

Minutes of City Council
September 18, 2018
Regular Session

The Council of the City of Lewisburg met in regular session on Tuesday, September 18, 2018 at 7:30 p.m. in the Paul R. Cooley Council Chambers at 942 Washington St. West, Lewisburg, WV.

PRESENT: Mayor John Manchester; Recorder Shannon Patrick-Beatty; Council members, Heather Blake, Mark Etten, Joseph Lutz, Beverly White; Director of Public Works Roger Pence, Police Chief Tim Stover, Treasurer Susan Honaker, Fire Chief Joseph Thomas, and Zoning Officer Charles Smith.

ABSENT: Councilmember Arron Seams

VISITORS: Reporters Peggy Mackenzie with the Mountain Messenger; Robert Bordelon with the West Virginia Daily News and Tina Alvey with the Beckley Register Herald; Ed and Donna Johns; Jacy Faulkner, Marietta Lyall, Carl Perrin, Aaron & Monica Maxwell, Heather Rose and Tim Stranko.

CALL TO ORDER

Mayor Manchester called the meeting to order at 7:30 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

Recorder Beatty gave the invocation and Councilmember White led the Pledge of Allegiance.

VISITORS REPORTS:

No Visitors reports were given.

APPROVAL OF MINUTES:

August 21, 2018

Councilmember Lutz made a motion to approve the August 21, 2018 minutes as corrected. Councilmember White seconded the motion. With three (3) in favor and one (1) absent (Seams) and one (1) abstention (Blake) the motion carried.

COMMUNICATIONS FROM THE MAYOR:

Murals in Lewisburg

Local artist Heather Rose and Aaron Maxwell, co-owner of Harmony Ridge Gallery, made a proposal for public art to be displayed on downtown buildings to beautify, enhance and enrich Lewisburg with an artistic layer for the enjoyment of residents and tourists alike. The brief proposal included glossy before and after photographs of city structures with colorful, generic mural images superimposed to indicate what Rose and Maxwell have in mind.

Mayor Manchester reported that the public arts proposal was first presented to the Lewisburg Historic Landmarks Commission whose members expressed intrigue for the idea, but who said guidelines would be needed to ensure that the historic district's integrity and identity was not compromised. Manchester said the city needs to go in on a project such as this with eyes open and to be clear about what the long term impacts may bring. Manchester stated he was going to ask the Lewisburg In Bloom Coordinator, Shannon Beatty and the City Administrator in Training Jacy Faulkner to do some research and come up with some guidelines for public art and murals.

ORDINANCES:

Ordinance 276, City Charter update and amendments, 2nd reading and public hearing

Recorder Beatty read the title of Ordinance 276 for second reading:

“AN ORDINANCE TO AMEND THE HISTORIC CITY CHARTER OF THE CITY OF LEWISBURG AS FOLLOWS:”

Mayor Manchester said the process of the proposed amendments began in October of 2015 when an ethics complaint was filed against him, questioning whether it was proper for Manchester to serve the city as both mayor and city administrator. That complaint was dismissed by the state Ethics Commission in May of 2016, but the Commission also directed the city to better define its form of government. He noted the city contracted with Morgantown Attorney Tim Stranko to help the city update its city charter. That working process continued through months of special council meetings until June 12, 2018 when city council reviewed the final draft of charter amendments and then passed the first reading of the ordinance to amend the charter on August 21.

Stranko presented a slide presentation of the key provisions of the Charter amendments. Stranko stated he has worked for 30 years with local governments across West Virginia, bringing his personal filter to the process of finding the best features of city law and local government together using models from all over the state. He stated, “This has been my calling.” Referring to Lewisburg's charter amendments, he said, “I believe we have a strong document.”

Caldwell resident Carl Perrin asked what made up a qualified objection to the charter amendments. Stranko answered that a qualified objection is a timely made written complaint by a “qualified voter or freeholder of the city” within ten days of the public hearing.

Mayor John Manchester said the public still has a chance to address the charter update when a second ordinance to adopt the enacted charter update is voted on by the city council in a two-step

approval process beginning with the October council meeting. The City Charter Update can be found at lewisburg-wv.com.

Mayor John Manchester called a public hearing regarding Ordinance 276 to order at 8:17 p.m. Hearing no comments from the public He closed the public hearing at 8:18 p.m.

Councilmember White made a motion to approve Ordinance 276 on second reading as presented by Attorney Stranko. Councilmember Lutz seconded the motion. With four (4) in favor and one (1) absent (Seams) the motion carried.

Ordinance 277, Quorum for the Board of Zoning Appeals

Mayor Manchester stated this ordinance was not ready for consideration.

Councilmember Etten made a motion to table Ordinance 277 until further notice. Councilmember Blake seconded the motion. With four (4) in favor and one (1) absent (Seams) the motion carried.

Resolution 463, Home Rule Support

Recorder Beatty read the following resolution for passage:

Councilmember Blake made a motion to approve Resolution 463 as presented. Councilmember Etten seconded the motion. With four (4) in favor and one (1) absent (Seams) the motion carried.

Resolution 464, Lease Purchase Agreement for Planning & Zoning Department vehicle

Recorder Beatty read the following resolution for passage:

Councilmember Etten made a motion to approve Resolution 464 for passage to purchase a 2019 Chevy Equinox at \$522.78 per month for four years. Councilmember White seconded the motion. With four (4) in favor and one (1) absent (Seams) the motion carried.

PROCLAMATIONS:

Assisted Living Week

Recorder Shannon Beatty read a portion of a proclamation announcing September 9-15 as Assisted Living Week in the City of Lewisburg.

COMMUNICATIONS FROM CITY COUNCIL MEMBERS:

Councilmember Blake encouraged citizens to sign up for the County emergency alert program in light of the recent Hurricane Florence and water emergency that occurred in Lewisburg. She asked to have the information printed on the city water bill so folks could easily see how to sign up.

Mayor Manchester thanked Director of Public Works Roger Pence and his crews for all of their hard work during the recent water plant emergency that occurred when a mylar balloon blocked a pipe and their preparation in advance of Hurricane Florence and the anticipated heavy rainfall.

Mayor Manchester announced the Center Greenspace would be temporarily closed while a sod replacement project was completed. He noted the Greenspace should be re-opened soon for public use.

COMMUNICATIONS FROM BOARDS AND COMMISSIONS:

Planning Commission Report

Zoning Officer Chuck Smith reported that because no applications had been received no meeting had been held. He stated that a meeting had been conducted via telephone with Christy DeMuth of WVU Law to review ongoing City Code updates.

Parks Commission Report

Parks Chairperson Beverly White reported on the following events of the August 28 Parks Commission meeting:

- Discussions are ongoing with Lee Street Studios adjacent to Hollowell Park to create a basketball court in part of the space currently being used as a skate park.
- Todd Wagner has resigned from the Parks Commission. White has a candidate in mind to replace Wagner and will report back soon.

COMMUNICATIONS FROM THE POLICE DEPARTMENT:

Chief Stover reported on the following items:

- The annual D.A.R.E to Cruz car show raised \$1,800 for the D.A.R.E Program.
- A retirement luncheon is being held on Friday, September 21, 2018 for Mike Arbaugh.

COMMUNICATIONS FROM THE FIRE DEPARTMENT:

Chief Thomas distributed and reviewed the monthly activity report for the Fire Department with 93 calls being completed.

COMMUNICATIONS FROM COUNCIL COMMITTEES:

Finance Committee Report

Finance Chair Mark Etten reported on the following events of the September 11, 2018 Finance Committee meeting:

- The Committee recommended approval of bid in the amount of \$66,900 for the Civil War Trail project with JDL Contracting, LLC.

Councilmember Etten made a motion to approve a bid of \$66,900 from JDL Contracting, LLC for the Civil War Trail project running from the Lewisburg Elementary School to the Greenbrier County Library. Councilmember White seconded the motion. With four (4) in favor and one (1) absent (Seams) the motion carried.

- The Finance Committee recommended approval of an Arts and Humanities grant request in the amount of \$10,000 from the Greenbrier Historical Society to fund a new HVAC system for the Barracks building located on Randolph Street.

Councilmember Etten made a motion to approve an Arts and Humanities grant request in the amount of \$10,000 from the Greenbrier Historical Society to fund a new HVAC system for the Barracks building located on Randolph Street. Councilmember Blake seconded the motion. With four (4) in favor and one (1) absent (Seams) the motion carried.

- The Finance Committee recommended approval of a bid for purchase of rifles for the Police Department.

Councilmember Etten made a motion to approve a bid from Daniels Defense in the amount of \$13,200 to purchase rifles. Councilmember Lutz seconded the motion. With four (4) in favor and one (1) absent (Seams) the motion carried.

- The Finance Committee recommended approval of a Merit/Cost of Living increase for city employees in the amount of 60 cents per hour.

Councilmember Etten made a motion to approve a Merit/Cost of Living increase for city employees in the amount of 60 cents per hour. Councilmember White seconded the motion. With four (4) in favor and one (1) absent (Seams) the motion carried.

- A cost of living/merit increase for the City Administrator will be evaluated after an annual review has been conducted by an Ad Hoc Committee consisting of Councilmember Lutz and Councilmember Blake. They will report back at the October Finance Committee meeting.

Public Works Committee Report

Director of Public Works Pence reported on the following events of the September 11, 2018 Public Works Committee meeting:

- Pence reported that the bulk of the time was spent discussing the water outage that occurred at the water plant because of a mylar balloon blocking an intake pipe.
- An unaccounted for water report was given. A 35.88% loss for August was noted.
- Updates were given about ongoing Public Works projects.

Public Safety Committee Report

Public Safety Chairman Lutz stated that no meeting had been held.

ADJOURNMENT:

Councilmember Lutz made a motion to adjourn the meeting at 9:09 p.m. Councilmember Etten seconded the motion. With four (4) in favor and one (1) absent (Seams) the motion carried.