

Minutes of City Council

January 16, 2024

Regular Session

The Council of the City of Lewisburg met in regular session on Tuesday, January 16, 2024 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, City Manager Misty Hill, Councilmembers, Sarah Elkins, Franklin Johnson, John Little, Valerie Pritt and Arron Seams; City Clerk Shannon Beatty, Police Chief Christopher Teubert, Director of Public Works Tony Legg and Treasurer Susan Honaker

VISITORS: Reporter Sarah Richardson with the Mountain Messenger (ZOOM); Adrienne French and Kayla & Everleigh McCoy.

CALL TO ORDER:

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

PROCLAMATIONS:

Volunteer of the Year 2023

Mayor White read a proclamation honoring the Bluebell Garden Club, The Greenbrier Gardeners, the Lewisburg House and Garden Club, the Savannah Garden Club, the Lewisburg Foundation, the Lewisburg in Bloom Committee, and the WVU Master Gardeners of the Greenbrier Valley as the 2023 Volunteers of the Year.

The Reverend Dr. Martin Luther King, Jr. Week

Mayor White read a proclamation recognizing the week of January 15 to January 19, 2024 as the Reverend Dr. Martin Luther King, Jr. Week in Lewisburg.

COMMUNICATIONS FROM THE MAYOR:

Mayor White wished a Happy New Year to everyone and thanked the City Council and City employees for all of their hard work. She stated she was looking forward to the City having a good year.

COMMUNICATIONS FROM THE CITY MANAGER:

Police Department Recognition

City Manager Misty Hill stated the family that wished to offer recognition to the Police Department could not make it to the meeting because of inclement weather. This item will be placed on the February City Council meeting agenda.

Chapman Technical Group, In., Task Order 39 Kayak Launch Design

Councilmember Seams made a motion to approve Task Order 39 for the design of a kayak launch at the Hopper trailhead parking lot in the amount of \$30,500.00. Councilmember Elkins seconded the motion. With all in favor the motion carried.

Lease Purchase – bucket truck

City Manager Hill stated this item was tabled at the Finance Committee meeting so that more information could be gathered. She stated the City had received a resolution for a lease/purchase agreement from Country Roads Leasing, LLC but had not received one from Altec Capital. City Manager Hill stated the City has not heard back from Altec Capital. She stated that if the City chose the lease/purchase agreement with Country Roads Leasing, LLC the interest rate would be locked in. Delivery of the bucket truck would happen in two years. Treasurer Susan Honaker stated the purchase of a bucket truck is already in the current budget.

Councilmember Seams made a motion to approve the lease/purchase agreement with Country Roads Leasing, LLC for a term of seven (7) years with an interest rate of 6.9%, payments of \$2,579.08 and an acquisition cost of \$171,943.00. Councilmember Johnson seconded the motion. With all in favor the motion carried.

2023 State of the City Address

City Manager Hill presented a 2023 State of the City Address outlining the City's accomplishments over the past year.

- The one (1) percent sales tax was put into place on July 1, 2023.
- Replacement lights were installed at Dorie Miller and Hollowell Parks. From 25 feet high wood poles to 70 feet high metal poles. Secured through a County grant of \$60,000 and the remaining balance through a Hamilton Foundation grant.
- A viewing deck was constructed for the pickle ball courts
- The Lafayette Street sidewalk project started in October of 2023 through a DOH Grant.
- New lights were purchased for the Christmas tree in the Green Space. Patio lights were purchased for the Greenbrier County Convention and Visitor's Bureau building on Washington Street.
- A new fall festival called Chills in the Hills was held with decorations in the Green Space and in front of City Hall.
- The City spent \$88,092.72 supporting festivals in 2023 including paying musicians to play during the monthly First Friday events.
- The Public Works Department received new plows.
- Construction began on the new Public Works building, construction to be completed in April of 2024.
- The Greenbrier River Trail opened earlier than expected after construction on the trail was completed for the water system construction upgrades.
- Construction began on the water system construction upgrades. The City's local commitment was \$2,127,376.04, the City's ARPA commitment was \$841,517.70, USDA Loan & Grant \$33,227,071.81 (reimbursement \$19,520,928.19), WDA EEG \$214,057,544.98 and IJDC Grant \$0.00 (remaining \$165,000) Total spent to date is \$36,410,455.76 with the total remaining of \$27,057,544.98. The City is currently on track to go online with upgraded water system in September of 2024.
- The ARPA Storm water money has \$1,655,000.00 remaining. The City is currently in the process of awarding the contract for the Dogwood Heights Storm Water Culvert.

- The City has been working with Chapman Technical on a Storm Water Study that should be completed in the new few months.
- The Police Department ordered a new vehicle, implemented the school resource at Lewisburg Elementary and secured a Homeland Security grant for crime scene cameras.
- The Fire Department is working on the schematics of the new fire station.
- Grants were written and submitted for a dog park and a bike park at Dorie Miller Park.
- The Wayfinding sign project was started.
- The HLC guidelines were completed.
- The Planning and Zoning guidelines are being finalized.
- The new My Lewisburg App was launched.
- She reviewed all of the Boil Water Advisories for 2023. There were 8 boil water advisories with a total of 23 days of disruption to customers. These boil water advisories were because of the water construction project.
- In 2024 the City has plans for a new kayak launch is being planned at the Hopper Road section of the Greenbrier River Trail, opening the new Public Works building, completing the sidewalk on Feamster Road, to secure funding for a Recreational Center at Dorie Miller Park, to go to bid on the new Fire Station, working on dilapidated structures, entrance signs and mesh signs and to grow the Magic of Christmas and Fall Festival in downtown Lewisburg.
- Stated the City offers new training for City employees.
- City Manager Hill stated she attends all of the meetings unless she has been approved to miss by the Mayor. She sits on the West Virginia Municipal League Legislative Committee Board and is Vice President on the West Virginia Municipal League City Manager's Committee.

RESOLUTIONS:

Resolution 540, Authorize bank account for opioid settlement

City Clerk Shannon Beatty read Resolution 540 for passage:

Resolution 540

WHEREAS, the City of Lewisburg and its citizens have been harmed by the misfeasance, nonfeasance and malfeasance committed by certain entities engaged in the manufacturing, marketing, promotion, distribution, and dispensing of opioids; and

WHEREAS, the City of Lewisburg has, through its elected officials and counsel, engaged in litigation seeking to hold the Pharmaceutical Supply Chain Participants, as defined in that certain West Virginia First Memorandum of Understanding (the "MOU") entered into by the State of West Virginia and its local governments, accountable for the public harms caused by their misfeasance, nonfeasance, and malfeasance; and

WHEREAS, the City of Lewisburg has entered into settlement agreements with various Pharmaceutical Supply Chain Participants, and may enter into settlement agreements with additional Pharmaceutical Supply Chain Participants, from which the City of Lewisburg will

receive funds to be used as more particularly set forth in the MOU (the “Opioid Settlement Proceeds”); and

WHEREAS, to account for the revenues that municipalities are expected to receive from the opioid lawsuits, the West Virginia State Auditor’s Office has created a new fund in the Municipal Uniform Chart of Accounts, named Fund 026 – Opioid Settlement; and

WHEREAS, the City of Lewisburg must also open up a new bank account to accompany the aforesaid fund and to hold the Opioid Settlement Proceeds; and

WHEREAS, the Lewisburg City Council has determined it to be in the best interest of the City of Lewisburg to establish a new checking account to hold the Opioid Settlement Proceeds.

NOW, THEREFORE, BE IT RESOLVED by the Lewisburg City Council:

1. That the City’s bank signatories, as set forth below, are authorized to open a checking account to hold the Opioid Settlement Proceeds.
2. That checking account established hereunder shall be an interest-bearing account, and any interest earned will remain in the account and be subject to the same restrictions as Opioid Settlement Proceeds in the account.
3. That the account established hereunder shall be subject to reporting requirement as set forth by the West Virginia First Foundation, as the same may be amended from time to time.
4. That the Opioid Settlement Proceeds shall be subject to the limitations set forth in the MOU, as the same may be amended from time to time.
5. That any expenditures made from the account established hereunder shall require two signatures and must be approved by the Lewisburg City Council in a public meeting
6. The persons below are hereby authorized as follows:

Name and Title	Signature	Facsimile Signature
(A) Beverly White, Mayor	_____	_____
(B) Shannon Beatty City Recorder	_____	_____
(C) Arron Seams, Councilmember	_____	_____
(D) Susan Honaker, Treasurer	_____	_____

The above individuals are authorized as follows:

Beverly White, Shannon Beatty and Arron Seams are authorized to exercise all the following:

1. Open any deposit or checking account(s) in the name of the City of Lewisburg for the Opioid Settlement Proceeds.

2. Endorse checks and orders for the payment of money and withdraw funds from the account established hereunder. There are two signatures required for this purpose.

Susan Honaker, Treasurer, is authorized only to inquire about an account.

I further, certify that this association has, and at the time of adoption of this resolution had, full power and lawful authority to adopt the foregoing resolution and to confer the powers granted to the persons name who have full power and lawful authority to exercise the same.

Beverly White, Mayor

Shannon Beatty, City Clerk

Councilmember Pritt made a motion to approve Resolution 540 as presented. Councilmember Elkins seconded the motion. With all in favor the motion carried.

Resolution 541, Water System Project pay request 20

City Clerk Beatty read the title of Resolution 541 for passage:

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

Councilmember Seams made a motion to approve Resolution 541 in the amount of \$3,200,814.01 for passage. Councilmember Elkins seconded the motion.

Councilmember Seams noted that this resolution was reviewed and approved for passage by the Finance Committee.

With all in favor the motion carried.

Resolution 542, Public Works Building Project pay request 11

City Clerk Beatty read the title of Resolution 542 in the amount of \$213,719.39 for passage:

“RESOLUTION OF THE CITY OF LEWISBURG APPROVING INVOICES RELATING TO SERVICES FOR THE PUBLIC WORKS BUILDING CONSTRUCTION AND AUTHORIZING PAYMENT THEREOF,”

Councilmember Pritt made a motion to approve Resolution 538 in the amount of \$358,290.00 Councilmember Johnson seconded the motion.

Councilmember Seams noted that this resolution was reviewed and approved for passage by the Finance Committee and the Building Commission.

With all in favor the motion carried.

Resolution 543, Lease Purchase of Bucket Truck

City Clerk Beatty read the title of Resolution 543 for passage:

“RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A MASTER EQUIPMENT LEASE-PURCHASE AGREEMENT, AND RELATED INSTRUMENTS AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.”

Councilmember Seams made a motion to approve Resolution 543 as presented. Councilmember Pritt seconded the motion. With all in favor the motion carried.

COMMUNICATIONS FROM CITY COUNCIL MEMBERS:

Councilmember Little thanked City Manager Hill for her 2023 State of the City address. He also thanked City Manager Hill and City Engineer Greg Belcher for the information they provided to him about the recent boil water advisory. He stated he appreciated being able to share the information they provided with the public on his Facebook page. He stated he did not feel the public knew how hard she worked.

Councilmember Pritt thanked Mayor White for the Santa helper letters that her nieces received.

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 thanked City Council for their support of the Police Department and for the end of year bonus.

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 Councilmember had any questions for Chief Thomas. Chief Thomas thanked City Council for their support and for the end of the year bonus.

COMMUNICATIONS FROM COUNCIL COMMITTEES:

Finance Committee Report

Councilmember Seams reported on the following events of the January 9, 2024 Finance Committee meeting:

The Thrasher Group, Inc. Pay Request 10

- The Finance Committee recommended approval of Pay Request 10 from the Thrasher Group for the schematic design and design development of the construction documents

for bidding. Construction administration and geo technical services for the Fire House construction project in the amount of \$22,312.50.

Councilmember Seams made a motion to approve Pay Request 10 from the Thrasher Group for the schematic design and design development of the construction documents for bidding. Construction administration and geo technical services for the Fire House construction project in the amount of \$22,312.50. Councilmember Pritt seconded the motion. With all in favor the motion carried.

HVAC replacement in the Council Chambers located in City Hall

- The Finance Committee recommended approval of a bid in the amount of \$19,810.46 from Total Tech for the replacement of the HVAC system in the Council Chambers located in City Hall.

Councilmember Seams made a motion to approve a bid in the amount of \$19,810.46 from Total Tech for the replacement of the HVAC system in the Council Chambers located in City Hall. Councilmember Little seconded the motion. With all in favor the motion carried.

American Disabilities Act – Voluntary Compliance Agreement

- The Finance Committee recommended approval of the Voluntary Compliance Agreement for the American Disabilities Act between the City of Lewisburg and the Federal Highway Administration.

Councilmember Seams made a motion to approve the Voluntary Compliance Agreement for the American Disabilities Act between the City of Lewisburg and the Federal Highway Administration. Councilmember Little seconded the motion. With all in favor the motion carried.

Amendment to Personnel Policy – holiday pay

- The Finance Committee recommended approval of an amendment to the personnel policy in the holiday pay section.

City Manager Hill stated this would bring the Public Works Department to equity between Departments being compensated for working on a holiday.

Councilmember Seams made a motion to approve an amendment to the personnel policy as presented. Councilmember Johnson seconded the motion.

Health Insurance Renewal

- The Finance Committee recommended approval of the Health Insurance Renewal in the amount of \$1,293,627.04 with Certus Sirius America Cigna.

Councilmember Seams made a motion to approve the Health Insurance Renewal in the amount of \$1,293,627.04 with Certus Sirius America Cigna. Councilmember Pritt seconded the motion. With all in favor 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:

Regular Session, December 19, 2023

Councilmember Elkins made a motion to approve the Regular Session December 19, 2023 minutes with one correction. Councilmember Seams seconded the motion. With all in favor the motion carried.

VISITOR'S REPORTS:

No reports were given.

ADJOURNMENT:

Councilmember Seams made a motion to adjourn the meeting at 8:11 p.m. Councilmember Johnson seconded the motion. With all in favor the motion carried.