

**BOARD OF DIRECTORS  
BLUEFIELD, WEST VIRGINIA  
March 27, 2012**

The Board of Directors of the City of Bluefield, West Virginia met in regular session March 27, 2012 at 6:00 p.m. in the Municipal Boardroom. Present were Mayor Linda K. Whalen; Directors, Mary Frances Brammer, Tom Blevins and Pete Sternloff; City Manager Andy Merriman, City Attorney Brian Cochran and City Clerk Helen L. Mitchell. Director Deb Sarver was not in attendance.

**INVOCATION/PLEDGE**

The Invocation was given by Gene Wyatt, followed by the Pledge of Allegiance.

Mayor Linda Whalen welcomed everyone to the meeting.

**MINUTES**

Minutes of the March 13, 2012 meeting were unanimously approved as presented on a motion by Director Pete Sternloff and seconded by Director Mary Frances Brammer.

**DISCUSSION ITEMS**

City Manager Andy Merriman stated that the first discussion item was an ordinance for repeat offenders of code violations.

Mayor Linda Whalen discussed that the code enforcement department spends a lot of time with repeat offenders of code violations and asked for solutions to this problem.

City Manager Merriman explained that this had been addressed by the WV Municipal League and the bill was laid out this legislative year but was killed in the House Judiciary.

**ACTION ITEMS**

Manager Merriman read into the record the Second Reading of an Ordinance establishing and fixing Rates, Fees and Charges for Service to Customers of the Sewerage System of the City of Bluefield, West Virginia.

Manager Merriman advised that a public hearing was held this date at 5:00 p.m. and this is the second reading of the ordinance.

Director Tom Blevins moved to approve the second reading of the ordinance as presented, seconded by Director Pete Sternloff.

Mayor Linda Whalen advised that this is a 16 per cent rate increase that will become effective on May 12, 2012.

There being no further discussion, the motion was unanimously approved and so ordered.

City Manager Merriman referred the Economic Development agenda item to the Board for instruction to the staff.

Mayor Linda Whalen asked for a motion to employ Jerry Berry as the Economic Development Director for the City of Bluefield and instructed City Attorney Brian Cochran to create an employment agreement.

Director Pete Sternloff made a motion to employ Jerry Berry as the Economic Development Director, seconded by Director Tom Blevins. Unanimously approved and so ordered.

Attorney Brian Cochran advised the Board that the terms of the agreement for the Economic Development Director would need to be voted on at a later date.

City Manager Merriman asked for the Board's approval of the budget for the FY 2012/2013. Manager Merriman advised that each board member had been provided a copy of the levy estimate for their review.

Director Pete Sternloff moved to approve the budget for FY 2012/2013 as presented, seconded by Director Mary Frances Brammer. Unanimously approved and so ordered.

City Manager Merriman asked the Board to set the date to lay the levy for April 17, 2012 at 11:00 a.m.

Director Pete Sternloff moved to set the date to lay the levy for April 17, 2012, seconded by Director Mary Frances Brammer. Unanimously approved and so ordered.

The agenda continued with a request for approval of \$15,000 to upgrade accounting software to the Enterprise version and to purchase a receipt printer. Manager Merriman explained this software purchase is to piggyback on to the software purchased earlier for the Finance Department.

Director Pete Sternloff moved to approve the request of \$15,000 to upgrade accounting software to the Enterprise version and to purchase a receipt printer, seconded by Director Mary Frances Brammer.

Director Sternloff asked if it would be possible to arrange a meeting with a representative from Mountaineer Computer Systems to discuss with the Board exactly what the city would be receiving with the purchase of this upgrade.

City Manager Merriman advised that a meeting could be arranged with the software company if the Board wished to table the motion.

Director Tom Blevins moved to table the motion to approve the request of \$15,000 to upgrade the accounting software until a meeting can be arranged with the Board and the software company, seconded by Director Mary Frances Brammer. Unanimously approved and so ordered.

City Manager Andy Merriman read into the record the Second Reading of an Ordinance providing for the Zoning Reclassification of a Parcel of Real Estate in the City of Bluefield from (R-2) Single Family District to (BH) Business Highway 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.

Manager Merriman advised that this property was located on Grassy Branch, and the zoning reclassification was approved by the Planning Commission.

Director Tom Blevins moved to approve the second reading of the ordinance as read, seconded by Director Pete Sternloff. Unanimously approved and so ordered.

**AN ORDINANCE PROVIDING FOR THE ZONING RECLASSIFICATION OF A PARCEL OF REAL ESTATE IN THE CITY OF BLUEFIELD FROM (R-2) SINGLE FAMILY DISTRICT TO (BH) BUSINESS HIGHWAY 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**, Steve Hall submitted an application to the City of Bluefield to rezone property shown on Tax Map 46, Parcel 148 (3 lots) lots 16, 17 & 18 Sec 6, Cumberland Heights, address being 2819 Grassy Branch, Bluefield, from R-2 to BH for a proposed commercial radiator shop in an approximate 50' x 42' pre-engineered steel metal building.

**WHEREAS**, this property is Bounded on the North by Tax Map 46, Parcel 149, Lots 14 & 15, Sec 6, Cumberland Heights and Tax Map 46, Parcel 158, Lots 5 & 6, Sec 6, Cumberland Heights, owners being Jimmie C. and Irma Howington. Bounded on the East by Tax Map 46, Parcel 159, Lot 7, Blk 6, Cumberland Heights, owned by Jeffrey N. and Dawn Lester, Tax Map 46, Parcel 160, Lot 8, Sec 6, Cumberland Heights, owned by Jeffrey N. and Dawn Lester c/o Sheila Pennington and Tax Map 46, Parcel 160.1, Lot 9, Sec 6, Cumberland Heights, owned by Jeffrey N. and Dawn Lester. Bounded on the South by Tax Map 46, Parcel 161, Lot 10, Sec 6 Cumberland Heights, owned by Alvis B. and Kella Coleman and Tax Map 46, Parcel 147.1, Lot 0.70 AC Grassy Branch, owned by D and R Automobile Truck Repair. Bounded on the West by Grassy Branch Road.

**WHEREAS**, on Wednesday, February 29<sup>th</sup>, 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 as (BH).

**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:

That the property shown on Tax Map 46, Parcel 148 (3 lots) lots 16, 17 & 18 Sec 6, Cumberland Heights, address being 2819 Grassy Branch, City of Bluefield, is hereby reclassified and rezoned from R-2 to BH for a proposed commercial radiator shop in an approximate 50' x 42' pre-engineered steel metal building.

FIRST READING: March 13, 2012

SECOND READING AND ADOPTION:

FILED:

RECORDED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

Mayor Linda Whalen presented a picture of new signage for the Lotito City Park provided for by the Beautification Commission and asked for a motion to approve the signage.

Director Pete Sternloff moved to approve new signage for the Lotito City Park, seconded by Director Mary Frances Brammer. Unanimously approved and so ordered.

## **REPORTS OF OFFICERS, BOARD AND STANDING COMMITTEES**

Director Pete Sternloff commented that on April 27, 2012, Landau Eugene Murphy, winner of "America's Got Talent" would be performing at the Bluefield City Auditorium. Director Sternloff said the ticket price was \$25.00 a person with the proceeds going to charity.

Director Sternloff announced that the Bluefield Beautification Commission will be sponsoring a Gala on April 21 to raise money for their programs.

Director Sternloff also commented that there were many other arts and musical programs that would be taking place throughout the year.

Director Mary Frances Brammer commented that it was really nice to see the chairs filled at the Board meeting.

Director Brammer asked for prayer for a Princeton, WV family, schools and the community. Director Brammer asked for everyone to bow their heads in silent prayer for the family of a child who had committed suicide.

Director Tom Blevins congratulated the Bluefield State Men's Golf and Tennis teams who are nationally ranked.

Director Blevins asked that everyone come out and support the Big Blues.

City Manager Merriman addressed the issues regarding Americans with Disabilities (ADA) compliance at Mitchell Stadium.

Manager Merriman explained that the Department of Justice was notified of a complaint that Mitchell Stadium was not ADA compliant. Merriman advised that the City had been able to mitigate the financial impact of the initial requirement and were diligently working to make Mitchell Stadium ADA compliant.

Mayor Linda Whalen announced that the Lotito Park and the Ridge Runner Train would be opening to the public on April 1.

Mayor Whalen addressed the issue of the closing of the Kroger Store on Cumberland Road and the possible developments for that location. Mayor Whalen encouraged citizens to contact the corporate office for Food City regarding the need for a full service grocery store in that space.

Mayor Whalen commented on the attention the city had garnered from the display of the state flags on Bluefield Avenue, Bland Street and Cumberland Road.

## **PUBLIC COMMENTS**

Art Riley on behalf of the Downtown Neighborhood Association thanked the Yakkity-Yak Committee and the City for the mulch for the Genoa playground.

Mr. Riley representing the Downtown Merchants thanked the City for the move on hiring an Economic Development Director.

Mr. Riley questioned if there would be an "Operation Clean Sweep" this year.

Manager Merriman stated his recommendation would be to do a natural clean sweep program, which would only include yard debris.

City Manager Merriman replied that "Operation Clean Sweep" would be discussed as a Board with full details to be announced at a later date.

Mr. Riley questioned the replacement of downtown streetlights and painting of the curbs.

Mayor Whalen stated that the streetlights would be replaced.

Charlene Long thanked the City for the erection of signs on Union Street for illegal parking on the grass and sidewalks.

Mayor Whalen asked that Chief Wilson have a police officer drive down Union Street every evening until the problem is corrected.

Ms. Long inquired as to which streets would be paved this year and the noise ordinance for loud radios.

Greg Shrewsbury representing the group "Restore Bluefield" addressed the board regarding the group's initiatives.

Mayor Whalen said that the City looks forward to people getting involved and the Board is always open to questions and concerns from any of our citizens.

Steve Coleman representing the Denver Foundation announced the Landau Eugene Murphy, Jr. concert on April 27, which will benefit the "West Virginia Honor Flight." The flight will be taking veterans of World War II and the Korean War to see their memorials in Washington, D. C.

Mr. Coleman said donations to the honor flight can be made online through the "Denver Foundation."

The contact information for Food City is [smith@foodcity.com](mailto:smith@foodcity.com) or [quinn@foodcity.com](mailto:quinn@foodcity.com); the corporate phone number is 276-623-5100 for anyone wishing to contact Food City concerning a grocery store for Bluefield.

#### **ANNOUNCEMENTS AND OTHER**

- Bluefield Beautification's Commission Gala - David's at the Club - April 21, 2012
- Four Pal's Production's - "Hitsville, USA" - Ramsey School - April 12-14

Hearing no further business, the meeting was adjourned.

Helen L. Mitchell, City Clerk

Linda K. Whalen, Mayor