



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

CITY OF CHARLESTON, WEST VIRGINIA

Regular Meeting – Monday, October 21, 2024

at 7:00 P.M.

Council Chambers – City Hall – Charleston, West Virginia

OFFICIAL RECORD

Amy Shuler Goodwin
Mayor

Miles C. Cary II
City Clerk

CALL TO ORDER*

The Council met at 7:00 P.M., for the second meeting in the month of October on the 21st day, in the year 2024, and was called to order by the Honorable Mayor, Amy Shuler Goodwin. The invocation was delivered by Councilmember Burka, and the Pledge of Allegiance was Councilmember Faegre. City Clerk, Miles C. Cary II, called the roll of members and it was found that there were present at the time:

**ANNIE
CEPERLEY
FERRELL
HOOVER
KERNS
MOORE
PHARR
SALANGO
STEELHAMMER**

**BURKA
COOK
GIANOLA
JENKINS
KING
OVERSTREET
ROBINSON
TAYLOR**

**BURTON
FAEGRE
HAAS
JONES
PEPPER
RUBIO
SOLOMON
MAYOR GOODWIN**

With twenty-five 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. Tara Raymo – Read a passage from the Bible.
2. Matec Washington – Spoke about Charleston issues.

CLAIMS

1. A claim of Sarah and Lweis Burdette, Charleston, WV; alleges damage to vehicle.
2. A claim of Amanda Parsons, Charleston, WV; alleges damage to vehicle.
3. A claim of Betty A. Pfleegor, Charleston, WV; alleges damage to vehicle.

PROCLAMATIONS

1.

**EXECUTIVE DEPARTMENT
CITY OF CHARLESTON
PROCLAMATION**

WHEREAS: More than 360,000 individuals will be diagnosed with breast cancer in 2024 – making it a significant public health issue that affects families, communities, and individuals of all backgrounds; and

WHEREAS: Education about breast cancer, including awareness of risk factors, symptoms, and the impact of healthy lifestyle choices can empower individuals to take proactive steps in managing their health, leading to earlier detection, better prevention, and improved outcomes for those at risk; and

WHEREAS: When breast cancer is detected at its earliest localized stages—through regular mammograms and self-examinations—the five-year survival rate is 99%, highlighting the importance of vigilance and proactive health measures; and

WHEREAS: Many organizations, healthcare providers, and researchers are tirelessly working to find a cure for breast cancer while advocacy efforts help raise awareness, promote education, and encourage public policies that support breast cancer research and access to care; and

WHEREAS: We recognize and support breast cancer survivors, those currently battling the disease, and the family members and friends who provide unwavering love, encouragement, and strength—standing alongside their loved ones through every step of the journey; and

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

BREAST CANCER AWARENESS MONTH

In Charleston, West Virginia, and encourage all citizens to help raise awareness of the importance of early detection and breast cancer education.

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the Executive Department to be affixed this 21st day of October 2024.



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

Amy Shuler Goodwin, Mayor

COMMUNICATIONS

1.

EXECUTIVE DEPARTMENT CITY OF CHARLESTON PROCLAMATION

WHEREAS: Daymark, Incorporated—a private, non-profit youth services agency—has been serving families and children in the greater Kanawha Valley for 50 years; and

WHEREAS: The management team brings more than 50 years of combined experience at Daymark – with several staff members having been with the agency for more than a decade, ensuring continuity, extensive knowledge, and a lasting commitment to providing impactful and effective services to our youth; and

WHEREAS: Accredited by the Council on Accreditation, Daymark has positively impacted the lives of more than 50,000 West Virginia youth—helping them finish high school and get their first job, providing them a place to sleep, and empowering them with the skills to lead successful and fulfilling lives; and

WHEREAS: Daymark provides services through Patchwork, a 24-hour-a-day intervention center and youth shelter, Turning Point, a long-term residential care program serving older youth who are currently wards of the state, and New Connections, a program for high-risk older adolescents who are seeking to viably live independently; and

WHEREAS: For 50 years, Daymark has provided invaluable support to the youth in our city and state—enhancing the well-being of our youth; and

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

DAYMARK, INC.'S 50TH ANNIVERSARY

In Charleston, West Virginia, and encourage all citizens to support and participate in activities and initiatives that promote the well-being and potential of our youth.

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the Executive Department to be affixed this 21st day of October 2024.




Amy Shuler Goodwin, Mayor

REPORTS OF COMMITTEES

COMMITTEE ON PLANNING, STREETS AND TRAFFIC

Councilmember Jenkins, Chair of the Council Committee on Planning, Streets and Traffic, submitted the following reports:

1. Your committee on Planning, Streets and Traffic has had under consideration the following bill, and reports the same to Council with the recommendation that Bill No. 8046 do pass.

Bill No. 8046 Committee Substitute

A Bill amending the Zoning Ordinance of the City of Charleston, West Virginia, adopted January 1, 2006, as amended, by amending the regulations related to the adaptive reuse of structures listed on the National Register of Historic Places.

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

The Zoning Ordinance for the City of Charleston, West Virginia, effective January 1, 2006, is hereby amended as follows:

Sec. 2-020 Definition of Terms

Adaptive Reuse of Nonresidential Structures. The process of reusing an existing building for a purpose other than that for which it was built or designed.

Adaptive Reuse of a Historic Structure. The process of reusing a building listed on the National Register of Historic Places for a purpose other than that for which it was built or designed.

Sec. 3-050 Permitted Land Uses

LAND USE	R-2	R-4	R-6	R-8	R-10	R-O	C-4	C-8	C-10	C-12	CBD	UCD	CVD	PMC	I-2	I-4	PUE
<i>Adaptive Reuse of a Nonresidential Structure</i>	C	C	C	C	C												
<i>Reuse of Structure</i>																	
<u>Adaptive Reuse of a Historic Structure</u>	C	C	C	C	C												

Sec. 3-060 Supplemental Regulations Pertaining to the Land Use Table

40. The ~~re-use of a structure previously used for non-residential purposes and~~ listed on the National Register of Historic Places shall comply with the following:

- a. Uses shall be limited to the following:

~~(1) Professional offices such as architects, brokers, counselors, clergy, engineers, insurance agents, real estate agents, lawyers, accountants, editors, publishers, journalists, salespersons, travel agents, and psychologists including such accessory uses that would permit the general public access to the historic structure for community events. Eligible reuses include:~~

Art Gallery, Bed and Breakfast, Event Venue, Multi-Family Dwelling, Museum, Professional Service Establishment, Professional Office. For any other uses not listed, the Board of Zoning Appeals shall determine whether the proposed use is similar as those listed and similar in terms of impact on the neighborhood. A change in use from one eligible use to another requires a new conditional use permit.

~~(2) The BZA shall make the determination whether an unlisted use is similar to a listed permitted use.~~

- b. The following performance standards shall be met:

- (1) The use shall be maintained in an existing structure.
- (2) Any exterior renovations shall be compatible and comply with the Secretary of the Interior's Standards for Rehabilitation.

Councilmember Hoover added that the bill is a text amendment that updates the definition of Adaptive Reuse of a Historic Structure. It also provides performance standards. A conditional

use permit will also be required. The bill also updates some sign requirements.

Councilmember Hoover motioned to approve the bill. Councilmember Ceperley seconded the motion.

A roll call was taken:

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

NAYS:

ABSENT: Minardi, Snodgrass

With members present recorded thereon as voting in unanimously the majority in the affirmative, Mayor Goodwin declared Bill No. 8046 Committee Substitute as passed.

COMMITTEE ON FINANCE

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

1. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 24-029 be adopted.

Resolution No. 24-029 - Authorizing the Mayor or City Manager to purchase various handheld and mobile radios with necessary accessories for the Charleston Police Department from Discount Communications in the amount of \$65,012.86 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 various handheld and mobile radios with necessary accessories for the Charleston Police Department from Discount Communications in the amount of \$65,012.86 pursuant to a competitive bid process.

Councilmember Jenkins added that the purchase is for radios that are necessary for the Police Department to use.

Councilmember Jenkins moved to approve the resolution. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Resolution No. 24-029 adopted.

2. Your committee on Finance has had under consideration the following resolution, and reports the

same to Council with the recommendation that Resolution No. 24-030 be adopted.

Resolution No. 24-030 - Authorizing the Finance Director to establish special revenue fund 083, Other Federal Grant Fund, a fund that accounts for revenues received from various federal granting agencies for awards received from competitive grants, formula grants, and Congressionally Directed Spending requests where a specific grant fund is not already established.

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

That the Finance Director is authorized to establish special revenue fund 083, Other Federal Grant Fund, a fund that accounts for revenues received from various federal granting agencies for awards received from competitive grants, formula grants, and Congressionally Directed Spending requests where a specific grant fund is not already established.

Councilmember Jenkins added that the resolution creates Fund 083 to avoid having to create a separate account each time the City receives grant funds that wouldn't fit under an existing account.

Councilmember Gianola confirmed with Finance Director Andy Wood that there are funds recently awarded from the Department of Labor that will go into the newly created fund.

Councilmember Jenkins moved to approve the resolution. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Resolution No. 24-030.

3. Your committee on Finance has had under consideration the following resolution, and reports the

same to Council with the recommendation that Resolution No. 24-031 is adopted.

Resolution No. 24-031 - Authorizing the Mayor or City Manager to purchase twenty (20) sets of turnout gear for the Charleston Fire Department from Witmer Public Safety in the amount of \$63,800.00 pursuant to a competitively sourced contract. This gear will be used to outfit new recruits and replace expiring gear.

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

That the Mayor or City Manager is authorized to purchase twenty (20) sets of turnout gear for the Charleston Fire Department from Witmer Public Safety in the amount of \$63,800.00 pursuant to a competitively sourced contract.

Councilmember Jenkins added that fifteen of the twenty sets will be assigned to new recruits.

Councilmember Jenkins moved to approve the resolution. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Resolution No. 24-031.

4. Your committee on Finance has had under consideration the following resolution, and reports the

same to Council with the recommendation that Resolution No. 24-032 is adopted.

Resolution No. 24-032 - Authorizing the Mayor or City Manager to purchase from Stryker Medical two Power Cots, one Lucas 3 chest compression device, and two Life Pak 35s monitor/defibrillator, with necessary accessories for all devices, for the Charleston Fire Department in the total amount of \$173,684.26 pursuant to a competitively sourced contract.

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

That the Mayor or City Manager is authorized to purchase from Stryker Medical two Power Cots, one Lucas 3 chest compression device, and two Life Pak 35s monitor/defibrillator, with necessary accessories for all devices, for the Charleston Fire Department in the total amount of \$173,684.26 pursuant to a competitively sourced contract.

Councilmember Jenkins added that the purchase is part of the Fire Department's annual recycling and upgrading of some of its equipment.

Councilmember Jenkins moved to approve the resolution. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Resolution No. 24-032.

5. Your committee on Finance has had under consideration the following resolution, and reports the

same to Council with the recommendation that Resolution No. 24-033 is adopted.

Resolution No. 24-033 - Authorizing the Mayor or City Manager to enter into a contract with The Thrasher Group, Inc. in the amount of \$249,547.00 for phase two of the renovation project of the Charleston Fire Department's eight fire stations, with this phase developing bid-ready construction designs, construction documents, bidding and negotiation support, and construction oversight for renovations and improvements to support the current and future needs of the City of Charleston Fire Department.

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

That the Mayor or City Manager is authorized to enter into a contract with The Thrasher Group, Inc. in the amount of \$249,547.00 for phase two of the renovation project of the Charleston Fire Department's eight fire stations, with this phase developing bid-ready construction designs, construction documents, bidding and negotiation support, and construction oversight for renovations and improvements to support the current and future needs of the City of Charleston Fire Department.

Councilmember Jenkins added that phase two will involve the design and project management for the Fire Department's fire stations. This will include renovations (stations 1-5 and 8) and possible rebuilding (stations 6 and 7).

Councilmember Faegre confirmed that the vendor was based in West Virginia.

Councilmember Jenkins moved to approve the resolution. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Resolution No. 24-033.

6. Your committee on Finance has had under consideration the following resolution, and reports the

same to Council with the recommendation that Resolution No. 24-034 is adopted.

Resolution No. 24-034 - Authorizing the Mayor or City Manager to enter into an agreement with G & G Builders, Inc. for interior remodel and construction services of the Development Services office in the amount of \$208,688.00 pursuant to a competitive bid process.

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

That the Mayor or City Manager is authorized to enter into an agreement with G & G Builders, Inc. for interior remodel and construction services of the Development Services office in the amount of \$208,688.00 pursuant to a competitive bid process.

Councilmember Jenkins added that the remodel will make the space more efficient for the recently combined departments.

Councilmember Jenkins moved to approve the resolution. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Resolution No. 24-034.

7. Your committee on Finance has had under consideration the following resolution, and reports the

same to Council with the recommendation that Resolution No. 24-035 is adopted.

Resolution No. 24-035 - Authorizing the Mayor or City Manager to enter into a five-year lease agreement with Pitney Bowes for postage and mail inserter machines for Information Systems at a total of \$119,035.80 pursuant to a competitively sourced contract.

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

That the Mayor or City Manager is authorized to enter into a five-year lease agreement with Pitney Bowes for postage and mail inserter machines for Information Systems at a total of \$119,035.80 pursuant to a competitively sourced contract.

Councilmember Jenkins added that resolution is for the renewal of the lease for the postage and mail inserter machines used by the City.

Councilmember Jenkins moved to approve the resolution. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Resolution No. 24-035.

8. Your committee on Finance has had under consideration the following resolution, and reports the

same to Council with the recommendation that Resolution No. 24-036 is adopted.

Resolution No. 24-036 - Authorizing the Mayor or City Manager to renew its contract with InterVision Systems, LLC, for a three-year term in the annual amount of \$79,365.00 and the total amount of \$238,095.00, to continue providing the City's email security gateway, where the purchase was determined through a competitive bidding process.

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

That the Mayor or City Manager is authorized to renew its contract with InterVision Systems, LLC, for a three-year term in the annual amount of \$79,365.00 and the total amount of \$238,095.00, to continue providing the City's email security gateway, where the purchase was determined through a competitive bidding process.

Councilmember Jenkins added that the contract is for essential email security.

Councilmember Jenkins moved to approve the resolution. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Resolution No. 24-036.

9. Your committee on Finance has had under consideration the following resolution, and reports the

same to Council with the recommendation that Resolution No. 24-037 is adopted.

Resolution No. 24-037 - Authorizing settlement of a pending claim against the City by Keith George related to a September 12, 2024, incident where a City driven truck backed up and collided with the claimant's parked vehicle and the City driven vehicle was found to be at fault, as contained in Claim #024283, as recommended by the City Solicitor.

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

That the City Council hereby authorizes and approves the settlement of a pending claim against the City by Keith George, as contained in Claim #024283, in an amount not to exceed the City's property insurance deductible of \$50,000.00, where the total final amount of the settlement will be determined by a third-party neutral appraiser, as recommended by the City Solicitor. The City Council authorizes the City Solicitor and City Manager to take all necessary steps to finalize resolution of the claim and directs the City Solicitor to notify City Council of the final settlement amount following resolution of the claim.

Councilmember Jenkins added that the settlement is from the result of a City vehicle backing into a parked car. The resolution authorized the City Attorney to settle up to the City's deductible of \$50,000.

Councilmember Faegre confirmed that this was only for a property damage claim.

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

A roll call was taken:

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

NAYS:

ABSENT: Minardi, Snodgrass

With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared Resolution No. 24-037.

10. Your committee on Finance has had under consideration the following bill, and reports the same to

Council with the recommendation that Bill No. 8045 do pass.

Bill No. 8045 - A Bill closing, abandoning and discontinuing as a public right of way, a 10 foot wide by 280 foot long public right of way located between Lots 11, 12, 13, 14, 15, 16, 17, 18, and 19, Block 13, J. Brisben Walker Addition, situated in Charleston West District, Kanawha County, West Virginia.

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

1. The 10 foot wide by 280 foot long public right of way located between Lots 11, 12, 13, 14, 15, 16, 17, 18, and 19, Block 13, J. Brisben Walker Addition, situate in Charleston West District, Kanawha County, West Virginia, as shown on that certain map entitled "TOPOGRAPHIC DESIGN SURVEY SHOWING GOODWILL INDUSTRIES OF KANAWHA VALLEY, INC" prepared by Mark C. Shamblin, WV Professional Land Surveyor No. 827, dated February 19, 2024, revised July 31, 2024 and attached hereto as Exhibit A. The alley is more particular described as follows:

Beginning at a point at the intersection of the Westerly side of Virginia Street West and the Northerly side of a 10' wide alley, said point also being the Southeastern corner to Goodwill Industries of Kanawha Valley, Inc., (Deed Book 2616 at page 211), from which a 3/4" iron pipe found bent bears S89°52'38"W at 0.40' and another 3/4" iron pipe found on the Westerly side of Virginia Street West bears N29°30'00"W at 430.00', thence with the Westerly side of Virginia Street West for the following course: S29°30'00"E 10.00' to a point at the intersection of the Westerly side of said Virginia Street West and the Southerly side of the 10' wide alley, thence leaving said Virginia Street West and the Southerly side of the 10' wide alley for the following course:

S60°30'00"W 280.00' to a point at the intersection of the Southerly side of said alley and the Easterly side of Monongalia Street, thence with the Easterly side of Monongalia Street for the following course: N29°30'00"W 10.00' to a point at the intersection of the Easterly side of said Monongalia Street and the Northerly side of the 10' wide alley, thence leaving said Monongalia Street and with the Northerly side of the 10' wide alley;

N60°30'00"E 280.00' to the place of beginning, containing 2,800 square feet, more or less, more fully described on a plat prepared by Chapman Technical Group, hereto attached and made a part of this description.

2. The City of Charleston hereby reserves a 10 foot utility easement for the purpose of construction, maintenance, repair, and removal of the drop inlets, manholes, and storm line. No person shall construct improvements or take any other actions which would interfere, or alter the present surface profile or contour of the subject easement without written permission of the City Engineer.

3. The Mayor of the City of Charleston be, and is hereby authorized and directed to execute, acknowledge and deliver a proper deed conveying to Goodwill Industries of Kanawha Valley, Inc., and their successors in office, all rights, title and interest in and to said real property as described in Section 1 above, for the consideration of Thirteen Thousand dollars and no cents (\$13,000.00).

4. All prior ordinances, or parts of ordinances, inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

Councilmember Jenkins added that an alleyway goes between Goodwill's property. Goodwill owns all of the property adject to the alleyway.

Councilmember Jenkins motioned to approve the bill. Councilmember Ceperley seconded the motion.

A roll call was taken:

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

NAYS:

ABSENT: Minardi, Snodgrass

With members present recorded thereon as voting in unanimously the majority in the affirmative, Mayor Goodwin declared Bill No. 8045 as passed.

REPORTS OF OFFICERS

1. City Treasurer’s Report to City Council Month Ending September 2024.

NEW BILLS

None

MISCELLANEOUS/UNFINISHED BUSINESS

None

REMARKS BY MEMBERS

1. Mayor Goodwin recognized the outstanding service of Bill Tate, who will be retiring. The dedication for the Wertz Avenue Playground will be the following day. The Mayor added that the Jones Woodland Trail will be opening that week. Thanks to the work of Councilmember Pepper, Charleston will be the second city in the State to be recognized in the Old Growth Forest Network.
2. Councilmember Robinson stated that the Kanawha Boulevard road construction project was started three years ago, and is still not finished. He added that the contractor should be reprimanded as residents and businesses have been severely impacted. He suggested a grant program to help business/new businesses in that area get back on their feet.
3. Councilmember Annie agreed with Councilmember Robinson, and added that CAMC patients and workers are also being negatively affected. Councilmember Annie thanked the Fire Department for coordinating with CAMC to train ER physicians to be liaisons to fire departments.
4. Councilmember Jones agreed with Councilmember Robinson. Councilmember Jones added that Goodwill's collection boxes are a mess, and Goodwill needs to keep them maintained.
5. Councilmember Pharr there is a mobile mammogram bus that is available in Charleston.

ADJOURNMENT

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

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

NAYS:

ABSENT: Minardi, Snodgrass

At 7:57 p.m., by a motion from Councilmember Ceperley, Council adjourned until Monday, November 4, 2024, 7:00 p.m., in Council Chambers at City Hall.

Amy Shuler Goodwin, Honorable Mayor

Miles C. Cary II, City Clerk