MINUTES
FINANCE COMMITTEE MEETING
6:15 P.M., MARCH 20, 2023
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., March 20, 2023.

A silent roll was taken by the Clerk and a quorum was established. The following committee members were present:

Joseph Jenkins, Chair
Becky Ceperley
Mary Beth Hoover
Larry Moore
Shawn Taylor

Absent:
Brent Burton, Vice Chair
Chad Robinson

Other Councilmembers present:
Emmett Pepper
Frank Annie
Chelsea Steelhammer
Beth Kerns
Joe Solomon
John Gianola

I. <u>DISCUSSION:</u>

a. <u>Approval of Previous Minutes</u> - Councilmember Taylor asked for unanimous consent to dispense with the reading of the minutes for the March 6, 2023 meeting and that they be approved as distributed. There were no objections, and the minutes were approved.

II. RESOLUTIONS:

a. Resolution No. 778-23 – Authorizing the Mayor or City Manager to submit an application to the FEMA Fire Prevention and Safety Grant Program in the amount of $46,000 that includes the required 5% cash match and administer any funds awarded. The Charleston Fire Department will use these funds to purchase carbon monoxide and smoke detectors, child-friendly give away items and a fire extinguisher training tool as part of their fire safety community outreach.

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

   That the Mayor or City Manager is hereby authorized to submit an application to the FEMA Fire Prevention and Safety Grant Program in the amount of $46,000 that includes the required 5% cash match and administer any funds awarded. The Charleston Fire Department will use these funds to purchase carbon monoxide and smoke detectors, child-friendly give away items and a fire extinguisher training tool as part of their fire safety community outreach.

Finance Director, Andy Wood, added that the grant required a 5% match. The City has applied for this grant in the past.

Councilmember Taylor moved to approve the Resolution. With members present recorded thereon as voting unanimously in the majority as affirmative, Chairperson Jenkins declared Resolution No. 778-23 approved.

b. Resolution No. 779-23 – Approving the Official Municipal Budget Document for the Fiscal Year 2023-2024, as proposed and included as Exhibit A hereto, inclusive of the Municipal Levy Rates Estimate for Current Expenses and Excess Levy purposes.

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

   That the Official Municipal Budget Document for the Fiscal Year 2023-2024, as proposed and included as Exhibit A hereto, inclusive of the Municipal Levy Rates Estimate for Current Expenses and Excess Levy purposes is approved.

Wood added that there were a few corrected typos in the budget document, which have been corrected with highlights. The typos did not affect anything in the budget document as a whole.

Councilmember Ceperley confirmed with Wood that the typo was related to the festival budget being counted twice, but did not affect the main pages.

Representatives from the Charleston Area Alliance advocated for the group's budgeted amount.

A representative from the Capitol Market endorsed the Lift Center Project. He added that there was a line item in the budget for the Green Chili Cookout, which had not happened in a few years. He asked if those funds could be used for something else. Mayor Goodwin replied that her recommendation would be to keep it there for the All Fired Up BBQ, a children cooking program.

Councilmember Taylor moved to approve the Resolution. With members present recorded thereon as voting unanimously in the majority as affirmative, Chairperson Jenkins declared Resolution No. 779-23 approved.

c. Resolution No. 780-23 – Authorizing the Mayor or City Manager to execute Change Order No. 1 with GAI Consultants in an amount of $5,500 for a total contract price of $30,000 for additional services related to the Herbert and Gloria Jones Woodland Trail System project detailed on Exhibit A.

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

   That the Mayor or City Manager is authorized to execute Change Order No. 1 with GAI Consultants in an amount of $5,500 for a total contract price of $30,000 for additional services related to the Herbert and Gloria Jones Woodland Trail System project detailed on Exhibit A.

Wood added that the change order will cover the additional work that is needed to complete the project.

Councilmember Taylor moved to approve the Resolution. With members present recorded thereon as voting unanimously in the majority as affirmative, Chairperson Jenkins declared Resolution No. 780-23 approved.

d. Resolution No. 781-23 – Authorizing the Mayor or City Manager to enter into an Agreement with WesBanco, Inc. for a Standby Letter of Credit in the amount of $325,000 in favor of Encova for a term starting March 31, 2023 to provide collateral for liability of potential workers' compensation claims under the City's large deductible policy. The letter of credit is subject to review and final approval by legal counsel for the City. Cost of the letter is 0.5% of the amount issued.

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

   That the Mayor or City Manager is hereby authorized to enter into an agreement with WesBanco, Inc. for a Standby Letter of Credit in the amount of $325,000 in favor of Encova for a term starting March 31, 2023 to provide collateral for liability of potential workers' compensation claims under the City's large deductible policy. The letter of credit is subject to review and final approval by legal counsel for the City. Cost of the letter is 0.5% of the amount issued.

Wood added that Encova has collateral requirements as part of their agreement with the City.

Councilmember Jenkins added that he had been incorrect is assuming that the City would not need the letter of credit after switching from the self-insured model.

Councilmember Taylor moved to approve the Resolution. With members present recorded thereon as voting unanimously in the majority as affirmative, Chairperson Jenkins declared Resolution No. 781-23 approved.

e. Resolution No. 782-23 – A Resolution authorizing the Mayor or City Manager to file application for and, if awarded, accept one forgivable loans from the West Virginia Housing Development Fund (the "Lender") in the original principal amount of up to $100,000 for the Permanent Gap Financing Program (the "Loans") to be used to expand funding for the owner-occupied housing rehabilitation programs across the entire City of Charleston; and

WHEREAS, in connection with the Loans, the City Of Charleston, if awarded, intends to execute and deliver a promissory note (the "Note") pursuant to which the Lender will extend the Loans to the City of Charleston, and certain other agreements, documents, instruments and certificates in connection with the foregoing, including a credit line deed of trust (the "Deed of Trust") granting the Lender a lien on and security interest (all of the foregoing, including the Note and Deed of Trust, are collectively referred to as the "Loan Documents").

NOW, THEREFORE, BE IT RESOLVED, that the City of Charleston is hereby authorized to enter into and perform all obligations of the City of Charleston pursuant to the application for loan funding and execution of the Loan Documents.

FURTHER RESOLVED, that the Mayor or City Manager be, and hereby is, authorized and directed to make application under the funding programs, negotiate the terms of, and execute, on behalf of the Corporation, the Loan Documents, any amendments, supplements, modifications, extensions and renewals to the Loan Documents and any and all other documents contemplated by the terms of the Loan Documents which the Lender may request or require in connection with the consummation of the Loan.

FURTHER RESOLVED, that any and all actions taken by the Mayor or City Manager and any other properly authorized officers of the Corporation in connection with the application under the funding programs, negotiation, preparation and execution of the Loan Documents prior to the date hereof are hereby ratified, affirmed and approved in all respects.

FURTHER RESOLVED, that the signature of the Mayor or City Manager to any of the application materials or Loan Documents shall be conclusive evidence of the authority of the Mayor or City Manager to execute and deliver such application or Loan Document on behalf of the City of Charleston.

Wood added that the resolution is for a forgivable loan program that the City has applied for in the past. Director of MOECD, Andy Backus, added that they were able to complete seven owner-occupied renovations that they would have been able to do had they not previously received these funds.

Councilmember Taylor confirmed with Backus that MOECD reimburses the contractors and are in turn reimbursed by HUD when they turn in receipts, photographs, etc.

Councilmember Taylor moved to approve the Resolution. With members present recorded thereon as voting unanimously in the majority as affirmative, Chairperson Jenkins declared Resolution No. 782-23 approved.

f. Bill No. 7985 – A Bill granting Cabin Creek Health Systems, Inc. an easement in a portion of the right-of-way of the City of Charleston along Wyoming Street adjacent to the building commonly referred to as 303 Ohio Avenue for the purpose of constructing, operating, maintaining, repairing, and replacing, as necessary, a handicap accessible ramp and entrance in compliance with the Americans with Disabilities Act, in the area designated in Exhibit A attached hereto.

BE IT ORDAINED BY THE CITY COUNCIL OF CHARLESTON, WEST VIRGINIA:

Subject to the minimum terms and conditions contained herein, the Mayor or City Manager is authorized to execute an easement for a portion of the right of way along Wyoming Street adjacent to 303 Ohio Avenue to Cabin Creek Health Systems, Inc. ("Cabin Creek"):

Cabin Creek, and its lessees, successors or assigns, are hereby granted an easement in a portion of the right-of-way for the purpose of constructing, operating, maintaining, repairing, and replacing, as necessary, a handicap accessible ramp and entrance in compliance with the Americans with Disabilities Act, in the area designated in Exhibit A, incorporated herein, and made a part hereof. The easement is further defined to be 44 feet long by 5 feet wide running adjacent to the building at 303 Ohio Avenue parallel to Wyoming Street containing approximately 220 square feet, more or less; and

Cabin Creek, its lessees, successors or assigns, shall indemnify, defend and save the City harmless from and against any damages to any person or property by reason of the construction, operation, maintenance, repair, and replacement, as necessary, of a handicap accessible ramp and entrance in compliance with the Americans with Disabilities Act, by Cabin Creek, its lessees, successors and assigns; and

Cabin Creek shall maintain general liability insurance in the minimum amount of $1,000,000.00 and shall name City as an additional insured for purposes of the easement and the indemnity provisions specified in the easement agreement. All applicable policies shall provide primary coverage, shall reflect that Cabin Creek is responsible for any and all deductibles and shall otherwise be in such form and with such endorsements and riders as City shall reasonably specify; and

Should there become a compelling public need for the area granted in the easement, the parties agree to cooperate in good faith to reach a resolution regarding removal, modification, or replacement of the ramp without the necessity of condemnation proceedings; and

That upon review and approval by legal counsel for the City, and the City Engineer of the City of Charleston, the Mayor or City Manager of the City of Charleston are hereby authorized to execute an easement agreement and any other documents related hereto for the purpose of granting an easement for the purpose of constructing, operating, maintaining, repairing, and replacing, as necessary, a handicap accessible ramp and entrance in compliance with the Americans with Disabilities Act upon Cabin Creek, and its lessees, successors or assigns, consistent with paragraphs 1, 2, 3, 4, and 5 of this ordinance, and the payment of Nine Hundred and Fifty dollars and no cents ($950.00).

Wood added that the bill grants an easement to Cabin Creek Health Systems for their building on Ohio Avenue for the purpose of building a handicap accessible ramp and entrance. This will allow them to complete renovations on the building.

Councilmember Taylor moved to approve the Resolution. With members present recorded thereon as voting unanimously in the majority as affirmative, Chairperson Jenkins declared Bill No. 7985 approved.

Councilmember Taylor motioned to adjourn the meeting.
Meeting adjourned.