

**REGULAR MEETING – BOARD OF DIRECTORS  
BLUEFIELD, MERCER COUNTY, WEST VIRGINIA  
JUNE 9, 2015**

A regular meeting of the Board of Directors of the City of Bluefield, Mercer County, West Virginia was held on Tuesday, June 9, 2015 at 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, Assistant City Manager Josh Cline , City Attorney Brian Cochran, City Treasurer Kelly Davis, Community Economic Director Jim Spencer and City Clerk Bobbi Kersey.

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

Dr. William D. Hasty, Jr. invoked divine guidance for the conduct of the meeting and Vice Mayor Barbara Thompson Smith 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 May 26, 2015, Public Hearing (Vacant Structures and Fire Fee Ordinances)  
Minutes of the May 26, 2015, Board of Directors Regular Board Meeting

**PRESENTATION**

Fire Chief Jeff Warden recognized the following Bluefield Firemen and presented each gentleman with a plaque of appreciation:

Rick Cary for 20 years of service

Jimmie Perkins for 27 years of service

Richard Hodges for 27 years of service

**CITY MANAGER REPORT: DANE RIDEOUT**

**IT SPECIALIST BILLY HESTER** was thanked for his dedication in making the phone system and all other IT issues run smoothly at City Hall and within the departments. Mr. Hester has been working on this project for three years and the system is now operational. Citizens need to call 911 if there is an emergency and the Bluefield Police will be dispatched. Calling 911 allows for documentation and should be utilized because citizens pay for this service through property taxes. The phone number for non-emergency calls for the police department has not changed. For non-emergency issues call 304.327.6101 and listen for the correct extension.

**CITY ENGINEER TONY WAGNER** was instrumental in getting the traffic light on Route 52/Hill Street intersection. The Martin Luther King Jr. Bridge is now in the demolition phase and is on schedule.

**PUBLIC WORKS DEPARTMENT** is working on pot holes. They have worked on Union Street, District I, and Bland Street. The appropriate signage has been put up on Rockbridge Street. The men did major repairs on the Grant Street Bridge.

**CODE ENFORCEMENT** will begin demolishing seven houses that have been approved by the Buildings Commission. Demolition will begin on June 5, 2015. The new animal control officer, Heather Christian, is back from her training in Ohio. Two more illegal pit bulls were taken to the animal shelter. Code Enforcement investigated and found a home with fifty dogs. The dogs were taken to rescue shelters or the animal shelter. The Mercer County Animal Shelter has been very helpful. The owner kept three of the dogs with the understanding the dogs will be spayed or neutered.

**BOXWOOD NURSING HOME** had to invest another one million dollars to meet fire suppression standards. This is an example of why the city infrastructure must be updated. Developers want ready made sites and do not want additional costs; such as having to bring the water pressure to a useable level.

**BLUEFIELD DAILY TELEGRAPH** reported the Bluefield Police Department has given out nine hundred (900) moving violations in the month of May. Two hundred ninety nine (299) were tickets and six hundred and one (601) warnings tickets. Eighty three (83) arrests were made on various issues and twenty five (25) vehicular accidents were serviced by the police department. City Manager Rideout reminded citizens that the city receives state funds for enforcing Interstate 460, as part of the Governor's State Highway Safety Program, which helps to pay portions of the Police Department bills. Mayor Cole stated that the potential of a dangerous situation can occur at any point when an officer leaves his car to confront a citizen. Mayor Cole thanked the Police Department for an outstanding job. Citizens writing on social media were encouraged to rethink posting negative comments and become positive, regarding that the city has an active police force that is working for their safety.

**CITY ATTORNEY BRIAN COCHRAN, CITY TREASURER KELLY DAVIS AND CITY CLERK BOBBI KERSEY** were thanked for their hard work "behind the scenes" in coordinating legal, financial and clerical issues.

**SIDEWALKS** need to be maintained by citizens. As part of the Board's theme of "Enhancing Property Values", a sidewalk improvement incentive pilot program will be presented at the next meeting. If approved, a "Rainy Day Fund" provided by the city would offer a cost-saving, simple solution to target dilapidated sidewalks and curbs by coordinating all aspects of the demolition and construction process, ultimately increasing property values and improving the appearance of the city.

#### **COMMUNITY AND ECONOMIC DIRECTOR: JIM SPENCER**

- Director Spencer stated he is working on the comprehensive plan and a key component is workforce training. The Governor's Guaranteed Workforce Program is a catalyst for organizational development in attracting new enterprises and encourages the growth and expansion of the state's existing companies. The program provides training and technical assistance to support effective employee training strategies.
- Two proposals have been submitted to two developers. A template has been developed to help market the city.
- Businesses are encouraged to complete the *My Bluefield* form that is 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. The director will go on line once thirty or forty businesses have completed the form.

- Code names are often used when new businesses are interested in locating in an area. The main reason is privacy and to keep property values from being raised during the negotiation period. Director Spencer stated code names will be utilized
- Director Spencer requested an Economic Impact Study not to exceed \$25,000 by an independent company. An economic impact analysis uses modeling and predicts the economic effects of a new business location or project and measures the cumulative effects of that economic activity. The impact region can be city, county, or even state. This is an important study because it will validate the economic reasoning for a project and can be accomplished using due diligence with taxpayer money. Citizens and businesses need to know what the return of their investment will be when a project is brought forth to the Board of Directors. Mayor Cole stated this board is being proactive and this administration is taking the city to a new era.

### **PUBLIC COMMENTS:**

**Al Hancock** thanked the City Board for their note of congratulations in winning the 2015 William Myers Community Spirit Award. Mr. Hancock read a letter he received from Senator Manchin prior to the opening of the Veterans' Clinic in Princeton. Senator Manchin thanked Mr. Hancock for his service to our country.

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

- Asked Community and Economic Director Jim Spencer if the Economic Study would help existing businesses. Director Spencer stated local businesses were the backbone of the city and the study would assist them. Mr. Riley stated some adjoining cities are offering financial help for businesses to fix store fronts. Mr. Riley would like the board to consider a similar program.
- Chicory Square Concerts will begin at noon. Everyone is invited.
- Thanked Lori Mills for her work and dedication.

### **Lori Mills, Ridge Runner Volunteer:**

Ms. Mills stated that at the end of each month she completes a report and gave the following report:

- Been open for 9 weekends
- 3,478 riders in the month of May
- 6,322 people to date this season

Ms. Mills stated this could be a record year for the number of riders. The cost to ride the Ridge Runner is \$1.50, open Saturday and Sunday from noon – 6:00 p.m. and can be rented for private functions. Mayor Cole thanked Ms. Mills for her dedication and time she has given to making the Ridge Runner a success.

### **W.D. Hasty, President of the Alliance of the Arts:**

Dr. Hasty stated he will be leaving Bluefield at the end of July. He thanked Mayor Cole, the Board, and the administration for their support. Dr. Hasty said he was honored to be a part of this community.

**Betty Brainerd, Executive Director of Bluefield Arts Center**, reviewed programs and reported how the Arts Center is progressing. Several plays have been presented by the Summit Players and 4 Pals. There have been wonderful art exhibits and more are scheduled. July will be the N & W Railroad Archives. Jack in and the Beanstalk will be presented in October and will be free for children. Fourteen thousand dollars was raised for maintenance and clean up of the building. Banners have arrived and will highlight events and businesses at the Arts Center. Everyone is invited to come and experience the many events.

**Eva McQuire, Director at Craft Memorial Library**, gave a year end report on yearly events and the summer schedule. Ms. McQuire thanked the Board and Bluefield Citizens for their support of the library.

**Pete Sternloff, Citizen**, requested the time for the public hearing at the next meeting be moved to 6:00 p.m. He would a breakdown of the percent of B & O from the utilities. Mr. Sternloff would like to see equality in fee payments.

### **ACTION ITEMS**

**Financial Director Kelly Davis** reported one thousand eighty renewal business licenses were sent out last week. Next month the financial report will not be given until the second meeting of the month due to it being the close of the fiscal year.

At the close of May 2015, the 11<sup>th</sup> month of the fiscal year, revenue collected totaled \$9,029,948 (104.94%) of the projected amount of \$8,604,489. Expenditures total \$8,267,243 (78.32%) of the projected budget of \$10,556,039. Director Davis had reviewed noteworthy General Fund expenditures in May 2015 at the 9:00 a.m. work session. Financial Director Davis requested approval of the May 2015 financial summary report. **Director Ellen Light made a motion to accept the May 2015 financial report as presented, second; unanimously approved and so ordered.**

**Financial Director Kelly Davis** requested approval to send approximately eighty (80) accounts for collection. **Director Michael Gibson made a motion to send approximately eighty (80) accounts to collections, second; unanimously approved and so ordered.**

**City Attorney Brian Cochran** stated the next item on the agenda was authorization to enter into a contractual agreement with West Virginia-American Water Company. City Attorney Cochran stated this contract with West Virginia-American Water was in regard to Kee Dam. Since 1968 they have purchased water from the city and reimbursed the city for the debt service. That bond has been paid and the contract is being renegotiated. City Attorney Cochran recommended this item be tabled until some terms and provisions are clarified. **Vice Mayor Barbara Thompson Smith made a motion to table the authorization to enter into a contractual agreement with West Virginia-American Water Company, second; unanimously approved and so ordered.**

Mayor Cole requested City Manager Rideout discuss the proposed agreement with West Virginia-American Water Company. City Manager Rideout stated the bond for the Key Dam Reservoir Project has expired and a new contractual agreement is under consideration. West Virginia-American Water Company desires to continue to use the Key Reservoir Project for purposes of providing water services to the Company's customers. City Manager stated he felt control measures were put in place and the best interest of the city was reached in this agreement. City Attorney Brian Cochran stated this agreement was for eight (8) years beginning July 1, 2014. West Virginia-

American Water Company will pay to the City sixty-five thousand dollars (\$65,000) (Fee) plus expenses associated with the operation and maintenance of the Key Reservoir Project. The company will pay for 2014 and 2015 this year and then a payment each year thereafter. **Director Michael Gibson made a motion to give City Manager Rideout the authority to enter into a contractual agreement with West Virginia-American Water Company, 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 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 this is the original amendment that was voted on and later amended in a previous meeting. This will implement an increase in fire fees; provide monthly billing, discounts if all three fees are paid for a full year and donations made to parks and recreation department. Director Ellen Light suggested an amendment to section 2-169 pertaining to the schedule of fees to change them to a seven (7) dollar flat fee increase from the original fee. **Director Ellen Light made a motion to approve the ordinance, an amendment to include a fee structure to a seven (7) dollar flat fee increase on every residence.** Director Light stated that in April it was presented that the Fire Department had a short fall of funds and the fee needed to be raised. If the City is to be proactive in moving forward, an increase in the fee is necessary. Vice Mayor Barbara Thompson and Director Michael Gibson agreed with Director Light in raising the fire fee. Mayor Cole stated he felt the City had been remiss in the past in raising fees for a number of years. The City is at a point that fees need to be increased. He understands that a fifteen (15) dollar increase maybe difficult for some citizens but part of the City Board's role is look at the fees every year, so the City is not put in this financial situation in the future. The City is in serious trouble concerning infrastructure and our issues are different than surrounding areas. However, Mayor Cole would like to look at the fire fee next year and go with the increase of just the street and garbage fee. Director Light stated she felt the board keeps putting it off and we have too many things that need to be corrected to attract and keep our citizens. Director Gibson said we should review fees each year but feels the fees will work in favor of improving our infrastructure. Director Gibson stated that perhaps adjustments could be lowered or revisited next year but there needs to be a starting point. Director McGonagle stated he has struggled with this issue. He believes that a seven dollar fee increase from the original ordinance is necessary, although he agreed on many of the points made by Mayor Cole. **Mayor Cole requested a vote on the motion to approve the ordinance with the amendment to include a fee structure to a seven (7) dollar flat fee increase on every residence. The vote was 4-1, approved and so ordered.**

Mayor Cole stated he has a conflict for the scheduled Public Hearing on June 23<sup>rd</sup> at 11:30 a.m. The Board changed the meeting time to 11:00 a.m.

Mayor Cole read the **FIRST READING OF AN ORDINANCE TO AMEND PART II, CODE OF ORDINANCES OF THE CITY OF BLUEFIELD; CHAPTER 6, BUILDINGS AND BUILDING REGULATIONS; ARTICLE IV, VACANT STRUCTURES, AS SET OUT HEREINAFTER BY THE AMENDMENTS TO SECTIONS 6-601(a)(1); 6-102(a) and (b); 6-103; 6-104; 6-105; and 6-106(a); and AS FURTHER SET OUT HEREINAFTER**

**BY THE ADOPTION AND ENACTMENT OF SECTIONS 6-101(a)(2),(3) and (4); 6-102(c) and (d); 6-106(b); and 6-107.**

City Attorney Brian Cochran said the West Virginia Code provides the City can establish a vacant building and property maintenance building program, which was done in 2007. For public safety purposes, when you have a person or entity that leases a business structure and leaves that building vacant the owner is not in a position to ensure it is safe. A leased vacant business structure means any commercial building or commercial retail space, containing 20,000 square feet or more, that is leased for a period of one year or more and remains vacant for a period of 180 days from the effective date of this ordinance. The purpose is to ensure that all vacant structures will be kept weather tight and secure from trespassers, safe for entry by police officers and firefighters in times of emergency, and to ensure the structure and its contents do not present a hazard to the public during the time that the building remains vacant. An annual registration fee of \$100.00 shall be charged to the owner for the registration and inspection of vacant residential structures and vacant un-leased business structures. An annual registration free of \$1.00 per square foot of the vacant structure shall be charged to the lessee for the registration and inspection of vacant leased business structures. There will also be a monthly inspection fee of 5 cents per square foot of the vacant structure. The revenue from this ordinance will go to the fire and police departments. The inspections will create the revenue. **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 6, BUILDINGS AND BUILDING REGULATIONS; ARTICLE IV, VACANT STRUCTURES, AS SET OUT HEREINAFTER BY THE AMENDMENTS TO SECTIONS 6-601(a)(1); 6-102(a) and (b); 6-103; 6-104; 6-105; and 6-106(a); and AS FURTHER SET OUT HEREINAFTER BY THE ADOPTION AND ENACTMENT OF SECTIONS 6-101(a)(2),(3) and (4); 6-102(c) and (d); 6-106(b); and 6-107, second; unanimously approved and so ordered.**

**Vice Mayor Barbara Thompson Smith made a motion to approve up to \$25,000, in the 2015 - 2016 budget, to fund an economic impact study, second; unanimously approved and so ordered.**

**Director Michael Gibson 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