



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

CITY OF CHARLESTON, WEST VIRGINIA

Regular Meeting – Monday, November 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 November 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 Campbell, and the Pledge of Allegiance was led by Councilmember King. 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****MOORE****ROBINSON****STEELE****BROWN****CEPERLEY****HAAS****JONES****MCKINNEY****OVERSTREET****PHARR****SHEETS****MAYOR GOODWIN**

With twenty-two 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

None

CLAIMS

1. A claim of Suddenlink, Charleston, WV;
alleges damage to property.
2. A claim of Janet L. Thompson, Charleston, WV;
alleges damage to property.
3. A claim of Pugh Furniture, Charleston, WV;
alleges damage to vehicle.

PROCLAMATIONS

None

COMMUNICATIONS

None

MISCELLANEOUS RESOLUTIONS

1. Resolution No. 736-22 –

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 General Election held for the City of Charleston on the 8th day of November, 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 General Election held in said county, in each district thereof, on the 14th day of November, 2022, do certify that the Report and Certificate of Results, attached hereto, as the official and correct returns and true results of the General 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 General Election held for the City of Charleston on the 8th day of November, two thousand and twenty-two."

Councilmember Jenkins added that the resolution is for the pro forma approval of the election results as certified by the County Board of Canvassers.

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. 736-22 adopted.

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. 737-22 be adopted.

Resolution No. 737-22 - Authorizing the General Manager of the Charleston Coliseum & Convention Center to enter into a contract with Hooten Equipment Company in the amount of \$34,198.00 for the purchase and installation of a walk-in cooler, where the contract 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 in the amount of \$34,198.00 for the purchase and installation of a walk-in cooler, where the contract price was determined through a competitive bidding process.

Councilmember Jenkins added that the walk-in cooler will be for the Concourse area that will eliminate the needs to transport drinks and other food items from the cooler on the floor below. This will also allow for an expanded selection of items.

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. 737-22 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. 738-22 be adopted.

Resolution No. 738-22 - Whereas, the City's Purchasing Director publicly solicited bids for the provision of E-10 gasoline and diesel fuel for a contract period not to exceed 2 years; and

Whereas, the City's specifications indicated a preference for firm fixed pricing, with adjustable OPIS-based pricing an allowable alternative bidding option; and

Whereas, the Purchasing Director conducted a bid letting on November 15, 2022, during which the City received a single bid; and

Whereas, the lone bidder, which is the City's current fuel vendor, rejected the City's preference for firm fixed pricing and offered \$0.30 per gallon over OPIS prices; and

Whereas, the bidder's price is 87.5% higher than the current statewide fuel contract following the same OPIS price-plus arrangement; and

Whereas, the City Manager confirmed that the fuel vendors listed on the statewide contract will honor its stated prices for the City of Charleston; and

Whereas, the statewide contract vendors are able and willing to supply the City with fuel meeting required specifications; and

Whereas, the City Manager has rejected the bid supplied by the lone bidder.

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

The Mayor or City Manager is authorized to utilize both existing and subsequently-state-approved competitively sourced statewide contracts for the purchase of fuel for the City's various departments; provided, however, that the City Manager is directed to continually monitor market fuel prices and recommend alternative contractual arrangements to the City Council's Finance Committee when he or she determines market changes warrant revisiting the matter.

Councilmember Jenkins added that due to the recent volatility and increases in gas prices, the City was unable to secure a fixed priced through the usual bidding process. However, the City will be able to use the state-approved competitive-sourced contracts, and will pay the same process that the State pays. This is approximately \$.16 over the current daily price.

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. 738-22 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. 739-22 be adopted.

Resolution No. 739-22 - Authorizing the Mayor or City Manager to enter into a contract with Galls LLC in the amount of \$32,400 for the purchase of body armor for 9 new CPD officers and to replace 31 sets of armor for existing CPD officers, where the price was determined through a competitively sourced state-wide contract.

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 Galls LLC in the amount of \$32,400 for the purchase of body armor for 9 new CPD officers and to replace 31 sets of armor for existing CPD officers, where the price was determined through a competitively sourced state-wide contract.

Councilmember Jenkins added that the resolution is for the routine replacement of body armor as well as for new 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. 739-22 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. 740-22 be adopted.

Resolution No. 740-22 - Authorizing the Mayor or City Manager to enter into a contract with Motorola Solutions in an amount not to exceed \$652,515.00 over a five-year period for the provision of 180 police body-worn cameras.

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 Motorola Solutions in an amount not to exceed \$652,515.00 over a five-year period for the provision of 180 police body-worn cameras, where the five-year cost will be subsidized, in part, with a \$180,000 federal grant; the contracted services include redaction, transcription, and unlimited cloud data storage; the equipment and software included in the service contract are compatible with existing CPD technology systems and equipment; and all 180 cameras will be replaced in the third year of the contract at no additional cost.

Councilmember Jenkins added that the purchase is subsidized by \$180,00 federal grant over the provision of five 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. 740-22 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. 741-22 be adopted.

Resolution No. 741-22 - Authorizing the Mayor or City Manager to enter into a contract with RK Construction, Inc. in the amount of \$375,133.41 to construct pile and lagging wall installations along Staunton Road, Southpointe Drive, and Woodbine Avenue, where the contract 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 Mayor or City Manager is authorized to enter into a contract with RK Construction, Inc. in the amount of \$375,133.41 to construct pile and lagging wall installations along Staunton Road, Southpointe Drive, and Woodbine Avenue, where the contract price was determined through a competitive bidding process.

Councilmember Jenkins added that the three sections of the listed roads need additional support.

Councilmember Knauff asked when will the repair work begin. City Engineer, Chris Knox, replied that the repairs would begin over the next few weeks.

Councilmember King confirmed the location of the roads with Knox.

Councilmember Robinson asked is the concrete repairs for 2022 had been delayed. Knox replied that the project is still ongoing, but there is currently a cement shortage.

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. 741-22 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. 742-22 be adopted.

Resolution No. 742-22 - Authorizing the Mayor or City Manager to enter into a contract with ZMM Architects & Engineers in the amount of \$41,800 for the provision of design engineering and construction management services to replace the roof of the Public Works Department weld shop.

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 ZMM Architects & Engineers in the amount of \$41,800 for the provision of design engineering and construction management services to replace the roof of the Public Works Department weld shop.

Councilmember Jenkins added that a recent inspection determined that the roof of the weld shop needed to be completely replaced, therefore a design engineering and construction management services will be needed so that the building can continue to be used.

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. 742-22 adopted.

REPORTS OF OFFICERS

1. City Treasurer’s Report to City Council Month Ending October 2022.
2. Report of the City of Charleston Payroll Variance Analysis; October 2022.

NEW BILLS

Introduced by Councilmember Becky Ceperley

November 21, 2022:

Bill No. 7978 – A BILL to amend the Municipal Code of the City of Charleston relating to updating the quadrennial organization statute to be consistent with the City Charter.

Refer to Ordinance and Rules Committee, Please

Introduced by Councilmember Sam Minardi

November 21, 2022:

Bill No. 7979 – A BILL to amend Municipal Code of the City of Charleston relating to expanding the time period within which a person may claim a refund for overpayment of the City Service Fee.

Refer to Finance Committee, Please

Introduced by Councilmembers Emmett Pepper and Ben Adams

November 21, 2022:

Bill No. 7980 – A BILL to amend the Municipal Code of the City of Charleston relating to the makeup of the Board of Directors of the Land Reuse Agency.

Refer to Ordinance and Rules Committee, Please

Introduced by Councilmembers Emmett Pepper, Keeley Steele, Naomi Bays and Sam Minardi

November 21, 2022:

Bill No. 7981 – A BILL to amend the Municipal Code of the City of Charleston relating to expanding the ability of small businesses to obtain consent from the city collector to pay business and occupation taxes on an annual basis.

Refer to Finance Committee, Please

MISCELLANEOUS/UNFINISHED BUSINESS

None

REMARKS BY MEMBERS

1. Mayor Goodwin noted that newly elected Councilmembers were attending in the audience: Joe Solomon, Dr. Frank H. Annie, Beth Kerns and Chelsea Steelhammer.
2. Councilmember Snodgrass stated that Council had passed a resolution for a \$1 million feasibility study for a public safety building about six months ago. A memo from the City Manager to Council stated that was going to get started sometime in August, but she hasn't heard anything about that. She asked for an update on that process.

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, McKinney, Minardi, Moore, Overstreet, Pepper, Pharr, Reishman, Robinson, Sheets, Snodgrass, Steele, Mayor Goodwin

NAYS:

ABSENT: Burton, Persinger

At 7:18 p.m., by a motion from Councilmember Ceperley, Council adjourned until Monday, December 5, 2022, 7:00 p.m., in Council Chambers at City Hall.

Amy Shuler Goodwin, Honorable Mayor

Miles C. Cary II, City Clerk