

A REGULAR MEETING OF THE COMMON COUNCIL OF THE CITY OF BECKLEY CONVENEED AT 6:30 PM ON OCTOBER 12, 2021, BY WEB-X DUE TO COVID-19.

THOSE PRESENT IN COUNCIL CHAMBERS: Mayor Robert R. Rappold, Secretary Susan Miller, IT Director, Bill Kelly, Assistant IT Director, Amy Evans, and two employees of Cucumber & Company. Department Heads: Chief of PD Lonnie Christian, Captain of FD and Chief Code Official, Donnie Morgan and, Director of Board of Public Works, Jerry Stump.

THOSE PRESENT BY WEB-X: Recorder-Treasurer Billie Trump, and City Attorney Mr. File. Council Members: Sherrie Hunter, Cody Reedy, Bob Canter, Robert Dunlap, Kevin Price, Tom Sopher, and Janine Bullock.

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".

The Mayor called the meeting to order at 6:30 p.m. Council members, Department Heads and the public joined the meeting by WEB-X 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 announced that Cucumber & Company was in Council Chambers working with the City's IT Department to enhance the City's technological abilities.

Council dispensed with the reading of the minutes of the regular Council meeting dated September 28, 2021, copies of which had been 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 dated October 4, 2021, copies of which had been distributed to each member. Council unanimously approved the minutes as written on a motion by Councilman Sopher and seconded by Councilman Dunlap.

Next, Recorder-Treasurer, Billie Trump presented to Council the accounting firm Ferrari & Associates and requested Council approve this firm to conduct the audit of the City. Motion to approve Ferrari & Associates was made by Councilman Price, seconded by Councilwoman Hunter, and unanimously approved by Council.

Next was the first reading by Mr. File of an Ordinance by title only Authorizing The Purchase Of 6.158 Acres On New River Drive For The Relocation Of The Beckley Sanitary Board. Motion to adopt the Ordinance was made by Councilwoman Hunter, seconded by Councilman Price, and unanimously approved by Council and the Ordinance is hereby incorporated into these minutes. Mr. File stated that the second reading and public hearing of this Ordinance will take place October 26, 2021, during the Council meeting.



Mr. File conducted the first reading of an Ordinance by title only Amending the City's Zoning Ordinance, Chapter 15, Defining And Regulating "Indoor Self-Storage Facility" And "Self-Storage Facility." Motion to adopt the Ordinance was made by Councilman Dunlap, seconded by Councilwoman Bullock, and unanimously approved by Council. The Ordinance is hereby incorporated into these minutes. Mr. File stated that the second reading and public hearing of this Ordinance will take place October 26, 2021, during the Council meeting.

Next, the Mayor discussed the City contributing the last \$75,000.00 to the Salvation Army to complete the construction project of their new facility on Robert C. Byrd Drive. The Mayor stated that if Council approves, the contribution would come from the City's general fund. The City would request a financial report from the Salvation Army with some historical data on their fundraising efforts to ensure that the City's contribution is the final \$75,000.00 to complete the project. Motion to approve the \$75,000.00 contribution on the terms described above was made by Councilman Dunlap and seconded by Councilman Sopher. Councilman Sopher commented that he thinks the City should support the Salvation Army. Councilwoman Hunter asked what the Salvation Army will do with their old building across from Best Fabric & Foam. Councilman Sopher said that the Salvation Army will sell it. The Mayor asked for Council's approval as a motion and second was previously made. Council unanimously approved the motion.

The Mayor discussed the City contributing \$43,000.00 from the City's general fund for the purchase of a new box truck for the Lillian James Center. The Mayor took a moment to share his observations over the last fifty years about the Lillian James Center. He commented on how much he admires the late Lillian James and her commitment to helping people that are disadvantaged or handicapped to become productive and proud members of society. The Mayor stated that their truck currently has over 300,000 miles on it. The Mayor invited comments from Council. Councilman Sopher read the vision statement of the Lillian James Center and clarified that the truck they are needing to replace has over 300,000 miles on it and was involved in a fire. Councilman Dunlap asked if it is going to be problematic that the Lillian James Center is outside of Beckley's City limits although it serves a lot of people in the City. Mr. File stated that Councilman Dunlap brought up a good point and said that the Lillian James Center is located just outside of the City limits but provides an important service for the City and surrounding area. Councilwoman Hunter stated that prior to the pandemic the Lillian James Center provided a summer camp for high school students with various disabilities and said the Lillian James Center is a wonderful benefit to our City. Motion was made by Councilman Sopher to approve the requested expenditure of \$43,000.00 seconded by Councilwoman Hunter, and unanimously approved by Council.

Next, the Mayor discussed the building owned by the City at 227 Prince Street and the amended bid of Empire Salvage and Recycling, Inc. dated October 4, 2021, to demolish this building in the amount of \$149,863.00. This bid includes asbestos inspection and abatement, and demolish, load, transport and properly dispose of all demolition debris into a permitted C/D landfill the structure located at 227 Prince Street, Beckley, WV (the former Old Prince Medical Laboratory) pursuant to City of Beckley Code Section 2-511. Exceptions. "(2) A Special emergency exists involving the people and their property. Captain of FD and Chief Code Official, Donnie Morgan, commented that the building has deteriorated quite a bit over the last couple of weeks and it is a danger to the public and adjacent property. He said that they have been going to the site to monitor it regularly. Captain Morgan said the week that Councilman Price contacted the Mayor that he noticed that the bulge in the walls was considerably worse. Captain Morgan said that he thinks that the major problem is that the roof decking and the roof materials deteriorated, and it had been leaking for quite some time which caused the roof trusses to rot. Captain Morgan believes what happened is the roof trusses are sagging which is putting pressure on the walls which is why the brick veneer is coming off. Captain Morgan said they did a prior inspection last year due to a request from the Street Department. Captain Morgan stated that at that point when they were inside, they noticed that there was a partial collapse

of an interior floor which fell and was resting on a gas line that ran through the building. At that time, Captain Morgan submitted his inspection report to the Mayor recommending that the City demolish the building or repair it. Captain Morgan stated that in his opinion, because of potential liability issues and to preserve other buildings in that section of town, it is his recommendation that the City have the building taken down as soon as possible. The Mayor asked for any other comments regarding the building or the acceptance of this revised bid. Councilwoman Hunter asked if the City needs to do something to warrant that nothing happens with the gas line. Captain Morgan reported that the Street Department had the utilities turned off to this building. Councilman Price stated that more bricks fell from the building today.

Mr. File stated that if it is Council's pleasure, it needs to declare it an emergency pursuant to the City of Beckley Code Section 2-511 which will authorize Council to act tonight on the amended bid. Mr. File stated that Mr. Trump's statement giving the history of the building will be part of the minutes for this meeting stating that the building has now been deemed a dangerous structure through the City Code Enforcement Department, that bids were solicited in March then tabled in April, and there has been additional deterioration and this is now an emergency. The Mayor asked if there is any other discussion on the motion to accept the amended bid on the ground that is an emergency due to the danger and nuisance to the public and property. With no further comments the Mayor asked for a motion to accept the amended bid from Empire Salvage and Recycling of \$149,863.00 on the grounds that it is an emergency as set forth in the written statement by Mr. Trump that is included in the motion. Said motion was made by Councilman Price, seconded by Councilwoman Hunter, and unanimously approved by Council. Mr. Trump's statement is hereby incorporated into these minutes.

Next, the Mayor discussed designating the last Saturday in October each year as the City's trick or treat date. The Mayor asked if this requires formal action. Mr. File stated that it does not require any formal action tonight. The Mayor stated that in the past he has kept Halloween on the calendar date, but after receiving some feedback recommending observing the last Saturday in October as trick or treat for the City, he thinks it is a great idea. Councilman Sopher asked the Mayor if this is a trend that is going across the country or is it the City's idea. The Mayor said he thinks a number of other communities have adopted this, and it is a convenience for parents and children to help out with families that attend church services, that must work the next day, and children having school the next day. The Mayor stated that he thinks this is a national trend. Councilman Sopher said that the City has always had tailgate Halloween on the last Saturday of the month and he thinks it should be decided on year by year. The Mayor said that he thinks the trend will catch on and he thinks the parents will appreciate it. No formal action was requested by the Mayor.

OLD BUSINESS: Councilwoman Hunter wished the Mayor and his wife Barbara an early happy 54<sup>th</sup> wedding anniversary which is tomorrow. The Mayor thanked her and announced the arrival of their eighth grandchild who was born yesterday.

NEW BUSINESS: Councilman Reedy asked if the City can allow customers to pay their B&O taxes online. IT Director, Bill Kelley said they are working on this. Recorder Treasurer Billie Trump said that the City is mandated by legislature to offer the option to the public to make any type of payment to the City online.

PUBLIC COMMENTS: Dr. Kristi Dumas read a purposed Ordinance to honorarily change the name of South Fayette Street to Martin Luther King Jr. Way. The Mayor asked Mr. File if he had any comments regarding this. Mr. File said that the City will check with the State to make sure that there is no legal objection or opposition by the State because that road is a State road and is maintained by the State. The Mayor asked if there are any other comments. Councilwoman Bullock thanked the Human Rights Commission and thanked Dr. Dumas. With no further comments to be discussed the Mayor asked for a motion to adjourn at 7:15 p.m. which was made by Councilman Dunlap and seconded by Councilman Price.

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Mayor

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Recorder- Treasurer