

**Minutes of City Council  
November 20, 2018  
Regular Session**

The Council of the City of Lewisburg met in regular session on Tuesday, November 20, 2018 at 7:30 p.m. in the Paul R. Cooley Council Chambers at 942 Washington St. West, Lewisburg, WV.

**PRESENT:** Mayor John Manchester; Recorder Shannon Patrick-Beatty; Council members, Mark Etten, Joseph Lutz, Arron Seams, Beverly White; Director of Public Works Roger Pence, Police Chief Tim Stover, Treasurer Susan Honaker, Fire Chief Joseph Thomas, City Administrator-in-Training Jacy Faulker and Zoning Officer Charles Smith.

**ABSENT:** Councilmember Heather Blake and Director of Public Works Roger Pence.

**VISITORS:** Reporters Peggy Mackenzie with the Mountain Messenger; Robert Bordelon with the West Virginia Daily News; Ed Johns; Marietta Lyall, Colby Hughes and Thelma Pomeroy.

**CALL TO ORDER**

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

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Recorder Shannon Beatty gave the invocation and Councilmember White led the Pledge of Allegiance.

**VISITORS REPORTS:**

No Visitors reports were given.

**APPROVAL OF MINUTES:**

*October 16, 2018*

Councilmember Lutz made a motion to approve the October 16, 2018 minutes as presented. Councilmember Seams seconded the motion. With four (4) in favor and one (1) absent (Blake) the motion carried.

**COMMUNICATIONS FROM THE MAYOR:**

*Appointment to the Parks Commission*

Mayor Manchester offered the name of Ian Lutz to fill the unexpired term of Todd Wagner for a term ending June 30, 2023 on the Parks Commission.

Councilmember White a made a motion to appoint Ian Lutz to fill the unexpired term of Todd Wagner for a term ending June 30, 2023 on the Parks Commission. Councilmember Seams seconded the motion. With four (4) in favor and one (1) absent (Blake) the motion carried.

Order calling for Special Excess Levy Election

Mayor Manchester stated the City will need to hold a special levy election on February 16, 2019 to allow the citizens to re-approve the terms and conditions of the excess levy which provides approximately \$476,000 of the annual city budget to fund the police department, fire department, streets and lighting.

Councilmember Etten made a motion to approve the order calling for the Special Excess Levy Election on February 16, 2019. Councilmember White seconded the motion. With four (4) in favor and one (1) absent (Blake) the motion carried.

Holiday Schedule

Councilmember Etten made a motion to name Monday, December 24 and Monday January 31 as Administrative Days off for city staff. Councilmember Lutz seconded the motion. With four (4) in favor and one (1) absent (Blake) the motion carried.

Girl Scout Blessing Box

Mayor Manchester stated that a few months back a local Girl Scout troop had requested a location to place a Blessing Box in a convenient place where a food pantry could be made available for anyone to add or retrieve items. Manchester stated he would offer a location on the perimeter of the Green Space parking lot.

**ORDINANCES:**

Ordinance 277, Quorum for the Board of Zoning Appeals

Zoning Officer Chuck Smith stated during the zoning ordinance review the question came up as to why it was necessary to have four out of five votes to approve an application on the Board of Zoning Appeals rather than a majority of a quorum to approve an application. He stated passage of this ordinance will bring the City Code in line with the State Code on this issue. He noted that City Attorney Tom White had reviewed this issue for the City.

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

“AN ORDINANCE TO AMEND CHAPTER 13, PLANNING AND ZONING, ADMINISTRATION, 1375.14 (B), TO READ “A MAJORITY OF THE BOARD OF ZONING APPEALS SHALL CONSTITUTE A QUORUM.”

Mayor Manchester called a public hearing to order at 7:41 p.m. Hearing no comments from the public he closed the hearing.

Councilmember White made a motion to approve Ordinance 277 on second reading. Councilmember Seams seconded the motion. With four (4) in favor and one (1) absent (Blake) the motion carried.

Ordinance 278, Closure of Stratton Alley, first reading

Recorder Beatty read the title of the following ordinance for first reading:

**“AN ORDINANCE TO VACATE AND ABANDON A PORTION OF STRATTON ALLEY.”**

Councilmember Etten made a motion to approve Ordinance 278 for first reading. Councilmember Lutz seconded the motion.

Mayor Manchester stated the road closure of Stratton Alley from the Foster Street to the rear of the City Hall building will give more frontage access to the alley, where renovations are currently underway for new shop fronts and cafes.

With four (4) in favor and one (1) absent (Blake) the motion carried.

**RESOLUTIONS:**

Resolution 466, in support of New River Gorge National Park

Recorder Beatty read the title of Resolution 466 for passage:

**“City of Lewisburg in Support of National Park Designation for New River Gorge National River”**

Councilmember Lutz made a motion to approve Resolution 466. Councilmember Etten seconded the motion. With four (4) in favor and one (1) absent (Blake) the motion carried.

Resolution 467, Supporting reviving civility

Recorder Beatty read Resolution 467 for passage:

“A Resolution supporting reviving civility

Whereas, listening to each other and listening across differences for understanding is important in building respect and sustaining our sense of community; and,

Whereas, civil discourse is the free and respectful exchange of different ideas in a way that respects and affirms all persons, while hearing their perspectives; and,

Whereas, heated rhetoric and dramatic shift away from collaboration leaves us unable to solve the challenges confronting our community; and,

Whereas, listening across differences for understanding and exercising civility assists in the process of working together, rebuilding trust and helps us create lasting solutions to our most pressing challenges, while fostering respect among opposing groups; and

Whereas, sharing our personal hopes, dreams, fears and the definition of what being American means to us, can help us tell that story of what unites us over what divides us, and can reunite us around shared values during this time when our country needs it; and,

Whereas, recognizing the importance of listening to each other, exercising civility in our discourse, rebuilding trust and reconnecting around what unites us, are key elements of the WV Municipal League's mission.

Now, Therefore, we the Council of the City of Lewisburg resolve to practice civility by listening respectfully to people who have different views, avoiding language that is insulting or derogatory to others, and supporting efforts to work together across ideological and political lines.”

Councilmember White made a motion to approve Resolution 467 as presented. Councilmember Seams seconded the motion. With four (4) in favor and one (1) absent (Blake) the motion carried.

**PROCLAMATIONS:**

*Extra Mile Day 2018*

Recorder Shannon Beatty read a portion of a proclamation announcing November 1, 2018 as Extra Mile Day in Lewisburg.

**COMMUNICATIONS FROM CITY COUNCIL MEMBERS:**

Councilmember White noted this would be the last Thanksgiving the City would spend with John Manchester as Mayor. She thanked him for his service and leadership to Lewisburg.

*Agriculture exhibit*

Recorder Beatty announced the city was featuring a photographic exhibit in the lobby of City Hall entitled “Agriculture, Yesterday and Today.” The exhibit was curated by Janice Cooley and

describes the early beginnings of agriculture in the Lewisburg, Greenbrier County area by settlers. Ms. Cooley was assisted with the exhibit by members of the Greenbrier Historical Society along with volunteers from the local community.

*Grant awarded*

Mayor Manchester stated the City had received a grant for Hollowell Park for LED lighting from the Land and Water Conservation Fund.

**COMMUNICATIONS FROM BOARD AND COMMISSIONS:**

*Planning Commission Report*

Zoning Officer Chuck Smith reported the Planning Commission held a working session on November 7 to review the ongoing Zoning Updates to the Codified Ordinances.

*Parks Commission Report*

Parks Chair Beverly White reported on the following events of the November 5, 2018 Parks Commission meeting:

- Chair White introduced Jacy Faulkner, the City Manager in Training, to the Parks Commission members. Faulkner and Public Works Director Pence have been working with a consultant from Gametime, an interactive playground equipment company, for eventual installation at Dorie Miller Park.

**COMMUNICATIONS FROM THE POLICE DEPARTMENT:**

Chief Stover stated the Police Department had received the new patrol rifles and that all the rifles had been installed in the patrols cars.

He announced he was going to retire from the City on January 31, 2019. He asked that Council hire the next Police Chief from within the ranks of the Department and keep the Dare to Cruz car show going.

**COMMUNICATIONS FROM THE FIRE DEPARTMENT:**

Chief Thomas gave an activity report for the month of October in which there were 114 emergency calls and four structure fires (none within the city limits).

**COMMUNICATIONS FROM COUNCIL COMMITTEES:**

*Finance Committee Report*

Councilmember Etten reported on the following events of the November 13, 2018 Finance Committee meeting:

- The Finance Committee recommended approval of Task Amendment # 2 to Task Order #13 with Chapman Technical Group for water system upgrades.

Councilmember Etten made a motion to approve Task Amendment #2 to Task Order #13 for water system upgrades with Chapman Technical Group. Councilmember Seams seconded the motion. With four (4) in favor and one (1) absent (Blake) the motion carried.

- The Finance Committee recommended approval of Task Order #27 to begin the construction phase for upgrades to the water system to begin in the spring of 2019 in the amount of \$1,818,959.

Councilmember Etten made a motion to approve Task Order #27 in the amount of \$1,818,959 to begin the construction phase for upgrades to the water system. Councilmember White seconded the motion. With four (4) in favor and one (1) absent (Blake) the motion carried.

- The Finance Committee recommended approval of three change orders from J.D.L Contracting for the Civil War Trail Project - Change Order #1 placing topsoil in the amount of \$34,992.80, Change Order #2 tree removal in the amount of \$2,704,71 and Change Order #3 adding new parking spaces in the amount of \$5,983.00.

Councilmember Etten made a motion to approve change orders from J.D.L Contracting for the Civil War Trail Project - Change Order #1 placing topsoil in the amount of \$34,992.80, Change Order #2 tree removal in the amount of \$2,704,71 and Change Order #3 adding new parking spaces in the amount of \$5,983.00. Councilmember Lutz seconded the motion. With four (4) in favor and one (1) absent (Blake) the motion carried.

- The Finance Committee recommended approval to renew the liability/property insurance policy with Commercial Insurance in an amount not to exceed \$96,000.

Councilmember Etten made a motion to renew the liability/property insurance policy with Commercial Insurance in an amount not to exceed \$96,000. Councilmember Seams seconded the motion. With four (4) in favor and one (1) absent (Blake) the motion carried.

Etten stated he had asked the underwriters how much it would take off the cost of the policy to remove five vehicles from the policy the city plans to auction off. The underwriters answered

there would be a discounted amount. Etten requested the City begin the process of auctioning off the vehicles before January 1 so the city can realize the cost savings.

- The Finance Committee recommended approval of the following Fire Department salary adjustments: Randy Chambers an increase in the amount of .15/hour; Matthew Peltier an increase in the amount of .15/hour and Nathaniel Tucker an increase in the amount of .45/hour starting with the pay period beginning on November 29.

Councilmember Etten made a motion to approve the following Fire Department salary adjustments: Randy Chambers an increase in the amount of .15/hour; Matthew Peltier an increase in the amount of .15/hour and Nathaniel Tucker an increase in the amount of .45/hour starting with the pay period beginning on November 29. Councilmember White seconded the motion. With four (4) in favor and one (1) absent (Blake) the motion carried.

- The Finance Committee recommended approval of the purchase of two sets of gear for the fire department from All-American Fire Equipment, Inc not to exceed \$5,000.

Councilmember Etten made a motion to purchase of two sets of gear for the fire department from All-American Fire Equipment, Inc not to exceed \$5,000. Councilmember Lutz seconded the motion. With four (4) in favor and one (1) absent (Blake) the motion carried.

- The Finance Committee recommended approval of the Homeland Security Grant proposal in the amount of \$25,000 from the City of Lewisburg and \$2,320 from the Fire Department Corporation to the Fire Department for the purchase of eight dive suits for a total of \$27,320.

Councilmember Etten made a motion to approve the Homeland Security Grant proposal in the amount of \$25,000 from the City of Lewisburg and \$2,320 from the Fire Department Corporation to the Fire Department for the purchase of eight dive suits for a total of \$27,320. Councilmember Seams seconded the motion. With four (4) in favor and one (1) absent (Blake) the motion carried.

- The Finance Committee recommended approval of a bid from Matt Condon of Four Season Tree Care, LLC to cut down and remove dead ash and maple trees within the city limits which are considered hazardous at an amount not to exceed \$15,500.

Councilmember Etten made a motion approve a bid from Matt Condon of Four Season Tree Care, LLC to cut down and remove dead ash and maple trees within the city limits which are considered hazardous in an amount not to exceed \$15,500. Councilmember White seconded the motion. With four (4) in favor and one (1) absent (Blake) the motion carried.

The Finance Committee had tabled a request from the Public Works Department to purchase a RAM 2500 Fleet vehicle from Enterprise Fleet to allow Director of Public Works Pence to review the options listed on the quote to remove a “chrome” package that was included on the original quote.

Pence stated a new quote had been provided in the Council packets and that the “chrome” package had been removed.

Councilmember Etten made a motion to approve the purchase of a RAM 2500 Fleet vehicle from Enterprise Fleet with a down payment of \$3,233 and a monthly payment of \$541.41 for 60 months. Councilmember Seams seconded the motion. With four (4) in favor and one (1) absent (Blake) the motion carried.

- The Finance Committee recommended approval of setting the date of Friday, December 7 from noon until 2:00 p.m. for the annual employee appreciation luncheon at a cost of \$16 per person being catered by Blue Ribbon Catering.

Councilmember Etten made a motion to set the date of Friday, December 7 from noon until 2:00 p.m. for the annual employee appreciation luncheon at a cost of \$16 per person being catered by Blue Ribbon Catering. Councilmember Lutz seconded the motion. With four (4) in favor and one (1) absent (Blake) the motion carried.

- The Finance Committee recommended approval of giving a \$300 incentive pay to City employees as option C as presented.

Councilmember Etten made a motion to approve a \$300 incentive pay to City employees as option C as presented. Councilmember Seams seconded the motion. With four (4) in favor and one (1) absent (Blake) the motion carried.

- The Finance Committee went into executive session to discuss the annual review and salary adjustment of the City Administrator at which time no decisions were made.

Councilmember Etten made a motion to enter into executive session to discuss a salary adjustment for the City administrator at 8:34 p.m. Councilmember White seconded the motion. With four (4) in favor and one (1) absent (Blake) the motion carried.

Councilmember Etten made a motion to enter back into regular session at 8:44 p.m. Councilmember Seams seconded the motion. With four (4) in favor and one (1) absent (Blake) the motion carried.

Councilmember Etten made a motion to grant City Administrator Manchester a salary increase in the amount of \$2,000 beginning November 29. Councilmember White seconded the motion. With four (4) in favor and one (1) absent (Blake) the motion carried.

#### Public Works Committee Report

City Manager in Training Jacy Faulkner reported on the following events of the November 13, 2018 Public Works Committee meeting:

- The total percentage of unaccounted for water loss in the system was 37.45% for the month of October.



- The Civil War Trail going from the Lewisburg Elementary School to the Greenbrier Public Library is still under construction.
- The electric car charging stations are being installed at Montwell Commons.
- A cherry tree at Dorie Miller Park is going to be replaced with an American chestnut tree.
- Paving on Dwyer Lane and Mary's Lane has been completed.
- Water lines on Spibeth and Scott Streets have been upgraded from a ½" line to a 2" line.
- The deferred payment plan and leak adjustment policies have been revised as requested by the Public Service Commission because of a case that came before them.

Councilmember Etten made a motion to approve revisions to the deferred payment plan and the leak adjustment policy. Councilmember Seams seconded the motion. With four (4) in favor and one (1) absent (Blake) the motion carried.

#### Public Safety Committee Report

Councilmember Lutz reported that no meeting had been held.

#### ADJOURNMENT:

Councilmember Lutz made a motion to adjourn the meeting at 8:54 p.m. Councilmember Etten seconded the motion. With four (4) in favor and one (1) absent (Blake) the motion carried.

