

A REGULAR MEETING OF THE COMMON COUNCIL OF THE CITY OF BECKLEY CONVENED AT 6:30 P.M. ON DECEMBER 11, 2018, IN COUNCIL CHAMBERS OF BECKLEY CITY HALL.

THOSE PRESENT: Mayor Robert R. Rappold; Council Members Tom Sopher, Ann Worley, Kevin Price, Sherrie Hunter, Frank Williams, and Janine Bullock; Recorder-Treasurer Billie Trump, City Attorney William File III, and Secretary Robin Waddell.

ALSO PRESENT: Police Chief Lonnie Christian, Fire Chief Ed Wills, Director of the IT Department William Kelly, Director of the Board of Public Works Jerry Stump, and Director of Code Enforcement Robert Cannon.

THOSE ABSENT: Councilman Tim Berry and Director of Parks and Recreation Leslie Baker.

The Mayor called the meeting to order followed by a word of prayer by Councilman Price and the Pledge of Allegiance to the Flag led by Mayor Rappold.

Because of the standing room only attendance at tonight's Council meeting the Mayor began by stating that the LGBTQ Ordinance was not on the agenda for tonight's meeting but will be on the January 8, 2019 agenda and if approved then, the second reading and a public hearing will be on the January 22, 2019 meeting. The Mayor added that at Council's last meeting a civility resolution was passed and it is his hope that everyone will remember this and will exercise civility in public discourse on all issues.

Council dispensed with the reading of the workshop minutes dated November 26, 2018, copies of which had been distributed to each member, and unanimously adopted the minutes as written on a motion by Councilwoman Worley and seconded by Councilwoman Bullock.

Council also dispensed with the reading of the minutes of the Regular Council meeting dated November 27, 2018, copies of which had also been distributed to each member, and unanimously adopted the minutes as written on a motion by Councilwoman Worley and seconded by Councilwoman Hunter.

Mr. File presented for second reading and a public hearing an Ordinance authorizing the submission of the Firemen's Pension and Relief Fund Board of Trustees proposal for a Deferred Retirement Option Plan (DROP). Copy of affidavit of publication is hereby incorporated into these minutes:

BECKLEY NEWSPAPERS

801 North Kanawha Street, Beckley, WV 25801
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Affidavit of Publication

STATE OF WEST VIRGINIA
COUNTY OF RALEIGH,

I, Tara Meyer, of The Register-Herald, a daily newspaper published in the City of Beckley, Raleigh, West Virginia, do certify that the notice attached hereto under the caption;

NOTICE OF PUBLIC HEARING

There will be a second reading and public hearing on Tuesday, December 11, 2018 at 6:30 p.m. in the Council Chambers, Beckley City Hall, 409 South Kanawha Street on the following Ordinance:

**NOTICE OF PUBLIC HEARING
ORDINANCE AUTHORIZING
SUBMISSION OF CITY OF BECKLEY
FIREMEN'S PENSION AND
RELIEF FUND BOARD OF TRUSTEE'S
PROPOSAL FOR A DEFERRED
RETIREMENT OPTION PLAN (DROP)**

This Ordinance is available for inspection at Beckley City Hall,

Mr. Trump explained this program will enable the City to retain experienced firefighters, eligible for retirement, by allowing them to retire but remain on the job and keep their retirement in the retirement fund for up to five years. The Plan will be reviewed first by the Pension Oversight Board. It will not affect the pension fund in a detrimental way but will be good for the City. Mr. File added this Ordinance authorizes the City of Beckley to forward this plan to the qualified actuary and the City pay for the study by the actuary. Mr. File opened the public hearing for any comments either for or against this Ordinance. Danielle Stewart asked if this money will be kept in a separate fund. The Recorder-Treasurer stated it will be kept in the same fund but will be separate as far as accounting. With no other comments, the public hearing was closed. On a motion by Councilman Price, seconded by Councilwoman Bullock, this Ordinance was unanimously approved by Council. Copy of Ordinance is hereby incorporated into these minutes:

FIRST READING

11-27-18

SECOND READING

12-11-18

**ORDINANCE AUTHORIZING SUBMISSION OF CITY OF BECKLEY
FIREMEN'S PENSION AND RELIEF FUND BOARD OF TRUSTEE'S
PROPOSAL FOR A DEFERRED RETIREMENT OPTION PLAN (DROP)**

WHEREAS, the City of Beckley Firemen's Pension and Relief Fund Board of Trustees has designed and established a proposal for a Deferred Retirement Option Plan (DROP) in accordance with WV Code §8-22-25a; and

WHEREAS, the City of Beckley Firemen's Pension and Relief Fund Board of Trustees and the City of Beckley Fire Department have requested the Common Council of the City of Beckley to authorize the City of Beckley to submit the DROP proposal to the Municipal Pensions Oversight Board for evaluation and analysis by a qualified actuary and has requested the City of Beckley to reimburse the Municipal Pension Oversight Board for the actuarial costs for analyzing the plan.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BECKLEY that the City of Beckley is authorized to submit the Deferred Retirement Option Plan (DROP) proposal designed and established by the City of Beckley Firemen's Pension and Relief Fund Board of Trustees to the Municipal Pensions Oversight Board for evaluation and analysis by a qualified actuary and the City of Beckley is authorized to pay the cost of the evaluation and analysis. A copy of the DROP proposal is attached hereto and incorporated into and made a part of this Ordinance.

This Ordinance shall become effective upon passage.

Next Mr. File presented for first reading an Ordinance authorizing the acquisition, planning, establishment, equipping and construction of a new fire station #3 by the Beckley Building Commission and authorizing the sale, issuance, and delivery of not to exceed \$5,000,000 Beckley Building Commission Lease Revenue Bonds. Mr. File read the Ordinance by title only. Mr. File introduced Mr. Ryan White and Mr. Mark Matkovich

will meet tomorrow for the first of three readings on this Ordinance. Mr. Matkovich stated this bond issuance is similar to the one that was done for the police department. He added the building housing station #3 has served the fire department for many years and is outdated. The new fire station will be in a better location and therefore provide for a quicker response time and will be closer to high risk properties. On a motion from Councilwoman Bullock, seconded by Councilman Price, this Ordinance was unanimously approved by Council. Second reading and public hearing will be at the next Regular Council meeting on January 8, 2019.

Mr. John Zillinski, Director of the Emergency Operations Center, presented Council with a yearly update on the operations of the EOC for the year 2018. Mr. Zillinski introduced Cody Fortner who is the new Emergency Planner for the EOC. Mr. Fortner offered statistics on calls and services that were rendered by the EOC during 2018. The Mayor as well as Chief Christian and Chief Wills thanked them for their service to the City of Beckley.

There was no old business to discuss.

Under new business, Councilwoman Hunter advised Council that former Council Member Cedric Robertson was recently appointed to the Parole Board. Councilman Williams thanked Jerry Stump and the Board of Public Works for picking up the discarded remodeling trash that was in his neighborhood and hauling it away and also asked Mr. Cannon if he would take a look on 8th Street at all the trash being dumped there. Mr. Cannon will check on the possibility of obtaining and using cameras to catch anyone dumping trash.

Under public comments Danielle Stewart, who is a member of the Beckley Human Rights Commission, read a Resolution that the Commission adopted asking the City to consider passing an Ordinance protecting the LGBTQ community from discrimination in housing and employment. Ms. Stewart read the Resolution in its entirety. A copy of the Resolution is hereby incorporated into these minutes.

December 6, 2018

The Honorable Robert R. Rappold
Mayor of the City of Beckley
409 South Kanawha Street
Beckley, WV 25801

Dear Mayor Rappold,

The Commissioners of the City of Beckley Human Rights Commission, by majority vote at our meeting on December 5, 2018, do hereby communicate our unqualified support to amend the City of Beckley Human Rights Ordinance and the City of Beckley Fair Housing Act to include sexual orientation and gender identity as protected classes.

A signed copy of the resolution is enclosed, along with copies of materials that will serve as examples in the process of adding protections for sexual orientation and gender identity to the City of Beckley Human Rights Ordinance and the City of Beckley Fair Housing Act, as set forth and adopted in the department of Housing and Urban Development's Federal Register, the WV Human Rights Fair Housing Act, the City of Charleston Human Rights Ordinance, and other such supporting materials.

In addition, the Commission requests that the City of Beckley hold all public hearings of this ordinance in a venue capable of supporting a crowd of no less than 250

The following people signed in to speak in favor of the LGBTQ Ordinance that will be on the Agenda for the January 8, 2019 meeting:

Christina Basden, Hannah Barker, Brian Brown, Elliott Pritt of the Mountain Party of WV and Pam Upton spoke in favor of the Ordinance. Ms. Upton suggested moving the venue to a different location that could accommodate a large attendance. The Mayor stated that has already been discussed. Beth Lewis of Beckley Derby Dames, Jessica Stagemeyer and Julie Gunnoe also spoke in favor of the Ordinance.

Councilman Sopher thanked everyone for coming to tonight's meeting.

The Mayor announced the next Council meeting falls on December 25, Christmas Day, and therefore there will be no meeting until January 8, 2019.

With no further business to discuss, the meeting adjourned at 7:15 p.m. on a motion by Councilman Williams, seconded by Councilman Price with unanimous vote of Council.