

The regular meeting of the Beverly Town Council was held Monday, August 12, 2019, at 6:30 pm in council chambers of Beverly Town Hall. Members and visitors stood for the Pledge of Allegiance and were led in prayer by council member Robbie Moyer. Mayor Andy Burns called the meeting to order in the presence of recorder Barbara Smith, members Debbie Stalnaker, Robbie Moyer, Matt Lewis, Becky Weese and Katie Whittaker. Visitors included Trudy Kingston, Pat Weese, Jarrod Phillips, Barbara McCreary, Patti Reckart, Robin Wilson, Dennis McCoy, Dorcas McCoy, Troy Ware and Mark Scott.

With all members having received copies of the minutes, Mr. Lewis made a motion to forego the oral reading of the July 8, 2019 minutes and to accept the minutes as submitted. Motion seconded by Mrs. Weese with all in favor. With all members having received copies of the minutes, Mrs. Weese made a motion to forego the reading the July 16, 2019 minutes and to accept the minutes as submitted. Mrs. Stalnaker second with all in favor.

PAVING OF CAVALIER STREET EXT.

Mayor Burns was in contact with Greg Sylvester, DOH, and told him about the concerns of residents on Cavalier Street. When Mr. Sylvester got back in contact, he said the extension is not DOH. In a July discussion, Mr. Sylvester said if the town agrees to pay for the material used by WV Paving, the town would not be charged for the use of the equipment. Mayor Burns has not been given the dates for the paving and has not heard back from the DOH on the cost of the extension paving. Mrs. Weese asked for the issue to be tabled until we can get the cost of the paving. Mr. McCoy questioned whether the paving could come back to his driveway. His address is Cavalier Street, but whether the extension includes this far was unclear and would have to be reviewed. Mr. McCoy stated that he would pay for any materials if the paving would come to his driveway if the extension did not include the whole distance. Mayor Burns will look into the matter.

Mr. McCoy's other question was whether he could get a wavier for the lot across from Pat Weese on the corner of Fountain and Cavalier to put a manufactured home on it. This lot has a dilapidated house on it now and the lot is for sale. The lot is small. The clerk will check to see if a wavier can be given for the lot since it is less than the requirement for building.

TOWN WEB PAGE

Patti Reckart for illume media group, Inc. discussed a web page for the town. The main purpose of the page is to allow customers to make on line payments. Ms. Reckart said going forward, other items can be added such as the agendas, minutes from the meetings, meetings and events, boil water advisory, line testing, etc. She said this will help the town get information out easier. The cost of the Website is \$250.00 a month with all changes going forward included in the fee. They have a full time writer who will help keep the site up to date. A motion was made by Mrs. Weese to go with illume for the town web page. Motion was seconded by Mr. Moyers with all in favor. Motion carried.

BUSINESS LICENSE APPROVALS

A motion was made by Mr. Lewis to accept the five business licenses reviews. Motion was seconded by Mrs. Weese with all in favor. Motion carried.

ORDINANCE – PROPERTY PURCHASE

Mayor Burns said at our last meeting, as well as, the special meeting council was in agreement to purchase the property adjoining the sewer plant. He was advised by the lawyers and bond company that the town needs to pass an ordinance to purchase and sell property, which requires two readings. Instead of the town purchasing the property, we need to establish a Town Building Commission to do the purchasing of the property or do the paper work for the town. To form the Town Building Commission, we need to have three readings. The attorneys also said the town should not borrow money from a bank; instead we should get a bond.

An Ordinance of the Common Council of the Town of Beverly providing for the purchase of real property outside the corporate limits of the municipality from Lloyd A. Heckel and Denise D. Heckel was presented and read by all council. Discussion was held regarding needed changes to the Ordinance. A Motion was made by Mrs. Weese to accept the Ordinance with changes as noted in the attachment hereto. Motion was seconded by Mrs. Stalnaker. All in favor, motion carried. A special meeting will be held August 19th for the second reading.

During the August 19th and August 26th meetings, the Town will review and discuss a proposed Building Commission Ordinance. If approved, members will be appointed to the Building Commission during the September 9th meeting.

The next step to take is to establish the bond ordinance. This ordinance will require three readings. Ms. Reckart will inform the Heckel's of the steps involved to ensure them that council is moving as fast as possible to obtain funding for the purchase.

NEW FLAG POLE/ROPE

A motion was made by Mrs. Weese to purchase a telescopic 25 foot flag pole/rope from Uncommon USA, Inc. in the amount of \$599.00, which includes a light. Motion was seconded by Mr. Lewis. All in favor. Motion carried.

BANCCARD PAYLO CRED/DEBIT CARD MACHINE

A motion was made by Mr. Moyer to accept BancCard PayLo to accept credit/debit card payments for payments to the Town. Motion seconded by Mrs. Whittaker. All in favor, motion carried. There is a \$50.00 fee per month. Transaction fees will be responsibility of the customer. There will be a machine at the front desk for customer convenience and no payments over the phone will be accepted.

CUSI AGREEMENT

A motion was made by Mr. Moyer to stay with CUSI for billing customers and to accept payment for water/sewer bills only on line. This will help keep track of payments. Motion was seconded by Mrs. Weese with all in favor. Motion carried.

RANDOLPH COUNTY FAIR SPONSORSHIP

A motion was made by Mr. Lewis to give the Randolph County Fair \$2000.00 to be used towards the Bucking Shute. Motion seconded by Mr. Moyer with all in favor. Motion carried.

PAYROLL DIRECT DEPOSIT

Interest was shown last month for employee payroll direct deposit. Checking our local bank, the cost of one payroll check is \$1.75. Council was in agreement that this was too expensive a cost for the town and to table it to see if a bigger interest is shown later.

COPIER SERVICE CONTRACT/VALLEY BUSINESS SYSTEMS

A motion was made by Mrs. Weese to enter into a contract with Valley Business Systems for a copier service at a cost of \$1300 a year for toner, parts and labor for the new copier we just purchased.

Motion was seconded by Mr. Lewis with all in favor. Motion carried.

STREET SPEED STUDY/ PETITION

Mayor Burns said a lot of interest has been shown from residents to reduce the town speed limit. He has talked to John Monk, DOH, and was told that over 20,000 vehicles go up and down the highway in Beverly in 24 hours. They said they would do a speed study, which involves how many intersections and personal driveways there are, how many businesses, schools, accidents, and cross walks. The Mayor asked how can we help and was told that we could do a petition. Council gave their approval to have petitions placed around town. Mayor Burns reminded council that we could get the speed reduced but to get it enforced was another thing.

6 WATER POLICIES UPDATED/ADDED

Mary Hutson with WV Rural Community Assistance Program provided the water board with 6 water polices that the town needs to adopt, they include: 1-Water meter placement program, 2- Water rationing plan, 3-Drought contingency plan, 4-Leak detection program, 5-Value exercising program, and 6- Hydrant maintenance and line flushing program. The water board and operators are in agreement with the policies and asked the council to adopt them. Mr. Moyer made a motion to adopt the 6 polices. Mrs. Whittaker seconded the motion with all in favor. Motion carried.

SECURITY SYSTEM FOR THE TOWN HALL

Mayor Burns wanted to discuss a security system for the town hall. At that time, Mr. Moyer made a motion to go into executive session, seconded by Mrs. Whittaker.

A motion was made by Mrs. Weese to come out of executive session, seconded by Mr. Moyer.

A motion was made by Mrs. Weese to accept Digital Soup, LLC quote of \$34.95 a month for town hall security. Motion seconded by Mr. Moyer, with all in favor. Motion carried.

ZONING BOARD/ZONING MAP

The Mayor said that a Zoning Board meeting is scheduled for August 22nd at 12:00. Mrs. Whittaker reported that the zoning board has an ordinance use table that places all businesses in different zones. She is concerned that something may be placed in the wrong zone and we need to be sure our ordinances match the table.

APPROVAL OF VENDOR INVOICES

A motion was made by Mrs. Whittaker to approve the bills paid in August in the amount of \$7,453.70. Motion seconded by Mrs. Stalnaker.

FINANCIAL REVIEWS
No questions

UPDATES:

Smoke testing was started today. The DOH is looking into purchasing the Baily property. A list of streets to be paved was provided by the DOH. The Reed IPMC case time is up and we are waiting for the next step. An ethics training is scheduled for September 11, at 1:00 at the County Commission. An emergency response meeting is scheduled September 17th at 5:30pm.

A motion was made by Mrs. Weese to adjourn, seconded by Mr. Moyers. Meeting adjourned at 8:41 pm.


MAYOR: ANDY BURNS
RECORDER: BARBARA SMITH

ORDINANCE _____

thru its Building Commission,
**AN ORDINANCE OF THE COMMON COUNCIL OF THE TOWN
OF BEVERLY PROVIDING FOR THE PURCHASE OF REAL
PROPERTY OUTSIDE THE CORPORATE LIMITS OF THE
MUNICIPALITY FROM LLOYD A. HECKEL AND DENISE D. HECKEL**

thru its Building Commission
WHEREAS, the Town of Beverly ~~has~~ *thru its Building Commission* plenary power, by Ordinance, to purchase and hold for any municipal purpose, real property within or without the corporate limits of the municipality pursuant to West Virginia Code § 8-12-1;

thru its Building Commission
WHEREAS, the Common Council of the Town of Beverly ~~have~~ *thru its Building Commission* determined to purchase certain real property outside of the municipal corporate limits for municipal purposes;

thru its Building Commission
WHEREAS, the Town of Beverly ~~has~~ *thru its Building Commission* negotiated with the real property's owners; being Lloyd A. Heckel and Denise D. Heckel, for the purchase of said real property which is identified as two tracts, containing 4.53 acres and 5.73 acres, and being identified as being located at Beverly District, Tax Map 123, Parcels 23 and 23.4;

thru its Building Commission
WHEREAS, the Town of Beverly ~~and~~ *thru its Building Commission* Lloyd A. Heckel and Denise D. Heckel, have negotiated the terms of the sale and have agreed to the conditions of said sale;

thru its Building Commission
WHEREAS, the Town of Beverly ~~has~~ *thru its Building Commission* agreed to purchase the aforementioned property for _____ dollars, subject to the terms and conditions of a Contract of Sale, attached hereto, and made a part hereof;

NOW, THEREFORE, be it ordained by the Common Council of the Town of Beverly, West Virginia, that the Town of Beverly ~~is~~ *thru its Building Commission* hereby authorized to acquire property described herein according to the terms of a Contract of Sale entered into between the Sellers, Lloyd A. Heckel and Denise D. Heckel, and the Buyer, Town of Beverly ~~thru its Building Commission~~ *thru its Building Commission*.

Building Commission
IT IS FURTHER ORDAINED, that the ~~Mayor, and the Clerk,~~ *Building Commission* be and are hereby authorized, directed and empowered to execute any and all other necessary and required documents in order to effect the purchase;

BE IT FURTHER ORDAINED that this Ordinance and the authorization to purchase subject real property is specifically contingent upon the ability of the Town of Beverly to secure financing, as well as any other terms that are part of the Contract of Sale; *thru its Building Commission*

BE IT FURTHER ORDAINED, that the aforementioned real property shall be used for a public purpose;

BE IT FURTHER ORDAINED, that all ordinances, or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies and should any section, clause, sentence, or provision of any item be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not effect the remaining portions of this Ordinance.

This Ordinance shall take effect upon final adoption as prescribed by law.

PASSED AND APPROVED ON FIRST READING THIS ____ DAY OF
_____, 2019.

PASSED AND APPROVED ON SECOND AND FINAL READING THIS ____ DAY OF
_____, 2019.

TOWN OF BEVERLY, WEST VIRGINIA

Mayor

Attest:

City Clerk