

AGENDA
COMMON COUNCIL
June 22, 2021
6:30 P.M.

1. Call meeting to order via live WebEx Event.
2. Reading and approval of minutes from regular Council meeting dated June 8, 2021.
3. Reading and approval of Workshop Minutes dated June 7, 2021.
4. Resolution for Bank Depository.
5. Approval for Lee Leftwich to join Planning Commission as Ann Worley's replacement.
6. Renewal of Emergency Operating Center Board Members, Bill Brown with his term expiring 6-30-2024 and Kevin Price's renewal with his term expiring 6-30-23.
7. Approval of paving bid for Sour Street & Broadway Street.
8. Opening of bids regarding playground equipment on Scott Avenue.
9. Old Business.
10. New Business.
11. Public Comments.
12. Adjournment.

Due to the public health impact of the coronavirus outbreak (COVID 19) pandemic and out of concern for the health and wellbeing of city employees, and members of the public, the regular meeting of Council scheduled for June 22, 2021 will be held via a WebEx Event. Council members will meet in Council Chambers. The public may join the

meeting from their computer or phone using the weblink or phone number provided on the city's webpage or Facebook page the day of the Council meeting.

A REGULAR MEETING OF THE COMMON COUNCIL OF THE CITY OF BECKLEY CONVENED AT 6:30 PM ON MAY 11, 2021 IN COUNCIL CHAMBERS OF BECKLEY CITY HALL.

THOSE PRESENT: Mayor Robert R. Rappold, Recorder-Treasurer Billie Trump, City Attorney, Mr. File, Secretary Susan Miller, Bill Kelly, Director of IT, Amy Evans, Assistant Director of IT.

THOSE PRESENT BY WEBEX: Council Members: Tom Sopher, Robert Dunlap, Robert Canter, Kevin Price, Janine Bullock, Sherrie Hunter and Michael Reedy, Director of BPW Jerry Stump and President, CEO of the Beckley-Raleigh County Chamber of Commerce Michelle Rotellini.

THOSE ABSENT: Chief Lonnie Christian, Chief of FD Ed Wills and Captain Donnie Morgan.

The Mayor called the meeting to order. The Mayor announced because of the ongoing concerns of the coronavirus, and the health and safety of the Council Members, the City of Beckley employees, as well as the public, this regular Council meeting for May 11, 2021 is being held via WebEx Event. The public will have access to join the meeting either from their computer, or by phone, using the weblink or phone number provided the day of the meeting on the city's webpage at Beckley.org or the City's Facebook page.

The Mayor reminded the public that they will be able to make comments when invited to do so by either pressing *3 on their phone and their call will be taken in the order it is received, or if viewing by computer or tablet, raising your hand by right clicking your name and choosing "Raise Hand".

Council dispensed with the reading of the minutes of the regular Council meeting dated April 27, 2021, copies of which were distributed to each member. Council unanimously approved the minutes as written on a motion by Councilwoman Hunter and seconded by Councilman Dunlap. Council dispensed with the reading of the minutes of the Workshop meeting dated April 26, 2021, copies of which were distributed to each member. Council unanimously approved the minutes as written on a motion by Councilman Sopher and seconded by Councilman Canter. Council dispensed with the reading of the minutes of the Workshop meeting dated May 3, 2021, copies of which were distributed to each member. Council unanimously approved the minutes as written on a motion by Councilwoman Hunter and seconded by Councilman Reedy.

Next, Council considered the award of bids for asphalt and aggregate. Councilman Reedy, on behalf of the bid committee, recommended Southern WV Paving, Inc.'s bid for asphalt at \$70.00 per ton for Base II or P&LI; \$75.00 per ton for Wearing I, Curb and Tennis Mix at \$90.00 per ton. Council unanimously approved the bid as written on a motion by Councilman Reedy and seconded by Councilman Price. Councilman Reedy recommended the bid from Appalachian Aggregates, LLC for stone at a price per ton of \$20.50 for delivered Crusher Run and \$27.35 per ton of delivered abrasives-limestones. Council unanimously approved the bid as written on a motion by Councilman Reedy and seconded by Councilman Sopher. These bids are hereby incorporated into these minutes.

Next, Mayor Rappold asked Michelle Rotellini President & CEO of the Beckley-Raleigh County Chamber of Commerce, to address Council regarding the Remote Worker Program. She explained the mission of the Chamber and summarized what she had previously explained during Council's May 3, 2021 Workshop regarding the Remote Worker Program.

Councilwoman Bullock asked if a committee will need to be formed for this. Ms. Rotellini said this is a program the Chamber would like the City to be in control of and form a committee. This committee will decide how the money will be spent on the remote workers. The Mayor explained that Council members will be involved, and Beckley will seek the advice of other cities that have experience with this program. The Mayor encourage Council members interested in serving on this committee to reach out to him. Councilman Dunlap asked Ms. Rotellini if she can report to Council if members of the Chamber are uniformly behind the idea, and whether she has received positive or negative feedback over the last week. Ms. Rotellini stated that she has received a lot of positive feedback from Chamber members and several businesses thanking the Chamber for doing what they can to bring people back to Beckley. Councilman Sopher asked if the Council is specifying the money portion of the resolution tonight or if the program in general is being discussed. Mr. File explained that this resolution authorizes the City to establish a fund up to \$50,000.00 to be spent over a five-year period. It doesn't require it to be spent but it does authorize the fund to be established. Councilman Sopher said that he has had some push back regarding the amount of \$50,000.00 and feels that it would be better spent elsewhere. He stated that the City has plenty of perks to offer and money doesn't need to be one of them. The Mayor stated that it is intended to be \$5,000.00 per couple to help with moving expenses, outdoor equipment and to help us be competitive. The Mayor stated that the City was told last week in meetings with Senator Manchin and Senator Capito that there will be rescue funds and infrastructure funds available to the City. The Mayor said that we know things like broadband and better Police protection will be part of that. The Mayor said that it is the intent of the City to make sure that many of those funds are channeled to the grass roots level so those needs are not going unheeded. The Mayor said he thinks that if this Resolution is adopted, it puts Beckley on level footing with Charleston, Lewisburg, Shepherdstown and Morgantown who have been involved in this type of project. The Mayor said that this cost, which may or may not be used, would be spread over a five-year period and he thinks shunning this opportunity would send the wrong signal about Beckley. The Mayor stated that we are not robbing Peter to pay Paul in this instance, no fewer streets will be paved, no fewer spring clean ups will occur and the citizen will not be short changed on anything. Councilman Hunter stated that she thinks that the City would not be doing their due diligence if they do not embrace this. She feels the return on investment out weighs the other. Ms. Rotellini stated that she doesn't want anyone to think that by doing this that the City is robbing from someone else because this is not an either/or situation. Councilman Dunlap thanked Ms. Rotellini for her comments. He stated that he has received an overwhelming outpouring of discontentedness at the proposal that we would spend money for attraction when we have so much of a retention problem essentially

implying that this money needs to be used to stop people from leaving before the City.

Councilman Dunlap stated that he may not completely agree with his constituents' view points but has an obligation to voice them. The Mayor stated to those who may be thinking about leaving, would they not be encouraged to see an influx of new people coming into WV.

Councilman Dunlap said that we could spend the same \$50,000.00 on programs that reach out to at risk youth, etc. The Mayor stated that this is comparing apples to oranges, as there will be plenty of funds coming to the City to help address social needs. The Mayor stated that approving this Resolution sends a positive message that Beckley is progressive. Councilman Sopher asked that if the resolution is voted for this evening and it contains the \$50,000.00 that this does not necessarily mean that the money has to be spent. The Mayor clarified that when they vote tonight, they are just voting that the money will be there for needs that may arise, such as moving expenses. The Mayor clarified that this is over a five-year period of time. Mr. File explained that this resolution allows Council to adopt guidelines to determine how this \$50,000.00 fund is handled. Ms. Rotellini said that she thinks the remote workers will volunteer their time to some of the non-profit organizations here. Councilman Reedy asked Ms. Rotellini how many applications were received by Lewisburg. Ms. Rotellini stated that over 2,000 applications have already come into the State. As of May 3, 2021 the State's website had already had over 200,000 hits. She stated that Beckley is now on that website without any incentives being offered. Mr. File, City Attorney, read the resolution in it's entirety. Councilwoman Hunter moved to adopt the Resolution, seconded by Councilman Price. The Mayor asked by a show of hands those in favor. Council Members Reedy, Price, Sopher and Hunter voted in favor. Those opposed by a show of hands were Council Members Bullock, Canter and Dunlap. The Mayor announced that the Resolution passed on a vote of 4-3. The resolution is incorporated into these minutes.

Next, Mr. File conducted the first reading of the Ordinance to accept a gift of real estate located at 209 Temple Street. Dennis Corbin wishes to gift this property to the City. Mr. File summarized the Ordinance. The City of Beckley has conducted a title exam which shows that the City will receive clear title to the property. The burned-out structure on the property would be the responsibility of the City to remove. Mr. File stated that this property can be used to improve the park that is located on Temple Street. Council unanimously approved first reading on a motion by Councilman Price seconded by Councilwoman Hunter. The Ordinance is incorporated into these minutes.

Next, Mr. File presented for second reading and public hearing the Ordinance amending Chapter 10, Article IV, Section 10-400 of the City of Beckley's Human Rights Ordinance (The Crown Act.) Mr. File explained the Ordinance, read the Title and opened the public hearing. The following people participated voicing their support for this Ordinance: Danielle Stewart, Carly Ward, Thaddeus Breckenridge Dr. Melissa Keaton, Christina Baisden, Katonia Hart, Dr. Dumas, Christina Sellards, VP of NAACP, Ron Booker, Carol Workman with the Beckley Women's March and Holly Tilley. With no further public comments, Mr. File closed the public hearing. Council unanimously approved the Ordinance on a motion by Councilman Dunlap seconded by Councilman Canter. The Ordinance is incorporated into these minutes.

Next, the Mayor asked Council's pleasure on the Prince Street property demolition bid which has been tabled. No motion was made to remove the tabled motion from the table. Mr. File stated that the item will remain on the table until the next Council meeting at which time the item will be removed or declared dead. He will research to determine if the original motion that was tabled died for lack of a motion to remove it from the table. Recorder-Treasurer Billie Trump stated that he thinks the bid is good for thirty days.

OLD BUSINESS: The Mayor congratulated the Shady Spring Tigers Basketball team on their victory and recognized their Coach, Ronnie Olsen, for his hard work. Coach Olson has accepted the Mayor's invitation to bring his team to the May 25, 2021 Council meeting for recognition. The Mayor announced that Saturday, May 15, 2021 is the dedication of the DOH historical marker honoring Bill Withers which will take place across from Stratton Elementary School. Pastor Fredrick Hightower and his wife plan to attend along with Councilman Tom Sopher who will be the Master of Ceremonies for this event. He is Chairman of the Raleigh County Historical Society. There will be musical entertainment immediately following the dedication, followed by an afternoon of entertainment consisting of songs of Bill Withers at the Intermodal Gateway. Chief Christian is addressing any safety concerns regarding traffic. The City will close S. Fayette Street between F Street & G Street. However, those wishing to park on S. Fayette will be allowed to enter that blocked off section for parking at 10:30 a.m. The Mayor thanked Chief Christian and the City's Deputy Chief for their work on this. The Mayor announced that Dwayne Richardson's visitation and funeral will be Saturday as well. It will be at The Heart of God Ministries at 10:00 a.m. Dwayne was the Woodrow Wilson High School Basketball player who greatly contributed to the Woodrow Wilson team this year. The Mayor acknowledged the scheduling conflict of this and the Bill Withers ceremony but urged the community and Council to attend. Councilwoman Bullock thanked Councilwoman at Large, Sherrie Hunter for organizing the National Day of Prayer. Councilwoman Hunter stated that there were forty-five churches and 140 people that participated. Councilwoman Hunter thanked Jerry Stump, Director of the BPW, for all that he does behind the scenes and really appreciates the cinders being removed from the sidewalks and streets. Mr. Stump gave recognition to DOH for their part in this.

NEW BUSINESS: Councilwoman Bullock thanked Mr. Stump, the employees at the BPW, Chief Christian and the Beckley City Police for their willingness to help and assist her in anyway. Councilman Price read a letter for the Council Members regarding the members (past and present) of the Beckley Fire Department and the Beckley Police Department and their families that are under attack based on the way their pensions are being calculated. A campaign has been launched to change the way pensions are calculated which currently is not giving credit for the full length of time of service. Councilman Price asked Mr. File to draft a resolution in support of the Beckley Police and Beckley Fire Department Pension Boards and asked Council to support this resolution.

The Mayor stated that one of the former Fire Department comrades contacted an Attorney who has represented several Fire and Police Departments in WV to represent the City of Beckley's Fire and Police Pension Boards to help ensure the pensions are calculated fairly. The Mayor agrees that a resolution in support of this should be drafted. The Mayor thanked Councilman Price for his devotion to this matter.

PUBLIC COMMENTS: Danielle Stewart voiced her opposition to the Remote Worker Program. Katonia Hart thanked the Mayor for his support of The Crown Act. With there being no further public comments, the Mayor asked for a motion to adjourn at 7:55 p.m. which was made by Councilman Price seconded by Councilwoman Hunter.

Mayor

Recorder - Treasurer

RESOLUTION

WHEREAS, Section 18 of the Charter of the City of Beckley provides, in pertinent part, "...All monies coming into the hands of the said Recorder-Treasurer shall be forthwith deposited in the name of the City of Beckley, in such of the local banks as the Council shall designate as City depositories; and

WHEREAS, Chapter 8, Article 13, Section 22a of the West Virginia Code, 1931, as amended, provides for the investment of municipal funds by the municipal treasurer; and

WHEREAS, on December 27, 1988, the Common Council adopted a Resolution designating approved depositories, which required the Common Council to approve depositories every Fiscal Year.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Common Council of the City of Beckley hereby designates the following financial institutions as approved depositories for the deposit and investment of municipal funds by the Recorder-Treasurer of the City of Beckley:

Chase Bank, West Virginia NA

Pendleton Community Bank

United Bank

BB&T

Bank of Mount Hope

City National Bank

MCNB Banks

First Century Bank

BE IT FURTHER RESOLVED that, in accordance with the charter of the City of Beckley and the Code of the State of West Virginia, the Recorder-Treasurer is hereby designated as the single municipal officer for, and charged with the duties of, collection and deposit and investment of all municipal funds in the name of the City of Beckley.

BE IT FURTHER RESOLVED that no financial institution herein designated as a depository shall be qualified to receive such funds or monies until it has furnished the Recorder-Treasurer of the City of Beckley with copies of the last two sworn statements of

resources and liabilities which such financial institution is required to furnish to the Director of Financial Institutions or to the Comptroller of the Currency, and which statements have been found by the Recorder-Treasurer to be acceptable and approved. No funds will be deposited with any financial institution without prior proof that the funds will be properly collateralized.

BE IT FURTHER RESOLVED that, if such funds or monies are deposited in a financial institution herein designated as a depository, the amount of such deposits shall not exceed seventy-five percent (75%) of the capital stock and surplus of such financial institution exclusive from the capital stock or surplus of any holding company of that financial institution.

BE IT FURTHER RESOLVED that this Resolution is to be presented to Common Council at the first regular meeting of each Fiscal Year.

This Resolution duly presented to, and adopted by, the Common Council of the City of Beckley at its regular meeting held on June 22, 2021 on a motion by _____
_____ and seconded by _____.

Recorder-Treasurer