



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

CITY OF CHARLESTON, WEST VIRGINIA

Regular Meeting – Monday, October 6, 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 first meeting in the month of October on the 6th day, in the year 2025, 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 led by Councilmember Ferrell. City Clerk, Miles C. Cary II, called the roll of members and it was found that there were present at the time:

**ANNIE
CEPERLEY**

**HAAS
JONES
MOORE
PHARR**

**SALANGO
STEELHAMMER**

**BURKA
COOK
GARDNER
HOOVER
KERNS
OVERSTREET
ROBINSON**

TAYLOR

**BURTON
FAEGRE
GIANOLA
JENKINS
KING
PEPPER**

**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.

Council observed a moment of silence for the passing of Kitty Dooley.

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

PUBLIC SPEAKERS

1. Archana Narasimhan – Invited members to Democracy Labs event.
2. Stuart McMillan – Spoke about the City Center Business Improvement District as its representative.

CLAIMS

1. A claim of Ronald Godbey, Charleston, WV;
alleges loss of property.
2. A claim of Pamela F. Morris, Charleston, WV;
alleges damage to vehicle.
3. A claim of Karen Reed, Charleston, WV;
alleges damage to property.

PROCLAMATIONS

1.

EXECUTIVE DEPARTMENT CITY OF CHARLESTON PROCLAMATION

WHEREAS: The Filipino American community has enriched our nation, our state, and our city through their cultural traditions, professional contributions, educational achievements, and civic leadership; and

WHEREAS: October is recognized as Filipino American History Month – a time to honor the heritage, resilience, and lasting impact of Filipino Americans across the nation; and

WHEREAS: For more than four centuries, Filipino Americans have been part of the American story, bringing resilience, talent, and cultural traditions that continue to enrich communities across the country; and

WHEREAS: The Filipino American Association of West Virginia has played a vital role in preserving heritage, uplifting families, and fostering mutual respect and understanding across our state, while sharing Filipino culture through festivals, community service, and partnerships that strengthen neighborhoods; and

WHEREAS: we recognize the Filipino American community and the diversity, energy, and vibrancy they bring to West Virginia; and

NOW THEREFORE, I, Amy Shuler Goodwin, Mayor of Charleston, do hereby recognize October 2025 as

Filipino American History Month

in Charleston, West Virginia, and call on our community to join in celebrating, learning, and honoring the history, heritage, and ongoing contributions of Filipino Americans.

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the Executive Department to be affixed this 6th day of October 2025.



Amy Shuler Goodwin, Mayor

2.

**EXECUTIVE DEPARTMENT
CITY OF CHARLESTON
PROCLAMATION**

- WHEREAS:** Municipal government is the level of government closest to the people and plays a vital role in shaping the quality of life in cities, towns, and villages across West Virginia; and
- WHEREAS:** Our municipal employees and elected officials are more than public servants—they are neighbors, problem solvers, and the steady hands that support and strengthen our neighborhoods, making our cities a place where people feel connected and at home; and
- WHEREAS:** Every day our City Team shows up for Charleston—whether it’s keeping our neighborhoods safe, caring for our parks and recreation spaces, revitalizing our communities, picking up trash, answering calls, or helping to bring people together to solve problems; and
- WHEREAS:** West Virginia Municipal Government Week, observed October 13–19, 2025, and coordinated by the West Virginia Municipal League, marks its 30th year as a time to celebrate the vital role of local government, highlight the programs and services that make our communities stronger, and encourage residents to be active partners in civic life; and
- WHEREAS:** Municipal Government Week also reminds us that our success as a city depends not only on buildings, roads, and budgets, but on our people—the dedicated city teams, engaged residents, and committed partners—who together make Charleston safe, vibrant, and welcoming; and

NOW THEREFORE, I, Amy Shuler Goodwin, Mayor of Charleston, do hereby recognize October 13 -19, 2025 as

West Virginia Municipal Government Week

in Charleston, West Virginia, and call on our community to celebrate our City Team and take part in building an even stronger Capital City together.

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the Executive Department to be affixed this 6th day of October 2025.



Amy Shuler Goodwin, Mayor

COMMUNICATIONS

**TO: MILES CARY
CITY CLERK**

**FROM: AMY SHULER GOODWIN
MAYOR**

RE: SPRING HILL CEMETERY PARK COMMISSION

DATE: OCTOBER 6, 2025

I recommend Bill Harvit be appointed to the Spring Hill Cemetery Park Commission. His term will expire April 6, 2030. I also recommend Mary Jean Davis be appointed to the Commission. Her term will end April 6, 2031.

I recommend Tom Toliver and Nina Payton be reappointed to the Commission. Both terms will expire on April 6, 2029. I also recommend Bobby Reishman be reappointed to the Commission. His term will expire April 6, 2031.

I respectfully request City Council's approval of this recommendation.

ASG/mls

Councilmember Ceperley motioned to approved the appointment. Councilmember Hoover seconded the motion. With members present recorded thereon as voting unanimously in the affirmative, the Mayor declared the appointment as confirmed.

REPORTS OF COMMITTEES

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. 25-091 be adopted.

Resolution No. 25-091 - Authorizing the Mayor or City Manager to purchase an annual renewal of the Charleston Police Department's record management software from TriTech Software Systems in the amount of \$84,389.28 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 an annual renewal of the Charleston Police Department's record management software from TriTech Software Systems in the amount of \$84,389.28 pursuant to a competitively sourced contract.

Councilmember Jenkins added that the resolution is for the annual renewal of the record management software used by the Charleston Police Department.

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. 25-091.

2. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 25-092 be adopted.

Resolution No. 25-092 - Authorizing the Mayor or City Manager to purchase two HI-WAY P-8 stainless steel salt spreader machines from WV Tractor Supply Company in the amount of \$27,586.00 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 two HI-WAY P-8 stainless steel salt spreader machines from WV Tractor Supply Company in the amount of \$27,586.00 pursuant to a competitively sourced contract.

Councilmember Jenkins added that the salt spreaders are the smaller variety that are used in pickup trucks, and offer more flexibility in the winter.

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. 25-092.

3. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 25-093 be adopted.

Resolution No. 25-093 - Authorizing settlement of a pending claim against the City, by Robley Lushbaugh, with associated claim number WV1542025027014, related to a vehicle collision wherein a City trash truck rear-ended a 2024 Honda CR-V resulting in the vehicle being totaled, as recommended by the City Solicitor.

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

That the City Council hereby authorizes and approves the settlement of a pending claim against the City, by Robley Lushbaugh, with associated claim number WV1542025027014, related to a vehicle collision wherein a City trash truck rear-ended a 2024 Honda CR-V resulting in the vehicle being totaled in an amount of \$37,550.50 to Robley Lushbaugh and an additional amount of up to \$5,000.00 to third-parties for appraisal and rental car expenses related to the claim, 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 that a City garbage truck rear-ended and totaled a vehicle. There was no personal injury.

Councilmember Jenkins moved to approve the resolution. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting in the majority in the affirmative, Mayor Goodwin declared Resolution No. 25-093 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. 25-094 be adopted.

Resolution No. 25-094 - Authorizing the City Treasurer to transfer \$800,000 from the Opioid Settlement Fund (Fund 2027) to the CARE Office Fund (Fund 2097) to be used for continued operation of the CARE Office's due to the expiration of federal grants.

WHEREAS, the City established the Coordinated Addiction Response Effort (CARE) Office in 2019 and has relied on a combination of federal grants to employee positions for various programs within the mission of the CARE Office; and

WHEREAS, in June 2024, after the expiration of the federal grants that supported the Quick Response Team Coordinator and Mental Health Coordinator, the City allocated \$500,000 from the Opioid Settlement Fund to the CARE Office Fund for the continued operations of the programs for the period of approximately two years; and

WHEREAS, the federal grant that supported the CARE Office's Crisis Intervention Team (CIT) expired on September 30, 2025; and

WHEREAS, the City desires to continue the operation of the CIT with Opioid Settlement Funds, as well as continue operating the Quick Response Team and Mental Health Coordinator through FY 2027;

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

That the City Treasurer is hereby authorized to transfer \$800,000 from the Opioid Settlement Fund (Fund 2027) to the CARE Office Fund (Fund 2097) to be used for continued operation of the CARE Office's program through fiscal year 2027.

Councilmember Jenkins added that funds will be transfer to the CARE Office to offset he ending of several grants.

Councilmember Jenkins moved to approve the resolution. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting in the majority in the affirmative, Mayor Goodwin declared Resolution No. 25-094 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. 25-095 be adopted.

Resolution No. 25-095 - Authorizing approval of Amendment No. 3 of the FY 2025-2026 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. 3 of the FY 2025-2026 General Fund Budget as indicated on the attached list of accounts is approved.

Councilmember Jenkins added that the amendment recognized the receipt of approximately \$29,000 in unclaimed property from the West Virginia Treasurer. The funds will be used to repave some of the outdoor basketball courts.

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, Gardner, Gianola, Haas, Hoover, Jenkins, Jones, Kerns, King, Moore, Overstreet, Pepper, Pharr, Robinson, Salango, Solomon, Steelhammer, Taylor, Mayor Goodwin

NAYS:

ABSENT: Rubio, Snodgrass

With members present recorded thereon as voting unanimously in the affirmative, Mayor Goodwin declared Resolution No. 25-095 as adopted.

6. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 25-096 be adopted.

Resolution No. 25-096 - Authorizing the Mayor or City Manager to enter into a contract in the amount of \$579,755.00 with Lakecrest Construction for the installation of a new storm sewer system on Chesterfield Ave in the vicinity of Glenridge Road where the contract price was determined pursuant to a competitive bid process.

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

That the Mayor or City Manager is authorized to enter into a contract in the amount of \$579,755.00 with Lakecrest Construction for the installation of a new storm sewer system on Chesterfield Ave in the vicinity of Glenridge Road where the contract price was determined pursuant to a competitive bid process.

Councilmember Jenkins added that the City is required to match 25% of the grant.

Councilmember Jenkins moved to approve the resolution. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting unanimously in the affirmative, Mayor Goodwin declared Resolution No. 25-096 as adopted.

7. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 25-097 be adopted.

Resolution No. 25-097 - Authorizing the Mayor or City Manager to enter into an agreement with Insight Pipe Contracting, LLC in the amount of \$365,530.00 for the rehabilitation of the City's storm sewer pipes at various locations where the contract price was determined pursuant to a competitive bid process.

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

That the Mayor or City Manager is authorized to enter into an agreement with Insight Pipe Contracting, LLC in the amount of \$365,530.00 for the rehabilitation of the City's storm sewer pipes at various locations where the contract price was determined pursuant to a competitive bid process.

Councilmember Jenkins added that storm sewer pipes will be rehabilitated throughout the City.

Councilmember Jenkins moved to approve the resolution. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting unanimously in the affirmative, Mayor Goodwin declared Resolution No. 25-097 as adopted.

8. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 25-098 be adopted.

Resolution No. 25-098 - Authorizing the Mayor or City Manager to enter into a one-time direct agreement with Dynamic Graphics for provision of various employee clothing and uniforms pursuant to the City's uniform voucher program.

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 one-time direct agreement with Dynamic Graphics for provision of various employee clothing and uniforms pursuant to the City's uniform voucher program.

Councilmember Jenkins added that the pilot program of the online portal will make the uniform voucher program more efficient.

Councilmember Kerns asked if there weren't any businesses within City limits that could do the work. City Manager Ben Mishoe replied that several such businesses have participated in the program in the past, most of which have gone out of business. One business that responded was within City limits, but they could not provide the customization that was required.

Councilmember Faegre added that the two main vendors for the program are no longer in business.

Councilmember Jenkins moved to approve the resolution. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting unanimously in the affirmative, Mayor Goodwin declared Resolution No. 25-098 as adopted.

9. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 25-099 be adopted.

Resolution No. 25-099 - Authorizing the Mayor or City Manager to enter into an Agreement with The West Virginia Department of Transportation, Division of Highways, in substantially the same form as the attached Exhibit A, and any other agreements as may be necessary to achieve mutually agreed upon responsibilities for administering and funding the Capital Connector Construction Project, which will be built upon roads owned by both the City of Charleston and the State of West Virginia.

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

The Mayor or City Manager is authorized to enter into an Agreement with The West Virginia Department of Transportation, Division of Highways, in substantially the same form as the attached Exhibit A, and any other agreements as may be necessary to achieve mutually agreed upon responsibilities for administering and funding the Capital Connector Construction Project, which will be built upon roads owned by both the City of Charleston and the State of West Virginia.

Councilmember Jenkins added that the resolution is required for the associated grant.

Councilmember Jenkins moved to approve the resolution. Councilmember Ceperley seconded the motion. With members present recorded thereon as voting unanimously in the affirmative, Mayor Goodwin declared Resolution No. 25-099 as adopted.

10. Your committee on Finance has had under consideration the following bill, and reports the same to Council with the recommendation that Bill No. 8058 be adopted.

Bill No. 8058 - A BILL to amend and reenact Section 110-63 of the Municipal Code of the City of Charleston, as amended, relating to updating exemptions to the municipal business and occupation tax in order to incorporate legislation passed by the West Virginia Legislature; exempting the application of the tax on any business with less than \$2,500.00 in annual gross income and on the sale of new automobiles as detailed herein; and making both exemptions effective July 1, 2025.

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

That Section 110-63 of the Municipal Code of the City of Charleston, as amended, is hereby amended and reenacted to read as follows:

Sec. 110-63. - Exemptions.

(a) The provisions of this article shall not apply to:

(1) Insurance companies which pay the state a tax upon premiums; provided, that such exemption shall not extend to that part of gross income of insurance companies which is received for the use of real property, other than property in which any such company maintains its office or offices, in the city, whether such income is in the form of rentals or royalties;

(2) Nonprofit cemetery companies organized and operated for the exclusive benefit of their members;

(3) Fraternal societies, organizations and associations organized and operated for the exclusive benefit of their members and not for profit; provided, that this exemption shall not extend to that part of gross income arising from the sale of alcoholic liquor, food and related services of such fraternal societies, organizations and associations which are licensed as private clubs under the provisions of W. Va. Code ch. 60, art. 7;

(4) Corporations, associations and societies organized and operated exclusively for religious or charitable purposes; provided that: the city may impose its business and occupation tax on any activity of a corporation, association or society organized and operated exclusively for religious or charitable purposes only to the extent that the income generated by the activity is subject to taxation under the provisions of section 511 of the Internal Revenue Code of 1986, as amended;

(5) Production credit associations, organized under the provisions of the federal Farm Credit Act of 1933; provided, that the exemptions of this section shall not apply to corporations or cooperative associations organized under the provisions of W. Va. Code ch. 19, art. 4;

(6) Any credit union organized under the provisions of chapter 31 or any other chapter of the Code of West Virginia; provided, that the exemptions of this section shall not apply to corporations or cooperative associations organized under the provisions of W. Va. Code ch. 19, art. 4;

(7) Gross income derived from advertising service rendered in the business of radio and television broadcasting;

(8) The gross income or gross proceeds of sale of a gasification or liquefaction of coal project in the demonstration, pilot or research states; provided, that prior to the commencement of operation of any such project, the tax commissioner of the state shall have first certified the project as eligible for such

exemption; provided, further, that such exemption shall expire seven years from the date the project first receives gross income or gross proceeds from sales; and

(9) The first \$5,000.00 of gross income or gross proceeds in each calendar year derived from sales or services by a vendor, as defined in section 18-1031 of this Code, shall be exempt from the tax imposed by this article. The vendor shall file a business and occupation tax return for such gross income or gross proceeds even if such revenue is exempt.

(b) Effective July 1, 2025:

(1) A person engaging in business within the City shall not be subject to the municipal business and occupation or privilege tax imposed by this article for any tax year in which the taxpayer's gross income or gross proceeds is less than two thousand five hundred dollars (\$2,500.00). This exemption shall apply on a prospective basis only and shall not affect liability for any tax periods ending prior to July 1, 2025. The person shall file a business and occupation tax return for such gross income or gross proceeds even if such revenue is exempt; and

(2) The municipal business and occupation or privilege tax imposed by this article shall not apply to the sale of new automobiles that have never been registered in the name of an individual. For the purposes of this subsection, an automobile is a self-propelled vehicle used on the roads and highways by the use of motor vehicle fuel or propelled by one or more electric motors using energy stored in batteries or a combination thereof. An automobile shall include a light-duty truck with an enclosed cabin and an open loading area at the rear and a sport utility vehicle. An automobile does not include a motorcycle. The full exemption shall apply on a prospective basis. For any tax periods ending prior to July 1, 2025, a partial exemption shall apply as set forth in West Virginia Code § 8-13-5. The person shall file a business and occupation tax return for such gross income or gross proceeds even if such revenue is exempt.

(c) An organization is "charitable" for purposes of subdivision (4) of subsection (a) of this section if it satisfies both of the following criteria: (1) it is exempt from Federal Tax, under 26 U.S.C. § 501(c)(3), and (2) its purposes include relief of poverty, advancement of education, advancement of religion, promotion of health, governmental or municipal purposes, or other purposes that are beneficial to the community.

Councilmember Jenkins added that the bill will modify City Code to match changes in the State Code to phase out the B&O tax for the sale of automobiles. It also acknowledges that less than \$2,500 in revenue would not be subject to the B&O tax. She added that the Administration spoke out against changing the B&O tax for automobile purchases. The bill is necessary to comply with State Code.

Councilmember Solomon spoke against the bill.

Councilmember Faegre stated that the City would be losing about \$3,000 annually regarding the \$2,500 rule.

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, Gardner, Gianola, Haas, Hoover, Jenkins, Jones, Kerns, King, Moore, Overstreet, Pepper, Pharr, Robinson, Salango, Steelhammer, Taylor, Mayor Goodwin

NAYS: Solomon

ABSENT: Rubio, Snodgrass

With members present recorded thereon as voting in the majority as affirmative, Mayor Goodwin declared Bill No. 8058 as adopted.

REPORTS OF OFFICERS

1. City Treasurer’s Report to City Council Month Ending August 2025.
2. Municipal Court Report to City Council Month Ending August 2025.
3. City Center Business Improvement District FY 2024 Annual Report.

NEW BILLS

Introduced by Councilmember Beth Kerns

October 6, 2025:

Bill No. 8063 – A Bill amending the Zoning Ordinance by rezoning to a C-8 Village Commercial District the parcel of land identified as 1319 Bigley Avenue.

Refer to Planning, Streets and Traffic Committee

Introduced by Councilmember Chuck Overstreet

October 6, 2025:

Bill No. 8064 – A Bill to establish a 20 MPH Speed Limit on Garvin Avenue from Washington Street West to Gilbert Drive and amending the Traffic Control Map and Traffic Control File.

Refer to Planning, Streets and Traffic Committee

MISCELLANEOUS/UNFINISHED BUSINESS

None

REMARKS BY MEMBERS

1. Mayor Goodwin thanked City employees and Councilmembers for participating in Charleston Walks. The Charleston Land Reuse Agency will be having a public input session.
2. Councilmember Pepper thanked the Administration and Parking Director Terri Allen for coordinating with the International Film Festival, which will be in November from 13th – 16th.
3. Councilmember Ferrell thanked the Charleston Fire Department and Public Works for their professionalism in helping him with the passing of his cousin. He added that his cousin's house was broken into after he passed.
4. Councilmember Pharr honored the memory of Kitty Dooley.

ADJOURNMENT

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

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

NAYS:

ABSENT: Rubio, Snodgrass

At 8:04 p.m., by a motion from Councilmember Ceperley, Council adjourned until Monday, October 20, 2025, 7:00 p.m., in Council Chambers at City Hall.

Amy Shuler Goodwin, Honorable Mayor

Miles C. Cary II, City Clerk