



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

CITY OF CHARLESTON, WEST VIRGINIA

Regular Meeting – Monday, August 3, 2026

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 August on the 3rd day, in the year 2026, and was called to order by the Honorable Mayor, Amy Shuler Goodwin. The invocation was delivered by Councilmember Overstreet, and the Pledge of Allegiance was led by Councilmember Jones. City Clerk, Miles C. Cary II, called the roll of members and it was found that there were present at the time:

**ANNIE
CEPERLEY**

FERRELL

HAAS

JONES

MOORE

PHARR

SALANGO

STEELHAMMER

GARDNER

HOOVER

KERNS

OVERSTREET

ROBINSON

SNODGRASS

TAYLOR

BURTON

FAEGRE

JENKINS

KING

PEPPER

RUBIO

SOLOMON

MAYOR GOODWIN

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

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

PUBLIC SPEAKERS

Hash Khadim – Spoke about flock cameras.

Jutin Knapp – Spoke about South Hills youth football and cheer.

CLAIMS

None

PROCLAMATIONS

CITY OF CHARLESTON
Executive Office of the Mayor

*Certificate of
Recognition*

presented on the 3rd day of August 2026, to

**GEORGE WASHINGTON
HIGH SCHOOL BASEBALL**

In recognition of the team's historic first West Virginia Class AAAA State Championship, a milestone achievement in the school's 60+ year history; and

In acknowledgement of the leadership of Coach Mike Davis and his coaching staff, together with the dedication and perseverance of every student-athlete, in achieving an unforgettable season; and

In celebration of a team whose perseverance, leadership, and commitment to one another inspired our community and established a lasting legacy for future Patriot baseball players.



IN WITNESS WHEREOF, I have set my hand and caused the Seal of the Executive Department to be affixed this 3rd day of August 2026.

A handwritten signature in blue ink, appearing to read "Amy Shuler Goodwin".

Amy Shuler Goodwin, Mayor of Charleston

COMMUNICATIONS

Amy Shuler Goodwin
Office of the Mayor
City of Charleston



P.O. Box 2749
Charleston, WV 25330
(304) 348-8174 Office

**TO: MILES CARY
CITY CLERK**

**FROM: AMY SHULER GOODWIN
MAYOR**

RE: GREEN TEAM

DATE: AUGUST 3, 2026

A handwritten signature in blue ink, appearing to be "ASG", is written over the "FROM" line of the memo.

I recommend the following individual be reappointed to the Green Team:

Mark Ferrell – Mr. Ferrell is filling a vacant seat

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

ASG/mls

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

REPORTS OF COMMITTEES

COMMITTEE ON ENVIRONMENT AND RECYCLING

Councilmember Burton, Chair of the Council Committee on Environment and Recycling, submitted the following reports:

1. Your committee on Environment and Recycling has had under consideration the following bill, and reports the same to Council with the recommendation that Bill No. 8084 do pass.

Bill No. 8084 Committee Substitute – A BILL to establish a Restricted Use Area in the West Side area of Charleston for the purpose of prohibiting the use or extraction of groundwater within the Restricted Use Area for any purpose, except for groundwater monitoring and/or remediation.

WHEREAS, a parcel of land located at 508 Roane Street (the “Site”) has been the subject of environmental response project and risk-based remediation by United Dairy Inc, entitled with the State of West Virginia Department of Environmental Protection (“DEP”) as Former Valley Bell Dairy, WV ID No. 2002595, LUST Leak No. 89-160, UECA No. 18014, and resulting from the operation of the manufacturing plant on the Site; and

WHEREAS, the environmental response project has indicated that contaminants of concern from underground storage tanks formerly located on the Site are impacting ground water adjacent to the Site and within the public right of way; and

WHEREAS, United Dairy, in cooperation with the DEP, has notified the City of the groundwater impacts, and has requested that the City take protective action to restrict the exposure to the contaminants of concern in the groundwater; and

WHEREAS, the City of Charleston has the duty and authority under W. Va. State Code § 8-12-5(22) to provide for the elimination of hazards to public health and safety;

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

THAT there is hereby established within the City of Charleston a Restricted Use Area in which the use or extraction of groundwater for any purpose, except for groundwater monitoring and/or remediation, is prohibited. The Restricted Use Area is shown on the attached Exhibit A, is generally defined as a portion of the public right of way adjacent to Parcel 188 on Map Number 22, in Tax District 12 and on file in the Kanawha County Assessor’s Office (the “Property”). The physical address for the United Dairy parcels is 508 Roane Street.

The groundwater restriction will be placed from monitoring wells MW-A1-4 and MW-A1-3 spanning the

width of Roane Street to include the eastern right of way adjacent to the subject priority. This restriction is due to concentrations of benzene and naphthalene above the WVDEP Groundwater De Minimis Standards in well MW-A1-1 located between MW-A1-3 and MW-A1-4.

This prohibition applies to any use or extraction of groundwater for any purpose, except for groundwater monitoring and/or remediation and any activity that may interfere with the groundwater monitoring well network.

Nothing contained in this ordinance shall prohibit the extraction of ground water from installation, modification, operation, repair or removal of monitoring and/or remediation wells when operated with the authorization of or at the direction of state or federal environmental officials or agencies.

Nothing contained in this ordinance shall prevent any construction activity within the Restricted Use Area which is not for the purpose of extracting ground water and does not contemplate the disruption of ground water during construction. Additionally, nothing in this ordinance shall prohibit any construction activity within the Restricted Use Area which is not for the purpose of extracting ground water but that may result in incidental disturbance of ground water, provided all state laws and regulations applicable to construction under such conditions, including, but not limited to, all laws and regulations enforced and promulgated by the DEP, are verifiably met. If incidental disturbance of ground water occurs, the contractor shall provide notice of the disturbance to the Department of Environmental Protection, and reference Former Valley Bell Dairy, WV ID No. 2002595, LUST Leak No. 89-160, UECA No. 18014.

Upon passage, the Clerk shall submit a certified copy of this ordinance to the Kanawha Charleston Health Department for their use when evaluating applications for ground water drilling within the City of Charleston.

Upon passage, a copy of this Ordinance shall also be provided to the City of Charleston Building Department, the City of Charleston Planning and Zoning Department, and the City of Charleston Engineering Department, and shall be kept on file in the City Clerk's Office.

Councilmember Burton added WV State Code requires that the City establish restricted use areas to be notified of potential hazards in ground water. The bill is consistent with other similar bills previously passed.

Councilmember Faegre added that there is no health threat to the public at large.

Councilmember Burton moved to approve the resolution. Councilmember Ceperley seconded the motion.

A roll call was taken:

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

NAYS:

ABSTAIN:

ABSENT: Burka, Cook, Gianola

With members present recorded thereon as voting unanimously in the affirmative, Mayor Goodwin declared Bill No. 8084 Committee Substitute as passed.

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. 8083 do pass.

Bill No. 8083 - A BILL to amend and reenact Section 10-7 of the Municipal Code of the City of Charleston, as amended, relating to the responsibility of animal owners to remove animal excrement left by their animal from public and other property, and the penalties and fines therefore.

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

That Article I of Chapter 10, specifically, Section 10-7 of the Municipal Code of the City of Charleston, as amended, is hereby amended and reenacted to read as follows:

Sec. 10-7. - Animal owner responsibility for removal of animal excrement; fines.

(a) Duty to remove excrement. It shall be unlawful for any person to appear with an animal upon the public right-of-way, within public places or upon the property of another, absent that person's consent, without some means for removal of excrement that may be deposited by the animal.

(b) Immediate removal required. It shall be unlawful for any person who is an owner, keeper, or possessor of an animal, or who has an animal in his or her care, to fail to promptly remove and properly dispose of any fecal excrement deposited by the animal upon any public or private property, other than the property of the ~~owner of the animal~~'s owner.

~~(c) The provisions of this section shall not apply to persons who have a physical disability or visual impairment, are using service dogs, and can provide upon demand by an humane officer or police officer adequate documentation that the service dog is an animal trained by an accredited institution which trains dogs for service work for the physically disabled or visually impaired.~~

~~(d)~~ Penalty. Violation of this section shall be punished as follows, and the municipal court judge shall have no authority to suspend the fine or any portion thereof:

(1) First offense: by a for a first offense, a fine of not less than \$10.00~~50.00~~, nor more than ~~\$25.00~~100.00, plus applicable court costs. ~~The municipal court Judge shall have no authority to suspend the fine or any portion thereof.~~

(2) Second offense within 12 months: for a second offense within 12 months of a conviction for a prior first offense, a fine of not less than \$100.00 nor more than \$150.00, plus applicable court costs.

(3) Third and subsequent offenses within 12 months: for any third or subsequent offenses within a 12-month period of a conviction for a prior second or subsequent offense, a fine of not less than \$250.00, plus applicable court costs; in addition, the municipal court judge may order not less than 4 hours of community service related to neighborhood or park clean-up in the City of Charleston.

Councilmember Robinson added that bill updates the fines and removes some exemptions.

Councilmember Gardner added that the bill is an important step to protect the investment that the City has made in public spaces.

Councilmember Steelhammer asked why the exemptions for service animals were removed. Councilmember Annie replied that it allowed for uniformity and was advised by the City Attorney. City Attorney Joseph Baldwin added that it would not be an ADA issue.

Councilmember Jones added that the bill seemed virtually impossible to enforce.

Councilmember Snodgrass spoke against the bill.

Councilmember Jenkins stated that he did not like the fines listed in the bill as they are out of line with the general fines listed in City Code.

Councilmember Pharr agreed with Councilmember Steelhammer and was unsure how to make rules uniform when instances might be out of some people's control.

Councilmember Solomon stated that according to lines 34-35, the Judge loses discretion. He asked if enforcement was feasible. Councilmember Annie replied that the bill is the biggest hurdle to enforcement. The bill is a tool to keep the City clean.

Councilmember Taylor spoke in favor of the bill.

Councilmember Faegre was concerned that the bill stated that the Judge would have no authority to suspend the fine... She stated that the bill still needed work. Councilmember motioned to Table Bill No. 8083. Councilmember Faegre with the motion.

Councilmember Faegre motioned to refer Bill No. 8083 back to the Ordinance and Rules Committee. Councilmember Snodgrass seconded the motion.

Councilmember Annie spoke against the motion to Refer.

Councilmember Steelhammer spoke against the motion to Refer.

Councilmember Pepper spoke against the motion to Refer.

Councilmember Pharr spoke against the motion to Refer.

Councilmember Faegre withdrew the motion to Refer.

Councilmember Steelhammer motioned to amend Bill No. 8083 by:

On page 1, lines 30-31 by striking “and the Municipal Court Judge shall have no authority to suspend the fine or any portion thereof.”

Councilmember Annie second the motion.

Councilmember Steelhammer added that the amendment would allow the Judge to make judgment calls.

Councilmember Jenkins spoke against the amendment.

Councilmember Annie asked the City Attorney for clarification as to the discretion of the Judge. City Attorney Joseph Baldwin replied that ultimately the Judge does not have to impose a fine.

A roll call was taken:

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

NAYS: Jenkins, Snodgrass

ABSTAIN:

ABSENT: Burka, Cook, Gianola

With members present recorded thereon as voting in the majority in the affirmative, Mayor Goodwin declared the Steelhammer Amendment to Bill No. 8034 as passed.

Councilmember Jenkins motioned to Amend Bill No. 8034 as Amended by:

On Page 1, Section 10-7(c)(1), Line 33 by deleting the addition of “50.00” and rejecting the deletion of “10.00.” And on Page 1 Section 10-7(c)(deleted), Lines 24-28 by rejecting the deletion of subsection (c) and renumbering the section.

Councilmember Pharr seconded the motion.

Councilmember Jenkins added that the amendment would make the minimum fine \$10.00 and that the bill be correctly numbered as such.

Councilmember Pharr confirmed that the Steelhammer Amendment would not be changed.

Councilmember Robinson spoke against the Amendment.

A roll call was taken:

YEAS: Jenkins, Snodgrass

NAYS: Annie, Burton, Ceperley, Faegre, Ferrell, Gardner, Haas, Hoover, Jones, Kerns, King, Moore, Overstreet, Pepper, Pharr, Robinson, Rubio, Salango, Solomon, Steelhammer, Taylor, Mayor Goodwin

ABSTAIN:

ABSENT: Burka, Cook, Gianola

With members present recorded thereon as voting in the majority in the negative, Mayor Goodwin declared the Jenkins Amendment to Bill No. 8083 as Amended as not passed.

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

A roll call was taken:

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

NAYS:

ABSTAIN:

ABSENT: Burka, Cook, Gianola

With members present recorded thereon as voting in the majority in the affirmative, with twenty-two (22) Yeas and two (2) Nays, Mayor Goodwin declared Bill No. 8083 as Amended as passed.

COMMITTEE ON PUBLIC SAFETY

Councilmember Taylor, Chair of the Council Committee on Public Safety, submitted the following reports:

1. Your committee on Public Safety has had under consideration the following bill, and reports the same to Council with the recommendation that Bill No. 8077 do pass.

Bill No. 8077 - A BILL to amend and reenact Section 10-5 of the Municipal Code of the City of Charleston, as amended, relating to procedures applicable to caring for and/or impounding animals subject to poisoning or animal cruelty, and the penalties and fines therefore.

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

That Article I of Chapter 10, specifically, Section 10-5 of the Municipal Code of the City of Charleston, as amended, is hereby amended and reenacted to read as follows:

Sec. 10-5. - Procedures, penalties, ~~and fines,~~ and provisions for forfeiture for violations of sections 10-2, 10-3 and 10-4.

(a) Any police officer or humane officer may take into custody any animal, upon either private or public property, which clearly shows evidence of cruelty to animals as set forth in sections 10-2, 10-3 or 10-4. Such officer may:

(1) Inspect, care for, or treat such animal or place such animal in the care of the humane association or licensed veterinarian for treatment, boarding or other care; or

(2) Designate such animal for humane destruction if an officer of the humane association or licensed veterinarian determines that the animal appears to be diseased or disabled beyond recovery for any useful purpose.

(b) The owner or keeper of an animal that is destroyed pursuant to subsection (a) herein shall not be entitled to recover damages for the destruction of such animal unless the owner or keeper proves by clear and convincing evidence that such destruction was unreasonable and unwarranted.

(c) In addition to the fines and/or imprisonment imposed by this section, any defendant convicted of a violation of sections 10-2, 10-3 or 10-4 shall pay to the municipal court, consistent with section 10-163, a penalty of all reasonable expenses incurred for the care, provisions, treatment, and boarding by the owner or keeper or for the care, provision, treatment, and boarding of any animal taken into custody pursuant to subsection (a) herein. Upon payment of such penalty, the municipal court shall remit such payment to the owner or keeper who has incurred such expenses, or humane association, or other animal care provider.

(d) If a person is charged with a violation of section 10-2, 10-3, or 10-4, and that person (the defendant) is the owner or keeper of the animal at issue, then the following shall apply:

(1) If the animal at issue has been taken into custody pursuant to this section, the receipt of a citation or complaint and summons specifying the charges shall be deemed to be notice of the seizure of the animal, and if the defendant shall willfully and without just cause fail to appear or otherwise respond in the municipal court as and when it may be required of him or her by proper notice to do so, Defendant shall have seven days from the date of the failure to appear to turn himself or herself in to the court for further proceedings; however, if defendant fails to do so within that period, the defendant shall be deemed to have forfeited all interest in the animal and it shall be deemed abandoned, and all interest in such animal shall immediately, by operation of law, vest to the humane association or other appropriate animal care provider for adoption or other disposition, Provided That, nothing herein shall prohibit or otherwise interfere with any other laws, rules, or procedures available to the municipal court to address the defendant's failure to appear; or

(2) If ~~a person~~the defendant has not otherwise already forfeited all interest in the animal at issue by operation of law as set forth in subsection (1) herein for failure to appear, and the defendant is adjudicated guilty of a violation of sections ~~10-2~~, 10-3, or 10-4, the municipal court judge may in his ~~or her~~ discretion order that ~~such person~~the defendant shall be deemed to have forfeited all interest in the animal at issue in the violation and may vest all interest to the humane association ~~or other appropriate animal care provider~~ for adoption or other disposition, and, if the animal at issue has not already been taken into custody pursuant to this section, the municipal court judge shall order the defendant to immediately turn over such animal to any police officer or humane officer of the City who shall place the animal with the humane association or other animal care provider as directed by the judge in his or her order; or

(3) If the ~~person~~defendant has not otherwise already forfeited all interest in the animal at issue by operation of law as set forth in subsection (1) herein for failure to appear, and the defendant is adjudicated not guilty of a violation of sections ~~10-2~~, 10-3, or 10-4, or the charge(s) ~~are~~ otherwise ~~be~~ dismissed, ~~or the municipal court judge did not order the defendant's interest in the animal forfeited pursuant to subsection (c)(2) above,~~ and the animal at issue has been taken into custody pursuant to this section, then the defendant shall have ~~ten-five~~ days from the date of the entry of the finding of not guilty or of dismissal to appear and claim said animal. The defendant shall be responsible for all reasonable expenses incurred for the care, ~~provision~~, treatment, and boarding from the date of the entry of the disposition of the case until redemption of the animal; provided that if the animal is not claimed within ~~ten-five~~ days from the date of entry of the finding of not guilty or of dismissal, then the owner shall be deemed to have forfeited all interest in the ~~dog animal~~, the ~~doganimal~~ shall be deemed abandoned, and all interest in the animal shall vest to the humane association ~~or other animal care provider~~ for adoption or other disposition.

(4) If the charges were pending in the municipal court prior to the date of the enactment of this amended section, defendant has failed to appear for any required proceeding, and the animal at issue has been taken into custody pursuant to this section, then the court is hereby directed to send the defendant a new notice of hearing by regular mail to the defendant's address on file with the court setting the case for a hearing before the Court, and, if the defendant shall willfully and without just cause fail to appear or otherwise respond in the municipal court as and when it is required of him or her by the notice hearing

to do so, Defendant shall have seven days from the date of the failure to appear to turn himself or herself in to the court for further proceedings; however, if defendant fails to do so within that period, the defendant shall be deemed to have forfeited all interest in the animal and it shall be deemed abandoned, and all interest in such animal shall immediately, by operation of law, vest to the humane association or other appropriate animal care provider for adoption or other disposition

(e) If a person other than the owner or keeper of an animal is charged with a violation of section 10-2, 10-3, or 10-4, or if, due to inability to immediately identify the culpable party responsible for the cruelty, no charges are brought, and the animal at issue is taken into custody by a police officer or humane officer pursuant to subsection (a) of this section, then:

(1) if the identity of the owner or keeper of the animal is known, it shall be the duty of the police officer or humane office to provide written notice of the seizure to the owner or keeper of the animal, that the animal has been seized, and of the following requirements which are a condition for the owner or keeper to retrieve the animal:

(A) He or she is liable for and must pay all reasonable expenses incurred for the care, provision, treatment, and boarding of the animal during any period it remains in the possession of the humane officer consistent with section 163 of this Chapter; [provided that, the owner or keeper may be entitled to restitution under subsection \(c\) above;](#)

(B) He or she must appear and claim the animal and pay the reasonable expenses incurred within five days from the date the notice is received, or, upon expiration of the five-day time period, the owner or keeper shall be deemed to have forfeited all interest in the animal and it shall be deemed abandoned and all interest in such animal shall immediately, by operation of law, vest to the humane association or other animal care provider for adoption or other disposition; or

(2) if the identity of the owner or keeper of the animal is not known, the owner of the animal so impounded pursuant to the provisions of this article must appear and claim the said animal within five days from the date the animal is impounded. The owner shall be responsible for all reasonable expenses incurred for the care, provision, treatment, and boarding from the date of the impoundment until redemption of the animal; [provided that if the animal is not claimed within five days from the date of impoundment, then the owner, if any, shall be deemed to have forfeited all interest in the animal, the animal shall be deemed abandoned, and all interest in the animal shall immediately, by operation of law, vest to the humane association or other animal care provider for adoption or other disposition.](#)

(ef) Subject to the exceptions contained in subsections (1) and (2) herein, a person convicted of a violation of sections 10-2, 10-3 or 10-4 shall be punished by a fine of not ~~less~~ [more](#) than ~~\$500.00~~ [\\$1,000.00](#) for each separate violation arising under sections 10-2, 10-3 or 10-4. For violations of subsection 10-3(a)(1), and in addition to the fines set forth herein, the municipal court judge may, in his discretion, order that the defendant be sentenced to a jail term of not more than 30 days for each separate violation arising under subsection 10-3(a)(1).

(1) Except for violation of subsections 10-3(a)(1)a.—c., in the case of a first offense of sections 10-3 or 10-4, if the defendant enters a plea of guilty or no contest and voluntarily forfeits his right to own any animal

within the city limits for one year, the municipal court judge may, in his discretion, reduce or suspend the fine: provided that if the defendant violates the terms of the plea regarding forfeiture, then the full amount of the fine shall be reinstated upon proper findings and conclusions of the court.

(2) Except for violation of subsections 10-3(a)(1)a.—c., the municipal court judge shall have the authority, on one occasion only per defendant, to withhold for a reasonable time not to exceed 180 days the entry of a judgment of conviction for violations under sections 10-3 or 10-4 so that the defendant may attend an animal training program established or certified by the humane association. If the defendant attends said course, the municipal court judge, if satisfied with the defendant's participation in and proof of payment for the course, shall, without entering a judgment of conviction, dismiss the proceeding against the defendant. It shall be a condition of this alternative disposition that the defendant pay the regular court costs required for misdemeanor offenses by this code where a person is convicted of such a misdemeanor offense. Any such court costs collected by the municipal court shall be allocated and transmitted by the municipal court as required by law.

Councilmember Steelhammer added that the bill was requested by a Humane Officer. It greatly decreases the time an animal is in limbo at the shelter.

Councilmember Ferrell confirmed that the bill would apply to cats.

Councilmember Taylor moved to approve the bill. Councilmember Steelhammer seconded the motion.

A roll call was taken:

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

NAYS:

ABSTAIN:

ABSENT: Burka, Cook, Gianola

With members present recorded thereon as voting unanimously in the affirmative, Mayor Goodwin declared Bill No. 8077 Committee Substitute as passed.

2. Your committee on Public Safety has had under consideration the following bill, and reports the same to Council with the recommendation that Bill No. 8078 2nd Committee Substitute do pass.

Bill No. 8078 2nd Committee Substitute - A BILL to amend and reenact Section 10-162 of the Municipal Code of the City of Charleston, as amended, relating to the prohibition against aggressive dogs at large, to add a charge for subsequent offenses, and the penalties and fines therefore, and to set procedures to automatically trigger the Dangerous Dogs provisions set forth in Sections 10-114, 115, 116, 117, and 118.

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

That Article I of Chapter 10, specifically, Section 10-162 of the Municipal Code of the City of Charleston, as amended, is hereby amended and reenacted to read as follows:

Sec. 10-162. - Aggressive dogs prohibited to run at large; fines.

(a) It shall be unlawful for any person to own or keep an aggressive dog which is at any time running at large in the city. Knowledge or acquiescence by the owner or keeper is not an element of the offense. An aggressive dog at large means any dog running at large as defined in section 10-161 that, without provocation, exhibits aggressive or combative behavior toward a person or another domestic animal or feral cat, and said person or domestic animal or feral cat is either physically attacked or bitten, or the person or domestic animal's owner or keeper reasonably believes an attack or bite is imminent.

(b) Any person found guilty of an aggressive dog at large shall be punished by a fine as follows: not more than ~~\$50.00~~\$150.00 for the first offense within a 24-month period; and not less than \$50.00 nor more than \$1,000.00 for any second or subsequent offense within a 24-month period of a conviction for a prior offense. The municipal court judge shall have authority to suspend or reduce the fine if the defendant agrees to forfeit ownership of the dog. In such cases all interest ~~of in~~ the animal shall vest to the human association for appropriate disposition. All fines arising from convictions for violations of this section shall be in addition to any applicable court costs or impoundment fees.

(c) If a person is adjudicated guilty of a second or subsequent offense pursuant to this section, and the second or subsequent offense involves the same dog involved in any prior offense pursuant to this section, then the Municipal Court Judge shall, *sua sponte*, make a determination pursuant to the standards set forth in sections 10-114 and 10-115 of this Article whether the dog in question in the instant case should be declared a dangerous dog. In making the determination, the judge may rely upon all credible information available to the court from its record of any prior offenses and the evidence before the court in the instant case. In addition, the judge may, in his or her discretion, receive additional evidence relevant to the determination, and, if the judge deems it necessary, schedule a future hearing or other proceedings as may be required to make the determination.

(d) If at any time while charges are pending adjudication under this section against the owner or keeper of a dog there is probable cause that the dog is guilty of an additional charge of running at large pursuant

to the provision of this section or section 10-161, then the following shall apply:

(1) the dog shall be seized and impounded at the humane association by a humane officer or police officer and held until the underlying charge and any additional charges for the dog being at large under section 10-161 or this section are fully adjudicated or otherwise dismissed, Provided That upon proper notice of the seizure of the animal, if the defendant shall willfully and without just cause fail to appear or otherwise respond in the municipal court as and when it may be required of him or her by proper notice to do so, Defendant shall have seven days from the date of the failure to appear to turn himself or herself in to the court for further proceedings; however, if defendant fails to do so within that period, the defendant shall be deemed to have forfeited all interest in the animal and it shall be deemed abandoned, and all interest in such animal shall immediately, by operation of law, vest to the humane association or other appropriate animal care provider for adoption or other disposition, and further Provided That, nothing herein shall prohibit or otherwise interfere with any other laws, rules, or procedures available to the municipal court to address the defendant's failure to appear; and

(2) if the defendant has not otherwise already forfeited all interest in the dog at issue by operation of law as set forth in subsection (1) herein for failure to appear, upon the full adjudication of any such charges, or if the charges are otherwise dismissed, then, except as provided in this Article for a dog being held pending a determination of Dangerous Dog pursuant to sections 10-115, the owner shall have five days from the date of adjudication or dismissal to appear and claim said dog in accordance with the conditions set forth in section 10-163. The owner shall be responsible for all reasonable expenses incurred for the care, provision, treatment, and boarding from the date of impoundment until redemption of the dog; provided that if the animal is not claimed within five days from the date of full adjudication or of dismissal, then the owner shall be deemed to have forfeited all interest in the dog, the dog shall be deemed abandoned, and all interest in the animal shall vest to the humane association or other animal care provider for adoption or other disposition.

Councilmember Steelhammer added that the bill concerns dogs that are considered a threat to humans, pets or other animals. It refers to dogs that have been charged for a second or more offense. It increases the penalty and allows for such dogs to be impounded if found loose.

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

A roll call was taken:

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

NAYS:

ABSTAIN:

ABSENT: Burka, Cook, Gianola

With members present recorded thereon as voting unanimously in the affirmative, Mayor Goodwin declared Bill No. 8078 2nd Committee Substitute as passed.

COMMITTEE ON FINANCE

Councilmember Jenkins, Chair of the Council Committee on Finance, submitted the following reports:

1. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 26-092 be adopted.

Resolution No. 26-092 - Authorizing the Mayor or City Manager to purchase forty-four (44) SCBA safety cylinder and valve assemblies from Atlantic Emergency Solutions at \$1,298.00 per unit, with a total amount of \$57,112.00, to replace expired SCBA cylinders, where the price was determined pursuant to a competitively sourced HGAC contract.

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

That the Mayor or City Manager is authorized to purchase forty-four (44) SCBA safety cylinder and valve assemblies from Atlantic Emergency Solutions at \$1,298.00 per unit, with a total amount of \$57,112.00, to replace expired SCBA cylinders, where the price was determined pursuant to a competitively sourced HGAC contract.

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. 26-092 adopted.

2. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 26-093 be adopted.

Resolution No. 26-093 - Authorizing the Mayor or City Manager to enter into a Memorandum of Understanding (“MOU”) with West Virginia Division of Highways (“DOH”) for paving of Route 13/10 (Oakwood Road). Pursuant to the MOU, the City and DOH will share equally in the total cost of the paving project. The MOU is attached hereto as Exhibit A.

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 MOU with DOH for paving route 13/10 (Oakwood Road). Pursuant to the MOU, the City and DOH will share equally in the total cost of the paving project. The MOU is attached hereto as Exhibit A.

Councilmember Jenkins added that the cost of the project will be split evenly between the City and the West Virginia Division of Highways.

Councilmember Gardner spoke in favor of the resolution.

Councilmember Faegre confirmed that parts of Oakwood Road are State-owned.

Councilmember Pharr spoke in favor of the resolution.

Councilmember

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

A roll call was taken:

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

NAYS: King, Snodgrass

ABSTAIN:

ABSENT: Burka, Cook, Gianola

With members present recorded thereon as voting in the majority in the affirmative, Mayor Goodwin declared Resolution No. 26-093 as adopted.

3. Your committee on Finance has had under consideration the following resolution, and reports the same to Council with the recommendation that Resolution No. 26-094 be adopted.

Resolution No. 26-094 - 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 \$88,608.74 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 \$88,608.74 pursuant to a competitively sourced contract.

Councilmember Jenkins added that the CPD has been using the software for over a decade.

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. 26-094 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. 26-095 be adopted.

Resolution No. 26-095 - Authorizing the Mayor or City Manager to purchase a new Pierce Enforcer 107 ladder truck for the Charleston Fire Department from Atlantic Emergency Solutions in the amount of \$1,744,618, where the price was determined and confirmed pursuant to a competitively sourced HGAC 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 Pierce Enforcer 107 ladder truck for the Charleston Fire Department from Atlantic Emergency Solutions in the amount of \$1,744,618, where the price was determined and confirmed pursuant to a competitively sourced HGAC contract.

Councilmember Jenkins added that the purchase is to replace an older truck, which will then become a spare.

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. 26-095 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. 26-096 be adopted.

Resolution No. 26-096 - Authorizing approval of Amendment No. 1 of the FY 2026-2027 Coal Severance 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. 1 of the FY 2026-2027 Coal Severance Budget as indicated on the attached list of accounts.

Councilmember Jenkins that the amendment is to reflect the actual balance of the budget as of the start of the fiscal year on July 1, 2026.

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

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. 26-096 adopted.

Coal Severance Fund FY 2026-2027 Budget Amendment No. 1 - August 3, 2026

Revenues and Fund Balances

Account No.	Department	Account Description	Current Amount	Increase/ (Decrease)	Amended Amount
2002 00 00000 000 000 329800	Fund Balance	Assigned Fund Balance	30,000	15,079	45,079
2002 00 00000 000 000 431000	Revenue	Coal Severance Tax	140,000	(15,079)	124,921
Net Increase/(Decrease) to Revenues				-	

Expenditures

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

Description:

To correct the beginning balance and adjust revenue estimate for FY 2027 Coal Severance Tax.

REPORTS OF OFFICERS

1. Memo from the City Manager regarding Resolution No. 978-24 – MDENT Vehicle Purchase Authority
2. Planning Department Annual Report 2026

NEW BILLS

Introduced by Councilmembers Mary Beth Hoover and Pat Jones

August 3, 2026:

Bill No. 8085 – A Bill rezoning to a C-10 General Commercial District the parcels of land identified as 1708, 1710, and 1712 5th Avenue, West Charleston.

Refer to Municipal Planning Commission and Planning, Streets and Traffic Committee, Please

Introduced by Councilmember Mary Beth Hoover

August 3, 2026:

Bill No. 8087 – A BILL to amend the Municipal Code of the City of Charleston, relating to updating stormwater ordinances regarding erosion and sediment control to comply with the City's Stormwater Management Plan.

Refer to Planning, Streets and Traffic Committee, Please

MISCELLANEOUS/UNFINISHED BUSINESS

None

REMARKS BY MEMBERS

1. Mayor Goodwin stated that twelve new officers were recently sworn in. She shared a success story of the CARE Team.
2. Councilmember Moore stated that it isn't right that Little League Teams have no places to play.
3. Councilmember Snodgrass requested that Council receive a public report of \$5 million associated with the Sports Complex. She asked the Planning Department to provide a list of vacant structures and speak to the registry. She requested that the bills currently referred to Committees move forward.
4. Councilmember Annie thanked Public Grounds Director Brent Webster and City workers for dealing with an issue in his Ward after hours.
5. Councilmember Pharr spoke about the Kids Bash event and MultiFest. Councilmember Pharr appreciated that Councilmembers were allowed to discuss items in Council and in Committees freely and without time limits.
6. Councilmember Robinson stated that he is open to discussing bills in Committee.
7. Councilmember Jones thanked Joseph Baldwin, Matt Sutton, Trevor Dysart, the CARE TEAM and Mayor Goodwin for helping with an issue in his Ward.

ADJOURNMENT

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

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

NAYS:

ABSTAIN:

ABSENT: Burka, Cook, Gianola

At 8:50 p.m., by a motion from Councilmember Ceperley, Council adjourned until Monday, August 17, 2026, 7:00 p.m., in Council Chambers at City Hall.

Amy Shuler Goodwin, Honorable Mayor

Miles C. Cary II, City Clerk