



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

CITY OF CHARLESTON, WEST VIRGINIA

Regular Meeting – Monday, March 18, 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 second meeting in the month of March on the 18th day, in the year 2024, and was called to order by the Honorable Mayor, Amy Shuler Goodwin. The invocation was delivered by Councilmember Pepper, and the Pledge of Allegiance was led by Girl Scout Troop #1839. 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		FAEGRE
FERRELL	GIANOLA	HAAS
HOOVER	JENKINS	JONES
KERNS	KING	
MOORE	OVERSTREET	PEPPER
PHARR	ROBINSON	RUBIO
SALANGO		SOLOMON
STEELHAMMER	TAYLOR	MAYOR GOODWIN

With twenty-four 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. Erica Mani – Representing the Red Cross, spoke about Red Cross Month.
2. Andrea Moore – Spoke about an issue on Stockton Street.
3. Shante Ellis – Spoke about Black History Month.
4. Pam Valentine – Spoke about Black History Month.

CLAIMS

1. A claim of O. Gary Elmore Jr., Charleston, WV;
alleges damage to property.
2. A claim of Laura Knauff, Charleston, WV;
alleges damage to property.

PROCLAMATIONS

1.

EXECUTIVE DEPARTMENT CITY OF CHARLESTON PROCLAMATION

- WHEREAS:** In 1980, after "a consortium of women's groups and historians—led by the National Women's History Project (now the National Women's History Alliance) –successfully lobbied for national recognition," President Jimmy Carter issued a statement asking Americans to recognize March 2-8, 1980, as National Women's History Week; and
- WHEREAS:** In 1981 Congress passed the first of several joint resolutions designating a week in March as "Women's History Week" authorizing the President to issue a proclamation to commemorate the week; and
- WHEREAS:** In 1987, at the urging of the National Women's History Project, congress passed a joint resolution designating the month of March as "Women's History Month," and requesting the President issue a proclamation and call upon Americans to observe and honor the achievements of American women; and
- WHEREAS:** Women have been pivotal in shaping our history – serving on the forefront of social movements and making advancements in science, politics, literature, and military; and
- WHEREAS:** We recognize the historic contributions of women who have been instrumental in challenging norms and driving positive change, who never gave up the fight for equality, and those who remain active in the pursuit of equal rights for all; and

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

Women's History Month

In Charleston, West Virginia and urge all citizens to celebrate the contributions of women to our Capital City, our state, and our nation.

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the Executive Department to be affixed this 18th day of March 2024.

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

Amy Shuler Goodwin, Mayor

2.

**EXECUTIVE DEPARTMENT
CITY OF CHARLESTON
PROCLAMATION**

WHEREAS: The Social Work profession is one of the fastest growing professions in the United States, according to the Bureau of Labor Statistics which predicts nearly 800,000 people work as Social Workers in the United States by 2032; and

WHEREAS: Social Workers are dedicated to helping people – with a primary mission of enhancing human well-being and helping meet the basic and complex needs of all people, and with a specific focus on helping vulnerable populations; and

WHEREAS: For more than a century, the Social Work profession has played a key role in establishing a minimum wage, Social Security, and Medicare and worked to ensure equal rights for women, African Americans, and the LGBTQ+ community; and

WHEREAS: Social Workers work on the front lines – promoting social change, meeting people where they are, and advocating on pressing social issues including the increased demand for mental health services and economic inequality; and

WHEREAS: The 2024 Social Work Month theme, “Empowering Social Workers” embodies the need for society to support Social Workers so they can continue to do the life-affirming work they do and help address societal needs; and

WHEREAS: Social Workers empower people and communities, helping everyone achieve their full potential; and

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

Social Worker Month

In Charleston, West Virginia, and urge all citizens to recognize the contributions made by Social Workers and support the Social Work profession.

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the Executive Department to be affixed this 18th day of March 2024.



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 black, sans-serif font.

Amy Shuler Goodwin, Mayor

3.

**EXECUTIVE DEPARTMENT
CITY OF CHARLESTON
PROCLAMATION**

WHEREAS: During American Red Cross Month, which is celebrated annually in March, we recognize the compassion of people in West Virginia and reaffirm our commitment to care for one another in times of crisis; and

WHEREAS: The spirit of kindness, compassion, and generosity that is at the heart of our communities also helps to advance the humanitarian legacy of American Red Cross founder Clara Barton – one of the most honored women in our country's history – who nobly dedicated herself to alleviating suffering; and

WHEREAS: Through voluntary and selfless contributions, members of our community provide a beacon of hope for neighbors in need – whether it's delivering shelter, food, and comfort during disasters; providing critical blood donations for hospital patients; supporting military families, veterans, and caregivers through the unique challenges of service; saving lives with first aid, CPR, and other skills; or delivering aid and reconnecting loved ones separated by global crises; and

WHEREAS: We hereby recognize and honor all who exemplify Barton's commitment to leading with their hearts to serve those in need, and we ask everyone to join in this commitment to strengthen our community.

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

American Red Cross Month

In Charleston, West Virginia, and urge all citizens to learn about the American Red Cross and its humanitarian mission.

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the Executive Department to be affixed this 18th day of March 2024.

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

Amy Shuler Goodwin, Mayor

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. 938-24 be adopted.

Resolution No. 938-24 - Authorizing the Mayor or City Manager to enter into an Agreement with WesBanco, Inc. for a Standby Letter of Credit in the amount of \$475,000 in favor of Encova for a term starting March 31, 2024 to provide collateral for liability of potential workers' compensation claims under the City's large deductible policy. The letter of credit is subject to review and final approval by legal counsel for the City. Cost of the letter is 0.5% of the amount issued.

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

That the Mayor or City Manager is hereby authorized to enter into an agreement with WesBanco, Inc. for a Standby Letter of Credit in the amount of \$475,000 in favor of Encova for a term starting March 31, 2024 to provide collateral for liability of potential workers' compensation claims under the City's large deductible policy. The letter of credit is subject to review and final approval by legal counsel for the City. Cost of the letter is 0.5% of the amount issued.

Councilmember Jenkins added that the resolution is for a standard Standby Letter of Credit that the City signs every year as required by State law.

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. 938-24 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. 939-24 be adopted.

Resolution No. 939-24 - Authorizing the Mayor or City Manager to enter into an agreement for the Capital Connector Project with GAI Consultants in the amount of \$1,975,000, with \$1,750,000 to be paid from a Federal RAISE Grant and the remaining \$225,000 as a non-federal share, and where GAI Consultants were chosen following interviews and scoring, as required by law. Council previously approved the Grant Application and the funding amounts outlined above by Resolution No. 790-23 passed on April 17, 2023.

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 agreement for the Capital Connector Project with GAI Consultants in the amount of \$1,975,000, with \$1,750,000 to be paid from a Federal RAISE Grant and the remaining \$225,000 as a non-federal share.

Councilmember Jenkins added that the amount had been approved with a prior resolution. Now that the grant has officially been approved, GAI Consultants has been approved to complete the work.

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. 939-24 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. 940-24 be adopted.

Resolution No. 940-24 - Authorizing the Finance Director to establish capital projects fund 205 as the Turf Maintenance fund to be used to account for revenue from transfers from other funds and any other available source to be used for the maintenance and eventual replacement of the City's artificial turf sports fields.

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

That the Finance Director is authorized to establish capital projects fund 205 as the Turf Maintenance fund to be used to account for revenue from transfers from other funds and any other available source to be used for the maintenance and eventual replacement of the City's artificial turf sports fields.

Councilmember Jenkins added that the resolution is to begin the process of saving funds for the maintenance of the turfed sports fields.

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. 940-24 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. 941-24 be adopted.

Resolution No. 941-24 - Authorizing the Mayor or City Manager to enter into a contract with Ohio West Virginia EXC in the amount of \$417,400.00, to install pile and lagging walls for the correction of four roadway embankment issues within the City of Charleston at Bendview Drive, Lexington Road, Pacific Street, and Loudon Heights Road, where the contract price was determined 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 Ohio West Virginia EXC in the amount of \$417,400.00, to install pile and lagging walls for the correction of four roadway embankment issues within the City of Charleston, where the contract price was determined pursuant to a competitive bid process.

Councilmember Jenkins added that the resolution is for the recurring purchase for work on embankments and walls regarding rights-of-way and roads.

Councilmember Faegre confirmed with the City Engineer that the work would begin within the month.

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. 941-24 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. 942-24 be adopted.

Resolution No. 942-24 - Authorizing the Mayor or City Manager to purchase cardio equipment from SportsArt Ohio for Parks and Recreation in the amount of \$49,676.000 pursuant to a competitively procured Sourcewell contract.

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

That the Mayor or City Manager to purchase cardio equipment from SportsArt Ohio for Parks and Recreation in the amount of \$49,676.000 pursuant to a competitively procured Sourcewell contract.

Councilmember Jenkins added that exercise machines will be disturbed to the various community centers.

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. 942-24 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. 943-24 be adopted.

Resolution No. 943-24 - Approving the Official Municipal Budget Document for the Fiscal Year 2024-2025, as proposed and included as Exhibit A hereto, inclusive of the Municipal Levy Rates Estimate for Current Expenses and Excess Levy purposes.

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

That the Official Municipal Budget Document for the Fiscal Year 2024-2025, as proposed and included as Exhibit A hereto, inclusive of the Municipal Levy Rates Estimate for Current Expenses and Excess Levy purposes is approved.

Councilmember Jenkins added that the Administration had previously done a thorough presentation on the budget. The budget does not have any increases in taxes or fees. It shows that the City is healthy and growing. One change is that it combines the Building Commission and Planning Department.

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

Councilmember Kerns added that the State Auditor is currently conducting an investigation about the Police Department's overtime practices. She expressed concern over approving a budget containing overtime pay when such an investigation was still active. She asked if the new policy changes would reduce overtime. Councilmember Kerns added that she would like to see the overtime funds moved to Salary and Wages. Finance Director, Andy Wood, added that the calculation of overtime is normally done on a number of hours against the average hourly rate. The proposed budget maintains the same dollar rate as the previous year, which represents a decrease of approximately 1,300 hours of expected overtime.

Councilmember King asked if Councilmember Kerns had record of instances where overtime was not deserved or performed. Councilmember Kerns replied that one officer had stated publicly that he charged four hours of overtime for a phone call. Councilmember King replied that was the policy they had to follow. Councilmember Kerns added that the numbers showed that some officers would have been working twenty hours a day for the year, which was impossible. Councilmember King added that he was glad the police officers received overtime as the City needs these shifts covered, and he appreciated the work that they do.

Councilmember Kerns added that she did not have a problem with giving overtime to officers who were actively working crime scene investigations, but the amount of overtime for the

patrol officers is far less than the overtime for department heads approaching retirement. She asked about the retirement fund for Uniformed Officers, and Wood replied that the unfunded liability is approximately \$200 million which is expected to be paid off by 2046. Councilmember Kerns added that Council had previously approved the use of West Virginia Checkbook for transparency, but she was given to understand that not all items were recoded on it. Wood replied that the checkbook from the State Auditor connects directly to the City's accounting system, so there are no funds that are excluded from the checkbook site. The data is sometimes a month behind due to how it is shared based on how it accumulates.

Councilmember Taylor thanked Councilmember Gianola for sharing his detailed analysis of the budget.

Councilmember Faegre added that overtime for police officers was essential, and thanked the Police Department for their work.

A roll call was taken:

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

NAYS:

ABSENT: Cook, Minardi, Snodgrass

With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Resolution No. 943-24 as adopted.

REPORTS OF OFFICERS

1. Municipal Court Report to City Council Month Ending February 2024.
2. City Treasurer's Report to City Council Month Ending February 2024.

NEW BILLS

None

MISCELLANEOUS/UNFINISHED BUSINESS

None

REMARKS BY MEMBERS

1. Mayor Goodwin stated that Team Up to Clean Up starts April 6, 2024.
2. Councilmember Jones asked for an update on Blane Boulevard. Mayor Goodwin replied that an engineer had been selected, and they were waiting on a project outline and the funds from HUD.
3. Councilmember Pepper stated that Guns to Gardens will be May 4th, 2024.
4. Councilmember Ferrell asked how the ongoing repairs from the gas outage would affect the paving schedule.
5. Councilmember Gianola thanked Andy Wood for answering his questions about the budget.
6. Councilmember Pharr stated that there still was not a public apology over what exactly happened concerning the Black History Proclamation.
7. Councilmember Faegre apologized for how invitees for the Black History Proclamation were treated.
8. Councilmember Annie thanked the Public Works Department for helping with flooding in his Ward. He invited Council to Research Day at CAMC on April 16th, 2024.
9. Councilmember Kerns stated that the Fraternal Order of Eagles raised money to present checks to The Healing House, Kanawha Valley Collective and Health Right.

10. Councilmember Solomon apologized for how he made attendees of the Black History Proclamation feel.

ADJOURNMENT

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

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

NAYS:

ABSENT: Cook, Minardi, Snodgrass

At 8:00 p.m., by a motion from Councilmember Ceperley, Council adjourned until Monday, April 1, 2024, 7:00 p.m., in Council Chambers at City Hall.

Amy Shuler Goodwin, Honorable Mayor

Miles C. Cary II, City Clerk