



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

CITY OF CHARLESTON, WEST VIRGINIA

Regular Meeting – Monday, August 19, 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 August on the 19th day, in the year 2024, and was called to order by the Honorable Mayor, Amy Shuler Goodwin. The invocation was delivered by Councilmember Kerns, and the Pledge of Allegiance was Councilmember Salango. 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**

**SALANGO
STEELHAMMER**

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

**BURTON
FAEGRE
HAAS
JONES
MINARDI
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. Bill Kimmons – Spoke about Bill No. 8039.
2. Ryan Harlow - Spoke about Bill No. 8039.
3. Jonah Kone - Spoke about Bill No. 8039.
4. Tara Raymo – Read a passage from the Bible.

CLAIMS

1. A claim of Nick Barth, Charleston, WV;
alleges damage to vehicle.
2. A claim of Laura Chastine Quinnelly, Charleston, WV;
alleges personal injury.

PROCLAMATIONS

1.

**EXECUTIVE DEPARTMENT
CITY OF CHARLESTON
PROCLAMATION**

WHEREAS: Founders of Ryan's Hope, a substance use disorder and overdose awareness organization, CeCe and Bobby Brown lobbied the West Virginia Legislature to create the Ryan Brown Addiction Prevention and Recovery Fund in honor of their son, Ryan, who they lost to a heroin overdose in April 2014; and

WHEREAS: The Ryan Brown Addiction Prevention and Recovery Fund mandates that the West Virginia Department of Health and Human Resources identify need, and allocate additional treatments beds operated by private entities to provide substance use disorder treatment services in existing or new facilities; and

WHEREAS: CeCe and Bobby Brown continue to advocate for community members who are dealing with substance use disorder, those who have overdosed, and their families—while also supporting initiatives that will encourage recovery in our communities; and

WHEREAS: International Overdose Awareness Day is recognized globally on August 31 to raise awareness about the risks of overdosing, honor the individuals whose lives have been lost, and acknowledge the grief felt by families, friends, and communities; and

WHEREAS: In celebration of Overdose Awareness Day, Ryan's Hope will join the West Virginia Drug Intervention Institute and American Friends Service Committee West Virginia at the State Capitol on August 31, from 6 p.m. to 8 p.m.; and

WHEREAS: The City of Charleston remains committed to working with families like the Browns to develop and support solutions to address substance use disorder and the path to recovery; and

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

CECE & BOBBY BROWN

For their continued efforts to bring greater awareness to substance use disorder, the impact it has on our communities, and the importance of supporting recovery efforts.

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the Executive Department to be affixed this 19th day of August 2024.



A handwritten signature in black ink, appearing to read "Amy Shuler Goodwin", is written over a horizontal line. Below the signature, the text "Amy Shuler Goodwin, Mayor" is printed in a black, sans-serif font.

Amy Shuler Goodwin, Mayor

2.

**EXECUTIVE DEPARTMENT
CITY OF CHARLESTON
PROCLAMATION**

WHEREAS: In 1898, six prominent Seattle theater owners – united to resolve a musicians' strike – sparked the founding of the Order of Good Things; and

WHEREAS: The Order adopted the Bald Eagle as its emblem, renamed itself the Fraternal Order of Eagles, and committed to promoting peace, prosperity, and equality with the motto: Liberty, Truth, Justice, and Equality; and

WHEREAS: Within 10 years of its inception, the organization's membership exceeded 350,000 and the Fraternal Order of Eagles quickly became a leader in influencing national politics – pushing for the creation of Mother's Day, Social Security, Medicare, and more; and

WHEREAS: the Fraternal Order of Eagles has maintained a strong dedication to giving back; and

WHEREAS: The Eagles, through their Memorial Foundation, Jimmy Durante Children's Fund, and major donations to institutions like St. Jude's, have demonstrated their unwavering commitment to aiding children and advancing medical research – including a \$25M pledge to establish the Fraternal Order of Eagles Diabetes Research Center at the University of Iowa; and

WHEREAS: The Fraternal Order of Eagles Charleston #519 – chartered by the Grand Fraternal Order of Eagles on September 1, 1904 – has served our community through volunteer efforts, fundraising, and support of various organizations; and

NOW THEREFORE, I, Amy Shuler Goodwin, Mayor of the City of Charleston, do hereby recognize September 1, 2024 as the

Fraternal Order of Eagles Charleston #519 120th Anniversary

In Charleston, West Virginia and encourage all citizens to join in the celebration of this milestone anniversary by recognizing the significant contributions of the Fraternal Order of Eagles to our community.

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the Executive Department to be affixed this 19th day of August 2024.



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

Amy Shuler Goodwin, Mayor

REPORTS OF COMMITTEES

COMMITTEE ON ORDINANCE AND RULES

Councilmember Robinson, Chair of the Council Committee on Ordinance and Rules, submitted the following reports:

1. Your committee on Ordinance and Rules has had under consideration the following bill, and reports the same to Council with the recommendation that Bill 8039 Committee Substitute do pass.

Bill No. 8039 Committee Substitute -

Bill No. 8039 Committee Substitute - A BILL to amend and reenact Sections 78-371, 78-372, and 78-373 of the Municipal Code of the City of Charleston, as amended, and to amend said Code by adding thereto a new section, designated Section 78-374, all relating updating, clarifying, and reforming the controlled substances offenses in Municipal Code, to incorporating the state code definitions and schedules of controlled substances, reducing the penalties for simple possession of certain controlled substances and the criminal penalties therefore; making first offense simple possession of marijuana and related substances specified in State code a non-jailable offense; clarifying the conditional discharge statutes for first offense simple possession charges; and expanding the possibilities for discharge of controlled substance possession charges; and updating state law references and other terminology.

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

That Subdivision I of Division 5 of Article V of Chapter 78, specifically, Sections 78-371, 78-372, and 78-373 of the Municipal Code of the City of Charleston, as amended, are hereby amended and reenacted and that a new section, designated Section 78-374, is added thereto, all to read as follows:

DIVISION 5. - DRUGS AND RELATED OFFENSES

Subdivision I. - In General

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

~~(a) Whenever any person who has not previously been convicted of any offense under this chapter subdivision or under any statute of the United States or of any state relating to controlled substances, narcotic drugs, marijuana, or stimulant, depressant, or hallucinogenic drugs, pleads guilty to or is found guilty under this section, the court, without entering a judgment of guilt and with the consent of the accused, may defer further proceedings and place him or her on probation upon terms and conditions which may include, but is not limited to, participation in a substance abuse treatment program. Upon violation of a term or condition, the court may enter an adjudication of guilt and proceed as otherwise provided. Upon fulfillment of the terms and conditions, the court shall discharge the person and dismiss the proceedings against him or her. Discharge and dismissal under this section shall be without adjudication of guilt and is not a conviction for purposes of this section or for purposes of disqualifications or disabilities imposed by law upon conviction of a crime. The effect of the dismissal and discharge shall be to restore the person in contemplation of law to the status he or she occupied prior to arrest and trial. No person as to whom a dismissal and discharge have been effected shall be thereafter held to be guilty of perjury, false swearing, or otherwise giving a false statement by reason of his or her failure to disclose or acknowledge his or her arrest or trial in response to any inquiry made of him or her for any purpose. There may be only one~~

~~discharge and dismissal under this section with respect to any person.~~

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

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

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

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

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

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

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

Sec. 78-373. - Illegal Simple possession of marijuana, synthetic cannabinoids, and

other controlled substances; simple possession of marijuana.

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

~~(b) Conditional discharge for first offense of possession.~~

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

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

(b)(a) *Simple Possession of Synthetic Cannabinoids, MDPV, Mephedrone, and Less Than 15 Grams of Marijuana Prohibited.* It is unlawful for any person knowingly or

intentionally to possess synthetic cannabinoids, 3,4-methylenedioxypyrovalerone (MDPV), 4-methylmethcathinone (mephedrone), or less than 15 grams of marijuana, unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of his or her professional practice, or except as otherwise authorized by West Virginia law. Any person who violates this section subsection is guilty of a misdemeanor, and, upon a conviction: (1) for a first offense, may be fined not more than \$100.00\$0.00; or (2) for a second offense, may be fined not more than \$250.00, or (3) for a third or subsequent offense, may be fined not more than \$500.00, imprisoned not more than 30 days in the regional jail, or both fined and imprisoned. Further, notwithstanding any other provision of this code to the contrary, whenever a person has not previously been convicted within the previous one year of any offense under this subsection subdivision or under any statute of the United States or of any state ~~for relating to controlled substances,~~ narcotic drugs, marijuana, or stimulant, depressant, or hallucinogenic drugs~~simple possession of synthetic cannabinoids, MDPV, mephedrone, or less than 15 grams of marijuana,~~ such initial conviction shall be disposed of under section 78-371(a)78-374.

(b) *Simple Possession of Synthetic Cannabinoids, MDPV, and Mephedrone Prohibited.* It is unlawful for any person knowingly or intentionally to possess synthetic cannabinoids, 3,4-methylenedioxypyrovalerone (MDPV) or 4-methylmethcathinone (mephedrone), unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of his or her professional practice, or except as otherwise authorized by West Virginia law. Any person who violates this subsection is guilty of a misdemeanor, and, upon a conviction: (1) for a first offense, may be fined not more than \$100.00; or (2) for a second offense or subsequent offense, may be fined not more than \$500.00, imprisoned not more than 30 days in the regional jail, or both fined and imprisoned. Further, notwithstanding any other provision of this code to the contrary, whenever a person has not previously been convicted of any offense under this subdivision or under any statute of the United States or of any state relating to controlled substances, narcotic drugs, marijuana, or stimulant, depressant, or hallucinogenic drugs, such initial conviction shall be disposed of under section 78-374.

(c) *Simple Possession of Controlled Substances Prohibited.* It is unlawful for any person knowingly or intentionally to possess any other controlled substance not specified in subsection (a) or (b) of this section, unless the substance was obtained directly from or pursuant to, a valid prescription or order of a practitioner while acting in the course of his professional practice, or except as otherwise authorized by this Code or West Virginia law. Any person who violates this subsection is guilty of a misdemeanor and may be fined up to \$500.00 or confined up to 30 days in jail, or both fined and confined.

Sec. 78-374. – Conditional discharge for simple possession of controlled substances; expungement of records.

(a) Except as otherwise provided in this Code, whenever any person who has not been convicted of any offense under this subdivision or under any statute of the United States or of any state relating to controlled substances, narcotic drugs, marijuana, or stimulant,

depressant, or hallucinogenic drugs, pleads guilty to or is found guilty under section 78-373, the court, without entering a judgment of guilt and with the consent of the accused, may defer further proceedings and place him or her on probation upon terms and conditions which may include, but is not limited to, participation in a substance abuse treatment program. Upon violation of a term or condition, the court may enter an adjudication of guilt and proceed as otherwise provided. Upon fulfillment of the terms and conditions, the court shall discharge the person and dismiss the proceedings against him or her. Discharge and dismissal under this section shall be without adjudication of guilt and is not a conviction for purposes of this section or for purposes of disqualifications or disabilities imposed by law upon conviction of a crime. The effect of the dismissal and discharge shall be to restore the person in contemplation of law to the status he or she occupied prior to arrest and trial. No person as to whom a dismissal and discharge have been effected shall be thereafter held to be guilty of perjury, false swearing, or otherwise giving a false statement by reason of his or her failure to disclose or acknowledge his or her arrest or trial in response to any inquiry made of him or her for any purpose. There may be only one discharge and dismissal under this section with respect to any person: *Provided*, That this limitation does not apply to anyone charged under Section 78-373(a) for possession of marijuana.

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

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

Councilmember Robinson added that the bill does not legalize marijuana, does not reschedule marijuana, does not decriminalize the possession of marijuana, and does not change charges taken by County or State Police. The bill does clean up Code language to match State Code, lowers the fine for first offense of simple possession of marijuana of less than fifteen grams with second offense \$250 and third and subsequent up to \$500, eliminates jail time for simple possession of marijuana.

Councilmember Faegre motioned to amend Bill No. 8039 Committee Substitute.

Councilmember Ceperley seconded the motion.

On page four, Section 78-373, line 146, by striking out the number “\$500.00” and inserting in lieu thereof the number “\$1,000.00.”

Councilmember Jenkins spoke against the amendment. He added that he did not think it made sense to make a \$1,000 fine for a third offense of simple possession when that is more than fines for cocaine or heroin.

Councilmember Taylor added that, as a former Charleston Municipal Judge, he could not recall ever seeing a third offense for simple possession of marijuana.

With members present recorded thereon as voting in the majority in the negative, the Mayor declared the Faegre Amendment as not passed.

Councilmember Ceperley added that the bill destigmatizes the illegal use of marijuana. She added that you do not know what is being put into marijuana purchased illegally. She did not think there was any need to remove the jail time penalty unless it was being abused.

Councilmember Snodgrass agreed with the cleanup language in the bill, but disagreed with the more lenient penalties that differ from State Law.

Councilmember Cook spoke in favor of the bill. She added that the bill sends a message that people deserve a second chance related to simple possession of marijuana.

Councilmember Gianola clarified with the City Attorney, Kevin Baker, that the bill does not allow people to smoke marijuana on the streets as well as operate a vehicle while impaired.

Councilmember Overstreet spoke in favor of the bill. He added that there should be a break for first offense.

Councilmember Faegre added that she believes that the fine for third offense is too low.

Councilmember Taylor added that the Code already states that it is unlawful for a person to be

in a public place under the influence of marijuana, etc.

Councilmember Robinson confirmed with Baker that the bill complies with State Law. He thanked the Ordinance and Rules Committee for their work on the bill.

Councilmember Robinson moved to approve the bill. Councilmember Ceperley seconded the motion.

A roll call was taken:

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

With members present recorded thereon as voting in the majority in the affirmative, with twenty (20) Yeas and five (5) Nays, Mayor Goodwin declared Bill No. 8039 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. 24-004 Committee Substitute be adopted.

Resolution No. 24-004 Committee Substitute - Ratifying the conveyance of ~~650~~651.8-2 square feet of property at 111 Court Street to the Kanawha County Building Commission for the new Kanawha County Judicial Building expansion project in the City of Charleston, West Virginia. The design of the second floor of the two-story addition located at the corner of Court Street and Virginia Street cantilevers and extends over the Court Street property line to provide a weather protected single-point of controlled and secure access to the entire facility.

WHEREAS, the new entry condition amenity being provided will make the Kanawha County Judicial Building more accommodating to the general public and will enhance the safety and welfare of the judiciary, court staff, judicial security and visitors; and

WHEREAS, it is considered by Council that conveying the City property to provide reasonable and necessary protection from the elements and that the interests of public safety of citizens is paramount to the expansion's design intent and improvements, by the conveying of the said property.

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

(1) That the Kanawha County Building Commission is hereby granted a conveyance of property for the purpose of constructing, operating, maintaining, repairing, and replacing the projecting portion of the building addition for sheltered single-point of controlled and secured access for the Kanawha County Judicial Building expansion project, with the design, engineer and construction to be in compliance with all local and state building codes and in accordance with plans, drawings and specifications attached hereto, incorporated herein, and made a part hereof;

~~(2) — This conveyance shall be upon the expressed condition and limitation that the Property is conveyed to the Kanawha County Building Commission as long as the Kanawha County Judicial Building continues to be operated as a public and government building. If the Property ceases to be used as part of a public and government building, the title to the Property shall automatically revert to, and be vested solely in, the City, with no further action or demand required by the City;~~

~~(3)~~(2) This conveyance shall be upon the expressed condition and limitation that the Kanawha County Building Commission maintain access to the existing public sidewalk and maintain the Property as a public right-of-way before, during, and after construction of the Kanawha County Judicial Building expansion project. No person shall construct improvements or take any actions which would interfere with the public right-of-way; and

(4)(3) Therefore, upon review and approval by legal counsel for the City, and the City Engineer, the Mayor of the City of Charleston is hereby authorized and directed to execute a Deed conveying the City's property to the Kanawha County Building Commission to build the projection over the Court Street public way, subject to and conditioned upon the Kanawha County Building Commission, and its lessees, successors or assigns' compliance with this Resolution, and the payment of a total of Zero and no/100 dollars, as authorized by West Virginia Code § 1-5-3.

Councilmember Jenkins added that the resolution has passed three Boards/Committees. A small section of sidewalk overhang will be transferred to the County as a public right-of-way.

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. 24-004 Committee Substitute 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. 24-005 be adopted.

Resolution No. 24-005 - Authorizing the Mayor or City Manager to contract directly with Trigon Training Group in the amount of \$32,589.33 to provide Crisis Intervention training to twenty-four (24) Charleston Police and Fire members, where the grant from the Department of Justice for the CARE Office's Crisis Intervention Team provides funding for this training.

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 in the amount of \$32,589.33 with Trigon Training Group to provide Crisis Intervention training to twenty-four (24) Charleston Police and Fire members. The grant from the Department of Justice for the CARE Office's Crisis Intervention Team is providing the funding for this training.

Councilmember Jenkins added that grant is for Crisis Intervention Training for the Fire Department to assist the CARE Team.

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. 24-005.

3. Your committee on Finance has had under consideration the following bill, and reports the same to Council with the recommendation that Bill No. 8044 do pass

Bill No. 8044 - A Bill closing, abandoning and discontinuing as a public right of way, a 10-foot wide by 250 foot, long public right located between Randolph and Virginia Streets, Charleston, WV 25302 in Block 20, J. B. Walker Addition, situate in Charleston West District, Kanawha County, West Virginia.

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

1. The 10 foot wide by 250 long pubic right located between Randolph and Virginia Streets, Charleston, WV 25302 in Block 20, J. B. Walker Addition, situate in Charleston West District, Kanawha County, West Virginia, as shown on that certain map or plat entitled “Plat of Survey for Members Choice WV Federal Credit Union Being Parcel “A” 10’ Alley to be Abandoned by the City of Charleston, Block 20, J.B. Walker, Charleston West Corporation, Kanawha County, West Virginia” prepared by Wilkinson Surveying, LLC, Philip L. Longenecker, PLS#1026, dated March 7, 2024, and attached hereto as Exhibit A. The alley is more particularly described as follows:

Beginning at a corner to a 10’ alley and southwesterly r/w line of Randolph Street corner to John Nicoloudakis; thence, crossing the alley and with the southwesterly r/w line of Randolph Street, S. 31° 56’ E. 10.00’ to a mag. Nail set corner to Members Choice WV Federal Credit Union; thence, leaving Randolph Street with the Members Choice line, S. 58° 04’ W. 250.00’ to a point in the northeasterly r/w line of Virginia Street West corner to Members Choice; thence crossing the alley and with the northeasterly r/w line of Virginia Street West, N. 31° 56’ W. 10.00’ to a point corner to Members Choice; thence, leaving the northeasterly r/w line of Virginia Street West and with the Members Choice line, N. 58° 04’ E. 250.00 to the point of beginning, containing **0.06 acres, more or less;**

2. The Mayor of the City of Charleston be, and is hereby authorized and direct to execute, acknowledge and deliver a proper deed conveying to the Members Choice WV Federal Credit Union, all right, 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).

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

Councilmember Jenkins added that the bill transfer ownership of a portion of a n alleyway to Member's Choice Credit Union, who is looking to expand their facility.

Councilmember Jenkins moved 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, Minardi, Overstreet, Pepper, Robinson, Rubio, Salango, Snodgrass, Solomon, Steelhammer, Taylor, Mayor Goodwin

NAYS:

ABSENT: Moore, Pharr

With members present recorded thereon as voting in unanimously the majority in the affirmative, Mayor Goodwin declared Bill No. 8044 as passed.

REPORTS OF OFFICERS

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

NEW BILLS

None

MISCELLANEOUS/UNFINISHED BUSINESS

None

REMARKS BY MEMBERS

1. Mayor Goodwin added that the Jones Woodland Trail is almost ready to be publicly open. The Mayor thanked the CLRA for an All Star Community Award from the West Virginia Municipal League.
2. Councilmember Kerns stated that there had recently been violent crimes in her Ward, and thanked the Police Department for their quick responses, specifically, Detectives Fields and Boone and Victim Advocate Felicia.
3. Councilmember Snodgrass asked for an update on the possible technology upgrades for Council Chamber. Mayor Goodwin replied that the bid response was at least four times the amount expected, so they will be going back out to bid.
4. Councilmember King thanked Bill Tate and the Street Department for their quick response.
5. Councilmember Annie thanked Brent Webster and his staff.

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, Minardi, Overstreet, Pepper, Robinson, Rubio, Salango, Snodgrass, Solomon, Steelhammer, Taylor, Mayor Goodwin

NAYS:

ABSENT: Moore, Pharr

At 8:05 p.m., by a motion from Councilmember Ceperley, Council adjourned until Tuesday, September 3, 2024, 7:00 p.m., in Council Chambers at City Hall.

Amy Shuler Goodwin, Honorable Mayor

Miles C. Cary II, City Clerk