

**Minutes of City Council
September 21, 2021
Regular Session**

The Council of the City of Lewisburg met in regular session on Tuesday, September 21, 2021 at 7:30 p.m. in the Paul R Cooley Council Chambers at 942 Washington St West, Lewisburg, WV and VIA a Zoom Teleconference call because of the Covid-19 Pandemic.

PRESENT: Mayor Beverly White, City Manager Misty Hill, City Clerk Shannon Beatty; Council members, Sarah Elkins, Franklin Johnson, John Little, Valerie Pritt & Arron Seams. Treasurer Susan Honaker, Director of Public Works Tony Legg, Police Chief Chris Teubert, Fire Chief Joseph Thomas (via Zoom), and Zoning Officer Marsha Cunningham.

VISITORS: Reporters; Sarah Richardson with the Mountain Messenger, Bobby Bordelon (via Zoom) with the West Virginia Daily News & Gailyn Markum (via Zoom) with Loot Press; Don Huber, Allan Bradley, Phil Reed, Greg Belcher (via Zoom), Josh Baldwin and Leslie McCarty.

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 7:30 p.m.

VISITORS REPORT:

No visitors reports were given.

APPROVAL OF MINUTES:

August 20, 2021

Councilmember Seams made a motion to approve the August 20, 2021 City Council minutes as presented. Councilmember Elkins seconded the motion. With all in favor the motion carried.

ORDINANCES:

Ordinance 295, Park Rental Fees, 2nd reading & public hearing

City Clerk Shannon Beatty read the following ordinance by title for second reading:

“AN ORDINANCE TO AMEND AND MODIFY SECTION 145.03 OF THE ADMINISTRATIVE CODE OF THE CODIFIED ORDINANCES OF THE CITY OF LEWISBURG, GREENBRIER COUNTY, WEST VIRGINIA, RELATING TO THE FEE SCHEDULE FOR THE USE OF THE CITY PARKS

Mayor White opened the public hearing for comment at 7:32 p.m. hearing no comments from the public she closed the hearing.

Councilmember Seams made a motion to approve Ordinance 295 on second reading. Councilmember Johnson seconded the motion. With all in favor the motion carried.

RESOLUTIONS:

City Clerk Beatty read the title of the following resolution for passage:

Lease purchase and equipping of five police vehicles – 2022 Ford Explorers

“RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A MASTER EQUIPMENT LEASE-PURCHASE AGREEMENT, AND RELATED INSTRUMENTS, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.”

Councilmember Pratt made a motion to approve Resolution 488. Councilmember Seams seconded the motion. With all in favor the motion carried.

PROCLAMATIONS:

Mayor Beverly White read a proclamation celebrating September 18, 2021 as Greenbrier Valley Shrine Day in Lewisburg.

COMMUNICATIONS FROM THE MAYOR:

Mayor White stated the City has given Carnegie Hall its full support with the decision to cancel the annual Taste of Our Town festival on October 9, 2021 because of the current surge of cases related to the Covid-19 pandemic.

She also announced that a memorial service was being held on Saturday, September 25, 2021 at 11 am for former City of Lewisburg First Lady Connie Manchester. Mrs. Manchester died at her home on Tuesday, June 29, 2021. She was the wife of former Mayor John Manchester.

COMMUNICATIONS FROM THE CITY MANAGER:

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

- City Manager Hill stated the electric power upgrade in Stratton Alley to bury the electric lines has begun. She noted that shortages in supplies because of the ongoing Covid-19 pandemic has created an increase in prices. She noted the project was approved approximately two years ago. Since it was approved the prices of materials has increased because of the Covid-19 pandemic. She stated it has taken coordination between the City, Mon Power and Sam Argabright, the contractor for Lance Syner, the neighboring

property owner to get the project started. She indicated the increase in cost would be \$16,425.

Councilmember Seams made a motion to pay W.V Electric & Construction, Inc. \$16,425 for the electrical upgrade in Stratton Alley. Councilmember Pritt seconded the motion. With all in favor the motion carried.

- City Manager Hill indicated the City needed to enter into a contract with Bobby Ford to provide “building inspection” services for the City while the current City Building Inspector is on medical leave.

Councilmember Seams made a motion to approve the \$20 per hour contract for building inspection services as presented. Councilmember Pritt seconded the motion. With all in favor the motion carried.

Councilmember Seams made a motion to approve the Stratton Alley electric upgrade project as presented. Councilmember Pritt seconded the motion. With all in favor the motion carried.

Update on filter media for the water plant

City Manager Hill stated that Greg Belcher with Chapman Technical Group was on via Zoom to give an update on the progress to replace the filter media of the filters at the water plant. She stated that Fee Corp was the contractor that was awarded the bid to complete the work. Greg Belcher noted the filter was scheduled to be replaced as long as it was not raining. He indicated it would be best to wait a week in between replacing each of the four filter media units that needed to be replaced to not overtax the system.

Belcher also stated that 80% of the water utility easements and the permit from Greenbrier County have been obtained and would allow the City to gain approval from USDA to go out to bid on the project to move the intake pumps above the landfill area on the river. He stated that it could be November or later until funds are released to the City from the Federal Government. He said the City would need to approve a series of resolutions as the project went on and hopes that construction will begin in the spring of 2022.

COMMUNICATIONS FROM CITY COUNCIL MEMBERS:

Councilmember Elkins stated she wanted to acknowledge Leslee McCarty as part of the audience. She noted that she imagined that Leslee had intended to arrive at the Council meeting early enough to sign up for the Visitor’s reports. Elkins said that McCarty was a member of the Greenbrier River Watershed Association and is “interested in all things water related to the City.” McCarty stated she is available to help with any watershed projects or trails etc. City Manager Hill stated that it is likely the City will be able to close on the land being purchased on Stonehouse Road within the next 30 days. She stated title work is being done to make sure everything is clear.

COMMUNICATIONS FROM BOARDS AND COMMISSIONS:

Planning Commission Report

Zoning Officer Marsha Cunningham reported on the following events of the September 2, 2021 Planning Commission meeting:

- The Planning Commission approved and recommends approval of a temporary conditional use permit for Civitas Hospitality Group DBA Briegarten, 121 Stratton Alley, Suite #9 to serve food & alcohol on the adjoining outdoor fenced-in patio with each event for its use to be considered and individually permitted or denied administratively until the January 2022 Planning Commission meeting. Zoning Officer Cunningham noted the applicant had satisfied the Planning Commission that the project would not 1. Endanger the public health or safety, 2. Injure the adjoining buildings or property, 3. Be out of harmony with the surrounding area or 4. Be out of conformity with the community plan.

Mayor White opened the floor for a public hearing concerning the request for a conditional use permit at 7:51 p.m. Hearing no comments from the public she closed the public hearing.

Councilmember Elkins made a motion to approve the conditional use permit for Civitas Hospitality Group DBA Briegarten, 121 Stratton Alley, Suite #9 to serve food & alcohol on the adjoining outdoor fenced-in patio with each event for its use to be considered and individually permitted or denied administratively until the January 2022 Planning Commission meeting. Councilmember Pritt seconded the motion. With five (5) in favor and one (1) abstention (Little) the motion carried.

- The Planning Commission recommended approval of a revised preliminary plat (which was originally approved in 2018) for Blackbird Village “The Gardens.”

Don Huber stated that when the project went to market with the 2018 approved preliminary plat they found out that FHA would not approve loans for condominiums which is why they are now offering townhomes. Councilmember Little stated the proposed lot sizes are smaller than permitted by the City, but that otherwise the revised preliminary plat is consistent with what had been previously approved.

City Manager Hill stated she had spoken with Don Huber about the projected date needed for water usage, citing the water plant’s capacity issues.

Councilmember Seams made a motion to approve the revised preliminary plat (which was originally approved in 2018) for Blackbird Village “The Gardens” as presented. Councilmember Pritt seconded the motion. With all in favor the motion carried.

Parks Commission Report

Councilmember Sarah Elkins reported on the following events of the September 7, 2021 Parks Commission meeting:

- An update was given regarding progress of the pickleball court at Hollowell Park. Fencing to separate the Pickleball court from the skate park has begun. Pickleball enthusiasts are currently raising money for the pickleball project.
- New platforms overlooking Hollowell Park's ballfields have been constructed.
- Motion sensitive lights have been installed along the walking track 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.

- Chief Thomas noted that he had included a photo of a new "smoke house" the Fire Department had received from the Pinch Fire Department. He stated the Fire Department will use it in training.

COMMUNICATIONS FROM COUNCIL COMMITTEES:

Finance Committee Report

Councilmember Seams reported on the following events of the September 14, 2021 Finance Committee meeting:

- The Finance Committee recommended approval of pay request #2 with Schleiff Construction in the amount of \$100,000 for exterior repairs and painting of City Hall pending the submittal of the "certificate" of payment documents from the Mills Group.

Councilmember Seams made a motion to approve pay request #2 with Schleiff Construction in the amount of \$100,000 for exterior repairs and painting of City Hall. Councilmember Little seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval of pay request #2 in the amount of \$9,738.20 for the winterization improvements to the outside bathrooms at City Hall. Councilmember Seams stated the bathrooms will be able to remain open to the public year round.

Councilmember Seams made a motion to approve pay request #2 in the amount of \$9,738.20 for the winterization improvements to the outside bathrooms at City Hall. Councilmember Little seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval of health physicals for the Fire Department in an amount not to exceed \$32,001.

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Councilmember Seams made a motion to approve health physicals for the Fire Department in an amount not to exceed \$32,001. Councilmember Elkins seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval of the architectural and engineering service contract from the Thrasher Group for the new fire station as presented in an amount not to exceed \$595,000.

Councilmember Seams made a motion to approve the architectural and engineering service contract from the Thrasher Group for the new fire station as presented in an amount not to exceed \$595,000. Councilmember Johnson seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval of the “change in vehicle” from a Chevy Tahoe to a Ford Explorer to purchase for the Police Department with a reduction in price for each vehicle of \$958.20 and a total reduction in price of \$37,493.38 purchased from Greenbrier Motors.

Councilmember Seams made a motion to approve the “change in vehicle” from a Chevy Tahoe to a Ford Explorer to purchase of five vehicles for the Police Department with a reduction in price for each vehicle of \$958.20 and a total reduction in price of \$37,493.38 purchased from Greenbrier Motors. Councilmember Pritt seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval to authorize the City Manager to proceed with engaging Todd Goldman Appraiser for eminent domain issues regarding the water plant easements as presented by City Attorney Tom White.

Councilmember Seams made a motion to authorize the City Manager to proceed with engaging Todd Goldman Appraiser for eminent domain issues at \$325 an hour regarding the water plant easements as presented by City Attorney Tom White. Councilmember Pritt seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval of Task Order #36 to begin the foundation of the new metal Public Works Building on Stonehouse Road in an amount not to exceed \$125,000.

Councilmember Seams made a motion to approve Task Order #36 to begin the foundation of the new metal Public Works Building on Stonehouse Road in an amount not to exceed \$125,000. Councilmember Little seconded the motion. With all in favor the motion carried.

Public Works Department Report

Director of Public Works Legg reported on the following events of the Public Works Department:

- Director Legg gave an update about ongoing and completed Public Works projects including: the storage building, announcer stand and bathrooms at Hollowell Park.
- Work has begun on the Pickleball courts.
- Paving on North Court Street has been delayed until the spring.
- The expanded curb the DOH constructed on the corner of Foster and Jefferson Street is being narrowed by Public Works crews. It was not allowing enough room for vehicles to get through the intersection when stopped at the stoplight.
- A contract with the W.C Weil Company needs to be approved to repair and replace pump control, pressure relief and pressure reducing valves at the Retreat Subdivision.

Councilmember Elkins made a motion to approve a contract with the W.C Weil Company repair and replace pump control, pressure relief and pressure reducing valves at the Retreat Subdivision in the amount of \$4,186. Councilmember Seams seconded the motion. With all in favor the motion carried.

- A bid needs to be accepted from with Fee Corp to clean the East and West settling ponds at the water plant in the amount of \$58,500. Public Works Director Legg stated he understands the challenges of working with the Lewisburg Water Plant.

Councilmember Seams made a motion to accept the bid from Fee Corp to clean the East and West settling ponds at the water plant in the amount of \$58,500. Councilmember Elkins seconded the motion. With all in favor the motion carried.

EXECUTIVE SESSION:

Police Department Personnel Issue

Councilmember Seams made a motion to go into executive session to discuss a Police Department personnel issue at 8:34 p.m. Councilmember Pritt seconded the motion. With all in favor the motion carried.

Councilmember Johnson made a motion to reconvene into regular session at 9:04 p.m. Councilmember Elkins seconded the motion. With all in favor the motion carried.

PUBLIC SAFETY COMMITTEE REPORT:

Public Safety Committee Chair Seams reported the Public Safety Committee met on August 31, 2021 to review the tests that were administered to the five officers that took the test for the rank of Sergeant. The Public Safety Committee and the Finance Committee recommended promoting Robert Crone to the position of Sergeant as the tester who earned the highest score.

Councilmember Seams made a motion to promote Officer Robert Crone to the rank of sergeant with the adjustment of \$1,200 annually salary that comes along with the promotion. Councilmember Elkins seconded the motion. With all in favor the motion carried.

ADJOURNMENT:

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