

CHARLESTON CITY COUNCIL

Regular Meeting

January 9, 2025

at 6:00 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

THE DATE AND TIME WERE CHANGED DUE TO WEATHER AND SAFETY CONCERNS

CALL TO ORDER BY THE MAYOR

INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

STATE OF THE CITY - MAYOR GOODWIN

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)).**
2. Claims 1-6-2025

PROCLAMATIONS

1. 1-6-2025

COMMUNICATIONS

1. To fill the vacant seat in Ward 15
2. 1-6-2025

REPORTS OF STANDING COMMITTEES

FINANCE

1. Resolution No. 25-001 – Authorizing the Mayor or City Manager to purchase a Ford Expedition SUV for the CARE Office from Matheny Ford.
2. Resolution No. 25-002 – Approving a revised schedule of fees, rates, and charges relating to the use of the Charleston Coliseum & Convention Center and the Municipal Auditorium.
3. Resolution No. 25-003 - Authorizing the Mayor or City Manager to enter into a contract with WDP and Associates for architectural and engineering services related to the investigation, assessment, and evaluation of the Municipal Auditorium building façade.
4. Resolution No. 25-004 - Authorizing the Mayor or City Manager to enter into a contract with Irwin Seating Company for the design, purchase, and installation of new seating at the Charleston Coliseum.
5. Resolution No. 25-005 - Authorizing approval of Amendment No. 4 of the FY 2024-2025 General Fund Budget.

REPORTS OF OFFICERS

1. 1-6-2025

NEW BILLS

1. 1-6-2025

UNFINISHED BUSINESS AND/OR MISCELLANEOUS BUSINESS

REMARKS BY MEMBERS

ROLL CALL

ADJOURNMENT

THE NEXT REGULAR MEETING OF COUNCIL WILL BE TUESDAY, JANUARY 21, 2025 AT 7:00 PM.

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

Resolution No. 25-001

Introduced in Council:

January 6, 2025

Introduced by:

Joseph Jenkins

Adopted by Council:

Referred to:

Finance

1 Resolution No. 25-001 – Authorizing the Mayor or City Manager to purchase a Ford Expedition
2 SUV for the CARE Office from Matheny Ford in the amount of \$59,872.00 pursuant to a
3 competitively sourced state contract.

4

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

6

7 That the Mayor or City Manager us authorized to purchase a Ford Expedition SUV for the CARE
8 Office from Matheny Ford in the amount of \$59, 872.00 pursuant to a competitively sourced
9 state contract.



INSTRUCTIONS: This form must be submitted to the City Manager's Office for any purchase of materials or supplies costing **\$2,500 or more**. A minimum of **3** quotes is required for this form.

CITY OF CHARLESTON

Purchase Request

Cares office
Full size SUV

Date: 12-17-24

To: CITY MANAGER,

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

Full size SUV for cares office Ford Expedition off
WV state contract.

Purchase justification: This is for the cares office

purchase with grant money

If approved, the total purchase price will be: \$ 59,872.00

(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. | <u>Matheny Ford</u>
<u>off WV State Contract</u> | Price Quote: \$ <u>59,872.00</u> |
| 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 Matheny Ford because:

This is setting Purchased off WV State Contract.

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: Equipment maintenance

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

Funds Approval:  Date: 12/20/2024
Authorized Financial Officer

Account Number: 097-409-02-005-4-459 (Council Approval Required)

City Manager Approval: _____ Date: _____

**Class 17 - Automobile
Full Size Utility**

Vendor Name: MMTCO DBA MATHENY FORD
Manufacturer/Brand: FORD
Model Name & Number: EXPEDITION (U1J)

Vendor Contact: JACOB/STEVE
Phone No.: 304-485-4418
Email: JWADE@MATHENYMOTORS.COM/SSKINNER@MATHENYMOTORS.COM

Vehicle Requirements:

Classification:	Full Size Utility		
Drive:	4-Wheel/All Wheel Drive	Manufacturer's Standard Available Colors	
Passenger seating:	5 minimum (including driver)	Standard Color Code	Color Description
Doors:	4, minimum	UM	BLACK
Wheelbase:	116 in., minimum	YZ	WHITE
GVWR:	7300 lbs. min., 7600 lbs. max.	JS	SILVER
Engine:	Minimum Acceptable Engines: GAS: 6 cylinder turbo; GAS: 8 cylinder non-turbo; Diesel: 6 cylinder turbo	HY	GRAY
Additional Requirements:			
Factory Running Boards/Step Bars			
Slush/ All-weather mats:	Installed: Driver, Passenger, Cargo area		
Limited Slip/ Traction Lock rear Axle			

Heated - Power Driver and Passenger Mirrors

Factory Remote Start/Entry

Factory Rear Bumper Reverse Traffic Sensors

Rear Defroster/Wiper

Rear Passenger Climate Controls

The vehicle bid shall include the standard equipment requirements as required in section 2.1.1.1 of the specification.

Vendor Bid Response:

Vehicle fuel type	UNIT PRICE
Gasoline	\$ 59,872.00
Flex-fuel	\$ -
Diesel	\$ -
CNG/Bifuel	\$ -
Hybrid	\$ -

***Options:**

FOB Dealership: (Deduct)

\$	25.00
\$	0.25

FOB Other than Metro Charleston - Per Mile

*Note - The above delivery "options" above are not evaluated as part of the award.

Resolution No. 25-002

Introduced in Council:

Adopted by Council:

January 6, 2025

Introduced by:

Referred to:

Joseph Jenkins

Finance Committee

1 Resolution No. 25-002 – Approving, pursuant to Municipal Code § 2-553(a), a revised schedule
2 of fees, rates, and charges relating to the use of the Charleston Coliseum & Convention Center
3 and the Municipal Auditorium, as recommended by the Charleston Coliseum and Convention
4 Center/Municipal Auditorium Board, and reflected in Exhibit A attached hereto.

5
6 Now, therefore, be it Resolved by the Council of the City of Charleston, West Virginia:

7
8 That, pursuant to Municipal Code § 2-553(a), the revised schedule of fees, rates, and charges
9 relating to the use of the Charleston Coliseum & Convention Center and the Municipal
10 Auditorium, as recommended by the Charleston Coliseum and Convention Center/Municipal
11 Auditorium Board, and reflected in Exhibit A attached hereto, is approved.
12

CURRENT LANGUAGE & RATES			PROPOSED LANGUAGE & RATES		
	Sec. 2-556 - Schedule of rates and rentals			Sec. 2-556 - Schedule of rates and rentals	
(a)	The following schedule of rates and rentals shall apply for the use of the services and facilities of the Theater, the Charleston Coliseum and Convention Center, owned and operated by the City, including any additions, extensions or improvements:		(a)	The following schedule of rates and rentals shall apply for the use of the services and facilities of the Theater, the Charleston Coliseum and Convention Center, owned and operated by the City, including any additions, extensions or improvements:	
(2)	Coliseum		(2)	Coliseum	
a.	Regular rental rate (all usage except those qualifying under b., c., per day or evening—or 12 percent of gross admissions, after taxes, whichever is greater, pricing based on included services, rate segments and week part.	\$ 5,000 - \$45,000	a.	Regular rental rate (all usage except those qualifying under b., c., per day or evening—or 12 percent of gross admissions, after taxes, whichever is greater. Pricing based on included services, rate segments, seasonality and day of week.	\$7,500 - \$50,000
b.	Not-for-profit 501c client events as approved by the Charleston Coliseum and Convention Center/Municipal Auditorium Board, per day or evening —or 12 percent of gross admissions, after taxes, whichever is greater, pricing based on rate segments and week part.	\$ 3,500 - \$45,000	b.	Not-for-profit 501c client events as approved by the Charleston Coliseum and Convention Center/Municipal Auditorium Board, per day or evening —or 12 percent of gross admissions, after taxes, whichever is greater. Pricing based on included services, rate segments, seasonality and day of week.	\$ 3,500 - \$45,000
C.	Exhibit shows (using floor space) ,pricing based on rate segments and week part.	\$ 4,000 - \$ 7,500	C.	Exhibit shows (using floor space) , per day pricing based on included services, rate segments, seasonality and day of week. *NSF pricing based on std week usage of 4 event / 2 setup.	\$4,400 - \$ 7,500 (Flat wk) NSF .92 - 1.15
D.	The preceding rates for Coliseum are for space rentals and include defined services, heat, air conditioning, work lights and janitorial services for post event cleaning.		D.	The preceding rates for Coliseum are for space rentals and include defined services, heat, air conditioning, work lights and janitorial services for post event cleaning.	
E.	In addition to the rates set forth in this subsection (2), a capital improvement fee will be imposed upon the event ticket price as follows:		E.	In addition to the rates set forth in this subsection (2), a capital improvement fee will be imposed upon the event ticket price as follows, and other rates as approved by the Charleston Coliseum/Municipal Auditorium Board:	
		\$0.00—\$10.00 ... \$1.00			\$0.00—\$10.00 ... \$2.00
		\$10.01—\$40.00 ... \$2.00			\$10.01—\$25.00 ... \$3.00
		\$40.01— and up ... \$3.00			\$25.01— and up ... \$4.00
	A fee of 2% of the rental fee for the term of the lease will be imposed for all rentals not qualifying under ticket fees.			A fee of 3% of the rental fee for the term of the lease will be imposed for all rentals not qualifying under ticket fees.	
f.	All receipts from this capital improvement fee shall be dedicated to a special fund to be used solely for capital improvements at the facilities of the Municipal Auditorium and the Charleston Coliseum and Convention Center. Such special fund to be established and maintained by the City.		f.	All receipts from this capital improvement fee shall be dedicated to a special fund to be used solely for capital improvements at the facilities of the Charleston Coliseum and Convention Center. Such special fund to be established and maintained by the City.	
	Other discount on rent for approved trade for services, large scale F&B spend over the entire complex may be negotiated by the manager subject to the established booking guidelines.			Other discount on rent for approved trade for services, large scale F&B spend over the entire complex may be negotiated by the manager subject to the established booking guidelines.	

CURRENT LANGUAGE & RATES			PROPOSED LANGUAGE & RATES		
(3). Parlor Meeting Rooms			(3). Parlor Meeting Rooms		
a.	Parlor Rooms A - D: Rental rate ranging from \$350.00 to \$1,925 pricing based on the total rental fee for the term of the lease and the included services, rate segments and week part, room count, equipment package and the established booking guidelines.		a.	Parlor Rooms A - D: Rental rate ranging from \$385.00 to \$3,500 pricing based on the total rental fee for the term of the lease and the included services, rate segments and week part, room count, equipment package and the established booking guidelines.	\$385- \$3,500
b.	Preceding rates for meeting rooms include only space, defined services, heat, air conditioning, work lights and janitorial services for post event cleaning.		b.	Preceding rates for meeting rooms include only space, defined services, heat, air conditioning, work lights and janitorial services for post event cleaning.	
c.	In addition to the rates set forth in this subsection (3), a capital improvement fee of 2% of the rental fee for the term of the lease will be imposed for all rentals. All receipts from this capital improvement fee shall be dedicated to a special fund to be used solely for capital improvements at the Charleston Coliseum and Convention Center and the Municipal Auditorium. Such special fund to be established and maintained by the City.	2%	c.	In addition to the rates set forth in this subsection (3), a capital improvement fee of 3% of the rental fee for the term of the lease will be imposed for all rentals. All receipts from this capital improvement fee shall be dedicated to a special fund to be used solely for capital improvements at the Charleston Coliseum and Convention Center. Such special fund to be established and maintained by the City.	3%
	Other discount on rent for approved trade for services, large scale F&B spend over the entire complex may be negotiated by the manager subject to the established booking guidelines.			Other discount on rent for approved trade for services, large scale F&B spend over the entire complex may be negotiated by the manager subject to the established booking guidelines.	
(4) Exhibition Hall and Conference Rooms:			(4) Exhibition Hall and Conference Rooms:		
a.	Grand Hall (50,086 sq. ft.), daily rate)—or 12 percent of gross ticket sales after taxes whichever is greater	\$ 3,500 - \$ 8,500	a.	Grand Hall (50,086 sq. ft.), daily rate) - or 12 percent of gross ticket sales or Flat week Net Sq Ft (NSF) rate after taxes whichever is greater	\$4,500 - \$8,500 (Flat Wk) NSF .92 - 1.25
b.	North or South Hall (19,285 sq. ft.)—or 12 percent of gross ticket sales after taxes whichever is greater	\$ 1,000 - \$ 3,500	b.	North or South Hall (19,285 sq. ft.)—or 12 percent of gross ticket sales or or Flat week Net Sq Ft (NSF) rate after taxes whichever is greater.	\$1,600 - \$4,000 (Flat Wk) NSF .92 - 1.25
c.	West Hall I or II (5,767 sq. ft.)—or 12 percent of gross ticket sales after taxes whichever is greater	\$ 200 - \$ 1,200	c.	West Hall I or II (5,767 sq. ft.)—or 12 percent of gross ticket sales or or Flat week Net Sq Ft rate after taxes whichever is greater	\$ 475 - \$1,200 (Flat Wk) NSF .92 - 1.25
d.	Conference rooms:		d.	Conference rooms:	
	Rooms 202 – 217... Rental rate ranging from \$350.00 to \$1,925 pricing based on included services, rate segments and week part, room count, equipment package and the established booking guidelines.			Rooms 202 – 217... Rental rate ranging from \$385.00 to \$2,000 pricing based on included services, rate segments and week part, room count, equipment package and the established booking guidelines.	\$385 - \$2,000
e.	Ballroom:		e.	Ballroom:	
	Rate: Ballroom A - E... Rental rate ranging from \$1,750 to \$18,000 pricing based on included services, rate segments and week part, room count, equipment package and the established booking guidelines.			Rate: Ballroom A - E... Rental rate ranging from \$1,875 to \$21,000 pricing based on included services, rate segments and week part, room count, equipment package and the established booking guidelines.	
	Grand Ball Room	\$ 9,000 - \$ 18,000		Grand Ball Room	\$10,000 - \$21,000
	Ballroom A – E	\$ 1,750 - \$ 6,000		Ballroom A – E	\$1,875 - \$8,200
	Other discount on rent for approved trade for services, large scale F&B spend over the entire complex may be negotiated by the manager subject to the established booking guidelines.			Other discount on rent for approved trade for services, large scale F&B spend over the entire complex may be negotiated by the manager subject to the established booking guidelines.	

CURRENT LANGUAGE & RATES			PROPOSED LANGUAGE & RATES		
f.	Public Areas & Ancillary Spaces:		f.	Public Areas & Ancillary Spaces:	
	The Public Areas, Ancillary and Pre-Function Spaces rates are \$0.37 per Net Square Foot Rental per day. Each will have a minimum daily rental rate with per day pricing based on the total rental fee for the term of the lease and the included services, rate segments and week part, room count, equipment package and the established booking guidelines. Space rates:		The Public Areas, Ancillary and Pre-Function Spaces rates are \$0.47 - \$0.62 per Net Square Foot Rental per day. Each will have a minimum daily rental rate with per day pricing based on the total rental fee for the term of the lease and the included services, rate segments and week part, room count, equipment package and the established booking guidelines. Space rates:		NSF .47 - .62
	Grand Lobby - Lower	\$650 - \$6,000	Grand Lobby - Lower		\$650 - \$6,000
	Grand Lobby - Upper	\$500 - \$4,650	Grand Lobby - Upper		\$500 - \$4,650
	Terrace Club	\$275 - \$2,500	Terrace Club		\$275 - \$2,750
	Lounge	\$110 - \$1,025	Lounge		\$110 - \$1,025
	Terrace Pre-Function	\$400 - \$3,650	Terrace Pre-Function		\$400 - \$3,650
	Elk River Atrium	\$300 - \$3,000	Elk River Atrium		\$750 - \$4,000
	Elk River Corridor	\$250 - \$2,400	Elk River Corridor		\$250 - \$2,400
	Clendenin Street Lobby - Lower	\$200 - \$2,000			
	Clendenin Street Lobby - Upper	\$200 - \$2,000			
	Parlor Room Lobby	\$350 - \$1,925	Parlor Room Lobby		\$350 - \$1,925
	Ancillary space utilized for exhibits will start at a .37 net sf rate per day		Ancillary space utilized for exhibits will start at a .47 net sf rate per day		
g.	The preceding rates for exhibition halls, conference rooms, and ballrooms are for space rentals, defined services, and include heat, air conditioning, work lights and janitorial services for post event cleaning.		g. The preceding rates for exhibition halls, conference rooms, and ballrooms are for space rentals, defined services, and include heat, air conditioning, work lights and janitorial services for post event cleaning.		
h.	In addition to the rates set forth in this subsection (3), a capital improvement fee of 2% of the rental fee for the term of the lease will be imposed for all rentals. All receipts from this capital improvement fee shall be dedicated to a special fund to be used solely for capital improvements at the Charleston Coliseum and Convention Center and the Municipal Auditorium. Such special fund to be established and maintained by the City.	2%	h. In addition to the rates set forth in this subsection (3), a capital improvement fee of 3% of the rental fee for the term of the lease will be imposed for all rentals. All receipts from this capital improvement fee shall be dedicated to a special fund to be used solely for capital improvements at the Charleston Coliseum and Convention Center. Such special fund to be established and maintained by the City.		3%
i.	All receipts from this capital improvement fee shall be dedicated to a special fund to be used solely for capital improvements at the facilities of the Charleston Coliseum and Convention Center and the Municipal Auditorium. Such special fund to be established and maintained by the City.		i. All receipts from this capital improvement fee shall be dedicated to a special fund to be used solely for capital improvements at the facilities of the Charleston Coliseum and Convention Center. Such special fund to be established and maintained by the City.		
	Other discount on rent for approved trade for services, large scale F&B spend over the entire complex may be negotiated by the manager subject to the established booking guidelines.		Other discount on rent for approved trade for services, large scale F&B spend over the entire complex may be negotiated by the manager subject to the established booking guidelines.		

CURRENT LANGUAGE & RATES			PROPOSED LANGUAGE & RATES		
(5)	The Theater		(5)	The Theater	
a.	Regular rate, per day or evening—or 10 percent of gross admissions, after taxes, whichever is greater, pricing based on included services, rate segments and week part.	\$ 1,200 - \$ 2,000	a.	Regular rate, per day or evening—or 10 percent of gross admissions, after taxes, whichever is greater, pricing based on included services, rate segments and week part.	\$1,500 - \$4,500
b.	Regular rehearsal rate, per day or evening – or 10 percent of gross admissions, after taxes, whichever is greater, pricing based on included services, rate segments and week part. (For each day of full price rent, one reduced rehearsal day shall apply per rental period - up to a maximum of three reduced rate days.)	\$ 700 - \$ 1,200	b.	Regular rate, per day or evening—or 10 percent of gross admissions, after taxes, whichever is greater, pricing based on included services, rate segments and week part.	\$1,500 - \$4,500
c.	Not-for-profit 501c rate, per day or evening – or 10 percent of gross admissions, after taxes, whichever is greater, pricing based on included services, rate segments and week part.	\$ 700 - \$1,850	c.	Not-for-profit 501c - Legacy Events, as defined by the Charleston Coliseum/Municipal Auditorium Board, per day or evening – pricing based on included services, rate segments and week part.	\$ 700 - \$1,850
d.	Not-for-profit 501c rehearsal, per day or evening -pricing based on included services, rate segments and week part. (For each day of full price rent, one reduced rehearsal day shall apply per rental period - up to a maximum of three reduced rate days.)	\$ 400 - \$ 1,200	d.	Not-for-profit 501c - Legacy Events, as defined by the Charleston Coliseum/Municipal Auditorium Board, per day or evening – pricing based on included services, rate segments and week part.	\$ 400 - \$ 1,200
e.	Meeting rate (no access to stage, house lights and house sound system use only)	\$ 1,200 - \$ 2,000	e.	Meeting rate (no access to stage, house lights and house sound system use only)	\$1,320 - \$2,250
f.	The preceding rates for the Theater include only space, defined services, heat, air conditioning, work lights and janitorial services for post event cleaning.		f.	The preceding rates for the Theater include only space, defined services, heat, air conditioning, and work lights	
g.	Qualified technicians, approved by the center, are required for handling all lighting, sound and staging at the lessee's cost.		g.	Qualified technicians, approved by the center, are required for handling all lighting, sound and staging at the lessee's cost.	
h.	In addition to the rates set forth in this subsection (5), a capital improvement fee of 2% of the rental fee for the term of the lease will be imposed for all rentals. All receipts from this capital improvement fee shall be dedicated to a special fund to be used solely for capital improvements at the Charleston Coliseum and Convention Center and the Municipal Auditorium. Such special fund to be established and maintained by the City.	2%	h.	In addition to the rates set forth in this subsection (5), a capital improvement fee of 3% of the rental fee for the term of the lease will be imposed for rentals under the subsection (e) identified as Meeting rate. All receipts from this capital improvement fee shall be dedicated to a special fund to be used solely for capital improvements at the Charleston Coliseum and Convention Center. Such special fund to be established and maintained by the City. In addition to the rates set forth in this subsection (5) with exception of subsection (e), a capital improvement fee will be imposed upon the event ticket price as follows:	3%
					\$0.00—\$10.00 ... \$2.00
					\$10.01—\$25.00 ... \$3.00
					\$25.01— and up ... \$4.00
(b)	The fees used to establish the capital improvement funds for the Charleston Coliseum and Convention Center (CCCC) and the Municipal Auditorium (MA) are to be used to fund CCCC and MA building improvements and renovation, repair or replacement of equipment or mechanical systems that are not normally provided in standard operating budgets. Items costing less than \$5,000.00 will be funded from standard operating budgets unless they are unexpected and conform to general accounting principals for expensing. The capital improvement funds are not intended to be used to fund ordinary maintenance and repairs. The capital improvement funds are not considered to be in lieu of ordinary maintenance and capital improvement items historically included in the CCCC and MA budgets.		(b)	The fees used to establish the capital improvement funds for the Charleston Coliseum and Convention Center (CCCC)are to be used to fund CCCC building improvements and renovation, repair or replacement of equipment or mechanical systems that are not normally provided in standard operating budgets. Items costing less than \$5,000.00 will be funded from standard operating budgets unless they are unexpected and conform to general accounting principals for expensing. The capital improvement funds are not intended to be used to fund ordinary maintenance and repairs. The capital improvement funds are not considered to be in lieu of ordinary maintenance and capital improvement items historically included in the CCCC budget.	

CURRENT LANGUAGE & RATES			PROPOSED LANGUAGE & RATES		
(c)	Special arrangements and exceptional conditions, which call for a different fee or rate to be charged than what is specified in this ordinance, may be negotiated by the manager subject to the established booking guidelines.		(c)	Special arrangements and exceptional conditions, which call for a different fee or rate to be charged than what is specified in this ordinance, may be negotiated by the manager subject to the established booking guidelines.	
(d)	All other rates, fees, rentals and other charges incidental to the operation of the CCCC and MA facilities shall be set and approved by the Charleston Coliseum and Convention Center Auditorium Board, pursuant to the provisions of section 2-553 of the Code of the City of Charleston.		(d)	All other rates, fees, rentals and other charges incidental to the operation of the CCCC facilities shall be set and approved by the Charleston Coliseum and Convention Center Auditorium Board, pursuant to the provisions of section 2-553 of the Code of the City of Charleston.	
	Other discount on rent for approved trade for services, large scale F&B spend over the entire complex may be negotiated by the manager subject to the established booking guidelines.			Other discount on rent for approved trade for services, large scale F&B spend over the entire complex may be negotiated by the manager subject to the established booking guidelines.	
(6) Parking			(6) Parking		
a. Regular rate, per day or evening— Quarrier or Lee Stree Garage	\$ 5.00		a. Regular rate, per day or evening— Quarrier or Lee Stree Garage	\$5.00 - \$15.00	
b. Buy Out or Full Rental per day Quarrier Garage	\$ 800		b. Buy Out or Full Rental per day Quarrier Garage	\$ 800 -1500	
c. Buy Out or Full Rental per day Lee Garage	\$ 600		c. Buy Out or Full Rental per day Lee Garage	\$ 600 -1200	
(Ord. No. 6679, §§ 1—3, 6-19-2000; Bill No. 6807, §§ 1(I)—(V), 2(A), 2(B), 3, 6-8-2001; Ord. No. 7458, 4-18-2011; Bill No. 7747, 6-5-2017; Bill No. 7799 , 11-19-2018)					

Resolution No. 25-003

Introduced in Council:

January 6, 2025

Adopted by Council:

Introduced by:

Joseph Jenkins

Referred to:

Finance

Resolution No. 25-003 – Authorizing the Mayor or City Manager to enter into a contract with WDP and Associates for architectural and engineering services related to the investigation, assessment, and evaluation of the Municipal Auditorium cast-in-place concrete building façade, in an amount not to exceed \$132,041.00, where the price was determined through a request for expressions of interest and a competitive interview and scoring 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 a contract with WDP and Associates for architectural and engineering services related to the investigation, assessment, and evaluation of the Municipal Auditorium cast-in-place concrete building façade, in an amount not to exceed \$132,041.00, where the price was determined through a request for expressions of interest and a competitive interview and scoring process.

December 20, 2024



City of Charleston
501 Virginia Street East
Charleston, WV 25301

Attention: Ben Mishoe
City Manager

Reference: Charleston Municipal Auditorium
Concrete Facade Assessment
WDP Proposal No.: 24009A

Manassas, VA

Charlottesville, VA

Blacksburg, VA

Myrtle Beach, SC

New York, NY

Dear Mr. Mishoe:

WDP Consulting Engineers, Inc, (“WDP”) is pleased to submit this professional services agreement (the “Agreement”) to The City of Charleston (the “Client”) for the work (the “Work”) described in detail in the Scope of Services section of this Agreement. The Work generally includes investigation and evaluation of the Municipal Auditorium building façade at 244 Virginia Street East, Charleston, West Virginia 25301.

WDP performed an initial walk through on January 24, 2024 for the project building and provided several general recommendations including the follow-up investigation that is required to further understand the conditions of the façade and develop the repair plan. The proposal is based on this initial walk through and much of the background information and details were provided in the WDP’s letter report dated March 1, 2024.

SCOPE OF SERVICES

The following Proposal is limited exclusively to the work as described in this Scope of Services section. Anything not expressly described shall be considered expressly excluded from the work.

The building structure includes two primary distinct façades; 1) cast-in-place (CIP) concrete walls and 2) mass masonry walls (Figure 1, Photographs 1). It is our understanding that the Client wishes to evaluate the feasibility of salvaging the concrete façade for a future building renovation. The following Scope of Service is intended to examine only this façade and present options to the Client to accomplish this task.

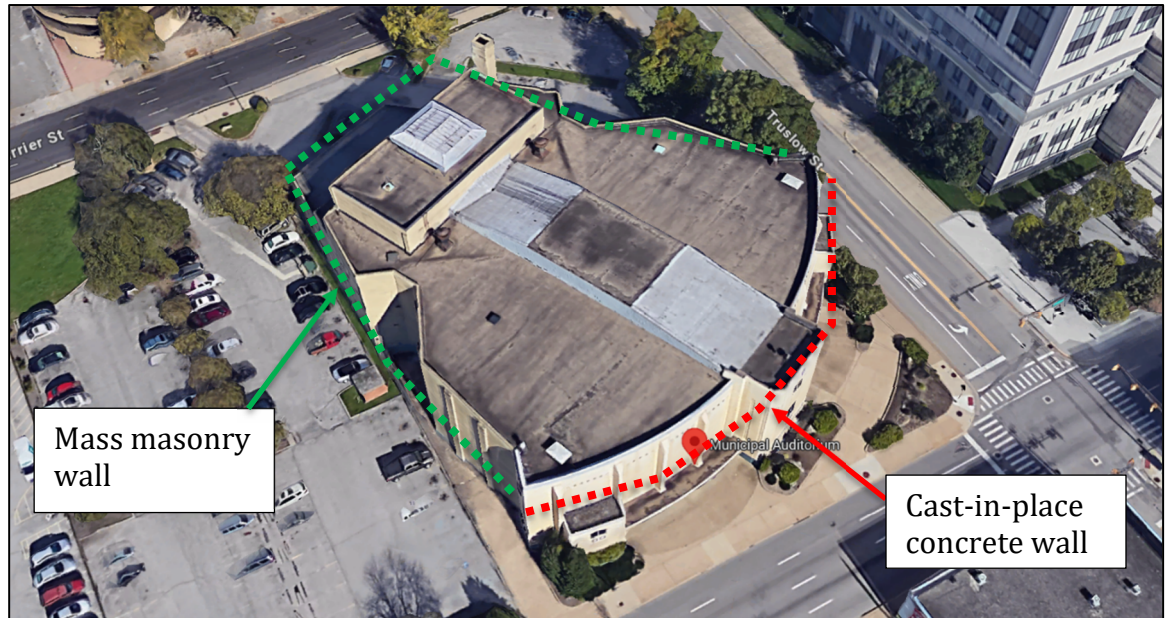


Figure 1: Municipal Auditorium



Photograph 1: Front Elevation – CIP Concrete Facade



WDP has assembled the following team to provide these services:

- WDP & Associates Consulting Engineers, Inc. – Team lead, Building enclosures, structural engineering, material sampling and evaluation.
- ZMM Architects – Architectural Support
- CAS – Structural Engineering
- Pullman Services – Contractor Support
- Intertek PSI – Hazardous materials
- Win Strock – Cost Estimating

Task 1: Document Review

WDP will perform a review of available documents provided by the Client to better understand the construction of the building structure and facade. This documentation is anticipated to include the original construction documents and previous investigation reports.

Task 2: Field Investigation

WDP will perform a field investigation to evaluate the existing conditions of the building façade. This will generally include evaluating the main CIP concrete façade and related building envelope components. The masonry walls are excluded from this scope of work. The field investigation will generally include a visual survey, non-destructive testing survey, exploratory openings, extraction of material samples for laboratory testing, and minimal diagnostic water testing. It is our understanding that WV Division of Highways (DOH) approval for sidewalk closure will require approximately two to four weeks after notice to proceed. It is anticipated the WDP can mobilize on site approximately two weeks after DOH approval.

Subcontractor Support

WDP will engage Pullman Services to provide support during the investigation, including elevated access to the building exterior, coordinating sidewalk closure, making and repairing exploratory openings, and general assistance during the investigation work. It is anticipated that the building exterior will be accessed primarily from the ground via an aerial boom lift.

Concrete Façade Survey

The field investigation is anticipated to be executed over five days.

- Visual and tactile survey
 - A visual and tactile survey will be performed at the exposed concrete surfaces of the CIP concrete façade. Damage, such as cracking, spalling,



staining, as well as general features of the area will be documented on field survey drawings and via photographs.

- Building interior of the concrete façade will be evaluated for the general conditions.
- Non-destructive testing (NDT)
 - NDT methods will be utilized to evaluate hidden conditions within the concrete.
 - Surface Penetrating Radar (SPR) will be used to identify reinforcing steel placement, estimate cover depths, and the potential presence of multiple layers of reinforcing steel in the concrete members.
 - Impact Echo (IE) testing may be used to identify depth and extent of the delamination and damage.
- Material Testing
 - WDP will extract concrete samples of the concrete façade for the following material tests:
 - Three (3) nominal three-inch diameter cores for concrete compressive strength and one (1) nominal three-inch diameter core for petrographic analysis. Petrographic Testing (ASTM C856) is a microstructural examination by optical and scanning electron microscopy (SEM) of the paste and aggregate on a prepared sample of concrete. This testing will provide information regarding the original mix design including if aggregate was used and if it caused any deleterious reactions and material flaws in the concrete which can be critical to prepare the repair plan and scope.
 - Concrete powder samples will be extracted from four (4) sample locations at varying depths for a total of up to twelve (12) samples to be tested in accordance with ASTM C1152, "Standard Test Method for Acid-Soluble Chloride in Mortar and Concrete." This testing is used to determine the concentration of chlorides at various depths within the concrete. Chlorides can be introduced into concrete during batching from contaminated sand, water, or through admixtures. In service chloride contamination results primarily from deicing treatments or salt spray from the ocean.
 - Carbonation depth estimates will be performed at each of the four (4) powder sample locations using a phenolphthalein pH indicator spray.
 - WDP's subcontractor will patch the sampling locations using a proprietary repair mortar. Proprietary repair mortar used will not



match the color of the existing concrete due to the age and in-service exposure conditions of the existing concrete. WDP shall not be liable for color matching of concrete patching materials.

- Environmental Evaluation
 - WDP will engage Intertek PSI to perform the scope of environmental sampling and testing services included in Intertek's attached proposal. This testing will generally include evaluation for:
 - Asbestos containing materials (ACM),
 - Lead based paint (LBP), and
 - PCB containing materials.
- Water Testing
 - WDP will perform non-standardized diagnostic water leakage testing at the ticket office awning location where interior water leakage has been observed. Tests will be performed using a combination of spray racks, bars, and nozzles to simulate heavy rain events. The testing procedures to be used will vary depending on the location, existing conditions, and wall construction. A spray bar or spray rack comprising numerous calibrated spray nozzles is generally used to systematically saturate and sheet water over building envelope elements within a given area. A calibrated spray nozzle may also be utilized to more directly pinpoint sources of water infiltration. A combination of infrared thermography, visual observations, and up to three (3) interior exploratory openings may be utilized to identify water leakage within the wall assemblies where diagnostic testing is performed. Interior openings will not be patched.

As is the nature of water infiltration testing, as the investigation progresses, alterations to the testing plan may be required based on the findings from each diagnostic test. WDP will coordinate with the Client for changes to the testing locations.

Task 3: Summary Report

After completion of the investigation, WDP's team will review the findings of the investigation and meet to discuss and develop various options for the concrete façade. WDP will then develop a summary report for the Client to summarize the observations and findings from the field investigation and outline conceptual options developed by the team.



A draft report will be provided to the Client for review and comment including cost estimates for up to three (3) options. The team will meet virtually with the Client to discuss the report and conceptual options developed for the façade. For the purposes of the proposal, it is anticipated that the meeting will be held virtually and will last approximately two hours. WDP will finalize the report and submit one electronic copy to the Client in PDF format incorporating Client comments. WDP staff will attend a final meeting to review any changes made to the report and discuss next steps for the project.

Task 4. Design Phase Services

The scope of work for the design phase services will be developed based on the findings from the above Tasks and will be provided as Additional Services once the scope of the repairs is determined.

WATER TESTING

Water testing often results in water infiltration into the occupied building spaces. Client shall have a cleaning crew available during execution of the testing to contain and clean any water that may enter the building.

Client or building staff shall also coordinate removal or protection of room contents, equipment, floors, or other items that could be damaged by water infiltration from the testing. WDP will not move contents of rooms where testing is scheduled to be performed. This shall be done by Client or building staff prior to initiation of the field investigation. Identification of items to be removed will be addressed during the initial coordination meeting prior to start of the field work.

If floor protection is required in the interior building common areas or in individual units, Client shall be responsible for providing such protection and for maintenance and removal of the supplied protection.

WDP will monitor accessible portions of the building interior at the testing locations during testing and attempt to stop water testing should significant leakage into the building interior be observed. Often, leakage is unobserved due to lateral water travel, or a leak may manifest after testing is moved to another area; therefore, the possibility of water damage cannot be reasonably avoided by WDP. Client agrees that WDP shall bear no responsibility for water leakage or damage to finishes or components resulting from the water testing methods required to be performed as part of this Proposal.



FEES AND PAYMENTS

The following fees are for the performance of the Work as listed in the Scope of Services above. The fees listed in this Fees and Payments section do not cover any Additional Services or any other services which are stated as excluded from the contract or are not specifically described as part of the Work listed in the Scope of Services above. Any Additional Work/Consultation will be billed in accordance with the fee schedule below:

FEE SCHEDULE:

<u>Item</u>	<u>Unit Price</u>
Principal	\$280.00/hr
Associate Principal	\$245.00/hr
Senior Associate	\$230.00/hr
Associate	\$215.00/hr
Senior Engineer II / Architect II	\$195.00/hr
Senior Engineer I / Architect I	\$185.00/hr
Project Engineer II / Architect II	\$160.00/hr
Project Engineer I / Architect I	\$150.00/hr
Staff Engineer II / Architect II	\$140.00/hr
Staff Engineer I / Architect I	\$130.00/hr
Senior CAD Operator	\$110.00/hr
Senior Engineering Technician	\$110.00/hr
CAD Operator	\$95.00/hr
Engineering Technician	\$95.00/hr
Project Assistant	\$75.00/hr
Per Diem	At Cost + 15%
Mileage	0.75/mi.
Direct Expenses	At Cost + 15%
Subcontractors/Sub-consultants	At Cost + 10%
Equipment Charges	
Impact-Echo/Surface Penetrating Radar	\$575.00/day
Water Penetration Testing Equipment	\$350.00/day
Infrared Thermography	\$300.00/day
Impedance Scanner	\$300.00/day
Bore/Fiber Scope	\$250.00/day
Moisture Meter	\$60.00/day
Pachometer	\$60.00/day

Note: Travel time billed portal to portal. An overtime rate at 1.5 times unit rate applies for work performed on weekends, holidays, between the hours of 6:00 p.m. to 6:00 a.m., and for more than 8 hours on site per workday by all WDP staff.



ESTIMATED FEE:
Lump Sum Fees

Concrete Façade Evaluation

Task 1 - Document Review and Project Management

Principal	4.0 hours @	\$ 280.00	/hour =	\$ 1,120.00
Senior Associate	2.0 hours @	\$ 230.00	/hour =	\$ 460.00
Associate	4.0 hours @	\$ 215.00	/hour =	\$ 860.00
Project Engineer II	4.0 hours @	\$ 160.00	/hour =	\$ 640.00
sub-total				\$ 3,080.00

Task 2 - Concrete Façade Evaluation

Principal	12.0 hours @	\$ 280.00	/hour =	\$ 3,360.00
Senior Associate	4.0 hours @	\$ 230.00	/hour =	\$ 920.00
Associate	64.0 hours @	\$ 215.00	/hour =	\$ 13,760.00
Project Engineer II	56.0 hours @	\$ 160.00	/hour =	\$ 8,960.00
Senior CAD	56.0 hours @	\$ 110.00	/hour =	\$ 6,160.00
Petrography Analysis				\$ 3,575.00
Concrete Core and Chloride Tests				\$ 1,500.00
Impact-Echo/Surface Penetrating Radar				\$ 575.00
Mileage and Expense				\$ 2,593.00
<i>Pullmann (Contractor Support)</i>				<i>\$ 14,674.00</i>
<i>Intertek PSI (Environmental)</i>				<i>\$ 5,214.00</i>
sub-total				\$ 61,291.00

Task 3 - Summary Report

Principal	22.0 hours @	\$ 280.00	/hour =	\$ 6,160.00
Senior Associate	12.0 hours @	\$ 230.00	/hour =	\$ 2,760.00
Associate	42.0 hours @	\$ 215.00	/hour =	\$ 9,030.00
Senior Engineer	24.0 hours @	\$ 185.00	/hour =	\$ 4,440.00
Project Engineer II	40.0 hours @	\$ 160.00	/hour =	\$ 6,400.00
Senior CAD	24.0 hours @	\$ 110.00	/hour =	\$ 2,640.00
Project Assistant	8.0 hours @	\$ 75.00	/hour =	\$ 600.00
<i>ZMM (Architectural)</i>				<i>\$ 20,240.00</i>
<i>CAS (Structural)</i>				<i>\$ 7,150.00</i>
<i>Win Strock (Cost Estimating)</i>				<i>\$ 8,250.00</i>
sub-total				\$ 67,670.00

Toal Fee Esiimate \$ 132,041.00



CONDUCT OF WORK

WDP will take reasonable precautions to avoid damage or injury to structures, utilities, and building components in the prosecution of work. However, the Client/Owner agrees to hold WDP harmless for any damage to utility lines, pipes, conduits, or other items embedded in building elements which are not called to WDP's attention and/or accurately shown on the plans furnished by the Client/Owner or identified by Client's representatives.

ADDITIONAL SERVICES

Experience indicates that certain additional items of work may be required or necessary which WDP cannot presently determine or estimate. For this reason, the fee for these items is not included in the provisions on "Fees and Payments" for the performance of the Work. Furthermore, the performance of these items is not included in the Work unless the item is expressly described as part of the Work in the preceding Scope of Services section. These additional items of work ("Additional Services") are caused by many factors, usually at the discretion of the Client and/or respective Contractor(s). They may also be caused by the reviewing agency of Client variance/deviation from present policies and standards or reviewing governmental agencies. "Additional Services" may sometimes be referred to as extras, change orders, or add-ons, but for purposes of this Agreement all such descriptions are intended to be encompassed within the term Additional Services.

EXCLUSIONS

The following items are specifically excluded from this scope of work:

- Geotechnical evaluation of the existing soils to investigate possible settlement issues.
- Cost estimator of construction.
- Development of repair documents.
- Structural analysis.
- Testing for hazardous materials including, but not limited to lead based paint and asbestos.
- Environmental and abatement services related to any hazardous materials encountered.
- Attendance at additional meetings not described above.



- Work revisions on any Scope of Services items that are required as a result of a change requested by the Client after previous approval by it or any other parties.
- Fees, expenses, or subcontractor charges for delays in the work caused by the Client, Client's representatives, Client's consultants, or residents of the property.
- Project specific safety training classes.
- Security clearance/badging.

COORDINATION AND DELAY OF WORK

It has been assumed for purposes of this Proposal that WDP will be coordinating work directly with the Client on-site. However, if additional time on-site is incurred as a result of issues outside of WDP's control such as, insufficient access, inadequate water supply, power interruptions, site specific required training, security clearances, or other items specifically required as a precondition of the testing, the additional time required on-site will be invoiced as "Additional Work" in accordance with the attached fee schedule.

CLIENT ASSISTANCE

Client shall coordinate access to the building(s) and the site and act as the liaison between WDP and the property occupants. Parking for WDP's vehicles and WDP's consultants' vehicles on-site will be required for secure storage of equipment used as part of the investigation. The Client will provide access to toilet facilities on-site.

Client shall provide electronic copies of all drawings for the property in Adobe PDF format to WDP, a minimum of three weeks prior to the start of the field investigation phase of the work. Client shall also provide copies of past condition assessment reports and any current reserve studies for the property to WDP prior to the start of the field investigation phase of the work.

GENERAL PROVISIONS

The attached General Provisions are specifically made a part of this Proposal. If this Proposal is accepted by the Client, then the General Provisions along with the Proposal shall constitute a complete binding contract between WDP and Client ("Agreement").

If this Proposal and the General Provisions attached hereto are satisfactory and acceptable and fully set forth all terms of our understanding, please sign the

Charleston Municipal Auditorium
Concrete Facade Assessment
WDP Proposal No.: 24009A
December 20, 2024
Page No. 11

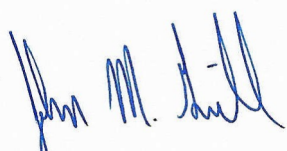


Acceptance and return a copy to WDP's office. This Proposal and General Provisions will constitute our complete contract.

We thank you for this opportunity to provide our services and look forward to working with you on this project. Should you have any questions regarding this proposal, please feel free to contact our office at your convenience.

Respectfully submitted,

WDP Consulting Engineers, Inc.


John M. Grill, P.E.
Sr. Associate


Rex A. Cyphers, P.E.
Principal

ACCEPTANCE

We, the City of Charleston, in consideration of the terms and conditions of the Proposal and General Provisions which are fully set forth herein, do hereby accept this Proposal and General Provisions as the complete and final agreement with WDP Consulting Engineers, Inc., ("WDP") for the performance of the Work described herein and do hereby further agree to comply with all the covenants in this Agreement.

Accepted: _____
Date

By: _____
Signature

Name

Title

Phone

Email

Resolution No. 25-004

Introduced in Council:

January 6, 2025

Introduced by:

Joseph Jenkins

Adopted by Council:

Referred to:

Finance

Resolution No. 25-004 – Authorizing the Mayor or City Manager to enter into a contract with Irwin Seating Company for the design, purchase, and installation of new seating at the Charleston Coliseum, including the fixed seats and the telescopic seating system, in an amount not to exceed \$5,443,625.58, where the price 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 enter into a contract with Irwin Seating Company for the design, purchase, and installation of new seating at the Charleston Coliseum, including the fixed seats and the telescopic seating system, in an amount not to exceed \$5,443,625.58, where the price was determined through a competitive bidding process.

		Hussey Seating	Irwin Seating
Item	Quantity	Price	Price
BID AND PROPOSAL FORM (2 OF 3)			
2024-38 Coliseum Seating Replacement	Full Bid	\$6,563,685.29	\$5,819,584.40
	Deduction for Demolition	\$594,935.63	\$375,958.82
	Bid After Demolition Deduction	\$5,968,749.66	\$5,443,625.58
Local Vendor Preference		N/A	N/A

Resolution No. 25-005

Introduced in Council:

Adopted by Council:

January 6, 2025

Introduced by:

Referred to:

Joseph Jenkins

Finance

- 1 Resolution No. 25-005 - Authorizing approval of Amendment No. 4 of the FY 2024-2025 General
- 2 Fund Budget as indicated on the attached list of accounts.
- 3
- 4 Be it Resolved by the Council of the City of Charleston, West Virginia:
- 5
- 6 That Amendment No. 4 of the FY 2024-2025 General Fund Budget as indicated on the attached
- 7 list of accounts is approved.

General Fund FY 2024-2025 Budget Amendment No. 4 - January 6, 2025

Revenues and Fund Balances						
Account No.	Department	Account Description	Amount	(Decrease)	Amount	
001 299 0	Fund Balance	Unassigned Fund Balance	2,770,163	850,000	3,620,163	
Net Increase/(Decrease) to Revenues				850,000		
Expenditures						
Account No.	Department	Account Description	Amount	(Decrease)	Amount	
001 910 01 004 5 566	Transfers to Other Funds	CCCC Capital Projects Subsidy	-	850,000	850,000	
Net Increase/(Decrease) to Expenditures				850,000		
Description: <u>Unassigned Fund Balance</u> - To fully fund the amount needed for the Coliseum seat replacement project. The balance of the project will be funded by balances available for the Coliseum and Convention Center in the TIF District Fund (\$415,000) and Sales & Use Tax Fund (\$4,145,000) that accumulated from the imposition of the tax prior to the 2015 bonds being sold and was not needed for the major renovation project.						

Reportable: To maintain compliance with the budgetary guidelines of the State of West Virginia.

**MUNICIPAL COURT
CITY OF CHARLESTON**

**Post Office Box 2749
Charleston, West Virginia 25330
(304) 348-8079**

Matt Smith, Judge

Adam Campbell, Clerk

TO: Mayor Amy Shuler Goodwin
FROM: Adam Campbell, Clerk
DATE: January 3, 2025
RE: December 2024 Financial Information, Charleston Municipal Court

TOTAL CITATIONS FILED: 806

Criminal Violations: 135
Traffic Violations: 671
Parking: 0
Building Search Warrants: 0

RESTITUTION COLLECTED (paid to victims): \$202.00

Primarily related to shoplifting cases, restitution monies are collected and refunded to the store/victim.

FINANCIAL REPORT ATTACHED

cc: Matt Smith, Judge
Miles Cary, City Clerk
Ben Adams, Treasurer
Scott Dempsey, Chief of Police
Tony Harmon, Building Department
David Potters, Office of the City Attorney
Sgt. Troy VanHorn, CPD
Nikki Smith, City Clerk's Office
Andrew Workman, Mayor's Office

Violations by Filed Date...

CRIMINAL	135	
TRAFFIC	671	
Total Filed Violations		806

Completed Cases...

Paid Fine...		
CRIMINAL	5	
TRAFFIC	290	
Total Paid Fines		295
Before Judge...		
CRIMINAL	4	
TRAFFIC	3	
Total Before Judge		7
Total Completed		302

Other Completed...

DISMISS- OFFICER NOT WITH CITY		
CRIMINAL	0	
TRAFFIC	8	
Total		8
DISMISSED OFFICER FAIL TO PROS		
CRIMINAL	2	
TRAFFIC	0	
Total		2
DISMISSED (PRESENTED INSURANCE)		
CRIMINAL	0	
TRAFFIC	37	
Total		37
DISMISSED (PRESENTED DL)		
CRIMINAL	0	
TRAFFIC	16	
Total		16
DISMISSED STORE CLOSED		
CRIMINAL	1	
TRAFFIC	0	
Total		1
DISMISSED OFF FAIL TO PROV VIN		
CRIMINAL	0	
TRAFFIC	2	

CHARLESTON MUNICIPAL COURT
Report For December 1, 2024 Thru December 31, 2024Page: 2
FILEDST

Total		2
DISMISSED (PROSECUTOR'S ORDER)		
CRIMINAL	2	
TRAFFIC	18	
Total		20
Dismissed at Officers Request		
CRIMINAL	1	
TRAFFIC	52	
Total		53
DISMISSED PRESENTED RECORDS		
CRIMINAL	0	
TRAFFIC	179	
Total		179
DISMISSED AFTER PT DIVERSION		
CRIMINAL	19	
TRAFFIC	17	
Total		36
Dismissed Pursuant to Plea		
CRIMINAL	40	
TRAFFIC	21	
Total		61
DISMISSED VICTIM/WITNESS FTA		
CRIMINAL	2	
TRAFFIC	0	
Total		2
DISMISSED WITHOUT PREJUDICE		
CRIMINAL	10	
TRAFFIC	8	
Total		18
VOIDED DOCKET		
CRIMINAL	0	
TRAFFIC	7	
Total		7
Total Other Completed		442
Grand Total Completed		744
Net Difference Filed/Complete		62

Warrants...

Issued...

CRIMINAL	159
TRAFFIC	37

CHARLESTON MUNICIPAL COURT
Report For December 1, 2024 Thru December 31, 2024

Page: 3

FILEDST

Total Violations	196
Total Warrants Issued	196

Cleared...

CRIMINAL	108	
TRAFFIC	37	
Total Violations		145
Total Warrants Cleared		145
Change in Total Warrants		51

Other Paid Cases...

Paid Fine...

Total Other Paid Fines	50
------------------------	----

FINE FINE	\$15,863.00
LAWFND LAW ENFORCE. TRAIN STATE	\$2,670.00
LAWLOC LAW ENFORCE. TRAIN (LOCAL)	\$1,060.00
CVC CRIME VICTIM'S FUND	\$1,800.00
ADMIN ADMINISTRATIVE COST	\$452.00
JAILF REGIONAL JAIL CORR.	\$9,221.47
PCADM PC ADMIN FEE	\$60.00
CCF COMMUNITY CORRECTIONS FUND	\$130.00
REST RESTITUTION	\$202.00
OP OVER PAYMENT	\$7.50
Total Fees/Fines Paid	\$31,465.97

Monthly Report – Definition Key

Violations by Filed Date:

Violations keyed into the Court software during the month

Completed Cases:

Cases where the fine and court costs were paid in full and the case was closed during the month.

Before Judge:

Number of violations where a case set for trial before the judge; the defendant was found guilty or entered a guilty plea at trial and the defendant paid off all costs/fines in full thereby closing the case.

Other Completed -Dismissed (By Complainant):

The City Attorney moved to dismiss cases because the person who filed the complaint no longer wishes to pursue the charges.

Defendant Deceased:

Cases dismissed because the defendant died.

Dismissed Officer Fail to Pros:

Cases dismissed because the officer failed to appear in Court.

Dismissed (presented insurance):

Cases dismissed because the defendant presented valid proof of insurance for the offense date.

Dismissed (presented DL):

Cases dismissed because the defendant presented a valid driver's license.

Dismissed Mistaken Identity:

Cases dismissed cases on the City Attorney's motion due to mistaken identity.

Dismissed (Prosecutor's Order):

Cases dismissed on the City Attorney's motion or as a result of a plea agreement.

Dismissed Presented Records:

Cases dismissed because the defendant presented records to satisfy a code or Court requirement.

Dismissed After PT Diversion:

Cases dismissed because the defendant entered into a Pre-Trial Diversion agreement with the City and satisfied the requirements of the Pre-Trial Diversion.

Dismissed Victim/Witness FTA:

Cases dismissed because the witness or victim did not appear in Court for trial.

Dismissed without prejudice:

Cases dismissed but the City having the option to re-file the case within one (1) year of the date of the offense.

Dismissed No Drug Results:

Drug results were not received for trial.

Dismissed – Officer Not With City

Officer/Witness is no long employed by the City.

Warrants

The Court issues warrants for Failure to Appear in Court for court sessions. These warrants are printed and copied to the CPD Warrants Division.

Cleared:

The Court clears warrants once the warrant is served by an officer or when a defendant self reports to the Court. The Court also clears warrants if a person is deceased, posts bond and or, in some cases, enters a plea.

Other Paid Cases:

The Court received a partial payment for a case; however, the defendant still has a balance due.

Search Warrant Issued:

A search warrant document was prepared and presented to the court by the City Attorney's office with regard to safety and public health concerns of a structure/property.

This report is not indicative of the case volume in Municipal Court. Rather, this information reflects payment status/coding for cases.

CITY OF CHARLESTON
Payroll Variance Analysis
November 2024

Department		Type	Current Month				Year To Date				Annual	
Name	Code	Wages	Budget	Actual	Variance	%	Budget	Actual	Variance	%	Budget	Available
Mayor	409	Regular	24,973	24,672	301	1.21%	137,354	135,618	1,736	1.26%	324,655	189,037
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	24,973	24,672	301	1.21%	137,354	135,618	1,736	1.26%	324,655	189,037
Mayor - CARE Office	409-02	Regular	9,751	9,560	191	1.96%	53,633	52,501	1,132	2.11%	126,768	74,267
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	9,751	9,560	191	1.96%	53,633	52,501	1,132	2.11%	126,768	74,267
City Council	410	Regular	13,000	12,000	1,000	7.69%	71,500	57,750	13,750	19.23%	169,000	111,250
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	13,000	12,000	1,000	7.69%	71,500	57,750	13,750	19.23%	169,000	111,250
City Manager - Admin.	412-00	Regular	47,140	42,289	4,851	10.29%	259,267	232,289	26,978	10.41%	612,814	380,525
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	47,140	42,289	4,851	10.29%	259,267	232,289	26,978	10.41%	612,814	380,525
City Treasurer	413	Regular	10,394	10,218	177	1.70%	57,169	56,117	1,052	1.84%	135,126	79,009
		IPT	1,015	732	283	27.91%	5,585	5,559	26	0.46%	13,200	7,641
		OT	-	-	-		-	5	(5)		-	-
		Total	11,410	10,950	460	4.03%	62,753	61,680	1,073	1.71%	148,326	86,650
City Collector	414	Regular	65,604	60,751	4,853	7.40%	360,821	334,198	26,622	7.38%	852,849	518,651
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	65,604	60,751	4,853	7.40%	360,821	334,198	26,622	7.38%	852,849	518,651
City Clerk	415	Regular	11,379	11,379	0	0.00%	62,586	62,118	468	0.75%	147,931	85,813
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	11,379	11,379	0	0.00%	62,586	62,118	468	0.75%	147,931	85,813
Municipal Court	416	Regular	25,211	25,623	(412)	-1.63%	138,662	140,097	(1,435)	-1.04%	327,746	187,649
		IPT	1,385	-	1,385	100.00%	7,615	-	7,615	100.00%	18,000	18,000
		OT	2,055	605	1,450	70.58%	11,301	4,628	6,673	59.05%	26,711	22,083
		Total	28,651	26,228	2,423	8.46%	157,578	144,725	12,853	8.16%	372,457	227,732

CITY OF CHARLESTON
Payroll Variance Analysis
November 2024

Department		Type	Current Month				Year To Date				Annual	
Name	Code	Wages	Budget	Actual	Variance	%	Budget	Actual	Variance	%	Budget	Available
City Attorney	417	Regular	39,113	37,603	1,510	3.86%	215,122	203,794	11,328	5.27%	508,470	304,676
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	39,113	37,603	1,510	3.86%	215,122	203,794	11,328	5.27%	508,470	304,676
Accounting	418	Regular	23,323	22,907	416	1.78%	128,276	125,771	2,506	1.95%	303,198	177,427
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	23,323	22,907	416	1.78%	128,276	125,771	2,506	1.95%	303,198	177,427
Engineering - General	420-00	Regular	40,235	39,791	444	1.10%	221,293	218,249	3,044	1.38%	523,057	304,808
		IPT	769	-	769		4,231	-	4,231		10,000	10,000
		OT	-	-	-		-	-	-		-	-
		Total	41,004	39,791	1,213	2.96%	225,524	218,249	7,275	3.23%	533,057	314,808
Engineering - Stormwater	420-01	Regular	11,334	11,111	222	1.96%	62,335	61,033	1,302	2.09%	147,337	86,304
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	11,334	11,111	222	1.96%	62,335	61,033	1,302	2.09%	147,337	86,304
MOECD	421	Regular	31,910	29,733	2,177	6.82%	175,505	154,926	20,579	11.73%	414,831	259,905
		IPT	1,200	3,697	(2,497)	-208.09%	75,600	71,596	4,004	5.30%	120,000	(48,404)
		OT	-	-	-		-	-	-		-	-
		Total	33,110	33,430	(320)	-0.97%	251,105	226,523	24,583	9.79%	534,831	211,501
Human Resources	422	Regular	32,253	31,812	441	1.37%	177,394	173,641	3,752	2.12%	419,294	245,653
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	32,253	31,812	441	1.37%	177,394	173,641	3,752	2.12%	419,294	245,653
Development Services	430	Regular	93,274	88,945	4,329	4.64%	513,009	471,714	41,295	8.05%	1,212,567	740,853
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	93,274	88,945	4,329	4.64%	513,009	471,714	41,295	8.05%	1,212,567	740,853
Mail Room	431	Regular	2,827	2,731	96	3.39%	15,547	15,668	(121)	-0.78%	36,747	21,079
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	2,827	2,731	96	3.39%	15,547	15,668	(121)	-0.78%	36,747	21,079

CITY OF CHARLESTON
Payroll Variance Analysis
November 2024

Department		Type	Current Month				Year To Date				Annual	
Name	Code	Wages	Budget	Actual	Variance	%	Budget	Actual	Variance	%	Budget	Available
Information Systems	439	Regular	43,634	43,140	494	1.13%	239,985	216,139	23,846	9.94%	567,237	351,098
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	43,634	43,140	494	1.13%	239,985	216,139	23,846	9.94%	567,237	351,098
General Services	440	Regular	36,812	36,634	177	0.48%	202,464	203,699	(1,235)	-0.61%	478,552	274,853
		IPT	769	-	769	100.00%	4,231	-	4,231	100.00%	10,000	10,000
		OT	6,075	1,741	4,334	71.34%	33,415	53,792	(20,377)	-60.98%	78,981	25,189
		Total	43,656	38,376	5,281	12.10%	240,110	257,492	(17,382)	-7.24%	567,533	310,041
Constituent Services	442-01	Regular	17,848	17,658	190	1.06%	98,163	97,107	1,056	1.08%	232,022	134,915
		IPT	1,800	1,319	481	26.70%	10,350	7,219	3,131	30.25%	23,400	16,181
		OT	-	-	-		-	90	(90)		-	-
		Total	19,648	18,978	670	3.41%	108,513	104,416	4,097	3.78%	255,422	151,096
Morris Square Property	500	Regular	5,422	5,321	102	1.88%	29,823	29,088	735	2.47%	70,490	41,402
		IPT	-	-	-		-	-	-		-	-
		OT	154	-	154	100.00%	846	957	(111)	-13.11%	2,000	1,043
		Total	5,576	5,321	256	4.58%	30,669	30,045	624	2.04%	72,490	42,445
Public Works	566	Regular	17,594	17,458	136	0.77%	96,768	95,131	1,637	1.69%	228,724	133,593
		IPT	-	-	-		-	-	-		-	-
		OT	385	7	378	98.23%	2,115	94	2,022	95.56%	5,000	4,906
		Total	17,979	17,465	514	2.86%	98,883	95,225	3,659	3.70%	233,724	138,499
Public Grounds - Adm.	567-00	Regular	72,471	63,297	9,174	12.66%	398,590	352,902	45,687	11.46%	942,121	589,219
		IPT	-	-	-		-	-	-		-	-
		OT	2,177	7,914	(5,736)	-263.45%	11,976	59,021	(47,045)	-392.84%	28,306	(30,715)
		Total	74,648	71,211	3,438	4.61%	410,565	411,923	(1,358)	-0.33%	970,427	558,504
Public Grounds - C/T	567-01	Regular	5,980	7,316	(1,336)	-22.35%	32,888	40,352	(7,464)	-22.69%	77,736	37,384
		IPT	-	-	-		-	-	-		-	-
		OT	384	1,098	(714)	-186.17%	2,110	7,959	(5,848)	-100.00%	4,988	(2,971)
		Total	6,363	8,414	(2,051)	-32.22%	34,999	48,311	(13,312)	-38.04%	82,724	34,413

CITY OF CHARLESTON
Payroll Variance Analysis
November 2024

Department		Type	Current Month				Year To Date				Annual	
Name	Code	Wages	Budget	Actual	Variance	%	Budget	Actual	Variance	%	Budget	Available
Police - Uniform	700-00	Regular	757,515	697,042	60,472	7.98%	4,166,330	3,925,582	240,748	5.78%	9,847,689	5,922,107
		OT	218,334	212,932	5,402	2.47%	1,150,584	1,249,933	(99,348)	-8.63%	2,687,584	1,437,651
		Reimb.	(3,077)	(768)	(2,309)	-75.04%	(16,923)	(8,409)	(8,515)	-50.31%	(40,000)	(31,591)
		Total	972,772	909,207	63,565	6.53%	5,299,991	5,167,106	132,886	2.51%	12,495,273	7,328,167
Police - Civilian	700-01	Regular	72,523	72,912	(389)	-0.54%	398,878	396,298	2,580	0.65%	942,803	546,505
		IPT	4,231	2,537	1,694	40.04%	23,269	16,193	7,077	30.41%	55,000	38,807
		OT	8,015	8,705	(690)	-8.61%	44,081	51,443	(7,362)	-16.70%	104,191	52,748
		Total	84,769	84,153	615	0.73%	466,228	463,934	2,294	0.49%	1,101,994	638,060
Fire - Uniform	706-00	Regular	841,858	908,777	(66,919)	-7.95%	4,369,230	4,735,838	(366,608)	-8.39%	10,161,186	5,425,348
		OT	169,373	65,949	103,423	61.06%	841,900	529,774	312,126	37.07%	1,932,895	1,403,121
		Reimb.	(923)	(768)	(155)	-16.80%	(5,077)	(6,310)	1,233	24.29%	(12,000)	(5,690)
		Total	1,010,308	973,959	36,349	3.60%	5,206,053	5,259,303	(53,250)	-1.02%	12,082,081	6,822,778
Fire - Civilian	706-01	Regular	7,688	7,537	151	1.96%	42,281	41,352	929	2.20%	99,938	58,586
		IPT	-	-	-	-	-	-	-	-	-	-
		OT	231	-	231	-	1,269	-	1,269	-	3,000	3,000
		Total	7,918	7,537	382	4.82%	43,551	41,352	2,198	5.05%	102,938	61,586
Traffic	712	Regular	36,133	32,239	3,894	10.78%	198,732	180,129	18,603	9.36%	469,729	289,600
		IPT	385	-	385	100.00%	2,212	-	2,212	100.00%	5,000	5,000
		OT	1,019	119	899	88.28%	5,604	21,747	(16,143)	-288.05%	13,246	(8,501)
		Total	37,537	32,358	5,178	13.80%	206,547	201,876	4,672	2.26%	487,975	286,099
Emergency Services	716	Regular	6,317	6,001	316	5.00%	34,744	13,739	21,004	60.45%	82,121	68,382
		IPT	-	-	-	-	-	-	-	-	-	-
		OT	-	-	-	-	-	-	-	-	-	-
		Total	6,317	6,001	316	5.00%	34,744	13,739	21,004	60.45%	82,121	68,382

CITY OF CHARLESTON
Payroll Variance Analysis
November 2024

Department		Type	Current Month				Year To Date				Annual	
Name	Code	Wages	Budget	Actual	Variance	%	Budget	Actual	Variance	%	Budget	Available
Street	750	Regular	203,920	177,157	26,763	13.12%	1,121,559	935,061	186,499	16.63%	2,650,958	1,715,897
		IPT	-	-	-		-	-	-		-	-
		OT	34,995	19,314	15,681	44.81%	111,473	114,025	(2,551)	-2.29%	292,937	178,912
		Total	238,915	196,472	42,443	17.77%	1,233,033	1,049,085	183,947	14.92%	2,943,895	1,894,810
Equipment Maintenance	754	Regular	61,741	60,793	948	1.54%	339,574	337,394	2,179	0.64%	802,629	465,235
		IPT	-	-	-		-	-	-		-	-
		OT	4,921	1,683	3,238	65.80%	27,068	4,704	22,364	82.62%	63,979	59,275
		Total	66,662	62,476	4,186	6.28%	366,642	342,099	24,543	6.69%	866,608	524,509
Refuse & Recycling	800	Regular	182,760	192,730	(9,970)	-5.46%	1,005,180	1,013,005	(7,825)	-0.78%	2,375,880	1,362,875
		IPT	-	-	-		-	-	-		-	-
		OT	21,929	9,324	12,605	57.48%	120,610	84,060	36,550	30.30%	285,078	201,018
		Total	204,689	202,054	2,635	1.29%	1,125,790	1,097,065	28,725	2.55%	2,660,958	1,563,893
Parks & Recreation	900	Regular	101,030	104,649	(3,619)	-3.58%	555,666	538,618	17,048	3.07%	1,313,393	774,775
		IPT	7,084	8,079	(995)	-14.04%	198,352	159,951	38,401	19.36%	354,200	194,249
		OT	4,740	5,911	(1,171)	-24.71%	26,070	41,088	(15,018)	-57.61%	61,620	20,532
		Total	112,854	118,639	(5,785)	-5.13%	780,088	739,657	40,431	5.18%	1,729,213	989,556
Public Arts	906	Regular	5,000	5,000	-	0.00%	27,500	27,204	296	1.08%	65,000	37,796
		IPT	-	-	-		-	-	-		20,000	20,000
		OT	-	-	-		-	-	-		-	-
		Total	5,000	5,000	-	0.00%	27,500	27,204	296	1.08%	85,000	57,796
Spring Hill Cemetery	952	Regular	30,397	25,950	4,447	14.63%	167,182	155,077	12,106	7.24%	395,158	240,081
		IPT	-	-	-		-	-	-		-	-
		OT	922	377	545	59.08%	5,070	791	4,279	84.41%	11,983	11,192
		Total	31,319	26,327	4,992	15.94%	172,252	155,867	16,385	9.51%	407,141	251,274
General Fund		Regular	2,988,363	2,942,737	45,626	1.53%	16,175,009	15,829,201	345,808	2.14%	38,065,756	22,236,555
		IPT	18,638	16,364	2,274	12.20%	331,444	260,519	70,926	21.40%	628,800	271,474
		OT	475,708	335,680	140,028	29.44%	2,395,493	2,224,109	171,384	7.15%	5,602,499	3,378,485
		Reimb.	(4,000)	(1,536)	(2,464)	-61.60%	(22,000)	(14,719)	(7,281)	-33.10%	(52,000)	(37,281)
		Total	3,478,710	3,293,245	185,465	5.33%	18,879,947	18,299,110	580,837	3.08%	44,245,055	25,849,232

CITY OF CHARLESTON
Payroll Variance Analysis
November 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	2,909	505	14.79%	19,171	16,230	2,941	15.34%	44,385	28,155
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	90	(90)		-	(90)
		Total	3,414	2,909	505	14.79%	19,171	16,320	2,851	14.87%	44,385	28,065
Land Reuse Agency	428	Regular	3,462	3,603	(142)	-4.09%	20,000	19,778	222	1.11%	45,000	25,222
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	3,462	3,603	(142)	-4.09%	20,000	19,778	222	1.11%	45,000	25,222
CARE Fund	409-02	Regular	25,643	21,713	3,931	15.33%	141,038	124,185	16,853	11.95%	333,364	209,179
		IPT	-	-	-		-	-	-		-	-
		OT	-	-	-		-	-	-		-	-
		Total	25,643	21,713	3,931	15.33%	141,038	124,185	16,853	11.95%	333,364	209,179
Coliseum & Conv. Center	910-01	Regular	49,120	43,710	5,409	11.01%	270,157	256,421	13,737	5.08%	638,554	382,133
		IPT	-	-	-		-	-	-		-	-
		OT	2,308	677	1,631	70.67%	12,692	4,782	7,910	62.32%	30,000	25,218
		Total	51,427	44,387	7,040	13.69%	282,850	261,203	21,647	7.65%	668,554	407,351
Parking System	571	Regular	63,796	63,541	255	0.40%	350,878	343,947	6,930	1.98%	829,347	485,400
		IPT	4,315	2,224	2,092	48.47%	23,735	9,231	14,504	61.11%	56,100	46,869
		OT	1,692	166	1,526	90.19%	9,308	5,730	3,578	38.44%	22,000	16,270
		Total	69,804	65,930	3,873	5.55%	383,920	358,907	25,013	6.52%	907,447	548,540
Total		Regular	3,133,798	3,078,213	55,585	1.77%	16,976,254	16,589,762	386,492	2.28%	39,956,406	23,366,643
		IPT	22,953	18,588	4,366	19.02%	355,179	269,749	85,430	24.05%	684,900	318,343
		OT	479,708	336,523	143,186	29.85%	2,417,493	2,234,711	182,782	7.56%	5,654,499	3,419,882
		Reimb.	(4,000)	(1,536)	(2,464)	61.60%	(22,000)	(14,719)	(7,281)	33.10%	(52,000)	(37,281)
		Total	3,632,460	3,431,787	200,672	5.52%	19,726,926	19,079,504	647,422	3.28%	46,243,805	27,067,588

Vacancy Report:

City Manager	1		
Collector	1		
Public Works (all)	23		
Police - Uniform	24		
Fire - Uniform	3	CARE Office	1
Cemetery	1	CCCC	2
Total General Fund	53	Total All	56

Bill No. 8049

Introduced in Council

Passed by Council

January 6, 2025

Introduced by

Councilman Michael Ferrell

Referred to:

**Municipal Planning Commission,
Planning, Streets, and Traffic Committee,
And Finance Committee**

Bill No. 8049 - A Bill closing, abandoning and discontinuing as a public right-of-way, a 10 foot wide by 120 foot long alley across Block 21 of the JB Walker Addition, adjacent to Tax Map 25 Parcels 288 & 292 Charleston West District, Kanawha County, West Virginia.

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

1. The 10 foot wide by 120 foot long public right located between Lot 7 and Lots 4, 5 and 6 Block 21, J. Brisben Walker Addition, situate in Charleston West District, Kanawha County, West Virginia, as shown on the that certain map entitled "PLAT OF SURVEY SHOWING THE ABANDONMENT OF A PORTION OF AN ALLEY IN THE CITY OF CHARLESTON KNAWHA COUNTY, WEST VIRGINIA" prepared by Victor M. Dawson, P.S. #956, dated June 17, 2024, and attached hereto as Exhibit A. The alley is more particular described as follows:

The northern portion of a 10 foot alley situate between Wyoming Street and Randolph Street and west of Ohio Avenue in the J. Brisben Walker Addition to West Charleston in the City of Charleston, Kanawha County, West Virginia, and being more particularly described as follows:

Beginning at a P-K nail set in the eastern line of a 10 foot alley and in the southern line of Wyoming street, at the northwest corner of Cabin Creek Health Systems, recorded in Deed Book 3117 at Page 616 and designated as Tax Map 25 Parcel 292, from which a P-K nail set at the southwest corner of the Ohio Avenue and Wyoming Street intersection bears S31°54'52"E at 120.00 feet, thence leaving the southern right of way line of Wyoming Street and running with said Cabin Creek Health Systems along the eastern line of said 10 foot alley S58°07'26"W, 120.00 feet to a calculated point, thence crossing through said 10 foot alley N31°54'52"W, 10.00 feet to a P-K nail set in the western line of said 10 foot alley and at the southeast corner of land owned by the aforementioned Cabin Creek Health Systems and designated as Tax Map 25 Parcel 288, thence continuing with the western line of said 10 foot alley and Cabin Creek Health Systems N58°07'26"E, 120.00 feet to a P-K nail set in the southern line of Wyoming Street, thence leaving said Parcel 288 and running with the

southern line of Wyoming Street S31°54'52"E, 10.00 feet to the POINT OF BEGINNING, containing 1200 square feet, more or less.

2. The Mayor of the City of Charleston be, and is hereby authorized and directed to execute, acknowledge and deliver a proper deed conveying to Cabin Creek Health Systems, Inc., a West Virginia non-profit corporation, and its successors and assigns, all right, title and interest in and to said real property as described in Section 1 above, for the consideration of Seven Thousand and 00/100 Dollars (\$7,000.00).

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