

**REGULAR MEETING – BOARD OF DIRECTORS  
BLUEFIELD, MERCER COUNTY, WEST VIRGINIA  
MAY 12, 2015**

A regular meeting of the Board of Directors of the City of Bluefield, Mercer County, West Virginia was held on Tuesday, May 12, 2015 at 12:00 noon. in the Municipal Building Boardroom. Present were Mayor Thomas Cole, Vice Mayor Barbara Thompson Smith, Director Ellen Light, Director Chuck McGonagle and Director Michael Gibson; City Manager Dane Rideout, City Attorney Brian Cochran, City Treasurer Kelly Davis and City Clerk Bobbi Kersey. Assistant City Manager Josh Cline was absent.

**INVOCATION – PLEDGE OF ALLEGIANCE – CALL TO ORDER**

Vice Mayor Barbara Thompson Smith invoked divine guidance for the conduct of the meeting and led the Pledge of Allegiance to the Flag of the United States of America.

Mayor Thomas J. Cole called the meeting to order.

**APPROVAL OF THE MINUTES**

Upon motion and second, the following minutes were approved without correction:  
Minutes of the April 28, 2015 Public Hearing (Small Cities Grant Application)  
Minutes of the April 28, 2015, Board of Directors Regular Noon Meeting  
Minutes of the May 1, 2015 Special Called Meeting (Resolution for Small Cities Grant)

**PRESENTATION**

**Best of Bluefield Award** was presented by Code Enforcement Supervisor Lori Mills. Supervisor Mills stated this award was being presented to a homeowner that goes the extra mile to keep the lawn and exterior of their homes well maintained. The City of Bluefield wants to recognize those that take pride in their homes and neighborhoods. The Best of Bluefield Award recipient was Janet Williams. Ms. Williams was very honored and emotional as she accepted the award. Ms. Williams said she believed that change starts on your own doorstep.

**Resolution Commending William Edward Aldridge** was presented for his dedicated service to the community and his retirement. Mayor Cole read the following resolution:

**RESOLUTION COMMENDING THE DEDICATED SERVICE  
OF WILLIAM EDWARD ALDRIDGE  
AND CONGRATULATING HIM UPON HIS RETIREMENT**

**WHEREAS**, Colonel William Edward Aldridge, husband, father, community leader, military officer, and resident of Bluefield, West Virginia, will retire from Bluefield State College in July 2015; and,

**WHEREAS**, Colonel Aldridge enlisted in the United States Army as a Private in 1966 as an Infantry Paratrooper, attended Infantry Candidate School ,and was commissioned as an Infantry 2<sup>nd</sup> Lieutenant in August 1967; and,

**WHEREAS**, Colonel Aldridge served in three Special Forces Groups: the 5th Special Forces Airborne in Vietnam, the 6<sup>th</sup> Special Forces Airborne Group, the 2/19 Special Forces Group, and has served in the 1/150 Armor Battalion and the 28<sup>th</sup> Infantry Division; and,

**WHEREAS**, Colonel Aldridge holds advanced degrees from Marshall University in criminal justice and the Air War College in Strategic Studies; and,

**WHEREAS**, Colonel Aldridge's last military assignment was as Chief of Staff for the West Virginia National Guard; and,

**WHEREAS**, Colonel Aldridge's awards and decorations include the Bronze Star, the Combat Infantry Badge, Special Forces Tab, U S Parachute Wings, and Vietnamese Parachute Wings; and,

**WHEREAS**, Colonel Aldridge served the City of Bluefield as a Patrolman in the Bluefield Police Department for approximately five years in the 1970's, and served on the Police Civil Service Commission from 1985 thru 2014; and,

**WHEREAS**, Colonel Aldridge, Associate Professor of Criminal Justice, was named the recipient of the 2012 Bluefield State College Foundation Outstanding Faculty Award and recognized in 2014 for thirty-five years of service in the School of Arts and Sciences; and,

**WHEREAS**, Colonel Aldridge has earned the admiration and respect of his students, colleagues, friends and family, for his military service, dedication, collegiality, enthusiasm, professionalism, sense of humor and hard work.

**NOW, THEREFORE, BE IT RESOLVED**, the City of Bluefield Board of Directors congratulates Colonel Aldridge on his retirement from Bluefield State College, for his service to the community, for his service as an educator, for his service as a policeman, and for his service in the United States Army; and,

**BE IT FURTHER RESOLVED** that the City Clerk is hereby directed to present a copy of this resolution to Colonel William Aldridge as an expression of the City of Bluefield's appreciation for his achievements and best wishes in future endeavors.

Colonel Aldridge thanked the City of Bluefield, the Bluefield Police Department, the U.S. Military and his wife for their support and influence in his life.

### **CITY MANAGER REPORT: DANE RIDEOUT**

**Commerce Street** has a low-pressure system that runs the length of the street. The City of Bluefield is the last city in West Virginia that still has unprotected steel gas pipes. The City was preparing to pave Commerce Street when the Bluefield Gas Company found a leak in the pipe. The Gas Company plans to have the project completed by Thursday and then paving will begin.

**Paving** around the city is ongoing. The asphalt plants are now open and city crews are getting after problem areas.

**Dog Park** is in the beginning stages. City Manager Rideout has met with an architect to review plans

and incorporate the additional play area.

**Clean Sweep** has come to an end. Citizens did not utilize the clean sweep program this year as compared to past years. Approximately 124 tons were collected during the clean sweep.

**City Park** had three mayor projects that have been corrected. A very large underground water leak was repaired. There was an electrical issue near the tennis courts that needed to be taken care of before the Cole Mountain Festival. The Parks and Recreation crews have been working on the mountain bike trails getting them ready for the Crying Wolf Challenge Mountain Bike Race on Saturday, May 16<sup>th</sup>.

**Robert Flowers** was hired for the vacancy in code enforcement and started May 4, 2015.

**Heather Christian** will be the new animal control officer.

**Bluefield Regional Hospital** has been issued a permit for an approximate one million dollar project. The hospital is replacing chillers in the HVAC system.

**O'Reilly's** is on schedule and is working with Bluefield Stormwater to make sure the site is properly prepared, so they do not face the same issues as the old JanPack.

**Boxwood Nursing Home on 460** site is fully "weathered in." They are scheduled to start a 50,000-water storage tank for the sprinkler system.

**Code Enforcement** reports 9 properties are now under a standard order of demolition.

**Norfolk Southern Railroad** will hold a rail safety emergency training for first responders July 29<sup>th</sup> and July 30<sup>th</sup>. At the cost of Norfolk Southern, two of the Bluefield Firemen will travel to Pueblo, Colorado to become certified in rail safety.

**Mayor Cole, City Manager Rideout and Community Economic Director Jim Spencer** are going to Washington, DC to meet with elected officials concerning the King Coal Highway/73-74 corridors. They will present and discuss a strategic plan. If Federal funding is available, this would become a large part of economic development, not only in Bluefield but in Southern West Virginia.

### **COMMUNITY ECONOMIC DIRECTOR REPORT: JAMES SPENCER**

Director Spencer stated that one of his goals for the City of Bluefield was to start a Bluefield Business Directory. He feels that "leakage" can occur when businesses are not aware of what is available within the area and businesses tend to go outside the area. Director Spencer announced that ***My Bluefield*** is now available on the [www.cityofbluefield.com](http://www.cityofbluefield.com) website and is a free service to all businesses located in the City of Bluefield. The website is a way for all local businesses to showcase their goods and services. Director Spencer requested that businesses go to the city website, click on the business tab and complete/submit the form under ***My Bluefield*** to him. Director Spencer stated he had attended the Downtown Merchants meeting and they have started a SWOT analysis. He is also working on a database of city assets. This database will include properties owned by the city and privately owned properties that could be sold to potential business.

## **PUBLIC INPUT**

Mayor Cole stated that it was the intention of the Board to change the May 26<sup>th</sup> regular scheduled Board of Directors meeting from noon to 6:00 p.m. A public hearing would be scheduled at 5:00 p.m. for public comment on the second reading concerning an increase in fire, garbage and street fees before the Board votes at the evening meeting.

### **Art Riley, representing the Downtown Merchants Association,**

- Expressed his appreciation to Community Economic Director James Spencer for attending the Downtown Merchants Association meeting on May 11, 2015.
- Expressed his appreciation to the Board of Directors for the meeting time change on May 26<sup>th</sup>. He felt the time change would allow more citizens the opportunity to attend.
- Questioned if the Martin Luther King, Jr. Bridge was on schedule. City Manager Dane Rideout stated that it was on schedule and would be closed to traffic beginning June 5<sup>th</sup>.
- Questioned if additional paving will be added since the city is presently working from last year's paving contract. City Manager Rideout stated that he has met with City Engineer Tony Wagner and they are in the process of putting together the bid for this year's contract. They compiled input and data from *Fix It Bluefield* and they have met with utilities and gathered their long-term goals. City Manager Rideout said they had contacted the contractor due to the lower cost of gasoline and extra paving will be provided this year. City Manager Rideout requested that citizens thank any workers they see for the great paving job on Interstate 460.
- Chicory Square will begin concerts on May 22<sup>nd</sup>. Bluefield High School Band will start the season and Bluefield Middle School will perform on May 29<sup>th</sup>.

**Ivan Platnick, Bluefield,** stated he would like to see the total fee increases based on income tiers. Mr. Platnick asked what the city is doing to get money from residents and businesses that are not paying. Mayor Cole stated that unpaid accounts are sent to a private collection service and legal action can be taken. Mr. Platnick asked why the city was going to monthly payment. City Manager Rideout stated, from data collected, citizens on a fixed income had a more difficult time saving for quarterly payments and from an accounting standpoint, it is better to adjust a missed monthly payment than a missed quarterly payment.

**Edward Tomchin, Bluefield,** stated he was opposed to the rate increase. Mr. Tomchin believes if all the outstanding city fees and taxes are collected, the proposed increase would not be necessary. Mr. Tomchin has spoken with Mayor Cole and the City Clerk concerning the proposed fee increase.

**Pete Sternloff, Bluefield,** stated he felt "we" are moving too fast on the issue of raising fees. Mr. Sternloff said citizens do not understand the increase and the city must communicate information out to the citizens. Mr. Sternloff stated the financial information should be available to the citizens.

**Mildred Hoskey, Bluefield,** commended the Board and City Administration for being open minded and their progressive style of leadership. Ms. Hoskey stated she was concerned that the fees were going to be underwritten with the B & O tax. City Manager Rideout stated that the city is using B & O taxes to help supplement the deficiency from those not paying their current fees. The fee increase is not going to cover the deficient or take inflation into consideration. Ms. Hoskey asked the Board to investigate why her gas bill had a B & O tax, utility tax and a service charge. City Treasurer Kelly Davis stated that utilities are governed by the PSC and get an exemption that can

pass the B & O cost to customers. The utility tax has never been an issue brought before the Board. Ms. Hoskey suggested the Board look into Municipal Bonds.

### **ACTION ITEMS**

**Financial Director Kelly Davis** reported at the close of April 2015, the 10<sup>th</sup> month of the fiscal year, revenue collected totaled \$8,338,962 (102.35%) of the projected amount of \$8,147,874. Expenditures total \$7,724,343(76.48%) of the projected budget of \$10,099,424. **Vice Mayor Barbara Thompson Smith made a motion to approve the monthly financial summary, second; unanimously approved and so ordered.**

Mayor Cole read the **SECOND READING OF AN ORDINANCE TO AMEND PART II, CODE OF ORDINANCES OF THE CITY OF BLUEFIELD, CHAPTER 8 BUSINESS REGULATIONS; BY THE ADOPTION OF SECTION 8-0, AND BY THE AMENDMENTS TO SECTION 8-2(b), 8-4(1), 8-9, AND 8-127.** Mayor Cole stated a Public Hearing to consider public comments had been held before the Board of Directors Meeting today. **Director Ellen Light made a motion to approve the SECOND READING OF AN ORDINANCE TO AMEND PART II, CODE OF ORDINANCES OF THE CITY OF BLUEFIELD, CHAPTER 8 BUSINESS REGULATIONS; BY THE ADOPTION OF SECTION 8-0, AND BY THE AMENDMENTS TO SECTION 8-2(b), 8-4(1), 8-9, AND 8-127, second; unanimously approved and so ordered.**

Mayor Cole read the **AN ORDINANCE ENACTING CHAPTER 3, MUNICIPAL HOME RULE; SECTION 3-1, PURPOSE; SECTION 3-2, RESERVED; SECTION 3-3, SEVERABILITY; INTERPRETATION; CONFLICT; SECTION 3-4, CONTRACTS WITH OTHER JURISDICTIONS; SECTION 3-5, DISPOSITION OF MUNICIPAL PROPERTY TO NONPROFIT ORGANIZATIONS; SECTION 3-6, CONVEYANCE OF CITY PROPERTY WITHOUT AUCTION; AND SECTION 3-7, ENFORCEMENT OF EXTERNAL SANITATION AND COMMON NUISANCE VIOLATIONS, PENDING APPROVAL BY THE WEST VIRGINIA MUNICIPAL HOME RULE BOARD AND CONSISTANT WITH THE CITY OF BLUEFIELD'S PREVIOUSLY APPROVED WRITTEN PLAN.** Mayor Cole stated this was the second item discussed at the Public Hearing.

**Vice Mayor Barbara Thompson Smith made a motion to approve the FIRST READING OF AN ORDINANCE ENACTING CHAPTER 3, MUNICIPAL HOME RULE; SECTION 3-1, PURPOSE; SECTION 3-2, RESERVED; SECTION 3-3, SEVERABILITY; INTERPRETATION; CONFLICT; SECTION 3-4, CONTRACTS WITH OTHER JURISDICTIONS; SECTION 3-5, DISPOSITION OF MUNICIPAL PROPERTY TO NONPROFIT ORGANIZATIONS; SECTION 3-6, CONVEYANCE OF CITY PROPERTY WITHOUT AUCTION; AND SECTION 3-7, ENFORCEMENT OF EXTERNAL SANITATION AND COMMON NUISANCE VIOLATIONS, PENDING APPROVAL BY THE WEST VIRGINIA MUNICIPAL HOME RULE BOARD AND CONSISTANT WITH THE CITY OF BLUEFIELD'S PREVIOUSLY APPROVED WRITTEN PLAN, second; unanimously approved and so ordered.**

Mayor Cole requested a motion for approval of the Mitchell Stadium usage/lease agreement between the City of Bluefield and Second Chance Learning Center. City Manager Rideout stated that all the services the city provides is captured in this lease agreement and payment is due before the

event.

**Director Chuck McGonagle made a motion to approve the Mitchell Stadium usage/lease agreement between the City of Bluefield and the Second Chance Learning Center, second; unanimously approved and so ordered.**

Mayor Cole read the **FIRST READING OF AN ORDINANCE TO AMEND PART II, CODE OF ORDINANCES OF THE CITY OF BLUEFIELD, CHAPTER 34, STREETS, SIDEWALKS, AND OTHER PUBLIC PROPERTIES; ARTICLE II. CONSTRUCTION AND REPAIR; DIVISION 3, SPECIAL SERVICES FOR STREET MAINTENANCE AND IMPROVEMENT, AS SET OUT HEREINAFTER BY THE AMENDMENT TO SECTION 34-115.** City Attorney Brian Cochran stated the current fee for street services is \$60. This proposed amendment would allow the city to charge \$96 per residential household and unimproved property owner, payable monthly in installments of \$8 in advance or pay a year in advance and receive a 5% discount. Each apartment unit in a multiunit apartment structures will pay the following: 5-9 unit apartment buildings/90% of residential fee, 10-150 unit apartment buildings/85% of residential fee and 150+ unit apartment buildings/80% of residential fee. The fee for commercial businesses will remain \$100 per year and the city treasurer will send monthly invoices. Commercial businesses can also take advantage of the 5% discount. Section C provides for the city treasurer to maintain a separate accounting for collections from the fees imposed by this division. At least 80% of the revenues from this fee will be dedicated to resurfacing streets and bridges, where appropriate; 20% may be used for the maintenance and repair of streets and bridges. **Director Ellen Light made a motion to approve the FIRST READING OF AN ORDINANCE TO AMEND PART II, CODE OF ORDINANCES OF THE CITY OF BLUEFIELD, CHAPTER 34, STREETS, SIDEWALKS, AND OTHER PUBLIC PROPERTIES; ARTICLE II. CONSTRUCTION AND REPAIR; DIVISION 3, SPECIAL SERVICES FOR STREET MAINTENANCE AND IMPROVEMENT, AS SET OUT HEREINAFTER BY THE AMENDMENT TO SECTION 34-115, second; unanimously approved and so ordered.**

Mayor Cole stated that in order to receive the 5% discount all three fees must be paid for the year

Mayor Cole read the **FIRST READING OF AN ORDINANCE TO AMEND PART II, CODE OF ORDINANCES OF THE CITY OF BLUEFIELD, CHAPTER 2, ADMINISTRATION; ARTICLE III, FINANCE AND TAXATION; DIVISION 2, SPECIAL CHARGES FOR MUNICIPAL SERVICES; SUBDIVISION II, FIRE PROTECTION, AS SET OUT HEREINAFTER BY THE AMENDMENTS TO SECTIONS 2-169 AND 2-172 AND THE ENACTMENT OF SUBSECTION (C) OF 2-172; AND BY THE AMENDMENT OF SUBDIVISION III.** City Attorney Brian Cochran stated the annual fire protection fee is based according to the total square footage of a structure:

0-1,000 total square footage/ \$10.00  
1,001-2,000 total square footage/\$14.00  
2,001-3,000 total square footage/ \$19.00  
3,001-4,000 total square footage/ \$23.00  
4,001-5,000 total square footage/\$26.00  
5,001-6,000 total square footage/\$30.00  
6,001- above total square footage/ \$34.00

Vice Mayor Barbara Thompson Smith said she would like to see the first two categories (0-1,000 square footage and 1,001-2,000) not increase. A home with 0-1,000 total square feet would remain at \$3.80 and a home with 1,001-2,000 total square feet would remain at \$7.60. Vice Mayor Smith said in District I many of the citizens are either low income or on a fixed income. She believes that keeping the fire fee of those two categories would help with any hardship that may come from the other fees being raised. City Attorney Cochran stated these figures are proposals and recommendations and the City Board can amend his first reading of the ordinance. Multi-unit apartment structures containing 1-4 structures will pay a monthly protection fee of \$30.00 and 5 units or up will pay a monthly protection of the number of units times \$12.00. Citizen may voluntarily round up bills and contribute to various city departments. Citizens should clearly designate for which department the “round up” amount is intended.

**Vice Mayor Barbara Thompson Smith made a motion to amend Section 2-169 to reflect 0 - 1,000 total square footage fee remain \$3.80 and 1,001-2,000 total square footage fee remain \$7.60 and the remaining five categories remain as written in the ordinance, second; unanimously approved so ordered.** City Manager Rideout stated that with a \$15 increase, the City of Bluefield would generate approximately 700k and by taking out those two categories, the City of Bluefield will lose approximately 100k in revenue. Mayor Cole stated the City of Bluefield is not making up the shortfall necessary to cover fire, street and garbage fees. We will use other fees in the city to help supplement for the services provided. This will help those that are in a position that can least afford some of the increases.

**Director Ellen Light made a motion to approve the FIRST READING OF AN ORDINANCE TO AMEND PART II, CODE OF ORDINANCES OF THE CITY OF BLUEFIELD, CHAPTER 2, ADMINISTRATION; ARTICLE III, FINANCE AND TAXATION; DIVISION 2, SPECIAL CHARGES FOR MUNICIPAL SERVICES; SUBDIVISION II, FIRE PROTECTION, AS SET OUT HEREINAFTER BY THE AMENDMENTS TO SECTIONS 2-169 AND 2-172 AND THE ENACTMENT OF SUBSECTION (C) OF 2-172; AND BY THE AMENDMENT OF SUBDIVISION III, AS AMMENDED, SECOND; UNANIMOUSLY APPROVED AND SO ORDERED.** Mayor Cole read the **FIRST READING OF AN ORDINANCE TO AMEND PART II, CODE OF ORDINANCES OF THE CITY OF BLUEFIELD, CHAPTER 32, SOLID WASTE; ARTICLE II, GARBAGE COLLECTION, FEES, PROHIBITED ACTS; SECTIONS 32-23, REMOVAL SERVICE FEES, AS SET OUT HEREINAFTER BY THE AMENDMENT OF SUBSECTIONS (a), (e) (f), AND (g), AND BY THE AMENDMENT OF SECTION 32-24.** City Attorney Brian Cochran stated citizens currently pay \$15 on a quarterly basis. The ordinance proposes the quarterly billing be changed to a monthly billing at a rate of \$20 for regular service per residential unit. It also provides for individuals who request driveway removal service to be charged \$35 per month fee. This ordinance provides for special pick up services increases and an initial charge of \$25 for the service. A \$60 deposit will be required for the landfill cost. Currently the city pays the landfill costs and then bills the individual for the special pick up. If the cost at the landfill is less than \$60, the city will reimburse the individual. Garbage fees are included in the 5% discount if all three fees are paid in full.

**Director Ellen Light made a motion not to accept Section 32-23 (f) and (g) in the ordinance that deals with special service pick up fees, second; unanimously approved and so ordered.**

**Director Michael Gibson made a motion to approve the FIRST READING OF AN ORDINANCE TO AMEND PART II, CODE OF ORDINANCES OF THE CITY OF**

**BLUEFIELD, CHAPTER 32, SOLID WASTE; ARTICLE II, GARBAGE COLLECTION, FEES, PROHIBITED ACTS; SECTIONS 32-23, REMOVAL SERVICE FEES, AS SET OUT HEREINAFTER BY THE AMENDMENT OF SUBSECTIONS (a), (e) (f), AND (g), AND BY THE AMENDMENT OF SECTION 32-24, AS AMENDED, second; unanimously approved and so ordered.**

Mayor Cole discussed having a Public Hearing at 5:00 p.m. on May 26<sup>th</sup> and the regular Board Meeting for 6:00 p.m.

**Director Ellen Light made a motion to hold a Public Hearing, May 26<sup>th</sup> at 5:00 p.m. and the regular Board Meeting at 6:00 p.m., second; unanimously approved and so ordered.**

**Director Ellen Light made a motion to adjourn. The motion carried unanimously.**

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Bobbi Kersey, City Clerk

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Thomas J. Cole, Mayor