



JOURNAL of the PROCEEDINGS of the CITY COUNCIL

CITY OF CHARLESTON, WEST VIRGINIA

Regular Meeting – Monday, March 4, 2024

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 March on the 4th day, in the year 2024, 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 Gianola. 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
TAYLOR**

**BURTON
FAEGRE
HAAS
JONES
MINARDI
PEPPER

SOLOMON
MAYOR GOODWIN**

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

All 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. Victoria Casey – Spoke about a public safety issue.
2. Shante Ellis – Spoke about Black history.
3. Marlon Collins – Spoke about Black history.
4. Elisa Payne – Spoke about the Sports Complex.
5. Broke Rawson - Spoke about the request for a ceasefire.

CLAIMS

1. A claim of Hershel Barnhouse Jr., Charleston, WV; alleges damage to vehicle.
2. A claim of Jerry Burgess, Charleston, WV; alleges damage to property.
3. A claim of O. Gary Elmore Jr., Charleston, WV; alleges damage to property.
4. A claim of Jeffrey Scott Honaker Jr., Charleston, WV; alleges damage to property.
5. A claim of Jolena Strickland, Charleston, WV; alleges damage to property.

PROCLAMATIONS

EXECUTIVE DEPARTMENT CITY OF CHARLESTON PROCLAMATION

- WHEREAS:** Problem Gambling Awareness Month is a grassroots effort to bring attention to problem gambling and the availability of prevention, treatment, and recovery services; and
- WHEREAS:** Problem gambling is defined as all gambling behavior patterns that compromise, disrupt or damage personal, family, or vocational pursuits; and
- WHEREAS:** Problem gambling is a public health issue affecting 1 in 50 West Virginians; and
- WHEREAS:** Problem gambling is treatable, and treatment is effective in minimizing harm to individuals, their families, and society as a whole; and
- WHEREAS:** Numerous individuals, professionals, and organizations – including the National Council on Problem Gambling and the Problem Gambling Help Network of West Virginia – work to educate the public and healthcare professionals about the warning signs of problem gambling and raise awareness about the help that is available and advocate for people and families affected by problem gambling.

NOW THEREFORE, I, Amy Shuler Goodwin, Mayor of the City of Charleston, do hereby recognize March 2024 as

Problem Gambling Awareness Month

In Charleston, West Virginia and urge all citizens to learn about the warning signs of problem gambling and the availability of prevention, treatment, and recovery services.

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the Executive Department to be affixed this 4th day of March 2024.



A handwritten signature in blue ink, which appears to read "Amy Shuler Goodwin", is written over a horizontal line.

Amy Shuler Goodwin, Mayor

COMMUNICATIONS

None

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 bill, and reports the same to Council with the recommendation that Bill No. 8025 do pass.

Bill No. 8025 - A Bill amending the Zoning Ordinance of the City of Charleston, West Virginia, enacted the 1st day of January 2006, as amended, and the map made a part thereof, by rezoning from a R-6 district to a C-8 district, the parcel of land identified as 403 53rd St SE, Kanawha City District, Tax Map 12, Parcel 138 in the City of Charleston, Kanawha County, State of West Virginia.

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

1. The Zoning Ordinance of the City of Charleston, West Virginia, enacted the 1st day of January 2006, as amended, is hereby amended by rezoning from a R-6 district to a C-8 district the whole of the following described lot or parcel of land:

Parcel No. 138 as shown on Kanawha City Tax Map No. 12. Subject parcel commonly known as “PT LTS 15-16 BK 164 40X50 53RD ST 403” 403 53rd, Charleston, West Virginia. Said tax map is of record on the Planning Office.

2. The Zoning Map, attached to and made a part of said Zoning Ordinance, is hereby amended in accordance with Section 1 of this Ordinance.

3. All prior ordinances, or parts of ordinances, inconsistent with this Ordinance, are hereby repealed to the extent of said inconsistency.

Councilmember Hoover added that the rezoning will remedy a small area by making it consistent with the area.

Councilmember Hoover moved to approve the bill. 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, Minardi, Moore, Overstreet, Pepper, Pharr, Robinson, Salango, Snodgrass, Solomon, Steelhammer, Taylor, Mayor Goodwin

NAYS:

ABSENT: Rubio

With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Bill No. 8025 as passed.

2. Your committee on Planning, Streets and Traffic has had under consideration the following bill, and reports the same to Council with the recommendation that Bill No. 8026 do pass.

Bill No. 8026 - A Bill to create a NO PARKING ANYTIME zone on the westerly side of Westview Drive from Thruston Drive to end cul-de-sac at the end of Westview Drive and amending the Traffic Control Map and Traffic Control File, established by the code of the City of Charleston, West Virginia, two thousand and three, as amended, Traffic Laws, Section 263, Division 2, Article 4, Chapter 114, to conform therewith.

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

Section 1. A Bill to create a NO PARKING ANYTIME zone on the westerly side of Westview Drive from Thruston Drive to end cul-de-sac at the end of Westview Drive

Section 2. The Traffic Control Map and Traffic Control File, established by the code of the City of Charleston, West Virginia, two thousand and three, as amended, Traffic Laws, Section 263, Division 2, Article 4, Chapter 114, shall be and hereby are amended, to conform to this Ordinance.

Section 3. All prior Ordinances, inconsistent with this Ordinance are hereby repealed to the extent of said inconsistency.

Councilmember Hoover added that Traffic Operations received complaints from the Public Works Department when they were unable to remove snow in a few places. There was also concern about emergency vehicles having access to the area. Residents will be able to park on one side of the road to be able to free up traffic.

Councilmember Snodgrass spoke in favor of the bill, adding that it addresses safety concerns.

Councilmember Hoover moved to approve the bill. 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, Minardi, Moore, Overstreet, Pepper, Pharr, Robinson, Salango, Snodgrass, Solomon, Steelhammer, Taylor, Mayor Goodwin

NAYS:

ABSENT: Rubio

With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Bill No. 8026 as passed.

3. Your committee on Planning, Streets and Traffic has had under consideration the following bill, and reports the same to Council with the recommendation that Bill No. 8027 do pass.

Bill No. 8027 - A Bill to create a NO PARKING ANYTIME zone on the northerly side of Westview Drive from Old Greenbrier Street to Thurston Drive and amending the Traffic Control Map and Traffic Control File, established by the code of the City of Charleston, West Virginia, two thousand and three, as amended, Traffic Laws, Section 263, Division 2, Article 4, Chapter 114, to conform therewith.

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

Section 1. A Bill to create a NO PARKING ANYTIME zone on the northerly side of Westview Drive from Old Greenbrier Street to Thurston Drive

Section 2. The Traffic Control Map and Traffic Control File, established by the code of the City of Charleston, West Virginia, two thousand and three, as amended, Traffic Laws, Section 263, Division 2, Article 4, Chapter 114, shall be and hereby are amended, to conform to this Ordinance.

Section 3. All prior Ordinances, inconsistent with this Ordinance are hereby repealed to the extent of said inconsistency.

Councilmember Hoover added that the bill addresses the same issues as the previous bill.

Councilmember Hoover moved to approve the bill. 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, Minardi, Moore, Overstreet, Pepper, Pharr, Robinson, Salango, Snodgrass, Solomon, Steelhammer, Taylor, Mayor Goodwin

NAYS:

ABSENT: Rubio

With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Bill No. 8027 as passed.

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. 936-24 be adopted.

Resolution No. 936-24 - WHEREAS, pursuant to the authority granted by Chapter 8, Article 33, of the Code of West Virginia, 1931, as amended (together with specified provisions of Chapter 8, Article 16 of the Code of West Virginia, 1931, as amended, the “Act”), the Charleston Building Commission (the “Commission”) has authorized the issuance and sale to United Bank of not to exceed \$18,000,000 in principal amount of Charleston Building Commission University Facilities Refunding Revenue Bonds (The University of Charleston, Inc.), Series 2024 (the “2024 Bonds”), for the purpose of financing the costs of refunding and redeeming the Commission’s University Facilities Refunding Revenue Bonds (The University of Charleston, Inc.), Series 2018 (the “2018 Bonds”) and costs relating thereto, including but not limited to the costs of issuance of the 2024 Bonds;

WHEREAS, the proceeds of the 2018 Bonds were used to refund the Commission’s University Facilities Revenue Bonds (The University of Charleston, Inc.), Series 2009 (the “2009 Bonds”) issued to finance the costs of (i) designing, acquiring, constructing and equipping an approximately 150-bed student housing facility upon the University of Charleston campus; (ii) designing, acquiring and constructing an approximately 525-space motor vehicle parking facility upon the University of Charleston campus; and (iii) paying the costs of issuance of the 2009 Bonds and related costs;

WHEREAS, as required by the Act and Subsection 147(f) of the Internal Revenue Code of 1986, as amended, the Commission published notice of a public hearing with respect to the 2024 Bonds as a Class II legal advertisement in the Charleston Gazette-Mail on January 16 and January 23, 2024, and an affidavit of such publication is attached as Exhibit A hereto;

WHEREAS, the Commission has advised this Council that no person submitted written comments or appeared at the public hearing on January 29, 2024;

WHEREAS, pursuant to Subsection 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), in order for the interest on the 2024 Bonds to be excludable from gross income for federal income tax purposes, the 2024 Bonds must be approved by the Mayor of the City;

WHEREAS, there has been presented to the Mayor an Approval of the Issuance of Bonds By Applicable Elected Official, a copy of which is attached as Exhibit B hereto (the “Approval”);

WHEREAS, although not required by Subsection 147(f) of the Code, it has been determined as appropriate and in the interest of transparency and disclosure that the Council authorize the Mayor’s actions in connection with the approval;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CHARLESTON AS FOLLOWS:

1. The Mayor's execution and forwarding to the Commission of the Approval are hereby authorized and approved.
2. This Resolution shall take effect immediately upon adoption.

Councilmember Jenkins added that the bonds were issued for a building on the University of Charleston campus with the Building Commission acting as a conduit for tax benefits. The bonds are being refunded, or refinanced, for better rates.

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. 936-24 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. 937-24 be adopted.

Resolution No. 937-24 - Authorizing the Mayor or City Manager to enter into a contract with Brewer and Company of West Virginia to install new fire alarm systems in City Hall and City Service Center in the amount of \$272,400.00 pursuant to a competitive bid process.

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

That the Mayor or City Manager to enter into a contract with Brewer and Company of West Virginia to install new fire alarm systems in City Hall and City Service Center in the amount of \$272,400.00 pursuant to a competitive bid process.

Councilmember Jenkins added that the resolution is to upgrade the outdated systems.

Councilmember Kerns abstained from voting.*

Councilmember Jenkins moved to approve the resolution. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting in the majority as affirmative, with one (1) ABSTAIN, the Mayor declared Resolution No. 937-24 adopted.

*Councilmembers Kerns later clarified with the Clerk's Office that she is related by marriage to the manager of Brewer Electric, and gave permission for this reason to be added to the record.

REPORTS OF OFFICERS

None

NEW BILLS

None

MISCELLANEOUS/UNFINISHED BUSINESS

None

REMARKS BY MEMBERS

1. Mayor Goodwin thanked the Administration for their hard work on the upcoming budget. It is the 75th Anniversary of the Woolworth Fire, and the Mayor recognized the lives that were lost. Selected art from Youth Art Month will be displayed on the 3rd floor a short time.
2. Councilmember Faegre stated that she did not tolerate how the group was treated at the last Council meeting which she did not attend. She thanked the City for the paving that was done/will be done in Ward 5. Councilmember Faegre spoke in favor of the new Humane Officer position. Councilmember Faegre added that the City has an easement for a set of concrete steps in Ward 5 that are a safety issue.
3. Councilmember Kerns stated that the Police Chief gave a report at the Public Safety Committee meeting, and commended the work that the newly appointed Chief and Deputy Chief have done so far.
4. Councilmember Ceperley stated that, as President of Council, she offered her apology to the recipients of the Black History Month proclamation. The insulting behavior that happened does not reflect City Council.
5. Councilmember Solomon apologized for failing as a City Councilmember at the last meeting. He added that he made a mistake, and made people feel unwelcome, and was wrong.
6. Councilmember Jones stated that the State Girls Basketball Tournament is starting.

7. Councilmember Snodgrass stated that she didn't see where the Sports Complex and the Safety Building were included in the proposed budget.
8. Councilmember Taylor stated they the Public Safety Committee intends to meet at least once a quarter.
9. Councilmember Ferrell stated that he had missed the last Council meeting as he was in the hospital. He did not agree with associating someone's pain with your pain.
10. Councilmember Pharr stated that she was very angry over how people were treated at the last Council meeting, and added that there was more than one Councilmember that made people feel uncomfortable and unwelcome.
11. Councilmember Moore thanked the Parks and Recreation Department for the recent Black History Program. Councilmember Moore agreed with Councilmember Pharr's statements.

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, Salango, Snodgrass, Solomon, Steelhammer, Taylor, Mayor Goodwin

NAYS:

ABSENT: Rubio

At 8:20 p.m., by a motion from Councilmember Ceperley, Council adjourned until Monday, March 18, 2024, 7:00 p.m., in Council Chambers at City Hall.

Amy Shuler Goodwin, Honorable Mayor

Miles C. Cary II, City Clerk