CITY OF CHARLESTON
WEST VIRGINIA

COUNCIL MEMBER – WARD 20

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Ordinance and Rules Committee, Chair
Parks and Recreation Committee
Finance Committee
Parking Facilities Committee

A meeting of the Council Committee on Ordinance & Rules will be held on Tuesday, February 21, 2023 at 5:45 PM**. To be held in person**
AV ROOM #308, CITY HALL

Agenda

APPROVAL OF PREVIOUS MINUTES

1. Approval of Previous minutes from 10-3-2022
2. Approval of Previous minutes from 12-5-2022

BILLS

1. Bill No. 7983 - A BILL to amend the Municipal Code by adding a new Article establishing a Health Equity Action Plan; creating a Health Equity Board; setting forth the makeup of the Board; and detailing the requirements of the Health Action Plan. (A Committee Substitute has been proposed).

ADJOURN

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***Meetings may be recorded and broadcast via internet https://charlestonwv.civicclerk.com**

Minutes

ordinance and rules Committee Meeting

6:00 p. m., October 3, 2022

The meeting was held in person in the AV Room #308 in City Hall.

Chad Robinson, Chairperson, called the meeting of the Charleston City Council Committee on Ordinance and Rules to order at 6:00 p.m., OCTOBER 19, 2022.

Committee Members Present:
Chad Robinson, Chair
Bobby Reishman, Vice Chair
Ben Adams (arrived 6:06)
Becky Ceperley
Adam Knauff
Emmett Pepper

Absent:
Keeley Steele

Councilmembers also Present:
Bruce King
Bobby Brown

1. Approval of Previous Minutes –

Councilmember Reishman motioned to approve the previous minutes from 9-19-2022. Councilmember Ceperley seconded the motion. Councilmember Knauff motioned to amend the minutes to correct those members listed incorrectly as not present. With those being present having voted unanimously in the affirmative*, the Chair declared the minutes as approved with the stated correction.

*Adams had not yet arrived.

2. Bill No. 7941 – A BILL to amend the Municipal Code by adding a new Division relating to requiring City Council to adopt a resolution setting the date for youth Trick-or-Treat activities and providing exceptions.

Councilmember Knauff added that the bill is a formality or clean up as to how the City should determine the Trick-or-Treat date, adding that it had been done three different ways for the past three years. The bill is consistent to what has historically been done.

Councilmember Ceperley asked if the bill would impede the City from cooperating with other entities (such as the County), which is what is commonly done. Councilmember Knauff replied there is nothing in the bill that would prevent that, going by the due date of the end August. Councilmember Ceperley asked what if the other Counties and cities had not yet decided on their dates. Councilmember Knauff replied that it would be worked out by the end of August.

Councilmember Pepper asked what problem the bill was seeking to address. Councilmember Knauff replied that the City had determined the date three different ways over the past three years, adding that Council had not approved the date for this year as it was only announced by the City. It was voted on in August in 2021 and in October of 2020 via communication. Before that, it would go before Council in August. There should be consistency.

Councilmember Robinson added that he perceived the bill as creating bigger government, and brought City Council into a decision that had always been worked out between municipalities and the County. August 31 seemed like an early deadline. He added that it should be the discretion of the Mayor to set that date with those other entities. Councilmember Knauff replied that no Councilmember had a problem voting on it in previous years. The issue is that they didn’t vote on it this year.

Councilmember Pepper asked if the current Council was able to bind future Council to certain actions. City Attorney, Kevin Baker, replied that the Council could adopt such a resolution any time before the bill passes. He added that the bill is silent as to what would happen if Council did not approve a date after August 31. Councilmember Pepper asked if someone could file a mandamus suit against the City if Council failed to adopt a date by the stated time. Baker replied that they could, since the bill creates a clear duty, although he wasn’t sure how successful it would be. Councilmember Knauff added that a date wasn’t set until the second meeting of October, 2020. Councilmember Robinson added that 2020 was the height of the pandemic.

Councilmember Reishman added that he didn’t think there was an issued that needed to be addressed. Councilmember Knauff asked why, then, had Council not approved the date this year. Councilmember Reishman added that he didn’t care that Council didn’t vote on the date.

From the audience, Councilmember King asked if Council had to approve the date.

Councilmember Knauff motioned to adopt the bill. With those being present having voted in the majority in the negative, the Chair declared Bill No. 7971 as not approved.

Yeas: Knauff
Nays: Robinson, Reishman, Adams, Ceperley, Pepper

Councilmember Reishman motioned to adjourn the meeting. Meeting adjourned.

MINUTES

ORDINANCE AND RULES COMMITTEE MEETING

6:00 P. M., DECEMBER 5, 2022

THE MEETING WAS HELD IN PERSON IN THE AV ROOM #308 IN CITY HALL.

Chad Robinson, Chairperson, called the meeting of the Charleston City Council Committee on Ordinance and Rules to order at 6:00 p.m., DECEMBER 5, 2022.

Committee Members Present:
Chad Robinson, Chair
Bobby Reishman, Vice Chair
Becky Ceperley
Emmett Pepper

Absent:
Ben Adams
Adam Knauff
Keeley Steele

Councilmembers also Present:
Bobby Brown
Joseph Jenkins

1. Resolution No. 746-22 – Authorizing the adoption of the Charleston Fire Civil Service Rules, which were amended and approved by the Charleston Fire Civil Service Commission.

City Attorney, Kevin Baker, stated that the resolution is a substantial update to the rules from 2020. A major change is that promotional exam results will now be good for 3 years from the date the test was taken, as opposed to 3 years from the date of certification. This will result in slightly more frequent promotion exams. Fire Chief Jones added that there is also a change to seniority calculation and cut off.

Councilmember Reishman motioned to approve the resolution. Councilmember Ceperley seconded the motion. With those members being present having voted unanimously in the affirmative, the Chair declared Resolution No. 746-22 as approved.

2. Bill No. 7878 Committee Substitute – A BILL to amend the Municipal Code relating to updating the quadrennial organization statute to be consistent with the City Charter.

Councilmember Robinson asked Baker to explain the proposed Committee Substitute.

Baker stated that this section of Code has been in place since at least 1999, and explains the transition process from one City Council body to another. When the City adopted a change that would align the City elections with the County's, there were no changes made to this section of Code. The bill will update the swearing in of newly elected officers to the first Monday in January (as opposed to June) unless that day is a holiday. The Special Meeting for swearing in the newly elected officials will be at noon instead of 10:00 am.

Councilmember Ceperley confirmed that there would be 2 meetings, at noon and 7:00 pm for the first Monday in January.

From the audience, Councilmember Jenkins confirmed with Baker that the "old" Council would meet for the last time at the last meeting in December unless a Special Meeting is called. Councilmember Jenkins asked why there would be 2 meetings. Baker said he thought the intention was to create a clear time for a new Administration to take over. Councilmember Jenkins commented that he would prefer the swearing in to be in the evening to more easily allow families to attend. Baker added that they could also do a ceremony at the evening meeting as well.

Councilmember Robinson confirmed with Baker that an elected official holds that office until their replacement has been sworn in.

Mayor Goodwin added that it was bizarre when the current Administration took over, and added that they need clear lines as to when the "old" leaves and the "new" comes in. She added that the Mayor needs to be able to officially work immediately on the day.

From the audience, Councilmember Brown asked what it was like when the Mayor first came in. Mayor Goodwin replied that it did not feel seamless, even though Mayor Jones was very helpful. Councilmember Brown asked if the Mayor could be sworn in at noon, and Councilmembers at the evening meeting. Baker replied that was a possibility.

Councilmember Pepper asked if the "old" Council would be adjourning *sine die*. Baker replied that Council has done so in the past, but it is unclear what the purpose of that was, possibly because the new Council gaveled in directly after that. He would anticipate a motion to adjourn until the next meeting to be likely.

Councilmember Reishman motioned to adopt the bill. Councilmember Ceperley seconded the motion. With those members being present having voted unanimously in the affirmative, the Chair declared Bill No. 7878 Committee Substitute as approved.

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

Baker stated that the bill would make one minor change to the Board of Directors by removing the City Attorney as a voting member of the Board, and makes them an *ex officio* member. It also adds one member of the general public.

Councilmember Ceperley asked why the Board was being changed. Baker replied that the City Attorney should be used to provide legal advice as opposed to a voting member.

Councilmember Robinson asked if the Mayor or their designee attending the meetings. Baker replied that it is a mixture. Matt Sutton, Chief of Staff, is usually the designee. Councilmember Robinson asked why the City Manager (another City official) was also on the Committee. Baker replied that was how it was set up and approved by Council.

Councilmember Reishman motioned to adopt the bill. Councilmember Ceperley seconded the motion. With those members being present having voted unanimously in the affirmative, the Chair declared Bill No. 7980 as approved.

Councilmember Reishman motioned to adjourn the meeting. Meeting adjourned.

Bill No. 7983

Introduced in Council: | **Adopted by Council:**

February 6, 2023

Introduced by: | **Referred to:**

Caitlin Cook and Jennifer Pharr | **Ordinance and Rules**

Bill No. 7983 - A BILL to amend the Municipal Code of the City of Charleston, by adding thereto a new Article, designated Article IV of Chapter 58, consisting of Sections 58-61, 58-62, and 58-63, all relating to establishing a Health Equity Action Plan; creating a Health Equity Board; setting forth the makeup of the Board; and detailing the requirements of the Health Action Plan.

Now, therefore, be it ordained by the Council of the City of Charleston:

That the Municipal Code of the City of Charleston, as amended, is amended by adding thereto a new Article, designated article IV of Chapter 58, consisting of sections 58-61, 58-62, and 58-63, all to read as follows:

CHAPTER 58 – HEALTH AND SANITATION.
ARTICLE IV – HEALTH EQUITY ACTION PLAN.

Sec. 58-61. – Establishing a Health Equity Action Plan.

The City Council for the City of Charleston hereby requires the creation of a Health Equity Action Plan for the City of Charleston to serve as a community-driven tool for advancing health equity at the community level.

Sec. 58-62. – Creation of Board.

(a) The Health Equity Board is hereby established. The Board is composed of eleven (11) members as set forth herein. The Board is tasked with creating a Health Equity Action Plan by December 1, 2023, that meets the requirements set forth in Section 58-63 of this Code.

(b) the Health Equity Board is composed of the following members:

(1) The Executive Director of the Kanawha-Charleston Health Department, or his or her designee, who shall serve as the Chair of the Board;

(2) The Executive Director of West Virginia Health Right, or his or her designee;

(3) The Executive Director of the Partnership of African American Churches, or his or her designee;

(4) The Executive Director of Cabin Creek Health Systems, or his or her designee;

(5) The CEO of CAMC Health Systems, or his or her designee;

(6) The CEO of Thomas Health Systems, or his or her designee;

(7) The Executive Director of the West Virginia Chapter of the American Heart Association, or his or her designee;

(8) The President/CEO of FamilyCare, or his or her designee;

(9) The Mayor of the City of Charleston, or his or her designee;

(10) One at-large member of the City Council of the City of Charleston, as appointed by the Mayor of the City of Charleston; and

(11) One ward representatives of the City Council of the City of Charleston, as appointed by the Mayor of the City of Charleston.

(c) Each member of the Board shall serve while on the Board concurrently with the time in which they hold the relevant position set forth in subsection (b). Should any member be removed from their position placing them on the Board, they shall be removed from the Board simultaneously.

Sec. 58-63. – Requirements of Health Equity Action Plan.

(a) The Health Equity Action Plan required by this Article shall:

(1) Have a vision and a goal, approved by the Board;

(2) Outline strategies and tactics to accomplish health equity goals;

(3) Identify supports and resources needed to adopt equitable policies and practices;

(4) Create annual deliverables of at least three health issue focus areas and timeline for implementation with progress tracking measures;

(5) Create coalition of citywide advocates and organizations for outreach and sustainability;

(6) Create City Council Public Health Committee.

(b) The timeline for action required by this Article shall be:

(1) Organize Board within one month from passage;

(2) Draft the Action Plan for Board approval within six months from passage;

(3) Implement the approved Action Plan within three months of approval; and

(4) Provide an annual review each year and report the annual review out to the City Council by December 31, 2023, and each year thereafter.

Bill No. 7983 Committee Substitute

Introduced in Council: | **Adopted by Council:**

February 6, 2023

Introduced by: | **Referred to:**

Caitlin Cook and Jennifer Pharr | **Ordinance and Rules**

Bill No. 7983 Committee Substitute - A BILL to amend the Municipal Code of the City of Charleston, by adding thereto a new Article, designated Article IV of Chapter 58, consisting of Sections 58-61, 58-62, and 58-63, all relating to establishing a Community Health ~~Equity~~ Action Plan; creating a Community Health ~~Equity~~ Advisory Board; setting forth the makeup of the Board; and detailing the requirements of the Community Health Action Plan.

Now, therefore, be it ordained by the Council of the City of Charleston:

That the Municipal Code of the City of Charleston, as amended, is amended by adding thereto a new Article, designated article IV of Chapter 58, consisting of sections 58-61, 58-62, and 58-63, all to read as follows:

CHAPTER 58 – HEALTH AND SANITATION.
ARTICLE IV – COMMUNITY HEALTH ~~EQUITY~~ ACTION PLAN.

Sec. 58-61. – Establishing a Community Health ~~Equity~~ Action Plan.

The City Council for the City of Charleston hereby requires the creation of a Community Health ~~Equity~~ Action Plan for the City of Charleston to serve as a community-driven tool for advancing health equity at the community level.

Sec. 58-62. – Creation of Board.

(a) The Community Health ~~Equity~~ Advisory Board is hereby established. The Board is composed of eleven (11) members as set forth herein. The Board is tasked with creating a Community Health ~~Equity~~ Action Plan by December 1, 2023, that meets the requirements set forth in Section 58-63 of this Code.

(b) the Community Health ~~Equity~~ Advisory Board is composed of the following members:

(1) The Executive Director of the Kanawha-Charleston Health Department, or his or her designee, who shall serve as the Chair of the Board;

(2) The Executive Director of West Virginia Health Right, or his or her designee;

(3) The Executive Director of the Partnership of African American Churches, or his or her designee;

(4) A West Virginia licensed mental health professional employed at~~The Executive Director of~~ Cabin Creek Health Systems, ~~or his or her designee~~designated by its CEO;

(5) The CEO of CAMC Health Systems, or his or her designee;

(6) The CEO of Thomas Health Systems, or his or her designee;

(7) The Executive Director of the West Virginia Chapter of the American Heart Association, or his or her designee;

(8) The President/CEO of FamilyCare, or his or her designee;

(9) The Mayor of the City of Charleston, or his or her designee;

(10) One at-large member of the City Council of the City of Charleston, as appointed by the Mayor of the City of Charleston; and

(11) One ward representative~~s~~ of the City Council of the City of Charleston, as appointed by the Mayor of the City of Charleston.

(c) Each member of the Board shall serve while on the Board concurrently with the time in which they hold the relevant position set forth in subsection (b). Should any member be removed from their position placing them on the Board, they shall be removed from the Board simultaneously.

Sec. 58-63. – Requirements of Community Health ~~Equity~~ Action Plan.

(a) The Community Health ~~Equity~~ Action Plan required by this Article shall use data on the leading causes of morbidity and mortality, disease burden inequities, social determinants of health, and community identified health equity priorities in order to:

(1) Have a vision and a goal, approved by the Board;

(2) Outline strategies and tactics to accomplish health equity goals;

(3) Identify supports and resources needed to adopt equitable policies and practices;

(4) Create annual deliverables of at least three health issue focus areas and timeline for implementation with progress tracking measures;

(5) Create a coalition of citywide advocates and organizations for outreach and sustainability;

(6) ~~Create City Council Public Health Committee~~Make any other recommendations to City Council deemed necessary.

(b) The timeline for action required by this Article shall be:

(1) Organize Board within one month from passage;

(2) Draft the Action Plan for Board approval within six months from passage;

(3) Implement the approved Action Plan within three months of approval; and

(4) Provide an annual review each year and report the annual review out to the City Council by December 31, 2023, and each year thereafter.