



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

CITY OF CHARLESTON, WEST VIRGINIA

Regular Meeting – Monday, February 7, 2022

at 7:00 P.M.

Council Chamber – City Hall – Charleston, West Virginia

OFFICIAL RECORD

Amy Shuler Goodwin
Mayor

Miles C. Cary II
City Clerk

CALL TO ORDER*

The Council met at 7:00 P.M., for the first meeting in the month of February on the 7th day, in the year 2022, and was called to order by the Honorable Mayor, Amy Shuler Goodwin. The invocation was delivered by Councilmember Reishman, and the Pledge of Allegiance was led by Councilmember Brown. The Honorable Clerk, Miles C. Cary II, called the roll of members and it was found that there were present at the time:

**ADAMS
BURTON
COOK
HOOVER
KING
MINARDI
PEPPER
REISHMAN
SNODGRASS**

**CAMPBELL
FAEGRE
JENKINS
KNAUFF
MOORE
PERSINGER
ROBINSON**

**BROWN
CEPERLEY
HAAS
JONES
MCKINNEY
OVERSTREET
PHARR
SHEETS
MAYOR GOODWIN**

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

All absences were excused by the City Clerk per Resolution No. 582-21.

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

PUBLIC SPEAKERS

1. Beth Kerns – gave a donation to the Charleston Police Department to supplement their body-cam purchase.
2. Eric Desmond – spoke about CKHA, TM Management and Sadd Brothers, LLC.

CLAIMS

1. A claim of Perry and Mary Jane Ayoob, Charleston, WV; alleges damage to property.
2. A claim of Randy Dover, Charleston, WV; alleges damage to property.
3. A claim of Ashley Fisher, Charleston, WV; alleges damage to property.
4. A claim of Buster Hall, Charleston, WV; alleges damage to vehicle.
5. A claim of Jay Lester, Gilbert, WV; alleges loss of property.
6. A claim of Parker Monn, Charleston, WV; alleges damage to vehicle.
7. A claim of Randy Dover, Charleston, WV; alleges damage to property.
8. A claim of Marian E Stewart, Charleston, WV; alleges damage to vehicle.

Refer to City Solicitor, Please.

PROCLAMATIONS

1.

EXECUTIVE DEPARTMENT CITY OF CHARLESTON PROCLAMATION

WHEREAS: The month of February is a time for us to recognize and celebrate the monumental contributions given to the world by Black Americans; and

WHEREAS: Black History Month grew out efforts—led by noted historian Carter G. Woodson and the Association for the Study of African American Life and History; and

WHEREAS: Dr. Woodson's scholarly writings, while serving as an Academic Dean at West Virginia State University, advocated for the National Black History Month; and

WHEREAS: Since 1976, every U.S. president has officially designated the month of February Black History Month and supported a specific theme; and

WHEREAS: The theme for 2022 focuses on the importance of Black Health and Wellness – acknowledging the legacy of scholars and medical practitioners and the activities and initiatives of Black communities to foster good health and wellness; and

WHEREAS: During Black History Month—and throughout the year—we have the opportunity to provide greater visibility to the people and organizations helping to create change.

NOW THEREFORE, I, Amy Shuler Goodwin, Mayor of the City of Charleston, do hereby recognize February 2022 as

Black History Month

In Charleston, West Virginia and urge all citizens to recognize and celebrate the contributions of Black Americans in the Greater Charleston Area.

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the Executive Department to be affixed this 7th day of February 2022.

A blue ink signature of Amy Shuler Goodwin, Mayor of Charleston, West Virginia. The signature is written in a cursive style. Below the signature is a horizontal line, and below that, the text "Amy Shuler Goodwin, Mayor" is printed.

Amy Shuler Goodwin, Mayor

The Proclamation was presented to Bob Harrison.

COMMUNICATIONS

1.

Amy Shuler Goodwin
Office of the Mayor
City of Charleston



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

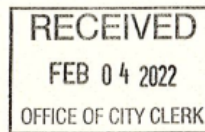
**TO: MILES CARY
CITY CLERK**

**FROM: AMY SHULER GOODWIN
MAYOR**

RE: PUBLIC ART COMMISSON

DATE: FEBRUARY 7, 2022

A handwritten signature in blue ink, appearing to be "ASG", is written over the "FROM" field of the letterhead.



To fulfill the requirement to create a 9-member Public Art Commission I am recommending the following individuals be appointed to the committee:

Jennifer Susman – term expires February 7, 2023

Mallory Burka – term expires February 7, 2023 and fulfils the requirement of artist

Kay Goodwin – term expires February 7, 2024

Dewayne Duncan – term expires February 7, 2024 and fulfils the requirement of art professional

Hilary Harrison – term expires February 7, 2025

John McClaugherty – term expires February 7, 2025 and fulfils the role of developer

Elizabeth Knightley – term expires February 7, 2026 and fulfils the requirement of horticulturist

James Yost – term expires February 7, 2026

Councilwoman Keeley Steele – term coexists with her term on Council and fulfils the requirement of City Council member

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

ASG/mls

Councilmember Ceperley motioned to approve the appointment. Councilmember Hoover seconded. With members present recorded thereon as voting in the majority in the affirmative, the Mayor declared the appointment approved.

REPORTS OF COMMITTEES

COMMITTEE ON ORDINANCE AND RULES

1. Your committee on Ordinance and Rules has had under consideration the following bill, and reports the same to Council with the recommendation that Bill No. 7945 Committee Substitute.

Bill No. 7945 Committee Substitute - A BILL to amend and reenact Sections 14-202, 14-203, and 14-204 of the Municipal Code of the City of Charleston, as amended, all relating to updating the vacant structure registry; updating definitions; clarifying exemptions, and increasing fees.

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

That Sections 14-202, 14-203, and 14-204 of the Municipal Code of the City of Charleston, as amended, be amended and reenacted, all to read as follows:

ARTICLE V. – VACANT STRUCTURE REGISTRY.

Sec. 14-202. - Definitions.

(a) For purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them as follows:

(1) Abandoned building: Any structure on a parcel of real property which (i) has been a vacant structure for more than ninety (90) days, and (ii) is the subject of an order issued by the municipal court for a building or zoning violation which has not been remedied for at least thirty (30) days.

(2) Boarded: Vacant structure shall be deemed to be "boarded" if in place of one or more exterior doors, other than a storm door, or of one or more windows, there is a sheet or sheets of plywood or similar material covering the space for such door or window.

(3) Occupy/occupied/occupies: Any building or structure shall be deemed to be "occupied" if one or more persons actually conducts a lawful business or lawfully resides in the building as the licensed business occupant, or as the legal or equitable owner/occupant(s) or tenant(s) on a permanent, non-transient basis, or any combination of the same.

(4) Open: A vacant structure shall be deemed to be "open" if any one or more exterior doors other than a storm door is broken, open, and/or closed but without a properly functioning lock to secure it; ~~or if one or more windows is broken or not capable of being locked and secured from intrusion; if any other opening in the structure allows entry into the structure by an unauthorized person;~~ or any combination of the same.

(5) Owner: An owner of the freehold of the premises or any lesser estate therein, to the extent permitted by law a mortgagee, a vendee-in-possession, assignee of rents, receiver, executor, trustee, lessee, agent or any other person, firm or corporation that is directly or indirectly in control of a parcel of real property on which a vacant

structure or abandoned building is located.

(6) Vacant structure: A structure on a parcel of real property which:

(A) for at least 60 days has lacked the habitual presence of human beings who have a legal right to be on the premises, or

(B) at which substantially all lawful business operations or residential occupancy has ceased for at least 60 days ~~and, in the case of a residential structure, its owner has not occupied-resided in it for at least 18 months, and its owner has not resided in another structure located within 300 feet for at least 60 days.~~

(7) Actively marketed: A property is being "actively marketed" when its owner is, in good faith, doing those things and performing those activities standard and effective in the industry necessary to sell or lease a structure, including, but not limited to, using the services of a realtor licensed in the State of West Virginia, or advertising the availability of the structure for sale or lease.

(8) Building Commissioner: the City's building commissioner, or its designee.

(9) City Collector: The City's collector, or its designee.

(10) City Manager: The City's manager, or its designee.

(11) Vacant property registry: The property registry created pursuant to this article, specifically by section 14-204(a).

Sec. 14-203. - Applicability, obligation to register, automatic registration, exemptions.

(a) Applicability and obligation to register. Except as provided in subsection (c) below, this article is applicable to all vacant structures and their owners. It is the obligation of the owner of any property qualifying as a vacant structure to register the same with the building commissioner in accordance with the provisions of section 14-204. Registration shall be required for all vacant structures, whether vacant and secure, vacant and open or vacant and boarded, and shall be required on or before 30 days after a building qualifies as a vacant structure, subject to the exemptions contained herein. In no instance shall the registration of a vacant structure and the payment of registration fees be construed to exonerate the owner, agent or responsible party for compliance with any other building code or housing code requirement.

(b) Registration by building commissioner. When the building commissioner has reason to believe that a structure is a vacant structure and that the owner has failed to register in compliance with this article, the commissioner may post a notice on the subject structure indicating that the building commissioner has reason to believe that the building is a vacant structure and directing the owner to either (i) register the structure in accordance with the provisions of this article or (ii) provide the building commissioner with evidence demonstrating that building is not a vacant structure as defined by this article. In addition to posting the aforementioned notice on the suspected vacant structure itself, the building commissioner shall, via registered mail or via regular mail if registered mail is unsuccessful, send a copy of the same notice to the record owner of the property according the tax or other public records maintained by the assessor or sheriff of Kanawha County. If, within 30 days of posting and mailing, the owner has neither registered the property in the vacant property registration created by this article nor demonstrated to the satisfaction of the building commissioner that the property is not a vacant structure, then the building commissioner shall add the structure to the vacant property registry using the information of record in the office of the assessor or sheriff of Kanawha County.

(c) Exemptions. The following are exempt from the requirements of this article:

(1) Any building owned by city, state, or federal government, or any of their respective agencies or political subdivisions;

(2) A new building under construction or property that is undergoing, in the reasonable discretion of the Building Commissioner, an active renovation or rehabilitation: Provided, That this exemption shall only be available for up to 18 months for each structure otherwise meeting the vacant structure designation, unless the owner provides written justification satisfactory to the building commissioner supporting an extension of the exemption;

(3) Any property being actively marketed; provided, however, this exemption shall only be available for up to six months for each structure otherwise meeting the Vacant Structure designation, unless owner provides justification satisfactory to the building commissioner supporting an extension of the exemption ~~beyond six months~~.

Sec. 14-204. - Registry, registration information, amending information, fees, dedicated account, publication.

(a) Registry created. The vacant property registry is hereby created. The building commissioner is hereby charged with creating, compiling, monitoring and enforcing the vacant property registry. The city collector shall aid and assist the Building Commissioner with the administration and collection of fees and any other matter related to this Article deemed necessary or appropriate by the city.

(b) Registration information. Owners of a vacant structure shall register the same with the city on a form supplied by the city. The registration form shall require the following information, at a minimum:

(1) The street address of the vacant structure;

(2) The type of vacant structure;

(3) The square footage of each vacant structure;

(4) The name, residence address, telephone number, and e-mail address, mobile telephone number, and facsimile number of all owners of the vacant structure;

(5) The name, address, telephone number, and e-mail address, of the person authorized to make or order repairs or services for the vacant structure, if in violation of city or state codes, if the person is other than the owner;

(6) If an owner resides or is domiciled outside the city, the name, address and telephone number of a person located within the city who is designated to accept all legal notices of fees due or services of process with respect to the vacant structure;

(7) If the owner is a corporation or a limited liability company, the name(s), address(es), and telephone number(s) of an officer of the corporation or limited liability company who is designated to accept all legal notices of fees due or services of process with respect to the vacant structure;

(8) If the owner is an estate, the name, address and telephone number of the executor of the estate;

(9) If the owner is a trust, the name, address and telephone number of the trustee(s) designated to accept all legal notices of fees due or services of process with respect to the vacant structure;

(10) If the owner is a partnership, the names, addresses and telephone number of all partners with an interest of ten percent or greater;

(11) If the owner is any other form of unincorporated association, the names addresses and telephone numbers of all principals with an interest of ten percent or greater;

(12) Proof of a liability insurance policy, if any, in force for the protection of surrounding property owners, so as to ensure that the purposes of this article are met;

(13) The owner's plan for maintenance and repair of the property, including the time within which the owner anticipates completion of all repairs necessary to bring the property into compliance with the City Building Code.

(c) Amending information. If the registration information collected in accordance with this section changes or becomes inaccurate during the course of any calendar year, it is the responsibility of the owner, responsible party or agent for the same to contact the building commissioner within 30 days of the occurrence of such change and advise the department of those changes in writing.

(d) Fees. There shall be a fee for each vacant structure subject to registration ~~of~~ on the vacant property registry. The fees shall be remitted to the city collector as determined by the following:

(1) A \$250.00 fee, plus any costs for service of process, for a vacant structure that is placed on the vacant property registry;

(2) A \$500.00 fee, plus any costs for service of process, for a vacant structure that is an abandoned building and is placed on the vacant property registry;

(3) A \$750.00 fee, plus any costs for service of process, for a vacant structure that is open and is placed on the vacant property registry;

(4) A \$1,000.00 fee, plus any costs for service of process, for a vacant structure or abandoned building that is open and has been on the vacant property registry for more than six consecutive full months;

~~{3}~~ (5) A \$1,000.00 fee, plus any costs for service of process, for a vacant structure or abandoned building that is on the vacant property registry for 12 consecutive full months; and

~~(4)~~ (6) An additional ~~\$10.00~~ \$20.00 fee for each consecutive day that a vacant structure or abandoned building remains on the vacant property registry beyond twelve consecutive months.

(e) Dedicated account. All fees collected pursuant to this article shall be deposited into a separate, dedicated account and shall only be used to:

(1) Repair, close or demolish a vacant structure as authorized in W. Va. Code § 8-12-16; or

(2) Improve public safety efforts, especially for police and fire personnel, who most often contend with the dangerous situations manifested in vacant properties; or

(3) Implement, monitor, and administer this article.

(f) Publication. The city may, from time to time and in its reasonable discretion, publish or disclose certain information contained in the vacant property registry, including, but not limited to:

(1) General demographic information about vacant structures registered on the vacant property registry;

- (2) The address of vacant structures on the vacant property registry;
 - (3) The owners of each vacant structure;
 - (4) The amount of time any vacant structure has been on the vacant property registry; and
 - (5) The amount of any delinquent fees due under this article, or otherwise due city (e.g. refuse or fire fees) for any vacant structure.
- (g) Changes in ownership. A change in ownership of a vacant structure shall not remove the vacant structure from the vacant properties registry or from the requirements of this article, nor shall it renew the time period for the exemption in subdivision (3), subsection (c) of section 14-203 of this code. Fees arising under this article shall continue to accrue at the applicable rate until the structure either no longer constitutes a vacant structure or qualifies for an exemption, all transfers of ownership notwithstanding. All fees arising under this article shall run with the property and failure to pay such fees may result in the City filing a lien that attaches upon the property.

Councilmember Robinson added that the bill changes an ordinance passed in 2019 by updating some definitions regarding habitual presence, renovation and rehabilitation. The bill makes fines steeper and increases daily registry fees.

Councilmember Robinson moved to approve the bill. Councilmember Ceperley seconded the motion. A roll call was taken:

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

NAYS:

ABSENT: Bays, Steele

With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Bill No. 7945 Committee Substitute as passed.

2. Your committee on Ordinance and Rules has had under consideration the following bill, and reports the same to Council with the recommendation that Bill No. 7946.

Bill No. 7946 - A bill amending Section 2-693 of the Code of the City of Charleston, as amended, by adjusting the qualifications for service on the Charleston Historic Landmarks Commission.

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

That Section 2-693 of the Municipal Code of the City of Charleston, as amended, be amended and reenacted, all to read as follows:

Sec. 2-693 Composition and Organization.

Composition. The Charleston Historic Landmarks Commission shall consist of five members and shall be comprised as follows: an architect meeting the professional qualification standards published in the Code of Federal Regulations, 36 CFR Part 61; a structural historian meeting the professional qualification standards published in the Code of Federal Regulations, 36 CFR Part 61; a real estate broker professional or person with experience renovating historic buildings; a member of City Council or a member of the Municipal Planning Commission; and an interested citizen or layperson. All members shall have a demonstrated interest, competence or knowledge in historic preservation and local history and, to the extent available in the community, shall be preservation-related professionals. Members who are not professionally qualified shall demonstrate a vocational experience in preservation and associated disciplines. Members shall reside within the City of Charleston and shall represent diverse geographic areas of the City. No employee of the City of Charleston shall be eligible to serve on the Commission.

Councilmember Robinson added that the bill updates the composition of the organization.

Councilmember Robinson moved to approve the bill. Councilmember Ceperley seconded the motion. A roll call was taken:

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

NAYS:

ABSENT: Bays, Steele

With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Bill No. 7946 as passed.

COMMITTEE ON PLANNING, STREETS AND TRAFFIC

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

1. Your committee on Planning, Streets and Traffic has had under consideration the following committee report, and reports the same to Council with the recommendation that street naming do pass.

The Committee on Planning, Streets and Traffic has had under consideration a request to name an unnamed alley running from Greendale Drive to the Railroad Avenue as Paul Gilmer Jr. Lane. The Committee finds the name to be in compliance with the 9-11 addressing regulations and reports the same to Council with the recommendation that the street name do pass.

Councilmember Hoover added that this renaming was referred back to the Planning, Streets and Traffic Committee in early December. With help from Councilmember Faegre, the Committee approved the name of Paul Gilmer Jr. Lane. She added that this is a small alley off Greendale onto Railroad Avenue.

Councilmember Faegre added that that Paul Gilmer Jr. was born to the Reverend Paul Gilmer and Anna Gilmer. He was a graduate of West Virginia State University, was enrolled in the Army and owned an accounting service in front of the alley. Mr. Gilmer has contributed much the children of the Kanawha Valley and the West Side.

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

2. Your committee on Planning, Streets and Traffic has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 593-22 be adopted.

Resolution No. 593-22 - Authorizing the Mayor or City Manager to enter into a Memorandum of Understanding with Charleston Main Streets, Inc., relating to the West Side Gateway Lighting Initiative, and authorizing the City to accept the final lighting improvements as City property pursuant to a capacity and maintenance plan.

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 Memorandum of Understanding with Charleston Main Streets, Inc., relating to the West Side Gateway Lighting Initiative, attached hereto as Exhibit A, and that the City is authorized to accept the final lighting improvements as City property pursuant to a capacity and maintenance plan.

Councilmember Hoover added that the resolution is an exciting project on the West Side that has been in the works for about three years to bring more lighting from Pennsylvania Avenue to Maryland Avenue on Washington Street West. There was a lot of community input as well as several grant commitments. Councilmember Hoover added that it will highlight the art and architecture in the area. The City will act as project administrator.

Councilmember Knauff added that the only dedicated money for West Side economic Development that goes through the City budget is to Charleston Main Streets. It is detrimental to the development of the West Side to only focus on the first three blocks of Washington Street West, which has already seen a multitude of development funds. He added that there are other areas of the West Side that need the lighting more.

Councilmember Hoover added that one does not say no to organizations coming to the City with grants. Hopefully, this is the first of many such projects.

Councilmember Knauff added that the City is paying Charleston Main Streets to find that grant money that they are choosing to only spend money on the first three blocks of Washington Street West.

Councilmember McKinney stated that Ric Cavender, from Charleston Main Streets, told her that the money was raised by that organization, so she is confused to hear that there have been donations as she has been trying to get lighting in carious places on the West Side.

With permission, Cavender added that in 2011 their predecessor organization received money

to redo the streetscape on the far West Side. The impetus behind this, was too complete that project by updating the lighting. The lighting is crucial for the surrounding businesses who stay open later for safety. He added that money has been spent over the years throughout the West Side. Cavender added that all of the funds mentioned for the lighting have been raised by Charleston Main Streets. He further clarified that Charleston Main Streets is not employed by the City, but does receive a yearly contribution from the City.

Councilmember Faegre added that the development in the area mentioned is a wonderful thing, although she recognizes the frustrations surrounding the other areas of the West Side. Councilmember Faegre spoke in favor of the project.

Councilmember Moore agreed with Councilmembers McKinney and Knauff as there are many areas of the West Side that need lighting more.

Councilmember Pepper added that he shares the concerns with lighting issues on the West Side. He added that hopefully soon AEP will adjust their rate structure so that LED lighting is more affordable than standard lighting, which will make adding lighting more cost effective.

Councilmember Cook spoke in favor of the resolution, adding that this is not the place to discuss the intent of Charleston Main Streets.

Councilmember Campbell added that the resolution is for an Intent of Understanding, and the City is not spending its own funds but rather an in-kind contribution helping with installation, etc. It is not diverting resources away from other areas.

Councilmember Hoover moved to approve the resolution. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting in the majority in the affirmative, with at least one (1) recognized Nay from Knauff, the Mayor declared Resolution No. 593-22 adopted.

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. 7939 do pass.

Bill No. 7939 - A Bill amending the Zoning Ordinance of the City of Charleston, West Virginia, enacted the 21st day of November, 2005, as amended, and the map made a part thereof, by rezoning from a R-6 district to a R-0 district, that certain lot or parcel of land located at 2922 Chesterfield Avenue in Kanawha City, in the City of Charleston, Kanawha County, State of West Virginia, purchased by Charleston Area Medical Center, Inc., a West Virginia nonprofit, nonstock corporation.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CHARLESTON, WEST VIRGINIA THAT:

1. The Zoning Ordinance of the City of Charleston, West Virginia, enacted the 21st day of November, 2005, as amended, is hereby amended by rezoning from a R-6 district to a R-0 district the whole of the following described lot or parcel of land:

All of that certain lot or parcel of land, together with the improvements thereon and the appurtenances thereunto belonging, situate in Kanawha City Tax District, in the City of Charleston, Kanawha County, West Virginia, and described as all that certain real estate located in Kanawha City District, Kanawha County, West Virginia, located on Chesterfield Avenue and more particularly described as Lot No. 22, on the northerly side of Chesterfield Avenue as shown upon a map of the property of Beverly Hills Land Company made by David C. James, Civil Engineer, dated June 23, of record in the office of the Clerk of the County Commission of Kanawha County, West Virginia, in Map Book 4, at page 131, and more commonly known as 2922 Chesterfield Avenue, Charleston, WV 25304.

Being Tax Parcel 116 as shown on Kanawha City Tax Map No. 19. Said tax map is of record in, and used as zoning map sectionals by, the City Planning Office.

2. The Zoning Map, attached to and made a part of said Zoning Ordinance, is hereby amended in accordance with Section 1 of this Ordinance.

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

Councilmember Hoover added that the bill rezones for a R-6 to a R-O district a property in Kanawha City, which is surrounded by other R-O districts.

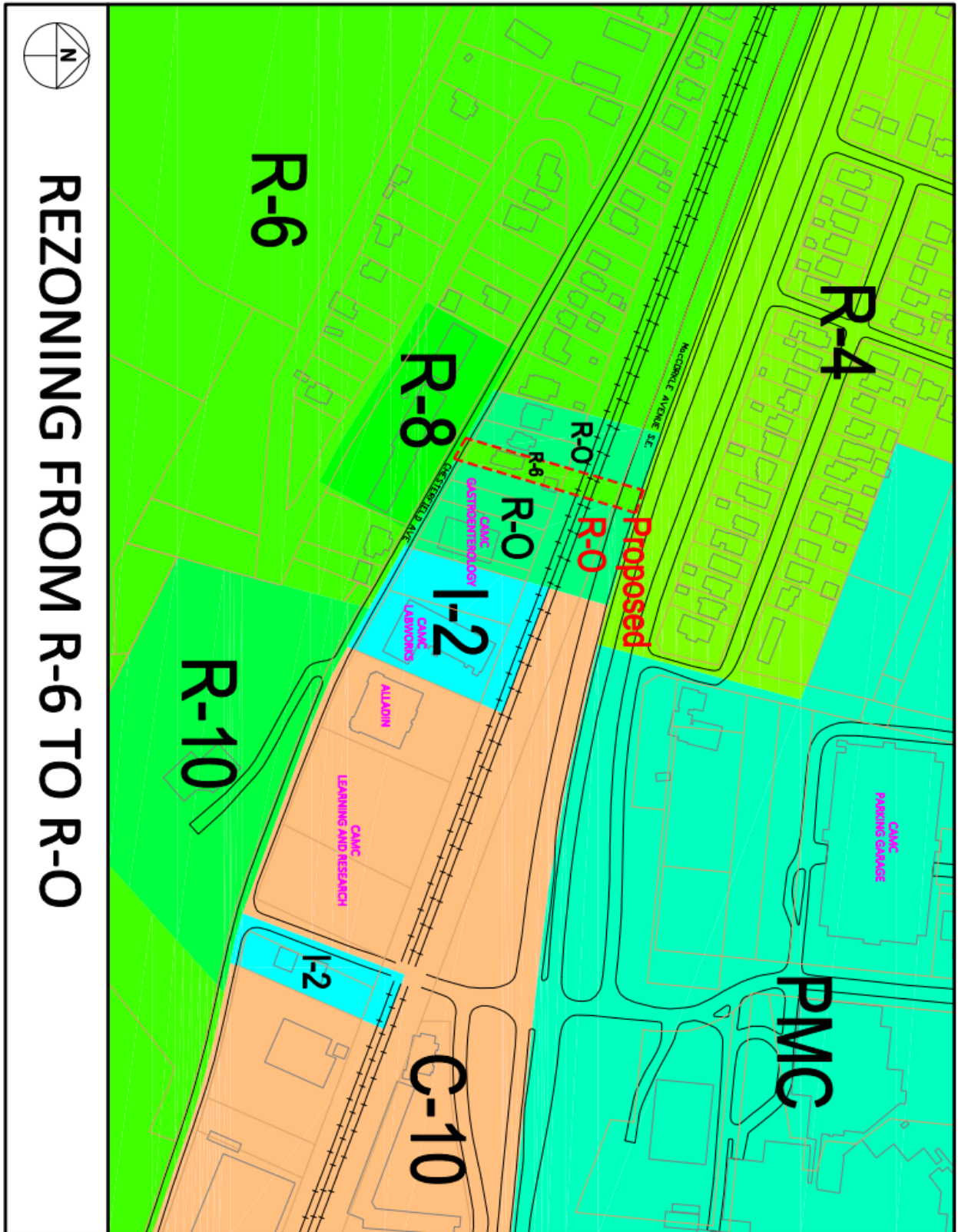
Councilmember Hoover moved to approve the bill. Councilmember Ceperley seconded the motion. A roll call was taken:

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

NAYS:

ABSENT: Bays, Steele

With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Bill No. 7939 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. 7940 do pass.

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, 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. 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

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 handicapped parking zone will be in front of the new Covenant Missionary Baptist Church, who has requested this.

Councilmember Hoover moved to approve the bill. Councilmember Ceperley seconded the motion. A roll call was taken:

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

NAYS:

ABSENT: Bays, Steele

With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Bill No. 7940 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. 570-21 Committee Substitute be adopted.

Resolution No. 570-21 Committee Substitute - Resolution to adopt free Transparency tools and public website access to financial information provisioned by the West Virginia State Auditor's Office in response to the ARP Funding Allocation.

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

That Councilmembers and the Finance Director are hereby authorized and directed to engage the West Virginia State Auditor's Office in formulation of the City's transparency website that allows public view of city finances and allows for stakeholders to better manage and administrate ARPA funding from the United States Treasury.

WHEREAS, effective immediately the City of Charleston City Council and all financial stakeholders will begin deliberation and initiate formal communications with the State Auditor's Office ("SAO") to understand website creation and data transfer process; and

WHEREAS, the SAO is authorized to engage the City of Charleston Finance Director and team to demonstrate project outcomes, and explore Chart of Account and transaction level data transfer possibilities; and

WHEREAS, the City's Finance Director will aid the SAO in building and validating the platform and website for internal and public use once extraction and data transfer occur; and

WHEREAS, the City's Finance Director will engage the City's Information Technology Department to explore a real-time integration with the City's accounting system; and

WHEREAS, the SAO is authorized to engage the City of Charleston City Council and all other stake holders in trainings to demonstrate finished projects, and aid City Council in utilizing full-use of the platform;
And

WHEREAS, the SAO may conduct and demonstrate public trainings to aid citizens in understanding the platform to monitor ARPA expenses, and once completed will demonstrate project outcomes to this Council; and

WHEREAS, the City of Charleston joins other large Cities in the State such as: Morgantown, Wheeling, Fairmont, Parkersburg, Charles Town, Clarksburg and others in adopting this software to better manage

City finances, and to ensure accountability in Government for the citizens of this City; therefore be it

RESOLVED, the City of Charleston will work collaboratively with the SAO to ensure a timely and accurate product that allows the citizens of Charleston to view city finances and allows full-time transparent monitoring of ARPA fund expenses, with a proposed project deliverable date of 02/01/22.

Councilmember Jenkins added that the Finance Committee introduced a Committee Substitute to include all City funds and to allow for more time due to the City Manager's paternity leave, the upcoming budget preparations and the upcoming insurance renewal. Councilmember Jenkins added that he thought this was a great program, and thanked the State Auditor's Office for explaining the system to the Committees. This will be a great asset for the citizens of Charleston who want to know more about City finances, as well as a great tool for Councilmembers.

Councilmember Snodgrass added that she is glad that citizens can see where their tax dollars go. She added that it was mentioned during Finance, that the timeline could be completed in possibly less than thirty days.

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. 570-21 Committee Substitute adopted.

2. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 594-22 be adopted.

Resolution No. 594-22 - Approving updates to the Rules, Regulation, and Operating Procedures of the Firefighters Pension and Relief Fund of the City of Charleston, which were approved by the Charleston Firefighters Pension Board and are attached hereto as Exhibit A.

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

That the updates to the Rules, Regulation, and Operating Procedures of the Firefighters Pension and Relief Fund of the City of Charleston, attached hereto as Exhibit A, which were approved by the Charleston Firefighters Pension Board are hereby approved by the City of Charleston's governing body.

Councilmember Jenkins added that the resolution is an update to the Pension rules as required by State law.

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. 594-22 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. 595-22 be adopted.

Resolution No. 595-22 - Authorizing the Mayor or City Manager to purchase four Smith Splash Pool Chair Lifts and four Smith Pool Lift Caddies for the Parks and Recreation Department from Streamline Aquatics, in the amount of \$26,472.60 as the result of a competitive bidding process.

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

That the Mayor or City Manager is authorized to purchase four Smith Splash Pool Chair Lifts and four Smith Pool Lift Caddies for the Parks and Recreation Department from Streamline Aquatics, in the amount of \$26,472.60 as the result of a competitive bidding process.

Councilmember Jenkins added that the purchase is for ADA accessibility to the City-operated pools.

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. 595-22 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. 596-22 be adopted.

Resolution No. 596-22 - Authorizing the approval of Amendment No. 6 of the FY 2021 – 2022 General Fund Budget as indicated on the attached list of accounts.

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

That Amendment No. 6 of the FY 2021 – 2022 General Fund Budget as indicated on the attached list of accounts is approved.

Councilmember Jenkins added that the resolution is an amendment for the Unassigned Fund balance. As part of the budget process, these funds must be assigned by the end of the fiscal year. The amount is more than normal due to various factors of the past year that include higher than anticipated tax revenue, CARES funds reimbursements etc. Most notable of the amendment is that \$1.8 million does not need to be transferred out of the Rainy-Day Fund. Additionally, the budget amendment allows for training for CPD and equipment purchases.

Councilmember Pepper spoke in favor of the Green Initiatives Fund, adding that the Green Team is actively coming up with the idea to make the City more sustainable. This will allow the Green Team to make recommendations to save taxpayers' money in advance of the benchmarking initiative that will be going into effect.

Councilmember Knauff motioned to amend Resolution No. 596-22, known as the Knauff Amendment. He added that there are three funds receiving money that should be returned to the Unassigned Fund. The Tourism and Promotions, Business Dev. & Economics Incentives and Green Initiatives Funds should be returned because they do not define their expenses without further discussion. Those funds should come back to Council with explanations as to how the money will be spent. Councilmember Snodgrass seconded the motion.

On Exhibit A, regarding the Unassigned Fund Balance, Account No. 001 444 12 000 5 566, following the words "Tourism and Promotions Fund" by striking out the number "300,000" and inserting in lieu thereof the number "0";

On Exhibit A, regarding the Unassigned Fund Balance, Account No. 001 444 14 000 5 566, following the words "Business Dev. & Economic Incentives Fund" by striking out the number "323,787" and inserting in lieu thereof the number "0";

On Exhibit A, regarding the Unassigned Fund Balance, Account No. 001 444 16 000 5 566, following the words "Green Initiatives Fund" by striking out the number "250,000" and inserting in lieu thereof the number "0"; and

On Exhibit A, regarding the Unassigned Fund Balance, Account No. 001 299 0, following the words "Unassigned Fund Balance" by striking out the number "(7,040,866)" and

inserting in lieu thereof the number “(6,167,099)”.

Councilmember Pepper spoke against the amendment, and added that any amount spent over \$25,000 is required to be approved by Council.

Councilmember Minardi confirmed the funds to be excluded.

Councilmember Persinger asked if a salary position created with these funds would have to be approved by Council. Mayor Goodwin confirmed that a new position would have to be budgeted and approved by Council. Councilmember Jenkins further explained how positions and salaries are added to the budget. Chief of Staff, Matt Sutton, added that any temporary position that would go over the already approved budget would have to go before Council. Mayor Goodwin added that there is not intention to create new positions with the proposed funds.

Councilmember Snodgrass added that when the proposal was made during a previous Council meeting to increase CPD pay, they were told there was no money in this fund. She spoke in favor of the amendment, adding that she wanted to know how the funds were to be spent before approval.

Councilmember Robinson added that it is clear how the funds are to be spent, adding that the Tourism and Promotions Fund is used to bring events to Charleston. It would put the City at a disadvantage to not put the proposed money into the fund. The same applies to the Business Dev. & Economics Incentives Fund.

Councilmember Knauff added that the amendment does not take money from funds, but prevents money from going into the funds. He added that Council will not have approval of any purchases under \$25,000.

Councilmember Pharr, speaking in reference to the Small Business Grant program related to the Business Dev. & Economics Incentives Fund, that it is essential to small businesses. She added that it is not expeditious to say that things can come back later to be approved, as sometimes it is vital to be able to act quickly to potentially save small businesses.

Councilmember Persinger asked for clarification about the Small Business Grant program being a reimbursed program, so it wouldn't necessarily keep a business from going out of business. Councilmember Pharr disagreed.

Councilmember Faegre clarified the intent of the budget amendment and the Knauff Amendment with Councilmember Jenkins.

A roll call was taken:

YEAS: Campbell, Faegre, Jones, Knauff, McKinney, Persinger, Snodgrass

NAYS: Adams, Brown, Burton, Ceperley, Cook, Haas, Hoover, Jenkins, King, Minardi, Moore, Overstreet, Pepper, Pharr, Reishman, Robinson, Sheets, Mayor Goodwin

ABSENT: Bays, Steele

With members present recorded thereon as voting in the majority in the negative, with seven (7) Yeas and eighteen (18) Nays, the Mayor declared the Knauff Amendment to Resolution No. 56-22 as not adopted.

Councilmember Brown added that they should consider giving raises to City employees.

Councilmember Knauff agreed with Councilmember Brown.

Councilmember Jenkins added that the City would not want to use the Unassigned Fund balance for wages, pensions, etc. unless they were certain that money would be there every year.

Councilmember McKinney got clarification from Councilmember Jenkins about what one-time funds meant. Councilmember McKinney expressed concerns that things she has requested to be funded (like garbage cans) haven't been funded.

Councilmember Snodgrass added that there is time before the end of the fiscal year to allocate these funds.

Councilmember Faegre agreed with Councilmembers McKinney, Pharr, Knauff and Brown.

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

A roll call was taken:

YEAS: Adams, Brown, Burton, Campbell, Ceperley, Cook, Faegre, Haas, Hoover, Jenkins, Jones, King, McKinney, Minardi, Moore, Overstreet, Pepper, Pharr, Reishman, Robinson, Sheets, Mayor Goodwin

NAYS: Knauff, Persinger, Snodgrass

ABSENT: Bays, Steele

With members present recorded thereon as voting in the majority in the affirmative, with twenty-two (22) Yeas and three (3) Nays, the Mayor declared Resolution No. 596-22 adopted.

General Fund FY 2021-2022 Budget Amendment No. 6 - February 7, 2022

Account No.	Department	Account Description	Amount
001 700 00 000 2 239	Police	Fine Supported Training	25,775
001 297 0		Committed Fund Balance	(25,775)

Committed Fund Balance - To recognize committed fund balance for Police Fine Supported Training in accordance with Section 114-3 subsection (b) of the Municipal Code of the City of Charleston

001 975 00 567 4 459	General Services - Capital Outlay	Lease Purchase Equipment	(55,959)
001 977 00 750 4 459	Streets - Capital Outlay	Lease Purchase Equipment	(157,271)
001 975 00 412 4 461	City Manager - Capital Outlay	Lease Purchase Payments	288,437
001 296 0		Assigned Fund Balance	(75,207)

Restricted for Capital Lease Purchase - To adjust proper accounts in the FY 2022 Municipal Budget for the purchase of equipment to reflect where they were paid during the FY 2021 spend down period and after.

001 439 00 000 5 566	Information Systems	IT Infrastructure Fund	550,000
001 444 00 000 5 566	Transfers to Other Funds	General Engineering Maintenance Fund	535,000
001 444 07 000 5 566	Transfers to Other Funds	Facilities Maintenance Fund	610,000
001 444 12 000 5 566	Transfers to Other Funds	Tourism and Promotions Fund	300,000
001 444 14 000 5 566	Transfers to Other Funds	Business Dev. & Economic Incentives Fund	323,787
001 444 15 000 5 566	Transfers to Other Funds	Beautification Commission Fund	100,000
001 444 16 000 5 566	Transfers to Other Funds	Green Initiatives Fund	250,000
001 444 17 000 5 566	Transfers to Other Funds	Sidewalk Improvement Program Fund	250,000
001 413 00 000 1 103	Treasurer's Office	Salaries & Wages - Irregular Part Time	10,000
001 436 00 000 2 230	Building Commission	Contracted Services	780,000
001 501 00 000 2 230	Wellness Center	Contracted Services	200,000
001 567 00 000 2 230	Public Grounds	Contracted Services	100,000
001 567 00 000 3 341	Public Grounds	Materials and Supplies	100,000
001 716 00 000 3 341	Emergency Management	Materials and Supplies	8,000
001 750 00 000 3 359	Streets	Snow Removal Materials	200,000
001 754 00 000 3 343	Equipment Maintenance	Gas, Oil & Tires	200,000
001 800 00 000 1 103	Refuse & Recycling	Salaries & Wages	75,000
001 800 00 000 1 104	Refuse & Recycling	FICA	5,738
001 800 00 000 1 106	Refuse & Recycling	PERS	7,500
001 800 00 000 3 341	Refuse & Recycling	Materials and Supplies	261,762
001 952 00 000 2 230	Spring Hill Cemetery	Contracted Services	35,000
001 700 00 000 2 215	Police - Uniform	Maintenance & Repair - Equipment	(45,640)
001 976 00 700 4 459	Police - Capital Outlay	Capital Outlay - Equipment	144,835
001 976 00 706 4 459	Fire - Capital Outlay	Capital Outlay - Equipment	105,862
001 977 00 750 4 459	Streets - Capital Outlay	Capital Outlay - Equipment	64,930
001 978 00 800 4 459	Refuse - Capital Outlay	Capital Outlay - Equipment	53,478
001 979 00 900 4 459	Parks - Capital Outlay	Capital Outlay - Equipment	15,634
001 369 06 0000	Revenue	Transfer from Municipal Stabilization	1,800,000
001 299 0		Unassigned Fund Balance	(7,040,886)

Unassigned Fund Balance - To allocate the unassigned fund balance.

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

5. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 597-22 be adopted.

Resolution No. 597-22 - Authorizing the Mayor or City Manager to purchase two New-Way Cobra 20RL cubic yard, rear load refuse packers for the Refuse Department from West Virginia Tractor Company, for a unit cost of \$167,239.00 each and the total amount of \$334,478.00 pursuant to a competitively sourced multi-state contract.

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

That the Mayor or City Manager is authorized to purchase two New-Way Cobra 20RL cubic yard, rear load refuse packers for the Refuse Department from West Virginia Tractor Company, for a unit cost of \$167,239.00 each and the total amount of \$334,478.00 pursuant to a competitively sourced multi-state contract. These will replace Refuse units 151 and 156.

Councilmember Jenkins added that the resolution is for the normal replacement cycle for the vehicles.

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. 597-22 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. 598-22 be adopted.

Resolution No. 598-22 - Authorizing the Mayor or City Manager to purchase a Fire Boat from Lake Assault Boats, LLC in the amount of \$423,448.15, where the vendor maintains a competitively sourced federal contract with the General Services Administration.

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

That the Mayor or City Manager is authorized to purchase a Fire Boat from Lake Assault Boats, LLC for \$423,448.15, where the vendor maintains a competitively sourced federal contract with the General Services Administration. The boat is replacing a 2005 model boat and will be used by the Charleston Fire Department for patrol and response to emergencies on the rivers. The boat will be paid for through a Federal Emergency Management Agency Port Security Grant with a 25% match paid by the City.

Councilmember Jenkins added that FEMA funds will pay for 75% of the purchase price.

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. 598-22 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. 599-22 be adopted.

Resolution No. 599-22 - Authorizing the Mayor or City Manager to purchase a Gradall Excavator for the Street Department, from Anderson Equipment Company, in the total amount of \$437,214.00 as the result of a competitive bidding process.

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

That the Mayor or City Manager is authorized to purchase a Gradall Excavator for the Street Department, from Anderson Equipment Company, in the total amount of \$437,214.00 as the result of a competitive bidding process. This will replace Street unit 82.

Councilmember Jenkins added that the vehicle will be used to clean out ditches.

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. 599-22 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. 600-22 be adopted.

Resolution No. 600-22 - Authorizing the Mayor or City Manager to purchase a bush chipper for the Street Department from Vermeer for the total amount of \$47,716.08 pursuant to a competitively sourced multi-state contract.

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

That the Mayor or City Manager is authorized to purchase a bush chipper for the Street Department from Vermeer for the total amount of \$47,716.08 pursuant to a competitively sourced multi-state contract. This is replacing Street unit CH7.

Councilmember Jenkins added that the chipper will be used for the branches etc. that are collected.

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. 600-22 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. 601-22 be adopted.

Resolution No. 601-22 - Authorizing the Mayor or City Manager to purchase Black Masking Curtains for the Charleston Coliseum and Convention Center, at a total price of \$47,540.43 from Rose Brand Wipers Inc. The purchase price was determined through a competitive bidding process.

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

That the Mayor or City Manager is authorized to purchase Black Masking Curtains for the Charleston Coliseum and Convention Center, at a total price of \$47,540.43 from Rose Brand Wipers Inc. The purchase price was determined through a competitive bidding process. The purchase will be paid for with Capital Improvement Funds.

Councilmember Jenkins added that they will be used to hang in the arena area of the Coliseum as needed.

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. 601-22 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. 602-22 be adopted.

Resolution No. 602-22 - Authorizing and directing the Finance Director to establish Fund 223, Green Initiatives Fund, a Capital Projects Fund, to account for revenues received from transfers from other funds and other available sources to be used for implementing projects to improve energy efficiency and reduce the environmental impacts of the City's facilities and fleet.

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

That the Finance Director is authorized and directed to establish Fund 223, Green Initiatives Fund, a Capital Projects Fund, to account for revenues received from transfers from other funds and other available sources to be used for implementing projects to improve energy efficiency and reduce the environmental impacts of the City's facilities and fleet.

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 at least two recognized Nays from Knauff and Persinger, the Mayor declared Resolution No. 602-22 adopted.

11. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 603-22 be adopted.

Resolution No. 603-22 - Authorizing and directing the Finance Director to establish Fund 224, Sidewalk Improvement Program Fund, a Capital Projects Fund, to account for revenues received from transfers from other funds and other available sources, including matching funds from property owners, to be used for sidewalk infrastructure improvements, maintenance, repairs, and replacement. Expenditures from the fund are subject to program rules to be established by the Planning, Streets and Traffic Committee.

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

That the Finance Director is authorized and directed to establish Fund 224, Sidewalk Improvement Program Fund, a Capital Projects Fund, to account for revenues received from transfers from other funds and other available sources, including matching funds from property owners, to be used for sidewalk infrastructure improvements, maintenance, repairs, and replacement. Expenditures from the fund are subject to program rules to be established by the Planning, Streets and Traffic Committee.

Councilmember Jenkins added that this will be for a Sidewalk Improvement Program, the rules for which will be adopted by the Planning, Streets and Traffic Committee.

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. 603-22 adopted.

12. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 604-22 be adopted.

Resolution No. 604-22 as Amended - Authorizing the Mayor or City Manager to enter into an agreement with the West Virginia Department of Transportation, Division of Highways for the purpose of installing and maintaining public art, which will continue art installations on bridges, piers and abutments within the Division of Highways' right-of-way within City limits.

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

That the Mayor or City Manager is authorized to enter into an agreement with the West Virginia Department of Transportation, Division of Highways for the purpose of installing and maintaining public art, which will continue art installations on bridges, piers and abutments within the Division of Highways' right-of-way within City limits.

Councilmember Jenkins added that the Finance Committee amended the resolution the expand the potential of murals beyond the Gallery 64 project. Specifically mentioned, was the potential to have them on the piers of the 35th Street Bridge.

Councilmember Faegre confirmed with Councilmember Jenkins that the intent of the resolution is not to have the DoH maintain public art, but to allow the City to put public art on their property.

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. 604-22 as Amended adopted.

REPORTS OF OFFICERS

1. Municipal Court Report to City Council Month Ending December 2021.
2. City Treasurer's Report to City Council Month Ending December 2021.

NEW BILLS

Introduced by Councilmember Chad Robinson

February 7, 2022:

Bill No. 7943 – Amending the Zoning Ordinance of the City of Charleston by amending the Land Use Table relating to the operation of kennels.

Refer to Planning, Streets and Traffic Committee, Please

Introduced by Councilmember Mary Beth Hoover

February 7, 2022:

Bill No. 7947 – A Bill amending the Land Use Table relating to the operation of home-based businesses.

Refer to Planning, Streets and Traffic Committee, Please

Introduced by Councilmember Joseph Jenkins

January 18, 2022:

Bill No. 7948 – A Bill and order determining the necessity for continuance of additional levies for the fiscal years beginning July 1, 2023, July 1, 2024, July 1, 2025, and July 1, 2026, for current general governmental expenses, and providing for submission to the voters within the City of Charleston of the question of a continuance of the additional levy at the primary election to be held on May 10, 2022.

Refer to Finance Committee, Please

MISCELLANEOUS/UNFINISHED BUSINESS

None

REMARKS BY MEMBERS

1. Councilmember Snodgrass stated that of the 37 recommended applications for the American Rescue Funds, she was disappointed that there was no money allocated for a new Police Department building. She added that she felt most of the proposed projects were not sustainable after the initial funding was spent. She added that the money should be spent on legacy project. Councilmember Snodgrass hoped that all of the applications were vetted and met the Treasury guidelines.
2. Councilmember Jones stated that Council was provided with pictures of Blaine Blvd. He thanked Councilmembers Cook, Faegre and Overstreet for contacting about that street about to fall in the River. He added the road services fifteen houses and a church.
3. Councilmember Pepper agreed with Councilmember McKinney's previous statement about having warming stations open more frequently, and added that the City can work with the existing shelters to fix that situation.
4. Councilmember Minardi thanked Council for their support and outreach.
5. Councilmember Faegre stated that the City and the West Side has lost a legend in Hoppy Shores, who recently passed away. Council had a moment of silence in the memory of Hoppy Shores.

ADJOURNMENT

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

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

NAYS:

ABSENT: Adams*, Bays, Steele

*Adams left early (excused) after the vote for Resolution No. 602-22.

At 9:04 p.m., by a motion from Councilmember Ceperley, Council adjourned until Tuesday, February 22, 2022, 7:00 p.m., in Council Chambers at City Hall.

Amy Shuler Goodwin, Honorable Mayor

Miles C. Cary II, City Clerk