

Minutes of City Council
May 14, 2024
Regular Session

The Council of the City of Lewisburg met in regular session on Tuesday, May 14, 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, Valerie Pritt and Arron Seams: City Clerk Shannon Beatty. Fire Chief Joseph Thomas. Police Chief Christopher Teubert. Director of Public Works Tony Legg. City Attorney Tom White and Treasurer Susan Honaker

ABSENT:

Councilmember John Little

VISITORS: Adrienne French, Marion & Harrel McCarty, Wes Hylton and Ben Hersman.

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

RESOLUTIONS:

Resolution 548

City Clerk Shannon Beatty read the title of Resolution 548 in the amount of \$882,694.90 for passage:

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

Councilmember Seams made a motion to approve Resolution 548 in the amount of \$882,694.90 for passage. Councilmember Johnson seconded the motion. With five (5) in favor and one (1) absent (Little) the motion carried.

Resolution 550

City Clerk Shannon Beatty read the title of Resolution 550 in the amount of \$2,432,002.74 for passage:

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

Councilmember Seams made a motion to approve Resolution 550 in the amount of \$2,432,002.74 for passage. Councilmember Johnson seconded the motion. With five (5) in favor and one (1) absent (Little) the motion carried.

Resolution 551

City Clerk Shannon Beatty read the title of Resolution 551 in the amount of \$130,772.70 for passage:

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

Councilmember Seams made a motion to approve Resolution 551 in the amount of \$130,772.70 for passage. Councilmember Elkins seconded the motion. With five (5) in favor and one (1) absent (Little) the motion carried.

Resolution 552

City Clerk Shannon Beatty read the title of Resolution 552 to approve revision number two of the General Fund Budget for Fiscal Year 2024:

Councilmember Seams made a motion to approve Resolution 552 as presented for passage. Councilmember Elkins seconded the motion. With five (5) in favor and one (1) absent (Little) the motion carried.

Resolution 553

City Clerk Shannon Beatty read the title of Resolution 553 to approve revision number two of the Coal Severance Fund Budget for Fiscal Year 2024:

Councilmember Seams made a motion to approve Resolution 553 as presented for passage. Councilmember Pritt seconded the motion. With five (5) in favor and one (1) absent (Little) the motion carried.

Ordinance 319

City Clerk Shannon Beatty read the title of Ordinance 319 for first reading:

“AN ORDINANCE OF THE COUNCIL OF THE CITY LEWISBURG, WEST VIRGINIA, REPEALING THE CURRENT PART THIRTEEN, CHAPTER 3- ZONING, ARTICLES 1331-1383, AND OTHER CONFLICTING SECTIONS OF THE CITY CODE AND ENACTING A NEW ZONING ORDINANCE TO BE DESIGNATED AS PART THIRTEEN, CHAPTER 3: ZONING, LEWISBURG CITY CODE”

Councilmember Seams made a motion to approve Ordinance 319 as presented. Councilmember Pritt seconded the motion. With five (5) in favor and one (1) absent (Little) the motion carried.

COMMUNICATIONS FROM THE MAYOR:

Mayor White stated that Lewisburg will be featured on the Today Show on Wednesday, May 15, 2024.

COMMUNICATIONS FROM THE CITY MANAGER:

- City Manager Hill stated that she had attended water plant construction update meetings at the water plant on Tuesday, May 14, 2024. She stated that manufacturers of the new water plant system are going to hold training sessions for the water plant operators. Hill noted she was going to have the training sessions videotaped and archived. The onsite training begins on May 15.
- The extra dirt that was accumulated at the water plant after construction has been for sale by the truck load. The City still has fill dirt available for sale.
- The one-year anniversary of the restoration of the Greenbrier River Trail after the construction of new pipes for the water plant has passed. The City Manager, The Director of Public Works and Chapman Technical Group will inspect the area to make sure the “punch list” is complete.
- The first set of walls for the new intake are being poured the week of May 20, 2024.
- Mon Power will cut the old electric service line to the water plant soon to upgrade that service for the new water plant equipment.
- The City is waiting for new fencing to arrive for the Ruffner Tank.
- The replacement downtown traffic light has arrived. Two years ago a tractor trailer truck hit it. The DOH will move the light back ten feet. City Manager Hill, Chief Teubert and Director of Public Works Legg held a conference call with the DOH and learned the sidewalk will be closed for three weeks on Washington Street while the traffic light is installed on the corner of Washington Street and Jefferson Street.
- The downtown Redwing Begonia hanging baskets have been put up.
- City Manager Hill stated that she had been invited to attend the downtown merchants association meeting.
- Is working with Chapman Technical Group to have their contract with Region IV extended for 6 months for the stormwater study because of the complexity of the Karst topography in Lewisburg. She noted that they are still waiting to have geo technical work done.

- Hill explained that the Historic Landmark Commission has tabled the application for a stage adjacent to the greenspace because of the cost of the stage. As well it has been determined that the space where the stage would be built would set over the pumps and water lines for the play fountain in the greenspace. The wall in the greenspace also needs to be replaced. The City is working with Roger Kennedy with Chapman Technical Group.
- City Manager Hill stated the construction company had to file charges against two individuals that were caught trying to steal construction supplies from the new intake construction site.

Change Order Contract 10A

City Manager Hill stated this change order is to install a valve to connect the water project upgrades.

Councilmember Seams made a motion to approve Change Order Contract 10A in the amount of \$5,313.79. Councilmember Johnson seconded the motion. With five (5) in favor and one (1) absent (Little) the motion carried.

Change Order Contract 10B

City Manager Hill stated this change order was for 60-day extension on the Ruffner tank project.

Councilmember Pritt made a motion to approve Change Order Contract 10B for a 60-day extension on the Ruffner Tank project. Councilmember Seams seconded the motion. With five (5) in favor and one (1) absent (Little) the motion carried.

Mountaineer Computer Systems, Maintenance & Support Agreement Renewal

Councilmember Seams made a motion to approve the renewal of the discounted annual payment Mountaineer Computer Systems maintenance and support contract in the amount of \$9,048.00 paid by May 31, 2024. Councilmember Elkins seconded the motion. With five (5) in favor and one (1) absent (Little) the motion carried.

Imre Pentek Accountant Contract

Councilmember Elkins made a motion to approve the Imre Pentek Accountant Contract in the amount of \$12,995.00 Councilmember Seams seconded the motion. With five (5) in favor and one (1) absent (Little) the motion carried.

Water Line Replacement Bell Drive

Councilmember Seams made a motion to approve the bid from Spring Creek Contractors in the amount of \$25,700.00 for labor and \$5,601.06 for materials for a total amount of \$31,301.06 for a water line replacement project on Bell Drive. Councilmember Elkins seconded the motion. With five (5) in favor and one (1) absent (Little) the motion carried.

Approval of Street Paving Bids

Councilmember Pritt made a motion to approve the street paving bid from Southern WV Paving in the amount of \$89,375.00.00 for Summit Avenue, Potomac Crossing and Underwood Road. Councilmember Seams seconded the motion.

City Manager Hill stated that Summit Avenue was not repaved after the water project construction was completed.

With five (5) in favor and one (1) absent (Little) the motion carried.

COMMUNICATIONS FROM BOARDS AND COMMISSIONS:

Planning Commission Report

Councilmember Pritt reported on the following events of the Thursday, May 2, 2024, Planning Commission meeting:

Conditional Use Permit, Leonidas Martinez, Map Book 4/A 182, Deed Book 557, Page 648, vacant land to build a church, public hearing.

Mayor White opened a public hearing at 7:41 p.m. for a conditional use permit for Leonidas Martinez, Map Book 4/A 182, Deed Book 557, Page 648, vacant land to build a church. Hearing no comments from the public she closed the public hearing.

Councilmember Pritt stated the applicant met all the requirements for a conditional use permit.

Councilmember Seams made a motion to approve the conditional use permit as presented. Councilmember Pritt seconded the motion. With five (5) in favor and one (1) absent (Little) the motion carried.

Conditional Use Permit, Lewisburg Paintball LLC, 3004 Jefferson St. North, Paintball course, public hearing.

Mayor White opened a public hearing at 7:43 p.m. for a conditional use permit for Lewisburg Paintball LLC, 3004 Jefferson St. North, Paintball course. Councilmember Pritt noted the Commissioners requested a 50-foot set back around the paintball course. Hearing no comments from the public the hearing was closed.

Councilmember Elkins made a motion to approve the conditional use permit as presented. With five (5) in favor and one (1) absent (Little) the motion carried.

Parks Commission Report

Councilmember Elkins reported on the following events of the Tuesday, May 7, 2024 Parks Commission meeting:

- Many of the issues addressed at the April Park's meeting by the Girl's Softball League and the Little League have been addressed.
- Adam Lynch the coordinator of the adult softball leagues at Dorie Miller indicated that participation was down in the women's league because of player pregnancies. He also raised concerns with the Parks Commission because of speeding traffic on the road next to the park.
- Lynch expressed concern that the City is not charging high enough fees for the use of the ball fields for tournaments. The Commission members indicated they wished to leave the fee structure as it was because the City was not in the business of making money from the Parks.

COMMUNICATIONS FROM CITY COUNCIL MEMBERS:

Councilmember Elkins stated that hiking and biking trails are now available for use behind Hammer Cycle's and Jim's Drive In. She stated that some of the trails have been named "Milkshake" and "A Side of Fries"

Councilmember Pritt stated that 43 American Society of Travelers and 20 professional writers were in Lewisburg recently.

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.

The week of May 10-14 is National Police Week.

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.

COMMUNICATIONS FROM COUNCIL COMMITTEES:

Public Safety Committee Report

Councilmember Seams reported on the following events of the Wednesday, May 8, 2024 Public Safety Committee meeting:

- Standard Operating Procedure LPD 020 was changed to mildly [reduce the restrictions on officers displaying tattoos while at work allowing them to wear short sleeves. Tattoos to be displayed must be approved by the City Administration.

Councilmember Seams made a motion to approve Standard Operating Procedure LPD 020 as presented. Councilmember Pritt 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.

Director of Public Works Legg stated the City still needed participants in the Lead and Copper Testing Program in order to meet the July deadline. Legg stated the City was only 13 homes shy of meeting the goal.

APPROVAL OF MINUTES:

Regular Session, April 16, 2024

Councilmember Seams made a motion to approve the Regular Session April 16, 2024 minutes with one correction. Councilmember Pritt seconded the motion. With five (5) in favor and one (1) absent (Little) the motion carried.

VISITOR'S REPORTS:

Wes Hylton, Fairlea Ambulance Service

Wes Hylton representing the Fairlea Ambulance Service stated he had found out the City has plans to include an ambulance service at the new Fire Station. He wanted Council to understand that he feels this would be detrimental to the Fairlea Ambulance Service by taking customers and revenue away from them. City Manager Hill stated that the City is including space for a future possible ambulance service in the plans for the new fire station to sustain a system that will last for a 100 years. Mr. Hylton asked for the opportunity to meet with City Manager Hill about this. Hill stated there are no job descriptions, just the capability for space in the future.

ADJOURNMENT:

Councilmember Pritt made a motion to adjourn the meeting at 8:21 p.m. Councilmember Johnson seconded the motion. With five (5) in favor and one (1) absent (Little) the motion carried.