MINUTES
FINANCE COMMITTEE MEETING
6:30 P.M., SEPTEMBER 6, 2022
AV ROOM #308, CITY HALL

Joseph Jenkins, Chairperson, called the meeting of the Charleston City Council Committee on Finance to order at 6:30 p.m., September 6, 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
Becky Ceperley
Mary Beth Hoover
Chad Robinson

Absent:

Other Councilmembers present:
Bruce King
Keeley Steele
Emmett Pepper

I. DISCUSSION:

a. Approval of Previous Minutes - Councilmember Reishman asked for unanimous consent to dispense with the reading of the minutes for the August 15, 2022 meeting and that they be approved as distributed. There were no objections, and the minutes were approved.

II. RESOLUTIONS:

a. Resolution No. 711-22 – Authorizing the Mayor to execute the attached Assignment and Assumption Agreement of that certain Lease dated August 8, 1994 between the City of Charleston and Charleston, WV Hotel Limited Partnership, which is on record with the Clerk of the Kanawha County Commission at Lease Book 241, Page 300, thereby indicating the City's approval of the Assignment to Creative Hospitality, LLC, effective upon the closing of the sale of the Hampton Inn Hotel located at 1 Virginia Street, West.

WHEREAS, the City Council for the City of Charleston adopted Bill No. 5080 on April 18, 1994, closing Columbia Avenue along the Elk River between Virginia Street, West, and Wyoming Street with certain easement reservations, upon payment fair market value to the City of Charleston; and

WHEREAS, the City Council for the City of Charleston held a public hearing pursuant to West Virginia Code §8-12-18(c) regarding Resolution No. 827-94 on May 2, 1994, which resolution authorized a lease between the City of Charleston and Virginia Management Corporation for certain portions of real property surrounding Columbia Avenue along the Elk River; and

WHEREAS, the City Council for the City of Charleston unanimously adopted Resolution No. 827-94 on May 2, 1994, authorizing such a lease between the City and Virginia Management Corporation for fifty (50) years for consideration of $1.00 per year; and

WHEREAS, Virginia Management Corporation was a d/b/a name for Virginia Inn Management, Inc. and was an affiliated company to the subsequently formed Charleston, WV Hotel Limited Partnership, which was created on July 15, 1994; and

WHEREAS, pursuant to the authorization in Resolution No. 827-94, the City of Charleston entered into that certain Lease dated August 8, 1994, with Charleston, WV Hotel Limited Partnership for a term of fifty (50) years in exchange for consideration of $1.00 per year; and

WHEREAS, the Lease further clarifies that the fair market value consideration for the Lease includes certain landscaping and beautification requirements of the Lessee along the bank of the Elk River to the benefit of the City and the residents of the City; and

WHEREAS, Article IX of the Lease details the process for assigning the lease, including that the assignee shall expressly assume all of the obligations of the lessee and that the City shall provide written approval of the proposed assignment, which approval shall not be unreasonably withheld.

Now, therefore, be it Resolved by the Council of the City of Charleston, West Virginia:

That the City Council for the City of Charleston finds that it is in the best interest of the City to approve the proposed assignment and, therefore, authorizes the Mayor to execute the attached Assignment and Assumption Agreement of that certain Lease dated August 8, 1994 between the City of Charleston and Charleston, WV Hotel Limited Partnership, which is on record with the Clerk of the Kanawha County Commission at Lease Book 241, Page 300, thereby indicating the City's approval of the Assignment to Creative Hospitality, LLC, effective upon the closing of the sale of the Hampton Inn Hotel located at 1 Virginia Street, West.

City Attorney, Kevin Baker, added that the lease in 1984 was for some residual property around the Elk River, near the Hampton Inn Hotel that was used for parking and beautification. The resolution is a request to execute an assignment that would assign the interest to a new entity, who will be purchasing the hotel. There is a provision in the 50-year lease that allows for this.

Councilmember Jenkins confirmed with Baker that, as far as the City was concerned, nothing would change but the name on the lease.

Councilmember Reishman moved to approve the Resolution. With members present recorded thereon as voting unanimously in the affirmative, Chairperson Jenkins declared Resolution No. 711-22 approved.

b. Resolution No. 712-22 – Authorizing the Finance Director to amend the 2019 Community Development Block Grant-COVID 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 2019 Community Development Block Grant-COVID budget as indicated on the accounts listed below:

Funds moved to Contingencies from completed/cancelled projects:

Account Number	Description	Amount
009-019-01-011-0-999	Keep Your Faith	($2,786.61)
009-019-01-011-0-999	Pro Kids, Inc	($15,000.00)
009-019-01-011-0-999	Step By Step	($61.68)
009-019-01-199-0-999	Contingencies	$17,848.29

Funds transferred from Contingencies to cover additional costs:

Account Number	Description	Amount
009-019-01-199-0-999	Contingencies	($41,049.00)
009-019-01-011-0-999	WV Health Right	$41,049.00

The City proposes to cancel CDBG-CV funding for Pro Kids, Keep Your Faith, and Step By Step and move funds from Contingencies to provide additional CDBG-CV funds to West Virginia Health Right.

MOECD Director, Andy Backus, added that three projects were completed as of July 31. The remaining balance for those projects will be transferred to the Contingencies Fund. Additionally funds will be moved from the Contingencies Fund to WV Health Right for ongoing COVID-19 testing and treatment.

Councilmember Reishman moved to approve the Resolution. With members present recorded thereon as voting unanimously in the affirmative, Chairperson Jenkins declared Resolution No. 712-22 approved.

c. Resolution No. 713-22 – Authorizing the Mayor or City Manager to enter into a contract with Stryker Medical to purchase one LUCAS device (mechanical chest compression assistance device), two LIFEPAK 15 monitors/defibrillators, one Power-PRO 2 ambulance cot—along with associated necessary support equipment— for the Charleston Fire Department in the amount of $92,962.93 pursuant to a competitively sourced 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 Stryker Medical to purchase one LUCAS device (mechanical chest compression assistance device), two LIFEPAK 15 monitors/defibrillators, one Power-PRO 2 ambulance cot—along with associated necessary support equipment—for the Charleston Fire Department in the amount of $92,962.93 pursuant to a competitively sourced contract.

City Manager, Jonathan Storage, added that the resolution authorizes the purchase of critical EMS equipment for the Charleston Fire Department. Each of the items recommended for purchase are included in the current fiscal year budget and the purchase prices are within expected budget ranges.

Councilmember Reishman moved to approve the Resolution. With members present recorded thereon as voting unanimously in the affirmative, Chairperson Jenkins declared Resolution No. 713-22 approved.

d. Resolution No. 714-22 – Authorizing the Mayor or City Manager to enter into a contract with Mountwest Community and Technical College in the amount of $54,000 to provide fall, spring, and summer paramedic training courses for 9 members of the Charleston Fire Department.

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 Mountwest Community and Technical College in the amount of $54,000 to provide fall, spring, and summer paramedic training courses for 9 members of the Charleston Fire Department.

Storage added that the resolution authorizes 9 members of the Charleston Fire Department to attend paramedic courses through Mountwest. The comprehensive training and classwork will be split among fall, spring, and summer sessions.

Councilmember Jenkins confirmed with Deputy Chief Jones that Mountwest is the closest to offer the specific classes desired.

Councilmember Reishman moved to approve the Resolution. With members present recorded thereon as voting unanimously in the affirmative, Chairperson Jenkins declared Resolution No. 714-22 approved.

e. Resolution No. 715-22 – Authorizing the Mayor or City Manager to enter into a contract with Danhill Construction Co. in an amount not to exceed $90,000, for the rehabilitation of the former Sugar Creek Fire Station.

   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 Danhill Construction Co. in an amount not to exceed $90,000, for the rehabilitation of the former Sugar Creek Fire Station, where the rehabilitation work is to include remediation of an existing sinkhole, roof and gutter replacement, and installation of gypsum board and lights. The rehabilitated structure will serve as a physical training/workout facility for the Charleston Fire Department.

Storage added that The former fire station has largely been used for equipment storage over recent years. A review of the building revealed a need to replace the roof, fix gutter systems, and repair a sinkhole on the property. Because of the closure of the CFD gym facility located at 502 26th Street, the Administration determined the repurposing the former Sugar Creek facility to house the CFD gym was the best use of the facility. The Administration retained the services of ZMM to design the repair work, as well as to provide construction management services. A competitive bidding process executed, and the City received one bid. An evaluation of the bid resulted in both ZMM and the Administration determining that the bid amount is in line with expectations and that re-advertising the project would not yield a better price. While the bid amount with Alternate No. 1 included is $80,000, the Administration recommends a $10,000 buffer amount be added to the authorization to account for any change orders that may become necessary during the course of the project.

Councilmember Reishman moved to approve the Resolution. With members present recorded thereon as voting unanimously in the affirmative, Chairperson Jenkins declared Resolution No. 715-22 approved.

f. Resolution No. 716-22 – Authorizing the Mayor or City Manager to enter into a contract with Morton Salt, Inc., for the purchase of road salt for the City Street Department, where the purchase price is $96.81 per U.S. ton.

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

That the Mayor or City Manager to enter into a contract with Morton Salt, Inc., for the purchase of road salt for the City Street Department, where the purchase price is $96.81 per U.S. ton, and where the price is fixed through June 30, 2023, and where the contract quantity will be "as needed" with no minimum amount required.

Storage added that the resolution authorizes an as-needed purchase contract between the City and Morton Salt, Inc. for the provision of road salt for snow removal and ice control. 3 bids were received. He added that due to inflation, costs are a 21.3% increase over prior year, and a 35% increase from the year before that.

Councilmember Reishman moved to approve the Resolution. With members present recorded thereon as voting unanimously in the affirmative, Chairperson Jenkins declared Resolution No. 716-22 approved.

g. Resolution No. 717-22 – Authorizing the Mayor or City Manager to enter into a contract with Midlands Pressure Wash Services, LLC, in the amount of $10,475.00 per year for window cleaning services at City Hall, 501 Virginia Street, East, and Morris Square, 601 Morris Street, at a frequency of twice per year.

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

   Authorizing the Mayor or City Manager to enter into a contract with Midlands Pressure Wash Services, LLC, in the amount not to exceed $10,475.00 per year for window cleaning services at City Hall, 501 Virginia Street, East, and Morris Square, 601 Morris Street, where the price was determined through a competitive bidding process and where the contract price is fixed for up to two, one year contract renewals.

Storage added that The Administration accepted bids for window cleaning services at City Hall and 601 Morris Street. The contract calls for the vendor to clean the windows at each facility twice per year, and contains a fixed price renewal option for an additional 2 years.

Councilmember Reishman moved to approve the Resolution. With members present recorded thereon as voting unanimously in the affirmative, Chairperson Jenkins declared Resolution No. 717-22 approved.

h. Resolution No. 718-22 – Proclaiming that the Council for the City of Charleston acknowledges and accepts the terms and conditions of that certain agreement known as the "Distributors West Virginia Subdivisions Settlement Agreement"—an agreement among the various subdivisions of the State of West Virginia, McKesson Corporation, Cardinal Health, Inc., and AmerisourceBergen Corporation—and authorizing the Mayor or City Manager to execute "Exhibit G – Subdivision Settlement Participation Form," which is attached to, and incorporated in, the above-named settlement agreement.

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

   That the Council for the City of Charleston proclaims that it acknowledges and accepts the terms and conditions of that certain agreement known as the "Distributors West Virginia Subdivisions Settlement Agreement"—an agreement among the various subdivisions of the State of West Virginia, McKesson Corporation, Cardinal Health, Inc., and AmerisourceBergen Corporation—and authorizes the Mayor or City Manager to execute "Exhibit G – Subdivision Settlement Participation Form," which is attached to, and incorporated in, the above-named settlement agreement.

Baker added that there was a state-wide settlement with Cardinal Health, etc. of $400 million. The resolution would authorize the City's acceptance of that agreement. The Council approved the MOU in June of 2022, which set forth how that settlement would be distributed among the various cities. Legal representative, Jessie Forbes, added that the settlement will be paid out over 12 years in accordance with the MOU.

Councilmember Adams confirmed with Forbes that there is not a concrete amount yet known that the City will receive.

Councilmember Jenkins confirmed with Forbes that the City will receive their first payment within 60 days of all parties signing their agreement.

Councilmember Reishman moved to approve the Resolution. With members present recorded thereon as voting unanimously in the affirmative, Chairperson Jenkins declared Resolution No. 718-22 approved.

i. Resolution No. 719-22 – Authorizing the Mayor or City Manager to enter into a contract with Lycoming Supply, Inc., in the amount of $127,520.00 for the City Engineering Department's 2022 Storm Sewer Replacement Project, where the contract price was determined through a competitive bidding process.

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

That the Mayor or City Manager is authorized to enter into a contract with Lycoming Supply, Inc., in the amount of $127,520.00 for the City Engineering Department's 2022 Storm Sewer Replacement Project, where the contract price was determined through a competitive bidding process.

Storage added that the Administration accepted very competitive bids to repair existing storm sewer infrastructure along rights of way at or near 1157 & 1161 Emerald Road and 205 & 207 Ariel Heights.

Councilmember Ceperley asked if there was any interest in looking at all storm sewers throughout the City.

Councilmember Reishman moved to approve the Resolution. With members present recorded thereon as voting unanimously in the affirmative, Chairperson Jenkins declared Resolution No. 718-22 approved.

Councilmember Reishman motioned to adjourn the meeting.
Meeting adjourned.