

CHARLESTON CITY COUNCIL

Regular Meeting

July 1, 2024

at 7:00 PM



THIS MEETING WILL TAKE PLACE IN PERSON AND CAN BE VIEWED LIVE VIA

<https://charlestonwv.civicclerk.com/web/home.aspx>

Council Chambers, Third Floor
City Hall, 501 Virginia St. E.
Charleston, WV

AGENDA

CALL TO ORDER BY THE MAYOR

INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC SPEAKERS AND CLAIMS

1. **INTERESTED PUBLIC SPEAKERS MUST REGISTER AT THE CLERK'S HALLWAY TABLE IN PERSON NO EARLIER THAN 15 MINUTES BEFORE THE MEETING STARTS. FIVE (5) SPEAKERS WILL BE PERMITTED (RULE NO. 22 (B)).**

PROCLAMATIONS

1. 7-1-2024

COMMUNICATIONS

1. 7-1-2024

MISCELLANEOUS RESOLUTIONS

1. Resolution No. 988-24 - A Resolution to Address the Treatment of Unhoused Individuals in Charleston, WV during Regatta week and weekend.

REPORTS OF STANDING COMMITTEES

ORDINANCE AND RULES

1. Bill No. 8037 - A BILL to amend the Municipal Code relating to updating the City Center Private Outdoor Designated Area to include two special event locations; updating the City Center PODA

map; explicitly vesting the City Manager with the authority to adjust the active boundary of the Private Outdoor Designated Area in order to account for special event locations; and requiring additional signage relating to the special event locations.

FINANCE

1. Resolution No. 985-24 – Receiving the Work Plan Summary of the City Center Business Improvement District, approving the proposed budget of the City Center Business Improvement District for the 2024-2025 fiscal year, and maintaining the same levying rate of annual fees for the City Center Business Improvement District on each private for-profit property owner within the District.
2. Resolution No. 986-24 - Authorizing the Mayor or City Manager to purchase computers and monitors from HP as part of the regularly budgeted computer replacement cycle.
3. Resolution No. 987-24 - Authorizing the Mayor or City Manager to enter into a three-year contract with Segra for internet services at various City offices and buildings.
4. Bill No. 8036 - A BILL to amend the Municipal Code by removing provisions regarding surplus funds of the Business Improvement District in order to be consistent with state law.

REPORTS OF OFFICERS

1. 7-1-2024

NEW BILLS

1. 7-1-2024

UNFINISHED BUSINESS AND/OR MISCELLANEOUS BUSINESS

REMARKS BY MEMBERS

ROLL CALL

ADJOURNMENT

THE NEXT REGULAR MEETING OF COUNCIL WILL BE JULY 15, 2024 AT 7:00 PM.

THE AGENDA WAS AMENDED ON 6-27-2024

***Meetings may be recorded and broadcast via internet <https://charlestonwv.civicclerk.com>**

City of Charleston

Executive Office of the Mayor

SPECIAL RECOGNITION

presented on the 1st day of July 2024, to

SOUTH HILLS FALCONS LACROSSE

In celebration of winning the 2024 Middle School (U12) Lacrosse State Championship under the leadership of Head Coach Brandon Gorrell, and

In recognition of the team's hard work and commitment throughout the 2024 season; and

In honor of the South Hills Falcons Lacrosse Team being ranked #1 in the Valley.



IN WITNESS WHEREOF, I have set my hand
and caused the Seal of the Executive Department
to be affixed this 1st day of July 2024.

Amy Shuler Goodwin, Mayor

City of Charleston

Executive Office of the Mayor

SPECIAL RECOGNITION

presented on the 1st day of July 2024, to

GEORGE WASHINGTON PATRIOTS BOYS LACROSSE TEAM

In recognition of securing the 2024 West Virginia Scholastic Lacrosse Association Division 1 Championship title, under the leadership of Head Coach Brad White; and

In honor of the team being ranked #1 in the State, and #1 in WV Division I; and

In celebration of jumping over a hundred spots in the past year to be ranked in the top 450 in the nation.



IN WITNESS WHEREOF, I have set my hand
and caused the Seal of the Executive Department
to be affixed this 1st day of July 2024.

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

Amy Shuler Goodwin, Mayor

**EXECUTIVE DEPARTMENT
CITY OF CHARLESTON
PROCLAMATION**

WHEREAS: Participation in sports plays a vital role in the development of our youth – fostering discipline, teamwork, and leadership skills that are essential for personal and academic success; and

WHEREAS: Maxim Vir, a native of our Capital City and a Trampoline and Tumbling (T&T) athlete, has exemplified these qualities through exceptional performance, dedication, and sportsmanship in gymnastics; and

WHEREAS: Earning national recognition at the 2024 United States Trampoline and Tumbling Association (USTA) National Championships in Louisville, Kentucky this past June, Vir has achieved remarkable success; and

WHEREAS: In a group of more than 2,000 athletes, Vir was one of only two, who won three USTA championship events in an age group and division; and

WHEREAS: Vir's championship wins, in 2024, include Trampoline, Tumbling, and Double-Mini; and

WHEREAS: As an Ambassador for the USTA, Vir helps to bring greater visibility to trampoline and tumbling – fostering a positive image of the sport; and

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

Maxim Vir

For winning three national championship events, and for his unwavering commitment to trampoline and tumbling – exemplifying excellence in the sport of gymnastics.

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the Executive Department to be affixed this 1 day of July 2024.



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

Amy Shuler Goodwin, Mayor

Resolution No. 988-24

Introduced in Council:

July 1, 2024

Adopted by Council:

Introduced by:

Joe Solomon and Beth Kerns

Referred to:

A Resolution to Address the Treatment of Unhoused Individuals in Charleston, WV

WHEREAS, the City of Charleston is committed to ensuring the safety, dignity, and well-being of all its residents, including those experiencing homelessness;

WHEREAS, the City of Charleston's major events, such as the Sternwheel Regatta, are moments of celebration for everyone - including neighbors who are marginalized and unhoused;

WHEREAS, there has been concern over past major City of Charleston events including the annual Sternwheel Regatta event of "sweeps" that result in the arrest and detainment of numerous unhoused individuals, creating undue distress and exacerbating the challenges faced by these residents;

WHEREAS, enforcement of parks after curfew charges has not only been irregular over the course of the year, it has been discriminatory. In late June of 2023 in the days leading up to the Sternwheel Regatta, officers arrested 16 people for being in a park after curfew, all of them unhoused. Because municipal court was closed for almost a week inclusive of the holiday weekend, the city spent over \$4,000 to incarcerate unhoused residents. The impact of this enforcement is a sanitized facade of the city for the purposes of a major event in place of meaningful action to support people experiencing homelessness in the city;

WHEREAS, people with conviction histories are more likely to experience homelessness and discrimination in housing and employment, and criminalizing homelessness does not address the root causes of poverty and instead perpetuates a cycle of instability and hardship;

THEREFORE, BE IT RESOLVED by the City Council of Charleston, WV:

1. Moratorium on Public Lands Trespassing Arrests for Regatta: For Regatta week and weekend (July 1st, 2024 to July 7th, 2024), City Council directs the Charleston Police Department to cease arrests and detainment of individuals for non-violent offenses that relate to trespassing on city public lands, such as sleeping in parks after hours and loitering. Further,

- 1 City Council directs the Charleston Police Department not to engage in activities that may be
2 construed as “sweeps” during or directly preceding these major events.
- 3 2. Expansion of CARE Services throughout Regatta: As an alternative to incarceration, the
4 City Council commits to utilize and maximize its Coordinated Addiction Response Effort (CARE)
5 Office throughout the Regatta event to address mental health, housing, and substance use
6 challenges throughout the City of Charleston.
- 7 3. Functioning Courts: The City of Charleston calls on its Municipal Court to be open every
8 weekday throughout the Regatta, excepting July 4th 2024. According to Sec. 38-33 of City Code,
9 “there shall be a daily session of the municipal court, commencing at an hour to be determined
10 by the municipal judge, on each day of the week, except Saturdays, Sundays and holidays...”.

Bill No. 8037

Introduced in Council:

June 17, 2024

Introduced by:

Chad Robinson

Adopted by Council:

Referred to:

Ordinance & Rules

Bill No. 8037 - A BILL to amend and reenact Section 6-166 of the Municipal Code of the City of Charleston, as amended, relating to updating the City Center Private Outdoor Designated Area to include two special event locations; updating the City Center PODA map; explicitly vesting the City Manager with the authority to adjust the active boundary of the Private Outdoor Designated Area in order to account for special event locations; and requiring additional signage relating to the special event locations.

Now, therefore, be it ordained by the Council of the City of Charleston:

That Section 6-166 of the Municipal Code of the City of Charleston, as amended, is hereby amended and reenacted to read as follows:

DIVISION 2. - CITY CENTER PODA

Sec. 6-166. - Creation and boundaries.

(a) City Council for the City of Charleston hereby establishes a private outdoor designated area known as "City Center PODA," which shall have the boundary as stated in subsection (b) of this section and which shall meet all of the requirements of this article and applicable West Virginia Code. Notwithstanding the foregoing and the provisions of subsection (b) of this section, the City Council further approves the establishment of two special event locations within the City Center PODA, as described in subsection (c) of this section, which may become inactive areas within the City Center PODA as provided in subsection (d) of this section.

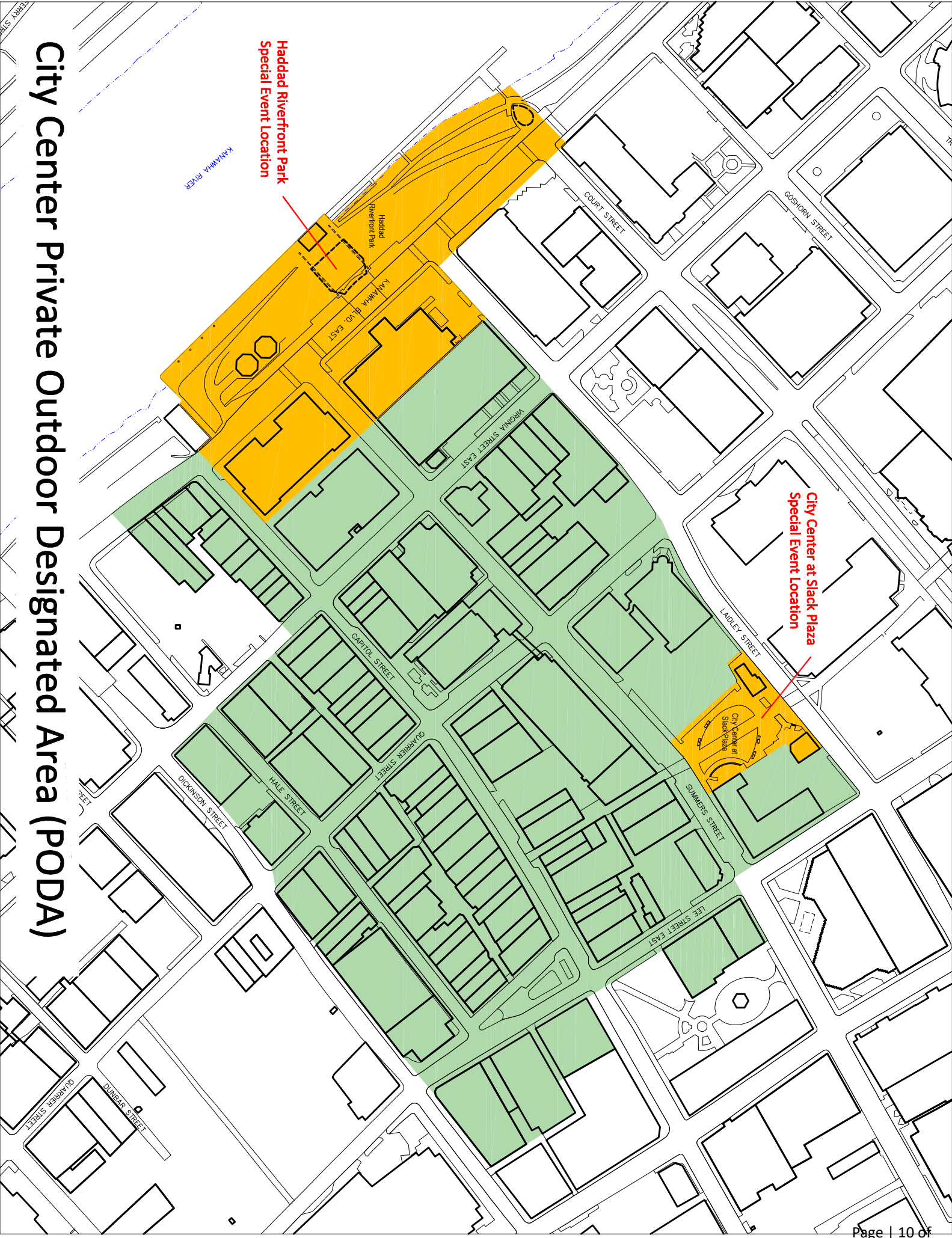
(b) The City Center PODA shall begin at the southeastern corner of the intersection of Kanawha Boulevard and Laidley Street, then continue along Laidley Street in a northerly direction, including City Center at Slack Plaza, to Lee Street, then continue in an easterly direction along Lee Street, including the structures on the northern side of Lee Street between Summers Street and Dickinson Street, but excluding Davis Park, to Dickinson Street, then continue in a southerly direction along Dickinson Street to Virginia Street, then continue in a westerly direction along Virginia Street to Capitol Street, then continue in a southerly direction along Capitol Street to Kanawha Boulevard, including the 800 block of Kanawha Boulevard and then continue in a westerly direction along Kanawha Boulevard to include all of Haddad Riverfront Park to the southeastern corner of the intersection of Laidley Street and Kanawha

36 Boulevard. The City Center PODA shall include the public rights-of-way within the
37 boundary area and the buildings at or within the following addresses: 600-900 Virginia
38 Street East; 500-816 Kanawha Blvd East; 8-310 Capitol Street; 2-191 Summers Street;
39 100-235 Hale Street; 611-900 Lee Street East; 700-723 Brawley Walkway; 700-912
40 Quarrier Street.

41
42 (c) Within the boundary of the City Center PODA, as detailed in subsection (b) of
43 this section, there are hereby established two special event locations: the Haddad
44 Riverfront Park Special Event Location and the City Center at Slack Plaza Special
45 Event Location. Each of these special event location boundaries are shown The on the
46 attached updated map of the City Center PODA. The updated map hereby replaces all
47 previous City Center PODA maps and is incorporated by reference herein and made a
48 part of this article.

49
50 (d) The City Manager is hereby explicitly vested by City Council with the authority
51 to announce that either the Haddad Riverfront Park Special Event Location or the City
52 Center at Slack Plaza Special Event Location, or both, are hosting an approved special
53 event on specific dates and times during which the applicable special event locations
54 are deemed outside of the City Center PODA and shall provide written notice to the
55 WVABCA of any such closure at least ten days in advance of the event, unless
56 extenuating circumstances exist that do not allow for such advance notice and in that
57 case notice shall be provided as soon as practicable before the event. If the City
58 Manager makes such an announcement, the City Manager shall direct the conspicuous
59 placement of at least two additional signs measuring at least 24 inches by 36 inches at
60 each entry point to the applicable special event locations clearly stating that individuals
61 are exiting the PODA and entering a special event location and that PODA approved
62 beverages may not be brought into the special event location, and shall likewise place
63 equal signs at each exit point of the special event location stating that individuals are
64 exiting the special event location and entering the PODA and that any beverages
65 purchased at the special event location are prohibited within the PODA. Each approved
66 special event will have the option to obtain any relevant approval from the WVABCA to
67 have alcohol present at the event and, if the approved special event chooses to do so,
68 the approved special event shall be responsible for ensuring that any alcoholic
69 beverages served at the approved special event do not leave the relevant special event
70 location. The City Manager shall have no additional authority to modify the footprint of
71 the City Center PODA except as explicitly provided herein without first obtaining
72 approval of City Council.

73
74 (d) (e) The area within the City Center PODA is in the Central Business District
75 ("CBD"), which is a zoning area that allows for the sale and consumption of liquor, wine,
76 nonintoxicating beer and nonintoxicating craft beer, and is in compliance with the zoning
77 ordinance.
78



City Center Private Outdoor Designated Area (PODA)

Resolution No. 985-24

Introduced in Council:

Adopted by Council:

July 1, 2024

Introduced by:

Referred to:

Joseph Jenkins

Finance

Resolution No. 985-24 - Receiving the Work Plan Summary of the City Center Business Improvement District, approving the proposed budget of the City Center Business Improvement District for the 2024-2025 fiscal year, and maintaining the same levying rate of annual fees for the City Center Business Improvement District on each private for-profit property owner within the District.

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

That the Work Plan Summary of the City Center Business Improvement District is received; that the proposed budget of the City Center Business Improvement District for the 2024-2025 fiscal year, as attached as Exhibit A hereto, is approved; and that, and the rate of annual fees for the City Center Business Improvement District on each private for-profit property owner within the District remains levied at the equation of $(\text{total land lot size square footage} \times .075) + (\text{total building square footage} \times .03325)$.

City Center Business Improvement District

Fiscal Year 2025 Work Plan Summary and Budget

July 1, 2024 – June 30, 2025



Assessment:

Maintain the current assessment formula consisting of building square footage @ .03325 + land square footage @ .075.

Based on the current square footage data, the assessment should generate a total of \$94,383. We have budgeted \$92,500 to allow for outstanding receivables.

BID board has adopted a policy for outstanding receivables: Without limiting the rights of the city to take action with respect to a delinquent property owner, the following protocol from the City Center Business Improvement District is hereby adopted: After an assessment becomes delinquent by 90 days, a board member will be authorized to make a phone call to the property owner about the delinquency. After the delinquency exceeds 180 days, the board will request the city to issue an official letter of delinquency. After 270 days delinquent, the board will direct the city to initiate legal action.

Work Plan Summary

Organizational:

Maintain an efficient and effective Board of Directors.

Continue to seek additional funding sources.

Continue contract with Charleston Area Alliance for part time professional staff support.

Continue to fund one full time BID Ambassador through the partnership with the City of Charleston.

Marketing:

Implement image and branding plan from the Master Plan and Economic Analysis study.

Collaborate with Arts Amplified and City of Charleston on events in Slack Plaza.

Collaborate with Downtown Charleston Association on holiday event.

Planning and beautification:

Prioritize projects outlined in the Master Plan and Economic Analysis. Using acquired resources such as HUD CDF, Governor's Office, Mayor's Seed Funding, Greater Kanawha Valley Foundation, Briar Hills Garden Club and other sources to implement prioritized projects such as planters, street lighting and public art.

Strategize a beautification initiative with private property owners.

Maintain all needed equipment for the BID Ambassador to use for light landscaping, trash collection, sidewalk cleaning, Slack Plaza events, etc.

Safety/Security:

Collaborate with the City of Charleston in training and guiding the BID Ambassador.

Research and strategize other safety and security initiatives for the BID

Budget on next page

**City Center Business Improvement District
Fiscal Year 2025 Budget**



Page 3

	Assessments	Mayor's Office Seed Funding	CURA	Charleston Area Alliance	TOTAL
Revenues:					
Assessments - FY 24 (less ~2% uncollectible)	\$92,500	\$50,000			\$142,500
Grant - HUD - Congressionally Directed Spending			\$ 600,000		\$600,000
Grant - CURA match for Region 3			\$ 25,000		\$25,000
Grant - Governor's Office CDS match			\$ 300,000		\$300,000
Grant - Region 3 Subrecipient			\$ 240,000		\$240,000
Reimbursment - Ambassador Salary correction	\$20,000				\$20,000
Other resources (GKVF, Garden club, etc)				\$ 30,000	\$30,000
TOTAL	\$112,500	\$50,000	\$1,165,000	\$ 30,000	\$1,357,500
Expenses:					
Branding, marketing, outreach	\$10,000			\$ 10,000	\$20,000
BID Ambassador - city salary/benefits	\$65,000				\$65,000
BID Ambassador equipment and supplies	\$2,500				\$2,500
Master Plan implementation (less FY 23 expenditures)	\$20,000	\$50,000	\$1,165,000	\$ 20,000	\$1,255,000
Professional staff management (CAA via MOU)	\$15,000				\$15,000
TOTAL	\$112,500	\$50,000	\$1,165,000	\$ 30,000	\$1,357,500

Resolution No. 986-24

Introduced in Council:

July 1, 2024

Adopted by Council:

Introduced by:

Joseph Jenkins

Referred to:

Finance

Resolution No. 986-24 – Authorizing the Mayor or City Manager to purchase computers and monitors from HP in the total amount of \$62,580 for the City of Charleston, the Charleston Coliseum and Convention Center, and Metropolitan Drug Enforcement Network Team (“MDENT”) as part of the regularly budgeted computer replacement cycle, and pursuant to a competitively sourced statewide contract.

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

That the Mayor or City Manager is authorized to purchase computers and monitors from HP in the total amount of \$62,580 for the City of Charleston, the Charleston Coliseum and Convention Center and Metropolitan Drug Enforcement Network Team (“MDENT”) pursuant to a competitively sourced statewide contract.



INSTRUCTIONS: This form must be submitted to the City Manager's Office for any purchase of materials or supplies costing **\$5,000 or more**. A minimum of **3** quotes is required for this form.

CITY OF CHARLESTON
Purchase Request

Date: _____

To: CITY MANAGER,

I request permission to purchase the following materials and/or supplies: _____

Purchase justification: _____

If approved, the total purchase price will be: _____

(Check One)

- ☐ The price is less than the \$25,000 permitted for purchases without advertising for bids and needing approval from City Council. I have not purposefully split the purchase request to keep the purchase under the \$25,000 threshold and have not favored a particular vendor. I have not shared competitive information with any vendor(s).
- ☐ The proposed vendor is a sole source provider for the materials/supplies requested. (Skip to **ITEM A** on page 2.)

I have contacted the following responsible vendors and have attached their written quotes for the requested item(s): (Minimum of 3 Quotes Required)

- | | | |
|----|-------|-----------------------|
| 1. | _____ | Price Quote: \$ _____ |
| 2. | _____ | Price Quote: \$ _____ |
| 3. | _____ | Price Quote: \$ _____ |
| 4. | _____ | Price Quote: \$ _____ |
| 5. | _____ | Price Quote: \$ _____ |

The apparent low-bid vendor *meeting specifications* is: _____

AND

☐ The low-bid vendor is not delinquent on any financial obligations owed to the City of Charleston according to the City Collector's records, and I recommend authorizing the purchase through the low-bid vendor.

OR

☐ I recommend not contracting with the lowest bidder meeting specifications and instead recommend contracting with _____ because:

Additionally, the recommended vendor is not delinquent on any financial obligations owed to the City of Charleston according to the City Collector's records.

ITEM A (For Sole Source Procurements ONLY)

Explain what is unique about this vendor/brand and why your department must purchase this product:

Identify at least 1 independent third party who has verified the vendor is a sole source for the item(s) requested to be purchased, and submit his/her written opinion regarding the vendor's sole source status:

(Name & Phone Number) _____

REQUESTOR'S DECLARATION

I declare that I have fully complied with the letter and intent of the City Code as it pertains to procurement and have exercised reasonable precaution to procure the item(s) requested above at the lowest price, consistent with good service and quality.

I also declare that I have no personal or business relationship with the listed vendor(s) that would be considered a conflict of interest, except as follows:

(List Actual, Potential, or Perceived Conflicts of Interest) _____

Request Submitted By: _____ Department: _____

Is this purchase being paid with grant funds? ☐ Yes ☐ No

Funds Approval:  Date: 6/17/2024
Authorized Financial Officer

Account Number: 001-975-00-439-4-459 (Council Approval Required)

City Manager Approval: _____ Date: _____

May 28, 2024 2:18:10 PM

City of Charleston
501 Virginia St E
Charleston, WV 25301

Dear West Virginia Quoting Profile,

Thank you for your recent interest in HP Public Sector Sales. Attached is the price quotation you requested.

Please reference this contract: WV - STATE OF WEST VIRGINIA [IP23] when placing this order. The terms and conditions of this contract will apply to any order placed as a result of this inquiry; no other terms or conditions shall apply.

If you should have questions regarding this quotation or need any other assistance, please contact your Inside Account Representative

Orders can be placed electronically at www.hp.com/buy/pshp2b. You can place this order by searching for the HP Customer Quote ID displayed above and simply check out.

Should you choose this order can also be Faxed to 800-825-2329 or emailed to ORDERS-PROCESSING-USA@hp.com.

If you are faxing or emailing this order a sample Purchase Order Document can be downloaded that gives guidance on what is required to place an order with HP. [Click here to download the sample Purchase Order](#)

All orders not placed electronically need to be made out to HP Inc. or HP with the Ordering address referenced below.

The Purchase Order should include the Contract Number in the body of the Purchase Order. Please also be sure to include a copy of the quote, email address, the ship to location or drop ship locations, delivery date requirements and any other special information and if applicable, the HP Authorized Reseller Agent name or authorization number for the HP Agent providing you with support.

Ordering address:
HP INC.
Attn: Public Sector Sales
3800 Quick Hill Road
Bldg 2, Suite 100
Austin, TX 78728

Information & Details

Organization name: State of West Virginia
Catalog name: WV - STATE OF WEST VIRGINIA [IP23]
Created by: carlos.sanchez@hp.com
Partner Agent ID:
Name: Carlos Sanchez
Email: WVHP2B1@pshp.com
Phone: 5555555555
Email notification: WVHP2B1@pshp.com
Created: May 28, 2024 2:18:10 PM
Expires: June 27, 2024 2:18:10 PM
Payment method:
Quote total: USD 1,272.00

Billing Information

OM ID:
Company: City of Charleston
Address:
501 Virginia St E
City : Charleston
State/Province: West Virginia
Zip/postal code: 25301
Country: US
Attention to: James Luikart
Email: james.luikart@cityofcharleston.org
Phone: 304-348-8048
Fax:

Shipping Information

Company: City of Charleston
Address:
501 Virginia St E
City: Charleston
State/Province: West Virginia
Zip/postal code: 25301
Country: US
Attention to: James Luikart
Email: james.luikart@cityofcharleston.org
Phone: 304-348-8048
Fax:
Requested Delivery date:
Shipping options:
Shipping method: Ship Partial - Ship Items as they become available

Comments:
Invoice instructions:
Shipping instructions:

Quote Summary

Product #	Product Description	MFG#:	Qty	Unit Price	Total Price
	Tower Standard PC KIT ID: 487067		2	USD 636.00	USD 1,272.00
U8UK3E	HP 5 Year Absolute Resilience for Education - for Service Guarantee Regions Only		1	USD 90.00	USD 90.00
86K48UC#ABA	HP Elite Tower 600 G9 i512500 16GB/256PC Form factor - Tower Warranty - 1 year (1/1/1) limited warranty includes 1 year of parts, labor and on-site repair. Terms and conditions vary by country. Certain restrictions and exclusions apply.		1	USD 518.00	USD 518.00
FH973AA	HP DisplayPort to DVI-D Adapter		1	USD 8.00	USD 8.00
UE333E	HP 4 year Next Business Day Onsite w/Defective Media Retention Desktop Hardware Support		1	USD 14.00	USD 14.00
U9DM1E	HP 4 year Priority Access Plus Service for PCs (1000+ seats) Legacy		1	USD 6.00	USD 6.00

Subtotal
Estimated Tax
Total

USD 1,272.00
USD 0.00
USD 1,272.00

Unless our contract prohibits it, (a) prices are valid for 30 days from quote date and/or (b) HP may change prices or discounts and reissue quotes immediately if there are increases in costs, tariffs, or other changes outside HP's control.

If the bill to company and address you wish to use is not present at the time of check out please enter it in the "Shipping Instructions" box. The order management team will make sure it is billed to the correct location.

Components of Configurable systems may not be ordered separately. Reference Model ID's and Configuration ID's are not part numbers, they are reference descriptions to your specific configuration.

If you are submitting a hard copy purchase order, please include a printed copy of this quote with your purchase order.

If you place an order for a product that was incorrectly priced, we will cancel your order and credit you for any charges. In the event that we inadvertently shipped an order based on a pricing error, we will issue a revised invoice to you for the correct price and contact you to obtain your authorization for the additional charge, or assist you with the return of the product, if payment was not already made. If payment was already made, HP will work with the agency to correct the invoice. If the pricing error results in an overcharge to you, HP will credit your account for the amount overcharged.

May 28, 2024 2:15:20 PM

City of Charleston
501 Virginia Street East Charleston
Charleston, WV 25301

Dear West Virginia Quoting Profile,

Thank you for your recent interest in HP Public Sector Sales. Attached is the price quotation you requested.

Please reference this contract: WV - STATE OF WEST VIRGINIA [IP23] when placing this order. The terms and conditions of this contract will apply to any order placed as a result of this inquiry; no other terms or conditions shall apply.

If you should have questions regarding this quotation or need any other assistance, please contact your Inside Account Representative

Orders can be placed electronically at www.hp.com/buy/pshp2b. You can place this order by searching for the HP Customer Quote ID displayed above and simply check out.

Should you choose this order can also be Faxed to 800-825-2329 or emailed to ORDERS-PROCESSING-USA@hp.com.

If you are faxing or emailing this order a sample Purchase Order Document can be downloaded that gives guidance on what is required to place an order with HP. [Click here to download the sample Purchase Order](#)

All orders not placed electronically need to be made out to HP Inc. or HP with the Ordering address referenced below.

The Purchase Order should include the Contract Number in the body of the Purchase Order. Please also be sure to include a copy of the quote, email address, the ship to location or drop ship locations, delivery date requirements and any other special information and if applicable, the HP Authorized Reseller Agent name or authorization number for the HP Agent providing you with support.

Ordering address:
HP INC.
Attn: Public Sector Sales
3800 Quick Hill Road
Bldg 2, Suite 100
Austin, TX 78728

Information & Details

Organization name: State of West Virginia
Catalog name: WV - STATE OF WEST VIRGINIA [IP23]
Created by: carlos.sanchez@hp.com
Partner Agent ID:
Name: Carlos Sanchez
Email: WVHP2B1@pshp.com
Phone: 5555555555
Email notification: WVHP2B1@pshp.com
Created: May 28, 2024 2:15:20 PM
Expires: June 27, 2024 2:15:20 PM
Payment method:
Quote total: USD 60,672.00

Billing Information

OM ID:
Company: City of Charleston
Address:
501 Virginia Street East Charleston
City : Charleston
State/Province: West Virginia
Zip/postal code: 25301
Country: US
Attention to: James Luikart
Email: james.luikart@cityofcharleston.org
Phone: 3043488048
Fax:

Shipping Information

Company: City of Charleston
Address:
501 Virginia St E
City: Charleston
State/Province: West Virginia
Zip/postal code: 25301
Country: US
Attention to: James Luikart
Email: james.luikart@cityofcharleston.org
Phone: 304-348-8048
Fax:
Requested Delivery date:
Shipping options:
Shipping method: Ship Partial - Ship Items as they become available

Comments:
Invoice instructions:
Shipping instructions:

Quote Summary

Product #	Product Description	MFG#:	Qty	Unit Price	Total Price
	Tower Standard PC KIT ID: 487067		67	USD 636.00	USD 42,612.00
U8UK3E	HP 5 Year Absolute Resilience for Education - for Service Guarantee Regions Only		1	USD 90.00	USD 90.00
86K48UC#ABA	HP Elite Tower 600 G9 i512500 16GB/256PC Form factor - Tower Warranty - 1 year (1/1/1) limited warranty includes 1 year of parts, labor and on-site repair. Terms and conditions vary by country. Certain restrictions and exclusions apply.		1	USD 518.00	USD 518.00
FH973AA	HP DisplayPort to DVI-D Adapter		1	USD 8.00	USD 8.00
UE333E	HP 4 year Next Business Day Onsite w/Defective Media Retention Desktop Hardware Support		1	USD 14.00	USD 14.00
U9DM1E	HP 4 year Priority Access Plus Service for PCs (1000+ seats) Legacy		1	USD 6.00	USD 6.00
	Standard Laptop KIT ID: 455616		15	USD 724.00	USD 10,860.00
U8UK3E	HP 5 Year Absolute Resilience for Education - for Service Guarantee Regions Only		1	USD 90.00	USD 90.00
UB5F2E	HP 4 year Next Business Day Response Onsite w /Defective Media Retention NB HW Supp		1	USD 58.00	USD 58.00
U9UX1E	HP 4 year Onsite Battery Replacement (No CSR replace 1x L) N HW Supp Legacy		1	USD 42.00	USD 42.00
86M46UC#ABA	HP PB450G9 i5-1235U 15 16GB/256 PC		1	USD 528.00	USD 528.00

Product #	Product Description	MFG#:	Qty	Unit Price	Total Price
U9DM1E	Display - 15.6\ diagonal, FHD (1920 x 1080), IPS, narrow bezel, anti-glare, 250 nits, 45% NTSC Warranty - HP Services offers 1-year and 90 day software limited warranty options depending on country. Batteries have a default one year limited warranty. Refer to http://www.hp.com/support/batterywarranty/ for additional battery information. On-site service and extended coverage is also available. HP Care Pack Services are optional extended service contracts that go beyond the standard limited warranties. To choose the right level of service for your HP product, use the HP Care Pack Services Lookup Tool at: http://www.hp.com/go/cpc . HP 4 year Priority Access Plus Service for PCs (1000+ seats) Legacy		1	USD 6.00	USD 6.00
9VF99AA#ABA	24" Monitor KIT ID: 432134 HP E24 G4 FHD Monitor US Display features - Anti-glare,Low blue light mode Resolutions supported - 1920 x 1080 Brightness - 250 nits Display Input Type - 1 VGA,4 USB-A 3.2 Gen 1,1 USB Type-B,1 HDMI 1.4 (with HDCP support),1 DisplayPort™ 1.4 (with HDCP support) What's in the box - USB Type-B to A cable,Monitor,AC power cord,HDMI cable,DisplayPort™ 1.2 cable,Doc-kit, QSP Warranty - 3 Year Limited Warranty (Return to HP /Dealer - Standard Bench Repair & Phone-in Assistance),3 year limited warranty including 3 year of parts and labour. Certain restrictions and exclusions apply.		50 1	USD 144.00 USD 144.00	USD 7,200.00 USD 144.00

Subtotal	USD 60,672.00
Estimated Tax	USD 0.00
Total	USD 60,672.00

Unless our contract prohibits it, (a) prices are valid for 30 days from quote date and/or (b) HP may change prices or discounts and reissue quotes immediately if there are increases in costs, tariffs, or other changes outside HP's control.

If the bill to company and address you wish to use is not present at the time of check out please enter it in the "Shipping Instructions" box. The order management team will make sure it is billed to the correct location.

Components of Configurable systems may not be ordered separately. Reference Model ID's and Configuration ID's are not part numbers, they are reference descriptions to your specific configuration.

If you are submitting a hard copy purchase order, please include a printed copy of this quote with your purchase order.

If you place an order for a product that was incorrectly priced, we will cancel your order and credit you for any charges. In the event that we inadvertently shipped an order based on a pricing error, we will issue a revised invoice to you for the correct price and contact you to obtain your authorization for the additional charge, or assist you with the return of the product, if payment was not already made. If



payment was already made, HP will work with the agency to correct the invoice. If the pricing error results in an overcharge to you, HP will credit your account for the amount overcharged.

May 28, 2024 2:16:40 PM

City of Charleston
501 Virginia St E
Charleston, WV 25301

Dear West Virginia Quoting Profile,

Thank you for your recent interest in HP Public Sector Sales. Attached is the price quotation you requested.

Please reference this contract: WV - STATE OF WEST VIRGINIA [IP23] when placing this order. The terms and conditions of this contract will apply to any order placed as a result of this inquiry; no other terms or conditions shall apply.

If you should have questions regarding this quotation or need any other assistance, please contact your Inside Account Representative

Orders can be placed electronically at www.hp.com/buy/pshp2b. You can place this order by searching for the HP Customer Quote ID displayed above and simply check out.

Should you choose this order can also be Faxed to 800-825-2329 or emailed to ORDERS-PROCESSING-USA@hp.com.

If you are faxing or emailing this order a sample Purchase Order Document can be downloaded that gives guidance on what is required to place an order with HP. [Click here to download the sample Purchase Order](#)

All orders not placed electronically need to be made out to HP Inc. or HP with the Ordering address referenced below.

The Purchase Order should include the Contract Number in the body of the Purchase Order. Please also be sure to include a copy of the quote, email address, the ship to location or drop ship locations, delivery date requirements and any other special information and if applicable, the HP Authorized Reseller Agent name or authorization number for the HP Agent providing you with support.

Ordering address:
HP INC.
Attn: Public Sector Sales
3800 Quick Hill Road
Bldg 2, Suite 100
Austin, TX 78728

Information & Details

Organization name: State of West Virginia
Catalog name: WV - STATE OF WEST VIRGINIA [IP23]
Created by: carlos.sanchez@hp.com
Partner Agent ID:
Name: Carlos Sanchez
Email: WVHP2B1@pshp.com
Phone: 5555555555
Email notification: WVHP2B1@pshp.com
Created: May 28, 2024 2:16:40 PM
Expires: June 27, 2024 2:16:40 PM
Payment method:
Quote total: USD 636.00

Billing Information

OM ID:
Company: City of Charleston
Address:
501 Virginia St E
City : Charleston
State/Province: West Virginia
Zip/postal code: 25301
Country: US
Attention to: James Luikart
Email: james.luikart@cityofcharleston.org
Phone: 304-348-8048
Fax:

Shipping Information

Company: City of Charleston
Address:
501 Virginia St E
City: Charleston
State/Province: West Virginia
Zip/postal code: 25301
Country: US
Attention to: James Luikart
Email: james.luikart@cityofcharleston.org
Phone: 304-348-8048
Fax:
Requested Delivery date:
Shipping options:
Shipping method: Ship Partial - Ship Items as they become available

Comments:
Invoice instructions:
Shipping instructions:

Quote Summary

Product #	Product Description	MFG#:	Qty	Unit Price	Total Price
	Tower Standard PC KIT ID: 487067		1	USD 636.00	USD 636.00
U8UK3E	HP 5 Year Absolute Resilience for Education - for Service Guarantee Regions Only		1	USD 90.00	USD 90.00
86K48UC#ABA	HP Elite Tower 600 G9 i512500 16GB/256PC Form factor - Tower Warranty - 1 year (1/1/1) limited warranty includes 1 year of parts, labor and on-site repair. Terms and conditions vary by country. Certain restrictions and exclusions apply.		1	USD 518.00	USD 518.00
FH973AA	HP DisplayPort to DVI-D Adapter		1	USD 8.00	USD 8.00
UE333E	HP 4 year Next Business Day Onsite w/Defective Media Retention Desktop Hardware Support		1	USD 14.00	USD 14.00
U9DM1E	HP 4 year Priority Access Plus Service for PCs (1000+ seats) Legacy		1	USD 6.00	USD 6.00

SubtotalUSD 636.00
Estimated TaxUSD 0.00
TotalUSD 636.00

Unless our contract prohibits it, (a) prices are valid for 30 days from quote date and/or (b) HP may change prices or discounts and reissue quotes immediately if there are increases in costs, tariffs, or other changes outside HP's control.

If the bill to company and address you wish to use is not present at the time of check out please enter it in the "Shipping Instructions" box. The order management team will make sure it is billed to the correct location.

Components of Configurable systems may not be ordered separately. Reference Model ID's and Configuration ID's are not part numbers, they are reference descriptions to your specific configuration.

If you are submitting a hard copy purchase order, please include a printed copy of this quote with your purchase order.

If you place an order for a product that was incorrectly priced, we will cancel your order and credit you for any charges. In the event that we inadvertently shipped an order based on a pricing error, we will issue a revised invoice to you for the correct price and contact you to obtain your authorization for the additional charge, or assist you with the return of the product, if payment was not already made. If payment was already made, HP will work with the agency to correct the invoice. If the pricing error results in an overcharge to you, HP will credit your account for the amount overcharged.

Resolution No. 987-24

Introduced in Council:

July 1, 2024

Adopted by Council:

Introduced by:

Joseph Jenkins

Referred to:

Finance

1 Resolution No. 987-24 – Authorizing the Mayor or City Manager to enter into a three-year
2 contract with Segra for internet services at various City offices and buildings in the amount of
3 \$7,785.00 per month pursuant to a competitively sourced statewide contract.

4
5 Be it Resolved by the Council of the City of Charleston, West Virginia:

6
7 That the Mayor or City Manager is authorized to enter into a three-year contract with Segra for
8 internet services at various City offices and buildings in the amount of \$7,785.00 per month
9 pursuant to a competitively sourced statewide contract.

Bill No. 8036

Introduced in Council:

June 17, 2024

Adopted by Council:

Introduced by:

Becky Ceperley

Referred to:

Finance

Bill No. 8036 - A BILL to amend and reenact Section 2-713 of the Municipal Code of the City of Charleston, as amended, by removing provisions regarding surplus funds in order to be consistent with state law.

Now, therefore, be it ordained by the Council of the City of Charleston:

That Section 2-713 of the Municipal Code of the City of Charleston, as amended, is hereby amended and reenacted to read as follows:

Sec. 2-713. Creation of fund; rate and manner of fees.

(a) There is hereby created a special revenue fund within the city treasury to be known as the City Center BID Fund, along with any subaccounts deemed necessary by the district board.

(b) The City Center Business Improvement District FY2021 BID Work Plan and Budget sets the rate of annual fees for the City Center BID on each private for-profit property owner at the equation of (total land lot size square footage x .075) + (total building square footage x .03325). The maximum rate of any annual fees that may be imposed upon a single commercial property in the City Center BID, as calculated by the aforementioned formula, will be \$25,000.00 annually. It is anticipated that cumulative revenue from the initial annual fee will be \$100,000.00. The City Center BID Board provided the assessed amounts for FY2021 to the city in December 2021. For each subsequent year, the City Center BID Board shall provide to the city collector the assessed amounts no later than May 15. Pursuant to W. Va. Code § 8-13A-12, city council may levy the assessments by ordinance upon receipt of the proposal from the City Center BID Board. City council shall levy the rates for each fiscal year after the City Center BID Board provides the assessments.

~~— (1) Pursuant to W. Va. Code § 8-13A-12(a), the levy amount shall be "only to the extent necessary to fund the budget proposed by the district board" and "[a]ny surplus in the fund in a fiscal year shall be applied to reduce the amount of service fees required for the next fiscal year."~~

~~— (2) As used in this section, the term "surplus" shall mean the amount by which the service fees collected in a full fiscal year exceed the budgeted amount of anticipated~~

~~service fee revenue used to fund the ongoing operations and services of the City Center BID District. The term "surplus" shall not include, and the calculation of any surplus shall not take into consideration, any gifts, grants, or other appropriations that are designated for specific projects or purposes that are separate from the general ongoing operations and services of the City Center BID District.~~

(c) Any person who desires to challenge the City Center BID Board assessment shall file a petition for reassessment with the city collector within 30 days of receiving notice of the assessment. The petition shall state the reasons the person is seeking the reassessment. After the filing of a petition, the city collector shall set the petition for an administrative hearing and give the board an opportunity to respond in writing in advance of the hearing. The petitioner and the board may represent themselves or be represented by counsel at the administrative hearing. The city collector, or a hearing examiner designated by the city collector, shall conduct an informal and impartial administrative hearing and make a prompt decision on the petition for reassessment after hearing all of the evidence and argument. An appeal of the city collector's decision may be taken by the petitioner or the board to the Circuit Court of Kanawha County within 30 days of the city collector's decision.

(d) The fees assessed by the City Center BID upon the property owners shall be collected through the City of Charleston's City Collector on a biannual (twice per year) basis. The collection efforts from the city collector shall clearly state it is assessing fees for the City Center BID. All funds collected from the fees shall be placed in the City Center BID Fund created by this section. The City Center BID Fund may also receive other voluntary contributions.

(e) Notwithstanding any provision of this Code to the contrary, any expenditure authorized by the City Center BID Board from the City Center BID Fund up to \$100,000.00 is exempt from the purchasing rules of the City of Charleston. Any individual expenditure in excess of \$100,000.00 by the City Center BID Board shall require City Council approval prior to authorization. The City Center BID Board shall generally submit requests for purchase orders to the city manager's office in advance of any purchase being made, which the city manager will approve as long as the vendor is in good standing with the city collector's office and there are no other legal issues with payment.

(f) The city collector shall have plenary power and authority to promulgate any rules necessary to carry out the assessment, hearing, and collection provisions of this article. The city collector shall work in conjunction with the City Center BID Board to develop such rules.

CITY OF CHARLESTON
Payroll Variance Analysis
June 2024

Department		Type	Current Month				Year To Date				Annual	
Name	Code	Wages	Budget	Actual	Variance	%	Budget	Actual	Variance	%	Budget	Available
Mayor	409	Regular	24,476	24,512	(36)	-0.15%	318,192	318,661	(469)	-0.15%	318,192	(469)
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	24,476	24,512	(36)	-0.15%	318,192	318,661	(469)	-0.15%	318,192	(469)
Mayor - CARE Office	409-02	Regular	9,400	9,400	0	0.00%	122,202	128,168	(5,966)	-4.88%	122,202	(5,966)
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	9,400	9,400	0	0.00%	122,202	128,168	(5,966)	-4.88%	122,202	(5,966)
City Council	410	Regular	13,000	11,250	1,750	13.46%	169,000	146,250	22,750	13.46%	169,000	22,750
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	13,000	11,250	1,750	13.46%	169,000	146,250	22,750	13.46%	169,000	22,750
City Manager - Admin.	412-00	Regular	45,609	44,862	747	1.64%	592,914	563,878	29,036	4.90%	592,914	29,036
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	45,609	44,862	747	1.64%	592,914	563,878	29,036	4.90%	592,914	29,036
City Treasurer	413	Regular	10,645	10,058	587	5.52%	138,384	130,949	7,435	5.37%	138,384	7,435
		IPT	923	891	32	3.48%	12,000	11,215	786	6.55%	12,000	786
		OT	-	-	-		-	-	-		-	-
		Total	11,568	10,949	619	5.35%	150,384	142,163	8,221	5.47%	150,384	8,221
City Collector	414	Regular	62,230	59,138	3,092	4.97%	808,987	751,136	57,851	7.15%	808,987	57,851
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	38	(38)		-	(38)
		Total	62,230	59,138	3,092	4.97%	808,987	751,174	57,813	7.15%	808,987	57,813
City Clerk	415	Regular	10,444	10,444	0	0.00%	135,774	135,725	49	0.04%	135,774	49
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	10,444	10,444	0	0.00%	135,774	135,725	49	0.04%	135,774	49
Municipal Court	416	Regular	25,067	24,756	312	1.24%	325,875	313,040	12,835	3.94%	325,875	12,835
		IPT	1,385	-	1,385	100.00%	18,000	6,046	11,954	66.41%	18,000	11,954
		OT	2,052	738	1,314	64.03%	26,675	12,019	14,656	54.94%	26,675	14,656
		Total	28,504	25,494	3,010	10.56%	370,550	331,105	39,445	10.64%	370,550	39,445

CITY OF CHARLESTON
Payroll Variance Analysis
June 2024

Department		Type	Current Month				Year To Date				Annual	
Name	Code	Wages	Budget	Actual	Variance	%	Budget	Actual	Variance	%	Budget	Available
City Attorney	417	Regular	30,558	31,558	(1,000)	-3.27%	397,259	401,122	(3,863)	-0.97%	397,259	(3,863)
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	30,558	31,558	(1,000)	-3.27%	397,259	401,122	(3,863)	-0.97%	397,259	(3,863)
Accounting	418	Regular	22,601	22,467	134	0.59%	293,815	286,740	7,075	2.41%	293,815	7,075
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	22,601	22,467	134	0.59%	293,815	286,740	7,075	2.41%	293,815	7,075
Engineering - General	420-00	Regular	39,084	38,588	496	1.27%	508,092	501,412	6,680	1.31%	508,092	6,680
		IPT	769	-	769		10,000	-	10,000		10,000	10,000
		OT	-	-	-		-	-	-		-	-
		Total	39,853	38,588	1,265	3.17%	518,092	501,412	16,680	3.22%	518,092	16,680
Engineering - Stormwater	420-01	Regular	10,951	10,951	(0)	0.00%	142,368	142,369	(1)	0.00%	142,368	(1)
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	10,951	10,951	(0)	0.00%	142,368	142,369	(1)	0.00%	142,368	(1)
MOECD	421	Regular	30,945	29,161	1,784	5.77%	402,284	369,063	33,221	8.26%	402,284	33,221
		IPT	37,200	14,367	22,833	61.38%	120,000	91,206	28,794	24.00%	120,000	28,794
		OT	-	-	-		-	630	(630)		-	(630)
		Total	68,145	43,527	24,618	36.13%	522,284	460,899	61,385	11.75%	522,284	61,385
Human Resources	422	Regular	30,284	30,895	(611)	-2.02%	393,688	401,779	(8,090)	-2.06%	393,688	(8,090)
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	30,284	30,895	(611)	-2.02%	393,688	401,779	(8,090)	-2.06%	393,688	(8,090)
Mail Room	431	Regular	2,531	2,611	(80)	-3.16%	32,906	33,830	(924)	-2.81%	32,906	(924)
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	12	(12)		-	(12)
		Total	2,531	2,611	(80)	-3.16%	32,906	33,843	(937)	-2.85%	32,906	(937)
Building Department	436	Regular	54,672	41,812	12,860	23.52%	710,734	582,253	128,481	18.08%	710,734	128,481
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	54,672	41,812	12,860	23.52%	710,734	582,253	128,481	18.08%	710,734	128,481

CITY OF CHARLESTON
Payroll Variance Analysis
June 2024

Department		Type	Current Month				Year To Date				Annual	
Name	Code	Wages	Budget	Actual	Variance	%	Budget	Actual	Variance	%	Budget	Available
Planning	437	Regular	37,342	37,658	(316)	-0.85%	485,445	490,094	(4,649)	-0.96%	485,445	(4,649)
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	37,342	37,658	(316)	-0.85%	485,445	490,094	(4,649)	-0.96%	485,445	(4,649)
Information Systems	439	Regular	41,592	34,567	7,024	16.89%	540,690	440,569	100,121	18.52%	540,690	100,121
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	41,592	34,567	7,024	16.89%	540,690	440,569	100,121	18.52%	540,690	100,121
General Services	440	Regular	34,676	35,494	(818)	-2.36%	450,786	459,300	(8,514)	-1.89%	450,786	(8,514)
		IPT	769	-	769	100.00%	10,000	-	10,000	100.00%	10,000	10,000
		OT	5,837	7,568	(1,731)	-29.65%	75,886	73,548	2,339	3.08%	75,886	2,339
		Total	41,282	43,062	(1,780)	-4.31%	536,672	532,848	3,824	0.71%	536,672	3,824
Constituent Services	442-01	Regular	16,976	17,098	(122)	-0.72%	220,692	222,137	(1,445)	-0.65%	220,692	(1,445)
		IPT	1,800	-	1,800	100.00%	23,400	-	23,400	100.00%	23,400	23,400
		OT	-	-	-		-	-	-		-	-
		Total	18,776	17,098	1,678	8.94%	244,092	222,137	21,955	8.99%	244,092	21,955
Morris Square Property	500	Regular	5,252	5,058	194	3.70%	68,276	64,830	3,446	5.05%	68,276	3,446
		IPT	-	-	-		-	-	-		-	-
		OT	154	21	133	86.35%	2,000	2,007	(7)	-0.35%	2,000	(7)
		Total	5,406	5,079	327	6.05%	70,276	66,837	3,439	4.89%	70,276	3,439
Public Works	566	Regular	17,811	16,769	1,042	5.85%	231,539	208,906	22,633	9.77%	231,539	22,633
		IPT	-	-	-		-	-	-		-	-
		OT	385	13	372	96.73%	5,000	2,018	2,982	59.65%	5,000	2,982
		Total	18,195	16,782	1,414	7.77%	236,539	210,924	25,615	10.83%	236,539	25,615
Public Grounds - Adm.	567-00	Regular	70,637	58,224	12,412	17.57%	918,278	778,676	139,602	15.20%	918,278	139,602
		IPT	-	-	-		-	729	(729)		-	(729)
		OT	2,122	7,699	(5,576)	-262.75%	27,590	89,802	(62,212)	-225.49%	27,590	(62,212)
		Total	72,759	65,923	6,836	9.40%	945,868	869,207	76,661	8.10%	945,868	76,661

CITY OF CHARLESTON
Payroll Variance Analysis
June 2024

Department		Type	Current Month				Year To Date				Annual	
Name	Code	Wages	Budget	Actual	Variance	%	Budget	Actual	Variance	%	Budget	Available
Public Grounds - C/T	567-01	Regular	5,740	7,114	(1,374)	-23.94%	74,616	88,066	(13,450)	-18.02%	74,616	(13,450)
		IPT	-	-	-		-	-	-		-	-
		OT	368	1,134	(765)	-207.81%	4,788	14,466	(9,678)	-100.00%	4,788	(9,678)
		Total	6,108	8,247	(2,139)	-35.03%	79,404	102,531	(23,127)	-29.13%	79,404	(23,127)
Police - Uniform	700-00	Regular	740,565	700,157	40,408	5.46%	9,627,349	9,185,870	441,479	4.59%	9,627,349	441,479
		OT	205,208	263,067	(57,858)	-28.20%	2,687,584	2,825,749	(138,165)	-5.14%	2,687,584	(138,165)
		Reimb.	(3,077)	(2,112)	(965)	-31.36%	(40,000)	(24,318)	(15,682)	-39.20%	(40,000)	(15,682)
		Total	942,696	961,112	(18,415)	-1.95%	12,274,933	11,987,300	287,633	2.34%	12,274,933	287,633
Police - Civilian	700-01	Regular	69,141	71,612	(2,471)	-3.57%	898,835	867,447	31,388	3.49%	898,835	31,388
		IPT	3,846	2,866	980	25.48%	50,000	20,901	29,099	58.20%	50,000	29,099
		OT	7,794	6,625	1,169	15.00%	101,319	80,973	20,346	20.08%	101,319	20,346
		Total	80,781	81,103	(322)	-0.40%	1,050,154	969,321	80,833	7.70%	1,050,154	80,833
Fire - Uniform	706-00	Regular	735,532	804,207	(68,676)	-9.34%	9,737,806	10,186,626	(448,820)	-4.61%	9,737,806	(448,820)
		OT	133,856	126,446	7,410	5.54%	1,769,746	1,198,915	570,831	32.25%	1,769,746	570,831
		Reimb.	(923)	(3,443)	2,519	272.94%	(12,000)	(28,991)	16,991	141.59%	(12,000)	16,991
		Total	868,465	927,211	(58,746)	-6.76%	11,495,552	11,356,549	139,003	1.21%	11,495,552	139,003
Fire - Civilian	706-01	Regular	7,356	7,337	19	0.26%	95,625	90,383	5,242	5.48%	95,625	5,242
		IPT	-	-	-		-	-	-		-	-
		OT	231	-	231		3,000	-	3,000		3,000	3,000
		Total	7,587	7,337	250	3.29%	98,625	90,383	8,242	8.36%	98,625	8,242
Traffic	712	Regular	34,698	32,258	2,440	7.03%	451,073	412,163	38,910	8.63%	451,073	38,910
		IPT	385	-	385	100.00%	5,000	-	5,000	100.00%	5,000	5,000
		OT	1,006	1,938	(932)	-92.56%	13,084	19,989	(6,905)	-52.77%	13,084	(6,905)
		Total	36,089	34,196	1,893	5.25%	469,157	432,151	37,006	7.89%	469,157	37,006
Emergency Services	716	Regular	6,438	-	6,438	100.00%	83,699	-	83,699	100.00%	83,699	83,699
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	6,438	-	6,438	100.00%	83,699	-	83,699	100.00%	83,699	83,699
Street	750	Regular	197,910	156,866	41,044	20.74%	2,572,831	2,108,969	463,862	18.03%	2,572,831	463,862
		IPT	-	-	-		-	-	-		-	-
		OT	16,331	21,882	(5,551)	-33.99%	284,304	259,125	25,179	8.86%	284,304	25,179
		Total	214,241	178,748	35,493	16.57%	2,857,135	2,368,094	489,041	17.12%	2,857,135	489,041

CITY OF CHARLESTON
Payroll Variance Analysis
June 2024

Department		Type	Current Month				Year To Date				Annual	
Name	Code	Wages	Budget	Actual	Variance	%	Budget	Actual	Variance	%	Budget	Available
Equipment Maintenance	754	Regular	60,033	53,513	6,520	10.86%	780,429	760,276	20,153	2.58%	780,429	20,153
		IPT	-	-	-		-	-	-		-	-
		OT	4,791	1,196	3,595	75.03%	62,286	44,160	18,126	29.10%	62,286	18,126
		Total	64,824	54,709	10,115	15.60%	842,715	804,436	38,279	4.54%	842,715	38,279
Refuse & Recycling	800	Regular	173,022	167,962	5,060	2.92%	2,249,283	2,243,594	5,689	0.25%	2,249,283	5,689
		IPT	-	-	-		-	-	-		-	-
		OT	20,761	13,686	7,075	34.08%	269,888	137,868	132,020	48.92%	269,888	132,020
		Total	193,782	181,648	12,135	6.26%	2,519,171	2,381,462	137,709	5.47%	2,519,171	137,709
Parks & Recreation	900	Regular	98,799	91,073	7,726	7.82%	1,284,383	1,174,933	109,450	8.52%	1,284,383	109,450
		IPT	77,280	38,142	39,138	50.65%	322,000	247,043	74,957	23.28%	322,000	74,957
		OT	4,635	4,892	(257)	-5.54%	60,259	61,837	(1,578)	-2.62%	60,259	(1,578)
		Total	180,714	134,107	46,608	25.79%	1,666,642	1,483,813	182,829	10.97%	1,666,642	182,829
Public Arts	906	Regular	4,408	4,408	(0)	0.00%	57,309	57,309	(0)	0.00%	57,309	(0)
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	4,408	4,408	(0)	0.00%	57,309	57,309	(0)	0.00%	57,309	(0)
Spring Hill Cemetery	952	Regular	28,742	29,397	(655)	-2.28%	373,649	350,255	23,394	6.26%	373,649	23,394
		IPT	-	-	-	0.00%	-	-	-	0.00%	-	-
		OT	889	2,081	(1,192)	-134.12%	11,557	5,437	6,120	52.95%	11,557	6,120
		Total	29,631	31,478	(1,847)	-6.23%	385,206	355,692	29,514	7.66%	385,206	29,514
General Fund		Regular	2,809,167	2,733,236	75,931	2.70%	36,695,067	35,396,776	1,298,291	3.54%	36,695,067	1,298,291
		IPT	124,357	56,265	68,092	54.75%	570,400	377,139	193,261	33.88%	570,400	193,261
		OT	406,421	458,986	(52,565)	-12.93%	5,404,966	4,828,592	576,374	10.66%	5,404,966	576,374
		Reimb.	(4,000)	(5,555)	1,555	38.86%	(52,000)	(53,309)	1,309	2.52%	(52,000)	1,309
		Total	3,335,945	3,242,932	93,013	2.79%	42,618,433	40,549,198	2,069,235	4.86%	42,618,433	2,069,235

CITY OF CHARLESTON
Payroll Variance Analysis
June 2024

Department		Type	Current Month				Year To Date				Annual	
Name	Code	Wages	Budget	Actual	Variance	%	Budget	Actual	Variance	%	Budget	Available
Business Improvement Dist.	568	Regular	3,414	2,845	569	16.67%	44,385	31,680	12,705	28.63%	44,385	12,705
		IPT	-	-	-		-	-	-		-	-
		OT	-	40	(40)		-	40	(40)		-	(40)
		Total	3,414	2,885	529	15.49%	44,385	31,720	12,665	28.53%	44,385	12,665
Land Reuse Agency	428	Regular	3,462	3,523	(62)	-1.78%	45,000	30,828	14,172	31.49%	45,000	14,172
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	3,462	3,523	(62)	-1.78%	45,000	30,828	14,172	31.49%	45,000	14,172
CARE Fund	409-02	Regular	24,938	24,927	12	0.05%	324,200	317,783	6,417	1.98%	324,200	6,417
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	24,938	24,927	12	0.05%	324,200	317,783	6,417	1.98%	324,200	6,417
Coliseum & Conv. Center	910-01	Regular	55,649	44,630	11,019	19.80%	723,438	617,268	106,170	14.68%	723,438	106,170
		IPT	-	-	-		-	-	-		-	-
		OT	2,308	1,554	754	32.66%	30,000	27,925	2,075	6.92%	30,000	2,075
		Total	57,957	46,184	11,772	20.31%	753,438	645,193	108,245	14.37%	753,438	108,245
Parking System	571	Regular	59,585	60,013	(428)	-0.72%	774,603	761,039	13,564	1.75%	774,603	13,564
		IPT	3,923	1,272	2,651	67.57%	51,000	24,343	26,657	52.27%	51,000	26,657
		OT	1,692	969	724	42.76%	22,000	12,891	9,109	41.41%	22,000	9,109
		Total	65,200	62,254	2,946	4.52%	847,603	798,272	49,331	5.82%	847,603	49,331
Total		Regular	2,956,215	2,869,174	87,041	2.94%	38,606,693	37,155,374	1,437,147	3.72%	38,606,693	1,451,319
		IPT	128,280	57,538	70,742	55.15%	621,400	401,482	219,918	35.39%	621,400	219,918
		OT	410,421	461,548	(51,127)	-12.46%	5,456,966	4,869,448	587,518	10.77%	5,456,966	587,518
		Reimb.	(4,000)	(5,555)	1,555	-38.86%	(52,000)	(53,309)	1,309	-2.52%	(52,000)	1,309
		Total	3,490,916	3,382,705	108,211	3.10%	44,633,059	42,372,995	2,260,064	5.06%	44,633,059	2,260,064

Vacancy Report:

City Collector	1	Police - Uniform	13	Coliseum	3
MOECD	1	Fire - Uniform	(2)	Total All	47
Building Department	2	Homeland Security	1		
Information Systems	2	Parks & Recreation	2		
Public Works (all)	24	Total General Fund	44		

Bill No. 8038

Introduced in Council:

July 1, 2024

Introduced by:

Frank Annie and Chad Robinson

Adopted by Council:

Referred to:

Ordinance & Rules

Bill No. 8038 - A BILL to amend and reenact Section 10-171 of the Municipal Code of the City of Charleston, as amended, relating to expanding the urban deer hunt to allow for urban bear and coyote hunting; authorizing the use of air rifles of .22 caliber or larger to hunt coyotes as part of the urban hunt; and continuing to limit the urban hunt for all eligible game to the time period consistent with the West Virginia Division of Natural Resources urban hunt rules while expanding the hours to allow for hunting of coyotes at night on private property.

Now, therefore, be it ordained by the Council of the City of Charleston:

That Section 10-171 of the Municipal Code of the City of Charleston, as amended, be amended and reenacted to read as follows:

ARTICLE IV. – URBAN DEER MANAGEMENT HUNTING

Sec. 10-171. – Urban deer, bear, and coyote management.

(a) *Urban hunting conditions.* An urban deer hunt shall be lawful in the City of Charleston only under the following conditions:

(1) Hunting shall be by permit only issued under the terms of this chapter.

(2) The hunt shall be for deer, bear, and coyote only.

(3) Only bows, crossbows, arrows and bolts that comply with applicable state statutes, rules and regulations may be used: Provided, That a person may hunt coyote with an air rifle of .22 caliber or larger and such person hunting coyote with an air rifle is subject to all other rifle and firearm hunting regulations as required by Chapter 20 of the West Virginia Code and any rules promulgated thereunder.

(4) Hunting may occur only on property with the written permission of the property owner and on city-owned property which has been designated as available for hunting by the city manager.

(5) All deer and bear harvested must be ~~legally checked at an official game checking station~~ electronically registered through the West Virginia Electronic Licensing System (ELS) and reported to the city.

(6) No hunting may take place within 150 feet of a dwelling or other occupied building.

(7) No hunting shall take place closer than 500 feet from the property boundary of school property which contains a school building. For purposes of this section

"school" means a public school or private school during periods when students are in attendance or participating in school activities.

(8) Persons shall at all times when hunting pursuant to a city permit carry valid photo identification, a copy of their city permit, and their West Virginia state hunting license and any applicable state permit.

(9) The transportation of a deer, bear, or coyote carcass along any public right-of-way is prohibited unless it is covered or hidden from public view.

(10) All West Virginia hunting rules and regulations apply to hunting within the city.

(11) Any hunting activity including, but not limited to, field dressing or other handling of a carcass, must occur on the property specified in the city permit.

(12) All hunting shall be conducted from an elevated portable tree stand that is at least ten feet in height and faces the interior of the property. The stands and shooting lanes will be located in such a way as to direct arrows, ~~or~~ bolts, or air rifle projectiles to the interior of the property.

(13) Hunting may take place on tracts of five contiguous acres or more and within a sufficient distance from the boundary that an arrow, ~~or~~ bolt, or air rifle projectile cannot reasonably travel outside the permitted tract. Each tract must be approved by the city manager.

(14) A property owner can designate and limit other persons allowed to hunt his or her land with a permit.

(15) The city will be responsible ~~to dispose~~ for disposing of any wounded deer, ~~or deer~~ bear, or coyote carcass found on non-permitted property.

(16) Hunting shall be allowed during the maximum time period permitted under state law and regulations promulgated by the West Virginia Division of Natural Resources for an urban deer and bear hunt. Although the West Virginia Division of Natural Resources currently allows for year-round open season hunting of coyotes, the urban coyote hunt shall be limited to the same days as the urban deer and bear hunt, but the hunting of coyotes may occur at night on those days on approved private property tracts.

(b) *Permits.*

(1) In order to obtain a permit, the applicant must meet and have evidence of compliance with all applicable state statutes, regulations and rules applicable to deer or bear hunting with a bow and arrow or a crossbow and arrow or bolt and coyote hunting with an air rifle. The city may impose additional requirements for a hunting permit and may limit the number of permits to be issued.

(2) The city may charge an administrative fee for permits not to exceed \$25.00 per permit.

(3) The city manager is hereby authorized to promulgate reasonable rules and regulations including, but not limited to: (i) setting license fees to regulate hunting; (ii) selecting the tracts to be authorized for hunting as permitted herein; and (iii) promoting safety and facilitating the goals of urban deer, bear, and coyote management.

(4) The city shall post the location of tracts approved for hunting on its website.

(c) *Donated meat.* Hunters are and shall be encouraged but are not required to

82 donate the deer harvest to programs or organizations that will provide the meat to
83 needy persons.

84
85 (d) *Violations*. In addition to any penalties for violations of state hunting laws or
86 regulations, any person violating this section, or the rules and regulations promulgated
87 pursuant to this section, shall be guilty of a misdemeanor and subject to the general
88 penalties as provided in section 1-8 of this Code.

Bill No. 8039

Introduced in Council:

July 1, 2024

Adopted by Council:

Introduced by:

Frank Annie and Chad Robinson

Referred to:

Ordinance & Rules

Bill No. 8039 - A BILL to amend and reenact Sections 78-371, 78-372, and 78-373 of the Municipal Code of the City of Charleston, as amended, relating to simple possession of controlled substances and the criminal penalties therefore; making first offense simple possession of marijuana and related substances specified in State code a non-jailable offense; clarifying the conditional discharge statutes for first offense possession charges; and updating state law references and other terminology.

Now, therefore, be it ordained by the Council of the City of Charleston:

That Subdivision I of Division 5 of Article V of Chapter 78, specifically, Sections 78-371, 78-372, and 78-373 of the Municipal Code of the City of Charleston, as amended, are hereby amended and reenacted to read as follows:

DIVISION 5. - DRUGS AND RELATED OFFENSES

Subdivision I. - In General

Sec. 78-371. - Conditional discharge for first offense of simple possession of controlled substances; ~~possession of 15 grams or less of marijuana~~; expungement of records; ~~subsequent offenses~~.

(a) Whenever any person who has not previously been convicted of any offense under this ~~chapter~~ subdivision or under any statute of the United States or of any state relating to controlled substances, narcotic drugs, marijuana, or stimulant, depressant, or hallucinogenic drugs, pleads guilty to or is found guilty under this section, the court, without entering a judgment of guilt and with the consent of the accused, may defer further proceedings and place him or her on probation upon terms and conditions which may include, but is not limited to, participation in a substance abuse treatment program. Upon violation of a term or condition, the court may enter an adjudication of guilt and proceed as otherwise provided. Upon fulfillment of the terms and conditions, the court shall discharge the person and dismiss the proceedings against him or her. Discharge and dismissal under this section shall be without adjudication of guilt and is not a conviction for purposes of this section or for purposes of disqualifications or disabilities imposed by law upon conviction of a crime. The effect of the dismissal and discharge shall be to restore the person in contemplation of law to the status he or she occupied prior to arrest

and trial. No person as to whom a dismissal and discharge have been effected shall be thereafter held to be guilty of perjury, false swearing, or otherwise giving a false statement by reason of his or her failure to disclose or acknowledge his or her arrest or trial in response to any inquiry made of him or her for any purpose. There may be only one discharge and dismissal under this section with respect to any person.

~~(b) Notwithstanding any other provision of this section to the contrary, any first offense for possession of marijuana shall be disposed of as described in section (a) above. The definitions set forth in Article I of the West Virginia Controlled Substances Act at West Virginia Code § 60A-1-101, et seq., and the schedules of controlled substances set forth in Article II of the West Virginia Controlled Substances Act at West Virginia Code § 60A-2-201, et seq., including as they may be amended from time to time, are hereby fully incorporated and made a part of this Chapter by reference.~~

(c) After a period of not less than six months which shall begin to run immediately upon the expiration of a term of probation imposed upon any person under this chapter, the person may apply to the court for an order to expunge from all official records all ~~recordations~~ recordation of his or her arrest, trial, and conviction, pursuant to this section. If the court determines after a hearing that the person during the period of his or her probation and during the period of time prior to his or her application to the court under this section has not been guilty of any serious or repeated violation of the conditions of his or her probation, it shall order the expungement.

(d) Notwithstanding any provision of this Code to the contrary, any person prosecuted pursuant to the provisions of this article whose case is disposed of pursuant to the provisions of this section shall be liable for any court costs assessable against a person convicted of a violation of this section. Payment of such costs may be made a condition of probation.

~~(e) Any person convicted of a second or subsequent offense under this section may be fined up to \$500.00 and/or sentenced to 30 days in jail. For purposes of this section an offense is considered a second or subsequent offense if, prior to his conviction of the offense, the offender has at any time been convicted under this Code or under any state statute or statute of the United States or of any state relating to narcotic drugs, marijuana, depressant, stimulant or hallucinogenic drugs.~~

Sec. 78-372. - Purporting to sell controlled substances.

(a) No person shall at any time sell any substance which that person purports to be a controlled substance, ~~as defined under schedules I through V of article II of the Uniform Controlled Substances Act (W. Va. Code § 60A-2-201 et seq.)~~ when in actuality the substance sold contains no controlled substances.

(b) Whoever violates the provisions of this section shall, upon conviction, be guilty of a misdemeanor and fined not more than \$100.00 or be imprisoned for a period not to exceed 30 days, or both. Subsequent violations upon conviction shall be punishable by a

mandatory \$100.00 fine and, in the discretion of the court, imprisonment not to exceed 30 days.

Sec. 78-373. - Illegal possession of controlled substances; simple possession of marijuana.

(a) *Simple Possession of Controlled Substances Prohibited.* It is unlawful for any person knowingly or intentionally to possess a controlled substance, ~~specifically a drug, substance or immediate precursor in schedules I through V as set forth in W. Va. Code §§ 60A-2-204, 60A-2-206, 60A-2-208, 60A-2-210 and 60A-2-212 (W. Va. Code § 60A-2-204, et seq.),~~ unless the substance was obtained directly from or pursuant to, a valid prescription or order of a practitioner while acting in the course of his professional practice, or except as otherwise authorized by this Code or West Virginia law. Any Except as provided in subsection (b) of this section for simple possession of synthetic cannabinoids, 3,4-methylenedioxypyrovalerone (MDPV), 4-methylmethcathinone (mephedrone), or less than 15 grams of marijuana, any person who violates this section is guilty of a misdemeanor and may be fined up to \$500.00 and/or sentenced to 30 days in jail; ~~however, notwithstanding any other provision of this division to the contrary, any first offense for possession of 15 grams or less of marihuana shall be disposed of under section 78-371(e).~~

(b) Conditional discharge for first offense of possession.

~~(1) Whenever any person who has not previously been convicted of any offense under this Code or under any state statute or statute of the United States relating to narcotic drugs, marihuana, or stimulants, depressant or hallucinogenic drugs pleads guilty to or is found guilty of possession of a controlled substance under this section, the court, without entering a judgment of guilt and with the consent of the accused, may defer further proceedings and place such persons on probation upon terms and conditions. Upon violation of a term or condition, the court may enter an adjudication of guilt and proceed as otherwise provided. Upon fulfillment of the terms and conditions, the court shall discharge the person and dismiss the proceedings against him. Discharge and dismissal under this section shall be without adjudication of guilt and is not a conviction for purpose of this section or for purpose of disqualifications or disabilities imposed by law upon conviction of a crime, including the additional penalties imposed for second or subsequent convictions. The effect of such dismissal and discharge shall be to restore such person in contemplation of law to the status he occupied prior to such arrest and trial. No person as to whom such dismissal and discharge have been effected shall be thereafter held to be guilty of perjury, false swearing or otherwise giving a false statement by reason of his failure to disclose or acknowledge such arrest or trial in response to any inquiry made of him for any purpose. There may be only one discharge and dismissal under this section with respect to any person.~~

~~(2) After a period of not less than six months which shall begin to run immediately upon the expiration of a term of probation imposed upon any person under this division, such person may apply to the court for an order to expunge from all official records all~~

128 ~~recordings of his arrest, trial and conviction pursuant to this section.~~

129
130 (b) Simple Possession of Synthetic Cannabinoids, MDPV, Mephedrone, and Less Than
131 15 Grams of Marijuana Prohibited. It is unlawful for any person knowingly or intentionally
132 to possess synthetic cannabinoids, 3,4-methylenedioxypropylvalerone (MDPV), 4-
133 methylmethcathinone (mephedrone), or less than 15 grams of marijuana, unless the
134 substance was obtained directly from, or pursuant to, a valid prescription or order of a
135 practitioner while acting in the course of his or her professional practice, or except as
136 otherwise authorized by West Virginia law. Any person who violates this section is guilty
137 of a misdemeanor, and, upon a conviction: (1) for a first offense, may be fined not more
138 than \$100.00; (2) for a second or subsequent offense, may be fined not more than
139 \$500.00, imprisoned not more than 30 days in the regional jail, or both fined and
140 imprisoned. Further, notwithstanding any other provision of this code to the contrary,
141 whenever a person has not previously been convicted of any offense under this
142 subsection or under any statute of the United States or of any state for simple possession
143 of synthetic cannabinoids, MDPV, mephedrone, or less than 15 grams of marijuana, such
144 initial conviction shall be disposed of under section 78-371(a).

Bill No. 8040

Introduced in Council:

July 1, 2024

Adopted by Council:

Introduced by:

Frank Annie and Chad Robinson

Referred to:

Ordinance & Rules

Bill No. 8040 - A BILL to amend and reenact Sections 10-161, 10-162, and 10-163 of the Municipal Code of the City of Charleston, as amended, relating to dogs running at large, and the penalties and impoundment therefore.

Now, therefore, be it ordained by the Council of the City of Charleston:

That Division 3 of Article III of Chapter 10, specifically, Sections 10-161, 10-162, and 10-163 of the Municipal Code of the City of Charleston, as amended, are hereby amended and reenacted to read as follows:

DIVISION 3. – IMPOUNDMENT

Sec. 10-161. – Dogs prohibited to run at large; fines.

(a) It shall be unlawful for any person to own or keep a dog which runs is at any time running at large in the city. Knowledge or acquiescence by the owner or keeper is not an element of the offense. A dog shall be deemed to be running at large if it is, for any period of time, off the premises of its owner's or keeper's property and not firmly attached to a leash or chain under the owner or keeper's direct physical control, Provided That, An animal a dog shall not be deemed to be running at large if:

~~(1) The dog is firmly attached to a leash or chain under the physical control of its owner;~~
~~or~~

~~(2)~~(1) The dog is within a closed structure or within a fence enclosure with the permission of the owner of the structure or fence enclosure; or

~~(3)~~(2) The dog ~~has~~ is wearing an operating electronic collar and is under the charge or control of its owner or keeper who is operating an electronic pet containment system or electronic training system for the animal; Provided That,
~~Notwithstanding~~notwithstanding this subsection, all dogs on the public right-of-way in the central business district zoning district (downtown area) must be kept on a leash or chain under the direct physical control of its owner or keeper; or

~~(4)~~(3) The dog is under the supervision of its owner or keeper and is using an off-leash

dog park in accordance with the rules and regulations for the off-leash dog park.

(b) Any dog on property without the permission of the property owner shall be deemed to be a dog at large, and the owner or keeper of such animal shall be in violation of this section.

(c) The provisions of this section shall not apply to any persons who ~~have~~has a physical disability or visual impairment, ~~are~~is using a service dogs, and can provide upon demand by ~~an~~a humane officer or police officer adequate documentation that the service dog is an animal trained by an accredited institution which trains dogs for service work for the physically disabled or visually impaired.

(d) Any person found guilty of dog running at large as defined herein shall be punished by a fine as follows: ~~\$30.00 not more than \$50.00 for the first offense within a 24-month period; \$40.00 for the second offense within a 24-month period; \$60.00 for the third offense within a 24-month period; \$100.00 for the fourth offense within a 24-month period; and \$250.00 for the fifth and~~ not less than \$50.00 nor more than \$500.00 for any second or subsequent offenses within a 24-month period of a conviction for a prior offense. The municipal court judge shall have ~~no~~ authority to suspend or reduce the fine; ~~provided that with regard to a fifth or subsequent offense within a 24-month period, the municipal court judge shall have the authority to reduce the fine to an amount no less than \$100.00 if the defendant agrees to forfeit ownership of the animal~~dog. In such cases all interest of the animal shall vest to the human association for appropriate disposition. All fines arising from convictions for violations of this section shall be in addition to any applicable court costs or impoundment fees.

Sec. 10-162. - Aggressive dogs prohibited to run at large defined; fines.

(a) It shall be unlawful for any person to own or keep an aggressive dog which ~~runs~~ is at any time running at large in the city. Knowledge or acquiescence by the owner or keeper is not an element of the offense. An aggressive dog at large means any dog running at large as defined in Section 10-161 that, without provocation, exhibits aggressive or combative behavior toward a person or another domestic animal, whether said person or domestic animal is physically attacked or bitten.

(b) Any person found guilty of an aggressive dog at large shall be punished by a fine as follows: ~~\$60.00 not more than \$50.00 for the first offense within a 24-month period; \$80.00 for the second offense within a 24-month period; \$120.00 for the third offense within a 24-month period; \$200.00 for the fourth offense within a 24-month period; and \$500.00 for a fifth or~~ not less than \$50.00 nor more than \$1,000.00 for any second or subsequent offense within a 24-month period of a conviction for a prior offense. The municipal court judge shall have ~~no~~ authority to suspend or reduce the fine; ~~provided that with regard to a fifth or subsequent offense within a 24-month period, the municipal court judge shall have the authority to reduce the fine to an amount no less than \$100.00 if the defendant agrees to forfeit ownership of the animal~~dog. In such cases all interest of the animal shall vest to the human association for appropriate disposition. All

82 fines arising from convictions for violations of this section shall be in addition to any
83 applicable court costs or impoundment fees.

84
85 **Sec. 10-163. - Impounding, redemption and disposition of dog running at large.**

86
87 (a) A dog found running at large within the corporate limits of the city contrary to the
88 provisions of ~~section~~Section 10-161 or Section 10-162 may be impounded at the
89 humane association by a humane officer or police officer. The humane officer or police
90 officer shall make a record of all dogs so impounded with their description, date of
91 impoundment and rabies vaccination number.

92
93 (b) The owner of any dog impounded pursuant to the provisions of this article must
94 appear and claim the said dog within five days from the date the dog is impounded. ~~If~~
95 ~~or, upon expiration of the dog is not claimed within five days of impoundment, the five-~~
96 ~~day time period,~~ the owner shall be deemed to have forfeited all interest in the dog and
97 ~~the dog it~~ shall be deemed abandoned. All interest in such dog shall immediately, by
98 operation of law, vest to the humane association for adoption or other disposition. If the
99 owner appears to claim the dog within the five-day time period, said dog may be
100 released to him or her only upon satisfaction of the following conditions:

101
102 (1) Proof that the dog is currently immunized against rabies, or, in the absence of such
103 proof, reimbursement to the humane association for the costs incurred for administering
104 a rabies vaccine or providing a voucher for a rabies vaccine;

105
106 (2) Proof that the dog is currently licensed pursuant to Sections 10-141 and 10-142 of
107 Division 2 of this Article, and, if required, registered pursuant to West Virginia Code
108 Section 19-20-2, or, in the absence of such proof, reimbursement to the humane
109 association for any costs incurred for obtaining a valid dog license and license tag, and,
110 if required, certificate of registration and registration tag;

111
112 ~~(2)~~(3) Reimbursement to the humane association for any and all reasonable expenses
113 incurred for necessary medical care provided to the dog; and

114
115 ~~(3)~~(4) Payment of the following fees to the humane association:

116
117 a.(A) Impoundment and initial board fee for the first 24-hour period or any part thereof of
118 \$30.00;

119
120 b.(B) An additional fee of \$5.00 for each additional 24-hour period up to a maximum of
121 five days.

Bill No. 8041

Introduced in Council:

July 1, 2024

Introduced by:

Frank Annie and Chad Robinson

Adopted by Council:

Referred to:

Ordinance & Rules

Bill No. 8041 - A BILL to amend and reenact Section 38-126 of the Municipal Code of the City of Charleston, as amended, relating to how community service hours in lieu of a fine in Municipal Court cases shall be calculated.

Now, therefore, be it ordained by the Council of the City of Charleston:

That Section 38-126 of the Municipal Code of the City of Charleston, as amended, is hereby amended and reenacted to read as follows:

Sec. 38-126. - Community service work may be substituted in lieu of incarceration or a fine in municipal court.

(a) Notwithstanding any provision of this Code to the contrary, the municipal judge may substitute in lieu of the imposition of a sentence of incarceration or imposition of a fine community service work for such incarceration or fine. ~~Where~~ Whenever community service work is ordered as a substitute for a sentence of incarceration, an eight-hour ~~work day~~ workday shall extinguish one day of any sentence of incarceration. ~~Where~~ Whenever community service work is ordered as a substitute for a fine, the ~~prevailing federal minimum wage in effect at the time of sentencing~~ following, whichever is greater, shall be used to compute the total number of hours rounded to the nearest 15 minute increment of community service work necessary to extinguish the fine: (1) the prevailing federal minimum wage in effect at the time of sentencing; (2) the prevailing minimum wage for the State of West Virginia in effect at the time of sentencing; or (3) \$10.00. In the discretion of the court, the sentence credits may run concurrently or consecutively.

(b) If approved by the court, any community service ordered pursuant to the provisions of this section shall be performed in the City of Charleston, and may be performed for the City of Charleston or for any other public entity or non-profit organization providing services that benefit the public and the City of Charleston.

(c) Persons sentenced under the provisions of this section remain under the jurisdiction of the municipal court. The court may withdraw the community service sentence at any time, with or without notice, and order a person previously sentenced to community

34 service to serve the term of incarceration or to pay the fine available to the court upon the
35 person's conviction: Provided, that any community service work performed before the
36 community service sentence is withdrawn shall be credited against any term of
37 incarceration or fine imposed.
38

Bill No. 8042

Introduced in Council:

July 1, 2024

Introduced by:

**Joe Solomon, Beth Kerns
And Chelsea Steelhammer**

Adopted by Council:

Referred to:

**Planning, Streets and
Traffic Committee and
Finance Committee**

Bill No. 8042 - A BILL to amend and reenact Section 102-262 of the Municipal Code of the City of Charleston, as amended, relating to updating and increasing the notice provisions required when a person seeks to permanently close, abandon and discontinue a public street, alley, lane, road, or other public right-of-way.

Now, therefore, be it ordained by the Council of the City of Charleston:

That Section 102-262 of the Municipal Code of the City of Charleston, as amended, is hereby amended and reenacted to read as follows:

ARTICLE VI. – STREET AND ALLEY CLOSINGS.

Sec. 102-262. – Procedure.

Any person seeking to permanently close, abandon and discontinue a public street, alley, lane, road, or other public right-of-way, must file:

(a) A petition, the form of which shall be available in the office of the planning department, which shall contain the following information and items as required by the planning department:

(1) A current certified appraisal or other documentation indicating the fair and adequate consideration for the property;

(2) A survey and map of the property requested to be closed which survey shall show the names of all adjacent property owners and a list of all property owners whose property is within ~~250~~ 1,000 feet of property being closed;

(3) A metes and bounds description of property requested to be closed;

(4) A statement of reasons for closure which must include a benefit to the public;

(5) A statement of justification for closure. Such statement may include unique circumstances such as topography or slope limited access, or any-other physical;

(6) A statement as to whether the property requested to be closed is part of a pattern of current City of Charleston roadways;

(7) A statement as to whether encroachments exist to the property requested to be closed;

(8) A filing fee of \$100.00; and

(9) A bill prepared by or at the request of a member of the Council of the City of Charleston

34 who has agreed to introduce the bill proposing closure; and
35 ~~(10) If applicable, a request from non-profit or not-for-profit entity for a determination of~~
36 ~~eligibility to receive the property by donation from the City of Charleston under the laws~~
37 ~~of West Virginia, the City of Charleston and all other applicable laws. If such a request is~~
38 ~~made, the city attorney shall make such a determination, but only upon full cooperation~~
39 ~~from the petitioner in timely providing all information and documentation requested by the~~
40 ~~city attorney. The city attorney will report his/her determination to the committee on~~
41 ~~finance and city council.~~

42
43 (b) ~~Upon receipt of the petition, the planning commission shall deliver one copy of such~~
44 ~~documents to the office of the city clerk for the assignment of a number to the bill.~~
45 ~~Thereafter, the bill will be introduced at the next council meeting for its first reading. At~~
46 ~~the time of the first reading of the bill in council, the petition shall be assigned a bill number~~
47 ~~and introduced at the next council meeting where it shall be referred to the municipal~~
48 ~~planning commission for a public hearing, as prescribed by law, and any other committees~~
49 ~~of city council as necessary.~~ Prior to holding a public hearing, the planning commission
50 shall notify all persons on the list supplied by the petitioner of the place, time and date of
51 the hearing. This notice shall be given to all persons on the list at least 45 30 days prior
52 to the bill being first introduced in a full Council meeting to the public hearing.

53
54 The planning commission may seek the opinion of the city attorney as to any legal issues
55 concerning ownership of the property requested to be closed. In addition, at least 30 days
56 prior to the public hearing, the planning commission shall place neon-colored signs that
57 are at least 8.5" by 11" on the right-of-way that is the subject of the petition in order to
58 further alert the general community to the public hearing. After considering the evidence
59 which may come before the planning commission, the planning commission shall report
60 its recommendation to city council ~~at the next council meeting~~. Such report shall include
61 a determination whether the property is needed for public use or convenience and/or
62 whether the closing and abandonment of the property will benefit the public.

63
64 (c) Upon receipt of the planning commission's recommendation, city council shall refer
65 the bill to the council's committee on planning, streets, and traffic for its consideration.
66 After consideration of the bill, the council's committee on planning, streets, and traffic
67 shall report back to city council with its recommendation for passage or rejection of the
68 bill.

69
70 (d) In any event, the mayor shall refer the bill to council's committee on finance with a
71 recommendation of appropriate consideration based on the certified appraisal and that
72 the applicant is qualified under this section for the vacating of the public street, alley, lane,
73 road, or other right-of-way. The committee on finance may consider the appraisal
74 submitted by the petitioner, other appraisals, the recommendations from the mayor and/or
75 city manager as to value and other factors when assessing the appropriate consideration
76 for the property requested to be closed. When the property requested to be closed is
77 located in a residentially zoned district, the committee on finance may assess
78 consideration in the amount of \$1.00 per square foot to be paid by low to moderate income
79 petitioners, as defined by United States Department of Housing and Urban Development

~~(HUD), if satisfactory proof of such income is submitted (i.e. most recent federal income tax return).~~

~~(e) After consideration of the bill by the council's committee on finance, it shall report its recommendations to council. Council shall then vote on the passage or rejection of the bill. Council's final action shall be a simple majority vote of the members present at a regular or special meeting~~

~~(f) (c) If city council approves the bill after it is reviewed by any necessary committees, upon payment of the fair and adequate consideration in a manner consistent with Sections 3-13 or 3-14 of this Code or other relevant provisions of West Virginia Code, the City Attorney shall approve of a deed for signature by the Mayor. Any deed executed by the city pursuant to this section shall be limited to a quitclaim conveyance and shall reserve all necessary sewer and other utility easements.~~

Resolution No. 989-24

Introduced in Council:
July 1, 2024

Adopted by Council:

Introduced by:

Referred to:

Joe Solomon

Ordinance and Rules Committee and
Finance Committee

1 Resolution No. 989-24 - Resolution Establishing the Charleston Climate Office

2 Whereas, the City of Charleston recognizes the urgent need to address climate change and its
3 impacts on our community and future generations; and

4 Whereas the City of Charleston Green Team unanimously voted at its April 2023 meeting to
5 support the creation of a Charleston Climate Office;

6 Whereas, the recent increase in flash flooding, sustained heat waves, and extreme weather
7 events in Charleston, Kanawha County, and throughout West Virginia underscores the urgent
8 need for proactive climate action and resilience measures at the local level;

9 Whereas, cities across the country have established climate-focused offices to coordinate local
10 climate action, promote resilience, and advocate for environmental justice; and

11 Whereas, the City Council of Charleston is committed to promoting sustainable practices,
12 reducing greenhouse gas emissions, and enhancing community resilience in the face of climate
13 challenges; and

14 Whereas, the passage of federal legislation such as the Bipartisan Infrastructure Law and the
15 Inflation Reduction Act provides unprecedented opportunities for cities to access resources and
16 funding for climate-related initiatives; and

17 Whereas, a dedicated Climate Office can streamline efforts, coordinate resources, and engage
18 stakeholders to achieve meaningful climate action goals;

19 Now, therefore, be it resolved by the Charleston City Council as follows:

20 Establishment of the Charleston Climate Office: The City of Charleston shall establish a Climate
21 Office within the next three months to focus on climate mitigation, resilience, adaptation, and
22 justice.

- 1 Staffing: The Climate Office shall be staffed with at least five positions including a Director,
2 Deputy Director, Grants Manager, Green Workforce Coordinator, and a Community
3 Engagement and Equity Organizer,
- 4 Funding: Funding for the establishment and initial two years of staffing and operations for the
5 Climate Office, totaling \$1,000,000, shall be allocated from the American Rescue Funds under
6 the Infrastructure and Broadband category.
- 7 Focus: The Climate Office shall prioritize activities related to climate mitigation, environmental
8 justice, workforce development, adaptation, federal funding access, energy efficiency, and
9 community engagement and equity.
- 10 Baseline Goals: The Climate Office shall develop a comprehensive climate action strategy
11 rooted in science and equity principles, set city-wide emissions reduction targets, track
12 progress, and develop resilience plans.
- 13 Transparency and Reporting:
- 14 ● The Climate Office shall prioritize communication, including a public-facing webpage on
15 the City of Charleston website highlighting the Office’s goals, progress, opportunities for
16 engagement, and ways to communicate directly with Climate Office team members.
 - 17 ● The Climate Office Director or their designee will offer a year-end report every
18 December to City Council, including progress, challenges, goals for the coming year, and areas
19 needing support.
 - 20 ● The Climate Office Director or their designee will participate in all related City Council
21 committees, including the Charleston Green Team and the Environmental and Recycling
22 Committee.
- 23 Implementation:
- 24 ● All efforts will be undertaken to identify and hire a Climate Office Director within 90
25 days of adoption. Efforts will likewise be undertaken to identify and hire a full Climate Office
26 team within 120 days.
 - 27 ● The Mayor or City Manager or their designee will update City Council at each full Council
28 meeting as the City of Charleston Climate Office team is assembled.
- 29 Two Year Budget:

Staff Roles	Salary	Benefits	First Year Total	Second Year Total	Total
Director	70,000	20,000	90,000	90,000	180,000
Deputy Director	60,000	20,000	80,000	80,000	160,000
Grants Manager	60,000	20,000	80,000	80,000	160,000
Green Workforce Coordinator	60,000	20,000	80,000	80,000	160,000
Community Engagement and Equity Organizer	60,000	20,000	80,000	80,000	160,000
Operational Budget			90,000	90,000	180,000
Total					1,000,000

Bill No. 8043

Introduced in Council:

July 1, 2024

Introduced by:

Citizen Petition

Adopted by Council:

Referred to:

Ordinance and Rules Committee

- 1 **Bill No. 8043** - A BILL to amend of the Municipal Code of the City of Charleston by adding
- 2 a new Section 78-374, entitled "Marijuana laws and penalties," relating to setting penalties
- 3 for marijuana conviction at a jail sentence of ninety days suspended unconditionally and
- 4 zero dollars in fines and court costs.

INITIATIVE PETITION

Enacting new Section 78-374 entitled “Marijuana laws and penalties” to the City of Charleston Codified Ordinances. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed and invalid.

To the City Clerk and the City Council of Charleston, Kanawha County, West Virginia:

We, the undersigned qualified voters of the City of Charleston, Kanawha County, West Virginia, hereby present by initiative petition, a request for city council to pass the proposed ordinance without alteration or that said ordinance be submitted for consideration of the people and electors of the City of Charleston, West Virginia for ratification or rejection, at an election in accordance with the laws of the Charleston City Charter and State of West Virginia, the following Ordinance. A full and correct copy of the title and text of said Ordinance is as follows:

THE SENSIBLE MARIJUANA ORDINANCE

Be it ordained by the people of the City of Charleston that:

The new Charleston City Code Section 78-374 be enacted to read as follows:

78-374 . MARIJUANA LAWS AND PENALTIES.

All marijuana charges inside city limits to be issued a municipal ticket to be tried at the city municipal court.

(1) “Marijuana” means all parts of the plant “Cannabis sativa L.”, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, immediate derivative, mixture or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, immediate derivative, mixture or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil or cake, or the sterilized seed of the plant which is incapable of germination.

(2) It is unlawful for any person knowingly or intentionally to possess marijuana unless the marijuana was obtained legally under the West Virginia Medical Cannabis Act. Any person who violates this section is guilty of a misdemeanor and, upon conviction, such person may be confined in jail for ninety days; ninety day jail sentence shall be suspended unconditionally, or fined not more than zero dollars, or both.

(3) All court costs shall be suspended unconditionally for violations of sections herein.

RECEIVED

JUN 28 2024

OFFICE OF CITY CLERK

(4) Severability. The sections of this amendment are severable. The invalidity of a section shall not affect the validity of the remaining sections. Any section ruled invalid by a court shall be revised to the minimum extent necessary to maintain validity and enforceability and kept in effect if a revision can be made.

The form of the ballot by which this ordinance shall be submitted to the electors of the City of Charleston shall be substantially as follows:

“Shall the City of Charleston adopt the sensible marihuana ordinance, which lowers the penalty for misdemeanor marijuana possession to the lowest penalty allowed by State Law. Submitted for ratification or rejection.”

	for said ordinance
	against said ordinance

Each of the undersigned qualified voters hereby request that said ordinance hereinbefore set forth be passed or submitted to the electors of the City of Charleston, West Virginia for ratification or rejection, and the proper notices be published, all as required by law and the provisions of the Charleston City Charter and the State of West Virginia: