



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

CITY OF CHARLESTON, WEST VIRGINIA

Regular Meeting – Monday, October 16, 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 October on the 16th day, in the year 2023, and was called to order by the Honorable Mayor, Amy Shuler Goodwin. The invocation was delivered by Councilmember Kerns, and the Pledge of Allegiance was led by Councilmember Burka. 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**

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

**BURTON
FAEGRE
HAAS
JONES
MINARDI
PEPPER
RUBIO
SOLOMON
MAYOR GOODWIN**

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

Taylor'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. Elisa Payne - Spoke about House Rule 24.
2. Lawrence Charles – Spoke about festivals.

CLAIMS

1. A claim of Patricia Ann Kendrick, Charleston, WV alleges damage to vehicle.
2. A claim of John M. Lee, Charleston, WV alleges damage to vehicle.

PROCLAMATIONS

None

COMMUNICATIONS

None

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. 893-23 be adopted.

Resolution No. 893-23 - Authorizing the Mayor or City Manager to enter into any necessary documents to effectuate trade of property from the City to the Charleston Land Reuse Agency being those located at 1801 7th Avenue, 1803 7th Avenue, 908 Grant Street, 1535 3rd Avenue, 1538 2nd Avenue, 1540 2nd Avenue, 629 Main Street, 2640 Kanawha Blvd. East, and 1904 Iris Drive in exchange for property from the Charleston Land Reuse Agency to the City being those located at 6 Glennwood Avenue, 515.5 Mary Street, 321 Garrison Avenue, PT LT 13 G E HILL EST 9-3/10A; MAGAZINE HGTS, PT SEC 6 BK 7 GEBHART ADN, LT B Amaron Street, RESERVED TRACT BB SEC 8; FOREST HILLS ADN, and 507 Westmoreland Road being properties of greater size for the purpose of supporting infrastructure and increasing public open space within the City without any detrimental impact on the City.

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

That the City Council hereby finds as follows:

That the Charleston Land Reuse Agency was created by City Council to facilitate that acquisition and disposition of property to support land recycling through conservation and redevelopment within the City of Charleston.

That the Board of Directors of the Charleston Land Reuse Agency has authorized the Chair to enter into any necessary documents to effectuate the transfer of the above stated properties.

That the properties to be received by the City will support infrastructure and expansion of public open space within the City.

That the properties to be transferred to the Charleston Land Reuse Agency will support its mission of land recycling.

And, therefore, that the Mayor or City Manager is hereby authorized to enter into any necessary documents to effectuate the transfer of the 9 parcels to the Charleston Land Reuse Agency in exchange for receipt of 8 parcels from the same.

Councilmember Jenkins added that the City has parcels that would be better suited for the Charleston Land Reuse Agency. Likewise, the CLRA has several parcels near City parks that would be better suited to be controlled by the City.

Councilmember Pepper added that the resolution would add almost ten acres to Cato Park and six and a half acres to Danner Meadow Park. It also allows the CLRA agency to take control of property that could be redeveloped.

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. 893-23 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. 894-23 be adopted.

Resolution No. 894-23 - Authorizing the Finance Director to amend the 2019 CDBG-CV budget and the 2021 and 2023 Community Development Block Grant budgets as indicated on the accounts listed below.

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

That the Finance Director is hereby authorized and directed to amend the 2019 CDBG-CV budget and the 2021 and 2023 Community Development Block Grant budgets as indicated on the accounts listed below:

Funds moved from completed/cancelled projects:

Account Number	Description	Amount
009-019-01-001-0-999	CDBG-CV Admin	(\$64,587.66)
009-021-00-002-0-999	YWCA Sojourners	(\$15,720.00)
009-021-01-199-0-999	Contingencies	\$15,720.00

Funds transferred to other projects to cover additional costs:

Account Number	Description	Amount
009-019-01-011-0-999	CDBG-CV Care Office	\$64,587.66
009-021-01-199-0-999	Contingencies	(\$219,252.60)
009-023-00-032-0-999	ADA Ramps	\$219,252.60

The City proposes to cancel funding for CDBG-CV Admin and CDBG YWCA Sojourners and move funds from Contingencies to provide additional CDBG-CV funds to CDBG-CV Care Office and CDBG funds to ADA Accessible Ramps and Sidewalks.

Councilmember Jenkins added that the resolution moves leftover funds from completed/cancelled projects from previous budgets to current projects.

Councilmember Kerns asked if any funds would be put into the Police retirement fund. Councilmember Jenkins replied that CDBG funds are granted by the Federal Government for very specific uses.

Councilmember Steelhammer asked where the ADA ramps would be located. Mayor Goodwin

replied that they would send the list to her.

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. 894-23 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. 895-23 be adopted.

Resolution No. 895-23 - Authorizing the Mayor or City Manager to purchase sixteen (16) handheld UHF radios and equipment for the Charleston Police Department from Discount Communications and Electronics in the amount of \$29,846.50 pursuant to a competitively sourced State contract. This equipment is for new officers and to replace malfunctioning radios.

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

That the Mayor or City Manager is authorized to purchase sixteen (16) handheld UHF radios and equipment for the Charleston Police Department from Discount Communications and Electronics in the amount of \$29,846.50 pursuant to a competitively sourced State contract.

Councilmember Jenkins added that the resolution is for the annual purchase of handheld radios for replacements and new 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. 895-23 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. 896-23 be adopted.

Resolution No. 896-23 - Authorizing the Mayor or City Manager to purchase a Fire Boat from Lake Assault Boats, LLC in the amount of \$587,862.63, where the vendor maintains a competitively sourced government contract with HGAC, and will be paid for, in part, with federal grant funds.

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

That the Mayor or City Manager is authorized to purchase a Fire Boat from Lake Assault Boats, LLC in the amount of \$587,862.63, where the vendor maintains a competitively sourced government contract with HGAC, and will be paid for, in part, with federal grant funds. Resolution No. 731-22, adopted November 7, 2022, is rescinded.

Councilmember Jenkins added that the resolution is the third time the City has attempted to purchase a fire boat. The last attempt was under contract when the vendor notified the City that they could not fulfill the order. The City is currently seeking to obtain the difference in price from that vendor.

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. 896-23 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. 897-23 be adopted.

Resolution No. 897-23 - Authorizing the Mayor or City Manager to enter into a contract with Harris Brothers Roofing Company in the amount of \$997,500.00, for the repair and replacement of a roof and HVAC system at the Kanawha City Community Center, where the price was determined through a competitive bidding process.

Now, therefore, 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 Harris Brothers Roofing Company in the amount of \$997,500.00, for the repair and replacement of a roof and HVAC system at the Kanawha City Community Center, where the price was determined through a competitive bidding process.

Councilmember Jenkins added that the HVAC system replacement is very much needed as there has been no air conditioning over the summer.

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. 897-23 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. 898-23 be adopted.

Resolution No. 898-23 - Authorizing approval of Amendment No. 4 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. 4 of the FY 2023-2024 General Fund Budget as indicated on the attached list of accounts is approved.

Councilmember Jenkins added that the surplus from the Unassigned Budget largely comes from an underestimation in B&O taxes. The amendment accounts for purchases planned for but not yet spent. It also transfers funds for materials to the CARE Office, to the Claims and Damages Fund (the potential insurance amount), to the demolition of abandoned buildings, for AED devices, to the General Engineering Maintenance Fund (for the North Charleston Turfing Project and converting City lights to LED), for the HVAC replacement at Kanawha City Community Center, to the Public Safety Center, for materials for the Humane Officers and for the Capital Sports Center.

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

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

NAYS:

ABSENT: Taylor

With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Resolution No. 898-23 as adopted.

REPORTS OF OFFICERS

1. Report of the City of Charleston Payroll Variance Analysis; September 2023.
2. Municipal Court Report to City Council Month Ending September 2023.
3. City Treasurer's Report to City Council Month Ending September 2023.
4. City Center Business Improvement District 2023 Annual Report.

NEW BILLS

Introduced by Councilmember Chelsea Steelhammer

October 16, 2023:

Bill No. 8016 – A Bill to create a NO PARKING ANYTIME zone on the northerly side of Franklin Avenue and amending the Traffic Control Map and Traffic Control File
Refer to Planning, Streets and Traffic Committee, Please

Introduced by Councilmembers Bruce King, Chad Robinson and Joe Solomon

October 16, 2023:

Bill No. 8017 – A Bill to establish an ALL-WAY STOP at the intersection of Virginia Avenue S.E. and 40th Street South East and amending the Traffic Control Map and Traffic Control File
Refer to Planning, Streets and Traffic Committee, Please

Introduced by Councilmembers Joe Solomon, Frank Annie, Chelsea Steelhammer and Chuck Overstreet

October 16, 2023:

Bill No. 8018 – A BILL to amend the Municipal Code by adding a new section relating to creating a Charleston Fire Department sick leave pool for uniformed employees
Refer to Finance Committee, Please

Introduced by Councilmember Becky Ceperley

October 16, 2023:

Bill No. 8019 – A BILL enacting a special ordinance of the City of Charleston authorizing the City Manager or Mayor to enter into contracts with the West Virginia Department of Transportation, Division of Highways relating to Governor Jim Justice's and Secretary of Transportation/Commissioner of Highways Jimmy Wriston's use of Infrastructure and Investment Jobs Act funding on Non State-owned bridges.
Refer to Finance Committee, Please

MISCELLANEOUS/UNFINISHED BUSINESS

None

REMARKS BY MEMBERS

1. Mayor Goodwin stated that the 5-Corners project is over halfway complete. The City is applying for funds for Blaine Boulevard. The Herbert and Gloria Jones Woodland Trail will likely be completed by the end of the year. The Mayor thanked the CPD responding to Councilmember Burka's concerns with traffic problems in Kanawha City. The Mayor wished Councilmember Haas a quick recovery.
2. Councilmember Snodgrass asked for confirmation that the West Virginia State Auditor issued a subpoena lasty week to the City. She asked who represented the City.
3. Councilmember Kerns asked for an update on how many certified uniformed Police Officers there were.
4. Councilmember Burka thanked the CPD as well for quick response to the traffic issue.

ADJOURNMENT

City 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, Minardi, Moore, Overstreet, Pepper, Pharr, Robinson, Rubio, Salango, Snodgrass, Solomon, Steelhammer, Mayor Goodwin

NAYS:

ABSENT: Taylor

At 7:38 p.m., by a motion from Councilmember Ceperley, Council adjourned until Monday, November 6, 2023, 7:00 p.m., in Council Chambers at City Hall.

Amy Shuler Goodwin, Honorable Mayor

Miles C. Cary II, City Clerk