

A REGULAR MEETING OF THE COMMON COUNCIL OF THE CITY OF BECKLEY CONVENED AT 6:30 PM ON APRIL 13, 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, Police Chief Lonnie Christian, Director of Board of Public Works Jerry Stump.

THOSE ABSENT: Captain Morgan.

The Mayor called the meeting to order. The Mayor announced that 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 April 13, 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 13, 2021, copies of which were distributed to each member. Council unanimously approved the minutes as written on a motion by Councilman Price and seconded by Councilwoman Hunter.

Councilwoman Hunter made the motion to approve the bid from Empire Salvage to demo 227 Prince Street for \$62,000.00 and demo 107 Earwood Street for \$29,594.00, for the grand total of \$91,594.00. The Mayor asked Mr. File if each bid needs to be done separately or if they can be done individually. Mr. File said that either way is fine. Councilman Sopher stated that he would like to see the bids voted on separately. Councilwoman Hunter repeated the first bid from Empire Salvage to demo 227 Prince Street for \$62,000.00. Councilwoman Hunter asked Councilman Sopher if he wanted a breakdown of the asbestos abatement for the property. Councilman Sopher said no. The Mayor asked what the bid for the Earwood Street building is. Councilwoman Hunter said \$29,594.00. Councilwoman Hunter made the motion to accept the Prince Street demolition, Councilman Price seconded it. Councilman Sopher stated that the Beckley Landmarks Commission should have some input on this decision and thinks the City may need a letter of approval before the City tears a building down in a historic district. Councilman Sopher thinks it would best serve the City by considering trying to save the building rather than demolishing it. The Mayor stated that this was not an overnight decision and one estimate of repair was one million two hundred thousand and the other was one and a half million dollars. The Mayor stated that the building could likely be replaced for half that cost. The Mayor stated that, in his opinion, the building is too dangerous as it is now and this exceeds the thought of trying to preserve it. Mr. Stump, Director of Board of Public Works commented, that the building has deteriorated so much that people should not get around it. Mr. Stump stated that he thinks this building has exceeded the stage of being saved. Councilman Dunlap stated that he doesn't believe we can move forward on the demo of this building without a certificate from the Historic Landmark Commission and doesn't feel that demolishing this building will make money sense. Councilman Dunlap stated that he will not support demolishing something in the city until the Landmark Commission signs off on it. He also stated that he is willing to sign a disclaimer and is willing to do a walk through of the building to access it. The Mayor stated that the presence of an imminent danger overrides the time it would take to get the Historic Landmark Commission to issue their approval on this. The Mayor stated that in his opinion, the time has come for us to do what was intended when the city purchased the building prior to Councilman Dunlap's joining Council.

Councilman Reedy stated that he agrees with Councilman Sopher and Councilman Dunlap on this issue. He asked if there is a possibility of putting the building up for auction with the buyer being required to get the building up to specs within six months to a year, or the buyer having to pay to have it demolished. The Mayor stated that this is not his decision. Councilwoman Hunter commented that she agrees that the danger that the building presents as it is, is not worth the risk. Safety is her concern and she doesn't want to see a repeat of what happened on Main Street with the collapse of those buildings to happen here as well. She doesn't think that waiting on this project would be beneficial in the concern for safety. Councilman Price stated that the original thought process was to put a parking lot up there which would accommodate visitors of Prince Street with parking. Councilman Price stated that he thinks that demolishing this building is a win/win. Councilwoman Bullock asked if this subject could be tabled. Councilman Canter agreed with Councilwoman Bullock that this should be tabled. Councilwoman Bullock made the motion to table this and Councilman Canter seconded it. This was voted on by Council and unanimously approved to table it. The Mayor asked Councilwoman Hunter to proceed with presenting the bid to demolish the building on Earwood Street. She stated that the Empire Salvage bid is for \$29,594.00. Councilwoman Hunter made the motion to hire Empire Salvage to demolish the building on Earwood Street. The motion was seconded by Councilman Sopher, unanimously voted on and approved by Council. The bids are hereby incorporated into these minutes.

Next, Mr. Stump explained what the bids for paving involved. The area on Appalachian Drive (out by Lewis Nissan) is for an area of 1410' by 33'. The Franklin Avenue bid is for 1,735' by 18'. The Woodlawn Avenue work needing done is from the first part of Woodlawn (the dead end) to Springdale and it is for 315' by 21' & 790' by 31'. By spreading out the work on Woodlawn with some being done this year and the remainder being done next year, the City believes it will save money. The following bids were received for the paving of Appalachian Drive, paving areas of Franklin Avenue and paving a portion of Woodlawn Avenue. The bids were opened during the Council Meeting by the Mayor. First, a bid for \$198,500.00 from AAA Paving and Sealing. Second, a bid from Asphalt Contractors Site Work, Inc for \$187,922.22. The last bid was from Southern WV Paving, Inc. for \$164,125.00. These bids will be given to the two Council members at Large, Mr. Stump and Mr. Trump for review and possible award at a future meeting.

Next, the resolution for the possible demolition of 101 Jamison Street was presented. The Mayor explained that Frank Williams and Bishop Simms asked if the City could be of any assistance in demolishing this structure. The Mayor explained that the City has a fund at the Beckley Area Foundation from which the City receives interest each year. This fund is for public improvement and economic development. The Mayor feels that this not only aids the Heart of God Ministries but it also aids the City. Mr. File read the resolution in its entirety. A motion was made by Councilwoman Bullock and seconded by Councilwoman Hunter. This resolution was voted on and unanimously approved by Council and is incorporated into these minutes.

Next, the Mayor asked Mr. File to present a Resolution approving HUD purchasing policies and procedures which Council had not been required to approve in the past. Mr. File summarized a resolution titled A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF BECKLEY CDBG POLICIES AND PROCEDURES and explained that these only apply to HUD funding. Mr. File explained that these policies are in excess of two hundred pages. If anyone wants to review them, Angela King has them in her office. A motion to adopt this resolution was made by Councilman Dunlap and seconded by Councilman Sopher and unanimously approved by Council. The resolution is hereby incorporated into these minutes.

Mr. File summarized the next resolution titled RESOLUTION 2020 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF BECKLEY FY 2020 CDBG PROGRAM – SUBSTANTIAL AMENDMENT NO. 2.

Mr. File explained that it deals with the 2020 action plan. Mr. File advised that Angela King provided him with a memo stating that the City has approximately \$100,000.00 set aside to pave 3-4 streets. The Board of Public Works paved 2-3 of those streets in the fall of 2020 because of the immediate need. Therefore, the annual action plan has been revised to include new streets which include Broadway Street and Sour Street for paving. A motion was made by Councilman Price and seconded by Councilman Reedy. The resolution was unanimously approved by Council and is incorporated into these minutes.

Next, Mr. File presented a notice of intent to apply for a WV ABCA license by Pub-Licity Inc. dba The Axe Hole at 328 Neville Street. Mr. File clarified the business name The Axe Hole is because they throw an axe similar to the way you would have a dart board contest. This requires no action by Council. A copy of this application is incorporated into these minutes.

OLD BUSINESS: The Mayor announced a very important meeting, Tuesday, April 20, 2021 at 8:30 a.m. for City Council to lay the levy. Mr. Trump will forward the county tax information to Council members. Council agreed to meet in the chambers for this meeting. Next, the spring clean-up begins Monday, April 19, 2021. Mr. Stump briefly commented on how the clean-up will be conducted by beginning in Ward 1 proceeding through to Ward 5. Mr. Stump stated that the two crews do not want to have to return to streets as it slows them down, but they may consider special circumstances. Mr. Stump said it may take a week to two weeks to get completed and thanked Sherrie Hunter from the Raleigh County Landfill for her willingness to accommodate them. The Mayor stated that the City has an intergovernmental agreement with the Landfill, and the Landfill works very well with the City. The Mayor also complimented Jessica Chandler on her continued efforts for systematically decreasing the balance that we owed the Solid Waste Authority which at one time was six figures and is now zero.

Next, the Mayor stated that he supports an Ordinance adopting "the Crown Act". A Council workshop is scheduled April 26, 2021 at 5:05 p.m. This will give Council an opportunity to understand what the ordinance entails. The first reading of the ordinance will be April 27, 2021 followed by the 2nd reading and public hearing May 11, 2021. The Mayor complimented the Board of Public Works and the Parks & Recreation Department for their hard work gathering 146 bags of leaves off the tennis courts at Black Knight. This allows the City to make minor repairs to the tennis courts and schedule the pickle ball season.

The Mayor discussed the Dust Bowl Wall on Second Street which has been in disrepair for a number of years after the initial attempt to repair that wall collapsed again. The City, Jerimiah Johnson with Beckley Sanitary Board and Jerry Stump with the Board of Public Works are working together to see what the City can do.

NEW BUSINESS: Councilwoman Hunter stated that Saturday, April 17, 2021 at 10 a.m. the Piney Creek Water Shed is having a Litter Sweep at the YMCA Soccer Complex. April 19, 2021 is the Raleigh County Litter Sweep and volunteers will meet at 2:00 in the Kroger parking lot. Annual Earth Day Butt Buster for downtown Beckley is Thursday, April 22, 2021 at 2:00 p.m. The United Way of SWV is having an Earth Day 5K run on April 24, 2021 beginning at the Rahall Company Store. Councilman Dunlap asked Councilwoman Hunter to send members an email outlining those dates, locations and events. She agreed. Councilwoman Bullock stated that she enjoyed the mock drill today at the Raleigh County Airport. The Mayor thanked Recorder-Treasurer, Billie Trump for being one of the Evaluators at that drill today. Councilman Bullock asked on behalf of her constituents to consider having spring clean up beginning with Ward 5 and working back through to Ward 1 which is simply in reverse order.

Councilman Sopher thanked Mr. Stump for considering Holiday Drive in Maxwell Hill area as a road that is being paved this year. The area from Teel Road down to Painter Rd. has outside edges that are busted up bad and he asked if Mr. Stump would evaluate that area for patch work. Councilman Sopher asked if it would be possible for the traffic pattern on Prince Street (below the former police station) to be changed for safety reasons.

The Mayor stated that this is a question for Chief Christian. Chief Christian said that they will look at it. Councilman Sopher announced the recent loss of retired Attorney, Robert Sayre. The Mayor commented that he will definitely be missed and commented on how much Mr. Sayre contributed to the City.

Councilman Price asked for an update on the traffic light situation and sidewalk repair being done uptown. The Mayor advised that the estimated date of completion is September 11, 2021. He also advised that the intersection at N. Kanawha & E. Prince Street is now a three way stop and the traffic lights there are turned off.

The City discussed this with Chief Christian and the D.O.H. has the final say. The Mayor said that the City has made requests and appeals to move this project along quicker due to the Great American Road Race that comes through in June but so far there has been no change in the September 11, 2021 date.

PUBLIC COMMENTS: There were nine public comments, all of which were in support of the CROWN ACT. Those that voiced their support were: Danielle Stewart, Jeanette Thomas, Katonya Hart, Dr. Dumas, Carlesta Ward, Christina Baisden, Camella Cadius, Doris Fields, and Crystal Moore. The Mayor explained that the Workshop is a City Council Workshop and the public may attend virtually. Public comments on an ordinance are normally reserved for the public hearing prior to the 2nd reading. The Mayor invited Danielle Stewart to elect or perhaps be the spokesperson for the group and one person will be invited to address Council. Danielle Stewart acknowledged the Mayor's request. With no further public comments, the Mayor asked for a motion to adjourn the meeting which was made by Councilman Dunlap and Councilman Price seconded it. The meeting adjourned at 8:02 p.m.

Mayor

Recorder-Treasurer