

MINUTES
FINANCE COMMITTEE MEETING
6:00 P.M., JULY 18, 2022
AV ROOM #308, CITY HALL

Joseph Jenkins, Chairperson, called the meeting of the Charleston City Council Committee on Finance to order at 6:00 p.m., July 18, 2022.

A silent roll was taken by the Clerk and a quorum was established. The following committee members were present:

Joseph Jenkins, Chair
Bobby Reishman, Vice Chair
Ben Adams
Brent Burton
Mary Beth Hoover
Chad Robinson

Absent:
Becky Ceperley

Other Councilmembers present:
Shannon Snodgrass
Bobby Brown
Brady Campbell
Jennifer Pharr

I. DISCUSSION:

a. Approval of Previous Minutes - Councilmember Reishman asked for unanimous consent to dispense with the reading of the minutes for the July 5, 2022 meeting and that they be approved as distributed. There were no objections, and the minutes were approved.

b. State Auditor Presentation – The State Auditor’s Office gave a presentation and update on the online finance transparency tool, the recording for which can be seen <https://charlestonwv.civicclerk.com/Web/Player.aspx?id=1491&key=-1&mod=-1&mk=-1&nov=0>

From the audience, City Treasurer Vic Grigoraci, asked if there were basic comparative financial statements. A representative of the State Auditor’s Office replied that there was an option for that through the Stories feature. Grigoraci asked if there was a way to compare June of this year to June of last year, for example. They replied that it was possible, but the report would need to be generated, essentially. They clarified that what was being shown was budget, revenues and expenses.

From the audience, Councilmember Snodgrass asked who decided what data was being shown. They replied that the Auditor’s doesn’t mandate any reports, and it was up to the discretion of the Finance Office.

Councilmember Jenkins confirmed with Finance Director Andy Wood, that every revenue and expense in the City, including non-budgeted funds, is being reported.

II. RESOLUTIONS:

- a. Resolution No. 693-22 – Authorizing approval of Amendment No. 1 of the FY 2022-2023 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. 1 of the FY 2022-2023 General Fund Budget as indicated on the attached list of accounts is approved.

City Manager, Jonathan Storage, added that the purpose of the budget amendment is to roll over unspent but necessary funds for various Capital Outlay expenses, as well as to recognize the receipt of funds restricted for particular purposes (such as the Ball Park Debt Service, pre-paid expenses, etc.). The roll over cost for the City Attorney's Office is to keep the account at a balance of \$1.2 million, which is the City's annual out-of-pocket limit.

Councilmember Reishman moved to approve the Resolution. With members present recorded thereon as voting unanimously in the affirmative, Chairperson Jenkins declared Resolution No. 693-22 approved.

- b. Resolution No. 694-22 – Authorizing the Mayor or City Manager to submit a grant application to the Department of Justice Edward Byrne Memorial Justice Assistance Grant program in the amount of \$71,523.00 and administer any funds awarded.

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 Department of Justice Edward Byrne Memorial Justice Assistance Grant program in the amount of \$71,523.00 and administer any funds awarded, where the Charleston Police Department will utilize awarded funds to purchase audio and video equipment and crime scene supplies.

Storage added that the City has applied for this grant annually since 2005.

Councilmember Reishman moved to approve the Resolution. With members present recorded thereon as voting unanimously in the affirmative, Chairperson Jenkins declared Resolution No. 694-22 approved.

- c. Resolution No. 695-22 – Authorizing the Mayor or City Manager to grant American Rescue Plan Act (“ARPA”) funds to The Greater Kanawha Valley Foundation in the total amount of \$350,000 and to execute appropriate agreements establishing the terms and conditions imposed upon the recipient, including ongoing duties for reporting on expenditure and programmatic activities and binding covenants to spend funds in accordance with the purposes for which such funds were granted.

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

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

Storage added that the funds will be used to continue to create conditions for artists and businesses to thrive by connecting local artists with businesses and patrons, as well as with a seed-investment program.

Councilmember Reishman moved to approve the Resolution. With members present recorded thereon as voting unanimously in the affirmative, Chairperson Jenkins declared Resolution No. 695-22 approved.

- d. Resolution No. 696-22 – Authorizing the Mayor or City Manager to grant American Rescue Plan Act (“ARPA”) funds to West Virginia Child Advocacy Network in the total amount of \$24,000 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 West Virginia Child Advocacy Network in the total amount of \$24,000 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.

Storage added that the funds will be used to serve children and families when concerns of child abuse arise. The organization supports the development, growth and continuation of the State’s child advocacy centers and teams by providing training, raising public awareness and promoting efforts to prevent child abuse.

Councilmember Reishman moved to approve the Resolution. With members present recorded thereon as voting unanimously in the affirmative, Chairperson Jenkins declared Resolution No. 696-22 approved.

- e. Resolution No. 698-22 – Authorizing the Mayor or City Manager to take all appropriate action to convey any and all interest the City has in those particular rights of way situated in the Allen Addition of the City of Charleston, as more fully detailed herein, to the Charleston Land Reuse Agency (“CLRA”), pursuant to the authority granted in West Virginia Code § 1-5-3.

whereas, the Allen Addition of the City of Charleston contains certain paper public rights-of-way that were never opened by the City of Charleston, but to which the City of Charleston retains an ownership interest that cannot be adversely possessed, some of which rights-of-way are named on the various recorded maps as Anthony Street and Thomas Street and others which are not named, all of which are set forth in the map attached to this resolution; and

WHEREAS, the adjacent property owners to these paper public rights-of-way have used the public rights-of-way as their own property for more than ten years before a September 2, 2016, order of the Kanawha County Circuit Court in Civil Action No. 07-C-416, which gave the owners certain adjacent property by adverse possession, but—due to the public rights-of-way being owned by a governmental entity—the City maintained its ownership in the public rights-of-way; and

WHEREAS, the northernmost portion of the public rights-of-way is in and adjacent to the private cemetery known as the Hope Cemetery or Bond Cemetery, which has recently experienced access issues due to the difficulty of turning a vehicle around on the private drive through the cemetery; and

WHEREAS, the CLRA is willing to facilitate the process of dividing and transferring the public rights-of-way to the adjacent property owners and working to provide better access to the cemetery through a turnaround within the property; and

Whereas, the City has no plans to develop these public rights-of-way, has no current use for these public rights-of-way, and otherwise has no need for the property; and

Whereas, the CLRA Board has formally requested that the Charleston City Council convey the City’s interest in the property to the CLRA for the benefit of the community; and

Whereas, West Virginia Code § 1-5-3 permits public bodies to convey real property to other public bodies for less than fair market value, and without public auction; and

Whereas, the City Council recognizes that there is a lack of need for the property in comparison to the benefit to the City if the property is conveyed to the CLRA; and

Whereas, the City Council recognizes that there is a demonstrable need for the property by the CLRA to be able to facilitate the distribution of the property and the access to the

cemetery, all of which is beneficial to the public.

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

That the Mayor or City Manager is authorized to take all appropriate action to convey any and all interest the City has in those certain public rights-of-way situated in the Allen Addition of Charleston, WV, as shown on the attached map, to the Charleston Land Reuse Agency.

City Attorney, Kevin Baker, added that Piccadilly Street is the main street in that area. Part of the backyards is an old paver street that was never developed. The owners of the properties tried to get control of the property through the courts in 2006, but were not able to due to complicated property law. The resolution grants rights-of-way to the Land Reuse Agency, who will then give them to the adjacent property owners. Additionally, one of the property owners has erected a gate near the cemetery, which makes it very difficult for local traffic to turn around. The resolution will allow for the CLRA to help facilitate the building of a tun-around and the removal of the gate.

Councilmember Jenkins asked if there were going to be problems with other not being able to get to the back of their properties. Baker replied that that would not be a problem because the same people own one side of the street as the other side.

Councilmember Reishman moved to approve the Resolution. With members present recorded thereon as voting unanimously in the affirmative, Chairperson Jenkins declared Resolution No. 698-22 approved.

Councilmember Reishman motioned to adjourn the meeting.
Meeting adjourned.