



JOURNAL of the PROCEEDINGS of the CITY COUNCIL

CITY OF CHARLESTON, WEST VIRGINIA

Regular Meeting – Monday, May 2, 2022

at 7:00 P.M.

Council Chambers – 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 May on the 2nd day, in the year 2022, and was called to order by the Honorable Mayor, Amy Shuler Goodwin. The invocation was delivered by Councilmember Campbell, and the Pledge of Allegiance was led by Councilmember Burton. 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**

**BAYS
CAMPBELL
FAEGRE
JENKINS
KNAUFF
MOORE
PERSINGER
ROBINSON
STEELE**

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

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

Brown, Reishman and Snodgrass's 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

Eric Desmond – Spoke about Sadd Brothers, WVHD, CKHA and TM Management.

CLAIMS

1. A claim of Gregory Baldwin, Charleston, WV;
alleges damage to property.
2. A claim of Deborah Spruce Burdett, Charleston, WV;
alleges damage to vehicle.
3. A claim of JLT501C3.CO, Charleston, WV;
alleges damage to property.
4. A claim of Karen C Richards, Charleston, WV;
alleges damage to property.
5. A claim of Mark Thompson, Charleston, WV;
alleges damage to vehicle.
6. A claim of Suzette D Vinyard, South Charleston, WV;
alleges personal injury.

PROCLAMATIONS

1.

**EXECUTIVE DEPARTMENT
CITY OF CHARLESTON
PROCLAMATION**

WHEREAS: National Foster Care Month began in 1988; and

WHEREAS: The National Youth Advocate Program (NYAP) in West Virginia has served children and families since 1982; and

WHEREAS: The NYAP is committed to doing what is best for children, young people and their families and believes that every person has an innate ability to learn, grow and develop; and

WHEREAS: Innovative programs and services provide opportunities to youth and families—in addition to providing support and guidance to dedicated foster parents; and

WHEREAS: The NYAP's goal is to assist youth in being reunited with their families or to find their forever home; and

WHEREAS: Foster Care Month is celebrated in May, to show appreciation and gratitude to foster parents, family members, volunteers, mentors, policymakers, child welfare professionals and community members across the nation who help children and youth in foster care find temporary homes and life-long connections.

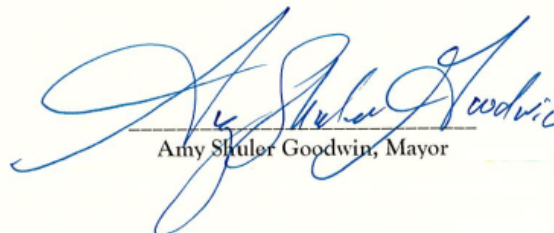
NOW THEREFORE, I, Amy Shuler Goodwin, Mayor of the City of Charleston, do hereby designate May 2022 as

FOSTER CARE MONTH

In the City of Charleston and encourage all citizens to take time to acknowledge families or professionals who help our youth in the foster care system.

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the Executive Department to be affixed this 1st day of May 2022.




Amy Shuler Goodwin, Mayor

2.

**EXECUTIVE DEPARTMENT
CITY OF CHARLESTON
PROCLAMATION**

WHEREAS: Registered nurses in West Virginia make up our state's largest health care profession, with the depth and breadth of the nursing profession meeting the different and emerging health care needs of the West Virginian population in a wide range of settings; and

WHEREAS: The West Virginia Nurses Association is working to chart a new course for a healthy West Virginia that relies on increasing access to primary and preventive health care, and better utilization of all our state's nursing resources; and

WHEREAS: The demand for nursing services will be greater than ever because of the aging West Virginia population, emerging health challenges, the continuing expansion of life-sustaining technologies, and the rapid growth of home health care services; and

WHEREAS: The cost-effective, safe, and high-quality health care services provided by West Virginia nurses will be an increasingly important component of the West Virginia health care delivery system in the future; and

WHEREAS: Along with the American Nurses Association, the West Virginia Nurses Association has declared May as Nurses Month, with the theme "You Make a Difference," with appreciation for nurses' unparalleled impact during the pandemic, and their contributions to health care.

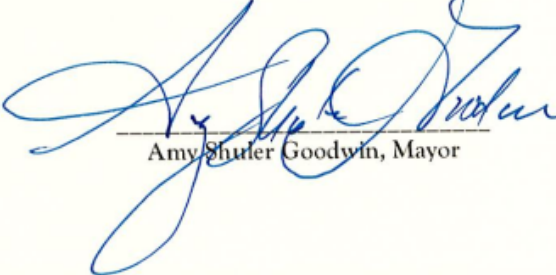
NOW THEREFORE, I, Amy Shuler Goodwin, Mayor of the City of Charleston, do hereby recognize May 2022 as

NURSES MONTH

and encourage all citizens of Charleston to show appreciation for our nurses not just during the month of May, but throughout the year.

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the Executive Department to be affixed this 2nd day of May 2022.




Amy Shuler Goodwin, Mayor

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: BOARD OF ZONING APPEALS

DATE: MAY 2, 2022

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

I recommend Josh McGrath be appointed to the Board of Zoning Appeals. He will fill a vacant seat on the Board. Mr. McGrath's term will expire January 1, 2025.

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

ASG/mls

Councilmember Ceperley motioned to approve the appointment. Councilmember Hoover seconded. With members being present having voted in the unanimously in the affirmative, the Mayor declared the appointment approved.

PUBLIC HEARINGS

1. After duly being published as required, the Mayor declared the floor open for a Public Hearing on Resolution No. 632-22 – Authorizing the Mayor or City Manager to execute a lease with Hotsy Real Estate Holdings LLC for property located on Bowne Avenue. No person from the public spoke in reference to the Public Hearing. The Mayor declared the Public Hearing CLOSED.
2. After duly being published as required, the Mayor declared the floor open for a Public Hearing on Resolution No. 633-22 – Authorizing the Mayor or City Manager to enter into a lease for approximately 847 square feet of space in 601 Morris Street, Suite 202, with Charleston Regatta, Inc. No person from the public spoke in reference to the Public Hearing. The Mayor declared the Public Hearing CLOSED.

REPORTS OF COMMITTEES

COMMITTEE ON PLANNING, STREETS AND TRAFFIC

Councilmember Steele, 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. 7951 do pass.

Bill No. 7951 - 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 I-2 district to a C-10 district, that certain lot of land situate at 306 MacCorkle Avenue SE, Charleston, WV 25314.

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

1. The Zoning Ordinance of the City of Charleston, West Virginia, enacted the 1st day of January 2006, as amended, is hereby amended by rezoning from an I-2 district to a C-10 district the whole of the following described parcels of land:

Parcel No. 20 as shown on Charleston 15 Ward Tax Map. Said tax map is of record in the Planning Office.

2. The Zoning Map, attached to and made a part of said Zoning Ordinance, is hereby amended in accordance with Article 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 piece of land was located at 306 MacCorkle Avenue, and the bill will make the zoning for the property uniform as entirely C-10.

A roll call was taken:

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

NAYS:

ABSENT: Brown, Reishman, Snodgrass

With members present recorded thereon as voting in the unanimously in the affirmative, the Mayor declared Bill No. 7951 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. 7952 Committee Substitute do pass.

Bill No. 7952 Committee Substitute - 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-6 district to a C-10C-4 district, that certain lot of land situate at 6600 MacCorkle Avenue SE, Charleston, WV 25304.

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

1. The Zoning Ordinance of the City of Charleston, West Virginia, enacted the 1st day of January 2006, as amended, is hereby amended by rezoning from an R-6 district to a C-10C-4 district the whole of the described parcel of land in the following legal description:

LT 162 EAST KANAWHA EST
STORE BLDG ROOSEVELT 6641

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 property owner initially wanted a C-10 rezoning, but the Committees felt that a C-4 was more appropriate. The area has a commercial building in front of a residential area on major commercial corridor.

A roll call was taken:

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

NAYS:

ABSENT: Brown, Reishman, Snodgrass

With members present recorded thereon as voting in the unanimously in the affirmative, the Mayor declared Bill No. 7952 Committee Substitute 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. 7953 do pass.

Bill No. 7953 - Accepting for dedication the entirety of Centre Court Road.

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

1. All of Centre Court Road, which is located in the Centre Court Village Subdivision, is hereafter accepted as a city street by the City of Charleston. The area to be accepted is attached hereto as Exhibit A.
2. All prior ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

The Presiding Officer, Mayor Goodwin, requested that the Council President, Councilmember Ceperley, take the Chair.

Councilmember Hoover added that the road conforms to all of the requirements for the dedication, and the developer has addressed all of the concerns raised by the City Engineer, Chris Knox. The developer has paid around \$46,000 for paving and a pipeline/storm drain.

Mayor Goodwin added that she lives on Centre Court Road, and asked if she should abstain from voting. Councilmember Ceperley stated that she should not abstain from voting as she did not have a pecuniary interest in the bill.

Councilmember Faegre confirmed with Knox that the road has been in existence for many years. The developer approached the City a few years ago to be accepted, but the City denied it because the storm sewers were in bad shape. The work was done under the City's contract, but the developer paid for it.

Councilmember Minardi added that the road is in his Ward, adding that the road had been maintained (snow removal, etc.) during the previous administration without knowing that it was not part of the City officially. Councilmember Minardi spoke in favor of the bill.

Mayor Goodwin that when her Administration realized the road was not part of the City, they ordered that the road not be maintained until the road was in compliance.

Councilmember Cook asked what the term dedication meant in this context. Knox replied that it meant that the City would maintain the road and provided services such as salting and snow removal.

Councilmember Pepper confirmed with Knox that a street does not need to be dedicated to

received trash pickup.

Councilmember McKinney asked if this was for one street or a certain area. Knox replied that it was one street.

A roll call was taken:

YEAS: Adams, Bays, Burton, Campbell, Ceperley, Cook, Faegre, Haas, Hoover, Jenkins, Jones, King, Minardi, Moore, Overstreet, Pepper, Persinger, Pharr, Robinson, Sheets, Steele, Mayor Goodwin

NAYS: Knauff, McKinney, Persinger

ABSENT: Brown, Reishman, Snodgrass

With members present recorded thereon as voting in the majority as affirmative, with twenty-one (21) Yeas and three (3) Nays, the Mayor declared Bill No. 7953 passed.

Mayor Goodwin took back control of the Chair.

COMMITTEE ON FINANCE

Councilmember Jenkins, Vice 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. 632-22 Committee Substitute be adopted.

Resolution No. 632-22 - Authorizing the Mayor or City Manager to execute a lease with Hotsy Real Estate Holdings LLC for property located on Bowne Avenue, according to the terms contained in the attached exhibit.

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

The Mayor or City Manager is authorized to execute a lease with Hotsy Real Estate Holdings LLC for property located on Bowne Avenue, according to the terms contained in the attached exhibit.

Councilmember Jenkins added that the fifty-year lease to clarify that the property encroaches on Bowne Avenue by 2.5 feet. This will clear up the title for that property.

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. 632-22 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. 633-22 be adopted.

Resolution No. 633-22 – Authorizing the Mayor or City Manager to enter into a lease for approximately 847 square feet of space in 601 Morris Street, Suite 202, with Charleston Regatta, Inc., for office space for a term of one year—but not to exceed two additional one-year renewal terms—at a yearly rental amount of \$16,669.96.

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 lease for approximately 847 square feet of space in 601 Morris Street, Suite 202, with Charleston Regatta, Inc., for office space for a term of one year—but not to exceed two additional one-year renewal terms—at a yearly rental amount of \$16,669.96.

Councilmember Jenkins added that the resolution is to provide office space for the Charleston Regatta Commission. The lease price is in line with other non-profits in that building.

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. 633-22 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. 634-22 be adopted.

Resolution No. 634-22 - Authorizing the Mayor or City Manager to enter into a contract with Allegheny Restoration Inc. in the amount of \$80,260.50 to perform concrete repair work to the Oakridge Fire Station (Station No. 4), where the purchase price was determined through a competitive bidding process.

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 Allegheny Restoration Inc. in the amount of \$80,260.50 to perform concrete repair work to the Oakridge Fire Station (Station No. 4), where the purchase price was determined through a competitive bidding process.

Councilmember Jenkins added that the work is necessary for Fire Station No. 4.

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. 634-22 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. 635-22 be adopted.

Resolution No. 635-22 - Authorizing the Mayor or City Manager to enter into an on-call consulting contract with Urban Design Ventures, LLC, in the amount not to exceed \$40,000, to perform the services enumerated in 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 enter into an on-call consulting contract with Urban Design Ventures, LLC, in the amount not to exceed \$40,000, to perform the services enumerated in Exhibit A, attached hereto.

Councilmember Jenkins added that the company with work with MOECD concerning their ARPA funds.

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. 635-22 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. 636-22 be adopted.

Resolution No. 636-22 - Authorizing the Mayor or City Manager to enter into a contract with McClanahan Construction Company, LLC, in the amount of \$969,100 to perform concrete street repair construction services, where the contract price was determined pursuant to a competitive bidding process.

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 McClanahan Construction Company, LLC, in the amount of \$969,100 to perform concrete street repair construction services, where the contract price was determined pursuant to a competitive bidding process.

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. 636-22 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. 637-22 be adopted.

Resolution No. 637-22 - Authorizing the Mayor or City Manager to enter into a contract with Mr. Asphalt, Inc., in the total amount of \$4,257,100 to perform asphalt street paving construction services, where the contract price was determined through a competitive bidding process.

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 Mr. Asphalt, Inc., in the total amount of \$4,257,100 to perform asphalt street paving construction services, where the contract price was determined through a competitive bidding process.

Councilmember Jenkins added that this is the largest paving contract the City has likely ever put out.

Councilmember Jones confirmed that the vendor is the same as for last year. He added that the vendor has received many complaints due to shoddy work.

Councilmember Minardi added that what percentage of the cost could be accounted by inflation. Knox replied that the contract last year was approximately \$90/ton, and this year is \$119/ton.

A roll call was taken:

YEAS: Adams, Bays, Burton, Campbell, Ceperley, Cook, Haas, Hoover, Jenkins, King, Minardi, Moore, Overstreet, Pepper, Pharr, Robinson, Sheets, Steele, Mayor Goodwin

NAYS: Faegre, Jones, Knauff, McKinney, Persinger

ABSENT: Brown, Reishman, Snodgrass

With members present recorded thereon as voting in the majority affirmative, with nineteen (19) Yeas and five (5) Nays, the Mayor declared Resolution No. 637-22 as 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. 638-22 be adopted.

Resolution No. 638-22 - Authorizing the Mayor or City Manager to enter into a contract with SQP Construction Group, Inc., in the amount of \$621,366 to perform concrete sidewalk ramp construction services to comply with Americans with Disabilities Act (“ADA”) requirements, where the contract price was determined pursuant to a competitive bidding process.

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 SQP Construction Group, Inc., in the amount of \$621,366 to perform concrete sidewalk ramp construction services to comply with ADA requirements, where the contract price was determined pursuant to a competitive bidding process.

Councilmember Jenkins added that the resolution is the continuation of the City’s efforts to upgrade the sidewalks to be ADA compliant.

Councilmember Persinger asked why the City was doing this instead of the property owners. City Manager, Jonathan Storage replied that curbs and intersections are the responsibility of the City. They will only be replaced if they don’t already exist and are not ADA compliant. Knox added that the City is required to do those upgrades if they pave a street.

Councilmember Steele asked if there was money budgeted to repair sidewalks. Storage replied that Council recently approved a Sidewalk Repair Fund that will be coordinated 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 in the majority as affirmative, with at least one (1) recognized Nay from Persinger, the Mayor declared Resolution No. 638-22 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. 648-22 be adopted.

Resolution No. 648-22 - Authorizing the Mayor or City Manager to approve and execute Change Order No. 2 relating to the renovation of office space on the 3rd floor of City Hall in the amount of \$29,041.88 to address unforeseen conditions discovered during the course of the project, which include electrical code compliance work and asbestos testing.

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 renovation of office space on the 3rd floor of City Hall in the amount of \$29,041.88 to address unforeseen conditions discovered during the course of the project, which include electrical code compliance work and asbestos testing. The pricing details related to Change Order No. 2 are indicated in Exhibit A. The new total contract price approved is \$288,603.44.

Councilmember Jenkins added that this pertains to the renovation of the office space on the 3rd floor of City Hall. It was realized that electrical code compliance work and asbestos testing were needed during the project.

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. 648-22 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. 649-22 be adopted.

Resolution No. 649-22 - Authorizing the Mayor or City Manager to purchase an arial ladder truck for \$1,628,732.00, a pumper truck for \$763,130, and a rescue truck for \$695,376.00 for the Charleston Fire Department from Atlantic Emergency Solutions for the total purchase price of \$3,087,238.00 pursuant to a competitively sourced multi-jurisdictional contract.

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 an arial ladder truck for \$1,628,732.00, a pumper truck for \$763,130, and a rescue truck for \$695,376.00 for the Charleston Fire Department from Atlantic Emergency Solutions for the total purchase price of \$3,087,238.00 pursuant to a competitively sourced multi-jurisdictional contract.

Councilmember Jenkins added that the resolution is to replace three larger vehicles for the Charleston Fire Department. As of today, those process have increased, but the prices in the resolution are locked until the next day. The City is currently pursuing a FEMA grant to assist with the purchase.

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. 649-22 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. 639-22 be adopted.

Resolution No. 639-22 - Authorizing the Mayor or City Manager to grant American Rescue Plan Act (“ARPA”) funds to YWCA Sojourner's Shelter in the total amount of \$313,606 and to execute appropriate agreements establishing the terms and conditions imposed upon the recipient, including ongoing duties for reporting on expenditure and programmatic activities and binding covenants to spend funds in accordance with the purposes for which such funds were granted.

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

That the Mayor or City Manager is authorized to grant American Rescue Plan Act (“ARPA”) funds to YWCA Sojourner's Shelter in the total amount of \$313,606 and to execute appropriate agreements establishing the terms and conditions imposed upon the recipient, including ongoing duties for reporting on expenditure and programmatic activities and binding covenants to spend funds in accordance with the purposes for which such funds were granted.

The grant is approved in full or in part based upon information submitted to the City in the grant recipient’s City of Charleston ARPA grant application, attached hereto as Exhibit A. The City Manager is directed to withhold grant funding to the grant recipient should the City Manager determine that the grant recipient has failed to adhere to the obligations established in the agreement or fails to adhere to applicable local, state, or federal law.

Councilmember Jenkins added that the funds will be used for a therapist to work with shelter residents.

Councilmember Jones added that he received notice from Senator Manchin’s Office that they will not be able to fix Blaine Boulevard because their limit for a project is \$5 million. He has repeatedly requested for several million be put into a fund for its repair, but was voted down each time. He added that if the sewer line breaks, the City would not be able to afford the fines. For that reason, he will be voting Nay for the related ARPA resolutions.

Councilmember Pharr abstained from voting due to a pecuniary interest.

Councilmember Faegre added that it would be better to postpone the ARPA resolutions until they can have a public hearing about Blaine Boulevard.

Councilmember Faegre motioned to postpone Resolution No. 639-22 until the next regular Council meeting on May 16, 2022. Councilmember Knauff seconded the motion.

Councilmember Steele added that two weeks isn’t a lot of time to get a public hearing organized,

and asked if the items would be postponed again if a public hearing wasn't held.

Councilmember Overstreet added that the organizations having been waiting on these funds. He confirmed that \$5 million of the ARPA funds would be left over.

Councilmember McKinney added that it probably wasn't feasible to postpone the resolutions, although she was sympathetic to the Blaine Boulevard issue.

Councilmember Pepper confirmed with Storage that Blaine Boulevard would qualify for the use of ARPA funds.

Councilmember Faegre asked for ARPA deadlines. Storage replied that the funds needed to be obligated by December 31, 2024, and fully spent by December 31, 2026. He clarified that no promise of funds have been made to any organization. The resolutions are the result of approval by the Administration, the American Rescue Plan Act Advisory Committee and the Finance Committee.

A roll call was taken:

YEAS: Campbell, Cook, Faegre, Jones, Knauff, McKinney, Minardi, Moore, Persinger

NAYS: Adams, Bays, Burton, Ceperley, Haas, Hoover, Jenkins, King, Overstreet, Pepper, Robinson, Sheets, Steele, Mayor Goodwin

ABSTAIN: Pharr

ABSENT: Brown, Reishman, Snodgrass

With members present recorded thereon as voting in the majority as negative, with nine (9) Yeas, fourteen (14) Nays and one (1) Abstain, the Mayor declared the motion to Postpone Resolution No. 639-22 as not passed.

Councilmember Jenkins moved to approve the resolution. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting in the majority as affirmative, with at least two recognized (2) Nays from Faegre and Jones, the Mayor declared Resolution No. 639-22 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. 640-22 be adopted.

Resolution No. 640-22 - Authorizing the Mayor or City Manager to grant American Rescue Plan Act (“ARPA”) funds to YWCA Resolve Family Abuse Program in the total amount of \$451,797 and to execute appropriate agreements establishing the terms and conditions imposed upon the recipient, including ongoing duties for reporting on expenditure and programmatic activities and binding covenants to spend funds in accordance with the purposes for which such funds were granted.

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

That the Mayor or City Manager is authorized to grant American Rescue Plan Act (“ARPA”) funds to YWCA Resolve Family Abuse Program in the total amount of \$451,797 and to execute appropriate agreements establishing the terms and conditions imposed upon the recipient, including ongoing duties for reporting on expenditure and programmatic activities and binding covenants to spend funds in accordance with the purposes for which such funds were granted.

The grant is approved in full or in part based upon information submitted to the City in the grant recipient’s City of Charleston ARPA grant application, attached hereto as Exhibit A. The City Manager is directed to withhold grant funding to the grant recipient should the City Manager determine that the grant recipient has failed to adhere to the obligations established in the agreement or fails to adhere to applicable local, state, or federal law.

Councilmember Jenkins added that the funds will additionally go to a court advocate.

Councilmember Faegre motioned to postpone Resolution No. 640-22 until the next regular Council meeting on May 16, 2022. Councilmember Knauff seconded the motion.

With members present recorded thereon as voting in the, the Mayor declared the motion to Postpone Resolution No. 640-22 as not passed.

Councilmember Jenkins moved to approve the resolution. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting in the majority as affirmative, with at least two recognized (2) Nays from Faegre and Jones, the Mayor declared Resolution No. 640-22 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. 641-22 be adopted.

Resolution No. 641-22 - Authorizing the Mayor or City Manager to grant American Rescue Plan Act (“ARPA”) funds to WV Symphony Orchestra in the total amount of \$200,000 and to execute appropriate agreements establishing the terms and conditions imposed upon the recipient, including ongoing duties for reporting on expenditure and programmatic activities and binding covenants to spend funds in accordance with the purposes for which such funds were granted.

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

That the Mayor or City Manager is authorized to grant American Rescue Plan Act (“ARPA”) funds to WV Symphony Orchestra in the total amount of \$200,000 and to execute appropriate agreements establishing the terms and conditions imposed upon the recipient, including ongoing duties for reporting on expenditure and programmatic activities and binding covenants to spend funds in accordance with the purposes for which such funds were granted. The grant is approved in full or in part based upon information submitted to the City in the grant recipient’s City of Charleston ARPA grant application, attached hereto as Exhibit A. The City Manager is directed to withhold grant funding to the grant recipient should the City Manager determine that the grant recipient has failed to adhere to the obligations established in the agreement or fails to adhere to applicable local, state, or federal law.

Councilmember Jenkins added that the funds will be used to maintain their existing concerts, and begin ensemble performances focused on the West Side.

Councilmember Jones added that it was not necessary for Councilmember Faegre to continue to motion to postpone the resolutions as it was evident as to what the votes would be.

Councilmember Faegre motioned to postpone Resolution No. 641-22 until the next regular Council meeting on May 16, 2022. Councilmember Minardi seconded She added that there are citizens on Blaine Boulevard that could lose their houses.

Councilmember Cook asked if Councilmember Faegre would be agreeable to having a date set for a public hearing before the next Council meeting, and still voting on the resolution on the agenda. Councilmember Faegre agreed, and added that all of the applications are worthy of funding.

Councilmember Faegre withdrew the motion to postpone the resolutions as it was evident as to what the votes would be.

Councilmember McKinney wanted to also have a public hearing on gun violence as no money has been spent on that.

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. 641-22 adopted.

13. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 642-22 be adopted.

Resolution No. 642-22 - Authorizing the Mayor or City Manager to grant American Rescue Plan Act (“ARPA”) funds to Kanawha-Charleston Health Department in the total amount of \$639,431 and to execute appropriate agreements establishing the terms and conditions imposed upon the recipient, including ongoing duties for reporting on expenditure and programmatic activities and binding covenants to spend funds in accordance with the purposes for which such funds were granted.

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

That the Mayor or City Manager is authorized to grant American Rescue Plan Act (“ARPA”) funds to Kanawha-Charleston Health Department in the total amount of \$639,431 and to execute appropriate agreements establishing the terms and conditions imposed upon the recipient, including ongoing duties for reporting on expenditure and programmatic activities and binding covenants to spend funds in accordance with the purposes for which such funds were granted. The grant is approved in full or in part based upon information submitted to the City in the grant recipient’s City of Charleston ARPA grant application, attached hereto as Exhibit A. The City Manager is directed to withhold grant funding to the grant recipient should the City Manager determine that the grant recipient has failed to adhere to the obligations established in the agreement or fails to adhere to applicable local, state, or federal law.

Councilmember Jenkins added that the funds will help with increased payroll costs due to the pandemic as well as other things related.

Councilmember Cook spoke in favor of the resolution.

Councilmember Jenkins moved to approve the resolution. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting in the majority as affirmative, the Mayor declared Resolution No. 642-22 adopted.

14. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 643-22 be adopted.

Resolution No. 643-22 - Authorizing the Mayor or City Manager to grant American Rescue Plan Act (“ARPA”) funds to Kanawha Valley Collective in the total amount of \$450,000 and to execute appropriate agreements establishing the terms and conditions imposed upon the recipient, including ongoing duties for reporting on expenditure and programmatic activities and binding covenants to spend funds in accordance with the purposes for which such funds were granted.

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

That the Mayor or City Manager is authorized to grant American Rescue Plan Act (“ARPA”) funds to Kanawha Valley Collective in the total amount of \$450,000 and to execute appropriate agreements establishing the terms and conditions imposed upon the recipient, including ongoing duties for reporting on expenditure and programmatic activities and binding covenants to spend funds in accordance with the purposes for which such funds were granted. The grant is approved in full or in part based upon information submitted to the City in the grant recipient’s City of Charleston ARPA grant application, attached hereto as Exhibit A. The City Manager is directed to withhold grant funding to the grant recipient should the City Manager determine that the grant recipient has failed to adhere to the obligations established in the agreement or fails to adhere to applicable local, state, or federal law.

Councilmember Jenkins added that the funds will staff case managers to assist individuals facing a housing crisis.

Councilmember Knauff warned them to be careful.

Councilmember Campbell added that his vote will be no as the organization’s budget is approximately \$1.1 million budget and they are asking for \$1.3 million. It is not sustainable moving forward.

Councilmember Pharr asked for clarification of Councilmember Knauff’s comment. Councilmember Knauff declined to elaborate.

Councilmember Faegre asked if residents were still at the hotel on Leon Sullivan Way. The Executive Director of Kanawha Valley Collective, Tracy Strickland, replied that they did not. Individuals suffering from the pandemic were never at that hotel. Hotel stays were for when the shelter had to be closed and were not able to intake new residents. They will likely hire three case managers.

Councilmember Minardi asked how the residents would be selected. Strickland replied that it is determined through a housing assessment. They do not give preference to local individuals.

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

Councilmember Cook asked for more information on the case manager position. Strickland replied that intervention looks different for everybody. Part of their job is to check backs, etc. to make sure everyone is getting their needs as fully met as possible. Someone is more likely to stay housed if they have a case manager.

Councilmember Pharr confirmed with Strickland that they applied the funds in December of 2021. Only a few members of Council (about three) have contacted her to ask about the organization. Strickland added that a lot of grants that are available will pay for operations, but not services. They do work with other non-profits in the area.

Councilmember Pepper spoke in favor of the resolution.

A roll call was taken:

YEAS: Adams, Bays, Burton, Ceperley, Cook, Faegre, Haas, Hoover, Jenkins, King, Minardi, Moore, Overstreet, Pepper, Persinger, Pharr, Robinson, Sheets, Steele, Mayor Goodwin

NAYS: Campbell, Jones, Knauff

ABSENT: Brown, McKinney, Reishman, Snodgrass

With members present recorded thereon as voting in the majority as affirmative, with twenty (20) Yeas three (Nays), and the Mayor declared Resolution No. 643-22 adopted.*

*Councilmember McKinney left before the vote, after notifying the Clerk.

15. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 644-22 be adopted.

Resolution No. 644-22 - Authorizing the Mayor or City Manager to grant American Rescue Plan Act (“ARPA”) funds to Festivall Charleston in the total amount of \$150,000 and to execute appropriate agreements establishing the terms and conditions imposed upon the recipient, including ongoing duties for reporting on expenditure and programmatic activities and binding covenants to spend funds in accordance with the purposes for which such funds were granted.

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

That the Mayor or City Manager is authorized to grant American Rescue Plan Act (“ARPA”) funds to Festivall Charleston in the total amount of \$150,000 and to execute appropriate agreements establishing the terms and conditions imposed upon the recipient, including ongoing duties for reporting on expenditure and programmatic activities and binding covenants to spend funds in accordance with the purposes for which such funds were granted. The grant is approved in full or in part based upon information submitted to the City in the grant recipient’s City of Charleston ARPA grant application, attached hereto as Exhibit A. The City Manager is directed to withhold grant funding to the grant recipient should the City Manager determine that the grant recipient has failed to adhere to the obligations established in the agreement or fails to adhere to applicable local, state, or federal law.

Councilmember Jenkins added that the funds will maintain their current program as well as expand their offerings.

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 one (1) recognized Nay from Jones, the Mayor declared Resolution No. 644-22 adopted.

16. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 645-22 be adopted.

Resolution No. 645-22 - Authorizing the Mayor or City Manager to grant American Rescue Plan Act (“ARPA”) funds to Charleston Convention and Visitors Bureau in the total amount of \$880,500 and to execute appropriate agreements establishing the terms and conditions imposed upon the recipient, including ongoing duties for reporting on expenditure and programmatic activities and binding covenants to spend funds in accordance with the purposes for which such funds were granted.

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

That the Mayor or City Manager is authorized to grant American Rescue Plan Act (“ARPA”) funds to Charleston Convention and Visitors Bureau in the total amount of \$880,500 and to execute appropriate agreements establishing the terms and conditions imposed upon the recipient, including ongoing duties for reporting on expenditure and programmatic activities and binding covenants to spend funds in accordance with the purposes for which such funds were granted. The grant is approved in full or in part based upon information submitted to the City in the grant recipient’s City of Charleston ARPA grant application, attached hereto as Exhibit A. The City Manager is directed to withhold grant funding to the grant recipient should the City Manager determine that the grant recipient has failed to adhere to the obligations established in the agreement or fails to adhere to applicable local, state, or federal law.

Councilmember Jenkins added that funding will contribute to marketing incentives as well as a sports study for tourism.

Councilmember Pharr spoke in favor of the resolution as it promotes economic and community development.

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 one (1) recognized Nay from Jones, the Mayor declared Resolution No. 645-22 adopted.

17. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 646-22 be adopted.

Resolution No. 646-22 - Authorizing the Mayor or City Manager to grant American Rescue Plan Act (“ARPA”) funds to Charleston Area Alliance in the total amount of \$200,000 and to execute appropriate agreements establishing the terms and conditions imposed upon the recipient, including ongoing duties for reporting on expenditure and programmatic activities and binding covenants to spend funds in accordance with the purposes for which such funds were granted.

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

That the Mayor or City Manager is authorized to grant American Rescue Plan Act (“ARPA”) funds to Charleston Area Alliance in the total amount of \$200,000 and to execute appropriate agreements establishing the terms and conditions imposed upon the recipient, including ongoing duties for reporting on expenditure and programmatic activities and binding covenants to spend funds in accordance with the purposes for which such funds were granted.

The grant is approved in full or in part based upon information submitted to the City in the grant recipient’s City of Charleston ARPA grant application, attached hereto as Exhibit A. The City Manager is directed to withhold grant funding to the grant recipient should the City Manager determine that the grant recipient has failed to adhere to the obligations established in the agreement or fails to adhere to applicable local, state, or federal law.

Councilmember Jenkins added that the funds will be used to maintain and expand their current programs to attract population to Charleston, and the Women and Small Business Minorities Grants.

Councilmember Pharr spoke in favor of the resolution, and added that a no vote would be against minority business owners, women and economic community and development.

Councilmember Cook spoke in favor of the resolution, and requested that the Alliance also incentivized young people staying.

Councilmember Jones added that his no vote is not against anyone, but against the ARPA funds being spent in such a manner and his constituents not getting any.

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 one (1) recognized Nay from Jones, the Mayor declared Resolution No. 646-22 adopted.

18. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 647-22 be adopted.

Resolution No. 647-22 - Authorizing the Mayor or City Manager to grant American Rescue Plan Act (“ARPA”) funds to Bright Futures Now in the total amount of \$350,000 and to execute appropriate agreements establishing the terms and conditions imposed upon the recipient, including ongoing duties for reporting on expenditure and programmatic activities and binding covenants to spend funds in accordance with the purposes for which such funds were granted.

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

That the Mayor or City Manager is authorized to grant American Rescue Plan Act (“ARPA”) funds to Bright Futures Now in the total amount of \$350,000 and to execute appropriate agreements establishing the terms and conditions imposed upon the recipient, including ongoing duties for reporting on expenditure and programmatic activities and binding covenants to spend funds in accordance with the purposes for which such funds were granted. The grant is approved in full or in part based upon information submitted to the City in the grant recipient’s City of Charleston ARPA grant application, attached hereto as Exhibit A. The City Manager is directed to withhold grant funding to the grant recipient should the City Manager determine that the grant recipient has failed to adhere to the obligations established in the agreement or fails to adhere to applicable local, state, or federal law.

Councilmember Jenkins added that the funds will remodel the second floor of their facility to be able to expand their programs for training, instruction and community involvement.

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 one (1) recognized Nay from Persinger, the Mayor declared Resolution No. 647-22 adopted.

REPORTS OF OFFICERS

None

NEW BILLS

Introduced by Councilmember Larry Moore

May 2, 2022:

Bill No. 7957 – A Bill to repeal ordinance 7908 which established a one-way street on 2nd Avenue from Florida Street to Bream Street by prohibiting vehicular traffic from traveling in an easterly direction, and re-establishing this portion of 2nd Avenue as a two-way street; and modifying existing and/or adding necessary traffic control devices and amending the Traffic Control Map and Traffic Control File

Refer to Planning, Streets, & Traffic Committee, Please

Introduced by Councilmembers Emmett Pepper and Brady Campbell

May 2, 2022:

Bill No. 7958 – A BILL to amend and reenact Sections relating to updating the consumer protection provisions of the Municipal Code

Refer to Ordinance and Rules Committee and Finance Committee, Please

MISCELLANEOUS/UNFINISHED BUSINESS

None

REMARKS BY MEMBERS

1. Mayor Goodwin thanked everyone involved in Team Up To Clean Up.
2. Councilmember Persinger stated he had not heard back after his request at the last meeting to know how much had been presently spent on the outside consulting firm
3. Councilmember Pepper stated that he would be happy to speak about the bill that he introduced during the meeting.
4. Councilmember Faegre stated that she wanted to get the public hearing for Blaine Boulevard scheduled as soon as possible. She added that she has only seen a few Councilmembers help at warming stations, including Councilmembers Steele and Jones.
5. Councilmember Overstreet stated that it might be better to use the leftover ARPA funds to buyout the residents on Blaine Boulevard so they can be relocated.
6. Councilmember Faegre asked for a moment of silence for the firefighter that lost their life, John Dean Forbush.

ADJOURNMENT

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

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

NAYS:

ABSENT: Brown, McKinney, Reishman, Snodgrass

At 9:10 p.m., by a motion from Councilmember Ceperley, Council adjourned until Monday, May 16, 2022, 7:00 p.m., in Council Chambers at City Hall.

Amy Shuler Goodwin, Honorable Mayor

Miles C. Cary II, City Clerk