

**BOARD OF DIRECTORS
BLUEFIELD, WEST VIRGINIA
January 22, 2013**

The Board of Directors of the City of Bluefield, West Virginia met in regular session January 22, 2013 at 6 p.m. in the Municipal Boardroom. Present were Mayor Linda K. Whalen; Directors Mary Frances Brammer, Deb Sarver, Pete Sternloff; City Manager Jim Ferguson; City Attorney Brian Cochran and City Clerk Helen Mitchell. Director Tom Blevins was not in attendance.

INVOCATION/PLEDGE

The Invocation was given by Director Mary Frances Brammer, followed by the Pledge of Allegiance.

Mayor Linda Whalen welcomed everyone to the meeting. Mayor Whalen thanked the Fine Arts Commission for the very nice reception in honor of City Manager Jim Ferguson.

MINUTES

Minutes of the January 8, 2013 meeting were unanimously approved as presented on a motion by Director Pete Sternloff, seconded by Director Mary Frances Brammer.

DISCUSSION ITEMS

City Manager Jim Ferguson announced that Bluefield High School and Bluefield Middle School are working on a fundraiser which would be an 8K run to benefit the program "Blessings in a Backpack" at Memorial and Whitethorn schools. Manager Ferguson explained that this program provides food for children of need to have something to eat during the weekend. City Manager Ferguson said that he had pledged the support of the City for traffic control during the run.

City Manager Ferguson discussed the replacement of two (2) Crown Victoria police cruisers for the Bluefield Police Department. Manager Ferguson said to replace the two vehicles would cost approximately \$60,000 which will be taken from the Coal Severance Fund. Manager Ferguson said this purchase will be an action item at the next board meeting.

ACTION ITEMS

Mayor Linda Whalen read into the record the First Reading of an Ordinance Authorizing the Annexation of County Route 290/4 and Parcels 26 and 26.1, Tax Map 28, Beaver Pond District, Owned by the City of Bluefield and the Bluefield Area Transit, into the corporate Territorial Limits of the City of Bluefield.

City Attorney Brian Cochran advised this is the thirty three acres that the City and the Bluefield Transit purchased off John Nash Boulevard. Attorney Cochran said the West Virginia Department of Transportation has authorized the annexation of County Route 290/4 and the Mercer County Commission has held three public hearings, and the commission approved the annexation on January 8, 2013.

Director Pete Sternloff moved to approve the first reading of the ordinance as read, seconded by Director Deb Sarver. Unanimously approved and so ordered.

AN ORDINANCE AUTHORIZING THE ANNEXATION OF COUNTY ROUTE 290/4 AND PARCELS 26 AND 26.1, TAX MAP 28, BEAVER POND DISTRICT, OWNED BY THE CITY OF BLUEFIELD AND THE BLUEFIELD AREA TRANSIT, INTO THE CORPORATE TERRITORIAL LIMITS OF THE CITY OF BLUEFIELD.

WHEREAS, the City of Bluefield petitioned the Mercer County Commission for Annexation of CR 290/4 and Parcels 26 and 26.1, Tax Map 28, Beaver Pond District, by Minor Boundary Adjustment on August 29, 2012; and

WHEREAS, the City and the Bluefield Area Transit requested that their property, located at John Nash Boulevard, and being the same real estate conveyed to the City of Bluefield and the Bluefield Area Transit by Deed by Steven K. Harry and John H. Shott, Co-Executors of the Estate of Charles A. Hurst, Deceased, be annexed into the corporate limits of the City; and

WHEREAS, the West Virginia Department of Transportation, Division of Highways, has authorized the annexation of CR 290/4 into the corporate limits of the City; and

WHEREAS, the Mercer County Commission held three properly Noticed Public Hearings on the proposed annexations on October 9, 2012, December 11, 2012, and January 8, 2013; and

WHEREAS, the Mercer County Commission approved the above described annexation at its January 8th, 2013 meeting.

NOW, THEREFORE, WITNESS THE FOLLOWING ORDINANCE:

The Board of Directors of the City of Bluefield hereby ordains:

- 1) CR 290/4 and Parcels 26 and 26.1, Tax Map 28, Beaver Pond District, are hereby annexed into the corporate territorial limits of the City of Bluefield.
- 2) This Ordinance shall become effective immediately upon its passage and recording by the City Clerk.

First Reading: January 22, 2013

Second Reading and Passage: _____

Linda K. Whalen, Mayor

Attest:

Helen Mitchell, Clerk

Mayor Linda Whalen read into the record the Second Reading of an Ordinance Providing for the Zoning Reclassification of certain parcel of real estate in the City of Bluefield from (RMF) multi family residential district to (R-2) single family residential district by amending the zoning map of the City of Bluefield as shown on the exhibit hereto attached and declared to be a part of this ordinance as if the same was fully set forth therein.

A motion to accept the second reading of the ordinance as read was made by Director Pete Sternloff seconded by Director Mary Frances Brammer. Unanimously approved and so ordered.

AN ORDINANCE PROVIDING FOR THE ZONING RECLASSIFICATION OF CERTAIN PARCELS OF REAL ESTATE IN THE CITY OF BLUEFIELD FROM (RMF) MULTI-FAMILY RESIDENTIAL DISTRICT TO (R-2) SINGLE FAMILY RESIDENTIAL DISTRICT BY AMENDING THE ZONING MAP OF THE CITY OF BLUEFIELD AS SHOWN ON THE EXHIBIT HERETO ATTACHED AND DECLARED TO BE A PART OF THIS ORDINANCE AS IF THE SAME WAS FULLY SET FORTH THEREIN.

WHEREAS, The Board of Directors of the City of Bluefield, with advise and approval of the Bluefield Planning Commission, has determined that the rezoning of a portion of College Avenue is consistent with the City's adopted Comprehensive Zoning Plan; and

WHEREAS, this property to be rezoned is College Avenue from Maryland Avenue going East to Bland Street, 1 lot deep on the North and South of College Avenue, to an alley ROW, or to the creek boundary, or certain areas particularly described, from Multi-Family Residential District (RMF) to Single-Family Residential District (R-2) and the rezoning only pertaining to the RMF zoning along College Avenue. Bounded on the North by an alley and up to the BC zoning on College Avenue, Bounded on the East by Bland Street, Bounded on the South by an alley, Tax Map 38, Parcel 208.2, Tax Map 38, Parcel 208.1, and pertaining to be 1 lot deep in some areas on College Avenue, or certain areas particularly described, to the creek bed boundary, and Tax Map 33, Parcel 167, Tax Map 33, Parcel 176, Tax Map 33, Parcel 177, Tax Map 33, Parcel 179, Tax Map 33, Parcel 178, and up along an alley and Bounded by Tax Map 33, Parcel 185 and Bounded on the West by Maryland Avenue; and

WHEREAS, on Wednesday, December 5th, 2012, the Planning Commission of the City of Bluefield, sitting as the Zoning Commission of said City, held a public hearing upon and thereafter made its recommendation to the Board of Directors of said City that this property be reclassified and rezoned from Multi-Family Residential (RMF) to Single-Family Residential (R2); and

WHEREAS, this proposed Zoning Amendment in the City of Bluefield was properly advertised in the Bluefield Daily Telegraph, a local paper of general circulation.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF BLUEFIELD, MERCER COUNTY West Virginia, IN REGULAR SESSION ASSEMBLED AS FOLLOWS:

College Avenue, from Maryland Avenue, East to Bland Street, 1 lot deep on the North and South of College Avenue, to an alley ROW, or to the creek boundary, and certain areas more particularly described above, are hereby REZONED and RECLASSIFIED from Multi-Family Residential District (RMF) to Single-Family Residential District (R-2) and this rezoning only pertains to the RMF zoning along College Avenue.

FIRST READING: January 8, 2013

SECOND READING AND ADOPTION: January 22, 2013

FILED:

RECORDED:

Mayor

City Clerk

The agenda continued with the board voting 4-0 on a motion made by Director Pete Sternloff and seconded by Director Mary Frances Brammer to adopt John Denver's "Country Roads" as the official song for the City of Bluefield.

Mayor Whalen presented the resolution of adoption to Delegate Marty Gearheart to present before the Legislature.

**RESOLUTION OF THE CITY OF BLUEFIELD
DECLARING "COUNTRY ROADS, TAKE ME HOME"
OFFICIAL CITY SONG**

WHEREAS, "Country Roads, Take me Home" is widely recognized and identified throughout the United States with the great State of West Virginia; and

WHEREAS, written by John Denver, Taffy Nivert, and Bill Danoff, "Country Roads" was recorded and sung by Denver on his 1971 breakout album Poems, Prayers, and Promises; and

WHEREAS, "Country Roads" is Denver's signature song, and reached number 2 on the Billboard 100 Charts in 1971; and

WHEREAS, "Country Roads" is familiar to all Mountaineers as the theme song for the West Virginia Mountaineers, and is played at all home football games at Mountaineer Field; and

WHEREAS, the City of Bluefield, in adopting "Country Roads" as its City song, encourages the West Virginia Legislature to finally do the same as one of West Virginia's Official State Songs; and

WHEREAS, the duly elected governing authority of the City of Bluefield is the Board of Directors thereof.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF BLUEFIELD WEST VIRGINIA:

"Country Roads, Take Me Home" is hereby declared as the City Song of the City of Bluefield, West Virginia.

Given under our hands this the 22nd Day of January, 2013.

Linda K. Whalen, Mayor

Dr. Tom Blevins, Director

Mary Frances Brammer, Director

Deb Sarver, Director

Pete Sternloff, Director

ATTEST:

Helen Mitchell, City Clerk

In other action the Board voted 4-0 on a motion made by Director Deb Sarver, seconded by Director Pete Sternloff to approve Payment #5 to Swope Construction Company in the amount of \$369,358.75 for the demolition of the Scott Street Parking Garage.

The agenda continued with approval of the Economic Development Plan titled "Blue Momentum" created by former Economic Development Director Greg Shrewsbury and other members of the committee. City Manager Jim Ferguson said the plan is being presented through civic organizations and is hoping to make the presentation available on the city's website.

The plan was unanimously approved on a motion by Director Pete Sternloff and seconded by Director Mary Frances Brammer.

REPORTS OF OFFICERS, BOARD AND STANDING COMMITTEES

Director Pete Sternloff discussed that one of the goals of the Economic Development Team was to re-vitalize the City website and the four finalists for development of this site will be presenting their ideas to the board at their next discussion meeting. Director Sternloff said that hopefully the board will be able at the next board meeting to announce the finalist for the development of the website.

Director Sternloff commended the public works department for the snow removal during the recent snowstorm. Director Sternloff reminded business owners that the sidewalks in front and on the sides of their property are their responsibility to have the snow cleared.

City Manager Jim Ferguson commented that it is the goal of the city to have all city streets cleaned within a twenty four hour period from the time the snow falls.

Director Mary Frances Brammer thanked all citizens for attending the meeting. Director Brammer asked that everyone check on their elderly neighbors. Director Brammer asked everyone to support the Bluefield Beavers.

Director Deb Sarver asked citizens to remember to volunteer help to your elderly neighbors. Director Sarver thanked the Fine Arts Commission for the reception for the city manager.

Mayor Whalen extended condolences to Ron Dodson in the death of his mother Marion Dodson and the wife of former Police Chief Andrew Dodson.

PUBLIC COMMENTS

Sarah Elswick presented to the board members a Beautification Toolkit booklet with assistance from The Benedum Foundation and the New River Gorge Regional Development Authority. The purpose of the Toolkit is to offer ideas and recommendations to communities for improving the visual perception and image of their area or create "curb appeal."

Ms. Elswick said projects like these shown in the booklet are stepping stones to larger benefits such as an interest in business, which can in turn lead to more jobs and economic prosperity for the area.

Mr. Art Riley representing the Downtown Merchants Association suggested cleaning up the entrances to the City.

Mr. Riley asked that the no parking ordinance be enforced on the downtown streets between the hours of 12:00 a.m. and 5:00 a.m. to allow for street cleaning.

Charlene Long commended Code Enforcement Officer Lori Mills on the great job she is doing for the city.

Ms. Long questioned when the automobile that was parked on the sidewalk on Union St. would be towed.

Interim Police Chief Dennis Dillow replied that the vehicle was cited today and would be towed the following day.

Mayor Whalen thanked the city's demolition crew for their work in taking down the buildings located on Bland Street.

ANNOUNCEMENTS AND OTHER

- Gary Bowling's House of Art - Open Mic Night - Music & Food - February 1, 2013, 6-8 p.m.
- Gary Bowling's House of Art - Open Stage Night - Fridays' -7 p.m.-10 p.m.
- "WV Winter Warmer 2013" - February 16, 2013 - Cole Harley Davidson - 2-7 p.m.
Sponsored by Bluefield Beautification Commission

Hearing no further business the meeting was adjourned.

Helen L. Mitchell, City Clerk

Linda K. Whalen, Mayor