



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

CITY OF CHARLESTON, WEST VIRGINIA

Regular Meeting – Monday, May 1, 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 first meeting in the month of May on the 1st 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 the West Side Lady Foxes. The Honorable Clerk, Miles C. Cary II, called the roll of members and it was found that there were present at the time:

**ANNIE
CEPERLEY
FERRELL
HOOVER
KERNS
MOORE**

**BURKA
COOK
GIANOLA
JENKINS
KING
OVERSTREET
ROBINSON
SNODGRASS
TAYLOR**

**BURTON
FAEGRE
HAAS
JONES

PEPPER

SOLOMON
MAYOR GOODWIN**

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

Minardi, Pharr and Rubio's absences were 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. Robin Godfrey – Spoke in favor of Resolution No. 783-23.
2. Gail Bellamy - Spoke in favor of Resolution No. 783-23.
3. Andy Shea – Spoke about Charleston Dirty Birds baseball team.

CLAIMS

1. A claim of Marlena Nicole Moore, Charleston, WV; alleges damage to vehicle.
2. A claim of Ashleigh Smith, South Charleston, WV; alleges damage to vehicle.

PROCLAMATIONS

None

COMMUNICATIONS

1.

Amy Shuler Goodwin
Office of the Mayor
City of Charleston



P.O. Box 2749
Charleston, WV 25330
(304) 348-8174 Office

TO: MILES CARY
CITY CLERK

FROM: AMY SHULER GOODWIN
MAYOR

RE: SPRING HILL CEMETERY PARK COMMISSION

DATE: MAY 1, 2022

RECEIVED

APR 27 2023

OFFICE OF CITY CLERK

I recommend Bobby Reishman be appointed to the Spring Hill Cemetery Park Commission. Mr. Reishman is filling a vacancy on the Commission and his term expiration date will be April 6, 2025

I respectfully request City Council's approval of this recommendation.

ASG/mls

Councilmember Ceperley motioned to approve the appointment. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared the appointment approved.

PUBLIC HEARINGS

1. After duly being published as required, the Mayor declared the floor open for a Public Hearing for Resolution No. 798-23 – Authorizing the Mayor or City Manager to execute the Stadium License, Lease and Service Agreement First Amendment between the City of Charleston and Charleston Professional Baseball Company, LLC relating to the lease of the baseball stadium located at 601 Morris Street. No person from the public spoke in reference to the Public Hearing. The Mayor declared the Public Hearing CLOSED.

REPORTS OF COMMITTEES

COMMITTEE ON PLANNING, STREETS AND TRAFFIC

Councilmember Hoover, Chair of the Council Committee on Planning, Streets and Traffic, submitted the following reports:

1. Your committee on Planning, Streets and Traffic has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 783-23 be adopted.

Resolution No. 783-23 - A Resolution adopting the protection of the brick pavement on portions of Valley Road, Chester Road, Maple Road, Springdale Road, Poplar Road, Somerset Drive, Pine Road, and several alleyways within the City of Charleston.

WHEREAS, Mordicai Levi of Charleston, West Virginia constructed the first brick paved street in the United States on Summers Street in downtown Charleston between 1870-1873; and

WHEREAS, on April 23, 1889, Mordicai Levi of Charleston, West Virginia was granted the first patent (#401,52) by the United States Patent Office for the process of constructing brick pavement in the United States; and

WHEREAS, the brick paved streets located within the City of Charleston are therefore of special historical significance; and

WHEREAS, there are only a limited number of brick paved streets remaining within the City of Charleston; and

WHEREAS, brick streets help define the historic nature of neighborhoods and improve property values; and

WHEREAS, brick streets help maintain slower driving speeds in residential areas; and

WHEREAS, brick streets last longer and have long-term cost benefits compared to asphalt or cement-paved streets; and

WHEREAS, brick streets can be pervious, allowing groundwater replenishment, reducing runoff pollution, and the decreasing the likelihood of flooding events; and

WHEREAS, Valley Road was constructed around 1915 using brick pavers; and

WHEREAS, a number of the brick pavers in Charleston were manufactured by brickyards that no longer exist such as Athens Block, Trimble Brick Manufacturing, South Webster Block, Nelsonville Block, and

Middleport Block, and are no longer available; and

WHEREAS, in 2003, the City of Charleston, in concert with Valley Road residents, repaired a significant portion of the brick pavers on Valley Road, which had been damaged by flooding and prior utility repairs, resulting in the complete restoration of the street; and

WHEREAS, paving brick streets forever damages the historic nature of the brick pavement located there; and

NOW, THEREFORE, BE IT RESOLVED, that the existing brick pavement streets of Charleston be preserved and that any portion disturbed for whatever reason be replaced in a manner consistent with the original construction of brick pavers.

Councilmember Hoover added that the first brick paved street was Summers Street in 1873. It is important to preserve the brick roads that are still in the City.

Councilmember Pepper added that Councilmember John Kennedy Bailey had previously been working with residents to protect the brick streets.

Councilmember Faegre added that she was glad to co-sponsor the resolution and honor Councilmember Bailey.

Councilmember Hoover 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. 783-23 adopted.

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. 798-23 be adopted.

Resolution No. 798-23 - Authorizing the Mayor or City Manager to execute the Stadium License, Lease and Service Agreement First Amendment between the City of Charleston and Charleston Professional Baseball Company, LLC, as contained in the attached exhibit, relating to the lease of the baseball stadium located at 601 Morris Street.

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 execute the Stadium License, Lease and Service Agreement First Amendment between the City of Charleston and Charleston Professional Baseball Company, LLC, as contained in the attached exhibit, relating to the lease of the baseball stadium located at 601 Morris Street.

Councilmember Jenkins added that resolution amends the current lease with the Dirty Birds where the 10-year lease, beginning January 1, 2023, will be revenue-sharing based on various metrics. He added that if the amount is lower than \$200,00/year, the City can renegotiate. The goal is to make it a 12-month 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. 798-23 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. 799-23 be adopted.

Resolution No. 799-23 - Authorizing approval of Amendment No. 6 of the FY 2022-2023 General Fund Budget as indicated on the attached list of accounts.

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

That Amendment No. 6 of the FY 2022-2023 General Fund Budget as indicated on the attached list of accounts is approved.

Councilmember Jenkins added that due to increase in interest rates, the City has received larger interest revenue than expected. The funds will go to the Building Commission which will be used for demolition and asbestos abatement.

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

A roll call was taken:

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

NAYS:

ABSENT: Pharr, Minardi, Rubio

With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Resolution No. 799-23 adopted.

General Fund FY 2022-2023 Budget Amendment No. 6 - May 1, 2023**Revenues and Fund Balances**

Account No.	Department	Account Description	Current Amount	Increase/ (Decrease)	Amended Amount
001 380 00 0000	Revenue	Interest	30,000	465,000	495,000
Net Increase/(Decrease) to Revenues				465,000	

Expenditures

Account No.	Department	Account Description	Current Amount	Increase/ (Decrease)	Amended Amount
001 436 00 000 2 230	Building Commission	Contracted Services	1,044,494	465,000	1,509,494
Net Increase/(Decrease) to Expenditures				465,000	

Description:

To increase the estimated interest revenue in the General Fund and increase the expenditure line for Building Commission contracted services to fund dilapidated building demolitions.

3. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 800-23 be adopted.

Resolution No. 800-23 - Authorizing the Mayor or City Manager to purchase Pulsar swimming pool chemicals from Main Line Commercial Pools in the amount of \$56,370 for the Parks and Recreation Department to be used in City-operated pools with Pulsar equipment. The vendor is a sole source provider.

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

That the Mayor or City Manager is authorized to purchase Pulsar swimming pool chemicals from Main Line Commercial Pools in the amount of \$56,370 for the Parks and Recreation Department to be used in City-operated pools with Pulsar equipment.

Councilmember Jenkins added that three (3) of the four City pools require these specific chemicals for their filters.

Councilmember Faegre confirmed that all pools will be operating for the season.

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. 800-23 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. 801-23 be adopted.

Resolution No. 801-23 - Authorizing the Mayor or City Manager to enter into a contract with Specialty groups, Inc. in the amount of \$650,945 for the 5-Corners Intersection Construction Project to include lighting and paving as a result of a competitive bidding process.

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 Specialty groups, Inc. in the amount of \$650,945 for the 5-Corners Intersection Construction Project to include lighting and paving as a result of a competitive bidding process.

Councilmember Jenkins added that the resolution is to upgrade the 5 Corners intersection on the West Side. This will involve paving, crosswalks, etc. with a general safety focus.

Councilmember Jones asked where Specialty groups, Inc. was located. Director Hartline confirmed that they are based out of Bridgeport with a location just outside of Charleston.

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. 801-23 adopted.

REPORTS OF OFFICERS

None

NEW BILLS

Introduced by Councilmember Mary Beth Hoover

May 1, 2023:

Bill No. 7986 – A BILL to amend the Zoning Ordinance of the City of Charleston by adding a Section relating to off-premise electronic message boards.

Refer to Municipal Planning Commission and Planning, Streets and Traffic Committee, Please

Introduced by Councilmember Becky Ceperley

May 1, 2023:

Bill No. 7988 – A bill amending the Zoning Ordinance of the City of Charleston by rezoning from an R-4 district to a PMC district that certain parcel of land identified as 3115 Virginia Ave in Kanawha City, purchased by Charleston Area Medical Center, Inc.

Refer to Municipal Planning Commission and Planning, Streets and Traffic Committee, Please

Introduced by Councilmember Pam Burka

May 1, 2023:

Bill No. 7989 – A bill amending the Zoning Ordinance of the City of Charleston by rezoning from an R-O district to a C-8 district, that certain parcel of land identified as 4415 MacCorkle Ave SE

Refer to Municipal Planning Commission and Planning, Streets and Traffic Committee, Please

Introduced by Councilmembers Joseph Jenkins, Frank Annie and Joe Solomon

May 1, 2023:

Bill No. 7992 – A BILL to amend Sections of the Municipal Code of the City of Charleston relating to updating provisions to reflect the policy changes made by City Council with respect to ending the self-insured workers compensation program and adjusting certain sick leave accruals beginning with the fiscal year 2024 budget.

Refer to Finance Committee, Please

Introduced by Councilmember Beth Kerns

May 1, 2023:

Bill No. 7993 – A Bill to Amend and reenact Ordinance 7371 by establishing two-hour parking from 8:00am to 5:00pm, Monday through Saturday on the northerly side of Bigley Avenue from a point 43 feet west of Cora Street to a point 165 feet west of Cora Street and amending the Traffic Control Map File.

Refer to Planning, Streets and Traffic Committee, Please

MISCELLANEOUS/UNFINISHED BUSINESS

None

REMARKS BY MEMBERS

1. Mayor Goodwin stated that information on West Side Together will be placed on Councilmembers' desks. 18.81 tons of trash were picked up at the last Team Up to Clean Up.
2. Councilmember Kerns thanked everyone for supporting her during her breast cancer treatment.
3. Councilmember Moore thanked the Refuse Department for their quick response.
4. Councilmember Annie stated that he did a shift with Engine #2, and spoke highly of the CFD and EMS.
5. Councilmember Snodgrass stated that when the audit report was released, it listed several recommendations which she mentioned at Council. She requested that the Administration update Council as to how solutions to those recommendations have been implemented, specifically pension and temporary workers.
6. Councilmember Overstreet stated that the West Side Neighborhood association continues to have meetings about trash and clean ups.
7. Councilmember Faegre stated that it was important for workers in City Hall to be CPR certified. She said it was concerning and dangerous that there were no sidewalks on Edgewood Drive for kids that would be walking to the pool at Cato. Councilmember Faegre added that people are getting harassed at the exit ramp on Washington Street.
8. Councilmember Jones added to Councilmember Faegre's statement by saying someone soliciting money beats on car windows.

ADJOURNMENT

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

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

NAYS:

ABSENT: Pharr, Minardi, Rubio

At 7:38 p.m., by a motion from Councilmember Ceperley, Council adjourned until Monday, May 15, 2023, 7:00 p.m., in Council Chambers at City Hall.

Amy Shuler Goodwin, Honorable Mayor

Miles C. Cary II, City Clerk