

**BOARD OF DIRECTORS
BLUEFIELD, WEST VIRGINIA
August 28, 2012**

The Board of Directors of the City of Bluefield, West Virginia met in regular session August 28, 2012 at 6 p.m. in the Municipal Boardroom. Present were Mayor Linda K. Whalen; Directors Mary Frances Brammer, Deb Sarver and Pete Sternloff; City Attorney and Interim City Manager Brian Cochran; City Clerk Helen L. Mitchell. Director Tom Blevins 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 August 14, 2012 meeting were unanimously approved as presented on a motion by Director Mary Frances Brammer and seconded by Director Pete Sternloff.

DISCUSSION ITEMS

Interim City Manager Brian Cochran introduced John Fisher, Director of West Virginia 457 Retirement Plus.

Mr. Fisher gave a presentation to the board regarding a supplemental retirement deferred compensation plan for public employees that is administered by the State Treasurer's Office.

Mr. Fisher explained that the plan allows public employees to make contributions by deferring a dollar amount of their pay to the plan. These contributions or "deferrals" are made on a pre-tax basis each pay period, and any earnings are tax deferred until benefits are distributed.

Mr. Fisher advised the plan is similar to a 401k plan in structure except it is designed to complement your primary retirement plan.

Interim City Manager Cochran discussed with the Board that he had received a request from Heartstrings Day Care on the North Side of Bluefield regarding entering into a lease agreement for a city property and the use of the Hardy Street Playground.

Manager Cochran explained this would be a business in Bluefield and would provide an opportunity for this facility to be occupied and upgraded. Cochran said before any final decisions could be made, the city would need to determine whether or not the building was zoned in a commercial area and public hearings would need to be conducted with the citizens.

Interim Manager Cochran recommended to the Board that consideration of a potential lease for the Hardy Street Playground be placed on the agenda for the next board meeting in order to gain public input.

ACTION ITEMS

Interim City Manager Cochran announced that resignations had been submitted by Municipal Judges David Kersey and Kermit Moore.

A motion to appoint Attorney John Feuchtenberger as the new Municipal Judge was made by Director Pete Sternloff, seconded by Director Deb Sarver. Unanimously approved and so ordered.

Attorney Brian Cochran administered the Municipal Court Judge Oath of Office to Attorney John Feuchtenberger.

Mayor Linda Whalen extended thanks to Judge David Kersey and Judge Kermit Moore for the services they provided to the City.

The next agenda item was an authorization to enter into Task Order 3 with Parsons Brinckerhoff, Inc. pursuant & subject to the previous agreement between the parties dated June 7, 2010. City Manager Cochran introduced David Hafley representing the firm of Parsons Brinckerhoff, Inc.

Mr. Hafley presented to the Board a Project Development Plan update for the Colonial Intermodal Center. Mr. Hafley advised that on November 1, 2010, Bluefield received and "earmark" (\$600,000) by Congressman Rahall to develop a downtown revitalization project that will be centered on a transit element supported by Bluefield Area Transit. Final approval to draw down the money was approved this past week, which makes Bluefield an official grantee from the Federal Government.

The West Virginia Department of Transportation provided the 20 percent city match (\$150,000) for the project through toll fees granted to the city. The City of Bluefield will retain the project site real property, which has been appraised at \$490,000.

Hafley said, "We want to get all the master planning finished, the environment clearance done, and the engineering done as soon as possible so the City of Bluefield can become competitive in securing construction funding for this project." The project will be designed in phases so it can be constructed in phases.

Mr. Hafley explained that **Task Order # 1 – Master Planning** was funded by the City of Bluefield and had been completed and approved by the Board of Directors in June 2011.

Task Order # 2 – National Environmental Policy Act (NEPA) was funded by the 2010 Federal Transportation Bill and is in progress. Completion estimated to occur by end of calendar year 2012.

Mr. Hafley advised that we are now in **Task Order # 3** – Schematic Design and Associated Services with an estimated start date of August 29, 2012 and the completion date being February 28, 2013. Mr. Hafley explained that the third phase of the project would include surveying, Phase I Environmental Site Assessment, programming, architectural, civil landscape architectural, structural, plumbing, mechanical, electrical and cost estimating.

Mr. Hafley advised that Task Order # 3 was now before the Board for consideration.

Interim City Manager Cochran advised the Board that there were amendments that will need to be addressed and the motion for approval will need to read "Authorization to enter into Task Order #3 as amended."

Director Pete Sternloff moved to approve the authorization to enter into Task Order #3 as amended with Parsons Brinckerhoff, Inc. pursuant & subject to the previous agreement between the parties dated June 7, 2010, seconded by Director Deb Sarver. Unanimously approved and so ordered.

REPORTS OF OFFICERS, BOARD AND STANDING COMMITTEES

Interim City Manager Cochran commented that the City had worked very hard to provide equal access to all citizens for them be able to attend the events at Mitchell Stadium. Cochran said, "He was shocked and very disappointed to see that there are people out there that are so inconsiderate that they would attempt to block access to parking for our fellow citizens that have physical disabilities."

Cochran said, "The picture in the paper this morning was disgusting to me after all the work we have done, unfortunately there are people out there who do not have any respect for the law, and there are some people who do not have any respect for their fellow citizens."

Interim Manager Cochran stated that the individual in the paper was correct in saying that it was a violation of Federal Law and we need to do a better job to see that it does not happen in the future, but Cochran disagreed wholeheartedly with the comments that the City does not care about their disabled citizens.

Interim City Manager Cochran stated there were 35,000 at Mitchell Stadium this weekend and the people who committed these acts were in the minority. Cochran said the city police did work very hard to enforce the law and there were several vehicles towed.

Director Deb Sarver thanked her husband Pete Sarver and all city crews for their work at Mitchell Stadium this past weekend.

Director Sarver thanked Attorney Brian Cochran for serving as the Interim City Manager. Director Sarver said. "He has a heart for this city that is unmatched and I know the whole board feels the same way."

Interim Manager Cochran thanked Pete Sarver, Dallas Fowler and all city workers for the great job they did this past weekend.

Director Pete Sternloff commented that he echoed everything that Director Sarver and Interim Manager Cochran said. Director Sternloff commented that he was really sorry for anything that comes close to being wrong regarding handicap access.

Director Sternloff commented on the local effort put forth in giving a proper sendoff for the folks of the 304th MP companies.

Director Mary Frances Brammer thanked everyone for coming to the meeting. Director Brammer commented that it was great that we have so many people in the community that is willing to work to make our community the best.

Director Brammer thanked Interim City Manager Cochran for his service to the city.

Director Brammer applauded the City for moving forward with the Hardy Street project.

Interim City Manager Cochran advised the Board that crews working on the Scott Street Parking Garage were slightly behind schedule in the demolition of the garage, but good progress was being made.

Mayor Whalen asked that citizens be reminded not to park on Bland Street on Thursday morning, as the street sweeper needs to be able to sweep the streets around 4:30 a.m.

Mayor Whalen also thanked the staff for their work this weekend during the events at Mitchell Stadium.

Mayor Whalen thanked Interim City Manager Cochran for his work as City Manager.

Mayor Whalen thanked Director Marie Blackwell of the Convention & Visitors Bureau and the Beautification Commission for hosting dinner and a tour of Bramwell, Pocahontas and Bluefield for a group of people from the WV Living Magazine.

Interim City Manager Brian Cochran also thanked Gail Satterfield, Chair of the Beautification Commission and her commission for the wonderful work they do throughout the City.

PUBLIC COMMENTS

Art Riley representing Downtown Merchants thanked Interim City Manager Brian Cochran.

Mr. Riley announced the final concert of the season at Chicory Square would feature the Bluefield High School Band.

Mr. Riley asked if the law regarding parking on downtown streets between midnight and 5:00 a.m. nightly could be enforced, and not only on Thursday for the street sweeper. Mr. Riley also requested that signage be placed downtown directing people to our public parking lots.

Mr. Riley encouraged all citizens to attend the "Special Called City Board Meeting" on Thursday, August 30, 2012.

Richard Dillon addressed the board regarding the need for additional firemen and police officers in the city.

Cy Gadd addressed the board and presented pictures of tailgaters, buses and tents that occupied the handicap parking spots during the Beaver vs. Graham football game, Bluefield College football game and the Second Chance Concert this past weekend. Mr. Gadd said that it was unbelievable that this happened, and he was certain there were a lot of people who were unable to park for these events.

Mr. Gadd asked if it were possible for someone to check after the events are in progress at Mitchell Stadium to ascertain that the laws are not being broken.

Interim City Manager Cochran advised that the parking lots were the responsibility of the City when events are being held by the school systems.

Joseph Pennington also addressed the board concerning parking accessibility during the Beaver vs. Graham game. Mr. Pennington advised that handicap parking spots were not

available because tailgaters, buses and news crew vans were parked in the handicap parking spots.

Charlene Long addressed the board and advised that the parking on the parkway of Union Street had improved.

Ms. Long inquired as to the amounts that were being paid for street fees and questioned what streets would be paved this year.

Interim Manager Cochran advised that the streets to be paved this year were published in the newspaper in the legal section on two occasions.

ANNOUNCEMENTS AND OTHER

- Concerts Chicory Square-Noon on Fridays'

Hearing no further business, the meeting was adjourned.

Helen L. Mitchell, City Clerk

Linda K. Whalen, Mayor