

**Minutes of City Council**  
**May 17, 2022**  
**Regular Session**

The Council of the City of Lewisburg met in regular session on Tuesday, May 17, 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 (via Zoom) Franklin Johnson, Valerie Pritt & Arron Seams; City Manager Misty Hill, City Clerk Shannon Beatty, Police Chief Chris Teubert, Director of Public Works Tony Legg, Fire Chief Joey Thomas, Treasurer Susan Honaker and Zoning Officer Marsha Cunningham.

**VISITORS:** Reporter; Sarah Richardson with the Mountain Messenger , Greg Belcher with Chapman Technical (Zoom), Robin Spence, DeEtta Hunter, Harvey Neel, Debra Phillips and Brian Belcher with the Greenbrier Valley Airport; John Stump with Steptoe and Johnson (Zoom); Heidi Handley with Thrasher Engineering, Bob Mitchell with Thrasher Engineering (Zoom), Matt Breakey with Thrasher Engineering, and Jacklyn Schiffour with Steptoe and Johnson.

**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:**

Brian Belcher gave a report regarding the air service at the Greenbrier Valley Airport. There is a possibility there will be a new air service coming in.

**APPROVAL OF MINUTES:**

*April 19, 2022 Regular Session*

Councilmember Seams made a motion to approve the regular session April 19, 2022 City Council minutes. Councilmember Johnson seconded the motion. With all in favor the motion carried.

*April 28, 2022, Special Session*

Councilmember Elkins made a motion to approve the special session April 28, 2022 City council minutes. Councilmember Pritt seconded the motion. With all in favor the motion carried.

**ORDINANCES:**

Mayor White opened a public hearing at 7:23 p.m., hearing no comments from the public she closed the public hearing and asked City Clerk Beatty to read the following ordinance by title for third reading:

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

“ORDINANCE AUTHORIZING THE REFUNDING OF THE SERIES 2009 A BONDS, SERIES 2012 A BONDS AND SERIES 2013 A BONDS AND THE FINANCING OF THE COST THEREOF, NOT OTHERWISE PROVIDED, THROUGH THE ISSUANCE BY THE CITY OF LEWISBURG OF NOT MORE THAN \$3,500,000 IN AGGREGATE PRINCIPAL AMOUNT OF WATER REFUNDING REVENUE BONDS, SERIES 2022 A; PROVIDING FOR THE RIGHTS AND REMEDIES OF AND SECURITY FOR THE REGISTERED OWNERS OF SUCH BONDS; AUTHORIZING EXECUTION AND DELIVERY OF ALL DOCUMENTS RELATING TO THE ISSUANCE OF SUCH BONDS; AND AUTHORIZING THE SALE AND PROVIDING FOR THE TERMS AND PROVISIONS OF SUCH BONDS AND ADOPTING OTHER PROVISIONS RELATING THERETO. “

Councilmember Seams made a motion to approve the refunding ordinance for third reading. Councilmember Elkins seconded the motion. With all in favor the motion carried.

Mayor White opened a public hearing at 7:29 p.m., hearing no comments from the public she closed the public hearing and asked City Clerk Beatty to read the following ordinance by title for third reading:

City Clerk Shannon Beatty read the title of the following USDA Bond ordinance for third reading:

ORDINANCE AUTHORIZING THE ACQUISITION AND CONSTRUCTION OF CERTAIN ADDITIONS, BETTERMENTS AND IMPROVEMENTS TO THE EXISTING PUBLIC WATERWORKS FACILITIES OF THE CITY OF LEWISBURG, AND THE FINANCING OF THE COST, NOT OTHERWISE PROVIDED THEREOF, THROUGH THE ISSUANCE BY THE CITY OF LEWISBURG OF NOT MORE THAN \$10,000,000 IN AGGREGATE PRINCIPAL AMOUNT OF WATER REVENUE BONDS, SERIES 2022 B (UNITED STATES DEPARTMENT OF AGRICULTURE), NOT MORE THAN \$10,000,000 IN AGGREGATE PRINCIPAL AMOUNT OF WATER REVENUE BONDS, SERIES 2022 C (UNITED STATES DEPARTMENT OF AGRICULTURE); NOT MORE THAN \$10,000,000 IN AGGREGATE PRINCIPAL AMOUNT OF WATER REVENUE BONDS, SERIES 2022 D (UNITED STATES DEPARTMENT OF AGRICULTURE); NOT MORE THAN \$10,000,000 IN AGGREGATE PRINCIPAL AMOUNT OF WATER REVENUE BONDS, SERIES

2022 E (UNITED STATES DEPARTMENT OF AGRICULTURE); AND NOT MORE THAN \$10,000,000 IN AGGREGATE PRINCIPAL AMOUNT OF WATER REVENUE BONDS, SERIES 2022 F (UNITED STATES DEPARTMENT OF AGRICULTURE) IN FIVE OR MORE SERIES; DEFINING AND PRESCRIBING THE TERMS AND PROVISIONS OF THE BONDS; PROVIDING GENERALLY FOR THE RIGHTS AND REMEDIES OF AND SECURITY FOR THE HOLDER OF THE BONDS; AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT.

Councilmember Elkins made a motion to approve the USDA ordinance for third reading. Councilmember Pritt seconded the motion. With all in favor the motion carried.

Mayor White opened a public hearing at 7:32 p.m., hearing no comments from the public she closed the public hearing and asked City Clerk Beatty to read the following ordinance by title for third reading:

City Clerk Shannon Beatty read the title of the following IJDC Bond ordinance for third reading:

ORDINANCE AUTHORIZING THE ACQUISITION AND CONSTRUCTION OF CERTAIN ADDITIONS, BETTERMENTS AND IMPROVEMENTS TO THE EXISTING PUBLIC WATERWORKS FACILITIES OF THE CITY OF LEWISBURG, AND THE FINANCING OF THE COST, NOT OTHERWISE PROVIDED THEREOF, THROUGH THE ISSUANCE BY THE CITY OF LEWISBURG OF NOT MORE THAN \$15,000,000 IN AGGREGATE PRINCIPAL AMOUNT OF WATER REVENUE BONDS, SERIES 2022 G (WEST VIRGINIA INFRASTRUCURE FUND) IN ONE OR MORE SERIES; DEFINING AND PRESCRIBING THE TERMS AND PROVISIONS OF THE BONDS; PROVIDING GENERALLY FOR THE RIGHTS AND REMEDIES OF AND SECURITY FOR THE HOLDER OF THE BONDS; AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT.

Councilmember Seams made a motion to approve the IJDC Bond ordinance for third reading. Councilmember Johnson seconded the motion. With all in favor the motion carried.

Mayor White opened a public hearing at 7:35 p.m., hearing no comments from the public she closed the public hearing and asked City Clerk Beatty to read the following ordinance by title for third reading:

City Clerk Shannon Beatty read the title of the following WDA Bond ordinance for third reading:

ORDINANCE AUTHORIZING THE ACQUISITION AND CONSTRUCTION OF CERTAIN ADDITIONS, BETTERMENTS AND IMPROVEMENTS TO THE EXISTING PUBLIC WATERWORKS FACILITIES OF THE CITY OF LEWISBURG, AND THE FINANCING OF THE COST, NOT OTHERWISE PROVIDED THEREOF, THROUGH THE ISSUANCE BY THE CITY OF LEWISBURG OF NOT MORE THAN \$15,000,000 IN AGGREGATE PRINCIPAL AMOUNT OF WATER REVENUE GRANT ANTICIPATION NOTES, SERIES 2022 H (WEST VIRGINIA INFRASTRUCURE FUND), IN ONE OR MORE SERIES; DEFINING AND

PRESCRIBING THE TERMS AND PROVISIONS OF THE BONDS; PROVIDING GENERALLY FOR THE RIGHTS AND REMEDIES OF AND SECURITY FOR THE HOLDER OF THE BONDS; AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT.

Councilmember Seams made a motion to approve the WDA ordinance third reading. Councilmember Johnson seconded the motion. With all in favor the motion carried.

Supplemental Resolution

Councilmember Elkins made a motion to approve a supplemental resolution relating to the Refunding bonds. Councilmember Seams seconded the motion. With all in favor the motion carried.

Sweep Resolution

Councilmember Johnson made a motion to approve a sweep resolution pertaining to the automatic payment of the refunding bonds to the Municipal Bond Commission. Councilmember Seams seconded the motion. With all in favor the motion carried.

Conditional notice of six construction contracts

Councilmember Seams made a motion to authorize Mayor White to sign a conditional notice of award for six construction contracts. Councilmember Johnson seconded the motion. With all in favor the motion carried.

Mayor White opened a public hearing at 7:41 p.m., hearing comments from the following people from the public: Robin Spence, Harvy Neel and DeEtta Hunter she closed the public hearing at 7:53 and asked City Clerk Beatty to read the following ordinance by title for third reading:

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

AN ORDINANCE SETTING FORTH THE RATES, FEES AND CHARGES FOR SERVICE TO CUSTOMERS OF THE WATERWORKS SYSTEM OF THE CITY OF LEWISBURG.

Councilmember Seams made a motion to approve the water rate ordinance for second reading. Councilmember Elkins seconded the motion. With all in favor the motion carried.

Mayor White opened a public hearing at 8:06 p.m., hearing no comments from the public she closed the public hearing and asked City Clerk Beatty to read the following ordinance by title for second reading:

AN ORDINANCE AUTHORIZING THE ACQUISITION, EQUIPPING, AND CONSTRUCTION OF CERTAIN EXTENSIONS, ADDITIONS, BETTERMENTS AND IMPROVEMENTS TO THE EXISTING PUBLIC WATERWORKS SYSTEMS OF THE CITY OF LEWISBURG.

Councilmember Johnson made a motion to approve the ordinance. Councilmember Pritt seconded the motion. With all in favor the motion carried.

Ordinance 303, Mayor and Council Salary, 1<sup>st</sup> reading

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

**AN ORDINANCE FIXING THE SALARY OR COMPENSATION OF THE MAYOR AND CITY COUNCIL MEMBERS.**

Councilmember Pritt made a motion to approve Ordinance 303 on first reading. Councilmember Johnson seconded the motion. With all in favor the motion carried.

**RESOLUTIONS:**

Resolution 492

City Clerk Shannon Beatty read the following resolution for passage:

**“RESOLUTION RATIFYING AND APPROVING CONTRACTS BY CITY MANAGER IN EXCESS OF \$5,000 IF AUTHORIZED IN THE BUDGET”**

**WHEREAS**, City Council desires to authorize the City Manager to approve and execute contracts in excess of \$5,000, but not to exceed \$10,000 if such contracts have been authorized in the budget; and,

**WHEREAS**, approval and authorization of such contracts in the budget shall be deemed to be ratification by the City Council.

**NOW, THEREFORE, BE IT RESOLVED** that the City Manager is authorized and directed to negotiate and enter into contracts involving the expenditure of more than \$5,000 but not to exceed \$10,000 if such contracts are authorized and approved in the budget; and

**BE IT FUTHER RESOLVED**, that authorization in the budget shall be deemed to be ratification for such contracts in excess of \$5,000, not to exceed \$10,000.

Adopted by the Council of the City of Lewisburg this 17<sup>th</sup> day of May, 2022.

Councilmember Seams made a motion to approve Resolution 492. Councilmember Pritt seconded the motion. With all in favor the motion carried.

USDA Supplemental Resolution

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

**SUPPLEMENTAL RESOLUTION MAKING PROVISIONS AS TO PRINCIPAL AMOUNT, DATE, MATURITY DATE, REDEMPTION PROVISION, INTEREST RATE, INTEREST AND PRINCIPAL PAYMENT DATES, SALE PRICE AND OTHER TERMS OF THE WATER REVENUE BONDS, SERIES 2022 A, WATER REVENUE BONDS,**

SERIES 2022 B, WATER REVENUE BONDS, SERIES 2022 C, WATER REVENUE BONDS, SERIES 2022 D AND WATER REVENUE BONDS, SERIES 2022 E OF THE CITY OF LEWISBURG AND MAKING OTHER PROVISIONS AS TO THE BONDS.

Councilmember Johnson made a motion to approve the USDA supplemental resolution. Councilmember Elkins seconded the motion.

Councilmember Little pointed out that the Series 2022 F bonds had not been included in the resolution. He asked Stump if the resolution should be tabled. Stump answered yes.

Councilmember Seams made a motion to table the USDA supplemental resolution. Councilmember Pritt seconded the motion. With all in favor the motion carried.

**COMMUNICATIONS FROM THE MAYOR:** Nothing to report.

**COMMUNICATIONS FROM THE CITY MANAGER:**

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

*The Thrasher Group, new fire station review*

Matt Breakey, Bob Mitchell and Heidi Handley from the Thrasher Group gave a presentation of a sketch design for a new fire station to be located on Grand Avenue. Breakey and Mitchell noted the design works through the needs and requirements while addressing the deficiencies in the fire station on Foster Street that the new one will replace. Handley stated she would work on community outreach through social media. Council member Little asked if we knew how the City was going to finance the project. Breakey answered that the fire station committee was researching options. City Manager Misty Hill stated the City needed to hold off on applying for grants or funding until the Water System funding had been fully secured. She also noted that funds generated from the fire fee would not be used for the construction of the fire station.

Councilmember Seams made a motion to authorize the Thrasher Group to complete a schematic design for the new fire station. Councilmember Pritt seconded the motion. With all in favor the motion carried.

**COMMUNICATIONS FROM CITY COUNCIL MEMBERS:**

- Councilmember Pritt announced “Seneca Skyway” as the first route of a new West Virginia Scenic highway program has been launched.
- She encouraged Council to vote in a “10 Best of” competition that Lewisburg is part of.

**COMMUNICATIONS FROM BOARDS AND COMMISSIONS:**

**Planning Commission Report:**

Conditional Use Permit, multi family dwelling of 2 or more units, in R1 district,

Aaron Huffman, 603 South Lafayette Street

Mayor White opened a public hearing concerning a conditional use permit for a multi-family dwelling at 603 South Lafayette Street submitted by Aaron Huffman. Zoning Officer Cunningham stated the application met the four requirements as listed in the codified ordinances that must be met. Council stipulated that Huffman must bring the dwelling current with the 2015 International Building Codes.

Councilmember Seams made a motion to approve a conditional use permit for a multi-family dwelling at 603 South Lafayette Street with the condition that Huffman must bring the dwelling current with the 2015 International Building Code. Councilmember Elkins seconded the motion. With all in favor the motion carried.

**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**

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

- The Finance Committee recommended approval of the renewal of the Worker's Compensation insurance policy at an annual premium cost of \$46,602.

Councilmember Seams made a motion to renew the Worker's Compensation insurance policy at an annual premium cost of \$46,602. Councilmember Elkins seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval of a request from Greenbrier Valley Theatre for Arts & Humanities grant funding in the amount of \$1,000 for a rebranding signage project.

Councilmember Seams made a motion to approve a request from Greenbrier Valley Theatre for Arts & Humanities grant funding in the amount of \$1,000 for a rebranding signage project.

Councilmember Johnson seconded the motion. With five (5) in favor and one (1) abstention (Seams) the motion carried.

- The Finance Committee made a recommendation to approve a request by Significant Cinema for an Arts & Humanities grant funding in the amount of \$3,989.44 to show movies in the months of July and August on the lawn of Carnegie Hall.

Councilmember Seams made a motion to approve a request by Significant Cinema for an Arts & Humanities grant funding in the amount of \$3,989.44 to show movies in the months of July and August on the lawn of Carnegie Hall. Councilmember Johnson seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval of a request from the Lewisburg Foundation for Arts & Humanities grant funding in the amount of \$39,387.79 to create a new staging area beside the greenspace pending ADA compliance and the approval by City National Bank to use one parking space for the project.

Councilmember Johnson made a motion to table approval of a request from the Lewisburg Foundation for Arts & Humanities grant funding in the amount of \$39,387.79 to make sure the area would be in compliance with ADA regulations and that City National Bank would allow the use of one parking space. Councilmember Elkins seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval for a Video Lottery Fund request from Greenbrier Valley Theatre in the amount of \$2,000 to take the show “Polka Dots, The Cool Kids Musical into the local Lewisburg, Ronceverte, White Sulphur Springs and Frankford Elementary schools the week of May 24.

Mayor White made a motion to approve to take the show “Polka Dots, The Cool Kids Musical into the local Lewisburg, Ronceverte, White Sulphur Springs and Frankford Elementary schools the week of May 24. Councilmember Pritt seconded the motion. With five (5) in favor and one (1) abstention (Seams) the motion carried.

- The Finance Committee recommended approval of Amendment No. 1 to Task Order No. 36 to provide additional services associated with re-bidding the project and providing geo technical engineering services to obtain more suitable bids for the Public Works Building project in amount not to exceed \$6,000.00 for the re-bidding and \$6,325.00 for the geo technical services at a total cost of \$12,325.00.

Councilmember Seams made a motion to approve Amendment No. 1 to Task Order No. 36 to provide additional services associated with re-bidding the project and providing geo technical engineering services to obtain more suitable bids for the Public Works Building project in amount not to exceed \$6,000.00 for the re-bidding and \$6,325.00 for the geo technical services at a total cost of \$12,325.00. Councilmember Elkins seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval of Phase 1 and II for the Route 219 Sidewalk Project in the amount of \$160,642.65.



Councilmember Seams made a motion to table approval of Phase I and II for the Route 219 Sidewalk project in the amount of \$160,642.65. Councilmember Pritt seconded the motion.

- The Finance Committee recommended approval of the renewal of the maintenance and support agreement with Mountaineer Computer System, Inc. Option 4 at a discounted rate of \$9,048 to be paid by May 31, 2022.

Councilmember Seams made a motion to approve the renewal of the maintenance and support agreement with Mountaineer Computer System, Inc. Option 4 at a discounted rate of \$9,048 to be paid by May 31, 2022. Councilmember Elkins seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval to approve a contract with Imre Pentek to prepare Financial Statements and the PSC report at the amount of \$9,795 with additional services billed at \$140 an hour.

Councilmember Seams made a motion to approve a contract with Imre Pentek to prepare Financial Statements and the PSC report at the amount of \$9,795 with additional services billed at \$140 an hour. Councilmember Pritt seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval of a bid from Ayers Construction Company in the amount of \$10,319.00 for the North Court Street sidewalk replacement

Councilmember Seams made a motion to recommend approval of a bid from Ayers Construction Company in the amount of \$10,319.00 for the North Court Street sidewalk replacement. Councilmember Pritt seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval of a bid from Riverbend Landscaping, LLC in the amount of \$29,154.02 for the Hollowell Park Pickleball viewing platforms.

Councilmember Seams made a motion to approve a bid from Riverbend Landscaping, LLC in the amount of \$29,154.02 for the Hollowell Park Pickleball viewing platforms. Councilmember Elkins seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval to add the position of Assistant Chief Water Operator to the pay scale with a pay range of \$23 to \$26 an hour. And promoting Wanda Sanford to Assistant Chief Water Operator increasing her salary to \$23.40 an hour.

Councilmember Seams made a motion to add the position of Assistant Chief Water Operator to the pay scale with a pay range of \$23 to \$26 an hour. And promoting Wanda Sanford to Assistant Chief Water Operator increasing her salary to \$23.40 an hour. Councilmember Pritt seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval the 2023 Water Fund Budget as presented.

Councilmember Seams made a motion to approve the 2023 Water Fund Budget as presented. Mayor White seconded the motion. With all in favor the motion carried.

Director of Public Works Tony Legg gave a presentation regarding a change order for paving on North Court Street. The change order is for an additional 5 feet that is needed where the sidewalk was widened. It is an additional \$1,572.00.

Councilmember Seams made a motion to approve a change order in the amount of \$1,572.00 for a paving project on North Court Street as presented. 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 10:30 p.m. Councilmember Elkins seconded the motion. With all in favor the motion carried.