

Minutes of City Council
September 15, 2020
Regular Session

The Council of the City of Lewisburg met in regular session on Tuesday, September 15, 2020 at 7:30 p.m. in the Paul R Cooley Council Chambers at 942 Washington St West, Lewisburg, WV.

PRESENT: Mayor Beverly White; Recorder Shannon Beatty; Council members, Heather Blake, Josh Edwards, Sarah Elkins, Mark Etten, and Arron Seams; Treasurer Susan Honaker; Interim City Manager Misty Hill; Fire Chief Joseph Thomas; Planning & Zoning Officer Marsha Cunningham and Police Chief Chris Teubert.

ABSENT: Director of Public Works Roger Pence

VISITORS: Reporter Tina Alvey with the Beckley Register Herald, Peggy McKenzie with the Mountain Messenger, Bill Frye with The WV Daily News; Zachary Yak with WOAY, Kara Dense and Valerie Pritt.

CALL TO ORDER:

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

VISITORS REPORT:

No reports were given.

APPROVAL OF MINUTES:

August 18, 2020

Councilmember Edwards made a motion to approve the August 18, 2020 regular session minutes as presented. Councilmember Seams seconded the motion. With all in favor the motion carried.

RESOLUTIONS:

Resolution 481, Fire House property purchase reimbursement procedure

Recorder Shannon Beatty read the following resolution for passage:

Resolution 481

RESOLUTION STATING THE REASONABLE EXPECTATION OF THE CITY OF LEWISBURG TO BE REIMBURSED FROM THE PROCEEDS OF LEASE REVENUE BONDS ISSUED BY THE CITY OF LEWISBURG BUILDING COMMISSION FOR CAPITAL EXPENDITURES IN CONNECTION WITH THE DESIGN, ACQUISITION, CONSTRUCTION AND EQUIPPING OF A NEW BUILDING TO HOUSE THE CITY OF LEWISBURG FIRE DEPARTMENT MADE PRIOR TO THE ISSUANCE OF TAX-EXEMPT LEASE REVENUE BONDS OR OTHER OBLIGATIONS BY THE BUILDING COMMISSION.

Councilmember Seams made a motion to approve Resolution 481. Councilmember Etten seconded the motion.

ORDINANCES:

Ordinance 285, City Charter Updates, 2nd Reading & public hearing

Recorder Shannon Beatty read the title of the following ordinance for passage on second reading:

“AN ORDINANCE TO AMEND THE HISTORIC CHARTER OF THE CITY OF LEWISBURG, AS AMENDED SEPTEMBER 18, 2018, AS FOLLOWS:”

Mayor White opened a public hearing at 7:38 p.m. for Ordinance 285. Hearing no comments from the public she closed the public hearing at 7:38 p.m.

Councilmember Seams made a motion to approve Ordinance 285. Councilmember Etten seconded the motion. With all in favor the motion carried.

*Ordinance 288, State Fire Marshall Title 87, Series 4,
State Building Code Updates, 2nd reading*

Recorder Shannon Beatty read the title of the following ordinance for passage on second reading:

“AN ORDINANCE TO AMEND THE PRESENT BUILDING CODE OF THE CITY OF LEWISBURG FOUND IN CHAPTER 17 OF THE CODIFIED ORDINANCES OF THE CITY OF LEWISBURG”

Mayor White opened a public hearing at 7:41 p.m. for Ordinance 288. Hearing no comments from the public she closed the public hearing at 7:41 p.m.

Councilmember Edwards made a motion to approve Ordinance 288 as presented. Councilmember Elkins seconded the motion. With all in favor the motion carried.

Ordinance 289, Mon Power franchise agreement, second reading

Recorder Beatty read the title of the following ordinance for passage on second reading:

“AN ORDINANCE GRANTING TO MONONGAHELA POWER COMPANY A FRANCHISE TO CONSTRUCT, OPERATE AND MAINTAIN AN ELECTRIC SYSTEM IN THE MUNICIPALITY.”

Mayor White opened a public hearing at 7:43 p.m. for Ordinance 289. Hearing no comments from the public she closed the public hearing at 7:43 p.m.

Councilmember Elkins made a motion to approved Ordinance 289 Councilmember member Edwards seconded the motion. With all in favor the motion carried.

COMMUNICATIONS FROM THE MAYOR:

Appointment of bond counsel with Steptoe & Johnson (John Stump) for Fire Station

Mayor White offered the name of John Stump from Steptoe & Johnson to act as bond counsel for the City in connection with the purchase of land and construction of the new fire station. She stated that Stump has acted in this capacity for the City in the past and has provided much needed advice and support over the years.

Councilmember Etten made a motion to appoint John Stump from Steptoe & Johnson as bond counsel for the City in connection with the purchase of land and construction of the new fire station. Councilmember Blake seconded the motion. With all in favor the motion carried.

COMMUNICATIONS FROM THE INTERIM CITY MANAGER:

Greenbrier County Convention & Visitor's Bureau annual report

Kara Dense, executive director of the Greenbrier County Convention & Visitor's Bureau presented an annual report to City Council. She stated that when the Covid-10 pandemic hit in March the CVB focused its marketing efforts more toward the local audience to help support local businesses. She said the CVB put together a four phase approach marketing plan. She indicated that after the Covid-19 pandemic hit they marketed to counties just outside of Greenbrier County. She stated they are now marketing to their normal base as things have opened more and more after the Covid-19 shutdown.

Audit Procurement

Treasurer Susan Honaker stated the Audit Committee (Mark Etten, Beverly White, Misty Hill, John Dietz and Susan Honaker) met after putting out a proposal to five firms to conduct an audit for the City for fiscal years 2017 through 2019. The committee only received one proposal from Ferrari & Associates, PLLC in the amount of \$23,400.

Councilmember Etten made a motion to secure Ferrari & Associates, PLLC as the accounting firm to conduct audits for fiscal years 2017 through 2019 pending approval by the WV State Auditor's office. Councilmember Seams seconded the motion. With all in favor the motion carried.

Cost of Living Increase for City Employees

Interim City Manager Misty Hill stated that an estimated .70 cents an hour raise was included in the fiscal year 2020 budget for a cost of living increase. She stated she had distributed a proposal for the Cost of Living (COLA) increase that included options for a .15, .35 and .70 cents an hour and one time pay out of \$500 increase for employees. Hill stated it was her preference to grant a .35 cents an hour Cost of Living increase because of the uncertainty associated with revenues

during this time of Covid-19. She stated that Council could revisit a COLA again in six months after reviewing revenues. Councilmember Etten stated he was inclined to grant a .35 cents an hour COLA even though .70 cents an hour was budgeted. He stated that from his perspective it seemed as though City revenues are flat at this time. Councilmember Elkins stated she agreed with Etten. Councilmember Edwards asked how the City revenues were doing during Covid-19. Hill answered that the Hotel/Motel and Video Lottery funds had been impacted the most. Honaker noted the City would have to carefully review any Arts and Humanities grant applications if received because revenues are down for the Hotel/Motel and Video Lottery funds. In regards to employee COLA raises, Edwards stated that the City is looking at spending half of the surplus it carried over from the last fiscal year. Honaker noted that City revenues have been flat for several years. Edwards stated the City does not yet know the full impact to the General Fund with revenues going down during the Covid-19 pandemic.

Councilmember Seams made a motion to grant a COLA increase (.35 an hour) to city employees beginning on October 1, 2020 which can be reviewed in 6 months to see if an additional COLA can be granted. Councilmember Blake seconded the motion. With all in favor the motion carried.

Public Works employees pay increase for certification earned

Hill stated that two Public Works employees had completed and obtained certification for the application of pesticides. She said that Director of Public Works Pence recommended granting them a 50 cent an hour raise. Councilmember Etten stated he would like to see a formal pay schedule that includes specific raises for certification be developed by the administration before granting any raises.

Councilmember Etten made a motion to table action on the Public Works employee raises for certifications earned until a formal pay schedule that includes specific raises for certification is developed. Councilmember Seams seconded the motion. With all in favor the motion carried.

Financial Statements for Fiscal Year 2020

Council reviewed the financial statements from fiscal year 2020.

Lafayette Street Storm Water Issue

Interim City Manager Misty Hill stated the City engineers are moving forward with pre-bids.

Fire Station #1, Barnette Property

Interim City Manager Misty Hill stated the topographical survey has been prepared. It did not show anything significant. Fire Chief Thomas stated a core drilling would be completed next. Councilmember Etten asked if anyone had reached out to Criss Haynes who is the chairperson of the Lewisburg Storm water Committee and a Civil Engineer. He noted that Haynes had prepared the storm water plans for this site when Barnette Development built the Theatre. Hill answered

no. Thomas stated the City had the engineer's drawings with the Storm water plan. Etten stated that answered his question.

Fire Department Physicals

Chief Thomas stated the Fire Department had a quote from North Greenville Fitness and Cardiac Rehabilitation Clinic, Inc in the amount of \$28,931 to conduct physicals for the Fire Department. He noted that the full amount had been included in the current budget.

Councilmember Etten made a motion to approve a contract with North Greenville Fitness and Cardiac Rehabilitation Clinic, Inc in the amount of \$28,931 to conduct physicals for the Fire Department. Councilmember Blake seconded the motion. With all in favor the motion carried.

Fire Department Personal Protection Equipment (PPE) Purchase

Fire Chief Thomas stated the Fire Department had submitted a AFG grant to help cover costs associated with Covid-19. He stated the Department had received \$5,500 for the cartridges associated with masks but did not receive and money for masks. He asking the City to fund the cost of the masks using funds the City received from the CARES act.

Councilmember Edwards made a motion to allocate \$10,740 to purchase Personal Protection Equipment (PPE) masks for the Fire Department. Councilmember Seams seconded the motion. With all in favor the motion carried.

Monthly Interim City Manager's Report

Interim City Manager Hill reported on the following items:

- Hill stated she felt the city should not participate in a program established by executive order of President Donald J. Trump to allow delaying collection of Social Security taxes (FICA) from employee wages in the fourth quarter of 2020. She stated those taxes would be recouped by doubling the FICA withholdings from worker paychecks in the first quarter of 2021. Hill said the federal government has offered no guidelines for the program, raising concerns about such issues as how the back payments would be handled if an employee were to quit work at the first of the year. Council member Edwards voiced his opposition to participating in the delayed collection.
- Mayor White had sent a handwritten letter to every property owner the City needed to acquire an easement from for the new water plant upgrade project. Hill noted the City has received several back.
- Interim City Manager Hill announced the City employee Gary Winebrimmer was going to retire on September 30 after 33 years of service with the City.
- A prebid meeting for the 219 North Sidewalk project was held on September 15, 2020.

- The inspection for the new roof at City Hall has been completed and approval is waiting by the City engineering firm and to be signed off on soon.
- Hill asked City Council how they felt about holding Halloween Trick or Treating this year during the Covid-19 pandemic. “It is an outdoor function,” Interim City Manager Misty Hill noted, asking Council to emphasize social distancing and other common-sense measures rather than prohibiting trick-or-treating. “Each parent needs to be responsible for their own child,” Mayor Beverly White said. “I don’t want to cancel Halloween for little kids.” White pointed out that for many years the rule in Lewisburg has been that children should only trick-or-treat at houses where porch lights are on. Council agreed that should continue this year. Mayor White said she had also reached out to officials in White Sulphur Springs and Ronceverte to gauge their feelings on the issue. She said White Sulphur City Council plans to meet Monday to discuss organizing a drive-through Halloween celebration as an alternative to door-to-door trick-or-treating. No one from Ronceverte had responded yet to her inquiry, she said. Councilmember Blake said she does not want to see the town host a central event, where people would be more “bunched up” and less likely to naturally fall into a socially distanced pattern. She stated it felt safer to be a more organic thing. She also expressed doubt that a ban issued by city council would actually stop trick-or-treating. Council member Elkins agreed, saying, “If we took a hard line, it’s going to bite us. Let it be what it ends up being. Elkins noted that Halloween was going to be on a Saturday this year. Mayor White stated the City would again put signs up on Court and Church Streets urging social distancing guidelines. Hill stated the City would put out information about social distancing during Halloween.

COMMUNICATIONS FROM CITY COUNCIL MEMBERS:

No Communications were given.

COMMUNICATIONS FROM BOARDS AND COMMISSIONS:

Planning Commission Report

Zoning Officer Marsha Cunningham reported on the following events of the September 3, Planning Commission meeting:

A Minor Subdivision request from DNA Holdings was approved by the Planning Commission. Planning and Zoning Officer Marsha Cunningham stated two parcels, both zoned I-one (Light Industrial), purchased by DNA Holdings, LLC from previous owner Reynolds Properties, with a plan to split off 2.15 acres from the smaller parcel and add it to the larger parcel, to total nearly 50 acres. Both parcels, which border Brush Road, still conform to I-one zoning after the split.

COMMUNICATIONS FROM THE POLICE DEPARTMENT:

Chief Teubert stated the Police Department answered 216 calls for service in August.

COMMUNICATIONS FROM THE FIRE DEPARTMENT:

Chief Thomas stated the Fire Department had answered 84 emergency calls in August.

ADJOURNMENT:

Councilmember Seams made a motion to adjourn the meeting at 9:08 p.m. Councilmember Edwards seconded the motion. With all in favor the motion carried.