



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

CITY OF CHARLESTON, WEST VIRGINIA

Regular Meeting – Monday, June 21, 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 second meeting in the month of July on the 21st day, in the year 2022, and was called to order by the Honorable Mayor, Amy Shuler Goodwin. The invocation was delivered by Councilmember Reishman, and the Pledge of Allegiance was led by Councilmember Pepper. The Honorable Clerk, Miles C. Cary II, called the roll of members and it was found that there were present at the time:

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

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

Burton and Faegre'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

1. Joe DeGroff – Spoke against Hale Street closing.
2. Gina Puzzuoli – Spoke against Hale Street closing.
3. Eric Desmond – Sadd Brothers, CKHA, TM Management, WV HD.
4. Martec Washington – Councilmember McKinney and Charleston.
5. A. Rodriquez – Demolition.

CLAIMS

1. A claim of Mark Casto, Glasgow, WV;
alleges damage to property.
2. A claim of Collette Pinkard, Charleston, WV;
alleges personal injury.
3. A claim of William Wandling, Charleston, WV;
alleges damage to property.

PROCLAMATIONS

1.

EXECUTIVE DEPARTMENT CITY OF CHARLESTON PROCLAMATION

WHEREAS: The young people of our city and state are tomorrow's leaders; and

WHEREAS: Professional youth development services help guide many young people in their journey to realizing and achieving their full potential; and

WHEREAS: Boys & Girls Clubs instill young people with the self-confidence to believe they can achieve success through hard work and determination, and stand at the forefront of efforts in the areas of child safety, academia, fair play, healthy lifestyles and character; and

WHEREAS: Hundreds of young people in our Capital City and the surrounding areas are served, annually, by the Salvation Army Boys & Girls Clubs which are a part of a nationwide movement that annually serves over two million children and teens; and

WHEREAS: Boys & Girls Clubs help ensure our young people have a safe, positive, and supportive place to spend time and provide quality youth development programming.

NOW THEREFORE, I, Amy Shuler Goodwin, Mayor of the City of Charleston, do hereby designate June 25 – July 1, 2022, as the

BOYS & GIRLS CLUB WEEK

In the City of Charleston and encourages all citizens to commit to bringing greater awareness to programming and available resources for our young people.

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the Executive Department to be affixed this 21st day of June 2022.

A handwritten signature in blue ink, reading "Amy Shuler Goodwin".

Amy Shuler Goodwin, Mayor

2.

**EXECUTIVE DEPARTMENT
CITY OF CHARLESTON
PROCLAMATION**

WHEREAS: The health and safety of all citizens in Charleston is important to the happiness, prosperity and well-being of our families, communities and economy; and

WHEREAS: Currently, more than 40,000 West Virginians are living with Alzheimer's disease, and more than 107,000 family and friends are providing care with over 80,000 residents providing 135 Million hours of unpaid care annually; and

WHEREAS: Alzheimer's disease is a progressive brain disease that slowly deteriorates brain cells, affecting one's reasoning skills and abilities to perform simple tasks, ultimately leading to memory loss—robbing men and women of their cherished memories; and

WHEREAS: Organizations such as the Alzheimer's Association, West Virginia Chapter provide education and support to those facing Alzheimer's and other dementias throughout our community, including those living with the disease, caregivers, health care professionals and families; and

WHEREAS: It is important to recognize the stories, strengths, and efforts of the individuals, families, friends, and caregivers impacted by Alzheimer's disease, as well as the tireless work of the researchers who are seeking a cause and cure.

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

ALZHEIMER'S & BRAIN AWARENESS MONTH

in Charleston, West Virginia and encourage all citizens to value mental health, brain health, and the ability of residents to age in place.

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the Executive Department to be affixed this 21st day of June 2022.




Amy Shuler Goodwin, Mayor

3.

**EXECUTIVE DEPARTMENT
CITY OF CHARLESTON
PROCLAMATION**

WHEREAS: Captain Calvin Hicks was born on May 21, 1924 and started his service to the Charleston Fire department 29 years later on August 25, 1953. Today, he has the honor of holding the title as the oldest living Charleston Firefighter at 98 years old; and

WHEREAS: During his time with the Charleston Fire Department, Mr. Hicks spent most of his career at "outside" stations and was known for rarely missing a day of work and never being late; and

WHEREAS: He was involved in a key part of the Charleston Fire Department's history by "pinning" Charleston's first black Fire Chief and current City Council representative Chuck Overstreet, when he first became Fire Chief in 2011; and

WHEREAS: Calvin is married to his wife, Jane Hicks, and has two daughters, Karen Lynette and Pamela Jane and has been a member of Ebenezer Baptist Church for over 65 years. He is a valued Trustee and until recently, was a mainstay on the maintenance where he helped with the upkeep of the church grounds; and

WHEREAS: Captain Hicks served the Charleston community for 23 years, retiring at the age of 54 on August 14, 1977. The City of Charleston is thankful for the brave individuals in firefighting who dedicate their lives to protect the safety and well-being of their fellow citizens.

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

Calvin Hicks

As the City of Charleston's oldest living Firefighter and encourage all citizens to take time to acknowledge all the City's outstanding first responders and the communities that support them.

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the Executive Department to be affixed this 21st day of June 2022.

A blue ink signature of Amy Shuler Goodwin, Mayor of the City of Charleston. The signature is written in a cursive style and is positioned above the printed name "Amy Shuler Goodwin, Mayor".

Amy Shuler Goodwin, Mayor

COMMUNICATIONS

None

REPORTS OF COMMITTEES

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. 674-22 be adopted.

Resolution No. 674-22 - Authorizing the Mayor or City Manager to submit a grant application to the Division of Administrative Services Justice and Community Services Division in the amount of \$84,000 and administer any funds awarded. These funds will provide partial salary reimbursement for the three Charleston Police Department Prevention Resource Officers (PRO) assigned to George Washington High School, West Side Middle School and Capital High School. There is a 25% required match that will be met by the un-reimbursed officer salary portion absorbed by the police department's salary and wage budget.

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

That the Mayor or City Manager is authorized to submit a grant application to the Division of Administrative Services Justice and Community Services Division in the amount of \$84,000 and administer any funds awarded. These funds will provide partial salary reimbursement for the three Charleston Police Department Prevention Resource Officers (PRO) assigned to George Washington High School, West Side Middle School and Capital High School. There is a 25% required match that will be met by the un-reimbursed officer salary portion absorbed by the police department's salary and wage budget.

Councilmember Jenkins added that the resolution continues a program that has been ongoing for approximately nineteen years. The PRO program has served a model state-wide, and is a valuable resource for schools within the City.

Councilmember Moore added that, while he was for the program, there needed to be a better way for the officers to deal with the children.

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. 674-22 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. 675-22 be adopted.

Resolution No. 675-22 – Authorizing the Mayor or City Manager to enter into a Memorandum of Understanding with the Kanawha County Board of Education for continued placement of three Prevention Resource Officers at schools in Charleston – George Washington High School, West Side Middle School and Capital High School.

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

That the Mayor or City Manager is authorized to enter into a Memorandum of Understanding with the Kanawha County Board of Education for continued placement of three Prevention Resource Officers at schools in Charleston – George Washington High School, West Side Middle School and Capital High School.

Councilmember Jenkins added that the resolution is for the actual agreement for the Prevention Resource Officers.

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. 675-22 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. 676-22 be adopted.

Resolution No. 676-22 - Authorizing the Mayor or City Manager to submit a grant application to the Division of Administrative Services Justice and Community Services Division in the amount of \$112,000 and administer any funds awarded. These funds will provide partial salary reimbursement for four members of the Metropolitan Drug Enforcement Network Team (MDENT) from Charleston, Nitro, St. Albans and South Charleston Police Departments. There is a 25% required match that will be met by the un-reimbursed officer salary portion absorbed into each of those city's police salary and wage budgets.

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

That the Mayor or City Manager is authorized to submit a grant application to the Division of Administrative Services Justice and Community Services Division in the amount of \$112,000 and administer any funds awarded. These funds will provide partial salary reimbursement for four members of the Metropolitan Drug Enforcement Network Team (MDENT) from Charleston, Nitro, St. Albans and South Charleston Police Departments. There is a 25% required match that will be met by the un-reimbursed officer salary portion absorbed into each of those city's police salary and wage budgets.

Councilmember Jenkins added that the City has filed for this grant application for the past several years. This will be for partial salary reimbursement for four MDENT members.

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. 676-22 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. 677-22 be adopted.

Resolution No. 677-22 - Authorizing the Mayor or City Manager to grant American Rescue Plan Act (“ARPA”) funds to Fund for the Arts in the total amount of \$112,000 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 Fund for the Arts in the total amount of \$112,000 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 assist with the Wine and Jazz Festival, as well as for the loss of financial support due to the pandemic.

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. 677-22 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. 679-22 be adopted.

Resolution No. 679-22 - Authorizing the Mayor or City Manager to grant American Rescue Plan Act (“ARPA”) funds to WV Music Hall of Fame in the total amount of \$32,000 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 Music Hall of Fame in the total amount of \$32,000 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 the funds will help to replace funds lost due to the pandemic, and will allow them to resume their programming.

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. 679-22 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. 680-22 be adopted.

Resolution No. 680-22 - Authorizing the Mayor to sign and submit to the U.S Department of Housing and Urban Development the Annual Action Plan for Program Year 2022 (FY 2022 to 2023), Year 3 of the Consolidated Plan and all required certifications and agreements, including Sub-recipient project contracts relating to the Annual Action Plan.

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

That the Mayor is hereby authorized and directed to sign and submit to the U. S. Department of Housing and Urban Development the Annual Action Plan for Program Year 2022 (FY 2022 to 2023), Year 3 of the Consolidated Plan and all required certifications and agreements, including Sub-recipient project contracts relating to the Annual Action Plan.

Councilmember Jenkins added that the resolution supports the goals of the five-year plan by increasing some funding, provides the maximum of 15% for public services to address homelessness., provides funding for ADA curb cuts and HOME programs.

Councilmember Snodgrass added that a lot of the recipients listed are going to be receiving their own ARPA funds (Manna Meal).

Councilmember Pepper asked how the \$485,000 funding would interact with the separate sidewalk funds. Councilmember Jenkins added that the resolution refers to curb cuts for ADA, while the sidewalk funding is to be allocated by the Planning, Streets and Traffic Committee.

Councilmember Pharr abstained from voting due to a potential pecuniary interest.

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. 680-22 adopted.

7. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 681-22 be adopted.

Resolution No. 681-22 - Authorizing the Finance Director to amend the 2021 Community Development Block Grant budget as indicated on the accounts listed below.

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

That the Finance Director is hereby authorized and directed to amend the 2021 Community Development Block Grant budget as indicated on the accounts listed below:

<u>Account Number</u>	<u>Description</u>	<u>Amount</u>	<u>Amount</u>	<u>Amount</u>
009-021-00-002-0-999	City Owned Buildings	\$10,000.00	Decrease	
	Giltinan Center			
009-021-00-002-0-999	City Owned Buildings	\$10,000.00	Decrease	
	Mel Wolf CDC			
009-021-00-002-0-999	City Owned Buildings		\$10,000.00	Decrease
	Smith Street Station			
009-021-00-0059-999	Kanawha City Rec Ctr	\$9,345.68	Decrease	
	ADA bathroom			
009-021-00-199-0-999	Unprogrammed Funds		\$39,345.68	Increase

The city proposes to re-program these remaining funds to unprogrammed funds for future projects, including cost overruns or emergency projects.

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

That the Mayor is hereby authorized and directed to sign and submit to the U. S. Department of Housing and Urban Development the Annual Action Plan for Program Year 2022 (FY 2022 to 2023), Year 3 of the Consolidated Plan and all required certifications and agreements, including Sub-recipient project contracts relating to the Annual Action Plan.

Councilmember Jenkins added the resolution shifts funds from unused accounts to Unprogrammed Funds to be used as a contingency.

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. 681-22 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. 682-22 be adopted.

Resolution No. 682-22 - Approving the proposed Fiscal Year 2022-2023 Coliseum & Convention Center and Municipal Auditorium budget as indicated within the attached document.

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

That the proposed Fiscal Year 2022-2023 Coliseum & Convention Center and Municipal Auditorium budget as indicated within the attached document is approved.

Councilmember Jenkins added that the budget indicates anticipated increased revenue, and looks financially solid. There is an increase of ten personnel due to the increase in events.

Councilmember Snodgrass requested that the Coliseum & Convention Center and Municipal Auditorium Board minutes be posted online.

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. 682-22 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. 683-22 be adopted.

Resolution No. 683-22 - Receiving the annual report of the City Center Business Improvement District, approving the proposed budget of the City Center Business Improvement District for the 2022-2023 fiscal year, and levying the rate of annual fees for the City Center Business Improvement District on each private for-profit property owner within the District.

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

That the annual report of the City Center Business Improvement District is received; that the proposed budget of the City Center Business Improvement District for the 2022-2023 fiscal year, as attached as Exhibit A hereto, is approved; and that, and the rate of annual fees for the City Center Business Improvement District on each private for-profit property owner within the District is levied at the equation of (total land lot size square footage x .075) + (total building square footage x .03325).

Councilmember Jenkins added that the BID has hired GAI to develop a master plan, and will be hiring a Neighborhood Ambassador. Their fees will remain the same.

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. 683-22 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. 684-22 be adopted.

Resolution No. 684-22 - Whereas, the City Council has allocated funds to implement the significant undertaking of installing synthetic turf on 10 City-owned athletic fields; and

Whereas, to undertake this multimillion-dollar project, the City Council recognizes that it must retain the services of an experienced and capable consultant to manage the project—a project involving many complicated sequencing and engineering challenges; and

Whereas, Turf Alliance LLC is a leading consultant and construction manager for the development and execution of athletic field synthetic turf projects; and

Whereas, Turf Alliance has administered synthetic turf projects for professional athletic fields and municipal parks and recreation fields alike; and

Whereas, Turf Alliance participated in a comprehensive consultant selection process administered by Sourcewell, a purchasing consortium administered by the State of Minnesota, to provide construction management and consulting services to Sourcewell members; and

Whereas, Turf Alliance is ready, willing, and able to administer the City's synthetic turf project, including developing all detailed specifications, seeking competitive construction bids, inspecting the quality of all work performed by contractors or subcontractors, making recommendations for payment to contractors based on project progress estimates, and strictly enforcing project budget allocations; and

Whereas, Turf Alliance is willing to enter into a type of project agreement with the City known as a "Construction Manager At Risk," where Turf Alliance will become financially liable for any project costs exceeding an established project budget allocation; and

Whereas, the American Institute of Architects ("AIA") recognizes "Construction Manager At Risk" agreements as an appropriate industry contracting vehicle for large and complex projects where the project owner wishes to shift budget overrun risk onto the project manager; and

Whereas, the Administration recommends the use of a "Construction Manager At Risk" for the City's synthetic turf project as a means to ensure quality of work, reduction of financial risk to the City's taxpayers, and timely project delivery.

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 Construction Manager At Risk contract with Turf Alliance LLC, to design and manage a synthetic turf project for up to 10 City-owned athletic fields, where the company's fee may not exceed 12% of the costs of construction and where the maximum project budget authorized is \$8,100,000.

Councilmember Jenkins added that the vendor was chosen through a Sourcewell contract. The City will put forth a set budget that cannot be exceeded. If that were to happen, the vendor would be obligated to pay the difference. The contract will allow for a timely, quality-controlled project that lowers the risk to the City. Ten City-owned athletic fields will be re-turfed. The maximum is larger than originally approved due to previously unknown structural or grading issues.

Councilmember Persinger added that he thought the contract contained tremendous risk to the City in that the construction manager at risk is not responsible for providing a payment performance bond. City Manager, Jonathan Storage, replied that the City is well protected with the contract, as they are using a standard AIA contract that is widely used throughout the country. The City does require an insurance certificate that has been approved by the City's insurance company. Additionally, the vendor does have contractual risk. He added that the City is also requiring a performance bond from the prime contractor. The contractor will have a contract with Turf Alliance.

Councilmember Cook confirmed with Storage that he was not aware that anyone had sued the vendor for that reason. Councilmember Cook spoke in favor of the resolution as the turfing of the fields would be transformational to the kids in Charleston.

Councilmember Snodgrass asked about the funding, and how much came from the ARPA funds. Storage replied that \$6 million ARPA funds were allocated. There was an anticipated \$1 million from the Land Water Conservation fund. Additionally, the Community requested that the fields be designed for different levels of play that was not factored into the original estimate. The additional funds came from the General Maintenance Fund etc.

Councilmember McKinney asked if the vendor was under any sort of contract. Storage replied that the vendor would be hired to design the fields, and would contract out the actual work via bids. Once that contract was awarded, there would be a performance bond and payment bond to protect the City.

Councilmember Persinger added that the issue was that the construction manager at risk is the general contractor, and they have no risk if they don't provide assurity to the City.

Councilmember Campbell added that Section P states that there is supposed to be a sufficient performance and payment bond. Storage clarified that applies to the contractor in the bid specifications. Councilmember Campbell clarified with Storage that possibly all ten fields may not be turfed.

Councilmember Jones added that while he was in favor of turfing the fields, they will soon be destroyed if the City does not take measures to fence and regulate who can access the fields. Councilmember Robinson spoke in favor of the resolution.

Councilmember Robinson spoke in favor of the resolution. He agreed with Councilmember Jones about protecting the fields. He added that the City will have more control of the fields, and it will be one of the biggest economic developments in Charleston's history. Councilmember Robinson added that the ten fields represented all areas of the City.

Councilmember Minardi asked if not all of the fields are able to be turfed, how will they determine which ones. Storage replied that only the City can ultimately decide which fields get turfed based on unforeseen circumstances or new developments. That language builds flexibility into the contract.

Councilmember Persinger asked why the line "the construction manager at risk will provide a surety bond" was struck out of the contract. Storage replied that that in this particular instance, the contractor would be a different entity. The surety bond will be provided by the general contractor.

Councilmember Pharr added that asked if the economic impact numbers from the recent basketball tournament were available. Storage replied that it takes about two weeks to assess that, so those numbers are not yet ready. Councilmember Pharr added the impact and importance of sports tourism was just discussed at that night's Finance Committee meeting. She added that a lot of these questions were discussed during that meeting.

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. 684-22 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. 685-22 be adopted.

Resolution No. 685-22 - Authorizing the Mayor or City Manager to enter into a contract with Dell Marketing LP (DBA Dell Technologies) in the amount of \$49,472.00 to replace various computer equipment as part of an annual computer replacement capital outlay, where the purchase price was determined through a competitively sourced statewide contract.

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 Dell Marketing LP (DBA Dell Technologies) in the amount of \$49,472.00 to replace various computer equipment as part of an annual computer replacement capital outlay, where the purchase price was determined through a competitively sourced statewide contract.

Councilmember Jenkins added that the resolution is for the regular replacement cycle of equipment.

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. 685-22 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. 686-22 be adopted.

Resolution No. 686-22 - Whereas, on December 6, 2021, the City Council adopted Resolution No. 569-21, which authorized the Mayor or City Manager to enter into a cooperative agreement with Kanawha County Schools regarding the administration of a project to update and enhance Celebration Station, a community playground; and

Whereas, the City of Charleston is a part of a purchasing cooperative known as Sourcewell that permits the City to leverage exceptional buying power through a nationally recognized competitive procurement process, which includes the ability to direct-purchase playground equipment from participating manufacturers at established contract rates; and

Whereas, the City of Charleston and Kanawha County Schools have worked cooperatively to identify the best design and equipment to be installed within Celebration Station; and

Whereas, since the adoption of Resolution No. 569-21, Kanawha County Schools has determined that additional equipment is necessary to complete the project; and

Whereas, Miracle Equipment Company, the City's Sourcewell playground equipment vendor, has supplied the City with a quote for the additional equipment, as enumerated in Exhibit A attached hereto; and

Whereas, The Greater Kanawha Valley Foundation will fully reimburse the City for the expense of the additional equipment purchased.

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 Miracle Recreation Equipment Company in the amount of \$30,113.50 for the purchase of various equipment to be installed at Celebration Station, a community playground, where the purchase price was determined through a competitively sourced purchasing contract administered by Sourcewell and where the City will be fully reimbursed by The Greater Kanawha Valley Foundation using private funds raised by the Rotary Club of Charleston.

Councilmember Jenkins added that the resolution is for additional equipment requested by the Greater Kanawha Valley Foundation, for which the City will be reimbursed.

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. 686-22 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. 687-22 be adopted.

Resolution No. 687-22 - Authorizing the Mayor or City Manager to enter into a Memorandum of Understanding (MOU) with other participating agencies comprising the Metro Drug Enforcement Network Team (MDENT), consistent with Attachment A hereto, that assists the Charleston area offices of the Drug Enforcement Administration, the Federal Bureau of Investigation and the Bureau of Alcohol, Tobacco, Firearms and Explosives to achieve maximum cooperation in combined law enforcement efforts to address drug and related violent crime offenses in Charleston and surrounding communities. The MOU is in effect for a one-year period starting July 1, 2021, and ending June 30, 2022.

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

That the Mayor or City Manager is authorized to enter into a Memorandum of Understanding (MOU) with other participating agencies comprising the Metro Drug Enforcement Network Team (MDENT), consistent with Attachment A hereto, that assists the Charleston area offices of the Drug Enforcement Administration, the Federal Bureau of Investigation and the Bureau of Alcohol, Tobacco, Firearms and Explosives to achieve maximum cooperation in combined law enforcement efforts to address drug and related violent crime offenses in Charleston and surrounding communities. The MOU is in effect for a one-year period starting July 1, 2022, and ending June 30, 2023.

Councilmember Jenkins added that this is a renewal of the same MOU that has been approved in previous years.

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. 687-22 as adopted.

*Councilmember King was out of the room during the vote.

14. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 688-22 be adopted.

Resolution No. 688-22 – Authorizing the Mayor or City Manager to enter into a contract with Martin Marietta Materials, Inc., to purchase various classes and sizes of aggregate stone at the prices listed in Exhibit A, attached hereto, pursuant to a competitive bidding process, where the prices will remain fixed for one year with the option of two, one-year renewals.

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 Martin Marietta Materials, Inc., to purchase various classes and sizes of aggregate stone at the prices listed in Exhibit A, attached hereto, pursuant to a competitive bidding process, where the prices will remain fixed for one year with the option of two, one-year renewals.

Councilmember Jenkins added that the resolution is for a contract for a set price for the purchase of aggregate stone as needed throughout the year. The contract also allows prices to be locked in for an additional two years.

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. 688-22 as adopted.

15. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 689-22 be adopted.

Resolution No. 689-22 – Authorizing the Mayor or City Manager to enter into an as-needed contract with Hanson Ready Mix for the purchase of portland cement pursuant to a competitive bidding process, where the prices to be charged are included in Exhibit A, attached hereto, and the prices will be fixed for one year with renewal options for two, one-year terms.

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 as-needed contract with Hanson Ready Mix for the purchase of portland cement pursuant to a competitive bidding process, where the prices to be charged are included in Exhibit A, attached hereto, and the prices will be fixed for one year with renewal options for two, one-year terms.

Councilmember Jenkins added that the resolution is for a contract for a set price for the purchase of Portland cement as needed throughout the year. The contract also allows prices to be locked in for an additional two years.

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. 689-22 as 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. 690-22 be adopted.

Resolution No. 690-22 – Authorizing approval of Amendment No. 9 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. 9 of the FY 2021-2022 General Fund Budget as indicated on the attached list of accounts is approved.

Councilmember Jenkins added that funds will be moved from the Contingency fund to the Election fund to pay for costs associated with the 2022 Primary Election that exceeded the anticipated budget.

Councilmember Persinger asked what the City's burden for a Primary election was. Storage replied that additional costs were due to redistricting.

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

A roll call was taken:

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

NAYS:

ABSENT: Burton, Faegre, Knauff

With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Resolution No. 690-22 as adopted.

General Fund FY 2021-2022 Budget Amendment No. 9 - June 21, 2022

Account No.	Department	Account Description	Amount
001 699 00 000 5 598	Contingency	Contingency	(47,140)
001 438 00 000 2 230	Election	Contracted Services	47,140

To pay for the cost of the 2022 Primary Election that exceed the budget.

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

REPORTS OF OFFICERS

1. Report of the City of Charleston Payroll Variance Analysis; May 2022.
2. Municipal Court Report to City Council Month Ending May 2022.
3. City Treasurer's Report to City Council Month Ending May 2022.

NEW BILLS

Introduced by Councilmember Mary Beth Hoover

June 21, 2022:

Bill No. 7965 – A Bill to establish a no parking zone on the west side of Dunbar Street, Wednesdays 6:00 am through 10:00am located from a point 189 feet north of Quarrier Street to a point 245 feet north of Quarrier Street and amending the Traffic Control Map and Traffic Control File
Refer to Planning, Streets and Traffic Committee

MISCELLANEOUS/UNFINISHED BUSINESS

None

REMARKS BY MEMBERS

1. Mayor Goodwin stated the Regatta will begin on June 30.
2. Councilmember Snodgrass requested that the Charleston Coliseum and Convention Center minutes are registered with the City Clerk's Office. Councilmember Snodgrass added that Councilmembers should be able to ask questions during Council meetings without being rushed.
3. Councilmember Pepper thanked the Administration for issuing a Memorandum recognizing that the EPA is in the process of a multi-year evaluation of the health impacts from recycled tire, rubber, etc. He asked that the City evolve the final report when it is issued over whether anything should change as to how the athletic fields are managed. He stated that he would be interested to know if Councilmembers were concerned about the proposed \$18/month AEP rate increase.
4. Councilmember Pharr requested that Councilmembers state their comments directly instead of commenting to Councilmember around them. Councilmember Pharr stated that she has mentioned several times that they should be attending Committee meetings, particularly if they have questions about an item. She added that she had a wonderful time at the recent Juneteenth event.
5. Councilmember Jenkins stated that FestivAll has been a great event this year.

6. Councilmember Moore stated that he was able to recently see the apartments referenced by public speaker Eric Desmond, and they are bad. The Zoning in that area needs to be addressed.
7. Councilmember McKinney stated that it is unfair to imply that Councilmembers don't care about their constituents because they are not able to attend various Committee meetings.
8. Councilmember Bays Councilmembers have received a packet from businesses on Hale Street concerning the closing of the street. Options they propose are: not closing the street at all, allow the full service restaurant to construct an outdoor enclosure, or open the street to traffic on Saturdays for at least part of the day.

ADJOURNMENT

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

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

NAYS:

ABSENT: Burton, Faegre, Knauff

At 8:55 p.m., by a motion from Councilmember Ceperley, Council adjourned until Tuesday, July 5, 2022, 7:00 p.m., in Council Chambers at City Hall.

Amy Shuler Goodwin, Honorable Mayor

Miles C. Cary II, City Clerk