

**Minutes of City Council
November 19, 2019
Regular Session**

The Council of the City of Lewisburg met in regular session on Tuesday, November 19, 2019 at 7:30 p.m. in the Paul R Cooley Council Chambers at 942 Washington St West, Lewisburg, WV.

PRESENT: Mayor Beverly White, Recorder Shannon Beatty; Council members, Heather Blake, Sarah Elkins, Mark Etten, and Arron Seams. Treasurer Susan Honaker, City Manager Jacy Faulkner, Director of Public Works Roger Pence, Deputy Chief Vance; Fire Chief Joseph Thomas, Assistant City Manager Misty Hill, and Zoning Officer Gary Ford.

ABSENT: Police Chief Chris Teubert,

VISITORS: Reporters Peggy Mackenzie with the Mountain Messenger; Bobby Bordelon with the West Virginia Daily News; Mary Cole Dietz, Emil Stalis, Elizabeth Clarke, Donna Toney, Joshua and Lara Edwards, Kara Dense, Cassie Lawson, Mike Kidd, Jeff Jasperse, Delilah Dixon, Beth Gill, Valerie Pritt and Jim Alder.

INVOCATION AND PLEDGE OF ALLEGIANCE:

Recorder Beatty presented the invocation and Council member Seams led the Pledge of Allegiance.

CALL TO ORDER:

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

VISITORS REPORT:

Greenbrier Valley Visitors and Convention Bureau annual report

Kara Dense, the executive director of the Greenbrier County Convention and Visitor's Bureau presented the 2018-2019 annual report for the CVB to Council. She noted the CVB was completely funded by the hotel/motel tax and had an annual budget just under one million dollars a year.

APPROVAL OF MINUTES:

October 15, 2019

Councilmember Etten made a motion to approve the October 15, 2019 regular session minutes as presented. Councilmember Elkins seconded the motion. With all in favor the motion carried.

September 30, 2019

Councilmember Etten made a motion to approve the September 30, 2019 Special Session minutes as presented. Councilmember Elkins seconded the motion. With all in favor the motion carried.

RESOLUTIONS:

Proposed Resolution 475

Mayor Beverly White asked City Council if this resolution would help or hurt the City. Councilmember Etten stated he was not in favor of this resolution as it was presented. Councilmember Seams said he felt the resolution was unenforceable because an ordinance is required to modify the city code. Councilmember Elkins stated she agreed with what the other councilmembers had said about the ordinance.

Councilmember Elkins made a motion not to approve proposed resolution 475. Councilmember Blake seconded the motion. With all in favor the motion carried.

COMMUNICATIONS FROM THE CITY MANAGER:

City Manager Jacy Faulkner reported on the following events:

- USDA has agreed to fund Lewisburg's water system upgrade project. She noted the City will have to approve some documents to receive the funding.

Councilmember Elkins made a motion to approve a conflict of interest policy as required by the USDA. Councilmember Seams seconded the motion. With all in favor the motion carried.

Councilmember Blake made a motion to approve the Request for Obligation of Funds (form RD 1940-1) as presented. Councilmember Elkins seconded the motion. With all in favor the motion carried.

Councilmember Seams made a motion to approve the Water and Waste System Grant Agreement (RUS Bulletin 1780-12) as presented. Councilmember Elkins seconded the motion. With all in favor the motion carried.

Councilmember Blake made a motion to approve the Certification Regarding Drug-free workplace requirements (Form AD-1049) as presented. Councilmember Etten seconded the motion. With all in favor the motion carried.

Councilmember Seams made a motion to approve the loan resolution for public bodies (RUS Bulletin 1780-27) as presented. Councilmember Etten seconded the motion. With all in favor the motion carried.

Councilmember Elkins made a motion to approve the Letter of Intent to Meet Conditions (Form RD 1942-46) as presented. Councilmember Blake seconded the motion. With all in favor the motion carried.

Order Calling for Excess Levy Election

- Faulkner stated the City needed to set forth an order calling for an excess levy to be held. She stated the last levy election did not include the fiscal year 2020/21. She noted the levy election is only a renewal and that the rates will not increase. She said the City Recorder has consulted with the Secretary of State, the State Auditor and the City Attorney regarding the levy.

Councilmember Etten made a motion to approve the order calling for a levy election to be held on Saturday, February 29, 2020. Councilmember Blake seconded the motion. With all in favor the motion carried.

Monthly City Manager's Report

- A progress report conference call regarding the USDA grant projects was held.
- The City Manager and the Mayor attended an Apprentice Network meeting.
- Attended a Region IV executive meeting.
- Attended a Complete Count Census Committee training with community leaders the Mayor had assembled.

COMMUNICATIONS FROM THE MAYOR:

Appointment to fill unexpired term on City Council ending June 30, 2021

Mayor White offered the name of Joshua Edwards to fill an unexpired term on City Council ending June 30, 2021 when the next municipal election is held.

Councilmember Blake made a motion to appoint Joshua Edwards to fill an unexpired term on City Council ending June 30, 2021 when the next municipal election is held. Councilmember Seams seconded the motion. With all in favor the motion carried.

Oath of Office

Mayor White administered the oath of office to Joshua Edwards to fill an unexpired term on City Council ending June 30, 2021 when the next municipal election is held.

Appointment to Council Committees

Mayor White recommended appointing Councilmember Seams to serve as the Chair of the Public Safety Committee with Etten and White serving as committee members; and appointing Councilmember Edwards to the Public Works Committee with Blake as Chair and White as a member. All members of Council will serve on the Finance Committee with Etten as Chair.

Councilmember Elkins made a motion to appoint Councilmember Seams to serve as the Chair of the Public Safety Committee with Etten and White serving as committee members; and appoint Councilmember Edwards to the Public Works Committee with Blake as Chair and White as a member. All members of Council will serve on the Finance Committee with Etten as Chair. Councilmember Etten seconded the motion. With all in favor the motion carried.

Holiday Schedule

Mayor White stated that the Human Resources Director Misty Hill would present information about the holiday schedule.

Misty Hill stated that the day after Thanksgiving is the only State holiday the City does not list as a permanent holiday in the employee handbook. She stated she would like to get Council's permission to add it to the list of City holidays. Councilmember Etten stated he would rather see this day made a permanent holiday when Hill presents other changes to the employee handbook to Council.

Councilmember Etten made a motion designate, Friday, November 23, 2019 as a holiday day this year. Councilmember Blake seconded the motion. With all in favor the motion carried.

Hill stated she would like to ask for December 24 and December 31 as administrative days off for this year. She noted that time off like this was often a very valuable asset for City employees who are not paid as well as employees in the business sector.

Councilmember Seams made a motion to grant December 24 and 31 as administrative days off. Councilmember Elkins seconded the motion. With all in favor the motion carried.

COMMUNICATIONS FROM CITY COUNCIL MEMBERS:

Mayor Beverly White welcomed Councilmember Edwards to City Council.

COMMUNICATIONS FROM BOARDS AND COMMISSIONS:

Planning Commission Report

Planning and Zoning Officer Ford reported on the following events of the November 7, 2019 Planning Commission meeting:

- A minor Subdivision on 411 Lightner Avenue for Brandon Johnson was approved.
- No meeting will be held in December because no application were received before the deadline.

Parks Commission Report

Director of Public Works Roger Pence reported on the following events of the November 5, 2019 Parks Commission meeting:

- Project updates concerning conditioning the ball fields for winter were discussed and how to promote the pickle ball courts.
- A work order was put in to have the playground equipment at both parks cleaned by Parks Commission member Cooley.

COMMUNICATIONS FROM THE POLICE DEPARTMENT:

- Deputy Chief Vance reported the Police Department had received 247 calls for service of which 71 were for traffic stops.
- Some members of the Police Department attended an 8 hour in service class about human trafficking.
- Vance stated that the annual Taste of Our Town festival went well for law enforcement this past October.
- The Department participated in a Safety event at Grand Home Furnishings on Grand Avenue and in helping the students at the Lewisburg Elementary Trunk or Treat at the school.
- K-9 officer Rocky successfully completed tracking a fugitive within the city limits.
- One of the police cruisers hit a deer and caused \$7,900 worth of damage.

Standard Operating Guidelines/Firearms and Ammunition

Vance stated that training had been completed and the ammunition had been received by the Police Department.

Councilmember Etten made a motion to approve the Standard Operating Guidelines for Firearms and Ammunition with an effective date of November 20, 2019. Councilmember Seams seconded the motion. With all in favor the motion carried.

Councilmember Etten asked to have the CEW Standard Operating Guideline placed on the December City Council agenda for approval.

COMMUNICATIONS FROM THE FIRE DEPARTMENT:

Chief Thomas reported the Fire Department responded to 102 emergency calls over the past month. 64 calls were inside the city limits and 31 calls were in the first due area.

Mutual Aid Agreement with Greenbrier Valley Airport

Fire Chief Thomas stated this is the same agreement the City signed with the airport last year. It is being brought back for a date change. He noted it was reviewed by the City Attorney.

Councilmember Bake made a motion to approve the mutual aid agreement with the Greenbrier Valley Airport. Councilmember Etten seconded the motion. With all in favor the motion carried.

COMMUNICATIONS FROM COUNCIL COMMITTEES:

Finance Committee Report

Councilmember Etten reported on the following events of the November 12, 2019 Finance Committee meeting:

- The Finance Committee tabled the request for Video Lottery Grant monies for funding from Greenbrier East High School Band until City Council meeting Tuesday, November 19, 2019 until further information could be provided.

Etten stated the request was for \$17,200 to help pay for the bus transportation for students. There was no recommendation coming out of the Finance Committee meeting. He noted that Jeff Jasperse had provided the additional information as requested. Elkins stated she remembered discussion regarding underwriting six students at \$667 each for bus transportation.

Councilmember Elkins made a motion to allocate \$4,002 to the GEHS Band Booster to provide bus transportation for six students to make a trip to Walt Disney World. Councilmember Edwards seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended acceptance of the Chapman Technical Group Update Master Engineer Agreement as presented.

Councilmember Etten made a motion to approve the Chapman Technical Group Update Master Engineer Agreement as presented. Councilmember Seams seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval of the quote from One Beacon in the amount of \$99,970.25, allowing the City to remain with One Beacon because of the excellent service that has been provided over the past nine years. Also indicating the benefits of One Beacon being endorsed by the WV Municipal League and their service to other entities throughout West Virginia.

Councilmember Etten made a motion to renew the property and liability insurance with One Beacon in the amount \$99,970.25 Councilmember Seams seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval the catering services of Blue Ribbon Catering for the Appreciation Luncheon to be held on December 13, 2019, at the Library from 12 to 2pm, for the cost not exceed \$1200. Which includes money for additional desserts and gift cards.

Councilmember Etten made a motion to approve catering services of Blue Ribbon Catering for the Appreciation Luncheon to be held on December 13, 2019, at the Library from 12 to 2pm, for the cost not exceed \$1200. Which includes money for additional desserts and gift cards. Councilmember Blake seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval of the holiday incentive pay at \$300 per employee.

Councilmember Etten made a motion to approve \$300 for the holiday incentive pay for each employee. Councilmember Elkins seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval of the pay scale update as presented.

Human Resources Director Misty Hill stated that the City needs to become more competitive in its pay for water plant operators in order to retain or recruit operators. She noted the City starts their water plant operators at \$14 and whereas surrounding counties cities on the average start theirs at \$25. She stated the City has been trying to hire a new water plant operator for six months without any success. She stated it has become an emergency because there water plant operators set to retire and or move. She stated that one water plant operator worked 108 hours during the last pay period. She stated it important to also increase the Public Works Director salary so that we don't have operators making more than the Director. She stated the Chief of

Police cannot accrue Over time as the Chief of Police and now makes less as the Chief than he did as the Deputy Chief. She said that now there would be one Fire Department employee making more money than the Fire chief which is why she would like to increase the salaries of the Director of Public Works, Police Chief and Fire Chief.

Councilmember Etten made a motion to approve the pay scale update as presented. Employees Johnson at \$23 an hour; Bowes at \$22 an hour; Sanford at \$16.70 an hour; Mcmillion at \$19.00 an hour; Cooper at \$15.00 an hour; Pence at from \$46,904 to \$52,000 annually; Teubert from \$61,456 to \$63,000 and Thomas from 54,704 to \$59,000 annually. And Water plant operators beginning at \$25 an hour beginning November 28, 2019. Councilmember Blake seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended recommend approval of the purchase of the Town Police Supply bulletproof vest quote #Q2019-736 for the amount of \$11,940 as recommended by Police Chief Teubert. The understanding is that the Bulletproof Vest Partnership grant will reimburse the awarded \$4,800 after the full amount is paid.

Councilmember Etten made a motion to approve of the purchase of the Town Police Supply bulletproof vest quote #Q2019-736 for the amount of \$11,940 as recommended by Police Chief Teubert. The understanding is that the Bulletproof Vest Partnership grant will reimburse the awarded \$4,800 after the full amount is paid. Councilmember Edwards seconded the motion. With all in favor the motion carried.

In regards to the question asked at the Finance Committee meeting about whether or not it is okay to let the Fire Department use the Police Department's discarded bullet proof vests, the City Attorney Tom White needs to do some research about that. White stated he will report back at next month's meeting.

- The Finance Committee tabled consideration of the Police Department Computer Server Replacement to allow for additional information to be provided by the Greenbrier Technologies representative and Advantage Technology quote to be completed for the 16 Bay High Performance Storage.

Carla and Jeff from Greenbrier Technologies stated the current servers were purchased in 2010 and 2013 and the current system support services will no longer be available after December 30, 2019. Jeff stated the main thing to remember with the data is that the dash cam and security camera footage use a lot storage. Greenbrier Technologies is constantly having to purge old footage to make more room to current footage. Councilmember Etten stated that was why he believed that Cloud storage would work. Jeff stated that the lack of high upload speeds in the area makes it harder to use cloud computing. He noted that if the City is looking at the price of monthly expense, storing on a cloud would quickly exceed the price of storing on a server. Jeff stated the main software the Police Department uses is called LEAR. This software needs to be secured because of the nature of information stored there. He stated he did not know how secure

a cloud is. He stated that Greenbrier Communications tried to provide an expandable system with plenty of storage with the quote they offered.

Councilmember Etten made a motion to approve quote 10104 on site at the Police Station in the amount of \$15,125.94 and quote 10103 for backup at the Fire Station in the amount of \$8383.94. Councilmember Seams seconded the motion. With all in favor the motion carried.

Deputy Chief Vance stated he had received additional information from another bidder that afternoon. It looks like the bid from Advantage Technology comes in at just \$200 less than Greenbrier Technologies. However, he stated the City is already in a contract with Greenbrier Technologies to provide support services at the Police Department. Vance was not sure if Greenbrier Technologies would service the hardware and software if purchased from Advantage Technology that is located in Charleston. Councilmember Etten stated it was good to get the updated info from the other bidder but that they would proceed with accepting the bid from Greenbrier Technologies.

- The Finance Committee recommended payment of the American Electric Power Invoice No. 140-212083046 in the amount of \$6,214.00

Councilmember Etten made a motion to pay the American Electric Power Invoice for light poles in the amount of \$6,214.00. Councilmember Blake seconded the motion. With all in favor the motion carried.

Public Works Committee Report

Director of Public Works Pence reported on the following events of the November 12, 2019 meeting:

- The unaccounted for water loss in the system was 20.48% for the month of October.
- The outdoor restrooms have been winterized for the season except for the ones beside City Hall which will remain open until after the Holiday Open House weekend on November 23-24.
- Holiday décor is being installed downtown in anticipation of the Holiday Open House weekend.
- A pre-bid meeting was held on November 12 for the waterline upgrade at the Fairlea Tank.
- The Public Works Department is soliciting bids for the Retreat Subdivision in Caldwell communications upgrade. The City will take over those operations at the Retreat beginning January 1, 2020.
- It was reported that Chapman Technical Group is still compiling data concerning the speeding traffic situation at Echols Lane, Foster and Davis Streets.

EXECUTIVE SESSION:

Councilmember Seams made a motion to go into executive session at 9:46 p.m. to discuss the Statewide Opioid litigation situation. Councilmember Elkins seconded the motion. With all in favor the motion carried.

Councilmember Seams made a motion to reconvene into regular session at 10:10 p.m. Councilmember Etten seconded the motion. With all in favor the motion carried.

Councilmember Seams made a motion to direct City Administration to look into options concerning the Statewide Opioid litigation. Councilmember Elkins seconded the motion. With all in favor the motion carried.

Councilmember Blake made a motion to enter into executive session to discuss questions that were submitted by a citizen to City Council with the City Attorney. Councilmember Edwards seconded the motion. With all in favor the motion carried.

Councilmember Blake made a motion to reconvene into regular session at 10:37 p.m. Councilmember Etten seconded the motion.

ADJOURNMENT:

Councilmember Seams made a motion to adjourn the meeting at 10:38 p.m. Councilmember Etten seconded the motion. With all in favor the motion carried.