

Minutes of City Council
September 20, 2022
Regular Session

The Council of the City of Lewisburg met in regular session on Tuesday, September 20, 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.

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, Director of Public Works Tony Legg, Tom White, City Attorney and Fire Chief Joey Thomas.

VISITORS: Reporter Carolyn Cleaton with the WV Daily News and Sarah Richardson with the Mountain Messenger; Greg Belcher with Chapman Technical, John Tuggle with Region IV Planning & Development; Matthew Koepke, Nancy Harris, Brian DeRouen, Karen Wines, Maggie Hutchinson, Zach Comeaux, Donna Johns, Kathryn Lehotsky, Al Lehotsky, Rich Jordan, Darrell Miller, Terry Casey, Isela Casey, Pete Herreid, Allan Clower, Lyn Guy, Dana Arnold, David Hussell, Walter Medlin, John Francis, Linda Terek Ball, Tim Carroll, Frank Crabtree, Dan Stevenson, Magaly Stea, Jodi Styles, Jason Specity, Elizabeth Clark, Mary Norris, Brenda Smith, Genevieve Conroy, Carolyn Komar, Fred & Joyce Perlove, Larry Levine, Deva Wagner, Susan Vlajk, Linda Pennington, DeEtta Hunter.

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.

ORDINANCES:

Ordinance 306, revised nuisances, 2nd reading & public hearing

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

“AN ORDINANCE TO AMEND ARTICLE 1111.02 OF THE LEWISBURG CITY CODE.”

Mayor White called the public hearing to order regarding Ordinance 306 at 7:03 p.m. Hearing no comments from the public she closed the public hearing.

Councilmember Seams made a motion to approve Ordinance 306, Revised Nuisance on first reading. Councilmember Pritt seconded the motion. With all in favor the motion carried.

Ordinance 308, Tap rate increase, 2nd reading & public hearing

City Clerk Shannon Beatty read the title of the following ordinance for 2nd reading:

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

Mayor White called the public hearing to order regarding Ordinance 308 at 7:04 p.m. Hearing no comments from the public she closed the public hearing.

Councilmember Pritt made a motion to approve Ordinance 308. Councilmember Elkins seconded the motion. With all in favor the motion carried.

Ordinance 309, Noise Ordinance, 1st reading

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

**“AN ORDINANCE TO AMEND SECTIONS 509.01 AND 509.99
OF THE CODIFIED ORDINANCES OF THE CITY OF LEWISBURG.”**

City Attorney Tom White stated this ordinance adds provisions for noisy dogs and car engines and was based on the noise ordinance used in Beckley, WV. He noted it will give police officers some authority to address noise issues.

Councilmember Elkins made a motion to approve Ordinance 309 on first reading. Councilmember Johnson seconded the motion. With all in favor the motion carried.

RESOLUTIONS:

Resolution 498. 2022 Hazard Mitigation Plan Region IV Planning & Development Council

City Clerk Shannon Beatty read the following resolution for passage:

**Resolution 498
WV Region 4 PDC 2022 Hazard Mitigation Plan Update
Municipal Adoption Resolution
City of Lewisburg, West Virginia**

WHEREAS, the City of Lewisburg, West Virginia is most vulnerable to natural hazards which may result in loss of life and property, economic hardship, and threats to public health and safety, and

WHEREAS, Section 322 of the Disaster Mitigation Act of 2000 (DMA 2000) requires State and local governments to develop and submit for approval to the President a mitigation plan that outlines processes for identifying their respective natural hazards, risks, and vulnerabilities, and

WHEREAS, the City of Lewisburg, *acknowledges* the requirements of Section 322 of DMA 2000 to have an approved Hazard Mitigation Plan as a prerequisite to receiving post-disaster Hazard Mitigation Grant Program funds, and

WHEREAS, the WV Region 4 PDC 2022 Hazard Mitigation Plan has been developed by the Region 4 Planning and Development in cooperation with other county departments, and officials and citizens of the City of Lewisburg, and

WHEREAS, a public involvement process consistent with the requirements of DMA 2000 was conducted to develop the WV Region 4 PDC 2022 Hazard Mitigation Plan, and

WHEREAS, the WV Region 4 PDC 2022 Hazard Vulnerability Assessment and Mitigation Plan recommends mitigation activities that will reduce losses to life and property affected by natural hazards that face the town and its municipal governments,

NOW THEREFORE BE IT RESOLVED by the governing body for the City of Lewisburg, The WV Region 4 PDC 2022 Hazard Mitigation Plan is hereby adopted as the official Hazard Mitigation Plan of the City of Lewisburg, and the respective officials and agencies identified in the implementation strategy of the WV Region 4 PDC 2022 Hazard Mitigation Plan are hereby directed to implement the recommended activities assigned to them.

ADOPTED, this 20th day of September, 2022

Councilmember Seams made a motion to approve Resolution 498. Councilmember Johnson seconded the motion. With all in favor the motion carried.

Resolution 499, Pay Request #3, Invoices related to water system improvements

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

“RESOLUTION OF THE CITY OF LEWISBURG APPROVING INVOICES RELATED TO SERVICES FOR THE WATER SYSTEM IMPROVMENTS PROJECT AND AUTHORIZING PAYMENT THEREOF.”

Councilmember Johnson made a motion to approve Resolution 499. Councilmember Pritt seconded the motion. With all in favor the motion carried.

COMMUNICATIONS FROM THE MAYOR:

Mayor White announced that Kara Dense is unable to present the annual report for the Greenbrier County Convention & Visitor's Bureau because she was sick.

COMMUNICATIONS FROM THE CITY MANAGER:

Greenbrier River Trail Access during water improvement project

City Engineer Greg Belcher announced a change in the construction plan regarding the agreement with the DNR for the water improvement project on the Greenbrier River Trail. The change will close the section of the Greenbrier River Trail for 15 month ending in February 2024. This change includes new temporary and permanent areas to the Greenbrier River Trail at Hopper (Harper) Road. The parking areas will be constructed after November 15th due to environmental concerns about bats in the area. The City will provide signage notifying the public of the closure of the trail and where the parking areas are located.

Lafayette Street Sidewalk update

City Manager Hill stated that all easements have been secured for the Lafayette Street Sidewalk project and that the project would be going out to bid as soon as possible. She noted the Mayor had signed the agreement.

Employee Year End Luncheon

City Manager Hill stated the annual employee year end luncheon will be held at the Clingman Center at Montwell Commons on Thursday, December 15, 2022. Food will be provided by the O-Café at a cost of \$15.99 per person (total \$1039.35). The O Café will deliver the food.

Councilmember Elkins made a motion to hold the annual employee year end luncheon at the Clingman Center with food being catered by the O-Café at a cost of \$15.99 per person (total \$1039.35). The O Café will deliver the food. Councilmember Little seconded the motion. With all in favor the motion carried.

COMMUNICATIONS FROM CITY COUNCIL MEMBERS:

Councilmember Elkins read from a speech she had given at the Labor Day concert in the Green Space concerning women in the workplace.

COMMUNICATIONS FROM BOARDS AND COMMISSIONS:

Planning Commission Report

Councilmember Little reported on the following events of the September 1, 2022 Planning Commission working session:

- The Planning Commission continued to review the permissible use table and setbacks for open space conservation zoning areas.
- The Planning Commission reviewed the future land use map area near Lowe's.

Parks Commission Report

Councilmember Elkins reported on the following events of the September 6, 2022 Parks Commission meeting:

- Setting up a fee schedule for tournament use of the pickle ball courts was discussed. Daily use of the pickle ball courts is on a first come first serve basis.
- Project updates at Dorie Miller Park were discussed.
- The Defective lights at Dorie Miller Park are in the process of being repaired. City Manager Hill stated that 15 lights have been repaired so far.

City Manager Hill stated the City had received an Arts and Recreation grant for \$60,000 from the County Commission.

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. Chief Teubert stated the Police Department would be conducting school security training at many of the local school buildings in the area.

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 September 13, 2022 Finance Committee meeting:

- The Finance Committee recommended approval of the purchase of SCBA equipment for the Fire Department at a cost of \$236,607.

Councilmember Seams made a motion to purchase of SCBA equipment for the Fire Department at a cost of \$236,607. Councilmember Pritt seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval of a request for funding for the Lewisburg Holiday Festival in the amount of \$5,550, with \$500 being contingent upon whether or not the Greenbrier East Shop class can make a new Santa mail box. If the Shop class can't make the Santa Mailbox, the Public Works Department will make the Santa Mail Box

Councilmember Seams made a motion to approve a request from the Lewisburg Holiday Festival in the amount of \$5,550, with \$500 being contingent upon whether or not the Greenbrier East Shop class can make a new Santa mail box. If the Shop class can't make the Santa Mailbox, the Public Works Department will make the Santa Mail Box Councilmember Johnson seconded the motion. With all in favor the motion carried.

Councilmember Seams stated the Finance Committee had not reviewed the bonds for the new Public Works Building. City Manager Hill stated the recommendation actually came from the Building Commission. They met on September 20, 2022 at 5 p.m. to review the bonds. They recommend the City choose Truist Bank for a 20 year term. Councilmember Little stated that the vote right now was only for the number of years that the terms would be presented to the Building Commission and City Council at special sessions on September 27th.

Councilmember Seams made a motion to select Truist Bank for a 20 year term bond for the new Public Works Building. Councilmember Elkins seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval of the following holiday schedule: Halloween, Oct 31 from 6:00 to 8:00 pm; Thanksgiving, November 24th and 25th; Christmas Parade, December 3rd at noon; Holiday Employee luncheon, December 15th; Christmas December 23rd and 26th New Years Day, December 30th.

Councilmember Seams made a motion to approve the following holiday schedule: Halloween, Oct 31 from 6:00 to 8:00 pm; Thanksgiving, November 24th and 25th; Christmas Parade, December 3rd at noon; Holiday Employee luncheon, December 15th; Christmas December 23rd and 26th New Years Day, December 30th. Councilmember Elkins seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval of the opioid agreement and release as presented.

Councilmember Seams made a motion to approve the opioid agreement and release 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.

VISITORS REPORT:

. Citizens approached City Council with questions and concerns they had regarding the closure of a two mile section of the Greenbrier River Trail during the Water System upgrade project. Questions asked concerned how long the trail would be closed, access to the trail during construction, the necessity of carrying out the water system upgrade and restoration and upkeep

of the trail after construction is complete. Most of the answers were provided by City Engineer Greg Belcher and City Manager Misty Hill. City Council members reviewed questions from the public with Belcher and Hill. It was noted that users cannot be accommodated on the section of the trail because of safety issues. He noted that 20 foot long, 24" inch 1,800 pound pipes would need to be installed in the six foot deep trench, using an excavator and that dump trucks would need to be utilized. He stated the equipment is wider than the width of the trail. It would not be safe for anyone to be on the trail during construction. He stated the project has been shortened to 14 months at the request of the State DNR. He stated the reason the water project upgrade is being completed is obvious due to the age of the water plant and equipment. Mayor White indicated that the City needed to provide safe, drinking water for all citizens. John Tuggle from the Region IV Planning and Development Council stated this project has been vetted by all necessary agencies and that much of the process has been dictated by regulation and policy that the City must adhere to.

APPROVAL OF MINUTES:

August 16, 2022

Councilmember Pritt made a motion to approve the August 16, 2022 regular session minutes. Councilmember Seams seconded the motion. With all in favor the motion carried.

ADJOURNMENT:

Councilmember Seams made a motion to adjourn the meeting at 8:38 p.m. Councilmember Pritt seconded the motion. With all in favor the motion carried.