



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

CITY OF CHARLESTON, WEST VIRGINIA

Regular Meeting – Monday, December 20, 2021

at 7:00 P.M.

Council Chamber – City Hall – Charleston, West Virginia

OFFICIAL RECORD

Amy Shuler Goodwin
Mayor

Miles C. Cary II
City Clerk

CALL TO ORDER*

The Council met at 7:00 P.M., for the second meeting in the month of December on the 20th day, in the year 2021, and was called to order by the Honorable Mayor, Amy Shuler Goodwin. The invocation was delivered by Councilmember Knauff, and the Pledge of Allegiance was led by Councilmember Pepper. The Honorable Clerk, Miles C. Cary II, called the roll of members and it was found that there were present at the time:

BURTON	BAYS	BROWN
	CAMPBELL	CEPERLEY
	FAEGRE	HAAS
HOOVER	JENKINS	JONES
	KNAUFF	MCKINNEY
MINARDI	MOORE	OVERSTREET
PEPPER	PERSINGER	PHARR
	ROBINSON	SHEETS
SNODGRASS	STEELE	MAYOR GOODWIN

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

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

PUBLIC SPEAKERS

1. Eric Desmond – Spoke about Sadd LLC., CHHA and TM Management.

CLAIMS

1. A claim of Juanita and Linda Allen, Charleston, WV;
alleges damage to property.
Refer to City Solicitor, Please.
2. A claim of Leslie Karyn Farley, Crab Orchard, WV;
alleges personal injury.
Refer to City Solicitor, Please.
3. A claim of United Rentals, Inc., Cross Lanes, WV;
alleges damage to vehicle.
Refer to City Solicitor, Please.

PROCLAMATIONS

None

COMMUNICATIONS

1. Mayor Goodwin sworn in the 2022 Youth Council
- 2.

Amy Shuler Goodwin
Office of the Mayor
City of Charleston



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

TO: MILES CARY
CITY CLERK

FROM: AMY SHULER GOODWIN
MAYOR

RE: HISTORIC LANDMARKS COMMISSION

DATE: DECEMBER 20, 2021



I recommend the following individual be appointed to the Historic Landmarks Commission:

Lis Fischer-Casto – filling a vacant seat on the Commission with an expiration date of 9-19-24.
Ms. Fischer-Casto will fill the requirement of a member of the Municipal Planning Commission being on the Historic Landmarks Commission.

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

ASG/mls

Councilmember Ceperley moved to approve the appointment. Councilmember Hoover seconded the motion. With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared the appointments approved.

3.

Amy Shuler Goodwin
Office of the Mayor
City of Charleston



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

TO: MILES CARY
CITY CLERK

FROM: AMY SHULER GOODWIN
MAYOR

RE: SELECT COMMITTEE ON NAMING RIGHTS - CHARLESTON
COLISEUM & CONVENTION CENTER

DATE: DECEMBER 20, 2021

As the City has invested substantially in the renovation of the former Civic Center to create a world-class facility now known as the Charleston Coliseum & Convention Center, I find that it is important to further the City's great work in promoting the facility and its offerings. I recognize that a common marketing and revenue strategy for such crowd-drawing facilities is to offer naming rights under appropriate terms to suitable sponsors. In that vein, I find it both strategically and financially prudent to establish a select committee to develop and implement a solicitation and evaluation process for a naming rights contract for the Charleston Coliseum & Convention Center. The Select Committee is charged with submitting a naming rights contract recommendation to the City Council, with any such recommended contract being first approved as to form by the City Solicitor, specifically taking into account the City's obligations and covenants under applicable tax-exempt bond arrangements and applicable Internal Revenue Service tax statutes and regulations.

I appoint the following individuals to the Select Committee on Naming Rights – Charleston Coliseum & Convention Center: Carrie Fenwick, as its chairperson; Sam Minardi; Chad Robinson; Ronnie Murad; Jennifer Pharr; Joe Jenkins; Andy Richardson; and Jonathan Storage, as an ex officio non-voting member.

ASG/mls

Councilmember Ceperley moved to approve the appointment. Councilmember Hoover seconded the motion. With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared the appointments approved.

MISCELLANEOUS RESOLUTIONS

1. **Resolution No. 581-21** – Regarding the Petition for Review by Council, filed by Charles A. Boggs III and Rise C. Boggs, appealing the November 16, 2021, Final Order of the City Manager resolving a previous hearing petition challenging a September 15, 2021, Notice of Public Nuisance and Order of Abatement.

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

That the City Council hereby affirms in part and modifies in part the November 16, 2021, Final Order of the City Manager regarding the Notice of Public Nuisance and Order of Abatement related to 423 Beech Avenue, which is up for review at the request of Charles A. Boggs III and Rise C. Boggs. The City Council affirms the Final Order in all respects, apart from the time period within which Mr. and Mrs. Boggs shall abate the public nuisance. The City Council modifies the Final Order such that Mr. and Mrs. Boggs shall abate the public nuisance on or before June 30, 2022.

Councilmember Ceperley added that the resolution upholds the findings of the City Manager except that the timeframe has been changed from ten days to six months. Having reviewed the documents and inspected the area, Councilmember Ceperley concluded that the wall in question is on the property of Mr. Boggs and is built partially on the public right of way that benefits two private properties owned by Mr. Boggs.

Councilmember Snodgrass requested to hear from Mr. Boggs.

Mr. Boggs described how the wall was situated in the alley, adding that sewage, water and gas go below the alley. When those systems were placed under the alley, neither house had been built, and a retaining wall had to be built. Mr. Boggs introduced Joe Wiseman, an Engineer and Contractor acquaintance. Mr. Wiseman added that the wall is starting to tilt down the alley, adding that there is no visible reinforcement at the corner end of the wall. Mr. Wiseman stated that the leaning wall was likely due to a subsurface issue, such as a water leak.

Councilmember Brown added that it was likely that the tree's roots probably pushed the wall out. Mr. Wiseman stated that he didn't see any exposed tree roots. While it was possible, it was not likely in his opinion.

Councilmember Faegre asked if the wall would have to be torn down if any of the utilities under the alley needed repaired. Mr. Wiseman replied that it would fall if the soil was saturated with moisture.

Councilmember McKinney confirmed with Mr. Wiseman that no one knows who built the wall. Councilmember McKinney spoke in favor of the City paying for the wall repairs.

Councilmember Snodgrass added that she understood that the City had concerns that there could be structural damage that the City would be liable for if they fixed the walls. She added that the City has to have access to that infrastructure. Mr. Boggs agreed that he would be willing to hold the City harmless to that and future structural damage. He added that the current structural damage mentioned was due to a vehicle accident years prior.

Councilmember Minardi inquired about the quality of the wall's construction. Mr. Wiseman replied that he did not believe the wall could be repaired as opposed to rebuilt.

Councilmember Ceperley asked who planted the trees and bushes next to the wall, on City property. Mr. Boggs replied that he did not know, but was sure it wasn't him.

Councilmember Pepper asked if there was anything in the record as to the utilities causing the degradation of the wall, as this was the first time he had heard that. City Manager, Jonathan Storage replied that it is not reflected in the record as that it is a new theory. Additionally, Mr. Boggs brought this matter to the City himself as an immediate safety hazard. While the wall is in the public right of way, it was not built by the City, therefore does not belong to the City.

Councilmember Hoover asked to hear from the City Engineer, Chris Knox.

Councilmember Faegre confirmed with Storage that he was not aware that Mr. Boggs had been told by previous Councilmembers that the wall belonged to the City. Storage added that while the City would need access to the alley for utility repairs, they would not need access to the wall.

Councilmember Knauff confirmed with Mr. Boggs that he would take the City to Circuit Court if he lost the petition.

Councilmember Persinger stated that if the pipes under the alley were larger than what would be possible with micro-trenching (referring to a comment Storage had made earlier), then micro-trenching couldn't be used. Storage replied that he didn't know the size of pipe required.

Councilmember McKinney asked Mr. Boggs how much the repair would be. Mr. Boggs replied that it would cost the City \$10,000. Mr. Boggs added that, until he received a letter from the City Manager, the wall was never referred to as a nuisance.

Councilmember Faegre added that she would consider it a public nuisance due to the number of complaints she had received and the fact that it could hurt children playing if it fell, as it is a legal term.

Knox added that they researched the area from 1907. Records indicate that the alley was built in 1925 and the structure was built around 1940. The first mention of the wall in a deed was in 1955. He added that it would likely cost the City \$50,000 to fix. Knox added that the City does not construct walls above the roadway to support private property unless it is part of a subdivision where the City has accepted the wall.

Councilmember McKinney asked if Knox was solely using records for his information, or was there any testing done. Knox replied that they did not conduct a physical survey.

Councilmember Pharr asked why a survey was not conducted, and would it be helpful. Knox added that everyone is likely in agreement that the wall is on City property. Additionally, 90% of driveways encroach on City property as a necessity.

Councilmember Steele confirmed with Knox that, due to the amount of deeds available, the property has been surveyed multiple times in the past. Councilmember Steele confirmed with Knox that the alley was put in place about fifteen years before the properties were built.

Councilmember Snodgrass motioned to amend Resolution No. 581-21 in such a way that the City will repair or replace the wall, and the Boggs would sign an agreement that would hold the City harmless to potential damage. She added that this was appropriate since there was no record of who built the wall, and because the City has to have access to the alley.

Knox added that he did not believe the wall was necessary to gain access to utilities under the alley.

With no objection, Council recessed for five minutes.

Councilmember Snodgrass withdrew her amendment.

Councilmember Snodgrass motioned to Table Resolution. 581-21.

With members present recorded thereon as voting unanimously in the majority in the affirmative, with at least two (2) recognized Nays from Jenkins and Persinger, the Mayor declared Resolution No. 581-21 Tabled.

REPORTS OF COMMITTEES

COMMITTEE ON PLANNING, STREETS AND TRAFFIC

Councilmember Pharr, Chair of the Council Committee on Planning, Streets and Traffic, submitted the following reports:

1. Your committee on Planning, Streets and Traffic has had under consideration the following bill, and reports the same to Council with the recommendation that Bill No. 7926 Committee Substitute do pass.

Bill No. 7926 Committee Substitute - 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.

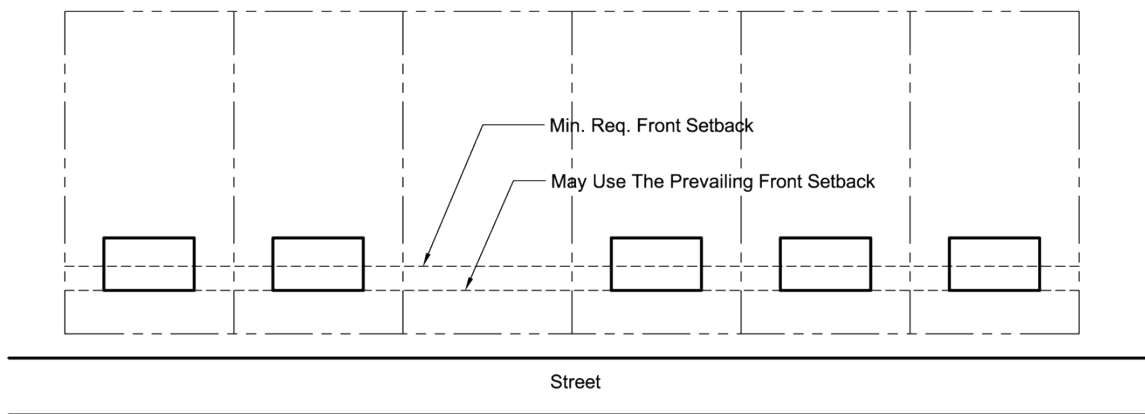
C. Front Setback Exception

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;
 - e. the roof pitch is 3:12 or less;
 - f. the projection is no more than (8) feet from the front door of the structure;
 - g. that it is not used for the storage, maintenance, repair, or shelter of automobiles, motorcycles, trucks, trailers, watercraft, motorhomes, or other similar vehicles; and
 - h. the exception may only be applied to one porch per dwelling unit.

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.
- ~~43.~~ Uncovered ramps designed in accordance to American with Disabilities Act (ADA) standards may extend or project into a required setback. In no case, shall a ramp be constructed less than three (3) feet from the property line.
- ~~54.~~ Uncovered decks less than five (5) feet in height may extend or project fifty (50) percent into the rear setback.
- ~~65.~~ Uncovered stairs, landings, porches less than five (5) feet in height may project or extend three (3) feet into the side setback.
- ~~76.~~ Awnings and canopies extending over a public right-of-way shall not be lower than 9 feet above the ground. Supporting posts or columns shall not be permitted on public property.

E. Yard, Building Setbacks, and Open Space Exceptions

1. No yard, open space or lot area required for a building or structure shall, during its life, be occupied by or counted as open space for any other building or structure.
2. For adjoining lots under single ownership, setback requirements may be determined from the perimeter of the adjoining lots, ignoring interior lot lines, provided that only one main structure and its accessory structures shall be allowed within the perimeter of such adjoining lots and, the following notation is first placed on the recorded deed to each such adjoining lot: "For planning and zoning purposes, the lot described herein shall be considered as part and parcel of the adjacent lot(s) owned by [insert owner's name] pursuant to a deed (or deeds) recorded at Deed Record [#s] page [#s], in the Office of the Clerk of the County Commission of Kanawha County. The real estate described herein shall not be considered to be a separate parcel of real estate for land use, development, conveyance or transfer of ownership, without having first obtained the expressed approval of the Charleston City Planning Commission. This restriction shall be a covenant running with the land."

F. Side and Rear Setback Exceptions

1. One-half of an alley abutting a side or rear yard may be included in the required setback. The required side yard may be reduced where the applicant proves to the satisfaction of the Planning Director that the provision of a smaller side yard setback will conform to the prevailing side yard pattern of the developed lots fronting the same street. In no event shall the required side yard be reduced to less than three (3) feet.
2. In all residential districts, rear additions may be constructed onto the principal residence even when the existing footprint of the principal residence extends into the side setbacks. The rear addition may be constructed as a permitted use, provided that the footprint of the proposed addition will not further extend into the side setbacks.
3. Corner lots shall have no rear lot lines and therefore shall be subject only to front and side setback requirements.

G. Through Lot Exception

Where an applicant proves to the satisfaction of the Planning Director that a through lot is developed in such a way that it is consistent with the clearly prevailing yard pattern of a neighborhood, the perceived rear yard shall be treated as a rear yard under the provisions of this ordinance.

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

Councilmember Hoover added that the bill allows more flexibility to property owners who wish to add a front porch onto the front façade of their homes, while maintaining alignment with existing development pattern.

Councilmember Hoover moved to approve the bill. Councilmember Ceperley seconded the motion.

A roll call was taken:

YEAS: Bays, Brown, Burton, Campbell, Ceperley, Faegre, Haas, Hoover, Jenkins, Jones, Knauff, McKinney, Minardi, Moore, Overstreet, Pepper, Persinger, Pharr, Robinson, Sheets, Snodgrass, Steele, Mayor Goodwin

NAYS: None

ABSENT: Adams, Cook, King, Reishman

With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Bill No. 7926 Committee Substitute as passed.

2. Your committee on Planning, Streets and Traffic has had under consideration the following bill, and reports the same to Council with the recommendation that Bill No. 7931 do pass.

Bill No. 7931 - A Bill amending the Zoning Ordinance of the City of Charleston, West Virginia, adopted January 1, 2006, as amended, by amending the East End Historic District Overlay, in Article 21 Overlay Districts, for consistency with design guidelines developed and adopted by the Charleston Historic Landmarks Commission.

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:

3) In Article 21 Overlay Districts

Sec. 21-041 East End Historic District Overlay (EE)

Sec. 21-041-01 Purpose of the East End Historic District Overlay

It is the purpose of this historic district overlay to achieve the preservation of structures in the East End Historic District of Charleston in order to: 1) safeguard the heritage of the historic neighborhood by preserving the areas therein which reflect elements of its cultural, social, economic, political, or architectural, or archaeological history; 2) foster urban and civic beauty; 3) promote the preservation, and where permitted and appropriate, the use of historic districts properties for the education, welfare, and pleasure of the residents of the City and the region; and 4) strengthen the local economy.

Sec. 21-041-02 Establishment of the East End Historic District Overlay

The East End Historic District Overlay is hereby established as a district which overlays existing zoning districts, the extent and boundaries of which are as indicated on the official zoning map of the City of Charleston and are identical to those of the East End Historic District as listed on the National Register of Historic Places on April 20, 1978.

Sec. 21-041-03 Lot Provisions in the East End Historic District Overlay

Lot sizes, setbacks and density provisions required in the base zoning district apply in the East End Historic District Overlay. Exceptions noted in Article 22 of this ordinance also apply in the East End Historic District Overlay. Additional lot provisions may be specified in design guidelines for the district.

Accessory garage structures may be sited on the rear and side property lines. This permits shared parking structures as was customary at the time of the district's development and helps conserve open space on the small urban lots in the neighborhood.

Sec. 21-041-04 Height Provisions in the East End Historic District Overlay

Height shall not exceed 35 feet above grade at the building line.

Sec. 21-041-05 Application for Permission to Build, Alter, etc. in the East End Historic District Overlay

Before the construction, alteration, reconstruction, moving relocation, or demolition of any structure within a designated historic district the East End Historic District Overlay, and before any changes take place which would affect either the exterior appearance of a structure or the character of its related environment within the designated historic district East End Historic District Overlay, the person proposing to make the changes shall file with the Planning Department an application for permission to build, alter, reconstruct, move or demolish. Every such application for a Certificate of Appropriateness

shall be referred to and considered by the Charleston Historic Landmarks Commission or by the Planning Department as set forth in the design guidelines for the district.

Sec. 21-041-06 Parking, Loading and Internal Circulation in the East End Historic District Overlay

- A. The parking regulations of the underlying zoning district shall apply.
- B. Except for driveways serving single family dwellings, all parking shall be located in the rear of the primary structure.
- C. In addition to the parking regulations for the underlying zoning district, for principal uses located on lots fronting on Kanawha Boulevard, vehicular ingress and egress to and from Virginia Street are prohibited.

Sec. 21-041-07 Landscaping and Screening in the East End Historic District Overlay

In addition to the landscaping and screening regulations of the underlying zoning districts, the following landscaping and screening regulations also shall apply to all properties affected by the overlay designation:

- A. Parking areas for all multi-family residential and non-residential uses containing more than two (2) parking spaces and all loading facilities shall be screened from view from adjacent single-family residential properties by a six (6) foot high predominantly opaque fence or decorative wall, or by an earth berm or plantings.
- B. All parking areas, containing more than two parking spaces, and all loading facilities shall be screened from view from all public streets by a three and one-half (3.5) foot predominantly opaque fence, wall, berm, or plantings. Such fence, wall, plantings, or berm shall be compatible in appearance with existing fences, walls, plantings, and berms in the district. Such wall plantings or berms shall not be more than two and one-half (2.5) feet in height in triangles at the intersection of a driveway with the street right-of-way. The triangles shall be determined by measuring twenty (20) feet along the street frontage on each side of the driveway, and by measuring back on each side of the driveway the depth of the required front setback.

Sec. 21-041-08 Signs in the East End Historic District Overlay

- A. All signage shall be compatible with the exterior of existing buildings in the district.
- B. One sign shall be permitted for the sole purpose of identifying the occupant of the principal structure on the lot. Such identification shall be limited to the name of the company or occupant, and the street number (not to exceed six digits).
- C. The permitted sign shall not exceed 10 square feet including the supporting structure. The dimensions shall not exceed 2.5 feet in height or 4 feet in width.
- D. The permitted sign shall be set back at least 10 feet from the property line.
- E. The overall height of the entire permitted sign shall not exceed 3 feet above grade.
- F. The permitted sign shall be designed and produced by a professional sign manufacturer or professional sign painter, using one of the following font styles:
 - 1. Souvenir Medium
 - 2. Times Roman
 - 3. Standard Medium
 - 4. Tiffany Medium
- G. Any illumination of the permitted sign shall be from an indirect source.

Councilmember Hoover added that the bill is a text amendment to the East End Historic Overlay for the area that has the current design review. The new guidelines were written and adopted by the Historic Landmarks Commission that gives clear information. She added that it will be a game changer for the neighborhood, and thanked the Planning Department (Lori Brannon) for their work.

Councilmember Hoover moved to approve the bill. Councilmember Ceperley seconded the motion.

A roll call was taken:

YEAS: Bays, Brown, Burton, Campbell, Ceperley, Faegre, Haas, Hoover, Jenkins, Jones, Knauff, McKinney, Minardi, Moore, Overstreet, Pepper, Persinger, Pharr, Robinson, Sheets, Snodgrass, Steele, Mayor Goodwin

NAYS: None

ABSENT: Adams, Cook, King, Reishman

With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Bill No. 7931 as passed.

3. Your committee on Planning, Streets and Traffic has had under consideration the following bill, and reports the same to Council with the recommendation that Bill No. 7933 do pass.

Bill No. 7933 - 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 an R-O District to a C-10 District that certain parcel of land situate at 104 Tennessee Avenue, Charleston, West Virginia and rezoning from a C-8 District to a C-10 District, those certain parcels of land situate at 110-116 Monongalia Street, 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:

A. from a R-O District to a C-10 District all of Parcel No. 32 as shown upon Charleston West Tax Map No. 26. The subject parcel being commonly known as 104 Tennessee Avenue. The above-mentioned tax map is as of record in the Charleston Planning Department.

B. from a C-8 District to a C-10 District all of Parcels Nos. 45, 46, 47, 48 and 235 as shown upon Charleston West Tax Map No. 26. Said properties being commonly known as 110-116 Monongalia Street, Charleston, West Virginia. The above-mentioned tax map is as of record in the Charleston Planning Department.

2. The Zoning Map, attached to and made a part of said Zoning Ordinance, is hereby amended in accordance with Article 27 of this ordinance.

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

Councilmember Hoover added that the rezoning is located on the West Side. The bill will clean up the zoning for the five parcels listed. The C-10 will allow for multi-family and general commercial use.

Councilmember Hoover moved to approve the bill. Councilmember Ceperley seconded the motion.

A roll call was taken:

YEAS: Bays, Brown, Burton, Campbell, Ceperley, Faegre, Haas, Hoover, Jenkins, Jones, Knauff, McKinney, Minardi, Moore, Overstreet, Pepper, Persinger, Pharr, Robinson, Sheets, Snodgrass, Steele, Mayor Goodwin

NAYS: None

ABSENT: Adams, Cook, King, Reishman

With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Bill No. 7933 as passed.

4. Your committee on Planning, Streets and Traffic has had under consideration the following bill, and reports the same to Council with the recommendation that Bill No. 7934 do pass.

Bill No. 7934 - A Bill to amend and re-enact Ordinance No. 7475 passed by Council on July 18, 2011 establishing a Loading Zone on the southerly side of Piedmont Road from a point 137 feet west of California Avenue to a point 269 feet west of California Avenue by adjusting the positioning of the Loading Zone, 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.

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

Section 1. A Bill to establish a Loading Zone on the southerly side of Piedmont Road from a point 35 feet west of California Avenue to a point 260 feet west of California Avenue from 6:00am. to 6:00pm., Monday through Friday.

Section 2. 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, shall be and hereby are amended, to conform to this Ordinance.

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

Councilmember Hoover added that the bill addresses an area on Piedmont that is an existing loading zone, with a portion being used for State parking for unloading, etc. However, a lot of cars use it for long-term parking. The bill would make the entire area a loading zone.

Councilmember Steele spoke in favor of the bill after having spoken to the Parking Director and driving by that area on several occasions.

Councilmember Hoover moved to approve the bill. Councilmember Ceperley seconded the motion.

A roll call was taken:

YEAS: Bays, Brown, Burton, Campbell, Ceperley, Faegre, Haas, Hoover, Jenkins, Jones, Knauff, McKinney, Minardi, Moore, Overstreet, Pepper, Persinger, Pharr, Robinson, Sheets, Snodgrass, Steele, Mayor Goodwin

NAYS: None

ABSENT: Adams, Cook, King, Reishman

With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Bill No. 7934 as passed.

5. Your committee on Planning, Streets and Traffic has had under consideration the following bill, and reports the same to Council with the recommendation that Bill No. 7937 do pass.

Bill No. 7937 - A Bill to repeal parking prohibitions along Court Street and authorize Council to approve parking along Court Street to begin on or after May 1, 2022; and modifying existing and/or adding necessary traffic control devices 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.

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

Section 1. A Bill to repeal parking prohibitions along Court Street from Kanawha Boulevard to Washington Street, as contained in Ordinances No. 2140 and No. 7631, authorize parking along Court Street from Kanawha Boulevard to Washington Street, and authorize modifying existing and/or adding necessary traffic control devices.

Section 2. The effective date of this Ordinance is May 1, 2022, and the Planning, Streets and Traffic Committee is directed to authorize specific placement of parking locations, loading zones, and any other necessary designations before the effective date, as authorized by the Municipal Code.

Section 3. The Traffic Control Map and Traffic Control File, established by the Municipal Code of the City of Charleston, West Virginia, two thousand and three, as amended, Traffic Laws, Section 263, Division 2, Article 4, Chapter 114, shall be and hereby are amended, to conform to this Ordinance.

Section 4. All prior Ordinances, inconsistent with this Ordinance are hereby repealed to the extent of said inconsistency.

Councilmember Hoover added that bill allows for parking spaces on Court Street to add short-term parking for mall, local businesses, City Hall, Court House, etc. This will also provide additional loading zones for businesses.

Councilmember Faegre inquired about the parking rate. Councilmember Hoover replied that the rates are comparable to the downtown area.

A roll call was taken:

YEAS: Bays, Brown, Burton, Campbell, Ceperley, Faegre, Haas, Hoover, Jenkins, Jones, Knauff, McKinney, Minardi, Moore, Overstreet, Pepper, Persinger, Pharr, Robinson, Sheets, Snodgrass, Steele, Mayor Goodwin

NAYS: None

ABSENT: Adams, Cook, King, Reishman

With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Bill No. 7937 as passed.

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. 571-21 be adopted.

Resolution No. 571-21 - Authorizing the Mayor or City Manager to approve and execute Change Order No. 2 relating to the Slack Plaza / City Center project, where the adjusted pricing details are indicated on Exhibit A attached hereto.

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

That the Mayor or City Manager is authorized to approve and execute Change Order No. 2 relating to the Slack Plaza / City Center project, where the adjusted pricing details are indicated on Exhibit A attached hereto.

Councilmember Jenkins added that the change order extends the contract to the end of January to be completed by February 1, 2022, and also reflects a change in the amount due to issues with the supply chain.

Councilmember Jenkins moved to approve the resolution. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Resolution No. 571-21 adopted.

**SQP Construction Group, Inc.**

281 Smiley Drive, St. Albans, West Virginia 25177

Phone: (304) 440-9200 • Cell: (304) 575-5546

Contact: Eric Nolan Project Manager

Project:City of Charleston
Slack Plaza Renovations**002****Proposal Description:**

Change Order 2

	Description	Revised Totals 12/15/21
1	Drill holes in concrete under paver areas	\$ 1,975.00
2	Install aluminum fence and stone veneer at Peoples Building parking lot	\$ 24,385.00
3	Demolition and replacement of sidewalk and curb in front of police station and small triangle area adjacent the police station	\$ 11,216.00
4	LiveWall upgrades for control system	\$21,295.14
5	Central Walkway repair	\$ 4,780.00
6	Electrical enclosure CMU cap	\$ 999.00
7	Hot Box enclosure upgrade to aluminum. Cherry River and RFI	\$ 4,900.00
8	Grate modifications (Including ADA Paver Upgrades)	5,215.00
9	Credit fo small sculpture base	(1,800.00)
10	Credited Back on Contract from Change Order 1	(\$57,867.00)
11		
12.00	Demo existing valve and install frost free water supply outside the restrooms	\$1,246.47
13.00	Upgrade to 400 amp service	\$13,200.00
14.00	Contract Extension to 2/04/21	\$0.00
15.00	Tree Rings Total of 12 Granite and Paver Areas	5,857.00
Totals		\$ 35,401.61

Submitted By

Eric J. Nolan

[NAME]

[SIGNATURE]

Project Manager

[TITLE]

November 4, 2021

[DATE]

2. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 572-21 be adopted.

Resolution No. 572-21 – Authorizing the Mayor or City Manager to enter into a contract with Agsten Construction Company, Inc., in the amount of \$237,000 to renovate approximately 1,330 square feet of office space on the 3rd floor of City Hall, where the renovation work includes selective interior demolition, new ceilings, partitions, finishes, lighting, power, HVAC supply/return, and plumbing.

Now, therefore, 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 Agsten Construction Company, Inc., in the amount of \$237,000 to renovate approximately 1,330 square feet of office space on the 3rd floor of City Hall, where the renovation work includes selective interior demolition, new ceilings, partitions, finishes, lighting, power, HVAC supply/return, and plumbing.

Councilmember Jenkins added that the resolution is to renovate the old Traffic Engineering offices for use by the Chief of Police. Property and Records will then move from the basement to the current Chief's Office.

Councilmember Persinger added that all of the four bidders were given Local Vendor Preference, but none of them were located within the City. He expressed concern that the qualification for being a local vendor is that they must be licensed by the State and have an active, current B&O account with the City. Storage replied that the local preference was created, in part, to acknowledge the tax contribution that a business contributes to the City. A business would need to be filing quarterly returns to qualify.

Councilmember Jenkins moved to approve the resolution. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting in the majority in the affirmative, the Mayor declared Resolution No. 572-21 adopted.

3. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 573-21 be adopted.

Resolution No. 573-21 – Authorizing the Finance Director to establish fund 046, HOME-ARP Investment Trust Fund, a fund that accounts for revenues received from the U.S. Department of Housing and Urban Development to administer the HOME Program under the American Rescue Plan Act of 2021.

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

That the Finance Director is authorized to establish fund 046, HOME-ARP Investment Trust Fund, a fund that accounts for revenues received from the U.S. Department of Housing and Urban Development to administer the HOME Program under the American Rescue Plan Act of 2021.

Councilmember Jenkins added that this is a separate program from the other ARP funds. It is required that the City create a revenue fund for this.

Councilmember Jenkins moved to approve the resolution. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting in the majority in the affirmative, with one abstention, the Mayor declared Resolution No. 573-21 adopted.

4. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 574-21 be adopted.

Resolution No. 574-21 – Authorizing the Mayor or City Manager to enter into a contract with SoftResources LLC in the amount of \$83,900 to perform information technology consulting services for the replacement of the City’s enterprise resource planning (“ERP”) system and the City’s revenue tracking system (“RTS”), where the consultant was selected through a nationwide solicitation process and was among four applicants considered. The scope of services will include assisting the City with the procurement of a complete ERP and RTS solution, including software, hardware specifications, project management, and business process improvements.

Now, therefore, 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 SoftResources LLC in the amount of \$83,900 to perform information technology consulting services for the replacement of the City’s enterprise resource planning (“ERP”) system and the City’s revenue tracking system (“RTS”), where the consultant was selected through a nationwide solicitation process and was among four applicants considered. The scope of services will include assisting the City with the procurement of a complete ERP and RTS solution, including software, hardware specifications, project management, and business process improvements.

Councilmember Jenkins added that the current system, which is vital to City operations is outdated. The consultant will work with the City to ensure that all of the data is transferred to the chosen system. The process is expected to take eight months. It is not known how it will connect to the Auditor’s system, but they are confident it will be compatible.

Councilmember Jenkins moved to approve the resolution. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Resolution No. 574-21 adopted.

5. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 575-21 be adopted.

Resolution No. 575-21 – Whereas, the Land and Water Conservation Fund (“LWCF”) was established by Congress in 1964 to fulfill a bipartisan commitment to safeguard natural areas, water resources, and cultural heritage, as well as to provide recreation opportunities to all Americans;

Whereas, the LWCF is a state and federal partnership program benefiting the State of West Virginia and its political subdivisions;

Whereas, the funding for the program is provided through congressional appropriations to the State & Local Assistance Programs Divisions of the National Park Service;

Whereas, the LWCF program provides matching grants to states for planning, acquiring, developing, or renovating state and local parks;

Whereas, the LCWF grant program may be used to renovate athletic fields, including installing synthetic turf;

Whereas, the City maintains numerous athletic fields that are frequently used by community groups, City Parks & Recreation Department programs, little league organizations, and more;

Whereas, the City has identified the athletic fields that are in the most need of renovation through turf replacement: two little league fields along Bigley Avenue, one little league field at the Kanawha City Community Center, and one little league field at the North Charleston Community Center;

Whereas, the estimated cost of turf replacement project is approximately \$2,000,000;

Whereas, the LCWF requires applicants to submit a 50% cash match for any awarded funds; and

Whereas, the Council finds that proceeding with the grant application, including committing to the 50% cash match requirement, is in the best interests of the City and its residents

Now, therefore, 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 Land and Water Conservation Fund in the amount of \$1,970,529 to perform athletic field turf renovations to four athletic fields within the City: two little league fields along Bigley Avenue, one little league field at the Kanawha City Community Center, and one little league field at the North Charleston Community Center. The Mayor or City Manager is further authorized to commit the City to the 50% cash match grant requirement and agrees to abide by all rules and regulations pertaining to the Land and Water Conservation Fund Program, including the operation and maintenance of the proposed facilities for public use should this project receive Federal assistance.

Councilmember Jenkins added that the grant will turf the mentioned Little League fields. There is a required 50% match if awarded, which would be about \$1 million from the City.

Councilmember Knauff added that he was informed during the Finance Committee meeting that the City would be committed to find alternative funding for these projects if not awarded the grant. He inquired about the timeframe. Storage replied that the application is due December 30, 2021. It will likely be a few months before the City hears back about the grant. The City would not be able to take any action to enter into a contract to turf those specific fields while actively pursuing the grant.

Councilmember Jenkins moved to approve the resolution. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Resolution No. 575-21 adopted.

6. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 576-21 be adopted.

Resolution No. 576-21 – Authorizing the Mayor or City Manager to purchase one (1) vehicle from Thornhill Motor Car, Inc., (DBA Thornhill CDJR), in the amount of \$34,462, where the vehicle will replace a fleet vehicle maintained by the Metropolitan Drug Enforcement Network Team (“MDENT”) and will be titled to the City of Saint Albans.

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

That the Mayor or City Manager is authorized to purchase one (1) vehicle from Thornhill Motor Car, Inc., (DBA Thornhill CDJR), in the amount of \$34,462, where the vehicle will replace a fleet vehicle maintained by the Metropolitan Drug Enforcement Network Team (“MDENT”) and will be titled to the City of Saint Albans. The purchase will be made through a competitively sourced state-wide contract.

Councilmember Jenkins added that this is a regular replacement cycle for vehicles used by MDENT, conducted by the City serving as the fiscal agent for MDENT.

Councilmember Jenkins moved to approve the resolution. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Resolution No. 576-21 adopted.

7. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 577-21 be adopted.

Resolution No. 577-21 – Authorizing the Mayor or City Manager to purchase one (1) vehicle from Jim Robinson, Inc., in the amount of \$25,550, where the vehicle will replace a fleet vehicle maintained by the Metropolitan Drug Enforcement Network Team (“MDENT”) and will be titled to the City of Charleston.

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

That the Mayor or City Manager is authorized to purchase one (1) vehicle from Jim Robinson, Inc., in the amount of \$25,550, where the vehicle will replace a fleet vehicle maintained by the Metropolitan Drug Enforcement Network Team (“MDENT”) and will be titled to the City of Charleston. The purchase will be made through a competitively sourced state-wide contract.

Councilmember Jenkins moved to approve the resolution. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Resolution No. 577-21 adopted.

8. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 578-21 be adopted.

Resolution No. 578-21 – Authorizing the Mayor or City Manager to enter into a contract with Brewer & Co. in the amount of \$83,500.00 to perform construction and installation work to renovate the fire alarm and smoke detector systems at the YWCA Sojourner’s Shelter for Homeless Women and Families, a City owned facility.

Now, therefore, 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 Brewer & Co. in the amount of \$83,500.00 to perform construction and installation work to renovate the fire alarm and smoke detector systems at the YWCA Sojourner’s Shelter for Homeless Women and Families, a City owned facility.

Councilmember Jenkins added that fire alarm and smoke detector systems at the Sojourner’s Shelter will be updated and brought up to code.

Councilmember Pharr abstained from voting.

Councilmember Jenkins moved to approve the resolution. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting in the majority in the affirmative, the Mayor declared Resolution No. 578-21 adopted.

9. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 579-21 be adopted.

Resolution No. 579-21 – Authorizing the Mayor or City Manager to execute and enter into a Subaward Recipient Agreement with Appalachia High Intensity Drug Trafficking Area (“HIDTA”) for funds from the United State Office of National Drug Control Policy in the total amount of \$153,000 to be awarded to the Metropolitan Drug Enforcement Network Team (“MDENT”), where the 2022 calendar year funds are designated for the purchasing of evidence and information (totaling \$20,000), funding six (6) full-time officers at \$19,000 each (totaling \$114,000), and funding one (1) full-time officer for DEA-HIDTA at \$19,000.

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

That the Mayor or City Manager is authorized to execute and enter into a Subaward Recipient Agreement with Appalachia High Intensity Drug Trafficking Area (“HIDTA”) for funds from the United State Office of National Drug Control Policy in the total amount of \$153,000 to be awarded to the Metropolitan Drug Enforcement Network Team (“MDENT”), where the 2022 calendar year funds are designated for the purchasing of evidence and information (totaling \$20,000), funding six (6) full-time officers at \$19,000 each (totaling \$114,000), and funding one (1) full-time officer for DEA-HIDTA at \$19,000.

Councilmember Jenkins added that, similar to prior agreements, except that the reimbursement can be increased by \$1,000.

Councilmember Jenkins moved to approve the resolution. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Resolution No. 579-21 adopted.

10. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 580-21 be adopted.

Resolution No. 580-21 – Authorizing the Mayor or City Manager to enter into a contract with Tyler Technologies, Inc. to upgrade the City's cashiering computer system.

Now, therefore, 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 Tyler Technologies, Inc., in the amount of \$32,259 to upgrade the City's cashiering computer system. The total contract amount represents a one-time charge of \$26,594 for the software upgrade and data integration and \$5,665 for yearly software maintenance fees. The cost of the software upgrade will be paid from the IT Infrastructure Fund.

Councilmember Jenkins added that the City's cashiering system is reaching the end of its life, which required a quick change to a new system. This new system will be future-proof.

Councilmember Jenkins moved to approve the resolution. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Resolution No. 580-21 adopted.

11. Your committee on Finance has had under consideration the following bill, and reports the same to Council with the recommendation that Bill No. 7935 do pass.

Bill No. 7935 – An Ordinance authorizing the Mayor to enter into an Agreement between the Kanawha County Emergency Ambulance Authority and the City of Charleston for allocation of authorized special levies and other matters incidental thereto for fiscal years beginning July 1, 2023, 2024, 2025, 2026, 2027, and 2028.

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

That the Mayor is hereby authorized to enter into an Agreement between the Kanawha County Emergency Ambulance Authority and the City of Charleston, attached hereto as Exhibit A, for allocation of authorized special levies and other matters incidental thereto for fiscal years beginning July 1, 2023, 2024, 2025, 2026, 2027, and 2028.

Councilmember Jenkins added that the bill concerns the Excess Public Safety Levy, which changes the payment from a flat \$3 million/year to 38%. The payment will fluctuate yearly based on property assessments.

Councilmember Jenkins moved to approve the bill. Councilmember Ceperley seconded the motion.

A roll call was taken:

YEAS: Bays, Brown, Burton, Campbell, Ceperley, Faegre, Haas, Hoover, Jenkins, Jones, Knauff, McKinney, Minardi, Moore, Overstreet, Pepper, Persinger, Pharr, Robinson, Sheets, Snodgrass, Steele, Mayor Goodwin

NAYS: None

ABSENT: Adams, Cook, King, Reishman

With members present recorded thereon as voting unanimously in the affirmative, Mayor declared Bill No. 7935 as passed.

12. Your committee on Finance has had under consideration the following bill, and reports the same to Council with the recommendation that Bill No. 7936 do pass.

Bill No. 7936 – A BILL to amend and reenact Section 114-622 of the Municipal Code of the City of Charleston, as amended, relating to adding Court Street to the list of areas where web-based parking meters are permitted at rates consistent with other downtown parking.

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

That Section 114-622 of the Code of the City of Charleston, as amended, is hereby amended and reenacted to read as follows:

Chapter 114 – Traffic Ordinance

Article VII. STOPPING, STANDING AND PARKING

Sec. 114-622. - Per-hour parking fees established.

In the areas bounded by Leon Sullivan Way on the east, Kanawha Boulevard on the south, Elk River on the west, and Piedmont Road on the north, the rental fee for use of any single on-street metered parking meters at the rate of \$0.50 per hour as required by the instructions printed upon each meter. Beginning on February 5, 2018, and continuing thereafter, the rental fee for use of single on-street metered parking in the following areas will be according to the following schedule with no maximum parking time, as required by the instructions printed upon each meter:

Rate of \$1.00 per hour:

400 block of Laidley Street
500 and 600 block of Donnally Street

Rate of \$.25 per hour:

500 block of Summers Street
700 and 800 block of Donnally Street
500 and 600 block of Capitol Street
600 block of Eagan Street
700 and 800 block of Christopher Street
300, 400 and 500 block of Dickenson St.
300, 400 and 500 block of Leon Sullivan Way
300, 400, 500, 600 block of Morris Street
1200 block of Lewis Street
1000, 1100, and 1200 block of Washington Street
1100 and 1200 block of Virginia Street East

Beginning on May 21, 2018, or upon installation of web-based parking meters, whichever occurs later, and continuing thereafter, the rental fee for use of single on-street metered parking, and maximum parking times in the following areas will be according to the following schedule, as required by the

instructions printed upon each meter:

Rate of \$1.00 for first hour, \$1.50 for second hour, and an additional \$1.50 for the third hour with a 3-hour maximum time:

100 and 200 block of Hale Street
Unit block of Dunbar Street
200 block of Leon Sullivan Way
Unit block to 400 block of Capital Street
Unit block to 300 block of Summers Street
Unit block to 300 block of Laidley
800 block of Kanawha Blvd.
1000 block of Virginia Street East
500 to 1000 block of Quarrier Street
Unit block to 300 block of Court Street

Provided, where it is determined by the planning/streets and traffic committee that there is a need for further regulation and control of vehicles parking within this area, the city may designate individual on-street metered parking spaces within this area to allow for less than the maximum of three hours at a rate of not more than \$0.50 per 15-minute increments. Any such parking space shall have the time restrictions and rates printed upon each meter.

If the city consents to temporarily bagging or removing a meter to accommodate construction or other activity, the rental fee shall be \$15.00 per day or any portion of a day for each such meter.

Councilmember Jenkins added that the bill will add parking to Court Street with rates matching similar downtown areas.

Councilmember Minardi inquired as to the fiscal implications of the bill. Director of Parking, Terri Allen, replied that the new meters were estimated to generate approximately \$100,000 for the first year, with an initial investment of \$60,000.

Councilmember Jenkins moved to approve the bill. Councilmember Ceperley seconded the motion.

A roll call was taken:

YEAS: Bays, Brown, Burton, Campbell, Ceperley, Faegre, Haas, Hoover, Jenkins, Jones, Knauff, McKinney, Minardi, Moore, Overstreet, Pepper, Persinger, Pharr, Robinson, Sheets, Snodgrass, Steele, Mayor Goodwin

NAYS: None

ABSENT: Adams, Cook, King, Reishman

With members present recorded thereon as voting unanimously in the affirmative, Mayor declared Bill No. 7936 as passed.

13. Your committee on Finance has had under consideration the following bill, and reports the same to Council with the recommendation that Bill No. 7938 Committee Substitute do pass.

Bill No. 7938 Committee Substitute – A BILL to amend and reenact Section 114-622 of the Municipal Code of the City of Charleston, as amended, relating to adding Court Street to the list of areas where web-based parking meters are permitted at rates consistent with other downtown parking.

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

That Section 114-622 of the Code of the City of Charleston, as amended, is hereby amended and reenacted to read as follows:

Chapter 114 – Traffic Ordinance

Article VII. STOPPING, STANDING AND PARKING

Sec. 114-622. - Per-hour parking fees established.

In the areas bounded by Leon Sullivan Way on the east, Kanawha Boulevard on the south, Elk River on the west, and Piedmont Road on the north, the rental fee for use of any single on-street metered parking meters at the rate of \$0.50 per hour as required by the instructions printed upon each meter. Beginning on February 5, 2018, and continuing thereafter, the rental fee for use of single on-street metered parking in the following areas will be according to the following schedule with no maximum parking time, as required by the instructions printed upon each meter:

Rate of \$1.00 per hour:

400 block of Laidley Street
500 and 600 block of Donnally Street

Rate of \$.25 per hour:

500 block of Summers Street
700 and 800 block of Donnally Street
500 and 600 block of Capitol Street
600 block of Eagan Street
700 and 800 block of Christopher Street
300, 400 and 500 block of Dickenson St.
300, 400 and 500 block of Leon Sullivan Way
300, 400, 500, 600 block of Morris Street
1200 block of Lewis Street
1000, 1100, and 1200 block of Washington Street
1100 and 1200 block of Virginia Street East

Beginning on May 21, 2018, or upon installation of web-based parking meters, whichever occurs

later, and continuing thereafter, the rental fee for use of single on-street metered parking, and maximum parking times in the following areas will be according to the following schedule, as required by the instructions printed upon each meter:

Rate of \$1.00 for first hour, \$1.50 for second hour, and an additional \$1.50 for the third hour with a 3-hour maximum time:

- 100 and 200 block of Hale Street
- Unit block of Dunbar Street
- 200 block of Leon Sullivan Way
- Unit block to 400 block of Capital Street
- Unit block to 300 block of Summers Street
- Unit block to 300 block of Laidley
- 800 block of Kanawha Blvd.
- 1000 block of Virginia Street East
- 500 to 1000 block of Quarrier Street
- Unit block to 300 block of Court Street

Provided, where it is determined by the planning/streets and traffic committee that there is a need for further regulation and control of vehicles parking within this area, the city may designate individual on-street metered parking spaces within this area to allow for less than the maximum of three hours at a rate of not more than \$0.50 per 15-minute increments. Any such parking space shall have the time restrictions and rates printed upon each meter.

If the city consents to temporarily bagging or removing a meter to accommodate construction or other activity, the rental fee shall be \$15.00 per day or any portion of a day for each such meter.

Councilmember Jenkins added that the bill was created after the Board met and created some rules and additional requirements that determines how fees will be assessed and appealed. It allows the City Center BID to bring expenditures before Council unless they should exceed \$100,000.

Councilmember Jenkins moved to approve the bill. Councilmember Ceperley seconded the motion.

A roll call was taken:

YEAS: Bays, Brown, Burton, Campbell, Ceperley, Faegre, Haas, Hoover, Jenkins, Jones, Knauff, McKinney, Minardi, Moore, Overstreet, Pepper, Persinger, Pharr, Robinson, Sheets, Snodgrass, Steele, Mayor Goodwin

NAYS: None

ABSENT: Adams, Cook, King, Reishman

With members present recorded thereon as voting unanimously in the affirmative, Mayor declared Bill No. 7938 Committee Substitute as passed.

REPORTS OF OFFICERS

1. City Treasurer's Report to City Council Month Ending November 2021.

Received and Filed, Thank You.

2. City Manager's Report on the Purchase of Gasoline and Diesel Fuel.

Received and Filed, Thank You.

NEW BILLS

Introduced by Councilmember Larry Moore

November 20, 2021:

Bill No. 7940 – A Bill to establish a handicapped parking zone on northerly side of 1st Avenue from a point 136 feet west of Florida Street to a point 180 feet west of Florida Street and amending the Traffic Control Map and Traffic Control File.

Refer to Planning, Streets and Traffic Committee, Please

Introduced by Councilmember Becky Ceperley

November 20, 2021:

Resolution No. 582-21 – Amending the Rules of Council by adding thereto a new rule, designated Rule No. 23, clarifying the process related to absences from Council meetings.

Refer to Ordinance and Rules Committee, Please

MISCELLANEOUS/UNFINISHED BUSINESS

1. Mayor Goodwin stated that sculptures for Slack Plaza will be revealed on Tuesday 21, 2021. Thursday 23, 2021 will be the Robert Edward Easley, Sr. dedication at the MLK Center.

REMARKS BY MEMBERS

1. Councilmember Knauff thanked the CFD, CPD and the Refuse Department for their participation in the Westmoreland/Hillsdale Christmas Caravan over the weekend.
2. Councilmember Persinger, in reference to Resolution No. 581-21, asked if Council would vote on it if the City decided to replace/fix the wall. Baker replied that it would depend on if the amount reached the threshold that would require Council approval. Councilmember Persinger asked what the threshold was. Baker replied that it was \$25,000.
3. Councilmember Faegre thanked Council for letting Mr. Boggs speak, as well as the City Engineer. She also thanked the Refuse Department for collecting the leaves in Ward 5.

ADJOURNMENT

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

YEAS: Bays, Brown, Burton, Campbell, Ceperley, Faegre, Haas, Hoover, Jenkins, Jones, Knauff, McKinney, Minardi, Moore, Overstreet, Pepper, Persinger, Pharr, Robinson, Sheets, Snodgrass, Steele, Mayor Goodwin

NAYS: None

ABSENT: Adams, Cook, King, Reishman

At 9:27 p.m., by a motion from Councilmember Ceperley, Council adjourned until Monday, January 3, 2022, 7:00 p.m., in Council Chambers at City Hall.

Amy Shuler Goodwin, Honorable Mayor

Miles C. Cary II, City Clerk