

Minutes of City Council

April 20, 2021

Regular Session

The Council of the City of Lewisburg met in regular session on Tuesday, April 20, 2021 at 7:30 p.m. VIA a Zoom Teleconference call because of the Covid-19 Pandemic.

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

VISITORS: Reporter Sarah Richardson with the Mountain Messenger, Tina Alvey with the Beckley Register Herald and Kelly Estep with Chapman Technical Group.

INVOCATION AND PLEDGE OF ALLEGIANCE:

Mayor White asked for a moment of silence as 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:

None were given.

APPROVAL OF MINUTES:

March 16, 2021

Councilmember Elkins made a motion to approve the March 16, 2021 Regular Session minutes. Councilmember Edwards seconded the motion. With all in favor the motion carried.

March 23, 2021

Councilmember Blake made a motion to approve the March 23, 2021 Special Session minutes. Councilmember Seams seconded the motion. With all in favor the motion carried.

Preliminary estimate GMS Drive/Chestnut Street sidewalk project

Kelly Estep with Chapman Technical Group reviewed the preliminary plan documents with City Council page by page going over each area such as Chestnut Street, GMS Drive and Lee Street reviewing sidewalk, paving, storm drains and storm water specifications. She noted the City would install new 5 foot wide sidewalks that would be wider and elevated. She stated that utility poles would be “taken in” and curb ramps will be installed to bring the sidewalk into compliance with ADA regulations. She noted that some fences would have to be relocated in a couple of sections. Estep mentioned that additional stop signs would be added at the junction of Chestnut Street and Lee Street as a visual measure to help slow down motorists.

City Manager Hill noted she brought the preliminary estimate before City Council so they would have an opportunity to review it. She indicated that even though this project had been talked about for a long time no money had been set aside for it. She stated it would be one of the biggest projects the City would need to fund. She stated she believed that American Rescue Funds could be used for this project. The American Rescue Fund money the City received can be used for infrastructure projects. She stated that City Treasurer Honaker does not see any other way to fund this project. Councilmember Edwards asked Hill if she had an estimate of the cost of this project. Hill answered \$610,566. Hill stated the City will receive approximately \$1.5 million from the American Rescue Plan. She noted the money will be distributed in phases. Councilmember Etten asked Estep if she could answer questions as to how grading would be incorporated into the plan. He had concerns with storm water at the intersection of Lee Street and GMS Drive. She stated that unfortunately Roger Kennedy with Chapman Technical Group was not in attendance and was the one to ask about storm water issues.

PROCLAMATIONS:

Celebrate Osteopathic Medicine Week & Standardized Patient Day Recognition

Mayor White read a proclamation celebrating April 11-18 as Celebrate Osteopathic Medicine Week & Standardized Patient Day Recognition.

Children's Memorial Flag Day

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Mayor White read a proclamation announcing Friday, April 30, 2021 as Children's Memorial Flag Day.

Arbor Day

Recorder Beatty read a proclamation celebrating Friday, April 30 as Arbor Day in Lewisburg.

Drinking Water Week

Recorder Beatty read a proclamation introducing May 2-8 as Drinking Water Week in the City of Lewisburg.

ORDINANCES:

Ordinance 290, 2nd reading & public hearing.

Recorder Beatty read the following ordinance by title for 2nd 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.”

Mayor White opened the floor for a public hearing for comments from the public concerning Ordinance 290 at 8:02 p.m. Hearing no comments from the public, she closed the public hearing.

Councilmember Etten made a motion to approve Ordinance 290. Councilmember Elkins seconded the motion. With all in favor the motion carried.

COMMUNICATIONS FROM THE MAYOR:

Appointment of Director of Public Works

Mayor White indicated this would be discussed in Executive Session at the end of the meeting.

COMMUNICATIONS FROM THE CITY MANAGER:

Monthly Report

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

- Hill has been participating in the West Virginia Municipal League, Broadband 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.
- Has worked on getting estimates for the CARES Act comprehensive project list.

Lay the Levy

City Manager Hill announced the levy rates:

The rates are as follows: Regular current levy rates: Class I \$12.5/\$100 valuation, Class II \$25.000/\$100 valuation and Class IV \$50.000/\$100 valuation

Excess current levy rates: Class I \$6.25/\$100 valuation, Class II \$12.500 /\$100 valuation and Class IV \$25.000/\$100 valuation Councilmember Edwards seconded the motion. With all in favor the motion carried.

Mayor White opened the floor for comment and discussion from the public during the public hearing. Hearing no comment from the public, the hearing was closed.

Councilmember Etten made a motion to officially lay the levy for the General Fund. Councilmember Seams seconded the motion. With all in favor the motion carried.

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 April 1, 2021 Planning Commission working and regular session meetings:

- The Planning Commission reviewed sign regulations for the ongoing Zoning Ordinance update.
- The Planning Commission recommended approval of a minor subdivision application at 3567 Jefferson Street, North, Deed book 622, Page 460 Tax map for Northridge Properties, LLC 7.65 acres from the original 29 acres.

Zoning Officer Cunningham reported that Northridge Properties owners Bill Irons, G. Thomas Garten, and Charles Long submitted a minor subdivision request for 7.65 acres at 3567 Jefferson Street North. She noted that all requirements for the minor subdivision have been met including the submittal of return receipts from adjoining property owners.

Councilmember Etten made a motion to accept the minor subdivisions as presented for 7.65 acres at 3567 Jefferson Street North. Councilmember Seams seconded the motion. With all in favor the motion carried.

Parks Commission Report

Councilmember Sara Elkins reported on the following events of the April 6, 2021 Parks Commission report:

- The majority of the meeting involved a discussion of a comprehensive plan for Hollowell park upgrades.
- An update was given about the Pickle ball court.

- Several students (Mary Bicksler, Ryan Vaughan and Zachary Ellis) offered to undertake a WVU School project at Hollowell Park. They have committed \$2,500 for new pickle ball equipment and a pickle ball kiosk.

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 the Chief.

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

Finance Committee Chair Mark Etten reported on the following events of the April 13, 2021 Finance Committee meeting:

- The Finance Committee recommended approval of an Arts & Humanities grant request from the WV Jazz Orchestra in the amount of \$500 for a Labor Day concert.

Councilmember Etten made a motion to approve an Arts & Humanities grant request from the WV Jazz orchestra in the amount of \$500 for a Labor Day Concert. Councilmember Blake seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval of a Video Lottery grant request from the Greenbrier East Project Graduation Committee in the amount of \$4,000.

Councilmember Etten made a motion to approve a Video Lottery grant request from the Greenbrier East Project Graduation Committee in the amount of \$4,000. Councilmember Edwards seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval of the Chapman Technical Group Task Order #34 in the amount of \$9,000 for a hydrology and hydraulics study of the proposed raw water intake.

Councilmember Etten made a motion to approve the Chapman Technical Group Task Order #34 in the amount of \$9,000 for a hydrology and hydraulics study of the proposed raw water intake. Councilmember Edwards seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval of Forcible Entry Equipment for Fire Department training purposes in the amount of \$7,960 from Firehouse Innovations Corp.

Councilmember Etten made a motion to approve the purchase of Forcible Entry Equipment for Fire Department training purposes in the amount of \$7,960 from Firehouse Innovations Corp. Councilmember Edwards seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval of the US Route 219 Sidewalk Phase Two Pay Application #1 in the amount of \$56,684.25.

Councilmember Etten made a motion to approve the US Route 219 Sidewalk Phase Two Pay Application #1 in the amount of \$56,684.25. Councilmember Blake seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval of the US Route 219 Sidewalk Phase Three Pay Application # 3 in the amount of \$145,410.98.

Councilmember Etten made a motion to approve the US Route 219 Sidewalk Phase Three Pay Application #3 in the amount of \$145,410.98. Councilmember Seams seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval of the bid from JDL Contracting, LLC for the storm water project in Stratton Alley behind City Hall in the amount of \$4,132.

Councilmember Etten made a motion to approve the bid from JDL Contracting, LLC for the storm water project in Stratton Alley behind City Hall in the amount of \$4,132. Councilmember Elkins seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval of the paving project on North Court Street.

Councilmember Etten made a motion to approve the paving project on North Court Street. Councilmember Seams seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval of a bid from MOH Contracting in the amount of \$9,700 for the renovations to the rental space on the first floor of City Hall currently occupied by J.L Massie Insurance.

Councilmember Etten made a motion to approve a bid from MOH Contracting in the amount of \$9,700 for renovations to the rental space on the first floor of City Hall currently occupied by J.L Massie Insurance. Councilmember Elkins seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval of the Fiscal Year 2022 Water Fund Budget.

Councilmember Etten made a motion to approve the Fiscal Year 2022 Water Fund Budget. Councilmember Edwards seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval of the following items from the Cares Act comprehensive expenditure plan including:
 - City Hall facade project with Michael Mills in the amount of \$14,820.
 - Skate park lighting in the amount of \$10,000.
 - The ballfield dugouts in the amount of \$18,000.
 - Lighting at the walking track in the amount of \$18,000.
 - Winterizing the bathrooms in the amount of \$1,500.
 - Lights for the batting cages in the amount of \$1,000.
 - Poles for the Little League field in the amount of \$20,000.
 - Privacy ADA restroom for the Softball field in the amount of \$19,000.
 - Player benches for football in the amount of \$4,000.
 - Paving marking equipment in the amount of \$ 8,000.

Councilmember Etten made a motion to approve the following items from the Cares Act comprehensive expenditure plan including:

- City Hall facade project with Michael Mills in the amount of \$14,820.
- Skate park lighting in the amount of \$10,000.
- The ballfield dugouts in the amount of \$18,000.
- Lighting at the walking track in the amount of \$18,000.
- Winterizing the bathrooms in the amount of \$1,500.
- Lights for the batting cages in the amount of \$1,000.
- Poles for the Little League field in the amount of \$20,000.
- Privacy ADA restroom for the Softball field in the amount of \$19,000.
- Player benches for football in the amount of \$4,000.
- Paving marking equipment in the amount of \$ 8,000.

Councilmember Edwards seconded the motion. With all in favor the motion carried.

- The Finance Committee asked City Manager Hill to identify the owner of the proposed property to locate the Street/Parks parking lot and to report back the property value at the City Council meeting.

Councilmember Edwards stated that Council should discuss the land purchase for the Streets/Parks parking lot on Thomas Street in executive session at the end of the meeting.

REPORT FROM THE PUBLIC WORKS DEPARTMENT:

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

- City crews have repaired some major water main line leaks recently.
- City crews have completed a lot of “change outs”.
- Spring mowing has begun.
- The shelter being constructed at Dorie Miller Park is almost complete.
- Has received bids for a generator for the Streets/Parks facility. Pence recommends approval of a bid from Lowe’s in the amount of \$8,600.

Councilmember Blake made a motion to approve the bid to purchase a generator from Lowe’s in the amount of \$8,600 for the Streets/Parks facility. Councilmember Edwards seconded the motion. With all in favor the motion carried.

- Has received bids for a new metal building to be constructed for the Water Distribution Department. Pence recommends approval of the bid from All Construction in the amount of \$69,035.

Councilmember Elkins made a motion to approve the bid from All Construction for a metal building for the Water Distribution Department in the amount of \$69,035. Councilmember Seams seconded the motion. With all in favor the motion carried.

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EXECUTIVE SESSION:

Councilmember Elkins made a motion to enter into executive session to discuss a personnel matter and the purchase of land. Councilmember Seams seconded the motion. With all in favor the motion carried.

RECOVENE INTO REGULAR SESSION:

Councilmember Etten made a motion to reconvene into regular session at 9:17 p.m. Councilmember Seams seconded the motion. With all in favor the motion carried.

Appointment of Director of Public Works

Councilmember Blake made a motion to appoint Edward Legg as the Director of Public Works-in-Training from April 21, 2021 until June 30, 2021 with a salary of \$53,456 and begin as Director of Public Works on July 1, 2021. Councilmember Seams seconded the motion. With all in favor the motion carried.

ADJOURNMENT:

The meeting was adjourned at 9:21 p.m.