



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

CITY OF CHARLESTON, WEST VIRGINIA

Regular Meeting – Monday, June 6, 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 June on the 6th day, in the year 2022, and was called to order by the Honorable Mayor, Amy Shuler Goodwin. The invocation was delivered by Councilmember Adams, and the Pledge of Allegiance was led by Councilmember Moore. The Honorable Clerk, Miles C. Cary II, called the roll of members and it was found that there were present at the time:

ADAMS**COOK****HOOVER****KING****MINARDI****PEPPER****REISHMAN****SNODGRASS****BAYS****CAMPBELL****FAEGRE****JENKINS****KNAUFF****PERSINGER****ROBINSON****STEELE****BROWN****CEPERLEY****HAAS****JONES****MCKINNEY****OVERSTREET****PHARR****SHEETS****MAYOR GOODWIN**

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

Burton's absence was 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. Jane Thomas – Spoke about dangerous loose dogs in their neighborhood.
2. Melinda Hamwi – Spoke about Sadd Brothers LLC, WVHDF and City inspectors.
3. Eric Desmond – Spoke about the trash under his window and Sadd Brothers LLC.
4. Jennifer Bauman – Spoke about their negligent landlord and dangerous living conditions.
5. Mackenzie Spencer – Representing FestivAll, spoke about their events.

CLAIMS

1. A claim of David Diaz, Charleston, WV;
alleges damage to vehicle.
2. A claim of Mark Miller, Charleston, WV;
alleges damage to property.
3. A claim of Joshua Perry, Charleston, WV;
alleges damage to property.
4. A claim of Angela Price, Charleston, WV;
alleges damage to property.

PROCLAMATIONS

1.

**EXECUTIVE DEPARTMENT
CITY OF CHARLESTON
PROCLAMATION**

WHEREAS: Aphasia is a language disorder that affects a person's ability to communicate. This impairment is most likely caused by brain damage, typically resulting from a stroke; and

WHEREAS: Many people with aphasia also have weakness or paralysis in their right leg and right arm, usually due to damage to the left hemisphere of the brain, which controls language and movement on the right side of the body; and

WHEREAS: The effects of aphasia may include a loss or reduction in the ability to speak, comprehend, read, and write, while intelligence remains intact. While treatable, aphasia still permanently effects the lives of those effected; and

WHEREAS: It's estimated that there are about 750,000 strokes per year in the United States, with approximately one-third of these resulting in aphasia, stroke is the 3rd leading cause of death in the United States, ranking behind heart disease and cancer, it is also a leading cause of serious, long-term disability; and

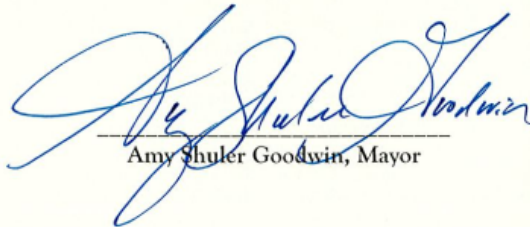
NOW THEREFORE, I, Amy Shuler Goodwin, Mayor of the City of Charleston, do hereby designate June 2022, as

Aphasia Awareness Month

I encourage all citizens to commend its observance and spread awareness for those who are affected by this language disorder.

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the Executive Department to be affixed this 6th day of June 2022.




Amy Shuler Goodwin, Mayor

2.

**EXECUTIVE DEPARTMENT
CITY OF CHARLESTON
PROCLAMATION**

WHEREAS: Pride Month is celebrated nationwide each year in the month of June to commemorate the demonstrations, led by transgender women of color, that took place 53 years ago at the Stonewall Inn the morning of June 28, 1969—fueling a worldwide civil rights movement for lesbian, gay, bisexual, transgender, and queer (LGBTQ+) people; and

WHEREAS: During Pride Month we celebrate the many decades of hard work and progress toward equity and inclusion for all LGBTQ+ citizens, while also reaffirming our commitment to do more to support LGBTQ+ rights, initiatives, and advocacy; and

WHEREAS: It is imperative all people in our community—regardless of sexual orientation, gender expression or gender identity—are welcomed, supported, protected, and empowered by their peers, educators, and community leaders; and

WHEREAS: The City of Charleston was the first municipality in West Virginia to adopt a local nondiscrimination law to ensure no person is discriminated against in employment, housing, or public accommodations; and the first municipality to ban the practice of conversion therapy for minors; and

WHEREAS: We have the unique opportunity—as members of the LGBTQ+ community and allies—to ensure diverse lived experiences are encouraged and celebrated.

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

LGBTQ+ PRIDE MONTH

in Charleston, West Virginia and encourage all citizens to stand in solidarity with our LGBTQ+ community members and celebrate the valuable contributions they have made in our City, State and Nation.

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the Executive Department to be affixed this 6th day of June 2022.




Amy Shuler Goodwin, Mayor

3.

**EXECUTIVE DEPARTMENT
CITY OF CHARLESTON
PROCLAMATION**

WHEREAS: Many Ukrainian people have been forced to flee their home country due to the invasion of Russian forces into Ukraine. The immediacy of the Ukrainian humanitarian crisis and the lack of proximity make direct assistance difficult; and

WHEREAS: The West Virginia Interfaith Refugee Ministry, has provided leadership in Charleston on responding to the needs of refugees from diverse parts of the world by developing the capacity to welcome relocating refugee families to Charleston; and

WHEREAS: The City of Charleston, since 2010, has maintained a Sister City relationship with the City of Banská Bystrica, Slovakia, which has led to visits by official delegations, cross-cultural exchanges, and student exchanges; and

WHEREAS: The City of Banská Bystrica and other communities in Slovakia have welcomed Ukrainian refugees—helping them in their time of need by providing counseling and on-site translators, and supplying housing, medical supplies, and food; and

WHEREAS: The world is made a better place through relationships between communities and mutual support; and

NOW THEREFORE, I, Amy Shuler Goodwin, Mayor of the City of Charleston,
do hereby support

Those Who Help the People Of Ukraine

and recognize those who are actively helping people during their time of need—specifically highlighting the work of those in our Sister City of Banská Bystrica, Slovakia who have worked to care for Ukrainian refugees.

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the Executive Department to be affixed this 6th day of June 2022.

A handwritten signature in blue ink, appearing to read "Amy Shuler Goodwin".

Amy Shuler Goodwin, Mayor

COMMUNICATIONS

None

MISCELLANEOUS BUSINESS

1. Resolution No. 661-22 – A Resolution to certify the results as reflected by the attached Report and Certificate of Results as the official and correct returns and true results of the Primary Election held for the City of Charleston on the 10th day of May, two thousand and twenty-two.

WHEREAS, the Board of Canvassers of the County of Kanawha, State of West Virginia, having carefully and impartially examined the returns of the Primary Election held in said county, in each district thereof, on the 19th day of May, 2022 and the 24th day of May, 2022, do certify that the Report and Certificate of Results, attached hereto, as the official and correct returns and true results of the Primary Election.

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

"That the Council of the City of Charleston hereby adopts the Certificate of Results as reflected by the attached Report and Certificate of Results as the official and correct returns and true results of the Primary Election held for the City of Charleston on the 10th day of May, two thousand and twenty-two.

Councilmember Jenkins added that the resolution certifies the results from the Board of Canvassers for the Primary Election.

REPORTS OF COMMITTEES

COMMITTEE ON ORDINANCE AND RULES

Councilmember Robinson, Chair of the Council Committee on Ordinance and Rules, submitted the following reports:

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. 7960 Committee Substitute do pass.

Bill No. 7960 Committee Substitute as Amended - A BILL to amend and reenact Sections 98-1, 98-3, 98-4, 98-42, and 98-101 of the Municipal Code of the City of Charleston, all relating to creating a process for refuse related citations, including appealing and challenging the citation; clarifying that complaints may still be filed directly with the municipal court; creating a specific criminal penalty for unlawfully disposing of waste water; increasing penalties for littering; clarifying penalties for a violation of the solid waste chapter; and creating a new penalty for setting out bulk items for pickup as part of an eviction or otherwise earlier than 6:00 p.m. on the day preceding the regular refuse collection or after refuse is picked up on the day of collection.

WHEREAS, in order to protect the health and welfare of the public, the refuse department collects refuse and recycling throughout the City of Charleston; and

WHEREAS, Chapter 98 of the Municipal Code provides various ordinances for the collection and disposal of refuse; and

WHEREAS, refuse collection happens on certain collection dates set forth by the Refuse Department to facilitate refuse collection in certain zones of the City on specified dates for those zones; and

WHEREAS, from time to time the provisions of Chapter 98 are violated as to when refuse is set out, when collection bins are brought back in, the types of refuse set out, and the manner in which refuse is set out, among other things; and

WHEREAS, some of the more egregious violations are from property owners, landlords, or their agents that evict individuals and leave their remaining belongings on the sidewalk for pickup well in advance of the regularly scheduled pickup; and

WHEREAS, the City desires to create a more efficient citation and fine system for violations of Chapter 98 similar to that used for parking violations to deter violations and help defray the costs of additional pickups which must occur from time to time in order to alleviate potential health, safety, and welfare hazards which may arise from such violations.

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

That Sections 98-1, 98-3, 98-4, 98-42, and 98-101 of the Municipal Code of the City of Charleston are hereby amended and reenacted, all to read as follows:

CHAPTER 98. – SOLID WASTE.

ARTICLE I. – IN GENERAL.

Sec. 98-1. – Notice of violation, refuse citations, appeals, and to appear before municipal court process.

(a) A violation of this chapter may be brought upon the issuance of a refuse citation by the director of refuse collection, the assistant director of refuse collection or the refuse collection relief foreman who shall affix a refuse citation upon the dwelling or commercial establishment that is in violation of this Code, instructing the owner or occupant of such dwelling or commercial establishment as to the penalty and manner of paying the penalty for such violation, which refuse citation shall issue in the name of the city; shall advise the alleged violator of the nature of the offense or violation of this chapter, the date, time and location of the violation, and the section or sections of this chapter violated.

(b) Issuance of a refuse citation to an alleged violator of the provisions of this chapter shall be deemed to be prima facie evidence of the refuse and collection violation indicated on the face of the refuse citation. As such, any person who is issued a refuse citation must pay the fine indicated for the violation, as set forth in section 98-42 of this Code, in full to the city collector or on the city's online payment website within ten days of issuance; provided, however, that any person who feels he or she was improperly issued such refuse citation may, within the ten days from issuance, file a dispute with the director of public works. The director of public works shall review the dispute and make an independent determination regarding the refuse citation. The director of public works shall communicate the decision to the alleged violator and notify the alleged violator that her or she may appeal the decision to the municipal court within ten days in accordance with the following:

(1) Prior to filing any appeal of the decision of the director of public works, the alleged violator shall pay the required amount of the fine in full to the city collector or on the city's online payment website as bond pending evidentiary hearing before and resolution of the case by the municipal court. The city collector must issue a receipt to the alleged violator showing the amount of the bond paid. Thereafter, in order to properly and timely appeal the decision of the director of public works regarding his or her refuse citation, the alleged violator must file a copy of the bond receipt along with his or her appeal of the decision of the director of public works with the municipal court clerk within ten days of issuance of the decision of the director of public works as set forth above. If any appeal filed in accordance with this section is not timely filed or is not accompanied with the required receipt showing payment of the required bond, the alleged violator shall be deemed to have waived his or her right to contest the refuse citation, and such appeal shall be summarily denied as untimely filed; provided, however, that nothing set forth hereinabove shall prevent the municipal court judge from finding upon proper showing that an alleged violator suffers from financial hardship, and, as a result, waiving the requirement that the bond be posted as a prerequisite to filing a timely appeal.

(2) Any appeal filed with the municipal court clerk must be in writing, on the form to be provided by the municipal court clerk, and must be signed by the alleged violator affirming that the contents of the appeal are true and accurate to the best of the alleged violator's knowledge at that time. Such appeal must state the facts and reasons in support of the alleged violator's position. Upon filing any such appeal with the municipal court clerk, the alleged violator must serve a copy of the appeal and receipt showing proof of bond upon the city attorney.

(3) Upon filing of an appeal of the director of public works' decision with the municipal court clerk, the clerk or his or her designee shall place the case on the municipal court docket, set the case for evidentiary hearing, and provide a notice of hearing to the alleged violator, city attorney, and director of public works. The municipal court clerk shall forward a copy of the appeal to the city attorney and the director of public works. Upon receipt of the appeal, the director of public works shall cause a copy of the refuse citation at issue to be forwarded to the municipal court clerk who shall file it as the original complaint alleging the violation indicated therein and forward a copy to the city attorney.

(4) The municipal court shall treat the refuse citation itself as the original complaint before the court and shall treat it as prima facie evidence of the refuse violation alleged therein. As such, the alleged violator will bear the burden of overcoming the prima facie case at the evidentiary hearing. At the close of all of the evidence, should the municipal judge find against the alleged violator, the bond posted by the alleged violator will be applied as payment for the fine indicated for the violation; however, should the court find in favor of the alleged violator, the bond shall be refunded to the alleged violator. The decision of the municipal court may be appealed to the circuit court of Kanawha County.

(c) In any instance in which an alleged violator does not timely pay within ten days of the issuance of a refuse citation upon him or her, or ten days after the decision of the director of public works, if applicable, the full amount of the fine and an additional late fee equal in amount to the original fine becomes immediately due. If the alleged violator properly and timely files an appeal along with the required bond, then the amount of the fine shall remain at the original amount pending the decision by the municipal court. Once a decision is final or an amount becomes due, the City may take any lawful action necessary to collect the amount due, including but not limited to filing a lien against the violator and instituting collection proceedings.

(d) In addition to any other the citation procedure prescribed by law above, for any violation of any provision of this chapter within the jurisdiction of the municipal court of the city, a violation may be brought before the municipal court upon the issuance of a notice by the director of refuse collection, the assistant director of refuse collection or the refuse collection relief foreman, which notice shall issue by complaint of a police officer in the name of the city in the form and style required by chapter 38 of this code, which shall advise the alleged violator of the nature of the offense or violation of this chapter, the date, time and location of the violation, and the section or sections of this chapter violated. And to appear and answer before the municipal court at a time specified in the notice. Before the time specified in such notice to appear and answer, the person so cited may appear before the clerk of the municipal court or other municipal officer designated by the municipal judge and make answer to the violation set forth in the notice and pay the fine fixed by the municipal judge for such offense, or to the clerk or other officer so designated. Acceptance of the prescribed fine by the clerk or other officer shall be a complete satisfaction for the violation, and the clerk or other officer shall give the violator a receipt to that effect

~~and pay the fine into the municipal court; provided, that any person so summoned to appear before the municipal court to answer a violation of any of the provisions of this chapter may deposit with the clerk of the municipal court or other officer designated by the municipal judge cash or other bond in an amount equal to the fine fixed by the municipal judge for such violation, conditioned for his appearance to answer such charge in court at the time specified by the clerk or other officer taking the bond. In case any person posting a bond for his appearance shall fail to appear at the time specified, such bond shall be forfeited by the court; and if such bond posted is cash, it shall be taken by the municipal court as satisfaction for the violation.~~

Sec. 98-3. – Prohibited discharges in watercourses, wells, similar places.

It shall be unlawful for any person to dispose of any waste matter of any kind, solid or liquid, in any river, creek or other watercourse or in any reservoir, lake, pond, pool, well, spring or cistern, or in any gutter or drain. Any person who violates this section in an amount of up to 100 pounds in weight or 27 cubic feet shall, upon conviction, be fined not less than \$100.00 and not more than \$2,500.00, or in the discretion of the court, sentenced to perform community service by cleaning up litter from any public highway, road, street, alley, or any other public park or public property within the City, as designated by the court, for not less than 8 nor more than 100 hours, or both. Any person who violates this section in an amount of between 100 pounds and 500 pounds in weight or between 27 cubic feet and 216 cubic feet shall, upon conviction, be fined not less than \$2,500.00 and not more than \$5,000.00, or in the discretion of the court, sentenced to perform community service by cleaning up litter from any public highway, road, street, alley, or any other public park or public property within the City, as designated by the court, for not less than 16 nor more than 200 hours, or both. Any person who violates this section in an amount of more than 500 pounds in weight or 216 cubic feet shall, upon conviction, be fined not less than \$2,500.00 and not more than \$25,000.00, or confined in jail for up to 30 days, or both. Each individual disposal and each day such violation is committed or permitted to continue may constitute a separate offense or may be combined into a single offense in order to calculate the relevant weight or cubic feet.

Sec. 98-4. - Prohibited littering of streets, sidewalks and public places; duty of persons in violation of section.

(a) No person shall deposit or permit to fall on any street, sidewalk, square or other public place any grass, scrap iron, nail, tack, wire, cigarette, cigarette remains, cigarette butt, can, paper, trash, other litter or any offensive matter, or anything likely to injure the feet of individuals or animals or the tires of vehicles. To the extent that any such deposit of trash or litter is accidental, or incidental to property cleanup or mowing (such as leaves or grass deposited onto the street during property cleanup, or an incident wherein trash blows out of a vehicle), there will not be a violation if the individual who is responsible for such deposit (the person mowing grass, blowing leaves, or operating the vehicle) immediately, or as soon thereafter as reasonably possible, removes the litter, trash, or debris as described in subsection (b) below. Otherwise, the person shall be guilty of a violation subject to the punishment prescribed in subsection (c) below. Deposit of a cigarette, cigarette remains, or cigarette butt on any property without the immediate retrieval thereof by the person who last held or smoked the cigarette (the "smoker") shall be prima facie evidence that the smoker has violated this section and has intentionally failed to comply with subsection (b) below. The driver of any vehicle from which a cigarette (or any part thereof) or any other type of litter, trash, offensive matter, or anything likely to injure the feet of

individuals or animals or the tires of vehicles is thrown, dropped, or otherwise deposited shall be equally liable for violation of this section, and shall share the personal responsibility and criminal liability in the event of failure to comply with the requirement described in subsection (b) below.

(b) Any person who deposits or permits to fall upon any street, sidewalk, square or other public place any litter mentioned in subsection (a) of this section shall immediately remove the litter or cause it to be removed. The failure to remove the litter or cause it to be removed shall be a violation subject to the punishment prescribed in subsection (c) below.

(c) Any person who violates this section in an amount of up to 100 pounds in weight or 27 cubic feet shall, upon conviction, be fined not less than \$100.00 and not more than \$2,500.00, or in the discretion of the court, sentenced to perform community service by cleaning up litter from any public highway, road, street, alley, or any other public park or public property within the City, as designated by the court, for not less than 8 nor more than 100 hours, or both. Any person who violates this section in an amount of between 100 pounds and 500 pounds in weight or between 27 cubic feet and 216 cubic feet shall, upon conviction, be fined not less than \$2,500.00 and not more than \$5,000.00, or in the discretion of the court, sentenced to perform community service by cleaning up litter from any public highway, road, street, alley, or any other public park or public property within the City, as designated by the court, for not less than 16 nor more than 200 hours, or both. Any person who violates this section in an amount of more than 500 pounds in weight or 216 cubic feet shall, upon conviction, be fined not less than \$2,500.00 and not more than \$25,000.00, or confined in jail for up to 30 days, or both. Each individual deposit and each day such violation is committed or permitted to continue may constitute a separate offense or may be combined into a single offense in order to calculate the relevant weight or cubic feet.

ARTICLE II. – COLLECTION AND DISPOSAL.

DIVISION 1. – GENERALLY.

Sec. 98-42. – Violation and penalty.

Unless a more specific penalty is stated for the specific violation, any ~~Any~~ person violating the provisions of this ~~article~~ chapter or any regulation promulgated under this ~~article~~ chapter shall be subject to a fine of \$25.00, ~~plus court costs~~ for each violation. Any owner of a multifamily dwelling, four units or larger, violating this article or any regulation promulgated under this article, shall be subject to a fine up to \$100.00, ~~plus court costs~~ for each violation. Any commercial establishment violating this article, or any regulation promulgated under this ~~article~~ chapter, shall be subject to a fine of up to \$100.00, ~~plus court costs~~ for each violation.

ARTICLE II. – COLLECTION AND DISPOSAL.

DIVISION 3. – CURBSIDE COLLECTION.

Sec. 98-101. – Location and time for placement; disabled and infirmed residents.

(a) All refuse, yard (green) waste, bulky waste, and recyclables shall be placed for collection either at the curb or at a point not more than five feet from the curb on the collection day. In areas where there are no curbs, all such waste materials shall be placed not more than five feet back from the edge of the

traveled road way. Except for the collection and removal of the materials under subsection (b) of this section, a municipal employee shall not collect or remove, at city expense, any refuse, yard (green) waste, bulky waste or recyclables from the premises of any person or tenant of such premises.

(b) The city manager may grant an exemption from the requirements of subsection (a) of this section to residences occupied by persons with physical limitations which prevent them from placing waste at the curb; however, such person shall submit a written application for such exemption and certify in the application that the residence is occupied by such persons. If any person making application for an exemption shall submit any false, erroneous or untrue information relative to the eligibility or qualifications of the applicant for such exemption, any such person supplying such false, erroneous or untrue information shall be subject to a penalty as provided in subsection (f) of this section.

(c) For the purpose of subsection (b) of this section, "physical limitation" shall mean any illness, injury, incapacity, or other physical disability which prevents such person from placing waste materials at the curb.

(d) All refuse, yard (green) waste, bulky waste and recyclables to be collected shall be secured in a manner consistent with section 98-47 of this code and shall not be placed for collection before 6:00 p.m. on the day preceding the collection day nor after ~~7:00 a.m.~~ refuse is picked up on the day of collection.~~(e)~~ If refuse and/or recyclables are stored in standard containers, said container shall not be placed by the curb or edge of the traveled road way as defined in subsection (a) of this section before 6:00 p.m. on the day preceding the collection day nor after ~~7:00 a.m.~~ refuse is picked up on the day of collection, and must be removed from said curb or edge of the traveled road way no later than 10:00 p.m. on the day of collection.

(e) A property owner, landlord, or agent of an owner or landlord may not set items out for refuse collection as part of an eviction or other bulk disposal of items any earlier than 6:00 p.m. on the day preceding the collection day nor after refuse is picked up on the day of collection. A commercial property owner, landlord, or agent of an owner or landlord that does not have an account with the city for refuse collection may not place items out for refuse collection by the city and any such person with a contract for collection by a private hauler may not leave refuse on the public rights of way in a manner that is not secured in a dumpster designated by the private hauler.

(f) Any person violating the provisions of this section or any regulation promulgated under this section shall be subject to ~~a fine of \$25.00 plus court costs~~ the penalties contained in section 98-42 of this code for each violation and may be charged in a manner consistent with section 98-1 of this code. Any owner, landlord, or agent of an owner or landlord, ~~of a multi-family rental dwelling with four or more units violating subsection (e) of this section or any other regulation promulgated under this section~~ shall be subject to a fine of \$500.00 up to \$100.00 plus court costs for each violation and may be charged in a manner consistent with section 98-1 of this code.

Councilmember Robinson added that the bill provides a more efficient citation and fine system for violations of Chapter 98, similar to those used for parking violations, to deter additional pickups by the Refuse Department. The system is intended for repeat offenders, and will apply to individuals, landlords and businesses. The bill provides the Refuse Department with a system for citing repeat offenders that is not currently in place.

Councilmember Persinger asked if unpaid citations would end up in a lien of the property. Councilmember Robinson replied that citations can be appealed. The next escalation would be for the citation to go to the court system. City Attorney, Kevin Baker, added that the bill does not contain language for lien, but the City does have the same collection capabilities that they would have for any other type of fine. Councilmember Persinger added that landlords that use the City for trash pickup are able to evict tenants, putting everything onto the street. The City should put the burden of that onto the landlord.

A roll call was taken:

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

NAYS:

ABSENT: Burton, McKinney

With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Bill No. 7960 Committee Substitute as Amended 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 bill, and reports the same to Council with the recommendation that Bill No. 7959 do pass.

Bill No. 7959 - A Bill to update parking authorization along Court Street by prohibiting parking along the westerly side of Court Street from Quarrier Street to Kanawha Boulevard and on the easterly side of Court Street from Virginia Street to Quarrier Street; and modifying existing and/or adding necessary traffic control devices and amending the Traffic Control Map and Traffic Control File, established by the code of the City of Charleston, West Virginia, two thousand and three, as amended, Traffic Laws, Section 263, Division 2, Article 4, Chapter 114, to conform therewith.

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

Section 1. A Bill to prohibit parking along the westerly side of Court Street from Quarrier Street to Kanawha Boulevard and on the easterly side of Court Street from Virginia Street to Quarrier Street and modifying existing and/or adding necessary traffic control devices.

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

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

Councilmember Hoover added that the County felt that having parking near the Courthouse was a safety issue, and the Committee agreed.

A roll call was taken:

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

NAYS:

ABSENT: Burton, McKinney

With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Bill No. 7959 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. 662-22 be adopted.

Resolution No. 662-22 - Authorizing the Mayor or City Manager to enter into a memorandum of understanding with the Raleigh County Solid Waste Authority for services relating to the processing of mixed recyclables for the City of Charleston as detailed in Exhibit A attached hereto.

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

The Mayor or City Manager is authorized to enter into a memorandum of understanding with the Raleigh County Solid Waste Authority for services relating to the processing of mixed recyclables for the City of Charleston as detailed in Exhibit A attached hereto.

Councilmember Jenkins added that the resolution will continue the City's agreements with Raleigh County's Solid Waste Authority. This will give the City time to hopefully determine a more sustainable recycling process.

Councilmember Persinger asked what a long-term solution would be. City Manager, Jonathan Storage, added that various groups have been working in particular on an innovative recycling proposal from Gorilla Recycle. The City is also in conversation with Waste Management for the creation of a transfer station for the storage of recyclable goods.

Councilmember Cook added that, presently, Raleigh County is still the City's best option, and spoke in favor of the resolution.

Councilmember Snodgrass asked for the annual cost. Storage replied that the City has currently spent \$21,000 for 2022.

Councilmember Persinger asked if that number included the costs for fuel, hours worked, etc. Storage replied that it did not.

Councilmember Faegre asked if anyone had ever looked into what it would cost for the City to have its own recycling center. Storage replied that while there has not been a detailed study, it would likely be a multi-million cost, with on-going labor expense. The Administration believes that it is not within the scope of the City to have its own recycling center, rather it would be

private or regional cooperative. Councilmember Faegre asked if the City utilized the Slack Street facility. Storage replied that the City does not, because of the sorting requirements.

Councilmember Persinger added that Ritchie County just opened a new single-stream facility that cost \$3 million. He added that last year, the City spent \$450,000 to send recycling to Raleigh County.

Councilmember Pepper agreed with Councilmember Cook. He did not like the fact that the City has to pay to send recycling to Raleigh County, but was heartened that the Administration is taking steps on the issue.

Councilmember Jones asked how many stops the recycling trucks made. Refuse Director Jered Lanham, replied approximately 3,090.

Councilmember Snodgrass added that Council should consider ARPA funds.

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

A roll call was taken:

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

ABSENT: Burton, McKinney

With members present recorded thereon as voting in the majority as affirmative, the Mayor declared Resolution No. 662-22 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. 663-22 be adopted.

Resolution No. 663-22 – Adopting the proposed Fiscal Year 2022-2023 Parking System budget as indicated within the attached document.

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

The proposed Fiscal Year 2022-2023 Parking System budget is adopted as indicated within the attached document.

Councilmember Jenkins added that the budget will allow \$600,000 for maintenance and future improvements.

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

A roll call was taken:

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

NAYS:

ABSENT: Burton, McKinney

With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Resolution No. 663-22 as 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. 664-22 be adopted.

Resolution No. 664-22 - Whereas, the City of Charleston is a member of—and is fiscal agent for—the Metropolitan Drug Enforcement Network Team (“MDENT”);

Whereas, MDENT maintains 17 vehicles in its fleet, which are separately titled to corresponding member law enforcement agencies;

Whereas, from time to time, MDENT must quickly purchase vehicles to further its public safety mission, which necessarily requires covert movements and operations;

Whereas, current vehicle shortages and manufacturing delays has made it difficult for MDENT to timely acquire vehicles;

Whereas, when vehicles are ready to be purchased on dealer lots, the vehicles are often sold before MDENT obtains City Council purchasing approval;

Whereas, the Chief of the Charleston Police Department has requested that the Administration find a way to lessen the burden of acquiring vehicles for MDENT;

Whereas, the Administration recommends that the City Council grant purchasing authority to the Mayor or City Manager so vehicles may be acquired without the need for individual authorizing resolutions;

Whereas, the Mayor or City Manager will ensure that sufficient funds are available within applicable MDENT accounts prior to purchasing any vehicles; and

Whereas, the Mayor or City Manager will ensure that the purchase of any vehicles adheres to competitive contracting principles;

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

That the Mayor or City Manager is authorized to purchase various vehicles for the Metropolitan Drug Enforcement Network Team (“MDENT”) without first obtaining an authorizing resolution from the City Council; provided that any vehicle may not exceed the purchase price of \$40,000, competitively sourced contracts must be used for any vehicle with a purchase price more than \$25,000, and written quotes must be obtained for any vehicle with a purchase price of \$25,000 or less. The City Manager is directed to create a separate purchasing file related to vehicle purchases made under the authority granted by this resolution and is further directed to file a report with the City Clerk regarding all purchases made under this authority within 30 days of the authority’s expiration. This authority expires at 5:00 p.m. on June 1, 2023.

Councilmember Jenkins added that the resolution would change the process to purchase undercover vehicles for MDENT. Once a suitable vehicle is found, they are often sold by the time Council is able to approve the purchase. This procedure would be reassessed after one year.

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

A roll call was taken:

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

NAYS: Knauff, Persinger, Snodgrass

ABSENT: Burton, McKinney

With members present recorded thereon as voting in the majority as affirmative, the Mayor declared Resolution No. 664-22 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. 665-22 be adopted.

Resolution No. 665-22 - Authorizing the Mayor or City Manager to enter into an Agreement with WesBanco, Inc. for a Standby Letter of Credit in the amount of \$500,000 for a term starting July 1, 2022. Cost of the letter is 0.5% of the amount issued. This letter of credit provides security in lieu of a surety bond for liability of potential workers' compensation claims as a self-insured employer. The letter of credit is subject to review and final approval by legal counsel for the City.

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 WesBanco, Inc. for a Standby Letter of Credit in the amount of \$500,000 for a term starting July 1, 2022. Cost of the letter is 0.5% of the amount issued. This letter of credit provides security in lieu of a surety bond for liability of potential workers' compensation claims as a self-insured employer. The letter of credit is subject to review and final approval by legal counsel for the City.

Councilmember Jenkins added that the resolution is for the renewal of the current agreement with WesBanco for a standby letter of credit that is required by the West Virginia Insurance Commission.

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. 665-22 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. 666-22 be adopted.

Resolution No. 666-22 - Approving the renewal of that certain lease between the City of Charleston and the YWCA of Charleston, West Virginia, Inc., dated September 19, 2017, relating to the use of the building and property located 201 Donnally Street to provide childcare services, including infant and toddler development, preschool, after-school and summer camp, and other related services.

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

That the renewal of that certain lease between the City of Charleston and the YWCA of Charleston, West Virginia, Inc., dated September 19, 2017, relating to the use of the building and property located 201 Donnally Street is approved.

Councilmember Jenkins added that the resolution is for a five-year renewal of the current lease with the YWCA.

Councilmember Pharr abstained from voting due to a pecuniary interest.

Councilmember Faegre asked if the agreement contained an indemnification clause. Baker confirmed that it did.

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. 666-22 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. 667-22 be adopted.

Resolution No. 667-22 - Authorizing approval of Amendment No. 8 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. 8 of the FY 2021-2022 General Fund Budget as indicated on the attached list of accounts is approved.

Councilmember Jenkins added that the resolution's purpose is to reallocate funds to balance the budget for the end of the fiscal year. It also transfers revenue ARPA funds for some services provided by BDO.

Councilmember Snodgrass added for clarification for the \$100,00 line item. Storage replied that it is the Council approved use of ARPA funds to pay BDO for consulting services. To-date spending totals \$45,000.

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

A roll call was taken:

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

With members present recorded thereon as voting in the majority as affirmative, the Mayor declared Resolution No. 667-22 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. 668-22 be adopted.

Resolution No. 668-22 - Authorizing the Mayor or City Manager to grant American Rescue Plan Act (“ARPA”) funds to Alzheimer's Association, WV Chapter in the total amount of \$20,000 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 Alzheimer's Association, WV Chapter in the total amount of \$20,000 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 for salaries, program materials, marketing, rent and internet.

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. 668-22 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. 669-22 be adopted.

Resolution No. 669-22 - Authorizing the Mayor or City Manager to grant American Rescue Plan Act (“ARPA”) funds to Pollen8 in the total amount of \$625,000 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 Pollen8 in the total amount of \$625,000 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 complete the development of a new facility in downtown Charleston and salaries.

Councilmember Faegre confirmed that Café Appalachia had a location in South Charleston.

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. 669-22 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. 670-22 be adopted.

Resolution No. 670-22 - Authorizing the Mayor or City Manager to grant American Rescue Plan Act (“ARPA”) funds to Partnership of African American Churches in the total amount of \$440,000 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 Partnership of African American Churches in the total amount of \$440,000 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 purchase the old Save-A-Lot facility to establish a permanent, comprehensive community health center.

Councilmember Faegre added that they needed to pay attention to where these facilities were located, particularly given that there was not a grocery store on the East End.

Councilmember Snodgrass asked if the group already had an existing healthcare facility in operation. Reverend Patterson, representing PAAC, replied that they have a treatment facility on the West Side. Their recently conducted needs assessment showed that the proposed facility was needed in that area. Councilmember Snodgrass asked if they had applied for any federal funding. Reverend Patterson replied that had not, but have applied for a different grant.

Councilmember Cook spoke in favor of the resolution. She added that area of Charleston has been historically underserved.

Councilmember Moore spoke in favor of the resolution.

Councilmember Pharr added that the organization has done a tremendous amount of research, and 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 unanimously in the affirmative, the Mayor declared Resolution No. 670-22 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. 671-22 be adopted.

Resolution No. 671-22 - Authorizing the Mayor or City Manager to grant American Rescue Plan Act (“ARPA”) funds to Midian Leadership Project in the total amount of \$60,000 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 Midian Leadership Project in the total amount of \$60,000 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 for three trauma-informed mentor coaches, and to expand their space.

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. 671-22 as 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. 672-22 be adopted.

Resolution No. 672-22 - Authorizing the Mayor or City Manager to grant American Rescue Plan Act (“ARPA”) funds to Hope for Appalachia in the total amount of \$45,000 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 Hope for Appalachia in the total amount of \$45,000 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 for a residential facility serving pregnant women battling addiction.

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. 672-22 as 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. 658-22 be adopted.

Resolution No. 658-22 - Authorizing the Mayor or City Manager to grant American Rescue Plan Act (“ARPA”) funds to Capitol Market in the total amount of \$600,000 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 Capitol Market in the total amount of \$600,000 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 for upgrades to the outdoor market, façade enhancements, restroom remodeling and broadband enhancements.

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. 658-22 as 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. 659-22 be adopted.

Resolution No. 659-22 - Authorizing the Mayor or City Manager to grant American Rescue Plan Act (“ARPA”) funds to The Healing House, Inc. in the total amount of \$150,000 and to execute appropriate agreements establishing the terms and conditions imposed upon the awardee, 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 The Healing House, Inc. in the total amount of \$150,000 and to execute appropriate agreements establishing the terms and conditions imposed upon the awardee, 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 awardee’s City of Charleston ARPA grant application, attached hereto as Exhibit A. The City Manager is directed to withhold grant funding to the grant awardee should the City Manager determine that the grant awardee 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 funds will be used for trauma training as a result of domestic violence, program expenses, etc.

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. 659-22 as 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. 673-22 be adopted.

Resolution No. 673-22 – Authorizing approval of Amendment No. 2 of the FY 2021—2022 Coal Severance 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. 2 of the FY 2021—2022 Coal Severance budget is approved as indicated on the attached list of accounts.

Councilmember Jenkins added that the budget amendment accounts for the actual amount received from the Coal Severance Tax. This tax is dedicated to the debt service for the Convention Center.

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

A roll call was taken:

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

NAYS:

ABSENT: Burton, McKinney

With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Resolution No. 663-22 as adopted.

REPORTS OF OFFICERS

1. Quarterly Financial Report for the Charleston Coliseum and Convention Center – 3rd Quarter 2021/2022.

NEW BILLS

Introduced by Councilmember Deanna McKinney

June 6, 2022:

Bill No. 7964 – A BILL to amend the Municipal Code by creating the violence prevention commission.

Refer to Ordinance and Rules Committee

MISCELLANEOUS/UNFINISHED BUSINESS

None

REMARKS BY MEMBERS

1. Councilmember Bays stated that she sent an email to the Administration in January concerning a crosswalk from the Convention Center to the hotels, and have not heard anything about it since March. She added that if the required number of businesses were not going to participate in the outdoor dining events, then Hale Street should not be closed, as it negatively affects business.
2. Councilmember Jones stated that asked if the increased cost of gas was accounted for in the budget.
3. Councilmember Minardi confirmed that the contract expires in November.
4. Councilmember Faegre stated that she has received complaints concerning lack of handicap parking at the Municipal Auditorium, Humane Officers not being available during the weekends, speeding problems on Edgewood Drive area, a tenant building on the East End having sealed windows (being a safety issue), illegal distribution of needles on the West Side. Councilmember Faegre confirmed that City Center had a dedicated employee to do upkeep.
5. Councilmember Pharr stated that the City was busy and vibrant over the weekend with many activities. She added that 67 teams from all over the country came to the Big Shots tournament.
6. Councilmember Persinger asked if the City had any business with B and D Construction.

ADJOURNMENT

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

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

NAYS:

ABSENT: Burton, McKinney

At 8:44 p.m., by a motion from Councilmember Ceperley, Council adjourned until Tuesday, June 21, 2022, 7:00 p.m., in Council Chambers at City Hall.

Amy Shuler Goodwin, Honorable Mayor

Miles C. Cary II, City Clerk