



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

CITY OF CHARLESTON, WEST VIRGINIA

Regular Meeting – Monday, September 18, 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 September on the 18th 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 Moore. City 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
PHARR
SALANGO
STEELHAMMER**

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

**BURTON
FAEGRE
HAAS
JONES
MINARDI
PEPPER
RUBIO
SOLOMON
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. Howard Swint – Spoke about the Sports Complex.
2. Alex Gray – Spoke about multiple Dollar Stores on the West Side.

CLAIMS

None

PROCLAMATIONS

**EXECUTIVE DEPARTMENT
CITY OF CHARLESTON
PROCLAMATION**

WHEREAS: A native of Charleston, and a fourth-year student at Marshall University – with a double major in biochemistry and pre-med, Nevaeh Harmon aspires to become a pediatric physician; and

WHEREAS: After running for Marshall University homecoming court with a platform focused on diversity and inclusion, Harmon's interest in student government and pageants grew, leading her to for run Student Government Association Office where she was recently sworn in as Student Body Vice President; and

WHEREAS: In June 2023, Harmon competed in the Miss West Virginia USA Pageant held at the Virginia Thomas Law Center for the Performing Arts on the campus of West Virginia Wesleyan College in Buckhannon and was crowned Miss West Virginia USA – making her the first Filipino American contestant to ever win the Miss West Virginia USA competition; and

WHEREAS: Harmon remains committed to inspiring women and girls to dream bigger and lead without fear, and helping them find their strength to pursue their dreams; and

WHEREAS: Harmon will compete in the Miss USA Organization's National Miss USA® Pageant in Reno, Nevada later this month; and

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

Nevaeh Harmon, Miss West Virginia USA 2023

for being a shining star in her hometown and in her Marshall University Community, and wish her the best in her journey to the Miss USA® Pageant in Reno.

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the Executive Department to be affixed this 18th day of September 2023.

A handwritten signature in blue ink, which appears to read "Amy Shuler Goodwin".
Amy Shuler Goodwin, Mayor

COMMUNICATIONS

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: MUNICIPAL BEAUTIFICATION COMMISSION

DATE: SEPTEMBER 18, 2023

I recommend the following individual be reappointed to the Municipal Beautification Commission:

John Casto – term expiration date 9-19-2026
Donna Graham – term expiration date 9-19-2026
Anna Forbes - term expiration date 9-19-2026

I recommend the following individual be appointed to the Municipal Beautification Commission:

Barbara Rose – term expiration date 9-19-25

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

ASG/mls

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

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. 878-23 be adopted.

Resolution No. 878-23 - Authorizing the Mayor or City Manager to submit an application to the WV Governor's Highway Safety Program in the amount of \$537,600 and administer any funds awarded. The funds will be used to reimburse overtime expended by Charleston Police and law enforcement agencies in the eight-county Metro Valley Highway Safety Region for traffic safety enforcement activities, equipment purchases and travel/training, as well as partial reimbursement for the Charleston Police Department Highway Safety Coordinator and Assistant's salaries.

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

That the Mayor or City Manager is authorized to submit an application to the WV Governor's Highway Safety Program in the amount of \$537,600 and administer any funds awarded. The funds will be used to reimburse overtime expended by Charleston Police and law enforcement agencies in the eight-county Metro Valley Highway Safety Region for traffic safety enforcement activities, equipment purchases and travel/training, as well as partial reimbursement for the Charleston Police Department Highway Safety Coordinator and Assistant's salaries.

Councilmember Jenkins added that this is an annual grant that has been submitted for many years. An example of how the funds are for DUI checkpoints.

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. 878-23 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. 879-23 be adopted.

Resolution No. 879-23 - Authorizing the Mayor or City Manager to submit a grant application to the Division of Administrative Services Justice and Community Services Division in the amount of \$56,000 and administer any funds awarded. These funds will provide partial salary reimbursement for two of the Charleston Police Department Prevention Resource Officers (PRO) assigned to West Side Middle School and Capital High School. There is a 25% required match that will be met by the un-reimbursed officer salary portion absorbed by the police department's salary and wage budget.

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

That the Mayor or City Manager is authorized to submit a grant application to the Division of Administrative Services Justice and Community Services Division in the amount of \$56,000 and administer any funds awarded. These funds will provide partial salary reimbursement for two of the Charleston Police Department Prevention Resource Officers (PRO) assigned to West Side Middle School and Capital High School. There is a 25% required match that will be met by the un-reimbursed officer salary portion absorbed by the police department's salary and wage budget.

Councilmember Jenkins added that this is also an annual grant that has been submitted for many years. The Prevention Resource Officers are well regarded in the schools that they serve.

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. 879-23 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. 880-23 be adopted.

Resolution No. 880-23 - Authorizing the Mayor or City Manager to enter into a Memorandum of Understanding with the Kanawha County Board of Education for continued placement of three Prevention Resource Officers at schools in Charleston – West Side Middle School, Capital High School and George Washington High School.

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 Memorandum of Understanding with the Kanawha County Board of Education for continued placement of three Prevention Resource Officers at schools in Charleston – West Side Middle School, Capital High School and George Washington High School.

Councilmember Jenkins added that these MOUs are the same as have been previously approved. They are related to the previous resolution for the Prevention Resource 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. 880-23 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. 881-23 be adopted.

Resolution No. 881-23 - Authorizing the Mayor or City Manager to submit a grant application to the Division of Administrative Services Justice and Community Services Division in the amount of \$112,000 and administer any funds awarded. These funds will provide partial salary reimbursement for four members of the Metropolitan Drug Enforcement Network Team (MDENT) from Charleston, Nitro, St. Albans and South Charleston Police Departments. There is a 25% required match that will be met by the un-reimbursed officer salary portion absorbed into each of those city's police salary and wage budgets.

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

That the Mayor or City Manager is authorized to submit a grant application to the Division of Administrative Services Justice and Community Services Division in the amount of \$112,000 and administer any funds awarded. These funds will provide partial salary reimbursement for four members of the Metropolitan Drug Enforcement Network Team (MDENT) from Charleston, Nitro, St. Albans and South Charleston Police Departments. There is a 25% required match that will be met by the un-reimbursed officer salary portion absorbed into each of those city's police salary and wage budgets.

Councilmember Jenkins added that this is another long-standing grant for funds for MDENT.

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. 881-23 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. 882-23 be adopted.

Resolution No. 882-23 - Authorizing the Mayor or City Manager to enter into a three-year agreement with DC Elevator Company, Inc. for annual maintenance of elevators in four of the City of Charleston's parking garages, where the total amount of the three-year agreement is \$90,720, plus overtime callout service as needed at \$134.43 per hour, and where the vendor and price were determined through 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 three-year agreement with DC Elevator Company, Inc. for annual maintenance of elevators in four of the City of Charleston's parking garages, where the total amount of the three-year agreement is \$90,720, plus overtime callout service as needed at \$134.43 per hour, and where the vendor and price were determined through a competitive bidding process.

Councilmember Jenkins added that the lowest bidder has been awarded. The contract is less than the current one.

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. 882-23 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. 883-23 be adopted.

Resolution No. 883-23 - Authorizing the Mayor or City Manager to enter into an Easement Agreement with Goodwill Industries of Kanawha Valley, Inc. for pedestrian access to the concrete sidewalk located between 505 Leon Sullivan Way and 507 Leon Sullivan Way.

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 Easement Agreement with Goodwill Industries of Kanawha Valley, Inc. for pedestrian access to the concrete sidewalk located between 505 Leon Sullivan Way and 507 Leon Sullivan Way.

Councilmember Jenkins added that the easement should have been within the lease with Goodwill. The area is a small walkway between the two buildings.

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. 883-23 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. 884-23 be adopted.

Resolution No. 884-23 - Authorizing approval of Amendment No. 3 of the FY 2023-2024 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. 3 of the FY 2023-2024 General Fund Budget as indicated on the attached list of accounts is approved.

Councilmember Jenkins added that the amendment will add an Administrative Assistant for the Street Department within the Public Works Department to help with calls, scheduling, follow-ups with the public, etc. The amendment takes funds from the contingency line item and moves it to the new position.

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

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:

ABSENT: Burka

With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Resolution No. 884-23 as adopted.

General Fund FY 2023-2024 Budget Amendment No. 3 - September 18, 2023**Revenues and Fund Balances**

Account No.	Department	Account Description	Current Amount	Increase/ (Decrease)	Amended Amount
					-
Net Increase/(Decrease) to Revenues				-	

Expenditures

Account No.	Department	Account Description	Current Amount	Increase/ (Decrease)	Amended Amount
001 699 00 000 5 598	Contingency	Contingency	336,432	(52,466)	283,966
001 566 00 000 1 103	Public Works	Salaries & Wages	199,495	37,044	236,539
001 566 00 000 1 104	Public Works	FICA	15,261	2,834	18,095
001 566 00 000 1 105	Public Works	Medical & Life Insurance	26,858	8,956	35,814
001 566 00 000 1 106	Public Works	PERS	17,955	3,334	21,289
001 566 00 000 1 111	Public Works	Dental & Optical Insurance	1,458	486	1,944
001 566 00 000 1 112	Public Works	Employee Insurance Cont.	(3,375)	(1,125)	(4,500)
001 566 00 000 2 226	Public Works	Insurance - WC & UC	2,811	937	3,748
Net Increase/(Decrease) to Expenditures				-	

Description:

To create a new position Administrative Assistant I (N-OT/109) in Public Works to assist with Public Grounds.

REPORTS OF OFFICERS

None

NEW BILLS

Introduced by Councilmember Michael Ferrell

September 18, 2023:

Bill No. 8012 – A Bill to repeal Ordinance 7393 passed by Council 7/6/2009 creating a 15 Minute Parking Tow Away Zone on the westerly side of Buchanan Street and amending the Traffic Control Map and Traffic Control File

Refer to Planning, Streets and Traffic Committee, Please

Introduced by Councilmembers Chad Robinson, Bruce King, Frank Annie, Mary Beth Hoover and Jennifer Pharr

September 18, 2023:

Bill No. 8013 – A BILL to amend and reenact the Municipal Code by adding thereto a new related to authorizing Private Outdoor Designated Areas.

Refer to Ordinance and Rules Committee, Please

MISCELLANEOUS/UNFINISHED BUSINESS

None

REMARKS BY MEMBERS

1. Mayor Goodwin stated that Larry Ford, Director of the Spring Hill Cemetery, recently received the We Love Our Community Award. The Here to Serve meetings will begin again starting tomorrow night. The Mayor added that they are working on an update to the City's 10-Year Plan. Councilmembers and the Community will have the opportunity to provide input.
2. Councilmember Robinson stated that there will be an Ordinance and Rules Committee meeting on September 21st. There will likely be another meeting prior to the next Council meeting. He added that there has been no work on MacCorkle Avenue for the past three weeks. The State is now not going to be finished with the current eight-block section until October of 2024. Residents of Kanawha City have been dealing with this construction for the past sixteen months to the detriment of the neighborhood.
3. Councilmember Snodgrass stated that she has received a lot of inquiries about overspending for overtime in the CPD. She called for an internal audit to ensure the overtime was done properly.
4. Councilmember Moore presented the Mayor with her award from the West Side Health Fair.
5. Councilmember Solomon stated the last Thursday was the first ever Appalachian-wide Save A Life Day. He added that the event started in the Kanawha Valley.
6. Councilmember Kerns stated that the CPD overtime is being accrued by the higher-ranking officers, and is not due to shortages. Excess overtime work has many negative health consequences.

7. Councilmember Jones stated that his wife, Connie Jones, is sponsoring a team for the Fox Trot For Parkinson's Research.
8. Councilmember Faegre stated that there used to be a lot of crime and violence in the City, primarily on the East End and West Side. These higher-ranking officers attend many community meetings and likely get called out frequently. All officers put their lives at risk to serve the City. She didn't know why so much attention is being paid to this now when it has been occurring for many years.

ADJOURNMENT

City 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:

ABSENT: Burka

At 7:51 p.m., by a motion from Councilmember Hoover, Council adjourned until Monday, October 2, 2023, 7:00 p.m., in Council Chambers at City Hall.

Amy Shuler Goodwin, Honorable Mayor

Miles C. Cary II, City Clerk