

**REGULAR MEETING – BOARD OF DIRECTORS
BLUEFIELD, MERCER COUNTY, WEST VIRGINIA
September 22, 2015**

A regular meeting of the Board of Directors of the City of Bluefield, Mercer County, West Virginia was held on Tuesday, September 22, 2015 at noon in the Municipal Building Boardroom. Present were Mayor Thomas Cole, Vice Mayor Barbara Thompson Smith, Director Ellen Light, Director Michael Gibson and Director Chuck McGonagle; 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

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 September 8, 2015, Board of Directors Regular Board Meeting

PRESENTATION

Police Chief Dennis Dillow announced Officer Ron Davis had been promoted to the rank of Sergeant in the Bluefield Police Department. Sergeant Davis served in the military fourteen years and has served on the Bluefield Police force for the past seven years. Congratulations Sergeant Davis.

RECOGNITION

City Manger Dane Rideout recognized Steve Duffy, Joey Rose and staff for receiving no deficiencies on the WV DEP Storm Water Inspections Results 2015. The Storm Water staff is commended for taking care of storm water issues on local, state and federal levels

PROCLAMATION

Mayor Cole read a Proclamation for Constitution Week.

PROCLAMATION
Constitution Week 2015

Whereas, September 17, 2015 marks the two hundred and twenty-eighth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

Whereas, it is fitting and proper to officially recognize this magnificent document and the anniversary of its creation; and

Whereas, it is fitting and proper to officially recognize the patriotic celebrations which will commemorate the occasion; and

Whereas, public law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as constitution week;

NOW, THEREFORE, I, Thomas J. Cole, Mayor of the City of Bluefield, West Virginia do hereby proclaim September 17 through 23, 2015 to be

CONSTITUTION WEEK

in Bluefield, West Virginia and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may be never be regained.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of Bluefield, West Virginia on this twenty second day of September in the year of our Lord two thousand fifteen and of the Independence of the United States of America.

Mayor Cole presented the Proclamation to DAR representative Tonia Russell.

CITY MANAGER REPORT: DANE RIDEOUT

RICK CARY was introduced as the new Fire Chief. Fire Chief Cary has been employed with the Bluefield Fire Department the past twenty years and is a former military veteran. Fire Chief Jeff Warden announced his intention to retire due to health issues and Fire Chief Cary was appointed on September 10, 2015.

CONSTRUCTION is almost complete in the downtown area. Once completed, a public campaign will begin to enforce the two (2) hour parking limit. On Thursday and Friday, of this week, Commerce Street will be closed so parking spaces can be lined. There are no parking meters but when spaces are marked officers will be marking tires and the two hour parking limit will be enforced. City Manager Rideout stated the positive side of the parking issue is having enough people in the downtown area to have a parking problem.

LEAVES are beginning to fall and leaf pick up will soon begin. Citizens were reminded that leaves are not to block or be put down storm drains. Leaves should be raked to the side of the curb and not in the street. More information will be made available to the public.

MONDAY, OCTOBER 26TH the West Virginia Department of Transportation, Division of Highways (WVDOH) will hold an informational public workshop on the development of a draft Statewide Transportation Improvement Program. The public can give input on issues such as roads, bridges, and infrastructure. The meeting will be held at Bluefield High School from 4:00 p.m. to 7:00 p.m. The public is encouraged to attend and participate in state government.

RESURFACING/RESEALING portions of the parking lot at Mitchell Stadium began September 21st. The area will also be relined for parking.

CITY ENGINEER TONY WAGNER and Public Works have been busy checking on streetlights to make sure they are in working order. They have also been making repairs on the old Montgomery Wards building.

PUBLIC WORKS continues to get after paving /pothole repairs and will continue until late October. Several meetings have been held on snow removal preparation. They are also in the preparation phase of preparing for the Holiday of Lights 2015 season. Director Michael Gibson suggested that the Holiday of Lights building bid be open to all contractors and not just contractors that advertise post and beam construction.

CODE ENFORCEMENT will rebid the Holiday of Lights building. The company originally awarded the bid is not licensed in Virginia and this has caused a delay. Seven houses are to be demolished this week. Code Enforcement Officer Lori Mills has completed over two hundred rental inspections.

IT SPECIALIST BILLY HESTER continues to maintain all electronics at City Hall and other departments. Parks and Recreation is completely connected to LUMOS and Public Works is scheduled to be connected to LUMOS by October 9th. The new system at Parks and Recreation will have an estimated annual savings of \$13,000. IT Specialist Hester has been instrumental in installing new software for the Police Department for the body cameras.

RECREATION AND PARKS DEPARTMENT continues to be praised for the condition and upkeep of the park. Director Charles Riddlehuber and his team are constantly after maintenance and scheduling events. All the Bluefield Cardinals Little League Football Teams are undefeated. The next game is scheduled for September 26th at 6:00 p.m. Youth Basketball registration is now open. Parks and Recreation will be hosting a Trunk - or - Treat Street event on Saturday, October 31st. The Holiday of Lights 5K Challenge will be on Saturday, December 5th and an award will be given for best holiday costume. The department is partnering with Bluefield College with projects such as trail maintenance. The City of Bluefield would like to thank the college for its partnership.

HUMAN RESOURCE DIRECTOR ANGIE FOLEY was offered condolences for the loss of her mother this past week. Director Foley arranged for the first training seminar for mid - level supervisors on how to deal with difficult customers. The city wants to educate employees with the knowledge and skills that are necessary to better serve the public.

BLUEFIELD FIRE DEPARTMENT continues community involvement and fire prevention for the citizens of Bluefield. The department is preparing to launch a Smoke Detector Campaign. The Smoke Detector Drive will take place on September 21st. Households that do not have smoke detectors can come to the Central Station to get a detector. Firemen will be available to help with information on installation.

COMMUNITY AND ECONOMIC DIRECTOR JIM SPENCER stated he read the article in the Bluefield Daily Telegraph, September 23rd, about a Wal-Mart Neighborhood Market. The article stated Wal-Mart was looking at a site in Princeton and the Bluefield area had been discussed; but they were not interested at this time in locating in the Bluefield area. Director Spencer stated no administrators have met with anyone tied to that development. Director Spencer said the city is actively and aggressively looking for a grocery store in the Bluefield area. Director Spencer stated there are many factors that larger chains consider before locating in an area, such as supply and demand and customer support. Director Spencer announced that the city is working on three potential prospects that are interested in opening a business downtown and a public announcement is forthcoming. Community and Economic Director Spencer shared a market video on the recent Lemonade Festival. The video was produced by Intern Erica Farrington.

TOWN HALL MEETING on Tuesday, September 29th at 6:00 p.m. The topic of this meeting will be "City Government 101". Discussion will include the responsibilities of the city manager and city board of directors. The public is encouraged to attend. The meeting place will be announced this week and will be posted on the city website.

PUBLIC COMMENTS:

Art Riley, representing the Downtown Merchants Association, requested that the Board find out why the Mercer County Development Authority did not include Bluefield in discussions concerning the Wal-Mart grocery store. Mr. Riley congratulated the Board or whoever was responsible for the tearing down of the billboard at the Federal Street and Bland Street intersection. With the billboard gone, citizens have an opportunity to have a better view of the rail yards. Mr. Riley thanked the Board for the upcoming new parking lines that will be painted downtown and hopes

parking limits will be enforced. He reminded citizens the parking is for the customers and not for business owners and employees. Mr. Riley stated he is hoping there will be a plan for more signage in the downtown area. Mr. Riley said the city needs signage and something that will attract the ATV's to the new gravel parking area.

Reverend James Palmer, Greater Mt. Zion Pentecostal Church, congratulated the City on the information provided during construction and the completion of the Martin Luther King, Jr. Bridge. Reverend Palmer stated the bridge is functionally better and aesthetically adds so much to Bluefield. Reverend Palmer inquired about the plans with regard to the dedication of the bridge. He stated the information may have been published but he had been out of town. Reverend Palmer stated that he felt the bridge serves many people and it would be good to invite as much input as possible from the community; he offered himself as a volunteer. City Manager Rideout thanked Reverend Palmer for his comments and thanked him for the many times the church opened its doors for the Triton Company and Department of Highways. City Manager Rideout said Reverend Garry Moore approached him in early May about Scott Street Baptist Church celebrating their 125 year anniversary and wanted to partner with the bridge dedication. Reverend Moore and some of the church's members attended the Board of Directors work session this morning to brief the Board on their anniversary plans. They have arranged for a King Family member to be part of the celebration on October 10th. They would like to partner with Bluefield State College, other churches and the City. Tentative plans include: a march from Bluefield State College to the Martin Luther King Jr. Bridge, a ceremony on the bridge, new signs, local veteran participation, and area school involvement. Reverend Palmer stated a 125th church anniversary is something to be celebrated; however, as a matter of propriety it would have been preferable to engage a broader population of the city, particularly those that are served regularly by the bridge. Again, Reverend Palmer stressed the importance of having input from as many sources as possible and that the word needed to get out soon, as the October 10th deadline was quickly approaching. Reverend Palmer asked who would be the "go to" person concerning the bridge dedication. City Manager Rideout said he accepted the responsibility and would be the "go to guy". City Manager Rideout encouraged interested citizens to help with the planning of the bridge dedication.

Bluefield Citizens Amanda Smith, Brenda, and Diana Brandy voiced opposition to the building of four (4) townhouses located in their community.

Sam Kline, APAX Properties, stated he felt he had made his points concerning the building of the townhouses several times over. He presented an aerial photo of the proposed townhouses and stated the following:

1. There has been a slight redesign and there will be a total of 18 parking spaces.
2. Townhouses will be appealing and will fit the design of the neighborhood.
3. We have no legal right to classify who can rent or buy the townhomes.
4. As a team with resources we would like to invest in the city. We don't want to go outside the city but will if necessary.

Leslie Lambert, APAX Properties, stated both she and her husband (Alex) were born in Bluefield, raised in Bluefield, raising their family in Bluefield and have been true servants to Bluefield. Mrs. Lambert has coordinated several community events and volunteers for many local charitable organizations. Mrs. Lambert stated that the City of Bluefield must start thinking out of the box and move forward. Mrs. Lambert presented a letter from Reverend George Stamper from Grace Baptist Church in favor of the townhouses.

ACTION ITEMS

Mayor Cole read the FIRST READING OF AN ORDINANCE AUTHORIZING A PLANNED UNIT DEVELOPMENT TO BE LOCATED AT THE CORNER OF GATEWAY DRIVE AND LOCUST GROVE ROAD, TO CONSTRUCT FOUR APPROXIMATE 18' X 28' MULTI-FAMILY USE TOWNHOUSES, AS SHOWN ON THE ATTACHED ARCHITECTURAL DRAWING, AND DECLARED TO BE A PART OF THIS ORDINANCE AS IF THE SAME WAS FULLY SET FORTH THEREIN. Mayor Cole stated some issues that had been discussed were: area is zoned R-1 single family, traffic concerns, safety (first responders), storm water/flooding, lot area density, yard setbacks, privacy and road frontage. Mayor Cole opened the topic of the proposed issues for discussion. Director Chuck McGonagle stated there had been conflicting reports regarding traffic. One person had stated a large amount of traffic and one lady had stated very little traffic. Director McGonagle said the area being zoned R-1 was a concern to him. This is a single family neighborhood and he was afraid this would set a precedent for other neighborhoods. Director Ellen Light stated her biggest concern was the density. For a building of this size an acre is recommended and the area they plan to build on is less than one third of an acre. Vice Mayor Barbara Thompson Smith stated her concern was this area is zoned single family R-1. Director Michael Gibson stated he knew the Lambert family and their work and he felt sure the townhouses would not be an eyesore. Director Gibson said he did not see a potential traffic problem as an issue. Director Gibson said his concern was the single family R-1 zoning. Director Gibson stated that the Board of Directors had an obligation to protect the zoning restrictions that were put in place before this Board. People bought in the area presumably due to it being single family dwelling. He felt the Board was obligated to protect the family's investment and he would vote against the building of the townhouses but with reservations. Mayor Tom Cole said this area was not originally in the city limits. It was annexed in the late 60's or early 70's. One of the reasons a family moves inside a municipality is for protection by the city. There are a lot of issues that are being opposed by the community. Mayor Cole felt there were too many issues that needed to be overcome and felt the R-1 single family zoning needs to be protected.

Director Ellen Light made a motion to bring the First Reading of the Ordinance before the Board of Directors and act on it. Mayor Cole asked for a vote on the First Reading of the Ordinance as read earlier. The First Reading of the ordinance was not approved in a unanimous vote (5-0).

Mayor Cole read the SECOND READING OF AN ORDINANCE TO ENACT SECTION 24-230, DRUG PARAPHERNALIA, TO BE CODIFIED WITHIN CHAPTER 24, ARTICLE VII, CONTROLLED SUBSTANCES. City Attorney Brian Cochran stated the Board is proposing this ordinance be enacted making it illegal to possess or sell any type of drug paraphernalia. This was recommended by Police Chief Dillow who stated it would prohibit convenience stores from selling various drug paraphernalia. The ordinance is very specific on items used for drug use and would be an added tool for the police force. Director Ellen Light made a motion to approve the SECOND READING OF AN ORDINANCE TO ENACT SECTION 24-230, DRUG PARAPHERNALIA, TO BE CODIFIED WITHIN CHAPTER 24, ARTICLE VII, CONTROLLED SUBSTANCES, seconded; unanimously approved and so ordered.

Director Michael Gibson made a motion to adjourn. The motion carried unanimously.

Bobbi Kersey, City Clerk

Thomas J. Cole, Mayor