

Minutes of City Council

May 16, 2023

Regular Session

The Council of the City of Lewisburg met in regular session on Tuesday, May 16, 2023 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, 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 and Fire Chief Joey Thomas.

ABSENT: Councilmember John Little

VISITORS: Reporter Carolyn Cleaton with the WV Daily News (ZOOM), Reporter Sarah Richardson with the Mountain Messenger; Debbie & Mark Killcollin.

CALL TO ORDER:

Mayor White called the meeting to order at 7:00 p.m.

Patrolman Jonathan Cosby

Police Chief Teubert announced that Patrolman Jonathan Cosby had graduated from the 191st Basic Class of the West Virginia Academy and had received the “Outstanding Officer” award for his class.

PLANNING COMMISSION REPORT:

Public Hearing for conditional use permit for Debbie Kilcollin.

215 West Randolph Street, 3+ plus Airbnb

Planning Commission member Valerie Pritt reported that a conditional use permit was approved by the Planning Commission at their May 4, 2023 Planning Commission meeting for Debbie Kilcollin at 215 Randolph Street West. Pritt noted the application met all the requirements.

Councilmember Pritt made a motion to approve a conditional use permit for Debbie Kilcollin for a 3+ plus Airbnb at 215 West Randolph Street. Councilmember Seams seconded the motion. With five (5) in favor and one (1) absent (Little) the motion carried.

ORDINANCE:

Ordinance 318

City Clerk Beatty read the title of Ordinance 318 for second reading:

“AN ORDINANCE TO AMEND THE CITY OF LEWISBURG’S FLOODPLAIN ORDINANCE.”

Mayor White opened the floor for a public hearing at 7:07 p.m. hearing no comments from the public she closed the public hearing.

Councilmember Seams made a motion to approve Ordinance 318 on second reading. Council member Pritt seconded the motion. With five (5) in favor and one (1) absent (Little) the motion carried.

RESOLUTION:

Resolution 516, Water System Improvement Project Pay Request #11

City Clerk Beatty read the title of Resolution 516 for passage:

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

Councilmember Seams made a motion to approve Resolution 516. Councilmember Johnson seconded the motion. With five (5) in favor and one (1) absent (Little) the motion carried.

Resolution 517, General Fund Budget Revision #2, Fiscal Year 2023

City Clerk Beatty read the title of Resolution 517 for passage:

“General Fund Budget Fiscal Year 2023 Revision Number TWO

At a regular session of the municipal council held May 16, 2023, 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 two**, a copy of which is entered as part of this record.”

Councilmember Pritt made a motion to approve Resolution 517. Councilmember Johnson seconded the motion. With five (5) in favor and one (1) absent (Little) the motion carried.

COMMUNICATIONS FROM THE MAYOR:

Mayor White read a letter she had received from the Greenbrier Valley Chorale thanking City Council for the Arts and Humanities grant they had received for their spring concert. She also indicated she had received a thank you from Mack McIntire for the time Council had granted him to speak during the April City Council meeting.

COMMUNICATIONS FROM THE CITY MANAGER:

Assured Partners of West Virginia – Workers Compensation Renewal

City Manager Misty Hill stated that she had worked with Brent Burton from Assured Partners of West Virginia to get a reduction in the yearly policy amount from \$52,305.00 to \$49,735.00 for the City of Lewisburg's Worker Compensation.

Councilmember Elkins made a motion to approve the City of Lewisburg's Worker Compensation policy yearly policy amount of \$49,735.00 from Assured Partners of West Virginia. Councilmember Seams seconded the motion. With five (5) in favor and one (1) absent (Little) the motion carried.

Go.gov Mobile Application

City Manager Misty Hill stated the first "kick off" meeting had been held for the Go.gov Mobile App. She stated the City of Lewisburg needs to choose a name for the Lewisburg application. She stated that one example that could be used is "lovelewisburg". She asked City Council members to send their ideas to her.

*Recreational Trail Program Grant, Department of Highways
Phase III Dorie Miller Park, "intent to apply"*

City Manager Hill stated permission was needed to apply for this grant. She stated the City would need to ask for an extension to apply because the deadline to apply was May 16, 2023. The city had trouble gaining access to the DOH website. She noted the grant would require a 20% match from the City. Councilmember Elkins stated this grant would be to install bike trails at Dorie Miller Park.

Councilmember Seams made a motion to grant permission to submit an "intent to apply" letter for a Recreational Trail Program Grant with the Department of Highways for Phase III of Dorie Miller Park. Councilmember Pritt seconded the motion. With five (5) in favor and one (1) absent (Little) the motion carried.

Opioid litigation consideration/action Walgreen settlement agreement and release

City Manager Misty Hill stated that City Attorney Tom White had reviewed an opioid settlement agreement and release from Walgreen. Mayor White needs approval from City Council to sign the release on behalf of the City of Lewisburg.

Councilmember Elkins made a motion to allow Mayor Beverly White to sign the Walgreen opioid agreement and release on behalf of the City of Lewisburg. Councilmember Johnson seconded the motion. With five (5) in favor and one (1) absent (Little) the motion carried.

COMMUNICATIONS FROM BOARDS AND COMMISSIONS:

Parks Commission Report

Parks Commission Chair Elkins reported on the following events of the May 2, 2023 Parks Commission meeting:

- The Parks Commission discussed the possibility of implementing an application fee for special event field use. City Manager Hill had contacted other municipalities and discovered that other municipalities do not charge an application fee to use the fields for special events. She recommended that the City ask for donations to use the field instead.
- Chair Elkins stated the Parks Commission is struggling to maintain a quorum to hold meetings. She stated that she could call members to inquire if they are still interested in being on the Commission. Mayor White stated she would call them because she had appointed them.
- A fence will be erected around the end of the basketball court at Dorie Miller Park as a safety measure.
- The City is on the verge of not allowing dogs at Hollowell Park because visitors are not picking up waste from their dogs.

COMMUNICATIONS FROM CITY COUNCIL MEMBERS:

Councilmember Johnson asked Police Chief Teubert if officers could patrol the parking lot of the Lewisburg Cinema 8 at 256 Grand Avenue. He stated that people had been sitting in their parked vehicles late at night in the parking lot.

Councilmember Johnson stated that people have been parking their vehicles on the side of the road on Maple Street making it difficult for other motorists to pass through. He asked Chief Teubert to investigate this matter. Chief Teubert indicated that “No Parking” signs may need to be erected in that area.

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.

Chief Teubert indicated that the Police Department had received several complaints about dogs being in Hollowell Park after 10 pm.

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 Chair Arron Seams reported on the following items of interest from the May 9, 2023 Finance Committee meeting:

- The Finance Committee approval of Change Orders #6-1 Contractor J.F. Allen Co in the amount of \$33,354.16 for the water distribution system upgrades and #8-1 Contractor Hayslett Construction in the amount of \$285,236.16 for the Water Treatment plant.

Councilmember Seams made a motion to approve Change Orders #6-1 Contractor J.F. Allen Co in the amount of \$33,354.16 for the water distribution system upgrades and #8-1 Contractor Hayslett Construction in the amount of \$285,236.16 for the Water Treatment plant. Councilmember Pritt seconded the motion. With five (5) in favor and one (1) absent (Little) the motion carried.

- The Finance Committee recommended approval of Task Order #38 from Chapman Technical Group to replace a culvert in Dogwood Heights in the amount of \$35,000.

Councilmember Seams made a motion to approve Task Order #38 from Chapman Technical Group to replace a culvert in Dogwood Heights in the amount of \$35,000. Councilmember Elkins seconded the motion. With five (5) in favor and one (1) absent (Little) the motion carried.

- The Finance Committee recommended approval to renew the annual contract with Mountaineer Computer System in the amount of \$9,048 to be paid by May 31, 2023.

Councilmember Seams made a motion to approve the annual contract with Mountaineer Computer System in the amount of \$9,048 to be paid by May 31, 2023. Councilmember Pritt seconded the motion. With five (5) in favor and one (1) absent (Little) the motion carried.

- The Finance Committee recommended approval of an accountant contract with Imre Pentak in the amount of \$11,995.

Councilmember Seams made a motion to approve an accountant contract with Imre Pentak in the amount of \$11,995. Councilmember Johnson seconded the motion. With five (5) in favor and one (1) absent (Little) the motion carried.

- The Finance Committee recommended approval to donate a 2013 Dodge Charger to the City of Rainelle.

Councilmember Seams made a motion to donate a 2013 Dodge Charger “as is” with a contract created by City Attorney White to the City of Rainelle. Councilmember Johnson seconded the motion. With five (5) in favor and one (1) absent (Little) the motion carried.

- The Finance Committee recommended approval of the Employee Merit Pay as presented which represents a \$30,220 total budget impact granting merit pay between .15 cents and .25 cents per employee as recommended by the City Manager.

Councilmember Seams made a motion to approve the Employee Merit Pay as presented which represents a \$30,220 total budget impact granting merit pay between .15 cents and .25 cents per employee as recommended by the City Manager Misty Hill. Councilmember Johnson seconded the motion. With five (5) in favor and one (1) absent (Little) 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.

APPROVAL OF MINUTES:

April 18, 2023 Regular Session City Council Meeting Minutes

Councilmember Elkins made a motion to approve the April 18, 2023 regular session City Council meeting minutes. Councilmember Seams seconded the motion. With five (5) in favor and one (1) absent (Little) the motion carried.

VISITOR’S REPORTS:

No reports were given.

City Manager Hill reminded City Council the next City Council meeting would be held on Monday, June 12, 2023 at 7 pm. She also indicated there would not be a Finance Committee meeting in June.

ADJOURNMENT:

Councilmember Seams made a motion to adjourn the meeting at 7:55 p.m. Councilmember Pritt seconded the motion. With five (5) in favor and one (1) absent (Little) the motion carried.