JOURNAL of the PROCEEDINGS
of the
CITY COUNCIL

CITY OF CHARLESTON, WEST VIRGINIA

Regular Meeting – Tuesday, February 21, 2023

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 February on the 21st day, in the year 2023, and was called to order by the Honorable Mayor, Amy Shuler Goodwin. The invocation was delivered by Councilmember Overstreet, and the Pledge of Allegiance was led by Councilmember Ferrell. The Honorable Clerk, Miles C. Cary II, called the roll of members and it was found that there were present at the time:

ANNIE		**BURTON**
CEPERLEY	**COOK**	**FAEGRE**
FERRELL	**GIANOLA**	**HAAS**
HOOVER	**JENKINS**	**JONES**
KERNS	**KING**	**MINARDI**
MOORE	**OVERSTREET**	**PEPPER**
PHARR	**ROBINSON**	**RUBIO**
SALANGO	**SNODGRASS**	**SOLOMON**
STEELHAMMER	**TAYLOR**	**MAYOR GOODWIN**

With twenty-six members being present, the Mayor declared a quorum present.

Burka'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

1. Cynthia Phillips – Spoke about neighborhood concerns.

2. Dawn M. Ashworth – Spoke about properties on Garrison Avenue.

3. Ric Cavender – Representing Charleston Main Streets, spoke about the Façade Activation Program.

4. Michelle Loehr – Representing them, spoke about the American Heart Association.

5. Marjorie Cooke – Spoke about Advantage Valley Livability Magazine

6. Nicole Christian – Representing the Charleston Aera Alliance, spoke about the LIFT Center.

CLAIMS

1. A claim of April M. Sigman, Charleston, WV;
   alleges damage to property.

PROCLAMATIONS

1.

EXECUTIVE DEPARTMENT
CITY OF CHARLESTON
PROCLAMATION

WHEREAS: One in five deaths is due to heart disease, making it the leading cause of death in the United States in men and women; and

WHEREAS: Approximately 160,000 people in West Virginia have coronary heart disease – the most common form of heart disease; and

WHEREAS: Considerable progress has been made to advance our knowledge and treatment of heart disease–including technologies that help diagnose, treat, and prevent heart disease; and

WHEREAS: We have a better understanding of heart disease risk factors, such as high blood pressure, bad cholesterol, smoking, being overweight, and type 2 diabetes; and

WHEREAS: It is important we make time every day for self-care, such as managing stress, taking a daily walk, preparing healthier meals, and getting enough sleep help keep blood pressure in the healthy range and reduce the risks of heart disease and stroke; and

WHERAS: We can work together to help raise importance of a healthy heart and save lives by learning the warning signs.

NOW THEREFORE, I, Amy Shuler Goodwin, Mayor of the City of Charleston, do hereby recognize February 2023 as

American Heart Month

In Charleston, West Virginia and urge all citizens to learn the warning signs of heart attack and stroke and how to achieve better heart health.

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the Executive Department to be affixed this 21st day of February 2023.

THE CITY OF CHARLESTON WEST VIRGINIA

Amy Shuler Goodwin, Mayor

The proclamation was presented to Julie Thomm and other members of the American Heart Association.

COMMUNICATIONS

None

REPORTS OF COMMITTEES

COMMITTEE ON ORDINANCE AND RULES

Councilmember Robinson, Chair of the Council Committee on Ordinance and Rules, submitted the following reports:

1. Your committee on Ordinance and Rules has had under consideration the following bill, and reports the same to Council with the recommendation that Bill No. 7982 Committee Substitute as Amended do pass.

Bill No. 7983 Committee Substitute as Amended - 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 confirmed by City Council; 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 and confirmed by City Council.

(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.

Councilmember Robinson added that the bill will create a Community Health Action Plan, which will work in coordination through the City of Charleston, the Kanawha-Charleston Health Department and local health care providers to establish a plan to identify areas of improvement and collaboration surrounding the leading caused of preventable diseases and death.

Councilmember Robinson moved to approve the bill. Councilmember Ceperley seconded the motion.

A roll call was taken:

YEAS: Annie, Burton, Ceperley, Cook, Haas, Hoover, Jones, Kerns, King, Moore, Overstreet, Pepper, Pharr, Robinson, Rubio, Salango, Solomon, Steelhammer, Taylor, Mayor Goodwin
NAYS: Faegre, Ferrell, Gianola, Jenkins, Minardi, Snodgrass
ABSENT: Burka

With members present recorded thereon as voting in the majority as affirmative, with twenty (20) Yeas and six (6) Nays, the Mayor declared Bill No. 7983 Committee Substitute as amended as passed.

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. 768-23 be adopted.

Resolution No. 768-23 - Authorizing the Mayor or City Manager, subject to final review by the City Attorney, to enter into contracts with the West Virginia Counties Group Self Insurance Risk Pool, Inc., DBA West Virginia Communities Risk Pool, at a price of $1,048,032 for the City's Risk Management and Property, Casualty, and Cyber Insurance coverage and including all Third Party Administrator (TPA) Services for those lines of coverage for the period March 31, 2023 through March 31, 2024, in accordance with the costs referred to as Coverage Option 2 in Exhibit A except for the proposal for Workers' Compensation coverage. Underinsured motorists coverage is specifically rejected. Uninsured motorists coverage with statutory minimum limits of $25,000/$50,000/$25,000 is accepted only.

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

That the Mayor or City Manager is authorized, subject to final review by the City Attorney, to enter into contracts with the West Virginia Counties Group Self Insurance Risk Pool, Inc., DBA West Virginia Communities Risk Pool, at a price of $1,048,032 for the City's Risk Management and Property, Casualty, and Cyber Insurance coverage and including all Third Party Administrator (TPA) Services for those lines of coverage for the period March 31, 2023 through March 31, 2024, in accordance with the costs referred to as Coverage Option 2 in Exhibit A except for the proposal for Workers' Compensation coverage. Underinsured motorists coverage is specifically rejected. Uninsured motorists coverage with statutory minimum limits of $25,000/$50,000/$25,000 is accepted only.

Councilmember Jenkins added that the City went through the process of reviewing their insurance. The consultant that was hired last year had brought to the City a few other plans, and it was determined that WV Corp returned the best plan for the City. He added that the other plans were significantly higher. Councilmember Jenkins added that the consultant did bring the City a competitive proposed plan for Workers' Compensation that the City is still considering, which is why is it not listed on the resolution.

Councilmember Burton abstained from voting due to a potential pecuniary interest.

Councilmember Snodgrass added that she served on the Insurance Committee last year, and this is one of the largest items in the budget and one of the most important things Council votes on. Ultimately WV Corp was signed for one year, along with a consultant from USI. She added that the consultant has recommended Traveler's, which has $35 billion in annual revenue, and WV Corp has $16 million in the risk pool. She pointed out that this was risky, and asked what was the point of paying a consultant if the City was not going to take their advice. She added that WV Corp is a vendor for the Municipal League, who receives a stipend from them.

Councilmember King spoke against the resolution, and added that the City should take the recommendation of the consultant.

Councilmember Jenkins added that there is a risk pool, but the City would not be assessed for any reason within that risk pool. The City is separate from that and covered by WV Corp's re-insurance. Those reinsurers have billions in assets and revenues, such as AIG. This is in the contract. Councilmember Jenkins added that the consultant was a compromise from last year, and while he appreciates their work, he does not think that they are impartial. The option they proposed was $200,000 for the same or worse coverages. He added that the consultant has brought the City a competitive quote for Workers' Compensation, which is being reviewed. He added that fifty counties within the state use WV Corp. He added that the resolution is for benefit of the City and its citizens.

Councilmember Robinson clarified that actually every member of Council is a member of the WV Municipal League as an elected official, which also includes City staff. To imply that a few Councilmembers only are members of the WV Municipal League is false.

Councilmember Faegre added that she was not aware that she was a member of the WV Municipal League, and added that she should not be voting as a member. City Attorney, Kevin Baker, clarified that Councilmembers do not have a personal, financial benefit from the Municipal League, they would not need to abstain from voting. Councilmember Faegre asked if the City receives money from the Municipal League. Baker replied that the City is a dues paying member.

Councilmember Snodgrass was recognized. Councilmember Jenkins objected, citing Mason's Manual of Legislative Procedure. As the Presiding Officer, the Mayor allowed Councilmember Snodgrass to continue. Councilmember Snodgrass asked if Mayor Goodwin was still the President of the Municipal League Board. Mayor Goodwin replied that she was not nor had never been.

Councilmember Jenkins moved to approve the resolution. Councilmember Ceperley seconded the motion.

A roll call was taken:

YEAS: Annie, Ceperley, Cook, Ferrell, Gianola, Haas, Hoover, Jenkins, Moore, Overstreet, Pepper, Pharr, Robinson, Rubio, Salango, Solomon, Steelhammer, Taylor, Mayor Goodwin
NAYS: Faegre, Jones, Kerns, King, Snodgrass
ABSTAIN: Burton, Minardi
ABSENT: Burka

Councilmember Jenkins moved to approve the resolution. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting in the majority as affirmative, with nineteen (19) Yeas, five (5) Nays and two (2) Abstains, the Mayor declared Resolution No. 768-23 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. 769-23 be adopted.

Resolution No. 769-23 - Authorizing the Mayor or City Manager to purchase 41 sets of bunker gear for the Fire Department from Red Hot Fire Equipment, for a unit cost of $2,349.00 each and the total amount of $96,309.00 pursuant to a competitively sourced multi-state 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 Red Hot Fire Equipment in the amount of $96,309.00 for the purchase of 41 sets of bunker gear for the Fire Department pursuant to a competitively sourced multi-state contract.

Councilmember Jenkins added that the resolution is for equipment for the new recruits and to replace old gear as part of the normal replacement cycle.

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. 769-22 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. 770-23 be adopted.

Resolution No. 770-23 - Authorizing the Mayor to execute the attached Termination of Lease and Settlement Agreement between the City of Charleston and CRA Communications, LLC, successor in interest to Charles Ryan Associates, LLC.

Whereas, Parties entered into a lease agreement dated November 7, 2011, which is attached hereto as Exhibit B, pertaining to the use of office space located in Suite 301 of 601 Morris Street, Charleston, WV; and

Whereas, the term of the lease was for fifteen (15) years, with an expiration date of December 31, 2027, with early termination options contained therein; and

Whereas, the Tenant has made timely payments under the terms of the lease and has requested that the Landlord grant a termination of the lease at an end date of April 30, 2023, in exchange for a one-time payment of $90,042.47 to buy out the remainder of the term of the lease; and

Whereas, Tenant has agreed to vacate the premises on or before 11:59 p.m. on April 30, 2023, and City has agreed to accept $90,042.47 as a buy out of the remainder of the term of the Lease.

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

That the Mayor is authorized to execute the attached Termination of Lease and Settlement Agreement between the City of Charleston and CRA Communications, LLC, successor in interest to Charles Ryan Associates, LLC.

Councilmember Jenkins added that the tenant has found a smaller location for their needs. They are leaving with approximately two years left on their lease. They will issue a lump sum to the City related to the funds that the City put into remodeling the space for them.

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. 770-22 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. 771-23 be adopted.

Resolution No. 771-23 - Whereas, When Charleston's City Hall was built in 1922, it was designed to house all City operations. On opening day, City Hall had a fully-equipped fire station, police station, municipal court, as well as all of the general administrative departments of city government. Over time, Charleston's population, budget, and service offerings changed, resulting in a general expansion of government;

Whereas, City Hall continues to serve as the City's primary police station, but the architecture of the building, as well as its age, create substantial obstacles to efficient police operations. While largely under one roof, the police department is physically segmented within the building;

Whereas, The municipal courtroom and its access points are inconvenient to citizens and court staff alike. Moreover, entry points have substantial ADA challenges. The Municipal Court Clerk's Office is housed on the first floor of City Hall's main entrance, which is not where the courtroom is located, straining operations during court proceedings;

Whereas, The administrative headquarters for the Charleston Fire Department is located within an active fire station, Station No. 2. Having the headquarters located within a fire station is often distracting to the conduct of administrative business of the department. Additionally, the Charleston Fire Department routinely conducts intensive fire training, but the department is currently without a permanent facility to conduct its training operations; and

Whereas, Both the police and fire departments maintain separate physical training (PT) facilities and equipment, located in different parts of the city. The City's Administration desires to create a single PT facility for both police and fire employees;

Whereas, the City publicly advertised a request for Expressions of Interest for qualified architecture and design firms to submit a proposal for evaluation by the City, and

Whereas, after a thorough and thoughtful review process, the proposal scoring committee recommend that Silling Architects, with partner Architects Design Group, be selected to perform the pre-design services related to the development of a new public safety center.

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 Silling Architects in the amount of $242,000.00 for pre-design planning services related to a new public safety facility for the Police Department, Fire Department administration, and Municipal Court functions of the City. Services include spatial needs assessments, staffing studies, site analysis, conceptual planning, community engagement, estimates of development budgets, and grant identification according to the attached Exhibit A.

Councilmember Jenkins added that the resolution is the start of a long process for a new Public Safety facility.

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. 771-22 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. 772-23 be adopted.

Resolution No. 772-23 - Authorizing the Mayor to execute the attached Lease Addendum to the lease between the City of Charleston and Shaner SPE Associates Limited Partnership forgiving the amount of $84,061.30 in lease payments that were not noticed, invoiced, or paid.

Whereas, by Lease dated December 18, 1973, assigned and amended multiple times, and most recently by Lease Amendment dated October 21, 2014, the parties amended certain terms of the Lease, including providing for additional five-year terms of the Lease and escalating lease payments based on the consumer price index, all of which are incorporated into the Lease;

Whereas, In March 2020, the COVID-19 pandemic significantly impacted all sectors of the national economy, with hospitality being hit particularly hard. Hotels like the Lessee's suffered considerable losses and low occupancy rates. Parties inadvertently failed to provide specific notice of the monthly payment increase triggered by the previous lease amendment, which led to Lessee paying the unadjusted monthly payment for calendar years 2020, 2021, and 2022. The total rent payment shortfall was $168,122.61.

Beginning in 2023, Lessee has paid the correct monthly lease payment and will pay the correct payment moving forward. In consideration of the COVID-19 pandemic impact, the Lessee's considerable investment in its hotel, and the lack of clear communication between the parties regarding the automatic increase, the City Council authorizes an abatement of the shortfall as set forth in the Addendum.

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

That the Mayor is authorized to execute the attached Lease Addendum of the lease between the City of Charleston and Shaner SPE Associates Limited Partnership.

Councilmember Jenkins added that the resolution involves the lease of City property that is most of the parking lot used by Holiday Inn Express that has been in effect since 1973. He latest amendment in 2014 added an escalation clause that was to begin in 2020, which both parties had forgotten. This mistake was identified as part of the audit, and has been corrected. It was negotiated that the lessee would pay half of the $168,121,61 under-payment.

Councilmember Jones stated that he was confused as to why the City would agree to let them pay half of their taxes because the hospitality industry was hit particularly hard during the pandemic. Councilmember Jenkins clarified that it was not taxes, but rent. Councilmember Jones that it was not fair to every other business in Charleston.

Councilmember Snodgrass added that she has confirmed that there is no clause in the agreement that requires the City to invoice the lessee to remind them of the escalating payment. That was fully the responsibility of the hotel group, which is a multi-million dollar company.

Councilmember Cook asked for more context. Finance Director and Acting City Manager, Andy Wood, replied that City staff identified this during the annual audit process. The company was contacted, and they agreed to pay the increase and asked to enter into negotiations regarding the back-payment. Councilmember Cook asked if he thought this was a good deal. Wood replied that he did, because the increase in payment was a significant 79% increase.

Councilmember Steel asked when was the audit that discovered the error. Wood replied that he believed it was in December of 2022.

Councilmember Overstreet asked what sort of alternative litigation would be involved. Wood replied that the escalation in the 2014 agreement was a calculation based on inflation going back to 2000. It will be recalculated every five years after 2020.

Councilmember Steelhammer asked if the company normally tries to negotiate the increases. Wood replied that this is the first escalation under the lease.

Councilmember King asked if the hotel group should have been aware of the escalation in 2020. Wood replied that all parties should have been aware of that.

Councilmember Pharr added that she has helped many small businesses with resources during the pandemic. She added that this is not something out of the ordinary.

Councilmember Pepper asked how the under-payment would be paid to the City. Councilmember Jenkins replied that it would be in one lump sum within thirty days. Councilmember Pepper added that he trusts the staff to negotiate on behalf of the City, but hotels are now in demand post-pandemic.

Councilmember Faegre confirmed with Councilmember Jenkins that what is being discussed is underpayments for two years as opposed to fully late payments.

Councilmember Taylor added that he believed that the Universal Commercial Code states that once the payment was accepted by the City it would be considered payment in full. Therefore, the lessee would have a good faith argument for that. He added that they have agreed to pay 50% of the under-payment when that may not be necessary if the matter went to litigation.

Councilmember Cook asked what were the City’s options if the resolution is not adopted. Baker replied that he would have to contact the lessee that Council rejected the recommended resolution. The City could be open to a law suit, or they could agree to pay the entire amount.

Councilmember Kerns asked what policies have been put into place to ensure this problem does not happen again. Wood replied it has been added to the City's invoicing system. There will also be an annual review of these types of leases.

Councilmember Snodgrass added that the discussions have mentioned small businesses several times, but the lessee is a country-wide $100 million company. She added that it is likely they received PPE money during the pandemic.

Councilmember Jones compared this resolution to the previous Resolution No. 770-23.

Councilmember Pepper added that he did believe that the rules of the Universal Commercial Code would apply in this situation.

Councilmember Jenkins agreed that the UCC does not apply to contracts and agreements.

Councilmember Jenkins motioned to refer Resolution No.772-23 back to the Finance Committee. Councilmember Faegre seconded the motion. With members present recorded thereon as voting in the majority as affirmative, with at least two (2) recognized Nays from Ceperley and Pharr, the Mayor declared Resolution No. 772-23 as referred to the Finance Committee.

6. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 773-23 be adopted.

Resolution No. 773-23 - Authorizing the Mayor or City Manager to enter into a lease agreement with Komax for the leasing of copier for various City departments, at an equipment cost not to exceed $5,500 per month for 60-months plus the cost of printing per page as set forth on the attached exhibit.

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 lease agreement with Komax for the leasing of copier for various City departments, at an equipment cost not to exceed $5,500 per month for 60-months plus the cost of printing per page as set forth on the attached exhibit.

Councilmember Jenkins added that the current five-year agreement for copiers within the City is expiring, and Komax was the lowest valid bidder.

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. 773-22 adopted.

7. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 774-23 be adopted.

Resolution No. 774-23 - Authorizing the Mayor or City Manager to contract with Hartford for medical and prescription drug coverage for the post-65 Medicare eligible retiree health plan at a set cost per member per month for the plan year starting July 1, 2023.

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

That the Mayor or City Manager is authorized to contract with Hartford for medical and prescription drug coverage for the post-65 Medicare eligible retiree health plan at a set cost per member per month for the plan year starting July 1, 2023.

Councilmember Jenkins added that the City pays for a secondary health insurance after Medicare for retired employees hired prior to 2020. Employees hired after that date are not eligible. Instead of having the volatility of potential claims under the self-insured model, the proposed resolution would have the City purchase insurance with a fixed premium to the City. Anticipated savings are approximately $624,000 in the first year and approximately $1 million the second year based on past claims.

Councilmember Overstreet abstained from voting due to a potential pecuniary interest.

Councilmember Faegre asked what the retirees think of this change. Councilmember Jenkins added that the medical and pharmacy plan does not change for the employees. Chief of Staff, Matt Sutton, added that there is a plan in place to alert retirees of the change if approved, directly and with meetings.

Councilmember Annie spoke in support of the resolution, adding that eighteen months is an impressively long time for premiums, and was a good deal.

Councilmember Jenkins moved to approve the resolution. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting in the majority as affirmative, with one (1) Abstain from Overstreet, the Mayor declared Resolution No. 774-22 adopted.

REPORTS OF OFFICERS

1. City Treasurer's Report to City Council Month Ending January 2023.

2. Audited Financial Statements and the Annual Comprehensive Financial Report for the Fiscal Year Ended June 30, 2022, and Report to the Governing Body.

NEW BILLS

Introduced by Councilmember Jeanine Faegre
February 21, 2023:
Bill No. 7984 – A Bill to Amend and reenact Ordinance 329 to prohibit parking on the easterly side of Greendale Drive from Swarthmore Avenue to Price Street while allowing parking on the westerly side of Greendale Drive from Swarthmore Avenue to Price Street and amending the Traffic Control Map and Traffic Control File.
Refer to Planning, Streets and Traffic Committee, Please

MISCELLANEOUS/UNFINISHED BUSINESS

None

REMARKS BY MEMBERS

1. Mayor Goodwin stated that the baseball tournament will be returning with a five-year contract, thanks in part to Council's approval or the field turfing. The Mayor added that the Admiration has asked every entity that received ARPA funds to fill out a simple questionnaire, the results will be given to Council after March 3, 2023. The Mayor added that WCHS recently did an amazing story following the CARE Team.

2. Councilmember Kerns encouraged Councilmembers to visits Garrison Avenue to see the conditions.

3. Councilmember Faegre thanked Councilmember Hoover, Terri Allen and Matt Hartline for assistance with her sponsored Bill No. 7984.

4. Councilmember Snodgrass mentioned the Audit report that was presented during the Reports of Officers, and pointed out pages 12-15. She highlighted the report mentioning the temporary worker hired for several years, the funding of the Police Pension and Relief Fund, and the Mayor's Discretionary Fund being in violation.

5. Councilmember Annie stated that a few residents have reached out to him with concerns about their water given the recent events in Ohio.

6. Councilmember Kerns added that the Heart and Soul Dip Dinner will be returning.

ADJOURNMENT

The Clerk, Miles C. Cary II, called the closing roll call:

YEAS: Annie, Burton, Ceperley, Cook, Faegre, Ferrell, Gianola, Haas, Hoover, Jenkins, Jones, Kerns, King, Minardi, Moore, Overstreet, Pepper, Pharr, Robinson, Rubio, Salango, Snodgrass, Solomon, Steelhammer, Taylor, Mayor Goodwin
NAYS: NONE
ABSENT: Burka

At 8:41 p.m., by a motion from Councilmember Ceperley, Council adjourned until Monday, March 6, 2023, 7:00 p.m., in Council Chambers at City Hall.

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Amy Shuler Goodwin, Honorable Mayor

____
Miles C. Cary II, City Clerk