

Municipal Home Rule Amended Application
City of Lewisburg



Submitted: October 12, 2022

HOME RULE APPLICATION, PLAN AND AMENDMENT CHECKLIST

- Class II legal advertisement of Public Hearing
Dates September 23, 2022 and September 30, 2022
- Notice of Public Hearing to Municipal Home Rule Board (MHRB) and Cabinet Secretary of every State department
- Plan available for public inspection 30 days prior to Public Hearing
- Hearing
Date October 25, 2022
- Ordinance authorizing plan or amendment
1st reading date October 18, 2022
2nd reading date October 25, 2022
Date of adoption October 25, 2022
- Required narrative presentation of each separate proposal (see Sample Form Application)

ATTACHMENTS

- Affidavit of legal notice of Public Hearing
- Minutes of Public Hearing, including comments (if any) will be emailed after meeting
- Certified copy of ordinance authorizing plan or amendment will be emailed after meeting
- Fiscal statement demonstrating municipality's ability to manage costs or liabilities associated with proposals
- Affidavit that municipality owes no outstanding State fees
- Attorney opinion letter that application and plan or amendment complies with applicable State law
- Submit eight (8) originals and one (1) electronic copy of application plan or amendment to the MHRB

West Virginia Daily News

PO Box 471
Lewisburg, WV 24901
accounting@wvdn.com
http://wvdn.com



INVOICE

BILL TO
City of Lewisburg
942 Washington St. W
Lewisburg, WV 24901

SHIP TO
City of Lewisburg
942 Washington St. W
Lewisburg, WV 24901

INVOICE 81891
DATE 09/22/2022
TERMS Due on receipt
DUE DATE 09/22/2022

DATE	DESCRIPTION	QTY	RATE	AMOUNT
09/23/2022	Daily News Legal Public hearing 5.36" Sept 23	5.36	5.75	30.82
09/30/2022	Daily News Legal Public hearing 5.36" Sept 30	5.36	4.3134328	23.12
09/30/2022	Daily News Legal Legal processing fee	1	5.00	5.00

Thank you for supporting your local Newspaper!

SUBTOTAL 58.94

TAX 0.00

TOTAL 58.94

BALANCE DUE **\$58.94**

The West Virginia Daily News
PO Box 471,
Lewisburg, WV 24901
PHONE: 304-645-1206

PUBLIC HEARING

Notice is hereby given that a Public Hearing will be held at a special meeting of Lewisburg City Council on Tuesday, October 25, 2022, at 7:00 p.m., in the Paul R. Cooley Council Chamber at Lewisburg City Hall, 942 Washington Street West, Lewisburg, West Virginia, on Ordinance Number 307, authorizing the submission of an amendment to the City's Home Rule Plan to the West Virginia Municipal Home Rule Board to allow the City to adopt a municipal sales and service tax and a municipal use tax pursuant to W. Va. Code § 8-1-5a.

Interested parties may appear at the Public Hearing and be heard with respect to Ordinance Number 307 and the proposed amendment to the City's Home Rule Plan. A copy of Ordinance Number 307 and the proposed amendment to the City's Home Rule Plan may be inspected in the City Clerk's Office beginning, September 23, 2022, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday.
(23,30sp)

AFFIDAVIT OF PUBLICATION

STATE OF WEST VIRGINIA
COUNTY OF GREENBRIER,
TO WIT:

I, Sandra L. Holmes,

one of the editors of The West Virginia Daily News, a daily newspaper of general circulation published at Lewisburg, West Virginia, in the County of Greenbrier, State of West Virginia, do certify that publication of the advertisement or advertisements attached hereto was made

in Two (2) issues
of said newspaper, dated

September 23, 2022
September 30, 2022

Given under my hand this 30th
day of September, 2022

Sandra L. Holmes
Editor or Publisher

Subscribed and sworn to before me this 30th day of September, 2022

My commission expires October 27, 2026
Susan Smith-Lint, Notary Public

Publication Fee: \$ 58.94



NOTARY PUBLIC OFFICE
Susan Smith-Lint
State of West Virginia
My Commission Expires
October 27, 2026
WEST VIRGINIA DAILY NEWS
188 FOSTER STREET



CITY OF LEWISBURG

National Register Historic District

942 Washington Street, West • Lewisburg, West Virginia 24901
(304) 645-2080 • Fax (304) 645-2194

City of Lewisburg Fiscal Impact & Feasibility Statement Municipal Sales & Use Tax

The City of Lewisburg does not impose a business and occupation tax for all allowable categories, and we have a \$15 million exemption for the retail category. We could consider expanding the categories for which we charge business and occupation as well lower the exemption for the retail category, but this would have an economic impact by placing an increased tax burden on existing businesses. The proposed change to our business and occupation is to reduce the rates for all utilities categories by one percent which results in a decrease in revenues of \$2,000 annually.

The City has adequate revenue for the current 2023 Fiscal Year but will need additional revenue to cover normal operating expenses and to fund infrastructure improvements to the city's parks, police station, replacement of a dilapidated fire station, stormwater system upgrades and improvements and provide a competitive wage for city employees. The city is struggling to be competitive with salaries for the police department. Some West Virginia municipalities are offering sign on bonuses for new police officers and paying higher rates than the City of Lewisburg can offer at this time.

The cost and liabilities involved with the City of Lewisburg's Home Rule Plan include the estimated decrease in business and occupation tax revenue, the administrative fee from the West Virginia Tax Department for administering, collecting, and enforcing the municipal sales and use tax revenue on the City's behalf of is estimated to be \$1,600,000, and the annual assessment owed to the Municipal Home Rule Board of \$2,000.

The City of Lewisburg appreciates your consideration of our request to enact the Municipal Sales & Use Tax.

Susan Honaker
Treasurer



STATE OF WEST VIRGINIA
 State Tax Department, Taxpayer Services Division
 P.O. Box 885
 Charleston, WV 25323-0885



Matthew R. Irby, State Tax Commissioner

LEWISBURG TOWN OF
 942 W WASHINGTON ST
 LEWISBURG WV 24901-1363

Letter Id: L1212198176
 Issued: 09/07/2022



00008201010000

West Virginia State Tax Department

Statement of Good Standing

EFFECTIVE DATE: September 7, 2022

A review of tax accounts indicates that LEWISBURG TOWN OF is in good standing as of the effective date of this document. Please note, this Statement of Good Standing expires on **December 6, 2022**.

The issuance of this Statement of Good Standing shall not bar any audits, investigations, assessments, refund or credits with respect to the taxpayer named above and is based only on a review of the tax returns and not on a physical audit of records.

Sincerely,

Nicole Grant, Tax Unit Supervisor
 Taxpayer Services Division

AFFIDAVIT

October 31, 2022

The City of Lewisburg acknowledges:

There are no outstanding fees owed.

Under penalty of perjury, I hereby declare and affirm that the above-mentioned statement is, to the best of my knowledge, true and correct.

Affiant's Signature: *Susan Honaker* Date: October 31, 2022
Susan Honaker, Treasurer

NOTARY ACKNOWLEDGEMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

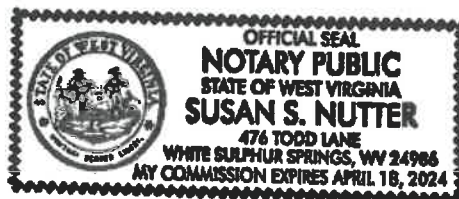
State of West Virginia
County of Greenbrier

On October 31, 2022 before me, Susan Nutter, personally appeared Susan Honaker who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacity, and that by their signature on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of West Virginia the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature *Susan Nutter* (Seal)



Thomas W. White, Esq.
(304) 645-5360
thomas.white@dinsmore.com

September 2, 2022

West Virginia Municipal Home Rule Board
c/o Courtney Shamblin, Executive Assistant
West Virginia Municipal Home Rule Board
P. O. Box 11360
Charleston, WV 25339-1360

RE: City of Lewisburg – Proposed Amendment to Home Rule Plan
(Municipal Sales and Service Tax and Municipal Use Tax)

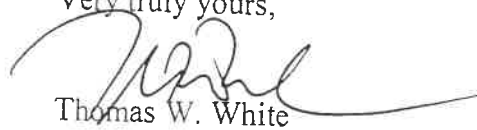
Dear Board:

I have acted as counsel for the City of Lewisburg with regard to the proposed amendment of the City of Lewisburg's Home Rule Plan. I have reviewed the requirements of W. Va. Code § 8-1-5a, et seq., and am of the opinion that the proposed amendment complies with the relevant sections of the West Virginia Code.

The Municipal Home Rule Board may rely on this opinion.

Please contact me with any questions. Thank you.

Very truly yours,



Thomas W. White

Cc: Hon. Beverly White, Mayor
Misty Hill, City Manager

SECTION I: APPLICANT INFORMATION

Type of Submission: Initial Plan Proposed Amendment

Name of Municipality: City of Lewisburg

Certifying Officer: Beverly White, Mayor

Contact Person: Misty Hill, City Manager

Address: 942 Washington Street, West

City, State, Zip: Lewisburg, WV 24901

Telephone Number: 304-645-2080

E-Mail Address: mhill@lewisburg-wv.org

Municipal Classification:

Class I Class II Class III Class IV

SECTION II: NARRATIVE (proposed plan or plan amendment)

Municipal Sales and use Tax (Category – Tax)

Specific State Law Barrier:

West Virginia State Code § 8-13-5, § 8-13c-4(a), § 8-13c-4(b)

Specific Problems created by law:

WV Code § 8-13-5 gives power to municipalities to impose a Business and Occupation Tax (B&O) on every person doing business within the municipality. It also states that municipalities cannot charge a rate higher than the maximum rate imposed by the State. Since this legislation was passed in January 1959, the rates are outdated and no longer provide adequate revenue for continued growth in municipalities.

WV Code § 8-13c-4(a) permits municipalities to charge a 1% sales and use tax only if the municipality's pension fund is underfunded. The City of Lewisburg does not have an underfunded pension fund.

WV Code § 8-13C-4(b) permits municipalities to charge a 1% sales and use tax only if they repeal their B & O Tax entirely. Imposing a 1% sales and use tax in the City of Lewisburg will not generate enough revenue to cover the lost B & O tax revenue if the tax is repealed entirely. Therefore, it is not feasible for the City of Lewisburg to completely repeal the B & O tax.

Proposed Solution:

The City of Lewisburg seeks authority pursuant to West Virginia Code § 8-1-5a to enact an ordinance that imposes a 1% municipal sales and use tax that would be administered, collected

and enforced by the State Tax Commissioner and conform with the requirements of West Virginia Code § 11-10-11c and the requirements of the Streamlined Sales and Use Tax Administration Act as codified in West Virginia Code § 11-15B-1 *et seq.*

The West Virginia Consumer Sales and Service Tax and the West Virginia Use Tax, even though imposed under two different articles in Chapter 11 of the West Virginia Code, are stated to be complimentary taxes in West Virginia Code § 11-15A-1a. Therefore the City of Lewisburg is requesting specific authorization to imposed a municipal sales tax.

In addition, the City will reduce B & O tax rates in the utilities category.

SECTION III: ATTACHMENTS

1. Completed Plan and Amendment Checklist.
2. Affidavit of legal advertisement providing notice of the public hearing.
3. Minutes of public hearing, including comments (if any)
4. Copy of adopted ordinance authorizing submission of plan or amendment to Municipal Home Rule Board.
5. Fiscal Statement demonstrating municipality's ability to manage costs or liabilities associated with proposal. (if proposal is revenue related).
6. Affidavit of authorized municipality representative that municipality owes no outstanding state fees.
7. Attorney opinion letter stating that application and plan or amendment complies with applicable law.

NOTE: Submit eight originals and one electronic copy of initial plan or amendment to the Municipal Home Rule Board a minimum of 30 days before a Board meeting.

Ordinance 311

Councilmember _____ introduced the following Ordinance and moved for its adoption, which motion was seconded by Councilmember _____. The Ordinance being in the following words and figures:

“AN ORDINANCE AUTHORIZING THE CITY OF LEWISBURG TO SUBMIT AN AMENDED WRITTEN PLAN TO THE MUNICIPAL HOME RULE BOARD REQUESTING APPROVAL FOR THE CITY OF LEWISBURG TO ADOPT A MUNICIPAL SALES AND SERVICE TAX AND A MUNICIPAL USE TAX PURSUANT TO W. VA. CODE § 8-1-5a”

WHEREAS, the City of Lewisburg has previously been approved to participate in the Municipal Home Rule Program pursuant to a written plan submitted to and approved by the Municipal Home Rule Board; and

WHEREAS, the City of Lewisburg desires to seek approval from the Municipal Home Rule Board to amend its previously approved written plan in order to adopt a municipal sales and service tax and a municipal use tax pursuant to W. Va. Code § 8-1-5a.

NOW, THEREFORE, THE CITY OF LEWISBURG HEREBY ORDAINS:

That on behalf of the City of Lewisburg, the Mayor and the City Administration are hereby authorized and requested to submit to the Municipal Home Rule Board a proposed amendment, attached hereto as Exhibit A, to the City of Lewisburg Municipal Home Rule Plan, consistent with W. Va. Code § 8-1-5a, requesting approval to allow the City of Lewisburg to adopt a municipal sales and service tax and a municipal use tax.

This Ordinance shall be effective upon passage.

I, the undersigned Recorder of the City of Lewisburg, State of West Virginia, do hereby certify that the foregoing amendment to an Ordinance was duly passed and adopted by the City Council of the City of Lewisburg, and that the proposed Ordinance was read by title at not less than two (2) meetings of the City Council with at least one (1) week intervening between each meeting, and that the Ordinance is now in full force and effect.

Passed First Reading

Passed Second Reading

Shannon Beatty, CMC, City Clerk

**Minutes of City Council
October 18, 2022
Regular Session**

The Council of the City of Lewisburg met in regular session on Tuesday, October 18, 2022 at 7:00 p.m. in the Paul R Cooley Council Chambers at 942 Washington St West, Lewisburg, WV also available VIA a Zoom Teleconference call.

PRESENT: Mayor Beverly White, Councilmembers, Sarah Elkins, John Little, Franklin Johnson, Valerie Pritt & Arron Seams; City Manager Misty Hill, City Clerk Shannon Beatty, Treasurer Susan Honaker, Police Chief Chris Teubert, Director of Public Works Tony Legg, Tom White, City Attorney and Fire Chief Joey Thomas.

ABSENT: City Clerk Shannon Beatty

VISITORS: Reporter Carolyn Cleaton (ZOOM) with the WV Daily News and Sarah Richardson with the Mountain Messenger; Sheena Pendley, Kara Dense, Beth Gill, Delilah Quinn, Brian Belcher, Brandon Johnson, Shaye Godomski, Jill McIntyre, Monica Maxwell and Ross German.

CALL TO ORDER:

Mayor White called the meeting to order at 7:02 p.m.

EXECUTIVE SESSION:

Councilmember Pritt made a motion to go into executive session to discuss the Opioid related claims and release. Councilmember Seams seconded the motion. With all in favor the motion carried. City Attorney Tom White and Attorney Brandon Johnson joined the executive session.

Councilmember Pritt made a motion to reconvene into regular session. Councilmember Elkins seconded the motion. With all in favor the motion carried.

Councilmember Seams directed the Mayor to sign the Opioid related claims and release. Councilmember Elkins seconded the motion. With all in favor the motion carried.

ORDINANCES:

Ordinance 309, Noise Ordinance, 2nd reading and public hearing

Treasurer Honaker read the title of the following ordinance for 2nd reading:

"AN ORDINANCE TO AMEND SECTIONS 509.01 AND 509.9 OF THE CODIFIED ORDINANCES OF THE CITY OF LEWISBURG."

Mayor White called a public hearing to order and after hearing no comments from the public she closed the public hearing. Councilmember Johnson made a motion to approved Ordinance 309 on 2nd reading. Councilmember Seams seconded the motion. With all in favor the motion carried.

Ordinance 311, Home Rule Amendment, 1st reading

Treasurer Susan Honaker read the following ordinance by title for first reading:

“AN ORDINANCE AUTHORIZING THE CITY OF LEWISBURG TO SUBMIT AN AMENDED WRITTEN PLAN TO THE MUNICIPAL HOME RULE BOARD REQUESTING APPROVAL FOR THE CITY OF LEWISBURG TO ADOPT A MUNICIPAL SALES AND SERVICE TAX AND A MUNICIPAL USE TAX PURSUANT TO W. VA. CODE § 8-1-5a”

Councilmember Pritt made a motion to approve Ordinance 311 for first reading. Councilmember Seams seconded the motion. With all in favor the motion carried.

RESOLUTIONS:

Resolution 500, Water Systems improvement project pay request #4

Treasurer Honaker read the following resolution by title for passage:

“RESOLUTION OF THE CITY OF LEWISBURG APPROVING INVOICE RELATED TO SERVICES FOR THE WATER SYSTEM IMPROVEMENTS PROJECT AND AUTHORIZING PAYMENT THEREOF.”

Councilmember Pritt made a motion to approve Resolution 500. Councilmember Seams seconded the motion. With all in favor the motion carried.

Resolution 501, State Amendment #2

Treasurer Honaker read the following resolution for passage:

Opposition to Amendment No 2:

Property Tax Modernization Amendment

WHEREAS, on the 2022 General Election Ballot voters in West Virginia will be asked to vote for or against Amendment 2: Property Tax Modernization Amendment. If passed, this Amendment will be the largest change to West Virginia's Constitution in the last century. This change will remove the constitutional protection of designated funding sources for counties, municipalities, and boards of education in our State; and

WHEREAS the Lewisburg City Council will not attempt to tell the voters of the City of Lewisburg how to vote. We do, nonetheless, have the responsibility to inform our constituents of the potential ramifications a piece of legislation or constitutional amendment will have on the Municipal budget if passed; and

WHEREAS the Council find that there is no consensus, no agreement based on the information provided to our Municipal and County Associations by the Senate

and House, we find there is no legislative plan to provide revenue replacement to local government and schools; and

WHEREAS preliminary numbers being used by the Senate and House show more than \$500 million will be removed for the budgets of counties, municipalities, and board of education; and

WHEREAS the Council, find that it is the residents of the State of West Virginia, including the hardworking people of Lewisburg, who will ultimately pay found no clear plan that voters can read and understand before they cast their vote.

WHEREAS the significant corporate tax cuts enabled by Amendment 2 and will do so through increased real property tax, new sales tax and/or fees; and

WHEREAS the Council, finds that as we approach the 2022 General Election, all voters deserve a final, agreed upon legislative plan for Amendment 2, not a "work-in-progress" or "trust us" proposal which if implemented could devastate municipal and county government, including all the agencies they fund, and public education in West Virginia.

NOW, THEREFORE, be it resolved that the Lewisburg City Council will not offer support for Amendment 2 because of the serious risk it poses to all city funded departments.

Councilmember Pritt made a motion to approve Resolution 501. Councilmember Seams seconded the motion. With five (5) in favor and one (1) abstention (Little) the motion carried.

PROCLAMATION:

Pregnancy and Child Loss Remembrance and Awareness Month

Mayor White read the Pregnancy and Child Loss Remembrance and Awareness Month proclamation

COMMUNICATIONS FROM THE MAYOR:

Greenbrier County Convention & Visitors Bureau Annual Report

Kara Dense, the Executive Director of the Greenbrier County Convention & Visitor's Bureau presented the annual report to City Council.

COMMUNICATIONS FROM THE CITY MANAGER:

Arts & Humanities funding request, Lewisburg Downtown Business Association

Jill McIntyre with the Downtown Business Association submitted an application for monetary support of the upcoming holiday season including First Fridays, Halloween, Thanksgiving and winter holidays. Councilmembers Seams and Pritt stated the application was incomplete and needed to include an organizational budget.

Councilmember Seams made a motion to deny the request. The motion died because of a lack of a second.

Councilmember Pritt made a motion to table the application until the Tuesday, October 25, Special Session of City Council. Councilmember Johnson seconded the motion. With all in favor the motion carried.

Water System improvement project, change order #1, contract 8a

Councilmember Pritt made a motion to approve change order #1, contract 8a with Orders Construction in the amount of \$149,310 from project funds. Councilmember Elkins seconded the motion. With all in favor the motion carried.

COMMUNICATIONS FROM CITY COUNCIL MEMBERS:

No communications were given.

COMMUNICATIONS FROM THE POLICE DEPARTMENT:

Mayor White stated that a copy of Chief Teubert's report had been included in the information packet and asked if City Councilmembers had any questions for Chief Teubert.

Police Department Standard Operating Guidelines

Councilmember Seams made a motion to accept and approve the Police Department Standard Operating Guidelines as presented. Councilmember Johnson seconded the motion. With all in favor the motion carried.

COMMUNICATIONS FROM THE FIRE DEPARTMENT:

Mayor White stated that a copy of Chief Thomas's report had been included in the information packet and asked if City Councilmembers had any questions for the Chief.

COMMUNICATIONS FROM COUNCIL COMMITTEES:

Finance Committee Report

Councilmember Seams reported on the following events of the October 11, 2022 Finance Committee meeting:

- The Finance Committee recommended approval to authorized Mayor White to sign a construction contract with DCI Shires for the Public Works Building.

Councilmember Seams made a motion to authorize Mayor White to sign a construction contract with DCI Shires for the Public Works Building. Councilmember Pritt seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval of the Video Lottery funding request from the Greenbrier East Marching band in the amount of \$4,000 to help students attend the Spring National Competition.

Councilmember Seams made a motion to approve the Video Lottery funding request from the Greenbrier East Marching band in the amount of \$4,000 to help students attend the Spring National Competition. Councilmember Pritt seconded the motion. With five (5) in favor and one (1) abstention (Elkins) the motion carried.

- The Finance Committee recommended approval of the payment of physicals for the Fire Department from the North Greenville Fitness and Cardiac Rehabilitation Clinic, Inc. in an amount not to exceed \$32,972.

Councilmember Seams made a motion to approve the payment of physicals for the Fire Department from the North Greenville Fitness and Cardiac Rehabilitation Clinic, Inc. in an amount not to exceed \$32,972. Councilmember Johnson seconded the motion. With all in favor the motion carried.

PUBLIC WORKS DEPARTMENT REPORT:

Mayor White stated that a copy of the Public Work's Director Legg's report had been included in the information packet and asked if City Councilmembers had any questions for the Director.

VISITORS REPORT:

No reports were given.

APPROVAL OF MINUTES:

September 20, 2022

Councilmember Seams made a motion table the September 20, 2022 Regular Session City Council meeting minutes. Councilmember Elkins seconded the motion. With all in favor the motion carried.

September 27, 2022

Councilmember Seams made a motion to approve the September 27, 2022 special session minutes. Councilmember Elkins seconded the motion. With all in favor the motion carried.

ADJOURNMENT:

Councilmember Seams made a motion to adjourn the meeting at 8:44 p.m. Councilmember Pritt seconded the motion. With all in favor the motion carried.

Minutes of City Council
October 25, 2022
Special Session

The Council of the City of Lewisburg met in special session on Tuesday, October 25, 2022 at 7:00 p.m. in the Paul R Cooley Council Chambers at 942 Washington St West, Lewisburg, WV also available VIA a Zoom Teleconference call.

PRESENT: Mayor Beverly White, Councilmembers, Sarah Elkins, Franklin Johnson, Valerie Pritt & Arron Seams; City Manager Misty Hill (Via ZOOM), City Clerk Shannon Beatty, Treasurer Susan Honaker, and Police Chief Chris Teubert.

ABSENT: Councilmember John Little

VISITORS: Reporter Carolyn Cleaton with the WV Daily News and Sarah Richardson with the Mountain Messenger; Sheena Pendley, Jill McIntyre, Aaron & Monica Maxwell.

CALL TO ORDER:

Mayor White called the meeting to order at 7:00 p.m.

ORDINANCES:

Ordinance 311

City Clerk Shannon Beatty read the title of the following ordinance by title:

“AN ORDINANCE AUTHORIZING THE CITY OF LEWISBURG TO SUBMIT AN AMENDED WRITTEN PLAN TO THE MUNICIPAL HOME RULE BOARD REQUESTING APPROVAL FOR THE CITY OF LEWISBURG TO ADOPT A MUNICIPAL SALES AND SERVICE TAX AND A MUNICIPAL USE TAX PURSUANT TO W. VA. CODE § 8-1-5a”

Mayor White opened a public hearing regarding Ordinance 311 at 7:01 p.m. Hearing no comments from the public she closed the public hearing at 7:01.

Councilmember Elkins made a motion to approve Ordinance 311. Councilmember Pritt seconded the motion. With five (5) in favor and one (1) absent (Little) the motion carried.

Arts and Humanities funding request, Lewisburg Downtown Business Association

Councilmember Seams thanked Jill McIntyre with the Lewisburg Downtown Business Association for submitting a completed application.

Councilmember Seams made a motion to approve the Arts and Humanities funding request form the Lewisburg Downtown Business Association in the amount of \$3,750 for Fourth Quarter Fairs and Festival events. Councilmember Pritt seconded the motion. With five (5) in favor and one (1) absent (Little) the motion carried.

Lewisburg City Council
Meeting Minutes
Special Session
October 25, 2022
Page 2

ADJOURNMENT:

Councilmember Seams made a motion to adjourn the meeting at 7:04 pm. Councilmember Pritt seconded the motion. With five (5) in favor and one (1) absent (Little) the motion carried.

Ordinance 311

Councilmember Pritt introduced the following Ordinance and moved for its adoption, which motion was seconded by Councilmember Seams. The Ordinance being in the following words and figures:

“AN ORDINANCE AUTHORIZING THE CITY OF LEWISBURG TO SUBMIT AN AMENDED WRITTEN PLAN TO THE MUNICIPAL HOME RULE BOARD REQUESTING APPROVAL FOR THE CITY OF LEWISBURG TO ADOPT A MUNICIPAL SALES AND SERVICE TAX AND A MUNICIPAL USE TAX PURSUANT TO W. VA. CODE § 8-1-5a”

WHEREAS, the City of Lewisburg has previously been approved to participate in the Municipal Home Rule Program pursuant to a written plan submitted to and approved by the Municipal Home Rule Board; and

WHEREAS, the City of Lewisburg desires to seek approval from the Municipal Home Rule Board to amend its previously approved written plan in order to adopt a municipal sales and service tax and a municipal use tax pursuant to W. Va. Code § 8-1-5a.

NOW, THEREFORE, THE CITY OF LEWISBURG HEREBY ORDAINS:

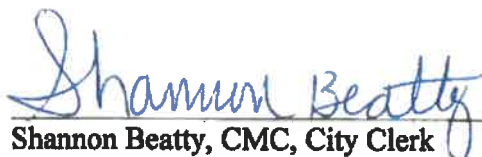
That on behalf of the City of Lewisburg, the Mayor and the City Administration are hereby authorized and requested to submit to the Municipal Home Rule Board a proposed amendment, attached hereto as Exhibit A, to the City of Lewisburg Municipal Home Rule Plan, consistent with W. Va. Code § 8-1-5a, requesting approval to allow the City of Lewisburg to adopt a municipal sales and service tax and a municipal use tax.

This Ordinance shall be effective upon passage.

I, the undersigned Recorder of the City of Lewisburg, State of West Virginia, do hereby certify that the foregoing amendment to an Ordinance was duly passed and adopted by the City Council of the City of Lewisburg, and that the proposed Ordinance was read by title at not less than two (2) meetings of the City Council with at least one (1) week intervening between each meeting, and that the Ordinance is now in full force and effect.

October 18, 2022
Passed First Reading

October 25, 2022
Passed Second Reading


Shannon Beatty, CMC, City Clerk



CITY OF LEWISBURG

National Register Historic District

942 Washington Street, West • Lewisburg, West Virginia 24901
(304) 645-2080 • Fax (304) 645-2194

October 11, 2022

West Virginia Municipal Home Rule Board
P. O. Box 11360
Charleston, WV 25339-1360

RE: City of Lewisburg Municipal Home Rule Amended Application

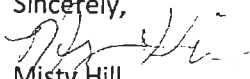
Dear West Virginia, Municipal Home Rule Board,

On behalf of the City of Lewisburg I am submitting eight (8) copies of the Municipality's Home Rule Amended application to implement a one percent (1%) sales and use tax in Lewisburg. Should the Home Rule Board have any questions about our submitted application or need any addition information, please do not hesitate to contact me.

We have mailed copies to each of the Board members.

Also, we appreciate the Home Rule Boards agreement to hold a special meeting to discuss our request.

Sincerely,


Mjsty Hill
City Manager

smh/MH