

**Minutes of City Council  
October 18, 2022  
Regular Session**

The Council of the City of Lewisburg met in regular session on Tuesday, October 18, 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.

**ABSENT:** City Clerk Shannon Beatty

**VISITORS:** Reporter Carolyn Cleaton (ZOOM) with the WV Daily News and Sarah Richardson with the Mountain Messenger; Sheena Pendley, Kara Dense, Beth Gill, Delilah Quinn, Brian Belcher, Brandon Johnson, Shaye Godomski, Jill McIntyre, Monica Maxwell and Ross German.

**CALL TO ORDER:**

Mayor White called the meeting to order at 7:02 p.m.

**EXECUTIVE SESSION:**

Councilmember Pritt made a motion to go into executive session to discuss the Opioid related claims and release. Councilmember Seams seconded the motion. With all in favor the motion carried. City Attorney Tom White, Attorney Brandon Johnson and City Manager Misty Hill joined the executive session.

Councilmember Pritt made a motion to reconvene into regular session. Councilmember Elkins seconded the motion. With all in favor the motion carried.

Councilmember Seams directed the Mayor to sign the Opioid related claims and release. Councilmember Elkins seconded the motion. With all in favor the motion carried.

**ORDINANCES:**

*Ordinance 309, Noise Ordinance, 2<sup>nd</sup> reading and public hearing*

Treasurer Honaker read the title of the following ordinance for 2<sup>nd</sup> reading:

“AN ORDINANCE TO AMEND SECTIONS 509.01 AND 509.9 OF THE CODIFIED ORDINANCES OF THE CITY OF LEWISBURG.”

Mayor White called a public hearing to order and after hearing no comments from the public she closed the public hearing. Councilmember Johnson made a motion to approved Ordinance 309 on 2<sup>nd</sup> reading. Councilmember Seams seconded the motion. With all in favor the motion carried.

Ordinance 311, Home Rule Amendment, 1<sup>st</sup> reading

Treasurer Susan Honaker read the following ordinance by title for first reading:

**“AN ORDINANCE AUTHORIZING THE CITY OF LEWISBURG TO SUBMIT AN AMENDED WRITTEN PLAN TO THE MUNICIPAL HOME RULE BOARD REQUESTING APPROVAL FOR THE CITY OF LEWISBURG TO ADOPT A MUNICIPAL SALES AND SERVICE TAX AND A MUNICIPAL USE TAX PURSUANT TO W. VA. CODE § 8-1-5a”**

Councilmember Pritt made a motion to approve Ordinance 311 for first reading. Councilmember Seams seconded the motion. With all in favor the motion carried.

**RESOLUTIONS:**

Resolution 500, Water Systems improvement project pay request #4

Treasurer Honaker read the following resolution by title for passage:

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

Councilmember Pritt made a motion to approve Resolution 500. Councilmember Seams seconded the motion. With all in favor the motion carried.

Resolution 501, State Amendment #2

Treasurer Honaker read the following resolution for passage:

**Opposition to Amendment No 2:**

**Property Tax Modernization Amendment**

WHEREAS, on the 2022 General Election Ballot voters in West Virginia will be asked to vote for or against Amendment 2: Property Tax Modernization Amendment. If passed, this Amendment will be the largest change to West Virginia's Constitution in the last century. This change will remove the constitutional protection of designated funding sources for counties, municipalities, and boards of education in our State; and

WHEREAS the Lewisburg City Council will not attempt to tell the voters of the City of Lewisburg how to vote. We do, nonetheless, have the responsibility to inform our constituents of the potential ramifications a piece of legislation or constitutional amendment will have on the Municipal budget if passed; and

WHEREAS the Council find that there is no consensus, no agreement based on the information provided to our Municipal and County Associations by the Senate and House, we find there is no legislative plan to provide revenue replacement to local government and schools; and

WHEREAS preliminary numbers being used by the Senate and House show more than \$500 million will be removed for the budgets of counties, municipalities, and board of education; and

WHEREAS the Council, find that it is the residents of the State of West Virginia, including the hardworking people of Lewisburg, who will ultimately pay found no clear plan that voters can read and understand before they cast their vote.

WHEREAS the significant corporate tax cuts enabled by Amendment 2 and will do so through increased real property tax, new sales tax and/or fees; and

WHEREAS the Council, finds that as we approach the 2022 General Election, all voters deserve a final, agreed upon legislative plan for Amendment 2, not a "work-in-progress" or "trust us" proposal which if implemented could devastate municipal and county government, including all the agencies they fund, and public education in West Virginia.

NOW, THEREFORE, be it resolved that the Lewisburg City Council will not offer support for Amendment 2 because of the serious risk it poses to all city funded departments.

Councilmember Pritt made a motion to approve Resolution 501. Councilmember Seams seconded the motion. With five (5) in favor and one (1) abstention (Little) the motion carried.

**PROCLAMATION:**

*Pregnancy and Child Loss Remembrance and Awareness Month*

Mayor White read the Pregnancy and Child Loss Remembrance and Awareness Month proclamation

**COMMUNICATIONS FROM THE MAYOR:**

*Greenbrier County Convention & Visitors Bureau Annual Report*

Kara Dense, the Executive Director of the Greenbrier County Convention & Visitor's Bureau presented the annual report to City Council.

**COMMUNICATIONS FROM THE CITY MANAGER:**

*Arts & Humanities funding request, Lewisburg Downtown Business Association*

Jill McIntyre with the Downtown Business Association submitted an application for monetary support of the upcoming holiday season including First Fridays, Halloween, Thanksgiving and

winter holidays. Councilmembers Seams and Pritt stated the application was incomplete and needed to include an organizational budget.

Councilmember Seams made a motion to deny the request. The motion died because of a lack of a second.

Councilmember Pritt made a motion to table the application until the Tuesday, October 25, Special Session of City Council. Councilmember Johnson seconded the motion. With all in favor the motion carried.

*Water System improvement project, change order #1, contract 8a*

Councilmember Pritt made a motion to approve change order #1, contract 8a with Orders Construction in the amount of \$149,310 from project funds. Councilmember Elkins seconded the motion. With all in favor the motion carried.

**COMMUNICATIONS FROM CITY COUNCIL MEMBERS:**

No communications were given.

**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.

*Police Department Standard Operating Guidelines*

Councilmember Seams made a motion to accept and approve the Police Department Standard Operating Guidelines as presented. Councilmember Johnson seconded the motion. With all in favor the motion carried.

**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 October 11, 2022 Finance Committee meeting:

- The Finance Committee recommended approval to authorized Mayor White to sign a construction contract with DCI Shires for the Public Works Building.

Councilmember Seams made a motion to authorize Mayor White to sign a construction contract with DCI Shires for the Public Works Building. Councilmember Pritt seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval of the Video Lottery funding request from the Greenbrier East Marching band in the amount of \$4,000 to help students attend the Spring National Competition.

Councilmember Seams made a motion to approve the Video Lottery funding request from the Greenbrier East Marching band in the amount of \$4,000 to help students attend the Spring National Competition. Councilmember Pritt seconded the motion. With five (5) in favor and one (1) abstention (Elkins) the motion carried.

- The Finance Committee recommended approval of the payment of physicals for the Fire Department from the North Greenville Fitness and Cardiac Rehabilitation Clinic, Inc. in an amount not to exceed \$32,972.

Councilmember Seams made a motion to approve the payment of physicals for the Fire Department from the North Greenville Fitness and Cardiac Rehabilitation Clinic, Inc. in an amount not to exceed \$32,972. Councilmember Johnson seconded the motion. With all in favor the motion carried.

#### **PUBLIC WORKS DEPARTMENT REPORT:**

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:**

No reports were given.

#### **APPROVAL OF MINUTES:**

*September 20, 2022*

Councilmember Seams made a motion table the September 20, 2022 Regular Session City Council meeting minutes. Councilmember Elkins seconded the motion. With all in favor the motion carried.

September 27, 2022

Councilmember Seams made a motion to approve the September 27, 2022 special session minutes. Councilmember Elkins seconded the motion. With all in favor the motion carried.

**ADJOURNMENT:**

Councilmember Seams made a motion to adjourn the meeting at 8:44 p.m. Councilmember Pritt seconded the motion. With all in favor the motion carried.