

Minutes of City Council
March 15, 2022
Regular Session

The Council of the City of Lewisburg met in regular session on Tuesday, March 15, 2022 at 7:00 p.m. in the Paul R Cooley Council Chambers at 942 Washington St West, Lewisburg, WV also available VIA a Zoom Teleconference call because of the Covid-19 Pandemic.

PRESENT: Mayor Beverly White, City Manager Misty Hill, City Clerk Shannon Beatty; Councilmembers, Sarah Elkins Franklin Johnson, John Little, Valerie Pritt & Arron Seams. Police Lt. Jonathan Hughes, Director of Public Works Tony Legg, Fire Chief Joey Thomas, Treasurer Susan Honaker and Zoning Officer Marsha Cunningham.

ABSENT: Police Chief Chris Teubert

VISITORS: Reporter; Sarah Richardson with the Mountain Messenger, Chuck & Debbie Smith, Debbie Echols, J.R. Dixon, Belinda Smith, Katie and Reagan Hughes, John Stump with Steptoe and Johnson, Roger Kennedy with Chapman Technical (via Zoom).

INVOCATION AND PLEDGE OF ALLEGIANCE:

Mayor White presented the invocation and Council member Pritt led the Pledge of Allegiance.

CALL TO ORDER:

Mayor White called the meeting to order at 7:00 p.m.

VISITORS REPORT:

No visitors reports were given.

COMMUNICATIONS FROM THE MAYOR:

Police Department promotion of Lieutenant Jonathan Hughes

Lewisburg Police Department Lieutenant Jonathan Hughes was promoted to Deputy Chief of Police. His wife Katie Hughes had the honor of pinning his new badge.

WV Living Magazine Awards

Mayor White announced that Lewisburg had won the category of “Best Downtown” and “Best Inclusive Community” in the 2021 Best of West Virginia contest.

APPROVAL OF MINUTES:

February 15, 2022

Councilmember Seams made a motion to approve the February 15, 2022 City Council minutes as amended. Councilmember Johnson seconded the motion. With all in favor the motion carried.

ORDINANCES:

Ordinance 300, Codified Ordinances Update, 2nd Reading and public hearing

City Clerk Shannon Beatty read the title of the following ordinance:

“AN ORDINANCE OF THE COUNCIL OF THE CITY OF LEWISBURG APPROVING AND ADOPTING THE 2021 REPLACEMENT PAGES TO THE CODIFIED ORDINANCES OF THE CITY OF LEWISBURG.”

Mayor White opened the public hearing at 7:05 p.m. Hearing no comments from the public she closed the public hearing at 7:05 p.m.

Councilmember Seams made a motion to approve Ordinance 300 as presented. Councilmember Johnson seconded the motion. With all in favor the motion carried.

*Ordinance 301, Home Rule amendment for municipal sales & use tax
first reading*

City Clerk Shannon Beatty read the title of the following ordinance:

“AN ORDINANCE AUTHORIZING THE CITY OF LEWISBURG TO SUBMIT AN AMENDED WRITTEN PLAN TO THE MUNICIPAL HOME RULE BOARD REQUESTING APPROVAL FOR THE CITY OF LEWISBURG TO ADOPT A MUNICIPAL SALES AND SERVICE TAX AND A MUNICIPAL USE TAX PURSUANT TO W. VA. CODE § 8-1-5a”

Councilmember Pritt made a motion to approved Ordinance 301 as presented. Councilmember Seams seconded the motion. With all in favor the motion carried.

Ordinance 302, Authorization of Public Works Building, first reading

City Clerk Shannon Beatty read the title of the following ordinance:

“AN ORDINANCE AUTHORIZING AND APPROVING THE CONVEYANCE OF REAL PROPERTY, FIXTURES AND PERSONAL PROPERTY AND APPURTENANCES TO THE CITY OF LEWISBURG BUILDING COMMISSION, WEST VIRGINIA, FOR THE PURPOSE OF FACILITATING THE DESIGN, ACQUISITION, CONSTRUCTION AND EQUIPPING OF A PUBLIC WORKS BUILDING BY THE CITY OF LEWISBURG ON BEHALF OF THE CITY OF LEWISBURG BUILDING COMMISSION; THE LEASING OF SUCH REAL PROPERTY AND ALL PROJECT IMPROVEMENTS AND APPURTENANCES THERETO BY THE CITY OF LEWISBURG FROM THE CITY OF LEWISBURG BUILDING COMMISSION; THE SALE AND ISSUANCE BY THE CITY OF LEWISBURG

BUILDING COMMISSION OF ITS NOT TO EXCEED \$5,000,000 PRINCIPAL AMOUNT OF LEASE REVENUE BONDS, IN ONE OR MORE SERIES; AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT AND LEASE AND OTHER INSTRUMENTS AND AUTHORIZING AND APPROVING OF THE DOCUMENTS AND MATTERS RELATING TO THE TERMS AND SECURITY OF SUCH BONDS; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH”

Councilmember Seams made a motion to approve Ordinance 302 Councilmember Johnson seconded the motion. With all in favor the motion carried.

Councilmember Seams made a motion to amend his motion to make corrections in the title of the ordinance removing language stating the land is situated in the city limits. Councilmember Pritt seconded the motion. With all in favor the motion carried.

RESOLUTIONS:

Resolution 490 Feamster Street sidewalk grant

City Clerk Shannon Beatty read the following resolution for passage:

“WHEREAS, the City of Lewisburg has applied to the West Virginia Department of Transportation for a grant in the amount of six hundred forty five thousand three hundred thirty three dollars and seventy four cents (\$645,330.74) for the Lewisburg Feamster Road Sidewalk project; and

WHEREAS, the West Virginia Department of Transportation has approved the \$645,330.74 grant contingent upon the City of Lewisburg agreeing to provide 20% matching funds and executing the agreement attached hereto and made part of this resolution; and

WHEREAS, the 20% match by the City of Lewisburg is \$129,066.15; and

WHEREAS, Lewisburg City Council is of the opinion that it is in the best interest of the citizens of the community for the project to be undertaken and the agreement to be executed; and

NOW THEREFORE, BE IT RESOLVED by the City of Lewisburg this 15th day of March, 2022 that Beverly White, Mayor is authorized to execute the agreement hereto attached.”

Councilmember Seams made a motion to approve Resolution 490. Councilmember Elkins seconded the motion. With all in favor the motion carried.

Resolution 491, Reimbursement resolution for Public Works building

John Stump stated this resolution was approved by the Building Commission prior to the City Council meeting on March 15, 2022.

COMMUNICATIONS FROM THE CITY MANAGER:

City Manager Misty Hill reported on the following items of interest:

Steptoe and Johnson bond counsel for water bond

After a question from Council member Pritt, Bond Counsel John Stump indicated the water bond issuance topic needed to be submitted to City Council as an ordinance. He stated he would have the water bond issuance ordinance presented at the April City Council meeting.

Sidewalk Project US 219 North Phase II and Phase III pay application

Roger Kennedy with Chapman Technical stated the vast majority of the work completed has been inspected and approved by the WVDOH. He stated there were 16 issues mostly dealing with ADA compliance that needed to be repaired. He stated he felt confident the City could work with the contractor Mountaineer Contractors to get the repairs completed. He advised keeping a retainage of (\$79,162.65) 10% with the cost of repairs at \$81,300.00 until all the work was completed and paying the contractor \$167,128.40 at this time.

Councilmember Little made a motion to pay Mountaineer Contractors \$167,128.40 for their work on the Route 219 North sidewalk project pending approval of an acceptable starting date (for repairs) and an agreement with a retainage of \$79,162.65 until the repair work is satisfactorily completed.. Councilmember Seams seconded the motion. With all in favor the motion carried.

Clifton Presbyterian Church, City of Lewisburg (Maxwelton) water tower

City Manager Misty Hill stated in order to finish the water plant project the City is required to own all of the property the water towers are located on. She stated Clifton Presbyterian Church is donating the land to the City with the stipulation that if the City no longer needs the land it will go back to the Church.

Councilmember Johnson made a motion the transfer of land from the trustees of the Clifton Presbyterian Church to the City with the stipulation that if the City no longer needs the land it will go back to the Church.. Councilmember Seams seconded the motion. With all in favor the motion carried.

Greenbrier Historical Society assumption of lease for Courtney Street Building

City Manager Misty Hill stated the Greenbrier Historical Society were requesting to assume the lease of the City owned “pink library” building on Courtney Drive from the New River Technical and Community College beginning on July 15, 2022.

Councilmember Seams made a motion to approve the assumption of the lease of the “pink library” building on Courtney Drive from the New River Technical and Community College by

the Greenbrier Historical Society for a term to end on February 28, 2030. Councilmember Pritt seconded the motion. With all in favor the motion carried.

COMMUNICATIONS FROM CITY COUNCIL MEMBERS:

Councilmember Little stated he was grateful for the dog waste receptacle stations the Public Works Department tended in the City.

COMMUNICATIONS FROM BOARDS AND COMMISSIONS:

Planning Commission Report

Zoning Officer Marsha Cunningham reported on the events of the February 2, 2022 Planning Commission meeting:

- During the working session the Planning Commission reviewed the future land use map and held a discussion about “roadside vendors”
- During the regular session a sketch plan was approved for 3453 Jefferson Street for Seneca Trail Animal Hospital. The Final plat will be considered at the April Planning Commission meeting.

Parks Commission Report

Parks Chair Sarah Elkins reported on the following events of the March 1, 2022 Parks Commission meeting:

- An update was given by Brandon Johnson on the Pickle ball Court at Hollowell Park. He announced the courts should be open for use by the end of May. Parks Commission members chose the colors of blue and grey with a green border for the courts.
- Ballfield use and maintenance was discussed for Dorie Miller and Hollowell Park.

COMMUNICATIONS FROM THE POLICE DEPARTMENT:

Mayor White stated that a copy of Chief Teubert’s report had been included in the information packet and asked if City Councilmembers had any questions for Lt. Hughes.

COMMUNICATIONS FROM THE FIRE DEPARTMENT:

Mayor White stated that a copy of Chief Thomas’s report had been included in the information packet and asked if City Councilmembers had any questions for the Chief.

COMMUNICATIONS FROM COUNCIL COMMITTEES:

Finance Committee Report

Councilmember Seams reported on the following events of the March Finance Committee meeting:

- The Finance Committee recommended approval of new Police Department hires certified officer Joshua Stevens with a salary amount of \$39,656 and Jonathan Cosby, uncertified officer with a salary amount of \$38,456 upon completion of his evaluations.

Councilmember Seams made a motion to hire certified officer Joshua Stevens with a salary amount of \$39,656 and Jonathon Cosby, uncertified officer with a salary amount of \$38,456 upon completion of his evaluations. Councilmember Elkins seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval of an Arts and Humanities grant request in the amount of \$5,622.77 from the Lewisburg Foundation and Lewisburg in Bloom Committee for landscaping in the Confederate Cemetery.

Councilmember Seams made a motion to approve an Arts and Humanities grant request in the amount of \$5,622.77 from the Lewisburg Foundation and Lewisburg in Bloom Committee for landscaping at the Confederate Cemetery. Councilmember Johnson seconded the motion.

Mayor White stated “that although we all have our feelings about it being a confederate cemetery, it brings people here for our motels, hotels and our restaurants. It is one of the most visited sites by visitors in Lewisburg. Its beautification is a reflection on the City and that’s one reason the new landscaping layout is wanted.”

With all in favor the motion carried.

- The Finance Committee recommended approval of a contract with the Mills Group, LLC for a Branding project in an amount not to exceed \$6,500.

Councilmember Seams made a motion to approve a contract with the Mills Group, LLC for a Branding project in an amount not to exceed \$6,500. Councilmember Pritt seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval of the purchase of 1.75 acres adjacent to the water plant from Arthur Honaker, Jr. in the amount of \$27,500.

City Manager Hill noted this purchase was the recommendation of Greg Belcher with Chapman Technical Group and City Attorney Tom White. Hill stated the City already has several water easements located on the property. City Councilmember Seams stated purchasing this property creates a buffer between City property and adjacent land protecting the City’s assets. Councilmember Little stated he was against purchasing land the City did not need.

Councilmember Seams made a motion to purchase of 1.75 acres adjacent to the water plant from Arthur Honaker, Jr. in the amount of \$27,500. Councilmember Pritt seconded the motion. With five (5) in favor and one against (Little) the motion carried.

- The Finance Committee recommended approval of a .50 cents an hour raise for Joseph Jones for the new Motor Vehicle certification he earned. This will allow him to perform inspections of City vehicles.

Councilmember Seams made a motion to approval of a .50 cents an hour raise for Joseph Jones for the new Motor Vehicle certification, allowing him to perform inspections of City vehicles. With the salary rate increase to take effect immediately. Councilmember Little seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval of the General Fund Budget for Fiscal Year 2023.

Councilmember Seams made a motion to approve the General Fund Budget for Fiscal Year 2023. Councilmember Elkins seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval of the Coal Severance Budget for Fiscal Year 2023 indicating the funds would be used in the Parks Department.

Councilmember Seams made a motion to approve Coal Severance Budget for Fiscal Year 2023 indicating the funds would be used in the Parks Department. Councilmember Johnson seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval of the promotion and salary increase of Lt. Jonathan Hughes to Deputy Chief with a salary increase of \$4,519.20.

Councilmember Seams made a motion to approve the promotion and salary increase of Lt. Jonathan Hughes to Deputy Chief with a salary increase of \$4,519.20. Councilmember Johnson seconded the motion. With all in favor the motion carried.

COMMUNICATIONS FROM THE PUBLIC WORKS DEPARTMENT:

Mayor White stated that a copy of the Public Work's Director Legg's report had been included in the information packet and asked if City Councilmembers had any questions for the Director.

ADJOURNMENT:

Councilmember Seams made a motion to adjourn the meeting at 8:32 p.m. Councilmember Pritt seconded the motion. With all in favor the motion carried.