



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

CITY OF CHARLESTON, WEST VIRGINIA

Regular Meeting – Monday, August 5, 2024

at 7:00 P.M.

Council Chambers – City Hall – Charleston, West Virginia

OFFICIAL RECORD

Amy Shuler Goodwin
Mayor

Miles C. Cary II
City Clerk

CALL TO ORDER*

The Council met at 7:00 P.M., for the first meeting in the month of August on the 8th day, in the year 2024, and was called to order by the Honorable Mayor, Amy Shuler Goodwin. The invocation was delivered by Councilmember Overstreet, and the Pledge of Allegiance was led by a young guest. City Clerk, Miles C. Cary II, called the roll of members and it was found that there were present at the time:

**ANNIE
CEPERLEY
FERRELL**

COOK

BURTON

**HAAS
JONES
MINARDI**

**KERNS
MOORE
PHARR
SALANGO
STEELHAMMER**

**KING
OVERSTREET
ROBINSON
SNODGRASS
TAYLOR**

**PEPPER
RUBIO
SOLOMON
MAYOR GOODWIN**

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

All absences were excused by the City Clerk per Resolution No. 582-21.

Pending the reading of the Journal of the previous meeting, the reading thereof was dispensed with and the same duly approved.

PUBLIC SPEAKERS

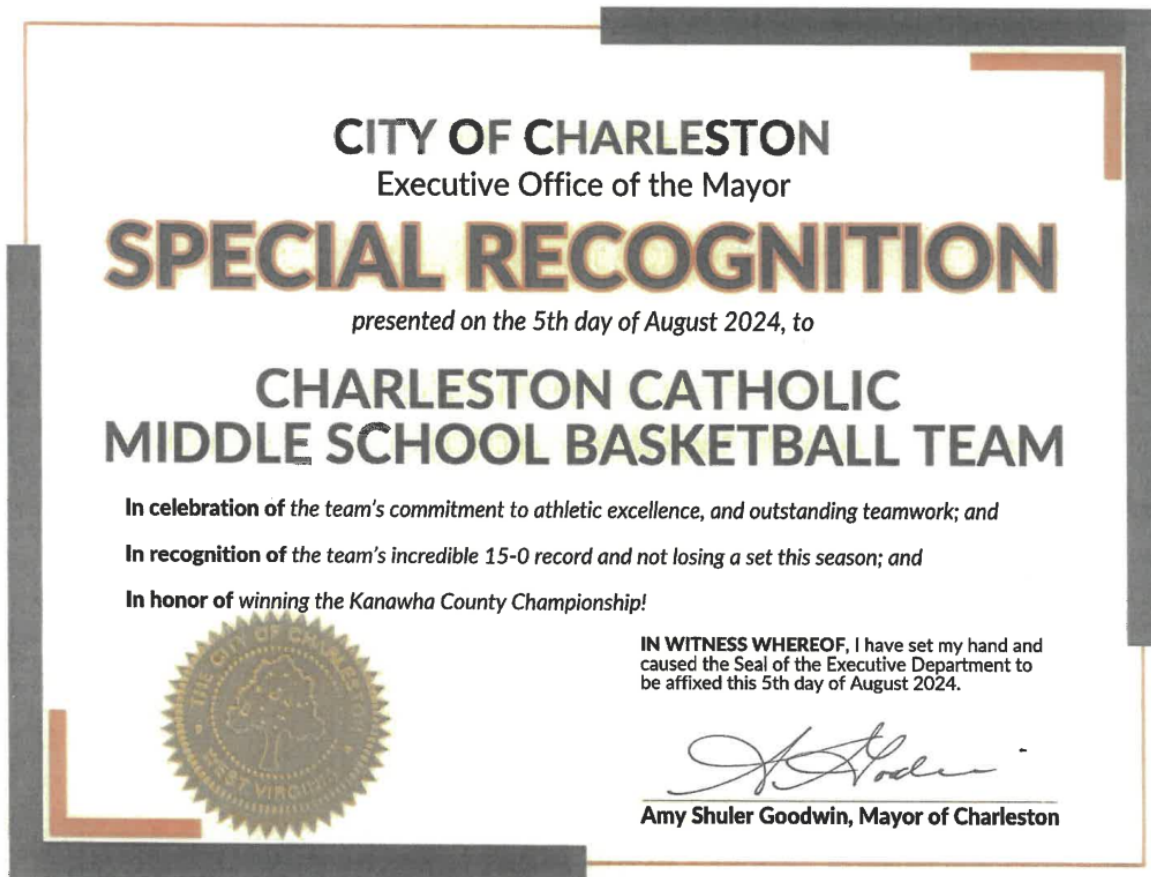
1. Martec Washington – Spoke about cannabis decriminalization and Police Officers.
2. Corey Zinn - Spoke about Bill No. 8039.

CLAIMS

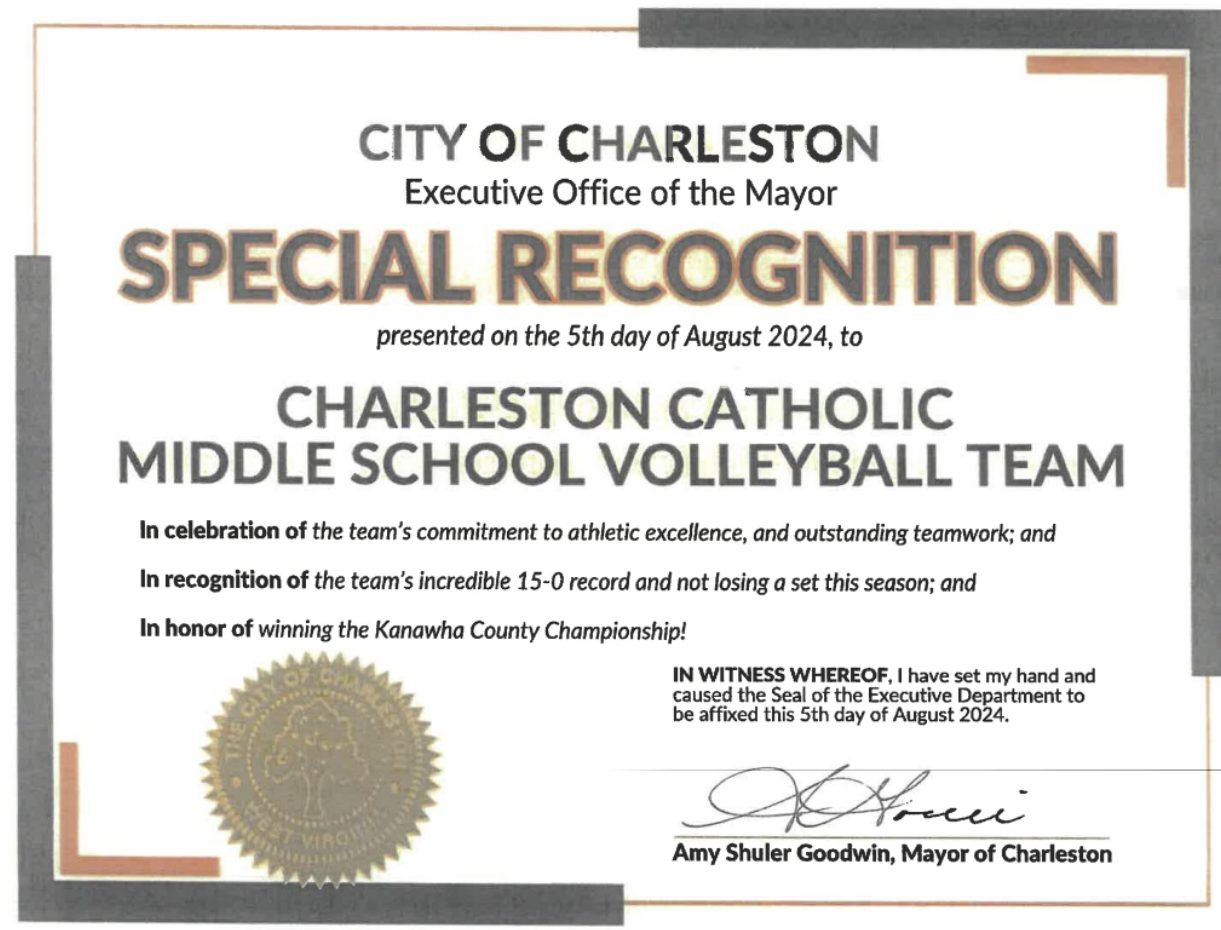
1. A claim of Jeffrey and Lilian Burdett, Charleston, WV; alleges damage to property.
2. A claim of Raquel Daniels, Belle, WV; alleges damage to vehicle.
3. A claim of Diane Epling, Charleston, WV; alleges damage to property.
4. A claim of Burres B. Field III, Charleston, WV; alleges damage to vehicle.

PROCLAMATIONS

1.



2.



City of Charleston
Executive Office of the Mayor

IN MEMORY OF

the life of

Sherman “Nemo” Nearman

In appreciation of his lifelong servitude to the community members of our Capital City; and

In celebration of his years as the Director of the Charleston City Consumer Protection Department, leading organizer of the Charleston Distance Run and Senior Olympics; and

In memory of his tireless service to multiple organizations assisting seniors and youth alike.



IN WITNESS WHEREOF, I have set my hand
and caused the Seal of the Executive Department
to be affixed this 5th day of August 2024.



Amy Shrier Goodwin, Mayor

**EXECUTIVE DEPARTMENT
CITY OF CHARLESTON
PROCLAMATION**

- WHEREAS:** Entering their 35th year, FamilyCare Health Centers has been serving our community and providing a wide host of health care and social services to Charleston and many other municipalities; and
- WHEREAS:** FamilyCare Health is the only CABC Accredited Free-standing Birth Center in West Virginia, said Birth Center provides midwifery services and other natal and prenatal assistance; and
- WHEREAS:** FamilyCare Health Centers has many locations across the state and even provides education and free family events to better keep the children of our community safe and healthy; and
- WHEREAS:** FamilyCare Health Centers strives to provide comprehensive and affordable health care for all families which leads to healthier schools, workplaces, communities, and most importantly lives; and
- WHEREAS:** This year marks the founding of the FamilyCare Health Centers Foundation to enhance support for patients and families who require assistance to reach such services; and
- WHEREAS:** In order to expand access even more, a mobile dental unit known as Miles of Smiles is operated that services the more isolated pockets of our community; and
- WHEREAS:** The City of Charleston is proud to be able to celebrate National Health Center Week with FamilyCare Health Centers and appreciate all that FamilyCare Health Centers has provided the community.

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

FamilyCare Health Centers

For the health and social care made affordable to families by FamilyCare Health Centers and the contributions made to our Community, City, and State.

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the Executive Department to be affixed this 5 day of August 2024.

A handwritten signature in black ink, appearing to read 'Amy Shuler Goodwin', written over a horizontal line.

Amy Shuler Goodwin, Mayor

5.

**EXECUTIVE DEPARTMENT
CITY OF CHARLESTON
PROCLAMATION**

WHEREAS: Gardenn is a talented music artist, songwriter, and creator from our very own capital city who shows her Appalachian artistry through her lyrics, voice, and signature being dubbed the “Capital City Pop Princess”; and

WHEREAS: Gardenn holds with herself that music has always been a major part of her life and that she is deeply connected to it. She describes her music as “high-vibrational and energetic.”; and

WHEREAS: The young and aspiring music artist will open the pre-game talent showcase, which includes local performers, as part of African American Heritage Night at GoMart Ballpark; and

WHEREAS: The African American Heritage Night opening performance is made possible through the collective efforts of the AAHN Planning Committee, Charleston Dirty Birds, Charleston Convention and Visitors Bureau, and The City of Charleston; and

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

Gardenn

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

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the Executive Department to be affixed this 5 day of August 2024.



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

Amy Shuler Goodwin, Mayor

6.

**EXECUTIVE DEPARTMENT
CITY OF CHARLESTON
PROCLAMATION**

- WHEREAS:** Leon Akida Burns, more commonly known by his stage name “Kida the Great” is a young and outstandingly talented hip-hop dancer, actor, and choreographer originating from Sacramento, California; and
- WHEREAS:** Now, Kida is a feature of many outstanding dance groups, including the family-oriented crew “Family First Crew” spearheaded by himself, as well as the two HHI World Champion groups, “Teknique” and “Chapkids”. Kida also has his own personally crafted crew “New Generation”; and
- WHEREAS:** The viral and talented content creator will headline the pre-game talent showcase, which includes local performers, as part of African American Heritage Night at GoMart Ballpark; and
- WHEREAS:** The African American Heritage Night headliner performance is made possible through the collective efforts of the AAHN Planning Committee, Charleston Dirty Birds, Charleston Convention and Visitors Bureau, and The City of Charleston; and
- WHEREAS:** Kida lives by the motto “Keep praying, keep planning, keep pushing” which was a belief instilled in him by his late father who passed in 2014, yet he continues to motivate Kida and allow him to push himself further than he’s ever gone.

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

Leon “Kida” Burns

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

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the Executive Department to be affixed this 5 day of August 2024.



A handwritten signature in dark ink, appearing to read 'Amy Shuler Goodwin', written over a horizontal line.

Amy Shuler Goodwin, Mayor

COMMUNICATIONS

1.

Amy Shuler Goodwin
Office of the Mayor
City of Charleston



P.O. Box 2749
Charleston, WV 25330
(304) 348-8174 Office

**TO: MILES CARY
CITY CLERK**

**FROM: AMY SHULER GOODWIN
MAYOR**

RE: MUNICIPAL BEAUTIFICATION COMMISSION

DATE: AUGUST 5, 2024

A handwritten signature in blue ink, likely belonging to Amy Shuler Goodwin, is written over the "FROM" field.

I recommend the following individual be appointed to the Municipal Beautification Commission:

Jason Testman – term expiration date 9-19-27

I respectfully request City Council's approval of this recommendation.

ASG/mls

Councilmember Ceperley motioned to approve the appointment. Councilmember Pharr seconded. With members being present having voted unanimously in the affirmative, the Mayor declared the appointment approved.

REPORTS OF COMMITTEES

COMMITTEE ON FINANCE

Councilmember Burton, Vice Chair of the Council Committee on Finance, submitted the following reports:

1. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 997-24 be adopted.

Resolution No. 997-24 - Authorizing approval of Amendment No. 1 of the FY 2024-2025 Charleston Coliseum and Convention Center Budget as indicated on the attached list of accounts.

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

That Amendment No. 1 of the FY 2024-2025 Charleston Coliseum and Convention Center as indicated on the attached list of accounts is approved.

Councilmember Burton added that Resolutions 997-24, 998-24 and 999-24 are related. They, in turn, decrease the Coliseum and Convention Center's revenue, increase the revenue from the General Fund, and shift the revenue from the Coal Severance Fund to the General Fund. It is necessary because while the Coal Severance is received quarterly, but the annual payment is not due until December.

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

A roll call was taken:

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

NAYS:

ABSENT: Burka, Faegre, Gianola, Hoover, Jenkins

With members present recorded thereon as voting in unanimously the majority in the affirmative, Mayor Goodwin declared Resolution 997-24 as adopted.

CCCC Revenue Fund FY 2024-2025 Budget Amendment No. 1 - August 5, 2024**Revenues and Fund Balances**

Account No.	Department	Account Description	Current Amount	Increase/ (Decrease)	Amended Amount
402 358 00 0342	CCCC Revenue	Transfers in from Coal Severance	180,000	(80,000)	100,000
402 358 00 0341	CCCC Revenue	Tfrs. in from General Fund - Debt Service	82,000	80,000	162,000
Net Increase/(Decrease) to Revenues				-	

Expenditures

Account No.	Department	Account Description	Current Amount	Increase/ (Decrease)	Amended Amount
Net Increase/(Decrease) to Expenditures				-	

Description:

To realign sources of transfer-in revenues with estimated coal severance revenue and General Fund

2. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 998-24 be adopted.

Resolution No. 998-24 - Authorizing approval of Amendment No. 1 of the FY 2024—2025 Coal Severance budget as indicated on the attached list of accounts.

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

That Amendment No. 1 of the FY 2024-2025 Coal Severance budget is approved as indicated on the attached list of accounts.

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

A roll call was taken:

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

NAYS:

ABSENT: Burka, Faegre, Gianola, Hoover, Jenkins

With members present recorded thereon as voting in unanimously the majority in the affirmative, Mayor Goodwin declared Resolution 998-24 as adopted.

Coal Severance Fund FY 2024-2025 Budget Amendment No. 1 - August 5, 2024**Revenues and Fund Balances**

Account No.	Department	Account Description	Current Amount	Increase/ (Decrease)	Amended Amount
002 298 0	Assigned Fund Balance	Coal Severance Tax - Balance on Hand	30,000	26,155	56,155
Net Increase/(Decrease) to Revenues				26,155	

Expenditures

Account No.	Department	Account Description	Current Amount	Increase/ (Decrease)	Amended Amount
002 000 00 000 5 566	Transfers	Contributions to Other Funds	180,000	26,155	206,155
Net Increase/(Decrease) to Expenditures				26,155	

Description:

To recognize coal severance tax receivable to correct the beginning balance for FY 2025

3. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 999-24 be adopted.

Resolution No. 999-24 - Authorizing approval of Amendment No. 2 of the FY 2024-2025 General Fund Budget as indicated on the attached list of accounts.

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

That Amendment No. 2 of the FY 2024-2025 General Fund Budget as indicated on the attached list of accounts is approved.

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

A roll call was taken:

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

NAYS:

ABSENT: Burka, Faegre, Gianola, Hoover, Jenkins

With members present recorded thereon as voting in unanimously the majority in the affirmative, Mayor Goodwin declared Resolution 999-24 as adopted.

General Fund FY 2024-2025 Budget Amendment No. 2 - August 5, 2024

Revenues and Fund Balances

Account No.	Department	Account Description	Current Amount	Increase/ (Decrease)	Amended Amount
001 369 13 0000	Transfers from Other Funds	Transfers from Coal Severance Fund	-	106,155	106,155
Net Increase/(Decrease) to Revenues				106,155	

Expenditures

Account No.	Department	Account Description	Current Amount	Increase/ (Decrease)	Amended Amount
001 699 00 000 5 598	Contingency	Contingency	239,650	26,155	265,805
001 910 01 000 5 566	CCCC	Debt Service Subsidy	82,000	80,000	162,000
Net Increase/(Decrease) to Expenditures				106,155	

Description:

To transfer coal severance tax revenue to the General Fund after the maturity of CCCC bonds secured by coal severance tax revenue, realign CCCC Debt Service Subsidy to match expected cash flows, and allocate the remainder to the General Fund Contingency account.

4. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 24-001 be adopted.

Resolution No. 24-001 - Authorizing the Mayor or City Manager to submit an application to the WV Governor's Highway Safety Program in the amount of \$540,000.00 and administer any primary and supplemental funds awarded. These funds will be used to reimburse enforcement overtime expended by Charleston Police and law enforcement agencies in an eight-county region for activities including DUI, occupant protection, work zone safety, distracted and aggressive driving, equipment and travel/training, as well as partial reimbursement for the coordinator and assistant's salaries.

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

That the Mayor or City Manager is authorized to submit an application to the WV Governor's Highway Safety Program in the amount of \$540,000.00 and administer any primary and supplemental funds awarded. These funds will be used to reimburse enforcement overtime expended by Charleston Police and law enforcement agencies in an eight-county region for activities including DUI, occupant protection, work zone safety, distracted and aggressive driving, equipment and travel/training, as well as partial reimbursement for the coordinator and assistant's salaries.

Councilmember Burton added that the City has received this grant for many years. It is for reimbursement of overtime for activities related to DUI, occupant protection, work zone safety, distracted and aggressive driving, equipment and travel/training, as well as partial reimbursement for the coordinator and assistant's salaries. There is no required match.

Councilmember Burton moved to approve the resolution. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Resolution No. 24-001 adopted.

5. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 24-002 be adopted.

Resolution No. 24-002 - Authorizing the Mayor or City Manager to purchase twelve (12) open display merchandise coolers from Hooten Equipment Company LLC in the total amount of \$64,416 for the Charleston Coliseum and Convention Center pursuant to a competitive bid process.

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

That the Mayor or City Manager is authorized to purchase twelve (12) open display merchandise coolers from Hooten Equipment Company LLC in the total amount of \$64,416 for the Charleston Coliseum and Convention Center pursuant to a competitive bid process.

Councilmember Burton added that purchase will be paid from the Coliseum and Convention Center Capital Improvement Fund, and will be indirectly reimbursed from their sponsorship with Go-Mart.

Councilmember Burton moved to approve the resolution. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Resolution No. 24-002 adopted.

6. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 24-003 be adopted.

Resolution No. 24-003 - Authorizing the Mayor or City Manager to renew a three-year municipal enterprise agreement with Environmental Systems Research Institute, Inc for GIS technology and software at a non-escalating annual cost of \$40,900 and a three-year total of \$122,700.00.

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

That the Mayor or City Manager is hereby authorized to renew a three-year municipal enterprise agreement with Environmental Systems Research Institute, Inc for GIS technology and software at a non-escalating annual cost of \$40,900 and a three-year total of \$122,700.00.

Councilmember Burton added that the resolution is for the renewal the City's GIS software agreement.

Councilmember Burton moved to approve the resolution. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Resolution No. 24-003 adopted.

REPORTS OF OFFICERS

1. General Fund Financial Statements for the Eleven-Month Period ended May 31, 2024
2. Coliseum & Convention Center Financial Statements for the Eleven-Month Period ended May 31, 2024
3. Parking Fund Financial Statements for the Eleven-Month Period ended May 31, 2024
4. Fire and Police Pension Reports 2024

NEW BILLS

Introduced by Councilmembers Joseph Jenkins and Mary Beth Hoover

August 5, 2024:

Resolution No. 24-004 – Ratifying the conveyance of property at 111 Court Street to the Kanawha County Building Commission for the new Kanawha County Judicial Building expansion project.

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

Introduced by Councilmember Larry Moore

August 5, 2024:

Bill No. 8044 – A Bill closing, abandoning and discontinuing as a public right of way located between Randolph and Virginia Streets.

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

MISCELLANEOUS/UNFINISHED BUSINESS

None

REMARKS BY MEMBERS

1. Mayor Goodwin thanked everyone for participating in Multifest. The Mayor added that the Olympian that won the road race in the City earlier this year won the Olympic Gold. Work on the Capital Connector Project continues.
2. Councilmember Jones thanked the Charleston Fire Department and EMS on behalf of Councilmember Faegre. Councilmember Jones asked if anything could be done about the amount of panhandling that is happening on the West Side.
3. Councilmember Pepper stated that there are several pending rate increases in front of the Public Service Commission, and invited everyone to attend the public hearings.
4. Councilmember Pharr stated that the fundraiser for American Heritage Night.
5. Councilmember Kerns thanked the Building Commission for their help.
6. Councilmember Solomon stated that last year the CDC issued its HIV report that encouraged the expansion of syringe service programs.
7. Councilmember Annie thanked the Charleston Police Department for their excellent work during a situation.
8. Councilmember Jones suggested a bill that would limit Remarks of Members to two minutes.

ADJOURNMENT

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

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

NAYS:

ABSENT: Burka, Faegre, Gianola, Hoover, Jenkins

At 7:57 p.m., by a motion from Councilmember Ceperley, Council adjourned until Monday, August 19, 2024, 7:00 p.m., in Council Chambers at City Hall.

Amy Shuler Goodwin, Honorable Mayor

Miles C. Cary II, City Clerk