

Minutes of City Council
March 16, 2021
Regular Session

The Council of the City of Lewisburg met in regular session on Tuesday, March 16, 2021 at 7:30 p.m. VIA a Zoom Teleconference call because of the Covid-19 Pandemic.

PRESENT: Mayor Beverly White, Recorder Shannon Beatty, Council members, Heather Blake, Josh Edwards, Sarah Elkins, Mark Etten, and Arron Seams, Treasurer Susan Honaker, City Manager Misty Hill, Fire Chief Joseph Thomas, Planning & Zoning Officer Marsha Cunningham, Director of Public Works Roger Pence and Deputy Police Chief Jeff Vance.

ABSENT: Police Chief Teubert

VISITORS: Reporter Sarah Richardson with the Mountain Messenger, Tina Alvey with the Beckley Register Herald; Rebecca Stalnaker with the WV Daily News, Christian Rogner; Lee Dean, Field Representative with WV Secretary of State, Donald Kersey, Legal Counsel for the WV Secretary of State's office and Jesse Andrews.

INVOCATION AND PLEDGE OF ALLEGIANCE:

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

CALL TO ORDER:

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

VISITORS REPORT:

Lewisburg resident Christian Rogner approached Council asking how it would affect the Fire Department if the City lost water. He noted that a water leak outside his house made him think about water security issues concerning the City water supply. Mayor White thanked him for his concern.

E-Voting proposal from the Secretary of State office

Donald Kersey, lead counsel with the Secretary of State's office explained they were hoping to have Lewisburg to serve as a pilot program for a new electronic ballot system that would only be available to overseas voters and voters with disabilities. Eligible voters could cast absentee ballots through an electronic application. Kersey stated that it would involve a financial cost but that there were grants available to help start this pilot program. However, Kersey noted that in order to implement, the City would have to enact an ordinance extending Lewisburg's absentee ballot regulations to include an electronic option. City Manager Misty Hill stated that passing an ordinance would create a very tight timeframe with the upcoming June election and State requirements for having ballots available for mailing out absentee ballots. The second reading of an ordinance could not occur until the May City Council meeting. Mayor White and Council members indicated they did not feel comfortable rushing into anything of this magnitude with an upcoming election. Mayor White encouraged the Secretary of State's office to get back in touch with Lewisburg after this election had been completed.

APPROVAL OF MINUTES:

February 16, 2021

Councilmember Elkins made a motion to approve the February 16, 2021 regular session minutes as presented. Councilmember Edwards seconded the motion. With all in favor the motion carried.

March 9, 2021

Councilmember Blake made a motion to approve the March 9, 2021 special session minutes as presented. Councilmember Etten seconded the motion. With all in favor the motion carried.

ORDINANCES:

Consider and Act on the Planning Commission Petition to amend the Zoning Ordinance by rewriting the Planned Unit Development portion of the zoning ordinance by, among other things, changing allowed uses and densities, public hearing.

Mayor White stated the City needed to hold a public hearing regarding changes the Planning Commission recommended to make amendments to the Planned Unit Development portion of the Zoning Ordinance.

Mayor White opened the floor for comments from the public during a public hearing at 8:14 p.m. for comments regarding the proposed amendments to the Zoning Ordinance by rewriting the Planned Unit Development portion. Hearing no comments from the public she closed the public hearing at 8:15 p.m. She noted that no written comments had been received from the public.

Ordinance 290, amend the Zoning Ordinance by rewriting the Planned Unit Development portion of the zoning ordinance, by among other things, changing allowed uses and densities, 1st reading.

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

“AN ORDINANCE TO AMEND ARTICLES 1335, 1339, 1351, AND 1355 OF PART THIRTEEN, CHAPTER THREE, OF THE LEWISBURG CITY CODE, REGARDING PLANNED UNIT DEVELOPMENTS.”

Councilmember Etten made a motion to approve Ordinance 290 based on the Planning Commission recommendation and as presented. Councilmember Seams seconded the motion. With all in favor the motion carried.

RESOLUTION:

Resolution 482

Recorder Beatty read the following resolution by title for passage:

“General Fund Budget Fiscal Year 2021 Revision Number 1

At a regular session of the municipal council held March 16, 2021 the following order was made and entered.

SUBJECT: The revision of the Levy Estimate (Budget) for the General Fund of the City of Lewisburg. The following resolution was offered:

RESOLVED: That subject to approval of the State Auditor as ex officio chief inspector of public office the municipal council does hereby direct the budget be revised **PRIOR TO THE EXPENDITURE OR OBLIGATION OF FUNDS FOR WHICH NO APPROPRIATION OR INSUFFICIENT APPROPRIATION CURRENTLY EXISTS.** as shown on **budget revision number one**, a copy of which is entered as part of this record.”

Councilmember Etten made a motion to approve Resolution 482. Councilmember Edwards seconded the motion. With all in favor the motion carried.

COMMUNICATIONS FROM THE MAYOR:

Appointment to Parks Commission

- Mayor White offered the name of Katie Kilcollin for appointment to the Parks Commission for a term ending on June 30, 2027.

Councilmember Edwards made a motion to appoint Katie Kilcollin to the Parks Commission for a term ending on June 30, 2027. Councilmember Elkins seconded the motion.

- Mayor White applauded all women in celebration of Women’s History Month.

COMMUNICATIONS FROM THE CITY MANAGER:

Approval of election officials and poll workers for City Recorder

Councilmember Blake made a motion to approve the list of election officials for the June 8, 2021 City election, giving Recorder Beatty permission to fill any vacant seats. Councilmember Edwards seconded the motion. With all in favor the motion carried.

Monthly Report

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

- Hill has been participating in the West Virginia Municipal League, the Covid Task Force and the Governor’s teleconference meetings weekly.
- Held meetings regarding the Route 219 North and Lafayette Street sidewalk projects.
- She has been managing the City’s Covid response efforts.

- Closed on the property for the new fire station.
- City Hall will be reopened to the public on Monday, April 5.
- A few additional easements have been gained for the water plant project.

COMMUNICATIONS FROM CITY COUNCIL MEMBERS:

No communications were given.

COMMUNICATIONS FROM BOARDS AND COMMISSIONS:

Planning Commission Report

Zoning Officer Marsha Cunningham reported on the following events of the March 4, 2021 Planning Commission meeting:

- A working session was held on Thursday, March 4, 2021 to discuss the Planned Unit Development Ordinance. It was the recommendation of the Planning Commission that drive thrus not be approved for restaurants in the development. The Planning Commission sent the ordinance back to reflect that change.
- A conditional use permit was approved for Civitas Hospitality Group DBA Briergarten, at 121 Stratton Alley, Suite #9 to serve food and alcohol on the outdoor fenced in patio, public hearing
- The next meeting will be held on Thursday, April 1, 2021.

COMMUNICATIONS FROM THE POLICE DEPARTMENT:

Mayor White stated that a copy of Chief Teubert's report had been included in the packet and asked if City Councilmembers had any questions for the Chief.

COMMUNICATIONS FROM THE FIRE DEPARTMENT:

Mayor White stated that a copy of Chief Thomas's report had been included in the packet and asked if City Councilmembers had any questions for the Chief.

COMMUNICATIONS FROM COUNCIL COMMITTEES:

Finance Committee Report

Finance Committee Chair Mark Etten reported on the following events of the March 9 and 10, 2021 Finance Committee meetings:

- Councilmember Etten stated that bids came back for the audit contract for fiscal year 2020/21 and that the Audit Committee recommends Ferrari & Associates to perform the audit.

Councilmember Etten made a motion to approve Ferrari & Associates to perform an audit for fiscal year 2020/21. Councilmember Blake seconded the motion. With all in favor the motion carried.

- The Finance Committee tabled action on Task Order #34, City Hall brick repointing with Chapman Technical group. Misty Hill stated that she suggested the City consider working with the Mills Group to have the repointing completed. She noted the Mills Group had already completed drawings on this area of the building a few years ago when reviewing another project. This makes the project less expensive that it would be to go with Chapman Technical group. Chapman Technical Group would just have to re-create drawings the Mills Group has already made, making it more expensive for the City.

Councilmember Edwards made a motion to approve a contract with the Mills Group for the City Hall brick repointing project. Councilmember Elkins seconded the motion. With all in favor the motion carried.

- The Finance Committee directed the administration to approve Task Order #32 from Chapman Technical group for an amount not to exceed \$88,000 for the South Lafayette Street storm water project.

Councilmember Etten made a motion to approve Task Order #32 in the amount of \$88,000 for the South Lafayette Street Storm Water project. Councilmember Seams seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval of pay application #3 and the schedule for the US Route 219 North Sidewalk project.

Councilmember Etten made a motion to approve pay application #3 and the schedule for the US Route 219 North Sidewalk project. Councilmember Blake seconded the motion. With all in favor the motion carried.

- The Finance Committee directed the administration to proceed for request for bids and for plans from Chapman Technical group for an amount not to exceed \$3,000 for the Stratton Alley Storm Water Project Phase one.

Councilmember Etten made a motion to proceed with the request for bids and plans from the Chapman Technical Group in an amount not to exceed \$3,000 for the Stratton Alley Storm water Project Phase one. Councilmember Blake seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval of a cost of living increase in the amount of .35 cents an hour for employees effective March 17, 2021.

Councilmember Etten made a motion to approve a cost of living increase for employees in the amount of .35 cents an hour effective March 17, 2021. Councilmember Seams seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended an adjustment to the City Manager, Misty Hill's salary to the annual amount of \$65,500 per year effective March 17, 2021.

Councilmember Etten made a motion to adjust the City Manager, Misty Hill's salary to the amount of \$65,500 per year. Councilmember Edwards seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended an adjustment to the Treasurer, Susan Honaker's salary to the annual amount of \$50,544 to be effective March 17, 2021.

Councilmember Etten made a motion to adjust the Treasurer, Susan Honaker's salary to the annual amount of \$50,544 to be effective March 17, 2021. Councilmember Blake seconded the motion. With all in favor the motion carried.

- After receiving two bids, City Manager Misty Hill recommends that City Council approve the purchase of Ventrac Equipment with American Electric Equipment in Beckley, WV in an amount of \$63,462.46 for the Public Works Department. Hill stated that with the upcoming completion of new sidewalks the City would be responsible for, she is asking for approval now instead of waiting to purchase it with the CARES Act money. The equipment can be used as a mower, snowblower, broom, and vacuum on sidewalks.

Councilmember Blake made a motion to approve the purchase of Ventrac equipment from American Electric Equipment in Beckley, WV in an amount of \$63,462.46 Councilmember Seams seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval of the purchase of the 911 Center computer aided dispatch (CAD) report software in the amount of \$47,814 for the Police Department.

Councilmember Etten made a motion to approve the purchase of the 911 Center computer aided dispatch (CAD) report software in the amount of \$47,814 for the Police Department. Councilmember Edwards seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval of the 2022 Coal Severance Fund budget.

Councilmember Etten made a motion to approve the 2022 Coal Severance Fund budget. Councilmember Elkins seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval of the 2022 General Fund budget.

Councilmember Etten made a motion to approve the 2022 General Fund budget. Councilmember Edwards seconded the motion. With all in favor the motion carried.

REPORT FROM THE PUBLIC WORKS DEPARTMENT:

Director of Public Works Roger Pence reported on the following items of interest:

- The Parks & Street division has been working on the new office building on Feamster Road.
- Restrooms at the City parks and City Hall have been opened.
- The new shelter at Dorie Miller Park is almost finished.
- Streets Department is still working on cleaning up cinders on the streets with the street sweeper.
- Will begin taking shelter reservations in April.
- The Stratton Alley storm water designs are completed.
- Completing the annual spring cleaning and sampling of injection well sites.
- The Route 219 South Sidewalk is almost complete
- Making progress on the Route 219 North sidewalk projects.
- Have located several small leaks over the past few weeks.
- Water tank repairs are being scheduled.
- Water Department employees have completed Class I licensing requirements.
- Replaced old lead pipes in Fairlea with new pipe.
- Bids will be opened for the Hollowell Park ballfield turf project next week. Pence asking City Council to allow the administration to open the bids and select a qualified contractor to complete the project.

Councilmember Elkins made a motion to authorize the City Manager to open and select a qualified contractor for the Hollowell Park ballfield turf project. Councilmember Seams seconded the motion. With all in favor the motion carried.

ADJOURNMENT:

Councilmember Seams made a motion to adjourn the meeting at 9:10 p.m. Councilmember Edwards seconded the motion. With all in favor the motion carried.