

MINUTES
FINANCE COMMITTEE MEETING
6:30 P.M., OCTOBER 17, 2022
AV ROOM #308, CITY HALL

Joseph Jenkins, Chairperson, called the meeting of the Charleston City Council Committee on Finance to order at 6:15 p.m., October 17, 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:
Emmett Pepper
Bruce King

I. DISCUSSION:

a. Approval of Previous Minutes - Councilmember Reishman asked for unanimous consent to dispense with the reading of the minutes for the October 17, 2022 meeting and that they be approved as distributed. There were no objections, and the minutes were approved.

II. RESOLUTIONS:

- a. Resolution No. 731-22 – Authorizing the Mayor or City Manager to enter into a contract with Waterline Systems Inc. in the amount of \$549,260.00 for the purchase of a boat for the Charleston Fire Department, where the purchase price was determined through a competitive bidding process and will be paid for, in part, with federal grant funds.

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

That the Mayor or City Manager is authorized to enter into a contract with Waterline Systems Inc. in the amount of \$549,260.00 for the purchase of a boat for the Charleston Fire Department, where the purchase price was determined through a competitive bidding process and will be paid for, in part, with federal grant funds. Resolution No. 598-22, adopted February 7, 2022, is rescinded.

Chief of Staff, Matt Sutton added that the City has been trying to buy this boat for several years. The FEMA grant covers approximately \$317,500 of the purchase price. The City would have made the purchase in February, but the vendor would not honor their quoted price.

Councilmember Jenkins added that the boat is able to take water from the river to use for fighting fires.

Councilmember Reishman moved to approve the Resolution. With members present recorded thereon as voting unanimously in the affirmative, Chairperson Jenkins declared Resolution No. 731-22 approved.

- b. Resolution No. 732-22 – Authorizing the General Manager of the Charleston Coliseum & Convention Center to enter into a contract with Hooten Equipment Company LLC in the amount of \$86,447.06 for the purchase of 14 coolers to be used for easy access concessions distribution, where the purchase price was determined through a competitive bidding process.

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

That the General Manager of the Charleston Coliseum & Convention Center is authorized to enter into a contract with Hooten Equipment Company LLC in the amount of \$86,447.06 for the purchase of 14 coolers to be used for easy access concessions distribution, where the purchase price was determined through a competitive bidding process.

Sutton added that the City received one bid. These types of quick and convenient coolers are used by many similar Convention Centers. The purchase will be made from the Coliseum & Convention Center's Capital Improvement Fund and was approved by the Board.

Councilmember Robinson added that the coolers will likely pay for themselves after the first event.

Councilmember Reishman moved to approve the resolution. With members present recorded thereon as voting unanimously in the affirmative, Chairperson Jenkins declared Resolution No. 732-22 approved.

- c. Resolution No. 733-22 – Authorizing the Mayor or City Manager to enter into one or more agreements for the purchase of E-10 Gasoline and Diesel Fuel through bids to be received by City Purchasing Director on November 15, 2022. The bid prices for E-10 Gasoline and Diesel Fuel shall remain in effect for a 24-hour period following the bid opening; therefore, the Mayor or City Manager is authorized to exercise discretion in accepting or rejecting such bid proposals as he or she determine to be in the best interest of the City and to report the same to the Finance Committee and Council at the next scheduled meeting.

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

That the Mayor or City Manager is authorized to enter into one or more agreements for the purchase of E-10 Gasoline and Diesel Fuel through bids to be received by City Purchasing Director on November 15, 2022. The bid prices for E-10 Gasoline and Diesel Fuel shall remain in effect for a 24-hour period following the bid opening; therefore, the Mayor or City Manager is authorized to exercise discretion in accepting or rejecting such bid proposals as he or she determine to be in the best interest of the City and to report the same to the Finance Committee and Council at the next scheduled meeting.

Sutton added that this is one of the few times that the City asks for pre-authorization for a purchase. Due to the nature of the fuel commodity market, the bid must be answered within 24 hours to lock in prices. The City usually purchases 160,000 gallons of diesel and 235,000 gallons of unleaded gasoline annually. A similar resolution was approved in 2021.

Councilmember Reishman moved to approve the resolution. With members present recorded thereon as voting unanimously in the affirmative, Chairperson Jenkins declared Resolution No. 733-22 approved.

- d. Resolution No. 734-22 – Authorizing settlement of pending disputed claims against the City in the matter known as *Deanna M. Petty v. City of Charleston*, Civil Action No. 21-C-180 in the Circuit Court of Kanawha County, West Virginia, as recommended by the City Solicitor.

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

That the City Council hereby authorizes and approves the settlement of pending disputed claims against the City by Deanna M. Petty, as contained in Civil Action No. 21-C-180 in the Circuit Court of Kanawha County, West Virginia, in the amount of \$105,000, as recommended by the City Solicitor. The City Council authorizes the City Solicitor and City Manager to take all necessary steps to finalize resolution of the claims. Councilmember Jenkins added that the resolution is part of the on-going nationwide opioid lawsuits. The resolution specifically includes five pharmacy entities for \$312 million that will go to the State and be divided according to the preciously approved MOU.

City Attorney, Kevin Baker added that Ms. Petty was walking across the parking area underneath the interstate bridge next to the Martin Luther King Jr. Community Center. Ms. Petty tripped and fell over a wire that had fallen from a fence that was on the ground covered by dirt. Ms. Petty injured her chest, back, shoulders, hips, knee and neck, which required three separate surgeries, and filed suit against the City in early 2021. The proposed agreement was reached through mediation. Baker added that the City is not accepting liability, which will be noted on the settlement agreement. Ms. Petty's medical costs were approximately \$150,000.

Councilmember Reishman moved to approve the resolution. With members present recorded thereon as voting unanimously in the affirmative, Chairperson Jenkins declared Resolution No. 734-22 approved.

- e. Resolution No. 735-22 – Authorizing the Mayor or City Manager to grant American Rescue Plan Act (“ARPA”) funds to East End Resource Center Inc. in the total amount of \$150,000 and to execute appropriate agreements establishing the terms and conditions imposed upon the recipient, including ongoing duties for reporting on expenditure and programmatic activities and binding covenants to spend funds in accordance with the purposes for which such funds were granted.

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

Sutton added that East End Resource Center has been operating for many years. The main programs are the Strengthening Family Ties events, COVID-19 PTSD therapy sessions and Senior Citizens Program.

Councilmember Reishman moved to approve the resolution. With members present recorded thereon as voting unanimously in the affirmative, Chairperson Jenkins declared Resolution No. 735-22 approved.

Councilmember Reishman motioned to adjourn the meeting.
Meeting adjourned.