



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

CITY OF CHARLESTON, WEST VIRGINIA

Regular Meeting – Monday, August 7, 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 August on the 7th 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 Taylor. City Clerk, Miles C. Cary II, called the roll of members and it was found that there were present at the time:

ANNIE	BURKA	BURTON
CEPERLEY	COOK	FAEGRE
FERRELL	GIANOLA	HAAS
HOOVER		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.

Jenkin'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. Kennie Bass – Spoke about a request he had made concerning overtime spending by the Charleston Police.
2. Howard Swint – Spoke about the Sports Center.
3. Kalyn Obiozor-Dorey (West Virginia Development Community Development Hub) – Spoke about a long-term planning grant for the West Side.
4. Michael Benlike – Spoke about the retention of the Charleston Police Chief.
5. Martec Washington – Spoke about the Westside trash cans.
6. Dr. Adina Bowe – Spoke in favor of Resolution No. 862-23.
7. Sharon Lewis for Octavin Cordon - Spoke in favor of Resolution No. 862-23.
8. Traci Strickland - Spoke in favor of Resolution No. 862-23.
9. Bryan Stephey - Spoke in favor of Resolution No. 862-23.
10. Kenny Matthews - Spoke in favor of Resolution No. 862-23.
11. F.A. Sines Jr. - Spoke against Resolution No. 862-23.
12. Christy Day - Spoke against Resolution No. 862-23.
13. Pan Van Horn - Spoke against Resolution No. 862-23.
14. Michael Woody - Spoke against Resolution No. 862-23.
15. Thom Stevens - Spoke against Resolution No. 862-23.

*Councilmember Solomon motioned to allow any other speaker not already signed up to be allowed to speak for one minute each. Councilmember Steelhammer seconded the motion.

Councilmember Ceperley spoke against the motion, stating that there has already been a public hearing concerning Resolution No. 862-23 in addition to the letters and calls that have been sent to Council. Additionally, there are already more speakers allowed than the Code calls for.

Councilmember Pepper spoke against the motion, agreeing with Councilmember Ceperley.

Councilmember Faegre spoke against the motion. She asked if Councilmember Solomon would agree to amend the motion to instead allow for a sixth person to speak from each side. Councilmember Solomon declined.

Councilmember Steelhammer spoke in favor of the motion, saying the comments they received did not seem to be 50/50.

Councilmember King disagreed with Councilmember Steelhammer's statement.

Councilmember Snodgrass spoke in favor of the motion.

Councilmember Pharr spoke in favor of the motion.

With members present recorded thereon as voting in the majority in the negative, the Mayor declared the motion as failed.

CLAIMS

1. A claim of Carol Hays, Elkview, WV alleges personal injury.
2. A claim of Henry James Johnson III, Charleston, WV alleges damage to property.
3. A claim of Roger L Spaulding, Charleston, WV alleges damage to vehicle.
4. A claim of Michael Taylor, Charleston, WV alleges damage to vehicle.

PROCLAMATIONS

EXECUTIVE DEPARTMENT CITY OF CHARLESTON PROCLAMATION

WHEREAS: Youth sports are a good way to increase physical activity, develop lifelong habits for good health and encourage confidence and teamwork; and

WHEREAS: Playing sports help our youth develop leadership skills while also helping our young people communicate and problem solve in school and later in their lives in the workforce; and

WHEREAS: Coaches – like Bo King, Jason Martin and Calvin Edwards – do more than teach a sport. They are mentors, a listening ear and the inspiration that guides and shapes the lives of our young athletes; and

WHEREAS: The City of Charleston is home to many sports teams – including several championship teams; and

WHEREAS: The Creating the Advantage 2nd Grade Basketball Team worked hard to become the Tournament Champions at Hustle Hoopfest, LeRon King Classic, Dru Joyce Classic, Hustle Heat Check, and Billy Sloan Classic.

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

CREATING THE ADVANTAGE 2ND GRADE BASKETBALL TEAM

for their accomplishments—achieving a record of 37-3, and earning the title of 2023 USBA National Champions.

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the Executive Department to be affixed this 7th day of August 2023.

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

**EXECUTIVE DEPARTMENT
CITY OF CHARLESTON
PROCLAMATION**

WHEREAS: Influenced by hip-hop, street funk, and martial arts—Fik-Shun, the winner of the “So You Think You Can Dance” season 10, brings people together through content creation on Instagram, Facebook, TikTok, and YouTube; and

WHEREAS: Fik-Shun developed a connection to music and extraordinary improvisational skills through dance and martial arts—helping him discover a special way to relate to music and movement, and inspiring other dancers; and

WHEREAS: The viral and talented content creator will headline the pre-game talent showcase, which includes local performers, as part of African American Heritage Night at GoMart Ballpark; and

WHEREAS: The African American Heritage Night headliner performance is made possible through the collective efforts of the Charleston Dirty Birds, Charleston Convention and Visitors Bureau, City of Charleston, and the YWCA Charleston Racial Equity and Inclusion Program; and

WHEREAS: Fik-Shun’s participation in African American Heritage Night further supports the work being done in Charleston to celebrate diversity, foster cultural awareness, and elevate those making a positive impact in our communities; and

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

DUSHAUNT “FIK-SHUN” STEGALL

For bringing people together in celebration of dance, music, culture, and diversity.

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the Executive Department to be affixed this 7th day of August 2023.



A handwritten signature in blue ink, appearing to read "Amy Shuler Goodwin", is written over a horizontal line. Below the line, the name "Amy Shuler Goodwin, Mayor" is printed in a standard black font.

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 PLANNING COMMISSION

DATE: AUGUST 7, 2023

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

Adam Krason – term expiration date 7-1-2025
Corey Stout – term expiration date 7-1-2025
JoEllen Zacks - term expiration date 7-1-2026

I recommend the following individuals be appointed to the Municipal Planning Commission:

Brady Campbell – term expiration date 7-1-2024
Doug Hartley – term expiration date 7-1-2025
Alex Zurbuch – term expiration date 7-1-2026

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.

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: CHARLESTON COLISEUM & CONVENTION CENTER BOARD

DATE: AUGUST 7, 2023



I recommend the following individual be reappointed to the Charleston Coliseum & Convention Center Board:

Andy Richardson. Mr. Richardson's term will expire June 22, 2027.

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.

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: AUGUST 7, 2023

A handwritten signature in blue ink, appearing to be "ASG", is written over the "FROM" line of the memo.

I recommend Alisa Bailey be appointed to the Spring Hill Cemetery Park Commission. Ms. Bailey is filling a vacancy on the Commission and her term expiration date will be April 6, 2029.

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.

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: GREEN TEAM

DATE: AUGUST 7, 2023

A handwritten signature in blue ink, appearing to be "ASG", is written over the "FROM" line of the memo.

I recommend the following individual be appointed to the Charleston Green Team:

Robin Sylvester - fills a vacant seat

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.

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: BOARD OF ZONING APPEALS

DATE: AUGUST 7, 2023



I recommend the following individual be appointed to the Board of Zoning Appeals:

Todd Moore – Mr. Moore is filling a vacant seat and his term expiration date is 1-1-2025

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.

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: POLICE CIVIL SERVICE COMMISSION

DATE: AUGUST 7, 2023

A handwritten signature in blue ink, appearing to be "ASG", is written over the "FROM" line of the memo.

I recommend the following individual be reappointed to the Police Civil Service Commission:

Stephanie Holbrook Daly. Ms. Daly's term will expire February 4, 2026.

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.

MISCELLANEOUS RESOLUTIONS

Resolution No. 862-23

Introduced in Council:

Adopted by Council:

August 7, 2023

Introduced by:

Referred to:

Chelsea Steelhammer,
Frank Annie, Mary Beth Hoover
and Joe Solomon

Resolution No. 862-23 - Supporting the applications for licensure of the syringe services program by Women's Health Center of West Virginia, Inc. at 510 Washington Street West.

WHEREAS, Women's Health Center of West Virginia, Inc. notified the City of Charleston on June 8, 2023, of its intention to file a licensure application for a syringe services program with the Office of Health Facility Licensure & Certification; and

WHEREAS, Women's Health Center of West Virginia, Inc. requested a resolution or letter of support from the Charleston City Council, as required by West Virginia Code Chapter 16, Article 63; and

WHEREAS, Section 78-384 of the Municipal Code of the City of Charleston places additional requirements for public input before City Council may support such syringe services programs; and

WHEREAS, Women's Health Center of West Virginia, Inc., provided notice by mail to every address within a two-block radius of its proposed syringe services program location that there was a public hearing scheduled for July 27, 2023, at the Goodwill Prosperity Center, located at 215 Virginia Street West; and

WHEREAS, the City of Charleston placed notice of the public hearing on the City website, along with the program's application, as required by Section 78-384 of the Municipal Code of the City of Charleston; and

WHEREAS, the City Council for the City of Charleston held a public hearing regarding the proposed location for the Women's Health Center of West Virginia, Inc. syringe services program on July 27, 2023, at the Goodwill Prosperity Center, which hearing was recorded and made available online to the public; and

WHEREAS, the City Council for the City of Charleston solicited and accepted public input on the proposed syringe services program at the public hearing, allowed written comments to be submitted,

and provided Women’s Health Center of West Virginia, Inc. with an opportunity to provide information on its program; and

WHEREAS, the public was further permitted to submit written comments up until the time of the council meeting at which this resolution is discussed, which is at least one week after the public hearing; and

WHEREAS, following a review of the application, and taking all of the public comments into consideration, the City Council of the City of Charleston finds that it is in the best interest of the City and the residents and businesses of the City to support the syringe services program application of Women’s Health Center of West Virginia, Inc.

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

That the City Council of the City of Charleston hereby expresses its support for the application for licensure of the syringe services program by Women’s Health Center of West Virginia, Inc. at 510 Washington Street West. The City Clerk is directed to send a certified copy of this resolution to Women’s Health Center of West Virginia, Inc.

Councilmember Steelhammer added that in 2021 Charleston had the most concerning HIV outbreak according to the CDC. City Council also increased the standards for harm reduction programs in 2021. The zip code where the Women’s Health Center is located has the highest overdoses in the State. Councilmember Steelhammer urged passage to save the lives of community members.

Councilmember Overstreet expressed concerns that they might be helping one thing and hurting another. He added that he has heard more negatives than positives about the issue.

Councilmember Cook asked that Council speak with purpose and kindness, toward a goal of greater understanding. She encouraged Council to respect each other during the debate.

Councilmember Annie added that there are serious cardiology issues and skin infections associated with drug needle use. Syringe service programs provide trust that isn’t present in hospitals. There are currently 508 cases of Hepatitis-C active users in the City. Councilmember Annie added that the merits of the application should be judged on the conditions set forth by Council in 2021. Thirty years of research shows that these programs work.

Councilmember Jones asked why Charleston always has to have the needle exchanges. He suggested that if drugs were that bad on the West Side, then they should call the DEA Task Force Officers. He went to an all-female recovery meeting, and was told they would have never got into recovery if a needle exchange program had been available to them.

Councilmember Pepper asked what issues would the resolution address. Councilmember Steelhammer replied that people are five times more likely to seek medical care/counseling/recovery with a harm reduction program. Councilmember Pepper asked if those needs existed outside of the City. Councilmember Steelhammer replied that the problem is national. Councilmember Pepper asked if there were any other syringe service programs offered in Kanawha County. Councilmember Steelhammer replied there is one other program run by Health Right on the East End of Charleston. Councilmember Pepper added that the issue should not be politicized. Councilmember Pepper added that he has not heard that the Kanawha County Commission would support the application. He would want to hear recommendations from public health experts as to what would be best for the region.

Councilmember Pepper motioned to Postpone Resolution No. 862-23 until November 6, 2023. Councilmember Taylor seconded the motion.

Councilmember Faegre spoke against the postponement.

Councilmember Taylor spoke in favor of the postponement.

Councilmember Steelhammer spoke against the postponement.

YEAS: Burka, Ceperley, Pepper, Pharr, Taylor

NAYS: Annie, Burton, Cook, Faegre, Ferrell, Gianola, Haas, Hoover, Jones, Kerns, King, Minardi, Moore, Overstreet, Robinson, Rubio, Salango, Snodgrass, Solomon, Steelhammer, Mayor Goodwin

ABSENT: Jenkins

With members present recorded thereon as voting five in the negative, with five (5) Yeas and twenty-one (21) Nays, the Mayor declared the postponement as failed.

Councilmember Faegre added that the Women's Health Center did reach out to her, as the Councilmember for their Ward. Councilmember Faegre added that she didn't think the Women's Health Center has fulfilled the requirements with their application. She has been told by three active female leaders in the community that they do not support this application. Councilmember Faegre added that the Women's Health Center does a great job at catering to the needs of women in the community. She added that she is in favor of harm reduction, but not at the Women's Health Center.

Councilmember Moore added that he has heard from a lot of his representatives that they are not against harm reduction, but decisions are being made without their consent.

Councilmember Kerns added that she has had many people reach out to her in favor of the

harm reduction program.

Councilmember Pharr added that she has had personal experience with a family member suffering from addiction. She did not think the bill Council passed in 2021 was restrictive enough as it related to the “others” that have to deal with active addiction. Councilmember Pharr added that she has only seen two public speakers that look like her speak about how recovery has helped them. She added that the Women’s Health Center’s application meets the requirements set forth in Code, but she did not believe that it covers everything that it needs to cover. Families and neighbors need to be included in the data.

Councilmember Steelhammer added that the Women’s Health Center will provide Narcan and fentanyl test strips. A person does not have to be using injectable drugs to receive treatment. There will be a 24 hour syringe pickup hotline. She added that the Women’s Health Center will not be engaging minors. Councilmember Steelhammer corrected that Hepatitis C is not the lowest it’s been since 2015.

Councilmember Steelhammer moved to approve the resolution. Councilmember Solomon seconded the motion.

YEAS: Annie, Cook, Hoover, Kerns, Pepper, Pharr, Rubio, Solomon, Steelhammer, Taylor, Mayor Goodwin

NAYS: Burka, Burton, Ceperley, Faegre, Ferrell, Gianola, Haas, Jones, King, Minardi, Moore, Overstreet, Robinson, Salango, Snodgrass, Taylor, Mayor Goodwin

ABSENT: Jenkins

With members present recorded thereon as voting in the majority in the negative, with nine (9) Yeas and seventeen (17) Nays, the Mayor declared Resolution No. 862-23 as not adopted.

*With unanimous consent, Council took a ten minute recess.

Resolution No. 863-23

Introduced in Council:

August 7, 2023

Adopted by Council:

Introduced by:

Elizabeth Kerns

Shannon Snodgrass

Pam Burka

Referred to:

Resolution No. 863-23 - Call for action by Mayor Amy Goodwin to seek an outside independent investigation surrounding the inappropriate behavior of Chief of Police James “Tyke” Hunt on City owned property and utilizing a cellphone funded by taxpayers’ money.

WHEREAS, the Professional Standards Division (PSD) was established in 1996 and operates under the authority of the Office of the Chief of Police. This Division is charged with ensuring Departmental compliance with established policies and procedures.

WHEREAS, the inherent goal of the Charleston Police Department is to safeguard and maintain public trust and confidence by its responsiveness to community needs. To this end, the PSD monitors employee behavior to identify and implement corrective training in recognized areas. The Division also investigates or coordinates investigations of all complaints and/or reports of officer misconduct that tends to discredit an officer or the Police Department. In addition, the PSD reviews all use of force and vehicle pursuit incidents.

WHEREAS, the Mission of the Professional Standards Division is to review officer involved critical incidents and investigate complaints received on sworn and non-sworn employees of the Charleston Police Department. Further, to identify any training issues and notify the Administration of such needs. All complaints, whether received from residents or from agency employees, will be thoroughly investigated to ensure the integrity of the Charleston Police Department.

WHEREAS. The Professional Standards Division (PSD) of the Charleston Police Department maintains separate duties and responsibilities from the Human Resources Department (HR) of the City of Charleston. This matter was referred by the City only to HR, citing a conflict of interest with the PSD that Chief Hunt oversees. HR, by example, has no jurisdiction over Chief Hunt’s civil service rank, which he maintains even as the appointed Chief of Police. Chief Hunt should be held to the same professional standards as any other uniformed and non-uniformed officers subject to the PSD. Merely referring this matter to HR took Chief Hunt outside of the purview of the PSD where he may have been subject to civil service discipline that HR does not control.

WHEREAS, after the inappropriate behavior of Chief of Police James “Tyke” Hunt on City owned property and utilization of a cellphone funded by taxpayers’ money has become public knowledge, acknowledged by City Attorney Kevin Baker, and admitted by Chief James “Tyke” Hunt cannot be investigated by the Professional Standards of Charleston Police Department as those involved in the

investigation would be under the command of Chief Hunt which would create a conflict of interest.

Now, therefore, be it Resolved by the Council of the City of Charleston, West Virginia:
hereby calls for action by Mayor Amy Goodwin to initiate an outside independent investigation surrounding the inappropriate behavior of Chief of Police James “Tyke” Hunt on City owned property and utilizing his cellphone funded by taxpayers’ money.

Councilmember Snodgrass added that an outside review should have happened from day one. The City claims it had to review this matter through Human Resources. She added that Chief Hunt is still subject to review by Professional Standards Review. The Chief Of Police needs to be held to a higher standard. The FBI does not have to release their report, but they did not investigate the Chief’s misconduct. Councilmember Snodgrass stated that no one knew that Chief Hunt had received three days off after the HR investigation. The resolution would allow an outside agency.

Councilmember Burka added that there needs to be an outside investigation to find out what happened, adding that positions of power should be held to a higher standard.

Councilmember Faegre added that she does not condone extra marital behavior, and added that this will not be the last incident of ‘hanky-panky’ in government. Councilmember Faegre spoke against the resolution.

Councilmember Kerns added that it would have been impossible for Professional Standards to review Chief Hunt because the Chief of Police is over them. Therefore, it should have gone to an outside agency.

Councilmember Jones asked if the investigation conducted by Human Resources was done according to City rules, and was the resulting punishment adequate. City Attorney, Kevin Baker, replied that the investigation was done according to the City’s HR policies. The only person who has the authority to remove the Chief of Police is the Mayor.

Councilmember King spoke against the resolution. He added that it was ridiculous, and questions the integrity of the Administration. He asked what outside organization would have the authority to investigate.

Councilmember Annie asked what outside agency would conduct the investigation. Councilmember Kerns replied that the State Police could. She added that she was aware of several Police Officers being fired for misusing their vehicles.

Councilmember Minardi confirmed that the Chief of Police is treated like any other City employee. He confirmed with Baker that the same process would apply to any other City

employee.

Councilmember Steelhammer asked why did Professional Standards not investigate. Baker replied that the Professional Standards Division is set up to investigate accusations of wrongdoing down the chain of command. They make recommendations for discipline to the Chief, who then decides. That officer then has the right to appeal that decision to the Civil Service Commission. There is no body that can make a recommendation about the Chief to the Chief. The Mayor is the only person who can discipline/remove the Chief of Police.

Councilmember Gianola added that he has no suspicion against the Administration. He will be voting in favor of the resolution because it is the strong desire of his constituents.

Councilmember Overstreet asked how the discipline was determined. Baker replied that City employees could receive verbal or written warnings, suspensions of up to 5 days or termination. Councilmember Overstreet added that there didn't seem to be a standard policy for misuse of City phone.

Councilmember Taylor asked if Baker was aware of any statute, regulation or rule that would obligate any other investigative body to pursue the investigation proposed by the resolution. Baker replied no.

Councilmember Snodgrass added that the offenses that have been made public are fireable under the code of conduct. The governing body owes it to the taxpayers to be open and transparent. It is not right to have separate standards.

Councilmember Kerns moved to approve the resolution. Councilmember Burka seconded the motion.

YEAS: Annie, Burka, Gianola, Kerns, Snodgrass,

NAYS: Burton, Ceperley, Cook, Faegre, Ferrell, Haas, Hoover, Jones, King, Minardi, Moore, Overstreet, Pepper, Pharr, Robinson, Rubio, Salango, Solomon, Steelhammer, Taylor, Mayor Goodwin

ABSENT: Jenkins

With members present recorded thereon as voting in the majority in the negative, with five (5) Yeas and twenty-one (21) Nays, the Mayor declared Resolution No. 863-23 as not adopted.

REPORTS OF COMMITTEES

COMMITTEE ON FINANCE

Councilmember Burton, Vice 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. 852-23 be adopted.

Resolution No. 852-23 - Authorizing the Mayor or City Manager to purchase a new Chevrolet Equinox for the Engineering Department from National Auto Fleet Group, for the amount of \$28,977.13 pursuant to a competitively sourced multi-state contract. This will replace Engineering Department unit 420/501 as part of the fleet rotation schedule.

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

That the Mayor or City Manager is authorized to purchase a new Chevrolet Equinox for the Engineering Department from National Auto Fleet Group, for the amount of \$28,977.13 pursuant to a competitively sourced multi-state contract.

Councilmember Burton added that the purchase is part of the regular fleet rotation schedule.

Councilmember Burton 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. 852-23 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. 853-23 be adopted.

Resolution No. 853-23 - Authorizing the Mayor or City Manager to purchase a new 2023 Ford F-150 truck for the Engineering Department from National Auto Fleet Group, for the amount of \$37,481.35 pursuant to a competitively sourced multi-state contract. This will replace Engineering Department unit 420/503 as part of the fleet rotation schedule.

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

That the Mayor or City Manager is authorized to purchase a new 2023 Ford F-150 truck for the Engineering Department from National Auto Fleet Group, for the amount of \$37,481.35 pursuant to a competitively sourced multi-state contract.

Councilmember Burton added that the resolution is pursuant to a competitively sourced multi-state contract, and is part of the regular fleet rotation schedule.

Councilmember Burton 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. 853-23 adopted.

*Councilmember Kerns was out of the room for the vote.

3. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 854-23 be adopted.

Resolution No. 854-23 - Authorizing the Mayor or City Manager to purchase one (1) new 2024 Chevy Silverado truck for General Services in the amount of \$49,106.93, from National Auto Fleet Group pursuant to a competitively sourced multi-state contract. This will replace General Services Van 440/566. Additional upfitting will be conducted by Charleston Fleet Services at a cost of \$15,500, the lowest of three quotes received, bringing the total cost of purchase and upfitting to \$64,606.93.

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

That the Mayor or City Manager is authorized to purchase to purchase one (1) new 2024 Chevy Silverado truck for General Services in the amount of \$49,106.93, from National Auto Fleet Group pursuant to a competitively sourced multi-state contract, and additional upfitting conducted by Charleston Fleet Services at a cost of \$15,500, bringing the total cost of purchase and upfitting to \$64,606.93.

Councilmember Burton added that the resolution is pursuant to a competitively sourced multi-state contract, with three quotes being obtained for the upfitting.

Councilmember Burton 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. 854-23 adopted.

*Councilmember Kerns was out of the room for the vote.

4. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 855-23 be adopted.

Resolution No. 855-23 - Authorizing the Mayor or City Manager to purchase a new 2024 Chevrolet Silverado truck for Equipment Maintenance from National Auto Fleet Group, for the amount of \$46,372.30 pursuant to a competitively sourced multi-state contract. This will replace Equipment Maintenance unit 754/95 as part of the fleet rotation schedule.

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

That the Mayor or City Manager is authorized to purchase to purchase one (1) new 2024 Chevy Silverado truck for General Services in the amount of \$49,106.93, from National Auto Fleet Group pursuant to a competitively sourced multi-state contract, and additional uplifting conducted by Charleston Fleet Services at a cost of \$15,500, bringing the total cost of purchase and upfitting to \$64,606.93.

Councilmember Burton added that the purchase is part of the regular fleet rotation schedule.

Councilmember Burton 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. 855-23 adopted.

*Councilmember Kerns was out of the room for the vote.

5. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 856-23 be adopted.

Resolution No. 856-23 - Authorizing the Mayor or City Manager to enter into a Memorandum of Understanding with the Charleston Land Reuse Agency ("CLRA") for the purpose of creating and hiring a CLRA Coordinator position.

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 a Memorandum of Understanding with the Charleston Land Reuse Agency ("CLRA") for the purpose of creating and hiring a CLRA Coordinator position.

Councilmember Burton added that Council had previously approved a similar position for the Business Improvement District. The CLRA will hire the coordinator to assist with its functions, and the full cost of the salary and benefits will be reimbursed to the City.

Councilmember Burton 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. 856-23 adopted.

*Councilmember Kerns was out of the room for the vote.

6. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 857-23 be adopted.

Resolution No. 857-23 - Authorizing approval of Amendment No. 1 of the FY 2023—2024 Coal Severance 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. 1 of the FY 2024-2024 Coal Severance budget is approved as indicated on the attached list of accounts.

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

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

NAYS:

ABSENT: Kerns, Jenkins

With members present recorded thereon as voting unanimously in the affirmative*, the Mayor declared Resolution No. 857-23 adopted.

*Councilmember Kerns was out of the room for the vote.

Coal Severance Fund FY 2023-2024 Budget Amendment No. 1 - August 7, 2023

Revenues and Fund Balances

Account No.	Department	Account Description	Current Amount	Increase/ (Decrease)	Amended Amount
002 298 0	Assigned Fund Balance	Coal Severance Tax - Balance on Hand	50,000	6,556	56,556
Net Increase/(Decrease) to Revenues				6,556	

Expenditures

Account No.	Department	Account Description	Current Amount	Increase/ (Decrease)	Amended Amount
002 000 00 000 5 566	Transfers	Contributions to Other Funds	200,000	6,556	206,556
Net Increase/(Decrease) to Expenditures				6,556	

Description:

To recognize coal severance tax receivable to establish the beginning balance for FY 2024

7. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 858-23 be adopted.

Resolution No. 858-23 - Authorizing approval of Amendment No. 1 of the FY 2023-2024 Charleston Coliseum and Convention Center 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. 1 of the FY 2023-2024 Charleston Coliseum and Convention Center as indicated on the attached list of accounts is approved.

Councilmember Burton added that the Charleston Coliseum and Convention Center Fund is recognizing the previous Coal Severance transfer. This will also reduce the anticipated transfer from the General Fund. He added that since the 1998 bond will be paid off in September, the annual bond payment is not required to be funded.

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

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

NAYS:

ABSENT: Jenkins

With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Resolution No. 858-23 adopted.

CCCC Revenue Fund FY 2023-2024 Budget Amendment No. 1 - August 7, 2023**Revenues and Fund Balances**

Account No.	Department	Account Description	Current Amount	Increase/ (Decrease)	Amended Amount
402 358 00 0342	CCCC Revenue	Transfers in from Coal Severance	200,000	6,556	206,556
402 358 00 0341	CCCC Revenue	Tfrs. in from General Fund - Debt Service	478,000	(241,890)	236,110
Net Increase/(Decrease) to Revenues				(235,334)	

Expenditures

Account No.	Department	Account Description	Current Amount	Increase/ (Decrease)	Amended Amount
402 910 01 000 6 671	Coliseum & Conv. Cntr	Principal on Bonds	635,000	(224,583)	410,417
402 910 01 000 6 672	Coliseum & Conv. Cntr	Interest on Bonds	38,675	(10,751)	27,924
Net Increase/(Decrease) to Expenditures				(235,334)	

Description:

To align sources of transfer-in revenues with estimated coal severance revenue and to realign bond payments based on current estimates.

8. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 859-23 be adopted.

Resolution No. 859-23 - Authorizing approval of Amendment No. 2 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. 2 of the FY 2023-2024 General Fund Budget as indicated on the attached list of accounts is approved.

Councilmember Burton added that the combination of the previous resolutions will be allocated to the Contingency Fund in the General Fund.

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

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

NAYS:

ABSENT: Jenkins

With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Resolution No. 859-23 adopted.

General Fund FY 2023-2024 Budget Amendment No. 2 - August 7, 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
001 910 01 000 5 566	Coliseum and Convention Center	Debt Service Subsidy	478,000	(241,890)	236,110
001 699 00 000 5 598	Contingency	Contingency	94,542	241,890	336,432
Net Increase/(Decrease) to Expenditures				-	

Description:

To align Coliseum Debt Services Subsidy with current estimates and reallocate the balance to the General Fund Contingency account.

9. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 860-23 be adopted.

Resolution No. 860-23 - Authoring the Mayor or City Manager to enter into a Memorandum of Understanding with HOPE CDC for the Workforce Development Center Project under the Department of Labor Community Project Grant Program. This project will focus on the provision of training and access to employment opportunities for West Side residents. The MOU will be in effect for the entire project from July 1, 2023 to June 30, 2026.

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

That the Mayor or City Manager are authorized to enter into a Memorandum of Understanding with HOPE CDC for the Workforce Development Center Project under the Department of Labor Community Project Grant Program. This project will focus on the provision of training and access to employment opportunities for West Side residents. The MOU will be in effect for the entire project from July 1, 2023 to June 30, 2026.

Councilmember Burton added that the grant is specific to the West Side from the Department of Labor for a workforce development center. It will assist West Side residents between the ages of eighteen and twenty-four to receive training and job placement.

Councilmember Faegre confirmed that HOPE CDC was a non-profit organization, and the grant was applied for by Rev. Matthew Watts. The Mayor clarified that the City applied for the federal grant. \$500,00 was previously approved by Council with ARPA funds. City Manager, Ben Mishoe, added that the grant is reimbursable.

Councilmember Snodgrass asked how many non-profits did the City seek additional Congressional funding for. Mishoe added that it was awarded in 2021, specific to work force development. Chief of Staff, Matt Sutton, added that the City has sought additional Congressionally directed spending requests for two other non-profits and one other entity, which includes the Gideon Center (an after-school summer work program), Sacred Heart/Charleston Catholic (upgraded security on Leon Sullivan) and Capital Sports Center Association, etc. The City is the administrator over the funds. HOPE CDC will have to get approval for all of the money that is spent from the City Manager's Office and federal officials.

Councilmember Burton 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. 860-23 adopted.

10. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 861-23 be adopted.

Resolution No. 861-23 - Authorizing the Mayor or City Manager to purchase a new 2024 Chevrolet Silverado truck for Parks and Recreation from National Auto Fleet Group, for the amount of \$46,650.76 pursuant to a competitively sourced multi-state contract. This will replace Parks and Recreation unit 304 as part of the fleet rotation schedule.

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

That the Mayor or City Manager is authorized to purchase a new 2024 Chevrolet Silverado truck for Parks and Recreation from National Auto Fleet Group, for the amount of \$46,650.76 pursuant to a competitively sourced multi-state contract.

Councilmember Burton added that the purchase was competitively sourced through a multi-state contract.

Councilmember Burton 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. 861-23 adopted.

REPORTS OF OFFICERS

1. Report of the City of Charleston Payroll Variance Analysis; July 2023.
2. Municipal Court Report to City Council Month Ending July 2023.

NEW BILLS

Introduced by Councilmember Sam Minardi

August 7, 2023:

Bill No. 7999 – A BILL providing for the annexation into the City of Charleston of territory along Presidential Drive.

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

Introduced by Councilmember Sam Minardi

August 7, 2023:

Bill No. 8000 – A BILL providing for the annexation into the City of Charleston of territory along Stonehenge Road.

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

Introduced by Councilmember Mary Beth Hoover

August 7, 2023:

Bill No. 8001 – A Bill to establish a no parking zone on the southernmost side of Washington Street East and amending the Traffic Control Map and Traffic Control File.

Refer to Planning, Streets and Traffic Committee, Please

Introduced by Councilmember Michael Ferrell

August 7, 2023:

Bill No. 8002 – A BILL to amend the Zoning Ordinance by allowing “Firearms Sales Establishments” as a conditional use permit in the C-8 Village Commercial District.

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

Introduced by Councilmember Michael Ferrell

August 7, 2023:

Bill No. 8003 – A bill amending the Zoning Ordinance by rezoning to a C-10 district 812 Indiana Ave.

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

August 7, 2023 (1)

Introduced by Councilmember Brent Burton

August 7, 2023:

Bill No. 8004 – A Bill closing, abandoning and discontinuing as a public right of way a portion of Hayes Avenue.

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

Introduced by Councilmember Mary Beth Hoover

August 7, 2023:

Bill No. 8008 – A Bill to amend the City Code by updating the floodplain regulations by amending a section relating to the intent provision, adding a section relating to keeping copies of construction contracts or addendums, and amending a section to include a severability clause.

Refer to Planning, Streets and Traffic Committee, Please

Introduced by Councilmembers Mary Beth Hoover and Chad Robinson

August 7, 2023:

Bill No. 8009 – A BILL to amend the Zoning Ordinance by updating section 3-070 relating to temporary construction fencing.

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

Introduced by Councilmember Chuck Overstreet

August 7, 2023:

Bill No. 8010 – BILL to amend and reenact the Municipal Code relating to modifying the distribution of the City Sales and Use Tax Fund; providing for certain distributions to the Employee Health Insurance Reserves fund; removing reference to the conservation method of financing the pensions; detailing the uses of the Employee Health Insurance Reserves; and providing for the future transfer of certain funds to the Other Post Employment Benefits trust, upon its establishment by the City.

Refer to Finance Committee, Please

MISCELLANEOUS/UNFINISHED BUSINESS

None

REMARKS BY MEMBERS

1. Councilmember Pharr thanked the Street and Refuse Departments for their work during the Multifest. Councilmembers Pharr and Moore presented the Mayor with a certificate from the event. African American Heritage Night will be the following night. She added that she missed the last Council meeting because she was out of state for a conference.

ADJOURNMENT

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

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

NAYS:

ABSENT: Jenkins

At 10:52 p.m., by a motion from Councilmember Ceperley, Council adjourned until Monday, August 21, 2023, 7:00 p.m., in Council Chambers at City Hall.

Amy Shuler Goodwin, Honorable Mayor

Miles C. Cary II, City Clerk