



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

CITY OF CHARLESTON, WEST VIRGINIA

Regular Meeting – Monday, May 19, 2025

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 May on the 5th day, in the year 2025, and was called to order by the Honorable Mayor, Amy Shuler Goodwin. The invocation was delivered by Councilmember Pepper, and the Pledge of Allegiance was led by Councilmember Annie. City Clerk, Miles C. Cary II, called the roll of members and it was found that there were present at the time:

ANNIE	BURKA	BURTON
CEPERLEY	COOK	
FERRELL	GARDNER	GIANOLA
HAAS	HOOVER	JENKINS
JONES	KERNS	KING
MOORE	OVERSTREET	PEPPER
PHARR	ROBINSON	RUBIO
SALANGO	SNODGRASS	SOLOMON
STEELHAMMER	TAYLOR	MAYOR GOODWIN

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

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

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

PUBLIC SPEAKERS

1. Tara Raymo – Read a passage from the Bible.
2. Clifton Clark and Brittany Javins – Spoke about FestivAll.

CLAIMS

1. A claim of Brenda Lawson, Charleston, WV;
alleges damage to property.

PROCLAMATIONS

1.

CITY OF CHARLESTON

Executive Office of the Mayor

SPECIAL RECOGNITION

presented on the 19th day of May 2025, to

**CAPITAL HIGH SCHOOL
THEATER DEPARTMENT**

In recognition of the dedication, countless hours of rehearsal time, and teamwork that bring your productions to life, as well as the passion and artistry that shine during every performance; and

In honor of your outstanding performance at the 2025 West Virginia State Thespian Festival—earning awards for Outstanding Musical Duet, Outstanding Musical Solo, Outstanding Costume Construction, Outstanding Set Design, Superior Set Design, 1st Place Battle of the Bard which secured a spot at the national competition, 3rd Place Backstage Challenge, and All Festival Cast; and

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the Executive Department to be affixed this 19th day of May 2025.

Amy Shuler Goodwin, Mayor of Charleston

COMMUNICATIONS

None

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 No. 8053 Committee Substitute do pass.

Bill No. 8053 Committee Substitute - A BILL to adjust PARKING PROHIBITED times on several streets, in order to accommodate street sweeping at a later time of day; and amending the Traffic Control Map and Traffic Control File, established by the City of Charleston, West Virginia, two thousand and three, Traffic Laws, Section 263, Division 2, Article 4, Chapter 114, to conform therewith.

WHEREAS, the East End neighborhood of Charleston has some of the highest percentages of on-street parking in the city; and

WHEREAS, since 1981, the city has had weekly sweeping in the East End and has restricted parking in order to accommodate that sweeping; and

WHEREAS, without restricted parking, many streets in the East End could not be adequately swept, due to cars interrupting the flow of street sweepers; and

WHEREAS, the south sides of certain streets have sweeping on Tuesday mornings between 9am and 12pm; and

WHEREAS, the north sides of certain streets have sweeping on ~~Tuesday~~ Thursday mornings afternoons between 12pm and 2pm; and

WHEREAS, the current street sweeping practices are not in alignment with the traffic control file; and

WHEREAS, in an effort to determine the best policy, the City has conducted outreach and received input from affected residents on the best tradeoff between adequate sweeping and minimal interruptions; and

WHEREAS, having sweeping during the same time of day, from 12pm to 2pm, on either side of affected streets was the best outcome; and

WHEREAS, any similarly-situated blocks in the city where parked cars obstruct sweeping efficacy may work with the City to determine if similar parking restrictions are merited; and

WHEREAS, in furtherance of the goals and objectives above, the City Council hereby adopts these changes to the Traffic Control File.

Now, therefore, be it ordained by the Council of the City of Charleston, effective ~~June 1, 2025~~ April 1, 2026:

Section 1. On the ~~northerly~~ southerly side of the following streets, parking is prohibited from twelve o'clock p.m. until two o'clock p.m., each Tuesday, during the months of April through October; parking is permitted at all other times:

- Virginia Street East, from Brooks Street to Greenbrier Street; and
- Quarrier Street, from Brooks Street to Greenbrier Street; and
- Lee Street, from Brooks Street to Greenbrier Street; and
- McClung Street, from Elizabeth Street to Sidney Avenue; and
- Jackson Street, from Beauregard Street to Elizabeth Street; and
- Lewis Street, from Brooks Street to the alley between Thompson Street and Nancy Street; and
- Washington Street East, from Veazy Street and Michigan Street.

Section 2. On the ~~northerly~~ southerly ~~northerly~~ side of the following streets, parking is prohibited from twelve o'clock p.m. until two o'clock p.m., each Thursday, during the months of April through October; parking is permitted at all other times:

- Virginia Street East, from Brooks Street to Greenbrier Street; and
- Quarrier Street, from Brooks Street to Greenbrier Street; and
- Lee Street, from Brooks Street to Greenbrier Street; and
- McClung Street, from Elizabeth Street to Sidney Avenue; and
- Jackson Street, from Beauregard Street to Elizabeth Street; and
- Lewis Street, from Brooks Street to the alley between Thompson Street and Nancy Street; and
- Washington Street East, from Veazy Street and Michigan Street.

Section 3. On the westerly side of Margaret Street, parking is prohibited from twelve o'clock p.m. until two o'clock p.m., each Thursday, during the months of April through October; parking is permitted at all other times.

Section 4. The Traffic Control Map and Traffic Control File, established by the code of the City of Charleston, West Virginia, two thousand and three, as amended, Traffic Laws, Section 263, Division 2, Article 4, Chapter 114, shall be and hereby are amended, to conform to this Ordinance.

Section 5. All prior Ordinances, inconsistent with this Ordinance are hereby repealed to the extent of said inconsistency.

Councilmember Robinson added that the bill will be effective on April 1, 2026. The bill effects streets on the East End.

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

A roll call was taken:

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

NAYS:

ABSENT: Faegre

With members present recorded thereon as voting unanimously in the affirmative, Mayor Goodwin declared Bill No. 8053 Committee Substitute as passed.

2. Your committee on Ordinance and Rules has had under consideration the following bill, and reports the same to Council with the recommendation that Bill No. 8055 do pass.

Bill No. 8055 - A BILL to amend and reenact Sections 6-151, 6-152, 6-153, 6-154, 6-156, 6-157, 6-158, 6-167, 6-172, 6-177, and 6-187 of the Municipal Code of the City of Charleston, as amended, relating to updating regulations regarding Private Outdoor Designated Areas; incorporating state code changes authorizing qualified non-profit permit holders; adjusting permit and license requirements; authorizing the City Manager to adjust operation hours for Private Outdoor Designated Areas, and authorizing expanded hours of operation on state and federal holidays for Private Outdoor Designated Areas.

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

That Sections 6-151, 6-152, 6-153, 6-154, 6-156, 6-157, 6-158, 6-167, 6-172, 6-177, and 6-187 of the Municipal Code of the City of Charleston, as amended, are hereby amended and reenacted, all to read as follows:

CHAPTER 6. – ALCOHOLIC BEVERAGES.

ARTICLE IV. – PRIVATE OUTDOOR DESIGNATED AREAS.

DIVISION 1. – GENERALLY.

Sec. 6-151. – Authorization for Private Outdoor Designated Areas.

Pursuant to West Virginia Code §8-12-26, the City of Charleston hereby adopts this ordinance establishing private outdoor designated areas, as described in West Virginia Code § 60-7-8g and § 60-7-8h.

Sec. 6-152. – Private Outdoor Designated Area.

A Private Outdoor Designated Area includes the public property that has become a legally demarcated area established by a municipal ordinance as set forth in West Virginia Code §8-12-26 for the consumption of liquor, wine, nonintoxicating beer, and nonintoxicating craft beer. Notwithstanding the provisions of Section 78-211 of this Code, a person may possess and consume an approved open container of liquor, wine, nonintoxicating beer, or nonintoxicating craft beer sold from an approved Class S4 special permit holder, as further detailed in this Article, outdoors within a Private Outdoor Designated Area. A business operating within a Private Outdoor Designated Area may choose whether or not to permit people to enter its business with an approved open container of liquor, wine, nonintoxicating beer, or nonintoxicating craft beer sold from an approved Class S4 special permit holder. A Private Outdoor Designated Area may be authorized to simultaneously host multiple qualified licenses and permit holders as defined in West Virginia Code, at the discretion and with the approval of the City Manager.

Sec. 6-153. – Participation in a Private Outdoor Designated Area.

(a) Any Class A, Class B, or Class S2 license qualified permit holder under West Virginia Code § 60-7-8g that operates in a Private Outdoor Designated Area may apply to the City Manager for the approval

to participate in the sale of alcoholic beverages within a Private Outdoor Designated Area. The City Manager shall review the application to ensure it is complete and meets the following requirements:

(1) The applicant is located in an established Private Outdoor Designated Area, pursuant to this Article, with a front door in compliance with all building and fire codes for the safe ingress and egress of members, patrons, and guests to and from the Private Outdoor Designated Area.

(2) The applicant has a valid city and state business license and is in good standing with the city.

(3) The applicant has a valid Class A, Class B, or Class S2 license is a qualified permit holder meeting the requirements under West Virginia Code § 60-7-8g.

(b) Any qualified non-profit permit holder under West Virginia Code § 60-7-8h that elects to operate its events solely within a Private Outdoor Designated Area may apply to the City Manager for the approval to participate in the sale of alcoholic beverages within a Private Outdoor Designated Area. The City Manager shall review the application to ensure it is complete and meets the requirements of West Virginia Code § 60-7-8h.

(b) (c) Once approved by the City Manager, as indicated by a letter of approval to the applicant, the license holder may apply to the West Virginia Alcohol Beverage Control Administration (“WVABCA”) for a Class S4 or Class S4N special permit, as detailed in West Virginia Code § 60-7-8g and § 60-7-8h, to participate in a Private Outdoor Designated Area, as further detailed in this Article, in the West Virginia Code, and in any applicable rules of the WVABCA. Upon approval by the WVABCA, the Class S4 or Class S4N special permit holder shall notify the City Manager’s office. Any business qualified permit holder that receives the approval of the City Manager and a Class S4 special permit from the WVABCA may participate in a Private Outdoor Designated Area.

(c) (d) Participation in a Private Outdoor Designated Area does not provide a business with any authority to operate outdoor dining on the public right of way. Any business interested in participating in outdoor dining shall follow the requirements of Chapter 102, Article VII of this Code. A business with an approved outdoor dining area that is within a Private Outdoor Designated Area may operate its outdoor dining area simultaneously with its participation in a Private Outdoor Designated Area.

Sec. 6-154. – Containers.

All beverages served from valid Class S4 special approve qualified permit holders for consumption in a Private Outdoor Designated Area shall be served in a non-glass container not greater than 16 fluid ounces, which has been approved by the City Manager and the WVABCA.

Sec. 6-156. – Public Health, Safety, and Sanitation.

(a) All Private Outdoor Designated Areas shall be operated in a manner consistent with all state and municipal laws. The Charleston Police Department shall be responsible for ensuring compliance and may issue citations within the Private Outdoor Designated Areas as necessary. The Charleston Police Department shall provide a copy of any citation issued within a Private Outdoor Designated Area to the WVABCA.

(b) In addition to any public restrooms in a Private Outdoor Designated Area, participating Class S4 and S4N special permit holders shall make available adequate restroom facilities, whether permanent or portable, to serve their members and guests during all hours of operation of the Private Outdoor Designated Area.

(c) All businesses operating within a Private Outdoor Designated Area shall comply with all requirements of the Kanawha-Charleston Health Department.

(d) All participating businesses within a Private Outdoor Designated Area shall make waste receptacles available during the operating hours of the Private Outdoor Designated Area in a number sufficient to contain the waste generated within the area and which are emptied regularly by each participating business as needed to ensure availability. These waste receptacles are in addition to the City of Charleston public waste receptacles in the area.

Sec. 6-157. – Revocation of City Manager Approval; and General Policy Authority.

(a) The City Manager may revoke the letter of approval of any Class S4 or S4N special permit holder for violation of any law, rule or regulation, or when doing so is in the interest of public safety, by sending a revocation letter to both the permit holder and the WVABCA.

(b) The City Manager is authorized to create policies and procedures as necessary for the efficient operation of the Private Outdoor Designated Areas, including but not limited to, signage language approval, container approval, identification of participating businesses and non-participating businesses, review of security plans proposed to the WVABCA, the interaction and interplay between a fair or festival and the Private Outdoor Designated Areas, and the duties and responsibilities of all participating businesses with respect to clean up and other sanitation matters, and temporary reduction, expansion, or modification of the hours of a Private Outdoor Designated Area to accommodate special circumstances or events.

Sec. 6-158. – Suspension of Private Outdoor Designated Area.

The City Manager has the authority to suspend the operation of a Private Outdoor Designated Area immediately for any reason, including when in the interest of public safety, by providing notice to all Class S4 and Class S4N special permit holders within the Private Outdoor Designated Area, City Council, any business association participating in the marketing or advertising of the Private Outdoor Designated Area, and the WVABCA.

DIVISION 2. – CITY CENTER PODA

Sec. 6-167. – Days and Hours of Operation

The City Center PODA may operate year round on any Monday through Friday from 4:00 p.m. until 10:00 p.m., and on Saturday, Sunday, and state and federal holidays from 10:00 a.m. until 10:00 p.m., and Sunday from 10:00 a.m. until 10:00 p.m. Drinks may not be sold in PODA cups or consumed within the City Center PODA outside of the hours of operation.

DIVISION 3. – BRIDGE ROAD PODA

Sec. 6-172. – Days and Hours of Operation

The Bridge Road PODA may operate year round on any Monday through Friday from 4:00 p.m. until 10:00 p.m., and on Saturday, Sunday, and state and federal holidays from 10:00 a.m. until 10:00 p.m., and Sunday from 10:00 a.m. until 10:00 p.m. Drinks may not be sold in PODA cups or consumed within the Bridge Road PODA outside of the hours of operation.

DIVISION 4. – ELK CITY PODA

Sec. 6-177. – Days and Hours of Operation

The Elk City PODA may operate year round on any Monday through Friday from 4:00 p.m. until 10:00 p.m., and on Saturday, Sunday, and state and federal holidays from 10:00 a.m. until 10:00 p.m., and Sunday from 10:00 a.m. until 10:00 p.m. Drinks may not be sold in PODA cups or consumed within the Elk City PODA outside of the hours of operation.

DIVISION 6. – EAST END PODA

Sec. 6-187. – Days and Hours of Operation

The East End PODA may operate year round on any Monday through Friday from 4:00 p.m. until 10:00 p.m., and on Saturday, Sunday, and state and federal holidays from 10:00 a.m. until 10:00 p.m., and Sunday from 10:00 a.m. until 10:00 p.m. Drinks may not be sold in PODA cups or consumed within the East End PODA outside of the hours of operation.

Councilmember Robinson added that the bill updates the current PODA regulations by allowing for non-profits licenses and changes the hours for State and Federal holidays.

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

A roll call was taken:

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

NAYS:

ABSENT: Faegre

With members present recorded thereon as voting unanimously in the affirmative, Mayor

Goodwin declared Bill No. 8055 as passed.

Councilmember Robinson moved that the bill be made effective upon passage. Councilmember Ceperley seconded the motion.

A roll call was taken:

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

NAYS:

ABSENT: Faegre

With members present recorded thereon as voting unanimously in the affirmative, Mayor Goodwin declared the motion as adopted.

COMMITTEE ON PLANNING, STREETS AND TRAFFIC

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

1. Your committee on Planning, Streets and Traffic has had under consideration the following bill, and reports the same to Council with the recommendation that Bill No. 8054 do pass.

Bill No. 8054 - A Bill to establish a handicapped parking zone on the southerly side of Virginia Street West from a point 181 feet east of Elm Street to a point 203 feet east of Elm Street and amending the Traffic Control Map and Traffic Control File, established by the code of the City of Charleston, West Virginia, two thousand and three, as amended, Traffic Laws, Section 263, Division 2, Article 4, Chapter 114, to conform therewith.

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

Section 1. There is hereby established a handicapped parking zone on the southerly side of Virginia Street West from a point 181 feet East of Elm Street to a point 203 feet East of Elm Street

Section 2. The Traffic Control Map and Traffic Control File, established by the code of the City of Charleston, West Virginia, two thousand and three, as amended, Traffic Laws, Section 263, Division 2, Article 4, Chapter 114, shall be and hereby are amended, to conform to this Ordinance.

Section 3. All prior Ordinances, inconsistent with this Ordinance are hereby repealed to the extent of said inconsistency.

Councilmember Hoover added that a business requested the bill to have a handicap spot for their employee.

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

A roll call was taken:

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

NAYS:

ABSENT: Faegre

With members present recorded thereon as voting unanimously in the affirmative, Mayor Goodwin declared Bill No. 8054 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. 25-043 be adopted.

Resolution No. 25-043 - Authorizing approval of Amendment No. 7 of the FY 2024-2025 General Fund Budget as indicated on the attached list of accounts.

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

That Amendment No. 7 of the FY 2024-2025 General Fund Budget as indicated on the attached list of accounts is approved.

Councilmember Jenkins added that the amendment shifts funds to purchase a backhoe, shifts funds for some settlement claims and makes funds that were awarded to the City a part of a settlement available to purchase various playground equipment and updates.

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

A roll call was taken:

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

NAYS:

ABSENT: Faegre

With members present recorded thereon as voting unanimously in the affirmative, Mayor Goodwin declared Resolution No. 25-043 as adopted.

General Fund FY 2024-2025 Budget Amendment No. 7 - May 19, 2025**Revenues and Fund Balances**

Account No.	Department	Account Description	Current Amount	Increase/ (Decrease)	Amended Amount
1001 00 00000 000 000 438600	Revenue	Insurance Claims	50,000	50,319	100,319
Net Increase/(Decrease) to Revenues				50,319	

Expenditures

Account No.	Department	Account Description	Current Amount	Increase/ (Decrease)	Amended Amount
1001 10 69900 000 000 559800	Contingency	Contingency	217,429	(66,658)	150,771
1001 80 97800 C15 000 645900	Capital Outlay - Health and Sanitation	Refuse - Vehicles and Equipment	1,413,725	116,977	1,530,702
Net Increase/(Decrease) to Expenditures				50,319	

Description:

To recognize revenue from insurance claims and allocate from Contingency for the replacement of a backhoe for the Refuse Department due to an accident.

Revenues and Fund Balances

Account No.	Department	Account Description	Current Amount	Increase/ (Decrease)	Amended Amount
1001 00 00000 000 000 438600	Revenue	Insurance Claims	100,319	83,333	183,652
Net Increase/(Decrease) to Revenues				83,333	

Expenditures

Account No.	Department	Account Description	Current Amount	Increase/ (Decrease)	Amended Amount
1001 10 69900 000 000 559800	Contingency	Contingency	150,771	(136,667)	14,104
1001 10 41700 000 000 522300	City Attorney	Professional Services	200,000	(180,000)	20,000
1001 10 41700 000 000 522900	City Attorney	Claims & Damages	500,000	400,000	900,000
Net Increase/(Decrease) to Expenditures				83,333	

Description:

To recognize revenue from insurance claims and allocate from Contingency and Professional Services for the Claims & Damages budget in the City Attorney's Office.

Revenues and Fund Balances

Account No.	Department	Account Description	Current Amount	Increase/ (Decrease)	Amended Amount
1001 00 00000 000 000 436800	Revenue	Contributions from Others	125,000	25,000	150,000
Net Increase/(Decrease) to Revenues				25,000	

Expenditures

Account No.	Department	Account Description	Current Amount	Increase/ (Decrease)	Amended Amount
1001 80 97900 C17 000 645900	Capital Outlay - Culture & Recreation	Parks & Rec - Vehicles and Equipment	375,500	25,000	400,500
Net Increase/(Decrease) to Expenditures				25,000	

Description:

To recognize distribution from WV Attorney General Lipitor settlement agreement and allocate it to purchasing additional playground equipment in community parks, including Oakmont Park.

2. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 25-044 be adopted.

Resolution No. 25-044 - Authorizing the Mayor or City Manager to purchase seventy-three (73) sets of turnout gear for the Charleston Fire Department from Witmer Public Safety in the amount of \$249,295.00 pursuant to a competitively sourced contract for the purpose of supplying a second set of turnout gear for Charleston firefighters.

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

That the Mayor or City Manager is authorized to purchase seventy-three (73) sets of turnout gear for the Charleston Fire Department from Witmer Public Safety in the amount of \$249,295.00 pursuant to a competitively sourced contract for the purpose of supplying a second set of turnout gear for Charleston firefighters.

Councilmember Jenkins added that the goal is for every member of the Charleston Fire Department to have a second set of turnout gear.

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. 25-044.

3. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 25-045 be adopted.

Resolution No. 25-045 - Authorizing the Mayor or City Manager to purchase a New Holland B95D Extend-A-Hoe backhoe with thumb and 4-in-1 bucket from Green's Equipment Group for the Refuse Department at a total cost of \$116,977.00 pursuant to a competitively sourced contract.

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

That the Mayor or City Manager is authorized to purchase a New Holland B95D Extend-A-Hoe backhoe with thumb and 4-in-1 bucket from Green's Equipment Group for the Refuse Department at a total cost of \$116,977.00 pursuant to a competitively sourced contract.

Councilmember Jenkins added that the resolution is a replacement for a backhoe that was damaged during transport due to driver error. Part of the cost is paid through insurance after the deductible.

With members present recorded thereon as voting unanimously in the affirmative, Mayor Goodwin declared Resolution No. 25-045 as adopted.

4. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 25-046 be adopted.

Resolution No. 25-046 - Authorizing the Mayor or City Manager to enter into a lease agreement with the Charleston-Kanawha Housing Authority for property adjacent to Charleston Fire Station 8, where the intended purpose is for Charleston Fire Department to establish a non-permanent training facility and where the term is one-year with optional renewals and no cash consideration will be paid by the City.

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 lease agreement with the Charleston-Kanawha Housing Authority for property adjacent to Charleston Fire Station 8, where the intended purpose is for Charleston Fire Department to establish a non-permanent training facility and where the term is one-year with optional renewals and no cash consideration will be paid by the City.

Councilmember Jenkins added that the resolution is for a lease of .61 acres that will be used by the Fire Department as a non-permanent training facility. There is no lease payment, but the City will be responsible for the buildout of the training facility.

Councilmember Snodgrass asked about the cost of the buildout. Council previously approved approximately \$400,000 for that purpose. Fire Chief Matthews confirmed that they are currently driving to Fayetteville to do that training. He added that the structures could be easily disassembled when they no longer needed the property. This will also allow for safer training.

With members present recorded thereon as voting unanimously in the affirmative, Mayor Goodwin declared Resolution No. 25-046 as adopted.

5. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 25-047 be adopted.

Resolution No. 25-047 - Authorizing settlement of a pending disputed claim against the City, by Dutch Miller – Subaru, related to a ruptured private water line attached to a private fire hydrant that was being used for training purposes by the Charleston Fire Department, as recommended by the City Solicitor.

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

That the City Council hereby authorizes and approves the settlement of a pending disputed claim against the City, by Dutch Miller – Subaru, related to a broken private water line attached to a private fire hydrant that was being used for training purposes by the Charleston Fire Department, in the amount of \$137,167.17, as recommended by the City Solicitor. The City Council authorizes the City Solicitor and City Manager to take all necessary steps to finalize resolution of the claim.

Councilmember Jenkins added that the Fire Department had used a private hydrant for training without permission. The hydrant was opened and closed quicker than recommended, which caused significant damage to the line and property.

With members present recorded thereon as voting unanimously in the affirmative, Mayor Goodwin declared Resolution No. 25-047 as adopted.

REPORTS OF OFFICERS

1. City Treasurer’s Report to City Council Month Ending April 2025.
2. City of Charleston Financial Statements for Fiscal Year 2024.
3. City of Charleston Report to the Board for Fiscal Year 2024.
4. Annual Comprehensive Financial Report for the City of Charleston for Fiscal Year 2024.
5. General Fund Financial Statements for the Six-Month Period Ended December 31, 2024.
6. Coliseum & Convention Center Financial Statements for the Six-Month Period Ended December 31, 2024.
7. Parking Fund Financial Statements for the Six-Month Period Ended December 31, 2024.

NEW BILLS

None

MISCELLANEOUS/UNFINISHED BUSINESS

None

REMARKS BY MEMBERS

1. Mayor Goodwin stated that Councilmembers have been given updates to some of the ongoing City projects. The Mayor added that the USA Cycling tournament began that week.
2. Councilmember Pharr stated that the FamilyCare Kids' Summer Bash will be on June 14th.
3. Councilmember Cook thanked the staff that maintain Cato Park and golf course for their hard work.
4. Councilmember Moore thanked Parks and Recreation Director Dax Miller for helping with an event.
5. Councilmember Solomon stated that anyone who wanted a specialized cowbell that he previously provided to Council could get one from him.

ADJOURNMENT

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

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

NAYS:

ABSENT: Faegre

At 7:32 p.m., by a motion from Councilmember Ceperley, Council adjourned until Monday, June 2, 2025, 7:00 p.m., in Council Chambers at City Hall.

Amy Shuler Goodwin, Honorable Mayor

Miles C. Cary II, City Clerk