

The regular meeting of the Beverly Town Council was held Monday, July 11, 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 Robbie Moyer to approve June 11, 2023 without reading aloud. Seconded by Matt Lewis. All in Favor.

VISITORS

Linda Peterson from BHC gave out a schedule for the upcoming Beverly Heritage Days on July 22, 2023. The theme this year is The Circus Comes to Beverly. Linda asked about the port a potties and parking. Robbie Moyer made a motion concerning the potties and the parking and Matt Lewis 2nd the motion. Motion carried.

OLD BUSINESS

1. The second reading for the Bond Ordinance for the Sewage Upgrade Project was read. There was a discussion. Connie made a motion to accept the ordinance and Katie Whittaker seconded. Motion carried. (Attachment 1)
2. Police Building Proposal -The first reading on the purchase of Blossom Village as the Municipal Building was read. Matt Lewis made a motion to approve the Ordinance for the purchase. Robbie Moyer seconded the motion. Motion carried. (Attachment 2)
3. There were four business licenses paid for the town. Robbie Moyer made the motion to except them. Connie Pingley seconded the motion. Motion carried.

NEW BUSINESS

1. Robbie Moyer was appointed the new Personnel Committee Member.
2. Kenny Pritt made the motion to let the Heritage Center use the town square, to block off the south side of Walnut Ave, for the use of three port a potties, and to give them a \$250 donation. Robbie Moyer seconded the motion. Motion carried.
3. Set Permit Forms and Fees for Zoning Ordinance/Committee. Andy Burns, Connie Pingley, and Robbie Moyer will meet in the council chambers to set fees and forms for the new zoning ordinance.
4. Robbie Moyer made the motion to reappoint the water board members Kenny Weese and David Simmons for 3 years. Matt Lewis seconded; motion carried.

Financial Reviews

Financial reports were reviewed and discussed.

Approval of Vender Invoices

Connie Pingley made the motion to pay the bills. Matt Lewis seconded the motion. Motion carried.

UPDATES & INFORMATION

Water & Sewer Board Meeting Minutes

Plant Operators Reports

ADJOURNMENT

Matt Lewis moved to adjourn the meeting, Connie Pingley 2nd the motion. Meeting adjourned at 7:05pm



Andy Burns, Mayor



Sheila Strahin, Recorder

THE TOWN OF BEVERLY

AGENDA ITEM FOR MONDAY, JULY 10, 2023

- A. To consider on second reading and act upon a proposed Bond Ordinance entitled:

ORDINANCE AUTHORIZING THE ACQUISITION AND CONSTRUCTION OF CERTAIN EXTENSIONS, ADDITIONS, BETTERMENTS AND IMPROVEMENTS TO THE EXISTING PUBLIC SEWERAGE SYSTEM OF THE TOWN OF BEVERLY AND THE FINANCING OF THE COST THEREOF, NOT OTHERWISE PROVIDED, THROUGH THE ISSUANCE BY THE TOWN OF BEVERLY OF NOT MORE THAN \$1,500,000 IN ORIGINAL AGGREGATE PRINCIPAL AMOUNT OF SEWER REVENUE BONDS, SERIES 2023 A (WEST VIRGINIA INFRASTRUCTURE FUND); PROVIDING FOR THE RIGHTS AND REMEDIES OF AND SECURITY FOR THE REGISTERED OWNERS OF SUCH BONDS; AUTHORIZING EXECUTION AND DELIVERY OF ALL DOCUMENTS RELATING TO THE ISSUANCE OF SUCH BONDS; APPROVING, RATIFYING AND CONFIRMING A LOAN AGREEMENT RELATING TO SUCH BONDS; AUTHORIZING THE SALE AND PROVIDING FOR THE TERMS AND PROVISIONS OF SUCH BONDS AND ADOPTING OTHER PROVISIONS RELATING THERETO.

- B. Take necessary action related to the foregoing.

ORDINANCE _____

**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 ____ **DAY OF**
_____, 2023.

TOWN OF BEVERLY, WEST VIRGINIA

Mayor

Attest:

City Clerk