

**Minutes of City Council
Thursday November 13, 2025
Regular Session**

The City of Lewisburg, City Council met in regular session on Thursday November 13, 2025, 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.

COUNCILMEMBERS PRESENT: Mayor Beverly White, Councilmembers, Sarah Elkins, Franklin Johnson, John Little, Valerie Pritt and Arron Seams; City Manager Misty Hill, City Clerk Crystal Ratliff, Police Chief Christopher Teubert, Fire Chief Joseph Thomas, Director of Public Works Tony Legg and Treasurer Susan Honaker

VISITORS: Beth Bailey, Matt Broadwater, Inez Reyes, Caylan Cox, Sarah Richardson (Zoom), Chris Molinari (Zoom), Noah Mullins (Zoom)

CALL TO ORDER

Mayor White called the meeting to order at 7:01 p.m.

ORDINANCE

Mayor White presented Ordinance 325 AN ORDINANCE TO AMEND ARTICLES 1333, 1339, 1345, 1347, 1349, 1355 AND 1363 OF PART THIRTEEN, CHAPTER THREE, OF THE LEWISBURG CITY CODE, REGARDING PLANNED DEVELOPMENTS. For the First reading of the ordinance.

ORDINANCE 325

Councilmember _____ introduced the following Ordinance and moved for its adoption, which motion was seconded by Councilmember _____. The Ordinance being in the following words and figures:

“AN ORDINANCE TO AMEND ARTICLES 1333, 1339, 1345, 1347, 1349, 1355 AND 1363 OF PART THIRTEEN, CHAPTER THREE, OF THE LEWISBURG CITY CODE, REGARDING PLANNED DEVELOPMENTS.”

WHEREAS, pursuant to the authority granted by W. Va. Code §§ 8-11-1, et seq., and the Amended Charter of the City of Lewisburg, the council of the City of Lewisburg desires to amend certain provisions of the Lewisburg City Code. All provisions of the Lewisburg City Code not specifically amended in the attached ordinance shall remain in full force and effect.

NOW, THEREFORE, THE CITY OF LEWISBURG HEREBY ORDAINS that the Lewisburg City Code shall be AMENDED as fully set forth in the attached ordinance.

This Ordinance shall be effective upon passage.

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I, the undersigned Recorder of the City of Lewisburg, State of West Virginia, do hereby certify that the foregoing amendment to an Ordinance was duly passed and adopted by the City Council of the City of Lewisburg, and that the proposed Ordinance was read by title at not less than two (2) meetings of the City Council with at least one (1) week intervening between each meeting, and that the Ordinance is now in full force and effect.

Passed First Reading

Passed Second Reading

Crystal Ratliff, City Clerk

PART THIRTEEN – PLANNING AND ZONING CODE shall be amended as follows:

1. CHAPTER THREE, ARTICLE 1333 – Definitions

1333.03 USE DEFINITIONS.

(37) “Dwelling, Accessory” means a self-contained dwelling unit on the same parcel as a single-family dwelling of greater square footage that includes its own cooking, sleeping, and sanitation facilities, and complies with or is otherwise exempt from any applicable building code, fire code, and public health and safety regulations. Accessory dwelling units shall comply with all applicable zoning regulations pertaining to the principal single-family dwelling on the lot, including but not limited to maximum building height, minimum setback requirements, minimum lot size, maximum lot coverage, and minimum building frontage.

2. CHAPTER THREE, ARTICLE 1339 – Low Density Residential (R1) District

1339.05 CONDITIONAL USES.

- (a) The following shall be conditional uses:
 - (1) Bed and Breakfast II
 - (2) Child Day Care Facility, Class 3
 - (3) Child Day Care Facility, Class 4
 - (4) Cultural Service
 - (5) Dwelling, Two-Family

- (6) Emergency Shelter
- (7) Governmental Operations
- (8) Places of Worship/Religious Institution
- (9) School, Pre-school to 12
- (10) Shooting Range, Noncommercial Indoor
- (11) Shooting Range, Noncommercial Outdoor
- (12) Solar Energy System, Small
- (13) Wind Energy System, Small
- (14) Wireless Telecommunication Facility

1339.03 USES PERMITTED BY RIGHT.

- (a) The following shall be uses permitted by right:
 - (1) Dwelling, Single-Family
 - (2) Dwelling, Accessory
 - (3) Essential Utilities and Equipment
 - (4) Greenhouse, Noncommercial
 - (5) Group Residential Facility
 - (6) Group Residential Home
 - (7) Home-Based Business
 - (8) Park
 - (9) Recreation, Public
 - (10) Urban Agriculture
 - (11) Wireless Telecommunications Facility, Small Cell

3. CHAPTER THREE, ARTICLE 1345 – Educational and Institutional (EI) District

1345.03 USES PERMITTED BY RIGHT.

- (a) The following shall be uses permitted by right:
 - (1) Bus and Transit Shelter
 - (2) Child Day Care Facility, Class 1
 - (3) Child Day Care Facility, Class 2
 - (4) Child Day Care Facility, Class 3
 - (5) Child Day Care Facility, Class 4
 - (6) Community Facility
 - (7) Cultural Service
 - (8) Dwelling, Multi-Family
 - (9) Dwelling, Single-Family
 - (10) Dwelling, Two-Family
 - (11) Dwelling, Accessory
 - (12) Educational Institution

- (13) Essential Utilities and Equipment
- (14) Garage, Community
- (15) Garage, Commercial
- (16) Governmental Operations
- (17) Greenhouse, Noncommercial
- (18) Group Residential Facility
- (19) Group Residential Home
- (20) Health Club
- (21) Home-Based Business
- (22) Laboratory
- (23) Medical Adult Day Care Center
- (24) Medical Cannabis Organization, Healthcare
- (25) Park
- (26) Photographic Studio
- (27) Places of Worship/Religious Institution
- (28) Professional Services
- (29) Recreation, Public
- (30) Retail Store < 10,000 SF
- (31) Retail Store > 10,000 SF
- (32) School, Commercial
- (33) School, Pre-school to 12
- (34) Senior Independent Housing
- (35) Studio, Dancing, Music, or Art
- (36) Theater
- (37) Urban Agriculture
- (38) Wireless Telecommunications Facility
- (39) Wireless Telecommunications Facility, Small

4. CHAPTER THREE, Article 1347 - Community Center (CC) District

1347.03 USES PERMITTED BY RIGHT.

- (a) The following shall be uses permitted by right:
 - (1) Bakery
 - (2) Bank/Financial Institution
 - (3) Brewery Pub
 - (4) Broadcasting Studio
 - (5) Bus and Transit Shelter
 - (6) Café/Coffee Shop
 - (7) Catering Business
 - (8) Child Day Care Facility, Class 1
 - (9) Child Day Care Facility, Class 2
 - (10) Child Day Care Facility, Class 3
 - (11) Child Day Care Facility, Class 4

- (12) Clinic
- (13) Community Facility
- (14) Convenience Store
- (15) Cultural Service
- (16) Dwelling, Multi-Family
- (17) Dwelling, Mixed Use
- (18) Dwelling, Single-Family
- (19) Dwelling, Two-Family
- (20) Dwelling, Accessory
- (21) Equipment Rental/Repair
- (22) Essential Utilities and Equipment
- (23) Farmer's Market
- (24) Funeral Home/Mortuary
- (25) Garage, Community
- (26) Governmental Operations
- (27) Greenhouse, Noncommercial
- (28) Group Residential Facility
- (29) Group Residential Home
- (30) Health Club
- (31) Home-Based Business
- (32) Liquor Store
- (33) Medical Adult Day Care Center
- (34) Medical Cannabis Dispensary
- (35) Night Club
- (36) Park
- (37) Personal Service
- (38) Pet Shop
- (39) Pharmacy
- (40) Photographic Studio
- (41) Places of Worship/Religious Institution
- (42) Private Club
- (43) Professional Services
- (44) Recreation, Public
- (45) Restaurant
- (46) Retail Store < 10,000 SF
- (47) School, Commercial
- (48) Studio, Dancing, Music, or Art
- (49) Tattoo/Body Piercing Studio
- (50) Tavern/Drinking Establishment
- (51) Theater
- (52) Urban Agriculture
- (53) Wireless Telecommunications Facility
- (54) Wireless Telecommunications Facility, Small Cell

5. CHAPTER THREE, Article 1349 Neighborhood Commercial (C1) District

1349.03 USES PERMITTED BY RIGHT.

(a) The following shall be uses permitted by right:

- (1) Bakery
- (2) Bank/Financial Institution
- (3) Boat and Marine Sales/Service
- (4) Brewery Pub
- (5) Broadcasting Studio
- (6) Building Material Facility
- (7) Bus and Transit Shelter
- (8) Café/Coffee Shop
- (9) Catering Business
- (10) Child Day Care Facility, Class 1
- (11) Child Day Care Facility, Class 2
- (12) Child Day Care Facility, Class 3
- (13) Child Day Care Facility, Class 4
- (14) Clinic
- (15) Community Facility
- (16) Convenience Store
- (17) Cultural Service
- (18) Dog Day Care
- (19) Drive-through Facility
- (20) Dry Cleaner
- (21) Dwelling, Multi-Family
- (22) Dwelling, Single-Family
- (23) Dwelling, Two-Family
- (24) Dwelling, Accessory
- (25) Equipment Rental/Repair
- (26) Essential Utilities and Equipment
- (27) Factory-built Home
- (28) Factory-built Home Rental Community
- (29) Funeral Home/Mortuary
- (30) Garden Center
- (31) Gas Station
- (32) Governmental Operations
- (33) Greenhouse, Noncommercial
- (34) Greenhouse, Commercial
- (35) Group Residential Facility
- (36) Group Residential Home
- (37) Health Club
- (38) Home-Based Business
- (39) Kennel

- (40) Liquor Store
- (41) Manufacturing (Light)
- (42) Medical Adult Day Care Center
- (43) Medical Cannabis Dispensary
- (44) Night Club
- (45) Park
- (46) Personal Service
- (47) Pet Shop
- (48) Pharmacy
- (49) Photographic Studio
- (50) Places of Worship/Religious Institution
- (51) Private Club
- (52) Professional Services
- (53) Reception Facility
- (54) Recreation, Public
- (55) Recreation, Private
- (56) Restaurant
- (57) Retail Store < 10,000 SF
- (58) Retail Store > 10,000 SF
- (59) School, Commercial
- (60) Self-Storage Facility
- (61) Studio, Dancing, Music, or Art
- (62) Tattoo/Body Piercing Studio
- (63) Tavern/Drinking Establishment
- (64) Theater
- (65) Urban Agriculture
- (66) Vehicle Sales/Rental and Service
- (67) Wireless Telecommunications Facility
- (68) Wireless Telecommunications Facility, Small Cell

6. CHAPTER THREE, Article 1355 Planned Unit Development (PUD) District

1355.03 USES PERMITTED BY RIGHT.

- (a) The following shall be uses permitted by right:
 - (1) Adult Business
 - (2) Amusement and Recreation Center
 - (3) Animal Hospital/Veterinary Office
 - (4) Automobile Car Wash
 - (5) Bank/Financial Institution
 - (6) Bed and Breakfast II
 - (7) Child Day Care Facility, Class 1
 - (8) Child Day Care Facility, Class 2
 - (9) Child Day Care Facility, Class 3

- (10) Child Day Care Facility, Class 4
- (11) Clinic
- (12) Continuing Care Facility
- (13) Drive-through Facility
- (14) Dwelling, Multi-Family
- (15) Dwelling, Mixed Use
- (16) Dwelling, Single-Family
- (17) Dwelling, Two-Family
- (18) Dwelling, Accessory
- (19) Gas Station
- (20) Group Residential Facility
- (21) Group Residential Home
- (22) Home-Based Businesses
- (23) Professional Services
- (24) Recreation, Public
- (25) Recreation, Public
- (26) Recreation, Private
- (27) Restaurant
- (28) Retail Store <10,000 SF
- (29) Retail Store >10,000 SF
- (30) Theater

7. CHAPTER THREE, Article 1363 General Provisions

1363.03 ACCESSORY USES, BUILDINGS, AND STRUCTURES.

(a) All accessory uses, buildings, or structures shall require a Zoning Permit and shall be permitted in all districts, provided each is customarily incidental and subordinate to a principal use, except those otherwise expressly districted. There must be a principal use or structure on the lot prior to the issuance of a Zoning Permit for an accessory use, building, or structure.

(b) Accessory buildings and structures shall adhere to the accessory setback requirements for each district. On residential property, accessory buildings and structures shall not be located in the front yard, except driveways, mailboxes, or other structures customarily located in the front yard. On nonresidential property, accessory buildings shall not be located in the front yard except those customarily located in the front yard. Accessory buildings and structures shall not be closer than five (5) feet from a principal structure. Accessory buildings and structure, together with principal buildings and structures, shall not exceed the maximum lot coverage permitted in a zoning district.

(c) Accessory buildings and structures shall not be used as a dwelling, except a caretaker's residence or accessory dwelling as provided in this code.

(d) Accessory buildings and structures shall be no taller than the height of the principal structure's height, and in no circumstance taller than the applicable zoning district's maximum height requirement.

(e) Accessory buildings and structures shall not be larger than fifty (50%) percent of the principal structure's gross floor area, excluding fences and other permitted screening devices.

(f) No use conducted in an accessory building or structure shall be in violation of the permitted uses in that zoning district. Accessory uses within the principal structure shall not occupy more than fifty (50%) percent of the gross floor area.

(g) Dwelling accessory units, when either attached to or detached from a principal single-family dwelling, shall have a gross floor area that does not exceed seventy-five percent (75%) of the gross floor area of the principal dwelling or 1,000 square feet, whichever is less.

Councilmember Seams made a motion, seconded by Councilmember Pritt to accept Ordinance 325 as presented. Further discussion. Councilmember Little stated this ordinance is to bring the current city code into compliance of two Bills recently passed by the State of West Virginia. He stated this has been presented to the Planning Committee and was approved to be presented to Council. With all in favor motion carried.

RESOLUTIONS

Resolution 590 Water Treatment Plant Improvement Project Pay Request #45

Councilmember Seams made a motion, seconded by Councilmember Johnson to approve Resolution 590 Water Treatment Plant Improvement Project pay request #45 in the amount of \$14,962.76 as presented. No further discussion. With all in favor motion carried.

Resolution 591 Public Works landscaping pay request

City Manager Hill stated that the bids for the Water Plant and Public Works landscaping must be approved before Resolution 591 landscaping pay request can be approved as the bids have been put together as one resolution.

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Councilmember Seams made a motion by recommendation from Building Commission, seconded by Councilmember Elkins to approve the bid from Riverbend Nursery in the amount of \$30,135.70 as presented. No further discussion. With all in favor motion carried.

Councilmember Elkins made a motion, seconded by Councilmember Johnson to approve Resolution 591 landscaping pay request in the amount of \$30,135.70 as presented. No further discussion. With all in favor motion carried.

COMMUNICATIONS FROM THE MAYOR

Mayor White welcomed the current Miss Shanghai Queen Caylan Cox and Pageant Director Inez Reyes. Miss Cox thanked the Mayor and Council for the opportunity to represent the City and all the opportunities being Queen has given her. Mrs. Reyes thanked the Mayor and Council for their continued support for the Shanghai pageant and parade.

Mayor White recited a poem she had written thanking all Veterans for their service and sacrifices for our freedom.

Mayor White recited a poem she had written to all city employees and representatives showing her appreciation for all they do during this Thanksgiving Season.

COMMUNICATIONS FROM THE CITY MANAGER

Easement for 110 Ben Ellen Alley

Councilmember Elkins made a motion, seconded by Councilmember Johnson to approve the easement for 110 Ben Ellen Alley as presented. No further discussion. With all in favor motion carried.

John McMillion pay increase for Certified Public Pesticide Applicator License

Councilmember Little made a motion to, seconded by Councilmember Seams for a pay increase of \$0.50 an hour for John McMillion for obtaining his Public Pesticide Applicator License. No further discussion. With all in favor motion carried.

Change Order No. 1 for Public Works Access Road paving project

City Manager Hill stated the Change Order No. 1 for the Public Works access road is for a decrease in the amount of \$5,000.00 due to the waiving of the requirement of Payment and Performance Bonds, At the Contractor's request, the Owner has agreed to waive the requirement for the Contractor to furnish Payment and Performance Bonds. Making the new amount for the project \$297,684.00 to JDL Contracting & Paving. The change order was presented to the Building Commission and approved to be sent to Council.

Councilmember Seams made a motion by recommendation from Building Commission, seconded by Councilmember Elkins to approve the Change Order No. 1 for the Public Works Access Road as presented. No further discussion. With all in favor motion carried.

Change order No. 4 for Lafayette Street Stormwater Project

Councilmember Elkins made a motion, seconded by Councilmember Seams to approve the Change order No.4 for the Lafayette Street Stormwater Project not to exceed \$50,000.00 as presented. No further discussion. With all in favor motion carried.

Approval of Auditor for Fiscal Year 2025 and 2026

City Manager Hill stated the Audit Committee is recommending Ferrari & Associates. Councilmember Seams stated of the 3 bids received they scored the highest on evaluations. They are the company the City has used since 2017, and we have had no issues.

Councilmember Seams made a motion, seconded by Councilmember Johnson to approve Ferrari & Associates as the auditor for Fiscal year 2025 and 2026 as presented. No further discussion. With all in favor motion carried.

Other Items from City Manager

City Manager Hill stated the Cornucopia will be leaving the Greenspace on Thursday November 20, 2025, in preparation for the arrival of Santa's sleigh for The Magic of Christmas. She stated we will be kicking off The Magic of Christmas with the Christmas tree lighting at 7:00 p.m. of Friday November 21, 2025. She also stated we are collaborating with the State Fair of WV to do the Christmas light display at Dorie Miller Park because the State Fair is unable to display them due to upgrades and repairs necessary to the fairgrounds.

COMMUNICATIONS FROM CITY COUNCIL MEMBERS

Councilmember Little stated he would like to express his appreciation on behalf of City Council to the Public Works department, and all involved for all the hard work and dedications for the Cornucopia and all the Christmas decoration throughout town.

Councilmember Elkins stated she was recently named the Director of the West Virginia Interscholastic Cycling League as of January 2026. There are over 600 kids in the program throughout the state.

COMMUNICATIONS FROM BOARDS AND COMMISSIONS

Planning Commission

Councilmember Little stated the Planning Commission recently met and held a public hearing for Roger and Marcia Kesterson at 154 Alderson St. for minor subdivision. The Kesterson's were requesting to do a minor subdivision on a parcel of land that set between them and the property on Lipps Road. After some discussion Chairperson Little explained to the applicant that because the tract of land they are wanting to subdivide does not have road frontage if they were to do the subdivision it would landlock the tract of land which is not legal for the City to allow. He then stated it was the Commission's recommendation for the applicants to have the property resurveyed to include the tract into their current parcel and to amend the application to reflect the inclusion and not subdivided.

COMMUNICATIONS FROM THE POLICE DEPARTMENT

Mayor White stated a copy of the report from Chief Teubert was included in Council's packet. Mayor White asked if anyone has any questions or concerns for Chief Teubert. Council had no questions or concerns at this time.

COMMUNICATIONS FROM THE FIRE DEPARTMENT

Mayor White stated a copy of the report from Chief Thomas has been included in Council's packet. Mayor White asked if anyone has any questions or concerns for Chief Thomas. Council had no questions or concerns at this time.

Chief Thomas introduced Beth Bailey and Matt Broadwater of Bill Bailey/VFIS Insurance and Chris Molinari and Noah Mullins representatives of Thornburg Insurance. Chief Thomas stated the Fire Department's Insurance is due for renewal as of December 1, 2025, and even though the department has had VFIS for several years with no issues or complaints with the current increase in the policy he felt he should look at other options. Mr. Mullins and Ms. Bailey presented Council with the insurance policies from their companies and what they felt are the differences.

Councilmember Little made a motion, seconded by Councilmember Seams to accept the proposal from Thornburg Insurance as present. No further discussion. With a split vote of three (3) for and three (3) against motion failed.

Councilmember Seams made a motion, seconded by Councilmember Little to schedule a Special Session on November 20, 2025, and table the renewal of the Fire Department insurance until the Special Session. No further discussion. With all in favor motion carried.

PUBLIC WORKS DEPARTMENT REPORT

Mayor White stated a copy of the report from Director Legg has been included in Council's packet. Mayor White asked if anyone has any questions or concerns for Director Legg. Council had no questions or concerns at this time.

APPROVAL OF MINUTES

Regular Session

Councilmember Seams made a motion seconded by Councilmember Pritt, to approve the minutes from the City Council meeting on October 21, 2025, with the correction of Mon Power as presented. No further discussion. With all in favor the motion carried.

VISITOR'S REPORTS

Mayor White acknowledged and welcomed visitors.

ADJOURNMENT

Councilmember Pritt made a motion, seconded by Councilmember Johnson to adjourn at 8:30 p.m. With all in favor the motion carried.

Respectfully submitted

City Clerk Crystal Ratliff