19%	(12,000)	439
		Total	810,281	785,052	25,229	3.11%	2,430,843	2,354,930	75,913	3.12%	10,533,653	8,178,723
Fire - Civilian	706-01	Regular	7,450	7,233	217	2.91%	22,350	21,699	651	2.91%	96,849	75,150
		IPT	-	-	-	-	-	-	-	-	-	-
		OT	-	-	-	-	-	-	-	-	-	-
		Total	7,450	7,233	217	2.91%	22,350	21,699	651	2.91%	96,849	75,150
Traffic	712	Regular	31,040	32,024	(983)	-3.17%	93,121	95,538	(2,416)	-2.59%	403,526	307,988
		IPT	-	-	-	-	-	-	-	-	-	-
		OT	905	1,033	(129)	-14.21%	2,714	2,225	489	18.01%	11,760	9,535
		Total	31,945	33,057	(1,112)	-3.48%	95,835	97,763	(1,928)	-2.01%	415,286	317,523
Emergency Services	716	Regular	6,438	-	6,438	100.00%	19,313	-	19,313	100.00%	83,689	83,689
		IPT	-	-	-	-	-	-	-	-	-	-
		OT	-	-	-	-	-	-	-	-	-	-
		Total	6,438	-	6,438	100.00%	19,313	-	19,313	100.00%	83,689	83,689
Street	750	Regular	177,416	155,532	21,884	12.33%	532,249	456,136	76,113	14.30%	2,306,412	1,850,276
		IPT	-	-	-	-	-	-	-	-	-	-
		OT	13,846	18,439	(4,592)	-33.17%	41,538	58,569	(17,031)	-41.00%	252,000	193,431
		Total	191,262	173,971	17,292	9.04%	573,787	514,705	59,082	10.30%	2,558,412	2,043,707
Equipment Maintenance	754	Regular	53,160	52,000	1,160	2.18%	159,481	166,078	(6,597)	-4.14%	691,083	525,005
		IPT	-	-	-	-	-	-	-	-	-	-
		OT	4,200	1,699	2,501	59.55%	12,600	6,373	6,227	49.42%	54,600	48,227
		Total	57,360	53,699	3,661	6.38%	172,081	172,451	(370)	-0.22%	745,683	573,232

CITY OF CHARLESTON
Payroll Variance Analysis
September 2021

Department		Type	Current Month				Year To Date				Annual	
Name	Code	Wages	Budget	Actual	Variance	%	Budget	Actual	Variance	%	Budget	Available
Refuse & Recycling	800	Regular	154,142	147,472	6,670	4.33%	462,426	449,962	12,465	2.70%	2,003,847	1,553,885
		IPT	-	-	-		-	-	-		-	-
Budget	66	OT	18,092	7,115	10,978	60.68%	54,277	23,052	31,225	57.53%	235,200	212,148
Actual	63	Total	172,234	154,586	17,648	10.25%	516,703	473,013	43,690	8.46%	2,239,047	1,766,034
Parks & Recreation	900	Regular	90,344	85,679	4,665	5.16%	271,031	255,093	15,938	5.88%	1,174,468	919,375
		IPT	16,800	8,175	8,625	51.34%	140,000	50,545	89,455	63.90%	280,000	229,455
Budget	31	OT	4,135	6,823	(2,687)	-64.99%	12,406	19,967	(7,560)	-60.94%	53,760	33,793
Actual	31	Total	111,279	100,676	10,603	9.53%	423,437	325,605	97,833	23.10%	1,508,228	1,182,623
Public Arts	906	Regular	4,000	4,114	(114)	-2.85%	12,000	12,114	(114)	-0.95%	52,000	39,886
		IPT	-	-	-		-	-	-		-	-
Budget	1	OT	-	-	-		-	-	-		-	-
Actual	1	Total	4,000	4,114	(114)	-2.85%	12,000	12,114	(114)	-0.95%	52,000	39,886
Spring Hill Cemetery	952	Regular	23,724	23,857	(133)	-0.56%	71,171	69,606	1,565	2.20%	308,407	238,801
		IPT	5,850	2,723	3,128	53.46%	20,475	6,388	14,087	68.80%	46,800	40,412
Budget	8	OT	775	17	758	97.76%	2,326	130	2,196	94.42%	10,080	9,950
Actual	8	Total	30,349	26,597	3,752	12.36%	93,972	76,124	17,848	18.99%	365,287	289,163
General Fund		Regular	2,589,721	2,436,265	153,456	5.93%	7,759,800	7,313,457	446,343	5.75%	33,666,369	26,352,912
		IPT	33,835	15,436	18,398	54.38%	192,229	70,854	121,375	63.14%	472,200	410,009
		OT	318,537	350,736	(32,198)	-10.11%	955,612	1,071,607	(115,995)	-12.14%	4,212,987	3,141,380
Budget	757	Reimb.	(2,846)	(11,989)	9,143	321.24%	(8,538)	(25,831)	17,293	202.53%	(37,000)	(11,169)
Actual	703	Total	2,939,247	2,790,448	148,799	5.06%	8,899,102	8,430,087	469,015	5.27%	38,314,556	29,893,131

CITY OF CHARLESTON
Payroll Variance Analysis
September 2021

Department		Type	Current Month				Year To Date				Annual	
Name	Code	Wages	Budget	Actual	Variance	%	Budget	Actual	Variance	%	Budget	Available
Coliseum & Conv. Center	402	Regular	42,113	50,496	(8,383)	-19.91%	126,339	146,467	(20,128)	-15.93%	547,468	401,001
		IPT	7,269	-	7,269	100.00%	21,808	3,234	18,574	85.17%	94,500	91,266
		OT	4,062	939	3,123	76.88%	12,185	5,859	6,326	51.91%	52,800	46,941
		Total	53,444	51,435	2,009	3.76%	160,331	155,560	4,771	2.98%	694,768	539,208

Parking System	406	Regular	54,906	53,191	1,716	3.12%	164,719	153,885	10,835	6.58%	713,784	559,899
		IPT	3,923	2,184	1,739	44.33%	11,769	7,765	4,004	34.02%	51,000	43,235
		OT	1,292	1,321	(29)	-2.22%	3,877	2,695	1,182	30.48%	16,800	14,105
		Total	60,122	56,696	3,426	5.70%	180,366	164,345	16,021	8.88%	781,584	617,239

Total		Regular	2,686,740	2,539,952	146,788	5.46%	8,050,858	7,613,809	437,049	5.43%	34,927,621	27,313,812
		IPT	45,027	17,620	27,407	60.87%	225,806	81,853	143,953	63.75%	617,700	535,847
		OT	323,891	352,996	(29,104)	-8.99%	971,674	1,080,162	(108,488)	-11.17%	4,282,587	3,202,425
		Reimb.	(2,846)	(11,989)	9,143	-321.24%	(8,538)	(25,831)	17,293	-202.53%	(37,000)	(11,169)
		Total	3,052,812	2,898,579	154,233	5.05%	9,239,799	8,749,993	489,806	5.30%	39,790,908	31,040,915

Vacancy Report:

CARE Office	1
City Manager	1
Accounting	1
MOECD	1
Mail Room	1
Planning	1
Information Systems	1
General Services	2
Constituent Services	1
Public Works (all)	13
Police - Uniform	14
Fire - Uniform	16
Homeland Security	1
Total General Fund	54

Bill No. 7926

Introduced in Council:

October 4, 2021

Introduced by:

Bruce King
Jennifer Pharr

Adopted by Council:

Referred to:

Municipal Planning Commission
Planning, Streets and Traffic

Bill No. 7926 - A Bill amending the Zoning Ordinance of the City of Charleston, West Virginia, adopted January 1, 2006, as amended, by amending the front setback exceptions in Section 22-020 General Exceptions to Height, Bulk, Area, and Density Regulations in Article 22 Height, Bulk, Area and Density Provision.

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

The Zoning Ordinance for the City of Charleston, West Virginia, effective January 1, 2006, is hereby amended as follows:

1) In Article 22 Height, Bulk, Area and Density Provision

Sec. 22-020 General Exceptions to Height, Bulk, Area, and Density Regulations

A. Height Exceptions

In all districts, spires, church steeples, chimneys, cooling towers, elevator bulkheads, fire towers, scenery lofts, transmission lines or towers and distribution poles and lines, and essential mechanical appurtenances may be erected to any height not prohibited by other laws or ordinances. Standard antenna and similar appurtenances may not exceed the maximum building height by more than twenty-five (25) feet.

B. Orientation

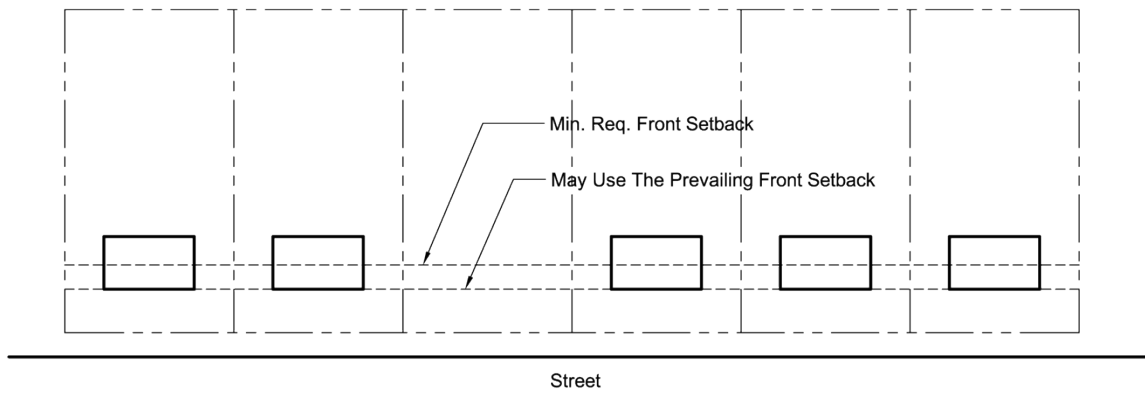
All residential structures shall be required to have a front door facing the street unless the applicant proves to the satisfaction of the Planning Director that the prevailing condition of the developed lots fronting the same street would warrant a different orientation.

C. Front Setback Exception

1. In traditional neighborhoods, all construction shall conform to the clearly prevailing front setback pattern of developed properties fronting the same side of the street between the street intersections, even when the prevailing front setbacks differ from the zoning district requirement. This is accomplished by averaging the front setback of those developed properties. Outliers, as determined by the Planning Director, shall be excluded from the calculation. Where there is no clearly prevailing front setback pattern, new construction shall be subject to the front setback required in the zoning district.

2. In non-traditional neighborhoods, all construction shall be subject to the front setback required in the zoning district, however when a property is situated between two lots with existing front setbacks that differ from those required in the zoning district, then the front setback may be adjusted to a depth equal to the average of the front setbacks of the two adjacent lots.
3. In nontraditional neighborhoods, no front porch or deck shall extend into the required front yard unless development patterns within the block are such that a porch would be appropriate. In no case, shall a front porch extend more than eight (8) feet into the required front yard.
4. In traditional neighborhoods, open air front porches may project beyond the prevailing front setback provided:
 - a. the floor is less than 30 inches above grade;
 - b. there are no horizontal railings or knee walls;
 - c. it is not enclosed in whole or in part by glass, screening, or similar architectural features;
 - d. the support columns are less than 12 inches by 12 inches in width; and
 - e. the roof pitch is 3:12 or less.

Front Setback Exception: When the prevailing front setback is less than the required front setback



D. Projections into Required Setbacks

1. Cornices, eaves, sills or other similar architectural features, or other required means of egress, rain leads or chimneys or other similar structures that do not include space usable by persons may extend or project into a required yard not more than four (4) feet. Unenclosed and uncovered exterior stairways and fire escapes may extend or project into a required side or rear yard not more than four (4) feet. In no case, shall any of the above architectural features or means of egress be constructed less than three (3) feet from the property line.
2. ~~No front porch or deck shall extend into the required front yard unless development patterns within the block are such that a porch would be appropriate. In no case, shall a front porch extend more than eight (8) feet into the required front yard.~~
32. Fences, walls, concrete pads or patios, and brick pavers may extend or project into a required setback.

- 1 43. Uncovered ramps designed in accordance to American with Disabilities Act (ADA) standards
2 may extend or project into a required setback. In no case, shall a ramp be constructed less
3 than three (3) feet from the property line.
- 4 54. Uncovered decks less than five (5) feet in height may extend or project fifty (50) percent into
5 the rear setback.
- 6 65. Uncovered stairs, landings, porches less than five (5) feet in height may project or extend
7 three (3) feet into the side setback.
- 8 76. Awnings and canopies extending over a public right-of-way shall not be lower than 9 feet
9 above the ground. Supporting posts or columns shall not be permitted on public property.
- 10 E. Yard, Building Setbacks, and Open Space Exceptions
- 11 1. No yard, open space or lot area required for a building or structure shall, during its life, be
12 occupied by or counted as open space for any other building or structure.
- 13 2. For adjoining lots under single ownership, setback requirements may be determined from the
14 perimeter of the adjoining lots, ignoring interior lot lines, provided that only one main
15 structure and its accessory structures shall be allowed within the perimeter of such adjoining
16 lots and, the following notation is first placed on the recorded deed to each such adjoining lot:
17 "For planning and zoning purposes, the lot described herein shall be considered as part and
18 parcel of the adjacent lot(s) owned by [insert owner's name] pursuant to a deed (or deeds)
19 recorded at Deed Record [#s] page [#s], in the Office of the Clerk of the County Commission
20 of Kanawha County. The real estate described herein shall not be considered to be a separate
21 parcel of real estate for land use, development, conveyance or transfer of ownership, without
22 having first obtained the expressed approval of the Charleston City Planning Commission.
23 This restriction shall be a covenant running with the land."
- 24 F. Side and Rear Setback Exceptions
- 25 1. One-half of an alley abutting a side or rear yard may be included in the required setback. The
26 required side yard may be reduced where the applicant proves to the satisfaction of the
27 Planning Director that the provision of a smaller side yard setback will conform to the
28 prevailing side yard pattern of the developed lots fronting the same street. In no event shall
29 the required side yard be reduced to less than three (3) feet.
- 30 2. In all residential districts, rear additions may be constructed onto the principal residence even
31 when the existing footprint of the principal residence extends into the side setbacks. The rear
32 addition may be constructed as a permitted use, provided that the footprint of the proposed
33 addition will not further extend into the side setbacks.
- 34 3. Corner lots shall have no rear lot lines and therefore shall be subject only to front and side
35 setback requirements.
- 36 G. Through Lot Exception
- 37 Where an applicant proves to the satisfaction of the Planning Director that a through lot is developed in
38 such a way that it is consistent with the clearly prevailing yard pattern of a neighborhood, the
39 perceived rear yard shall be treated as a rear yard under the provisions of this ordinance.
- 40
- 41 2) All prior ordinances or parts of ordinances, inconsistent with this ordinance are
42 hereby repealed to the extent of such inconsistency.
43