

**Minutes of City Council
July 19, 2022
Regular Session**

The Council of the City of Lewisburg met in regular session on Tuesday, July 19, 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, Councilmembers, Sarah Elkins, John Little, Franklin Johnson, Valerie Pritt & Arron Seams; City Manager Misty Hill, City Clerk Shannon Beatty, Treasurer Susan Honaker, Police Chief Chris Teubert, Deputy Chief Jonathon Hughes, Director of Public Works Tony Legg, Fire Chief Joey Thomas, Building Inspector Ray Still and Zoning Officer Marsha Cunningham.

ABSENT: Councilmember Seams

VISITORS: Reporter; Sarah Richardson with the Mountain Messenger, Carolyn Cleaton with the WV Daily News, Jill McIntyre, Matthew Koepke, and Randy Johnson, Lewisburg Water Plant Operator.

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 visitor report was given.

APPROVAL OF MINUTES:

June 21, 2022 Regular Session

Councilmember Elkins made a motion to approve the regular session June 21, 2022 City Council minutes. Councilmember Pritt seconded the motion. With five (5) in favor and one (1) absent (Seams) the motion carried.

ORDINANCES:

Ordinances 304, 2nd reading and public hearing, Building Codes Updates

City Clerk Beatty read the title of Ordinance 304 for second reading:

**“AN ORDINANCE AMENDING AND SUPPLEMENTING THAT
PORTION OF CHAPTER 17 OF THE CITY CODE TO PROVIDE FOR A
CERTAIN REVISION TO THE STATE BUILDING CODE**

PROMULGATED BY THE WEST VIRGINIA STATE FIRE COMMISSION AND ESTABLISHED BY LEGISLATIVE RULE, TITLE 87, SERIES 4, TO BE EFFECTIVE AUGUST 1, 2022”

Mayor White opened the floor for a public hearing at 7:02 p.m. Hearing no comments from the public she closed the public hearing.

Councilmember Pritt made a motion to approve Ordinance 304 for second reading as presented. Councilmember Johnson seconded the motion. With five (5) in favor and one (1) absent (Seams) the motion carried.

Ordinance 305, Amend Article 1375.09 of the Lewisburg City Code, 1st reading

City Clerk Shannon Beatty read the title of the following ordinance for first reading:

“AN ORDINANCE TO AMEND ARTICLE 1375.09 OF THE LEWISBURG CITY CODE.”

Councilmember Little made a motion to approve Ordinance 305 on first reading. Councilmember Pritt seconded the motion. With five (5) in favor and one (1) absent (Seams) the motion carried.

Ordinance 307, Home Rule Application 1% Sales Tax, 1st reading

City Clerk Shannon Beatty read the title of the following ordinance for first reading:

“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 Johnson made a motion to approve Ordinance 307 for first reading. Councilmember Little seconded the motion. With five (5) in favor and one (1) absent (Seams) the motion carried.

RESOLUTIONS:

Resolution 495, General Fund, Fiscal Year 2023, Revision #1

City Clerk Shannon Beatty read the following resolution for passage:

- **General Fund Budget Fiscal Year 2023 Revision Number One**

At a regular session of the municipal council held July 19, 2022, the following order was made and entered.

SUBJECT: The revision of the Levy Estimate (Budget) for the General Fund of the City of Lewisburg. The following resolution was offered:

RESOLVED: That subject to approval of the State Auditor as ex officio chief inspector of public office the municipal council does hereby direct the budget be revised PRIOR TO THE EXPENDITURE OR OBLIGATION OF FUNDS FOR WHICH NO APPROPRIATION OR INSUFFICIENT APPROPRIATION CURRENTLY EXISTS., as shown on **budget revision number one**, a copy of which is entered as part of this record.

The adoption of the foregoing resolution having been moved by Council member _____, and duly seconded by Council member _____ the vote thereon was as follows:

| | | | |
|-------|-----|----|----|
| _____ | Yes | or | No |
| _____ | Yes | or | No |
| _____ | Yes | or | No |
| _____ | Yes | or | No |
| _____ | Yes | or | No |

WHEREUPON, Mayor White, declared said resolution duly adopted, and it is therefore ADJUDGED and ORDERED that said resolution be, and the same, is hereby adopted as so stated above, and the Treasurer is authorized to fix her signature on the attached “Request for Revision to Approved Budget” to be sent to the State Auditor for approval.

Adopted this 19th day of July 2022.

Mayor Beverly White

**STATE OF WEST VIRGINIA
COUNTY OF GREENBRIER
MUNICIPALITY OF LEWISBURG, To-wit:**

I, Shannon Beatty, CMC, City Clerk of said municipality, do hereby certify that the foregoing is a true, correct, and complete copy of a Resolution adopted by the Council of the City of Lewisburg at a regular meeting held July 19, 2022, in accordance with law and that

Resolution had not been repealed, revoked, rescinded, or amended, but is in full force and effect on the date hereof.

Witness my hand and the Seal of the City of Lewisburg, West Virginia, on this 19th day of July 2022.

City Clerk Shannon Beatty, CMC

Councilmember Elkins made a motion to approve Resolution 495. Councilmember Johnson seconded the motion. With five (5) in favor and one (1) absent (Seams) the motion carried.

Resolution 496, Coal Severance Fund, Fiscal Year 2023, Revision #1

City Clerk Shannon Beatty read the following resolution for passage:

Coal Severance Fund Budget Fiscal Year 2023 Revision Number 1

At a regular session of the municipal council held July 19, 2022, the following order was made and entered.

SUBJECT: The revision of the Levy Estimate (Budget) for the Coal Severance Fund of the City of Lewisburg. The following resolution was offered:

RESOLVED: That subject to approval of the State Auditor as ex officio chief inspector of public office the municipal council does hereby direct the budget be revised PRIOR TO THE EXPENDITURE OR OBLIGATION OF FUNDS FOR WHICH NO APPROPRIATION OR INSUFFICIENT APPROPRIATION CURRENTLY EXISTS., as shown on budget revision **number one**, a copy of which is entered as part of this record.

The adoption of the foregoing resolution having been moved by Council member _____, and duly seconded by Council member _____ the vote thereon was as follows:

| | | | |
|-------|-----|----|----|
| _____ | Yes | or | No |
| _____ | Yes | or | No |
| _____ | Yes | or | No |
| _____ | Yes | or | No |
| _____ | Yes | or | No |

WHEREUPON, Mayor White, declared said resolution duly adopted, and it is therefore ADJUDGED and ORDERED that said resolution be, and the same, is hereby adopted as so stated above, and the Treasurer is authorized to fix her signature on the attached “Request for Revision to Approved Budget” to be sent to the State Auditor for approval.

Adopted this 19th day of July 2022

Mayor Beverly White

**STATE OF WEST VIRGINIA
COUNTY OF GREENBRIER
MUNICIPALITY OF LEWISBURG, To-wit:**

I, Shannon Beatty, CMC, City Clerk of said municipality, do hereby certify that the foregoing is a true, correct and complete copy of a Resolution adopted by the Council of the City of Lewisburg at a regular meeting held on July 19, 2022, in accordance with law and that Resolution had not been repealed, revoked, rescinded or amended, but is in full force and effect on the date hereof.

Witness my hand and the Seal of the City of Lewisburg, West Virginia, on this 19th day of July, 2022.

City Recorder Shannon Beatty, CMC

Councilmember Pritt made a motion to approve Resolution 496. Councilmember Johnson seconded the motion. With five (5) in favor and one (1) absent (Seams) the motion carried.

COMMUNICATIONS FROM THE MAYOR:

Source Water Protection plan update and public hearing

Mayor White called a public hearing to order concerning The City’s updated source water protection plan at 7:08 p.m. Hearing no comments from the public she closed the hearing. Mayor White noted a copy of the plan was available in the City Clerk’s office at City Hall for review by the public.

COMMUNICATIONS FROM THE CITY MANAGER:

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

- The employee handbook has been updated and review by City Administration and the City Attorney. Many of the changes were made to separate the roles of City Manager and Mayor into separate positions. The number of hours was increased from 80 to 120 than employees can carry over annual leave. A social media policy was added. City Manager Hill stated the employee handbook is a tool that the administration uses on a daily basis

and in the hiring process. She noted the handbook will be printed and distributed in August.

Councilmember Elkins made a motion to approve the employee handbook update as presented. Councilmember Johnson seconded the motion. With five (5) in favor and one (1) absent (Seams) the motion carried.

- City Manager Hill remarked that the City met with John Harper from the PSC regarding Crowfield Circle water leak complaint issued by Harvey Neel. The PSC has not rendered a finding and no leak has been located.

Councilmember Johnson made a motion to enter into executive session to discuss an employee contract at 7:17 p.m. Councilmember Pritt seconded the motion. With five (5) in favor and one (1) absent (Seams) the motion carried.

Councilmember Elkins made a motion to reconvene into regular session at 7:34 p.m. Councilmember Little seconded the motion. With five (5) in favor and one (1) absent (Seams) the motion carried.

Mayor White noted that no decisions were made while in executive session.

Councilmember Little made a motion to enter into a contract with an employee for \$16,324.82. Councilmember Elkins seconded the motion. With five (5) in favor and one (1) absent (Seams) the motion carried.

- City Manager Hill stated full time City employees can now have a family gym membership at Greenbrier Valley Fitness for the same price of \$15 which had been only a single membership. The City will pay the difference of the membership cost at \$70 for family and \$15 for a single employee.

Councilmember Little made a motion to approve family gym memberships for full time City employees at a cost of \$70 for the City and \$15 for the employee with Greenbrier Valley Fitness. Councilmember Pritt seconded the motion. With five (5) in favor and one (1) absent (Seams) the motion carried.

COMMUNICATIONS FROM CITY COUNCIL MEMBERS:

Councilmember Elkins stated that Councilmember Little's son was competing in Colorado in a national mountain bike competition.

- City Clerk Beatty stated the International judges from Communities in Bloom had visited and judged in Lewisburg July 12-14, 2022. She stated that while the judges were in Lewisburg, we learned that Lewisburg was the only city in the United States to be invited to participate in the Communities in Bloom International competition. Beatty thanked all of the Lewisburg in Bloom Volunteers and the Public Works crews for helping get ready for the judges visit. City Manager Hill stated the competition did not just look at

beautification. They also looked at environmental efforts, historic preservation, landscaping and other areas. Beatty stated the symposium would be held in October. Results would be announced at the symposium. She noted Lewisburg is competing against other small cities such as Glaslough Tidy Towns, County Monaghan, Ireland, Comune di Ingria, Turin, Italy, Municipality of Velika Polana, Pomurje, Slovenia, City of Dauphin, Manitoba, Canada and the Town of Sussex, New Brunswick, Canada.

COMMUNICATIONS FROM BOARDS AND COMMISSIONS:

Planning Commission Report

Councilmember Little reported on the following events of the working and regular session on July 7, 2022 Planning Commission meeting:

- The Planning Commission held a discussion about amending the conditional use permit process to include the requirement of certified return receipts for adjoining property owners. The Planning Commission recommends passage of a conditional use permit ordinance as presented.
- A WVU Law educational seminar training seminar with Christy DeMuth will be held for all Board of Zoning Appeals members and Planning Commission members to review the process of variances.
- The City is waiting on Jesse from WVU Law to make the updates to the City's Zoning Ordinances.

Parks Commission Report

Parks Commission Chair Sarah Elkins reported on the following events of the July 5, 2022 Parks Commission meeting:

- Reports on Parks project updates were given. Defective lights at the softball field have been removed at Dorie Miller and will be replaced soon.
- The new Pickleball Courts at Hollowell Park are now open. Equipment can be rented at City Hall.
- The City is awaiting a response from a grant that was applied from the Greenbrier County Arts and Recreation funding for the Little League Baseball Field.
- Some Public Works crews were helping get ready for the International Judges visit from Communities in Bloom.
- Lewisburg resident Brandon Johnson has expressed interest in helping to fundraise for new playground equipment at 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 Chief Teubert.

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

City Manager Misty Hill reported on the following items of interest from the July 12, 2022 Finance Committee meeting:

- The Finance Committee recommended approval of a Master Contract with Chapman Technical Group, LTD.

Councilmember Pritt made a motion to approve a master contract with Chapman Technical Group, LTD. Councilmember Johnson seconded the motion. With five (5) in favor and one (1) absent (Seams) the motion carried.

- The Finance Committee recommended approval of Task Order #1 to Master Contract for general storm water issues with Chapman Technical Group, LTD.

Councilmember Johnson made a motion to approve Task Order #1 to Master Contract for general storm water issues with Chapman Technical Group, LTD. Councilmember Elkins seconded the motion. With five (5) in favor and one (1) absent (Seams) the motion carried.

- The Finance Committee recommended approval of Task Order #2 to Master Contract for Storm Water Comprehensive study related to grant funding with Chapman Technical Group, LTD.

Councilmember Johnson made a motion to approve Task Order #2 to Master Contract for Storm Water Comprehensive study related to grant funding with Chapman Technical Group, LTD. Councilmember Elkins seconded the motion. With five (5) in favor and one (1) absent (Seams) the motion carried.

- The Finance Committee recommended approval of an Arts & Humanities funding request from the WV Jazz Orchestra in the amount of \$700 for a Labor Day celebration to be held in the Green Space on Saturday, September 2, 2022 from 5:00 p.m. to 7:00 p.m.

Councilmember Elkins made a motion to approve an Arts & Humanities funding request from the WV Jazz Orchestra in the amount of \$700 for a Labor Day celebration to be held in the Green Space on Saturday, September 2, 2022 from 5:00 p.m. to 7:00 p.m. Councilmember Pritt seconded the motion. With five (5) in favor and one (1) absent (Seams) the motion carried.

- The Finance Committee recommended approval of bid from Greenbrier Excavating & Paving, Inc. in the amount of \$38,100 for a sediment pond cleaning contract contingent upon completion of the job.

Councilmember Johnson made a motion to approve a bid from Greenbrier Excavating & Paving, Inc. in the amount of \$38,100 for a sediment pond cleaning contract contingent upon completion of the job. Councilmember Pritt seconded the motion. With five (5) in favor and one (1) absent (Seams) the motion carried.

- The Finance Committee recommended approval of a promotion of Jamison Sizemore to crew leader with a related wage increase of 40 cents an hour to \$14 an hour.

Councilmember Elkins made a motion to approve the promotion of Jamison Sizemore to crew leader with a related wage increase of 40 cents an hour to \$14 an hour. Councilmember Johnson seconded the motion. With five (5) in favor and one (1) absent (Seams) the motion carried.

- The Finance Committee recommended approval to accept the bid from Citgo Water for the JD Loudermilk Extension in an amount not to exceed \$17,877.55 and not to exceed \$100,599.97 from Core & Main for the Old Powell Road to Houfnagle Road mainline extension.

Councilmember Pritt made a motion to approve the bid from Citgo Water for the JD Loudermilk Extension in an amount not to exceed \$17,877.55 and not to exceed \$100,599.97 from Core & Main for the Old Powell Road to Houfnagle Road mainline extension. Councilmember Elkins seconded the motion. With five (5) in favor and one (1) absent (Seams) the motion carried.

- The Finance Committee recommended approval to increase the maximum vacation time accrual for full time employees from 80 hours per year to 120 hours per year.

Councilmember Johnson made a motion to increase the maximum vacation time accrual for full time employees from 80 hours per year to 120 hours per year. Councilmember Little seconded the motion. With five (5) in favor and one (1) absent (Seams) the motion carried.

- The Finance Committee recommended approval to hold an employee appreciation picnic/mental health day on Friday, August 26, 2022 at an amount not to exceed \$25 per employee.

Councilmember Pritt made a motion to hold an employee appreciation picnic/mental health day on Friday, August 26, 2022 at an amount not to exceed \$25 per employee. Councilmember

Elkins seconded the motion. With five (5) in favor and one (1) absent (Seams) 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 Johnson made a motion to adjourn the meeting at 8:10 p.m. Councilmember Little seconded the motion. With five (5) in favor and one (1) absent (Seams) the motion carried.