

The regular meeting of the Beverly Town Council was held Monday, August 14, 2023, at 6:30 pm in council chambers of Beverly Town Hall. Mayor Andy Burns called the meeting to order in the presence of council members Connie Pingley, Matt Lewis, Robbie Moyer, Katie Whittaker, Kenny Pritt, Recorder Sheila Scott Strahin and Town Clerk Robin Wilson. All present stood for the Pledge of Allegiance and the prayer was given by Mayor Burns.

MINUTES

Motion made by Katie Whittaker to approve July 11, 2023 minutes without reading aloud. Seconded by Connie Pingley. Motion carried.

VISITORS/PUBLIC HEARING

There were no visitors for the public hearing on the Sewer Bond Ordinance.

OLD BUSINESS

1. Sewer Bond Ordinance - Third and Final Reading of the Sewer Bond Ordinance was given. Connie Pingley ask why they took the drain from in front of her home and filled the ditch in and put the sewer line there.
2. Matt Lewis made the motion to except the 3rd reading of the Sewer Bond Ordinance and Kenny Pritt seconded the motion. Motion carried.
3. Police Building Proposal - Second Reading on the purchase of Blossom Village for the Municipal building was read. Robbie Moyer made the motion to except the reading. Connie Pingley seconded the motion. Motion carried. (Attachment 1)
4. 2023 & 202⁴ Business Licenses - Connie Pingley made a motion to accept the July business licenses that were paid. Seconded by Robbie Moyer. Motion carried.

NEW BUSINESS

1. EDA Recorded Statement Notice of Federal Interest – A form needing recorded by the town clerk is to be acknowledged by council. Connie Pingley motions to approve the Notice. Robbie Moyer seconded the motion. Motion carried.
2. Municipal Building Renovations - American Rescue Plan breakdown: \$83,500 for water tank repairs; \$22,036 for Sewer Plant pumping system; \$94,000 in two payments for the Municipal Building. Leaves a balance of approximately \$13,062.70 left to spend for municipal building remodeling. Council tabled discussion until September meeting since there is not an idea on cost yet.
3. Beverly Fireman's Festival Donation - The town gave them \$2,500 last year. Matt Lewis made the motion to give them \$2,500 this year. Katie Whittaker seconded the motion. Motion carried.

POLICE REPORT

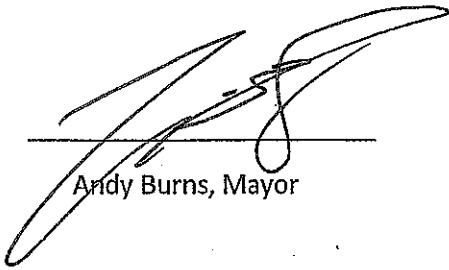
Chief Vanscoy announced the hire of an additional police officer, Preston Marsh. He is presently attending the Academy and will start in January 2024.

FINANCIAL REVIEWS/APPROVAL OF VENDOR INVOICES


Robbie Moyer made the motion to pay all bills. Connie Pingley 2nd the motion. Motion carried.

ADJOURNMENT

Matt Lewis made a motion to adjourn. Robbie Moyer seconded the motion. Motion carried. Meeting adjourned at 7:15 pm.



Andy Burns, Mayor



Sheila Scott Strahin, Recorder

ORDINANCE 39

**AN ORDINANCE OF THE COMMON COUNCIL OF THE TOWN
OF BEVERLY, WEST VIRGINIA PROVIDING FOR THE PURCHASE OF REAL
PROPERTY WITHIN THE CORPORATE LIMITS OF THE
MUNICIPALITY FROM SALLY A. PHARES**

WHEREAS, the Town of Beverly has plenary power, by Ordinance, to purchase and hold for any municipal purpose, real property within the corporate limits of the municipality pursuant to W. Va. Code § 8-12-1(4);

WHEREAS, the Town of Beverly has plenary power to establish, construct, acquire, maintain, and operate public buildings, municipal buildings, or city halls, or any other public works pursuant to W. Va. Code § 8-12-5(35);

WHEREAS, the Common Council of the Town of Beverly has determined to purchase certain real property within the corporate limits of the Town for municipal purposes;

WHEREAS, the Town of Beverly has negotiated with the real property's owner; being Sally A. Phares, for the purchase of said real property which is identified as a tract of land located in the Town of Beverly, Beverly District, Randolph County, West Virginia, and being identified as being located upon Tax Map 2, Parcel 27, and containing 4,077.5 square feet;

WHEREAS, the aforementioned real property owned by Sally A. Phares sits immediately next to real property owned by the Town of Beverly which is utilized as the Town of Beverly's Town Hall;

WHEREAS, the Town of Beverly and Sally A. Phares have negotiated the terms of the sale and have agreed to the conditions of said sale;

WHEREAS, the Town of Beverly has agreed to purchase the aforementioned real property from Sally A. Phares for \$94,000.00 subject to the terms and conditions of an Agreement of Purchase and Sale, attached hereto, and made a part hereof;

NOW, THEREFORE, be it ordained that the Town of Beverly is hereby authorized to acquire the real property described herein according to the terms of an Agreement of Purchase and Sale entered into between the Seller, Sally A. Phares, and the Buyer, Town of Beverly;

IT IS FURTHER ORDAINED, that the Mayor of the Town of Beverly is hereby authorized, directed and empowered to execute the Agreement of Purchase and Sale, attached hereto, and any and all other necessary and required documents in order to effect the purchase of the real property;

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

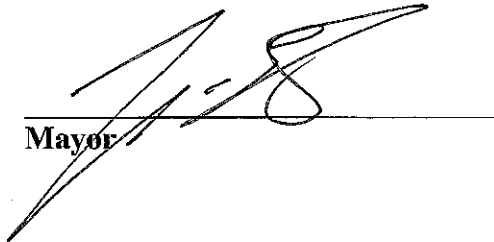
BE IT FURTHER ORDAINED, that all ordinances, or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies and should any section, clause, sentence, or provision of any item be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision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

This Ordinance shall take effect upon final adoption.

PASSED AND APPROVED ON FIRST READING THIS 11th **DAY OF** July, 2023.

PASSED AND APPROVED ON SECOND AND FINAL READING THIS 14th **DAY OF** August, 2023.

TOWN OF BEVERLY, WEST VIRGINIA



Mayor

Attest:

Robin L. Wilson
City Clerk