



# CITY OF CHARLESTON West Virginia



Council Member – 12<sup>th</sup> WARD

Joseph Jenkins  
839 Gordon Drive  
Charleston, West Virginia 25303  
304-575-9202  
joseph.jenkins@cityofcharleston.org

Finance Committee, Chair  
Parking Committee, Chair  
Ordinance and Rules Committee

**AGENDA**  
**FINANCE COMMITTEE MEETING**  
**Tuesday, February 18, 2025**  
**6:30 PM**

**AV ROOM #308, CITY HALL, CHARLESTON, WV**

**AVAILABLE TO VIEW VIA LIVESTREAM AT <https://charlestonwv.civicclerk.com/web/home.aspx>**

**I. DISCUSSION:**

- a. Approval of Previous Minutes 2-3-2025

**II. RESOLUTIONS:**

- a. Resolution No. 25-009 - Authorizing the City Manager to purchase 27 Getac mobile data terminal computers for the Charleston Police Department from Brooks Network Services through a Sourcewell contract.
- b. Resolution No. 25-016 – Authorizing the Mayor or City Manager to grant temporary and permanent easements from the City to the Charleston Sanitary Board for the Magazine Branch Improvements Project as referenced in the attached documents.
- c. Resolution No. 25-017 – Authorizing the filing of civil actions for the condemnation of property for sanitary sewer easements necessary for the Sanitary Board to complete Phase I of its Magazine Branch Rehabilitation Project.
- d. Resolution No. 25-018 – Authorizing approval of Amendment No. 6 of the FY 2024-2025 General Fund Budget.
- e. Resolution No. 25-019 - Authorizing the Mayor or City Manager to purchase a Jeep Grand Cherokee for Emergency Services from Stephens Auto Center.
- f. Resolution No. 25-020 - Authorizing the Mayor or City Manager to purchase a 2025 Ford F-250 Regular Cab truck for Traffic Engineering from Frankfort Ford.
- g. Resolution No. 25-021 - Authorizing the Mayor or City Manager to enter into a contract with Silling Associates, Inc. for architecture and engineering services for renovations and improvements to Public Safety Center and the Charleston Police Department.

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

MINUTES  
FINANCE COMMITTEE MEETING  
6:30 P.M., FEBRUARY 3, 2025  
AV ROOM #308, CITY HALL

Joseph Jenkins Chair, called the meeting of the Charleston City Council Committee on Finance to order at 6:30 p.m., February 3, 2025.

A silent roll was taken by the Clerk and a quorum was established. The following committee members were present:

Joseph Jenkins, Chair  
Brent Burton, Vice Chair  
Mary Beth Hoover  
Larry Moore  
Chad Robinson  
Shawn Taylor

Absent:  
Becky Ceperley

Other Councilmembers present:  
Emmett Pepper  
Chelsea Steelhammer  
Joe Solomon  
Harper Gardner

I. DISCUSSION:

a. Approval of Previous Minutes - Councilmember Burton asked for unanimous consent to dispense with the reading of the minutes for the January 21, 2025 meeting and that they be approved as distributed. There were no objections, and the minutes were approved.

II. RESOLUTIONS:

- a. Resolution No. 25-010 – Authorizing the Mayor or City Manager to purchase one (1) new Ram 2500 Crewcab 4x4 truck for Parks and Recreation from Stephens Auto Center in the amount of \$45,440.00 pursuant to a competitively sourced state contract.

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

That the Mayor or City Manager is authorized to purchase one (1) new Ram 2500 Crewcab 4x4 truck for Parks and Recreation from Stephens Auto Center in the amount of \$45,440.00 pursuant to a competitively sourced state contract.

Mishoe added that 6 resolutions on the agenda pertain to the purchases of vehicles for various departments. Some are holdovers from 2024 and 2023.

Councilmember Burton moved to approve the Resolution. With members present recorded thereon as voting unanimously in the affirmative, Chairperson Jenkins declared Resolution No. 25-010 approved.

- b. Resolution No. 25-011 – Authorizing the Mayor or City Manager to purchase one (1) new Ford F-150 Supercab truck for Refuse Department from Matheny Ford in the amount of \$42,780.00 pursuant to a competitively sourced state contract.

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

That the Mayor or City Manager is authorized to purchase one (1) new Ford F-150 Supercab truck for Refuse Department from Matheny Ford in the amount of \$42,780.00 pursuant to a competitively sourced state contract.

Mishoe added that the purchase was budgeted for FY2025.

Councilmember Burton moved to approve the Resolution. With members present recorded thereon as voting unanimously in the affirmative, Chairperson Jenkins declared Resolution No. 25-011 approved.

- c. Resolution No. 25-012 – Authorizing the Mayor or City Manager to purchase two (2) new Ram 2500 regular cab trucks for Spring Hill Cemetery from Stephens Auto Center in the total amount of \$83,980.00 (\$41,990.00 each) pursuant to a competitively sourced state contract.

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

That the Mayor or City Manager is authorized to purchase two (2) new Ram 2500 regular cab trucks for Spring Hill Cemetery from Stephens Auto Center in the total amount of \$83,980.00 pursuant to a competitively sourced state contract.

Mishoe added that they were originally approved under the FY2024 budget, but the purchase was able to be completed until now.

Councilmember Burton moved to approve the Resolution. With members present recorded thereon as voting unanimously in the affirmative, Chairperson Jenkins declared Resolution No. 25-012 approved.

- d. Resolution No. 25-013 – Authorizing the Mayor or City Manager to purchase one (1) new Ford F-150 regular cab 4x4 truck for Street Department from Matheny Ford in the amount of \$38,962.00 pursuant to a competitively sourced state contract.

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

That the Mayor or City Manager is authorized to purchase one (1) new Ford F-150 regular cab 4x4 truck for Street Department from Matheny Ford in the amount of \$38,962.00 pursuant to a competitively sourced state contract.

Councilmember Jenkins confirmed that all of the purchases were part of the normal replacement process.

Councilmember Burton moved to approve the Resolution. With members present recorded thereon as voting unanimously in the affirmative, Chairperson Jenkins declared Resolution No. 25-013 approved.

- e. Resolution No. 25-014 – Authorizing the Mayor or City Manager to purchase two (2) new Ford Rangers for General Services and Traffic Engineering from Stephens Auto Center in the total amount of \$69,778.00 (\$34,889.00 each) pursuant to a competitively sourced state contract.

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

That the Mayor or City Manager is authorized to purchase two (2) new Ford Rangers for General Services and Traffic Engineering from Stephens Auto Center in the total amount of \$69,778.00 pursuant to a competitively sourced state contract.

Mishoe added that

Councilmember Burton moved to approve the Resolution. With members present recorded thereon as voting unanimously in the affirmative, Chairperson Jenkins declared Resolution No. 25-014 approved.

- f. Resolution No. 25-015 – Authorizing the Mayor or City Manager to purchase three (3) new Ram 2500 regular cab 4x4 trucks for Parks and Recreation, Traffic Engineering and Equipment Maintenance from Stephens Auto Center in the total amount of \$125,970.00 (\$41,990.00 each) pursuant to a competitively sourced state contract.

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

That the Mayor or City Manager is authorized to purchase three (3) new Ram 2500 regular cab 4x4 trucks for Parks and Recreation, Traffic Engineering and Equipment Maintenance from Stephens Auto Center in the total amount of \$125,970.00 pursuant to a competitively sourced state contract.

Mishoe added that the vehicles were previously ordered but cancelled by the vendor.

Councilmember Burton moved to approve the Resolution. With members present recorded thereon as voting unanimously in the affirmative, Chairperson Jenkins declared Resolution No. 25-015 approved.

Councilmember Burton motioned to adjourn the meeting.  
Meeting adjourned.

Resolution No. 25-009

Introduced in Council:

Adopted by Council:

February 18, 2025

Introduced by:

Referred to:

Joseph Jenkins

Finance

Resolution No. 25-009 - Authorizing the City Manager to purchase twenty-seven (27) Getac mobile data terminal computers for the Charleston Police Department from Brooks Network Services through a Sourcewell contract. The total cost of \$67,404.15 will be split between the 2024 BJAG grant for twelve (12) MDTs and \$37,446.75 for the remaining fifteen (15) budgeted in Fiscal Year 2025.

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

That the City Manager is authorized to purchase twenty-seven (27) Getac mobile data terminal computers for the Charleston Police Department from Brooks Network Services through a Sourcewell contract. The total cost of \$67,404.15 will be split between the 2024 BJAG grant for twelve (12) MDTs and \$37,446.75 for the remaining fifteen (15) budgeted in Fiscal Year 2025.

# Quotation

Brooks Network Services, LLC.  
403 Burlington Ave.  
Gibsonville, NC 27249 US  
(336) 270-5895  
sbrooks@brooksnetworkservices.com

## ADDRESS

Sgt Lucas  
Charleston Police Department WV  
501 Virginia St. East  
Charleston, WV 25301

## SHIP TO

Sgt Lucas  
Charleston Police Department WV  
501 Virginia St. East  
Charleston, WV 25301

| QUOTATION # | DATE       | EXPIRATION DATE |
|-------------|------------|-----------------|
| 8200        | 10/01/2024 | 03/31/2025      |

PLEASE DETACH TOP PORTION AND RETURN WITH YOUR PAYMENT.

| DATE | ACTIVITY                                                                                                                                                                                                                                                      | QTY | RATE     | AMOUNT    |
|------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----------|-----------|
|      | ST276ADASHXX<br>S410G5: i5-1340P, WinHello, Win11+16GB, 256GB<br>PCIe SSD, SR LCD+TS+Stylus, Backlit KBD,<br>WIFI+BT+4G+GPS+PT, TB4, 3 Yr Limited Warr<br>Sourcewell 090122-GET Contract<br>MSRP: \$2937.00<br>Sell Price: \$2,496.45<br>Discount Margin: %15 | 27  | 2,496.45 | 67,404.15 |

Sales and use tax is not included.

FOB: Origin

All quotes expire 30 days from the date of issue unless otherwise noted.

|              |                    |
|--------------|--------------------|
| SUBTOTAL     | 67,404.15          |
| TAX          | 0.00               |
| <b>TOTAL</b> | <b>\$67,404.15</b> |

Accepted By

Accepted Date

Please Remit Payments to:  
Brooks Network Services, LLC  
PO Box 1921  
Burlington, NC 27216

Resolution No. 25-016

Introduced in Council:

Adopted by Council:

February 18, 2025

Introduced by:

Referred to:

Joseph Jenkins

Finance

Resolution No. 25-016 - Authorizing the Mayor or City Manager to grant temporary and permanent easements from the City to the Charleston Sanitary Board for the Magazine Branch Improvements Project as referenced in the attached documents.

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

That the Mayor or City Manager is hereby authorized to grant temporary and permanent easements from the City to the Charleston Sanitary Board for the Magazine Branch Improvements Project as referenced in the attached documents.

SANITARY SEWER PERMANENT EASEMENT AGREEMENT

THIS SANITARY SEWER PERMANENT EASEMENT AGREEMENT, made this \_\_\_\_ day of \_\_\_\_\_, 2025, by and between THE CITY OF CHARLESTON, a municipal corporation of the State of West Virginia, party of the first part, and THE SANITARY BOARD OF THE CITY OF CHARLESTON, WEST VIRGINIA, a municipal utility, hereinafter called the Board, party of the second part;

WITNESSETH:

That for and in consideration of the sum of One Dollar (\$1.00), cash in hand paid and other good and valuable consideration, the receipt of which is hereby acknowledged, the party of the first part does hereby GRANT and CONVEY unto the Board, its successors, or assigns, a perpetual easement and right-of-way ten feet (10') in width, five feet (5') on each side of the centerline of the pipeline to be installed, on, over, across, under and through lands owned by the party of the first part, situate in Kanawha County, West Virginia, running approximately three hundred sixty-six ( $\pm 366$ ) feet in length, for the purpose of constructing, installing, operating, maintaining, repairing, replacing, rehabilitating, lining, and removing a sewer line and all appurtenances thereto, the location of said easement being more specifically depicted on the drawings attached hereto and made a part hereof titled Easement Exhibit, dated November 15, 2024. The property which is subject to this easement was conveyed to the party of the first part by deeds, which are of record in the Office of the Clerk of the County Commission of Kanawha County in Deed Book 1556, at page 109 and Deed Book 2326, at page 993.

Together with the right, but not the duty, to cut, trim, clear or otherwise control and remove from the easement area hereby conveyed all brush, undergrowth, trees, tree roots, shrubs, grass, weeds, structures and/or other obstructions that may endanger the safety of or interfere with the construction, installation, maintenance, repair and use of said sanitary sewer line.

The said party of the first part further grants and conveys unto said Board, its successors, assigns, and/or contractors (a) the unrestricted right of ingress, egress and regress, to and from said right-of-way and easement for all purposes and at all times to respond to emergencies and, otherwise at all reasonable times, and (b) a temporary construction right-of-way and easement of such width as is reasonable and necessary to carry out the construction, installation, repair, replacement, rehabilitation, lining, or removal of all or part of the above-described sewer lines. The said party of the first part does also grant and convey unto the said Board, its heirs, successors or assigns, the right to use said right-of-way and easement herein granted, along the course of the proposed sewer line, for the further purpose of transporting pipe, fittings, machinery, and equipment to and from neighboring lands, in and about the construction, installation, operation, maintenance, repair, replacement, rehabilitation, lining, and removal of the sewer pipeline or lines proposed to be laid on said right-of-way and easement.

This easement and right-of-way is made upon and subject to the following terms and conditions:

1. The party of the first part, subject to (a) the capacity of said sewer line, (b) the capacity of the system into which said line flows and (c) restrictions of the Board and regulatory authorities, all at such time of connection in the future, shall be permitted to tap said sewer line and use the same for the benefit of their property described above, upon payment of

the connection fee in effect at the time of such connection and, as established by the Board, upon payment of such sewer user charges as are, or may be fixed by ordinances or by rules of the Board, to use the sewer for service for their property only. The Board shall not be required to bear any portion of expenses incurred by the party of the first part in constructing a sewer line to the sewer tap.

2. The party of the first part retains the right to use and enjoy the lands described above through which the sewer easement extends for purposes not inconsistent with the rights herein granted to the Board. The party of the first part agrees to the following:
  - (a) not to construct improvements on the easement or to take any other action which would interfere with the sewer line and the rights of the Board to construct, install, operate, maintain, repair, replace, rehabilitate, line, or remove the sewer line;
  - (b) not to plant trees or other vegetation which could damage the sewer line or interfere with the rights herein granted;
  - (c) not to alter the ground profile of the land within the easement without the written consent of the Board.
3. The rights herein granted include the right of ingress and egress over the lands of the party of the first part to and from the easement for the purpose of constructing, installing, operating, maintaining, repairing, replacing, rehabilitating, lining, and removing the sewer line. The rights herein granted further include the right to use reasonable portions of the lands of the party of the first part immediately adjacent to the easement for said purpose.
4. The Board, upon completion of any construction, installation, operation, maintenance, repair, replacement, rehabilitation, lining, or removal of the sewer line, agrees that it will do the following:
  - (a) restore the property of the party of the first part, only to the extent such restoration is compatible with the easement and right-of-way granted herein, to its condition immediately prior to the construction, installation, operation, maintenance, repair, replacement, rehabilitation, lining, or removal of the said sewer, as nearly as reasonably possible;
  - (b) repair, replace or compensate the party of the first part for any damage to any building, structure or other improvements which are not encroachments on this easement;
  - (c) reseed, re-sod or compensate the party of the first part for damage to any established lawn;
  - (d) repair, replace or compensate the party of the first part for damage to sidewalks, driveways or other pavements, and any underground structure or appurtenances thereto which are not encroachments on this easement; and
  - (e) replace, restore or compensate the party of the first part for damage to any trees or shrubbery on their land but off the easement area provided for herein, caused by any acts of ingress and egress onto the subject easement.

This agreement shall be binding upon the parties hereto, their personal representatives, heirs, successors or assigns.

DECLARATION OF CONSIDERATION OR VALUE: The party of the first part hereby declares that this conveyance is not subject to excise tax on the privilege of transferring real property for the reason that it is a conveyance to a political subdivision of the State of West Virginia.

IN WITNESS WHEREOF, the City of Charleston, a West Virginia municipal corporation, has caused its name to be signed hereto by its duly qualified officers as of the date first above written.

CITY OF CHARLESTON

By: \_\_\_\_\_  
Amy Shuler Goodwin  
Mayor

ATTEST:

\_\_\_\_\_  
Miles C. Cary, II, City Clerk

STATE OF WEST VIRGINIA  
COUNTY OF KANAWHA, To-Wit:

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2025, by AMY SHULER GOODWIN, the Mayor of the CITY OF CHARLESTON, a West Virginia municipal corporation, for and on behalf of said municipal corporation.

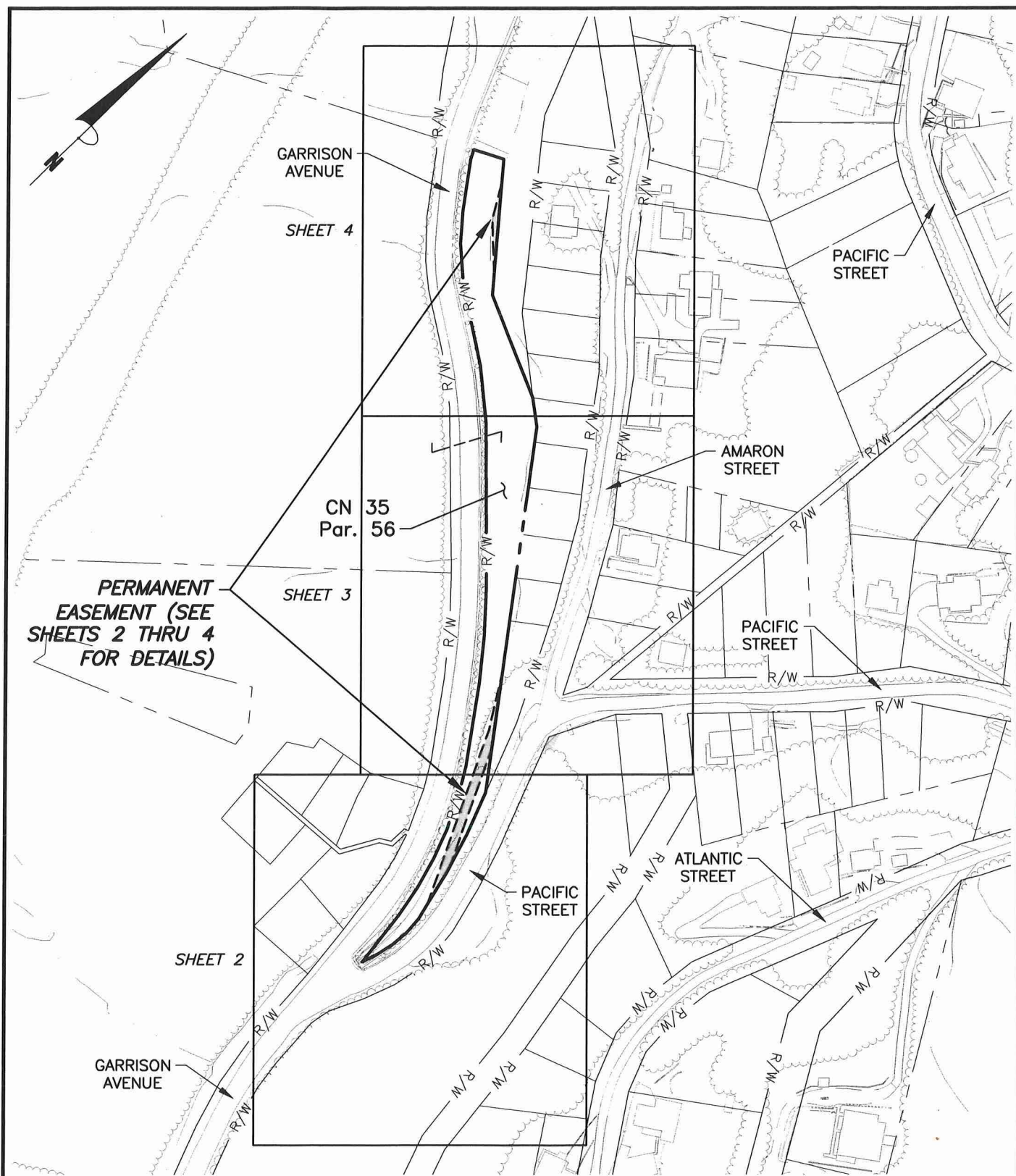
Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

My commission expires \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

[NOTARIAL SEAL]

This instrument was prepared by Susan J. Riggs, Esquire (WV State Bar # 5246), Spilman Thomas & Battle, PLLC, 300 Kanawha Boulevard, East, Charleston, WV 25301



SANITARY BOARD  
OF THE CITY OF  
CHARLESTON,  
WEST VIRGINIA, A  
MUNICIPAL UTILITY



TITLE: EASEMENT EXHIBIT

CHARLESTON NORTH CORPORATION  
DISTRICT 10

MAP NO. 35  
PARCEL 56

JOB NO. 61440

SCALE: NONE

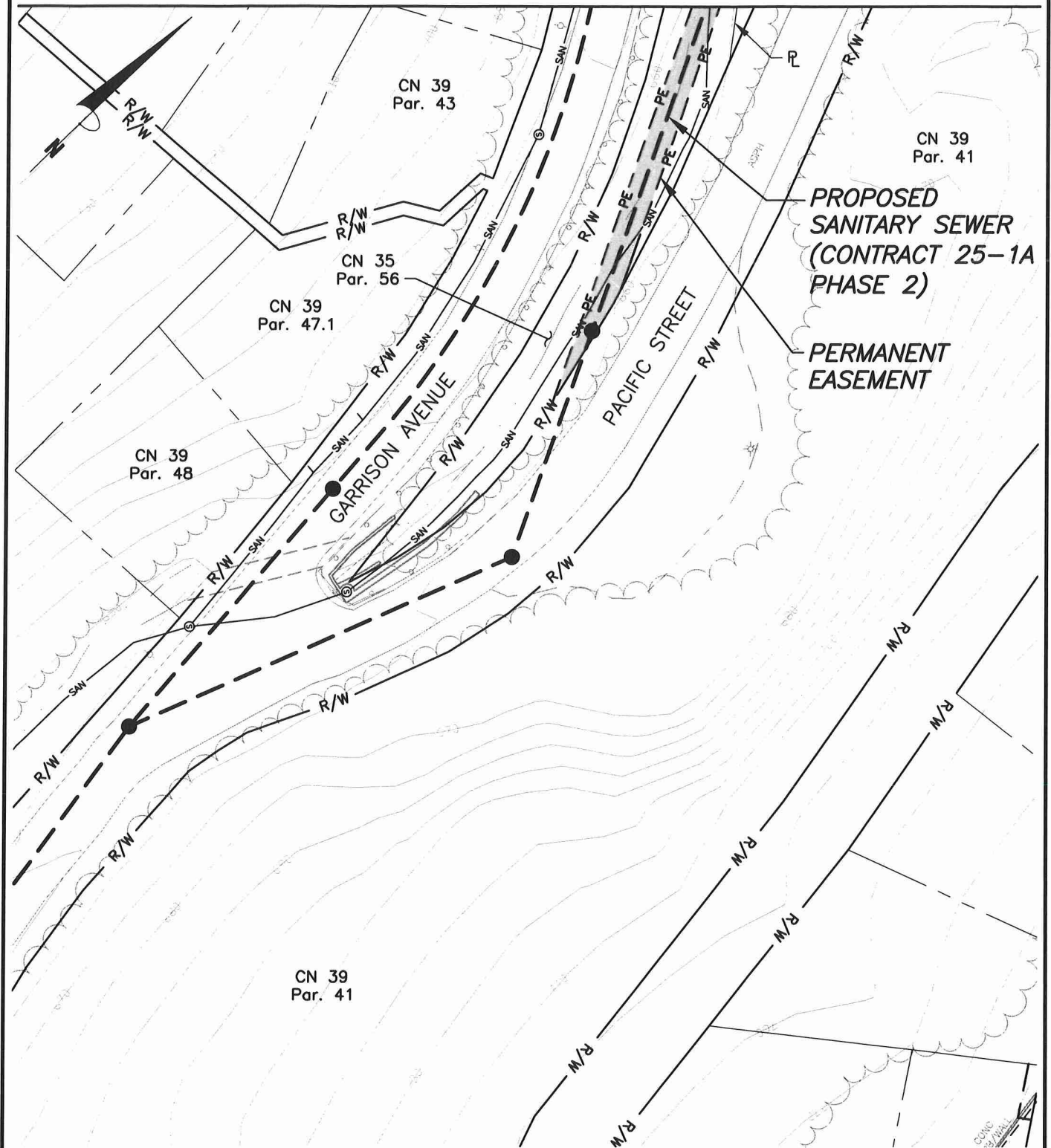
DATE: 11/15/24

SHEET NO.  
1

OF  
4

MATCHLINE

SEE SHEET 3 OF 4



SANITARY BOARD  
OF THE CITY OF  
CHARLESTON,  
WEST VIRGINIA, A  
MUNICIPAL UTILITY



TITLE: EASEMENT EXHIBIT

CHARLESTON NORTH CORPORATION  
DISTRICT 10

MAP NO. 35  
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SCALE: NONE

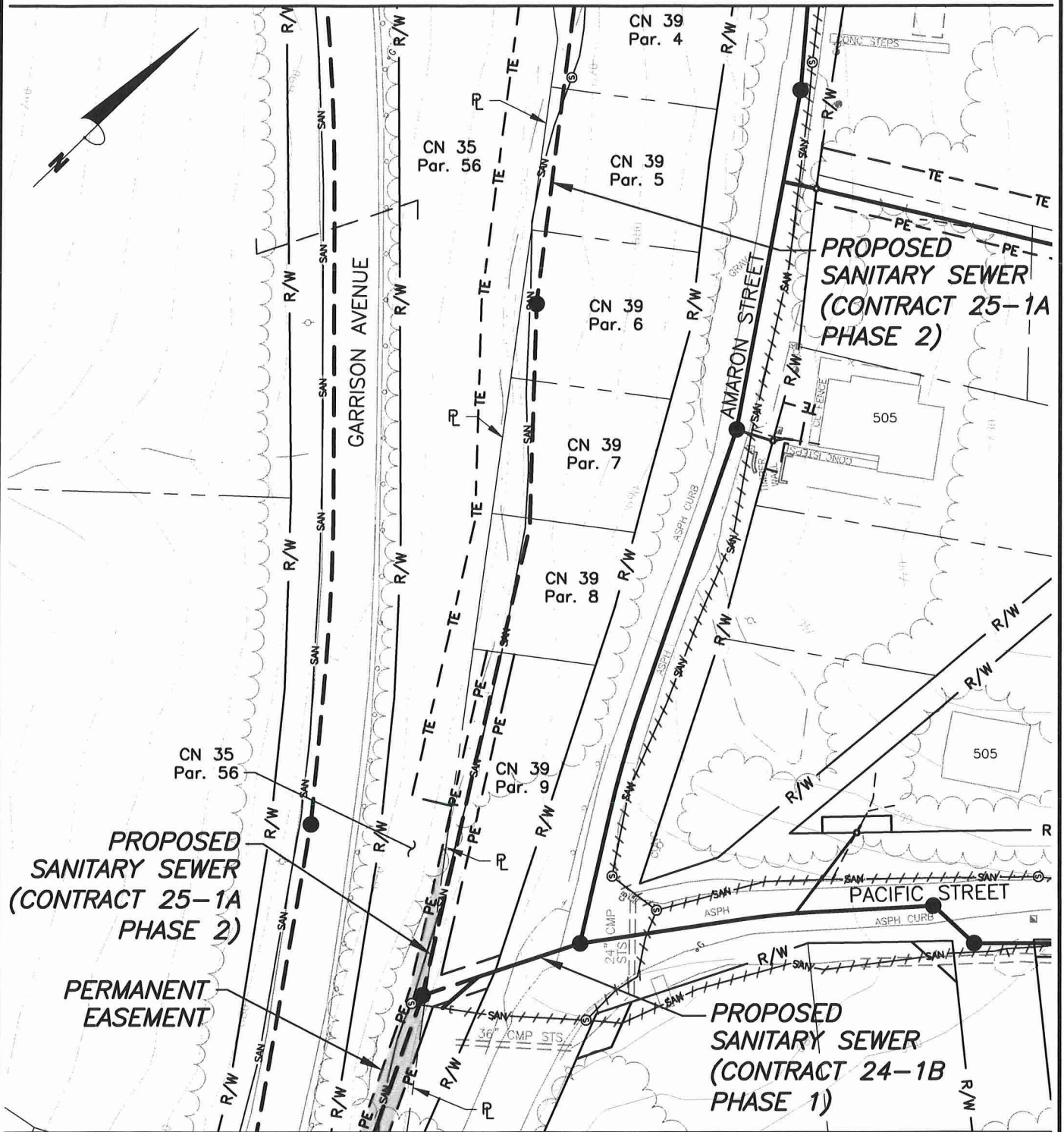
DATE: 11/15/24

SHEET NO.  
2

OF  
4

MATCHLINE

SEE SHEET 4 OF 4



MATCHLINE

SEE SHEET 2 OF 4

SANITARY BOARD  
OF THE CITY OF  
CHARLESTON,  
WEST VIRGINIA, A  
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TITLE: EASEMENT EXHIBIT

CHARLESTON NORTH CORPORATION  
DISTRICT 10

MAP NO. 35  
PARCEL 56

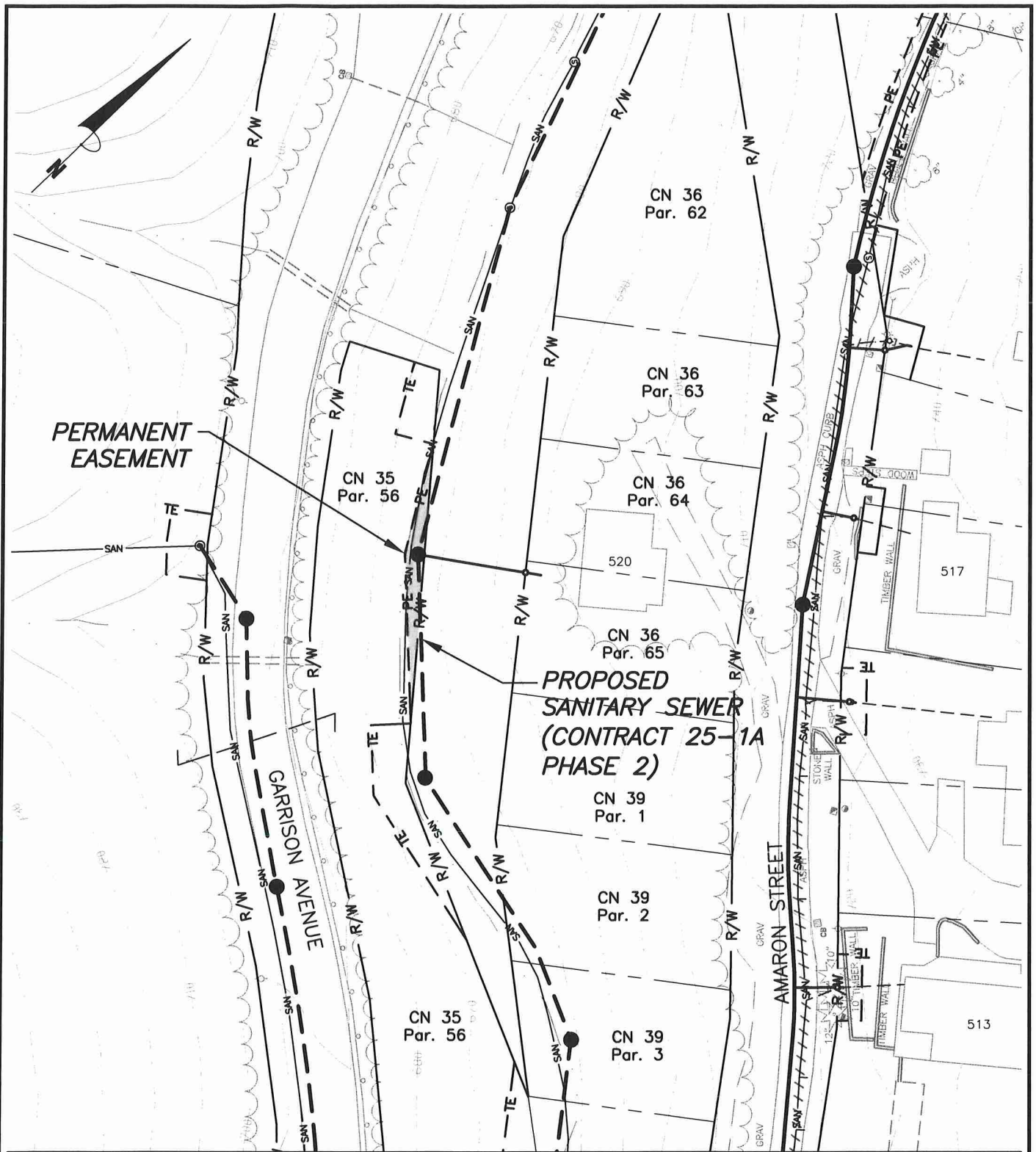
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SHEET NO.  
3

OF  
4



MATCHLINE

SEE SHEET 3 OF 4

SANITARY BOARD  
OF THE CITY OF  
CHARLESTON,  
WEST VIRGINIA, A  
MUNICIPAL UTILITY



TITLE: EASEMENT EXHIBIT

CHARLESTON NORTH CORPORATION  
DISTRICT 10

MAP NO. 35  
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JOB NO. 61440

SCALE: NONE

DATE: 11/15/24

SHEET NO.

4

OF

4

TEMPORARY EASEMENT AGREEMENT

THIS SANITARY SEWER TEMPORARY EASEMENT AGREEMENT, made this \_\_\_\_ day of \_\_\_\_\_, 2025, by and between THE CITY OF CHARLESTON, a municipal corporation of the State of West Virginia, party of the first part, and THE SANITARY BOARD OF THE CITY OF CHARLESTON, WEST VIRGINIA, a municipal utility, hereinafter called the Board, party of the second part;

WITNESSETH:

That for and in consideration of the sum of One Dollar (\$1.00) cash in hand paid and other good and valuable consideration, the receipt of which is hereby acknowledged, the party of the first part does hereby GRANT and CONVEY unto the Board, its successors, assigns, or contractors, a temporary construction easement and right-of-way of such width and length as is reasonable and necessary for the purposes of constructing, installing, operating, maintaining, repairing, replacing, rehabilitating, lining, and removing underground sanitary sewer lines and all appurtenances thereto which are located on property owned by the party of the first part, and/or adjacent property, and for ingress to and egress from the area of the temporary easement and right-of-way hereby conveyed, including the mobility of equipment, the location of said easement being more specifically depicted on the drawings attached hereto and made a part hereof titled Easement Exhibit, dated November 15, 2024. The property which is subject to this easement was conveyed to the party of the first part by deeds, which are of record in the Office of the Clerk of the County Commission of Kanawha County in Deed Book 1556, at page 109 and Deed Book 2326, at page 993.

Together with the right, but not the duty, to cut, trim, clear and otherwise control and remove from the area of the temporary easement and right-of-way hereby conveyed all brush, undergrowth, trees, tree roots, shrubs, grass, weeds, structures or other obstructions that may endanger the safety of or interfere with the construction, installation, operation, maintenance, repair, replacement, rehabilitation, lining, or removal of said sanitary sewer line.

The temporary easement and right-of-way hereby granted and conveyed is made upon and subject to the following terms and conditions:

1. The party of the first part shall not, without advance written consent from the Board: (a) construct any improvements on the area of the temporary easement and right-of-way; (b) take any other action that would interfere with the rights of the Board to use the temporary easement and right-of-way to construct, install, operate, maintain, repair, replace, rehabilitate, line, and remove the sanitary sewer line on property owned by the party of the first part and/or adjacent property; or (c) alter the profile of the easement and right-of-way area.
2. The Board agrees: (a) to not construct any permanent improvements on the property referenced herein; (b) to not permanently alter the ground profile; and (c) to restore the property referenced herein to its condition immediately prior to construction as nearly as reasonably possible.
3. This agreement shall be binding upon the parties hereto, their personal representatives, heirs, successors or assigns.

4. This temporary easement and right-of-way shall expire five (5) years from the date of this Agreement.

DECLARATION OF CONSIDERATION OR VALUE: The party of the first part hereby declares that this temporary easement is not subject to excise tax on the privilege of transferring real property for the reason that it is a conveyance to a political subdivision of the State of West Virginia.

IN WITNESS WHEREOF, the City of Charleston, a West Virginia municipal corporation, has caused its name to be signed hereto by its duly qualified officers as of the date first above written.

CITY OF CHARLESTON

By: \_\_\_\_\_  
Amy Shuler Goodwin  
Mayor

ATTEST:

\_\_\_\_\_  
Miles C. Cary, II, City Clerk

STATE OF WEST VIRGINIA  
COUNTY OF KANAWHA, To-Wit:

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2025, by AMY SHULER GOODWIN, the Mayor of the CITY OF CHARLESTON, a West Virginia municipal corporation, for and on behalf of said municipal corporation.

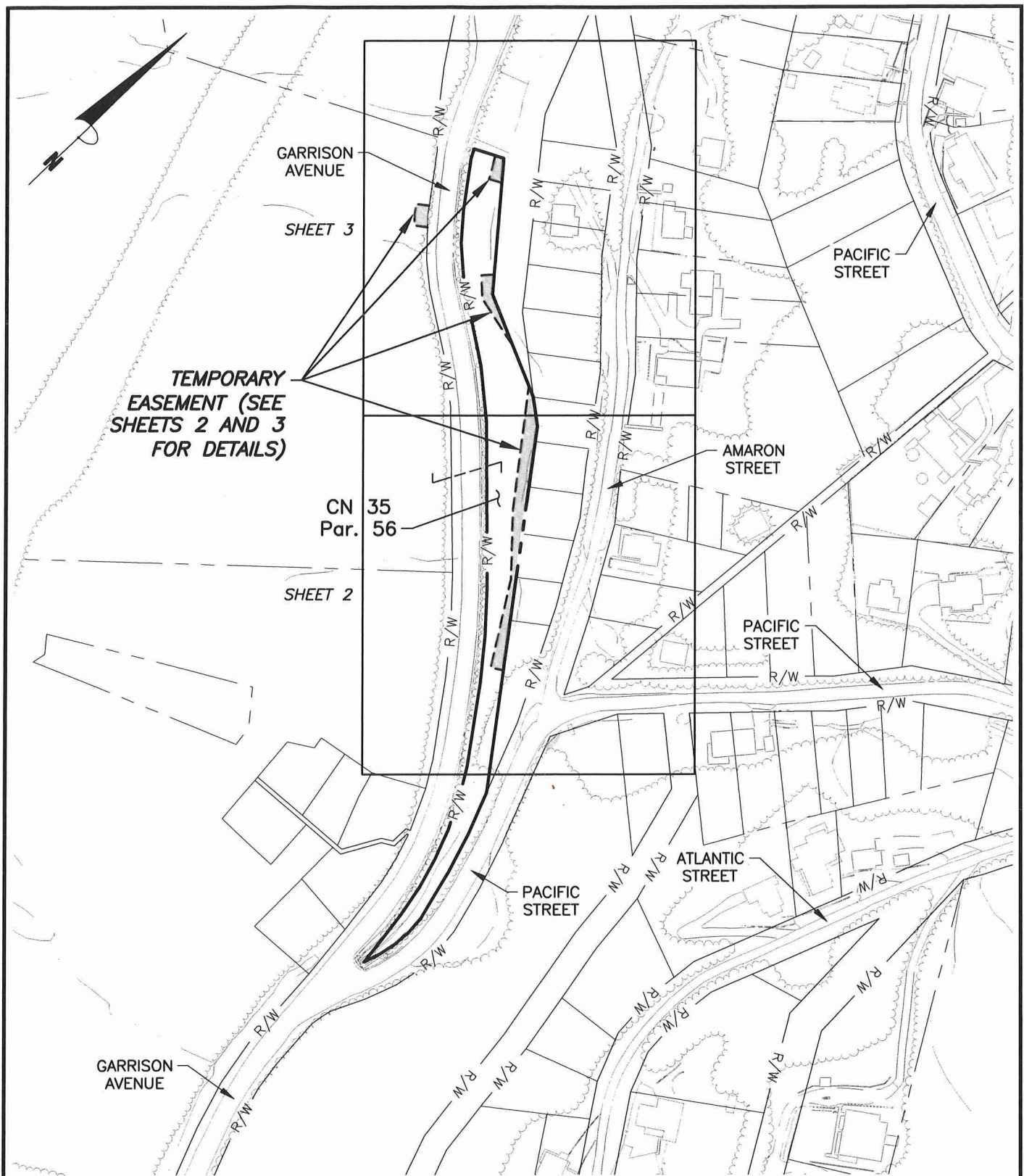
Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

My commission expires \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

[NOTARIAL SEAL]

This instrument was prepared by: Susan J. Riggs, Esquire (WV State Bar # 5246), Spilman Thomas & Battle, PLLC, 300 Kanawha Boulevard, East, Charleston, WV 25301



SANITARY BOARD  
OF THE CITY OF  
CHARLESTON,  
WEST VIRGINIA, A  
MUNICIPAL UTILITY



TITLE: EASEMENT EXHIBIT

CHARLESTON NORTH CORPORATION  
DISTRICT 10

MAP NO. 35  
PARCEL 56

JOB NO. 61440

SCALE: NONE

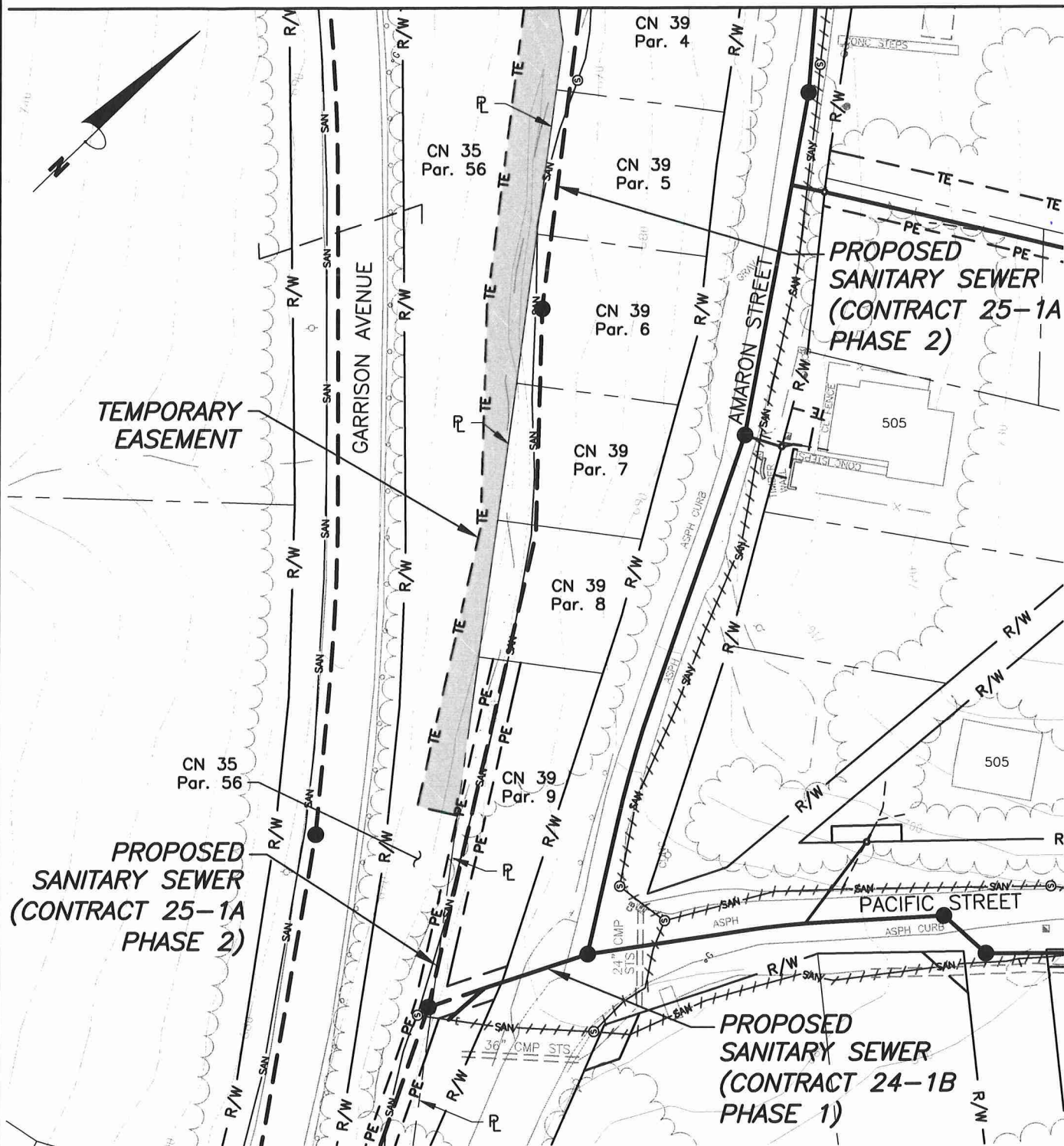
DATE: 11/15/24

SHEET NO.  
1

OF  
3

MATCHLINE

SEE SHEET 3 OF 3



SANITARY BOARD  
OF THE CITY OF  
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TITLE: EASEMENT EXHIBIT

CHARLESTON NORTH CORPORATION  
DISTRICT 10

MAP NO. 35  
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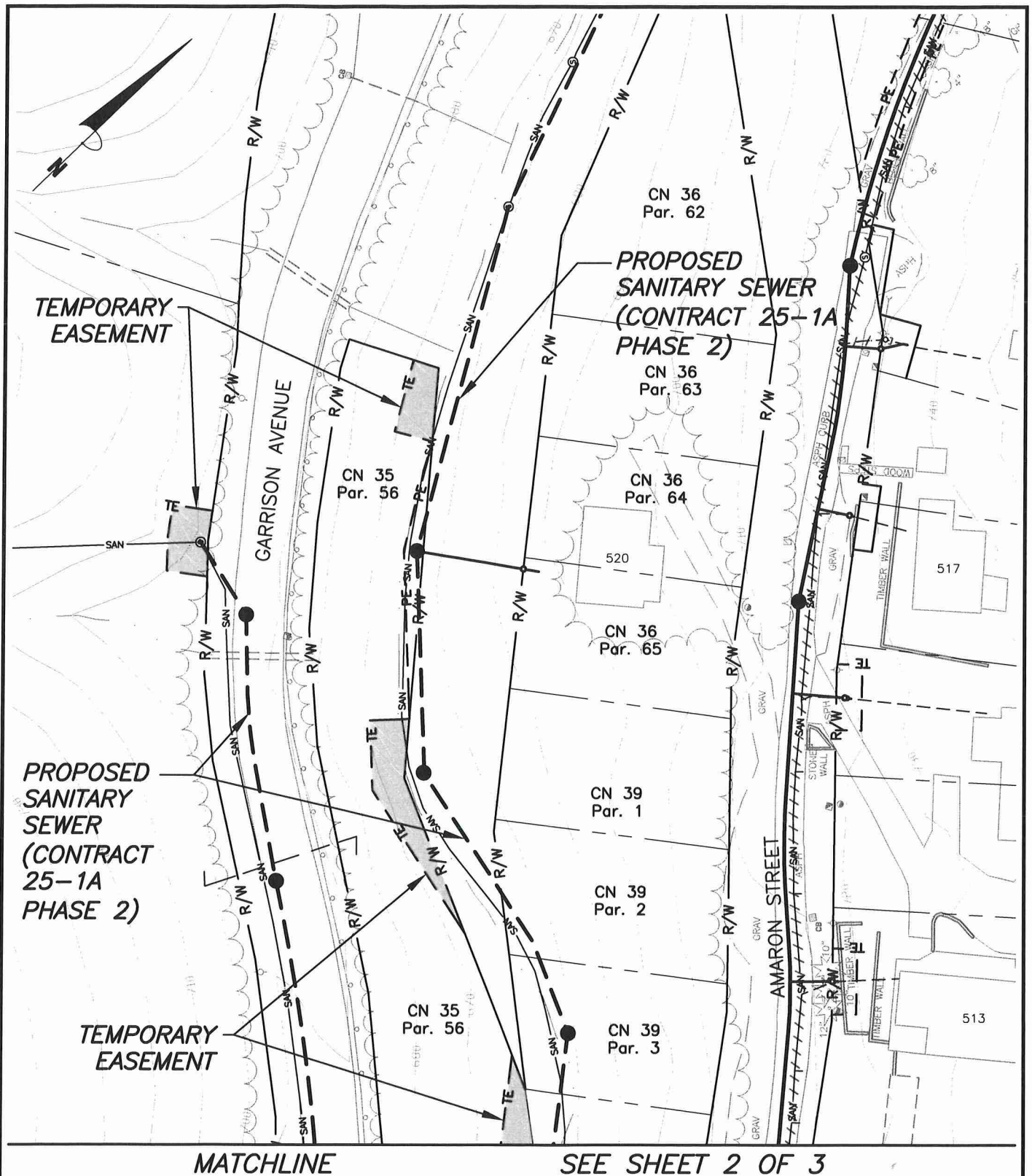
JOB NO. 61440

SCALE: NONE

DATE: 11/15/24

SHEET NO.  
2

OF  
3



SANITARY BOARD  
OF THE CITY OF  
CHARLESTON,  
WEST VIRGINIA, A  
MUNICIPAL UTILITY



TITLE: EASEMENT EXHIBIT

CHARLESTON NORTH CORPORATION  
DISTRICT 10

MAP NO. 35  
PARCEL 56

JOB NO. 61440

SCALE: NONE

DATE: 11/15/24

SHEET NO.  
3

OF  
3

1 Resolution No. 25-017

2  
3 Introduced in Council:  
4 February 18, 2025

Adopted by Council:

5  
6 Introduced by:  
7 Jospeh Jenkins

Referred to:  
Finance Committee

8  
9 Resolution No. 25-017 -

10  
11 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLESTON, WEST  
12 VIRGINIA AUTHORIZING THE FILING OF CIVIL ACTIONS FOR THE  
13 CONDEMNATION OF PROPERTY FOR SANITARY SEWER EASEMENTS NECESSARY  
14 FOR THE SANITARY BOARD OF THE CITY OF CHARLESTON, WEST VIRGINIA TO  
15 CONSTRUCT, INSTALL AND COMPLETE PHASE I OF ITS MAGAZINE BRANCH  
16 SANITARY SEWER REPLACEMENT AND REHABILITATION PROJECT  
17

18 WHEREAS, the Sanitary Board of the City of Charleston, West Virginia (the “Sanitary Board”) has presented a Resolution requesting the City Council of the City of Charleston, West Virginia to authorize the City of Charleston (the “City”) to file civil actions in the Circuit Court of Kanawha County for the condemnation of property for sanitary sewer permanent easements, temporary easements, temporary construction access easements, and temporary access easements necessary for the Sanitary Board to construct, install and complete Phase I of its Magazine Branch Sewer Replacement and Rehabilitation Project (the “Project”);

25  
26 WHEREAS, the City, in accordance with the provisions of Chapter 16, Article 13 of the Code of West Virginia, 1931, owns the sewerage system, both within and without the corporate limits of the City, consisting of a sewage treatment plant or plants and its collecting, intercepting and outlet sewers, lateral sewers, drains, force mains, conduits, pumping stations and ejector stations and all other appurtenances, extensions, improvements and betterments necessary, appropriate, useful, convenient or incidental for the collection, treatment, purification and disposal in a sanitary manner of liquid and solid waste, sewage and industrial waste (the “System”);

33  
34 WHEREAS, the Sanitary Board, created by Ordinance of the City Council adopted March 17, 1952, is a separate entity from the City;

36  
37 WHEREAS, by Ordinance of the City Council adopted June 16, 1952, custody, administration, operation and maintenance of the System were placed under the supervision and control of the Sanitary Board;

40  
41 WHEREAS, due to statutory provisions under which the City owns the System, it is necessary for the City to file civil actions for the condemnation of property for easements necessary for the System;

43  
44 WHEREAS, the Sanitary Board is pursuing the Project in the areas of the City including, but not limited to, Garrison Avenue (between Edgewood Drive and terminus); Atlantic Street; Amaron

1 Street; Beulah Street; Pacific Street; Crestlin Drive; Earle Street; Spreigel Drive; Melrose Drive;  
2 Charmac Drive; Wood Road; Summit Drive; and Edgewood Drive, which is necessary to correct  
3 older, failing sewer collection lines and is necessary for the health and welfare of the citizens of  
4 the City;

5  
6 WHEREAS, the Project includes the replacement and/or rehabilitation of approximately 22,000  
7 linear feet of a combination of 8", 10", and 12" sanitary sewer lines, and numerous permanent  
8 easements and temporary construction easements are necessary to undertake and complete the  
9 Project;

10  
11 WHEREAS, the Sanitary Board and its right-of-way agents have diligently sought easement  
12 agreements for such necessary easements from the affected property owners and have received  
13 and recorded many signed easement agreements;

14  
15 WHEREAS, due to numerous factors including, but not limited to, out-of-state property owners,  
16 properties held in heirships with numerous heirs, some whose location is unknown, and  
17 uncooperative or uncommunicative property owners, the Sanitary Board has been unable to obtain  
18 by negotiation and agreement all of the necessary sewer easements; and

19  
20 WHEREAS, the Sanitary Board has no choice but to request the City to authorize the filing of civil  
21 actions for the acquisition, pursuant to the City's power of eminent domain, certain property  
22 interests in order to obtain the necessary sewer easements for the Project; now, therefore,

23  
24 Be it Resolved by the Council of the City of Charleston, West Virginia, as follows:

25  
26 Section 1. To accomplish construction of the Project in the aforesaid areas of the City necessary  
27 for the health and welfare of the citizens of the City, the Sanitary Board must obtain easements  
28 across and through certain properties as set forth on Exhibit A to this Resolution.

29  
30 Section 2. The Sanitary Board requests the Council of the City to authorize the City, on behalf of  
31 and by and through the Sanitary Board and its counsel to file civil actions for the acquisition for  
32 the Sanitary Board, pursuant to the power of eminent domain, of the property interests set forth on  
33 Exhibit A and to take such other and further action as may be reasonably necessary to acquire the  
34 property rights for easements necessary to construct, install, operate, maintain, repair, replace,  
35 rehabilitate, line and remove sewer lines and appurtenances thereto.

36  
37 Section 3. The Council of the City hereby authorizes the City, on behalf of and by and through  
38 the Sanitary Board and its counsel to file civil actions for the acquisition for the Sanitary Board,  
39 pursuant to the power of eminent domain, of the property interests set forth on Exhibit A as needed  
40 and to take such other and further action as may be reasonably necessary to acquire the property  
41 rights for easements necessary to construct, install, operate, maintain, repair, replace, rehabilitate,  
42 line and remove sewer lines and appurtenances thereto.

## EXHIBIT A

### LIST OF EASEMENTS TO BE CONDEMNED FOR THE MAGAZINE BRANCH SEWER REPLACEMENT AND REHABILITATION PROJECT

February 11, 2025

| Tax Map/Parcel | Type of Easement        |
|----------------|-------------------------|
| CN 30 / 33     | Temporary and Permanent |
| CN 30 / 36     | Temporary and Permanent |
| CN 31 / 59     | Temporary               |
| CN 33 / 7      | Temporary               |
| CN 33 / 15     | Temporary               |
| CN 33 / 35     | Permanent               |
| CN 33 / 36.1   | Permanent               |
| CN 33 / 40     | Temporary               |
| CN 36 / 3      | Temporary               |
| CN 36 / 43     | Permanent               |
| CN 36 / 51     | Temporary               |
| CN 36 / 58     | Permanent               |
| CN 36 / 67     | Temporary               |
| CN 36 / 92     | Permanent               |
| CN 36 / 100    | Temporary               |
| CN 36 / 101    | Temporary               |
| CN 33 / 56     | Temporary and Permanent |
| CN 36 / 76     | Permanent               |
| CN 36 / 77     | Temporary               |
| CN 36 / 82     | Temporary and Permanent |
| CN 36 / 107    | Permanent               |
| CN 36 / 109    | Temporary and Permanent |
| CN 36 / 123    | Temporary and Permanent |
| CN 36 / 126    | Permanent               |
| CN 36 / 137    | Permanent               |
| CN 36 / 141    | Permanent               |
| CN 36 / 165    | Temporary               |
| CN 37 / 4      | Temporary               |
| CN 37 / 6      | Temporary               |
| CN 37 / 7      | Temporary and Permanent |
| CN 37 / 8      | Temporary               |
| CN 37 / 24     | Permanent               |
| CN 37 / 25     | Temporary               |
| CN 37 / 32     | Temporary               |
| CN 37 / 33     | Permanent               |
| CN 37 / 35     | Temporary               |
| CN 37 / 36     | Permanent               |
| CN 39 / 9      | Permanent               |
| CN 39 / 15     | Permanent               |
| CN 39 / 16     | Permanent               |
| CN 39 / 24     | Permanent               |
| CN 39 / 27.4   | Temporary and Permanent |

|            |                                                                           |
|------------|---------------------------------------------------------------------------|
| CN 39 / 28 | Permanent                                                                 |
| CN 32 / 21 | Permanent, Temporary Easement, and Temporary Construction Access Easement |
| CN 35 / 29 | Permanent                                                                 |
| CN 35 / 30 | Temporary and Permanent                                                   |
| CN 35 / 41 | Permanent                                                                 |
| CN 35 / 44 | Permanent                                                                 |
| CN 35 / 47 | Permanent                                                                 |

**THE SANITARY BOARD OF THE CITY OF CHARLESTON, WEST VIRGINIA**

**RESOLUTION REQUESTING THE CITY COUNCIL OF  
THE CITY OF CHARLESTON, WEST VIRGINIA TO  
AUTHORIZE THE CITY OF CHARLESTON TO FILE  
CIVIL ACTIONS IN THE CIRCUIT COURT OF KANAWHA  
COUNTY FOR THE CONDEMNATION OF PROPERTY  
FOR SANITARY SEWER EASEMENTS NECESSARY FOR  
THE SANITARY BOARD OF THE CITY OF CHARLESTON,  
WEST VIRGINIA TO CONSTRUCT, INSTALL AND  
COMPLETE ITS PHASE 1 MAGAZINE BRANCH  
SANITARY SEWER REPLACEMENT AND  
REHABILITATION PROJECT**

**WHEREAS**, the Sanitary Board of the City of Charleston, West Virginia (the "Sanitary Board") is pursuing a sewer replacement and rehabilitation project in the Magazine Branch area of the City of Charleston (the "Project") which is necessary to correct older, failing sewer collection lines and is necessary for the health and welfare of the citizens of the City of Charleston;

**WHEREAS**, the Project includes the replacement and/or rehabilitation of approximately 22,000 linear feet of a combination of 8", 10", and 12" sanitary sewer lines, and numerous permanent easements and temporary construction easements are necessary to undertake and complete the Project;

**WHEREAS**, the Sanitary Board and its right-of-way agents have diligently sought easement agreements for such necessary easements from the affected property owners and have received and recorded many signed easement agreements;

**WHEREAS**, due to numerous factors including, but not limited to, out-of-state property owners, properties held in heirships with numerous heirs, some whose location is unknown, and uncooperative or uncommunicative property owners, the Sanitary Board has been unable to obtain by negotiation and agreement all of the necessary sewer easements; and

**WHEREAS**, the Sanitary Board has no choice but to request the City of Charleston to authorize the filing of civil actions for the acquisition, pursuant to the City of Charleston's power of eminent domain, certain property interests in order to obtain the necessary sewer easements for the Project.

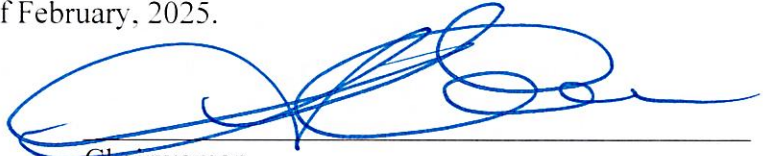
**NOW, THEREFORE, BE IT RESOLVED BY THE SANITARY BOARD OF  
THE CITY OF CHARLESTON, WEST VIRGINIA AS FOLLOWS:**

Section 1. To accomplish construction of the sewer replacement and rehabilitation project in the Magazine Branch area of the City of Charleston necessary for the health and welfare of the citizens of the City of Charleston, the Sanitary Board of the City of Charleston, West

Virginia (the "Sanitary Board") must obtain easements across and through certain properties as set forth on Exhibit A to this Resolution.

Section 2. The Sanitary Board requests the City Council of the City of Charleston to authorize the City of Charleston, on behalf of and by and through the Sanitary Board and its counsel to file civil actions for the acquisition for the Sanitary Board, pursuant to the power of eminent domain, of the property interests set forth on Exhibit A and to take such other and further action as may be reasonably necessary to acquire the property rights for easements necessary to construct, install, operate, maintain, repair, replace, rehabilitate, line and remove sewer lines and appurtenances thereto.

Adopted this 13<sup>th</sup> day of February, 2025.

  
\_\_\_\_\_  
Chairwoman  
\_\_\_\_\_  
Secretary

21590099

## EXHIBIT A

### LIST OF EASEMENTS TO BE CONDEMNED FOR THE MAGAZINE BRANCH SEWER REPLACEMENT AND REHABILITATION PROJECT

February 11, 2025

| Tax Map/Parcel | Type of Easement        |
|----------------|-------------------------|
| CN 30 / 33     | Temporary and Permanent |
| CN 30 / 36     | Temporary and Permanent |
| CN 31 / 59     | Temporary               |
| CN 33 / 7      | Temporary               |
| CN 33 / 15     | Temporary               |
| CN 33 / 35     | Permanent               |
| CN 33 / 36.1   | Permanent               |
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| CN 36 / 126    | Permanent               |
| CN 36 / 137    | Permanent               |
| CN 36 / 141    | Permanent               |
| CN 36 / 165    | Temporary               |
| CN 37 / 4      | Temporary               |
| CN 37 / 6      | Temporary               |
| CN 37 / 7      | Temporary and Permanent |
| CN 37 / 8      | Temporary               |
| CN 37 / 24     | Permanent               |
| CN 37 / 25     | Temporary               |
| CN 37 / 32     | Temporary               |
| CN 37 / 33     | Permanent               |
| CN 37 / 35     | Temporary               |
| CN 37 / 36     | Permanent               |
| CN 39 / 9      | Permanent               |
| CN 39 / 15     | Permanent               |
| CN 39 / 16     | Permanent               |
| CN 39 / 24     | Permanent               |
| CN 39 / 27.4   | Temporary and Permanent |

|            |                                                                                 |
|------------|---------------------------------------------------------------------------------|
| CN 39 / 28 | Permanent                                                                       |
| CN 32 / 21 | Permanent, Temporary Easement, and<br>Temporary Construction Access<br>Easement |
| CN 35 / 29 | Permanent                                                                       |
| CN 35 / 30 | Temporary and Permanent                                                         |
| CN 35 / 41 | Permanent                                                                       |
| CN 35 / 44 | Permanent                                                                       |
| CN 35 / 47 | Permanent                                                                       |

Resolution No. 25-018

Introduced in Council:

Adopted by Council:

February 18, 2025

Introduced by:

Referred to:

Joseph Jenkins

Finance

- 1 Resolution No. 25-018 - Authorizing approval of Amendment No. 6 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. 6 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. 6 - February 18, 2025

Revenues and Fund Balances

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

Expenditures

| Account No.                             | Department                     | Account Description                      | Current Amount | Increase/ (Decrease) | Amended Amount |
|-----------------------------------------|--------------------------------|------------------------------------------|----------------|----------------------|----------------|
| 1001 10 69900 000 000 559800            | Contingency                    | Contingency                              | 265,805        | (48,376)             | 217,429        |
| 1001 80 97600 C19 000 645900            | Capital Outlay - Public Safety | Homeland Security - Vehicles & Equipment | -              | 48,376               | 48,376         |
| Net Increase/(Decrease) to Expenditures |                                |                                          |                | -                    |                |

Description:

To allocate from Contingency for the replacement of a vehicle and upfitting for the Homeland Security Emergency Management Department due to an accident.

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

Resolution No. 25-019

Introduced in Council:

Adopted by Council:

February 18, 2025

Introduced by:

Referred to:

Joseph Jenkins

Finance

1 Resolution No. 25-019 – Authorizing the Mayor or City Manager to purchase a new Jeep Grand  
2 Cherokee 4X4 for Emergency Services from Stephens Auto Center in the amount of \$43,736.00  
3 pursuant to a 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 is authorized to purchase a new Jeep Grand Cherokee 4X4 for  
8 Emergency Services from Stephens Auto Center in the amount of \$43,736.00 pursuant to a  
9 competitively sourced 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

Emergency Services  
Unit 716/1101

Date: 2-10-25

To: CITY MANAGER,

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

Jeep Grand Cherokee 4X4 off state contract. Through

Stephens Auto Center

Purchase justification: This is being replaced due to an accident.

If approved, the total purchase price will be: \$43,736.00

(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>Stephens Auto Center</u> | Price Quote: \$ <u>43,736.<sup>00</sup></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 Stephens Auto Center because:

This is getting purchased off the 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: Don Ogle Department: Equipment Maintenance

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

\*\*\*\*\*

Funds Approval: \_\_\_\_\_ Date: \_\_\_\_\_  
Authorized Financial Officer

Account Number: \_\_\_\_\_

City Manager Approval: \_\_\_\_\_ Date: \_\_\_\_\_

**Class 8 - Automobile  
Mid Size Utility**

**Vendor Name:** Stephens Auto Center  
**Manufacturer/Brand:** Jeep Grand Cherokee 4x4  
**Model Name & Number:** WLJP74

**Vendor Contact:** Mike Ballard  
**Phone No.:** 304-369-2411 ext33  
**Email:** mballard@stephensauto.com

|                                  |                                                                                                                                                                      |                                          |                   |
|----------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|-------------------|
| <b>Vehicle Requirements:</b>     |                                                                                                                                                                      |                                          |                   |
| Classification: Mid Size Utility |                                                                                                                                                                      |                                          |                   |
| Drive:                           | 4 Wheel/All Wheel with High and Low Range                                                                                                                            | Manufacturer's Standard Available Colors |                   |
| Passenger seating:               | 5 minimum (including driver)                                                                                                                                         | Standard Color Code                      | Color Description |
| Doors:                           | 4, minimum                                                                                                                                                           | PW7                                      | White             |
| Wheelbase:                       | 109 in., minimum                                                                                                                                                     |                                          |                   |
| GVWR:                            | 6100 lbs. min, 7300 lbs. max.                                                                                                                                        |                                          |                   |
| Engine:                          | 6 cylinder, Minimum                                                                                                                                                  |                                          |                   |
| Off Road Package:                | Includes but not limited to: Limited Slip rear, axle traction lock differential, heavy duty engine cooling, skid plates, gas shocks, towhooks and all terrain tires. |                                          |                   |
| Tow Package:                     | Installed Hitch & Wiring                                                                                                                                             |                                          |                   |
| Slush/All-Weather Mats:          | Installed: Driver, Passenger, Cargo Areas                                                                                                                            |                                          |                   |

**Additional Requirements:**

The vehicle bid shall include the standard equipment requirements as required in section 3.3.1.1 of the specification.

**Vendor Bid Response:**

| Vehicle fuel type | UNIT PRICE         |
|-------------------|--------------------|
| <b>Gasoline</b>   | <b>\$49,736.00</b> |
| Flex-Fuel         | \$ -               |
| Diesel            | \$ -               |
| CNG/BiFuel        | \$ -               |
| Hybrid            | \$ -               |

\* Tow Hook Requirement is Waived

**\*Options:**

FOB Dealership: (Deduct)

N/A

FOB Other than Metro Charleston - Per Mile

\$2.25

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

Resolution No. 25-020

Introduced in Council:

February 18, 2025

Adopted by Council:

Introduced by:

Joseph Jenkins

Referred to:

Finance

Resolution No. 25-020 – Authorizing the Mayor or City Manager to purchase a new 2025 Ford F-250 Regular Cab truck for Traffic Engineering from Frankfort Ford in the amount of \$79,023.14 pursuant to a competitively bid process.

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

That the Mayor or City Manager is authorized to purchase a new 2025 Ford F-250 Regular Cab truck for Traffic Engineering from Frankfort Ford in the amount of \$79,023.14 pursuant to a competitively bid process.

|                                                | Stephens Automotive Group | Mid-State Chevrolet | Frankfort Ford and Lincoln | Legacy Brothers  | Finley Logistics, LLC |
|------------------------------------------------|---------------------------|---------------------|----------------------------|------------------|-----------------------|
| Item                                           | Price                     | Price               | Price                      | Price            | Price                 |
| <b>BID AND PROPOSAL FORM (2 OF 3)</b>          |                           |                     |                            |                  |                       |
| 3/4 Ton 2x4 Regular Cab Truck with utility bed | \$79,143.00               | \$79,754.14         | \$79,023.14                | \$84,890.95      | \$84,898.00           |
|                                                |                           |                     |                            |                  |                       |
| Local Vendor Preference                        | Does not qualify          | Does not qualify    | Does not qualify           | Does not qualify | Does not qualify      |

Resolution No. 25-021

Introduced in Council:

Adopted by Council:

February 18, 2025

Introduced by:

Referred to:

Joseph Jenkins

Finance

Resolution No. 25-021 – Authorizing the Mayor or City Manager to enter into a contract with Silling Associates, Inc. in the amount of \$1,598,070.00 for architecture and engineering services including the development of bid-ready construction designs, construction documents, bidding and negotiation support, and construction oversight for renovations and improvements to Public Safety Center and the Charleston Police Department.

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

That the Mayor or City Manager is authorized to enter into a contract with Silling Associates, Inc. in the amount of \$1,598,070.00 for architecture and engineering services including the development of bid-ready construction designs, construction documents, bidding and negotiation support, and construction oversight for renovations and improvements to Public Safety Center and the Charleston Police Department.