

**REGULAR MEETING – BOARD OF DIRECTORS
BLUEFIELD, MERCER COUNTY, WEST VIRGINIA
April 26, 2016
NOON**

A regular meeting of the Board of Directors of the City of Bluefield, Mercer County, West Virginia was held on Tuesday, April 26, 2016 at noon in the Municipal Building Boardroom. Present were Mayor Thomas Cole, Director Chuck McGonagle, Vice Mayor Barbara Thompson Smith, Director Ellen Light, and Director Michael Gibson and City Manager Dane Rideout, City Attorney Brian Cochran, City Treasurer Kelly Davis, Community and Economic Development Director Jim Spencer 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 Cole called the meeting to order.

APPROVAL OF THE MINUTES

Vice Mayor Barbara Thompson Smith made a motion that the minutes of the April 12, 2016, Board of Directors meeting be approved as presented, second; unanimously approved and so ordered.

Director Ellen Light made a motion that the minutes of the April 18, 2016, HUD Small Cities Block Funding Public Meeting be approved as presented, second; unanimously approved and so ordered.

Director Michael Gibson made a motion that the minutes of April 19, 2016, Lay the Levy for Fiscal Year 2017 be approved as presented, second; unanimously approved and so ordered.

PRESENTATION

Peni H. Adams, Consumer Representative and Compliance Specialist Office of the Attorney General Patrick Morrisey. Field Representative, Ms. Adams and her staff, travel to educate and work with citizens by enforcing the West Virginia Consumer Credit and Protection Act, which is contained within Chapter 46A of the West Virginia Code. Ms. Adams gave examples of scams that are common, such as phone calls from the IRS or calls stating a citizen has won a prize. If a citizen has a concern they can contact www.wvago.gov/publicresources.cfm or call the protection hotline at 1.800.368.8808.

CITY MANAGER REPORT: DANE RIDEOUT

Public Works Deputy Candy Sayers and her husband were recognized for calling 911 and performing CPR on their neighbor, this past Sunday, until emergency personnel arrived. City Manager Rideout commended Mr. and Mrs. Sayers for helping and stated city employees care about their communities.

Lori Mills was recognized for her multitasking as a Supervisor, Code Enforcer, and Certified Playground Inspector and now Certified Stormwater Inspector.

Code Enforcement has issued two hundred and twenty-four notices to correct, forty – three summonses to court and there are fifty-eight pending animal cases, resulting in thirty-one animal pickups. Supervisor Lori Mills has inspected one hundred and ten rental units. We have a very active and involved code enforcement department.

Public Works has been filling potholes since the asphalt plant has opened. To date over thirty - five tons of asphalt have been used. Tom Camden with District Ten has discussed some of the paving that will take place within the city. Notable places: Route 19 and Grassy Branch. Street markers are being lettered and painted. Randolph Tyson is doing a great job.

City Engineer Tony Wagner is in communication with District Ten concerning Bland Road and Cumberland Road (also state roads). City Engineer Wagner is completing the next street bid package. Approximately 2.8 miles of paving on 9 streets. Some streets will be paved and some streets will be milled and paved.

IT Specialist Billy Hester is now supervising the new police substation. Mr. Hester holds people accountable and keeps things on track.

Parks and Recreation is continuing its partnership thru high school mentoring, physical fitness with CiTo (geocachers), and the health race series. Other events include the Couch-To-5k, Crying Wolf Challenge (May 15th), Mountain Festival Tournaments, Summer Specialty Camps, and Adult Basketball. Please check the Parks and Recreation Facebook page or the city website (www.cityofbluefield.com). The Gun and Knife Show was April 22nd thru April 24th.

Director Chuck McGonagle was thanked for his support, contributions and construction knowledge at the new police substation.

Human Resource Director Angie Foley and Administrative Assistant Paula Rose continue to work behind the scenes. These two ladies are challenged on a daily basis and keep documentation that is vital to our employees and issues concerning the city. They attended a two day WV State Chamber Human Resource Conference.

Fire Department is very involved. There have been twenty-five fire incidents, seven vehicular calls and approximately forty service calls. We have a committed fire department and are working through issues.

Police Department had four men graduate from the WV Police Academy: Wesley Blake, Hunter Browning, Joseph Danley and Quinten Steptoe. City Manager Rideout attended the ceremony and was very impressed.

Community and Economic Development Director Jim Spencer presented two power point presentations:

1. ***Welcome to My Bluefield*** – new business website that includes
 - About Bluefield

- News and Events
- Property Search – includes maps, GIS, and local churches
- Tourism and Recreation
- Business- contains a business directory and highlights a business of the week
- Employee Directory
- Veterans- Boots to Business

The website will be available on Friday, updates will be done in house, and information will be added. Everyone is encouraged to check out the website.

2. **Fantastic Friday in Bluefield from 4 p.m. to 7 p.m. on Fridays**

- Farmers Market located at the ATV area Princeton Avenue near former parking garage.
- Providing space for at least 10 farmers to tailgate and at least 12 spaces for vendors.
- Outdoor music, events with Craft Memorial Library, movies, arts and crafts.
- Individual would provide their own tents. Any business in the city with a city license can bring items and receive a free spot to show their goods, free of charge.
- Create a destination event. Develop a committee and open May 15th.

The City is not competing with the Almost Heaven Farmer's Market located at Kmart on Tuesday and Saturday. Chicory Square does not allow for tailgate parking. The City Park does not have retail stores available. Community and Economic Development Director Spencer would like to bundle activities and attract as many people to the downtown area as possible.

PUBLIC COMMENTS:

Art Riley, representing the Downtown Merchants Association, stated the downtown merchants had proposed a Saturday Market at Chicory Square and a short section from Raleigh Street, Federal Street, and Commerce Street. The market would offer select crafts and produce. Mr. Riley stated the merchants had no input on Fantastic Friday and felt there would not be as much foot traffic in the downtown area if it is held on the open ATV field. Director Spencer said he would attend the next downtown merchants meeting to present his proposal.

Mr. Riley thanked Public Works for painting the wall at the Genova Playground.

Judy Silbaugh, Bluefield resident, coordinator of the Almost Heaven market said she was not opposed to Fantastic Friday. She stated it took eighteen months to get the Almost Heaven market up and running. The market is open on Tuesday and Saturday in the Kmart parking lot.

ACTION ITEMS:

City Treasurer Kelly Davis requested approval to submit sixty-eight (68) accounts to collection for April. **Director Michael Gibson made a motion to approve the sixty-eight (68) accounts for April to be sent to collections, second; unanimously approved and so ordered.**

Mayor Cole read the title of a Resolution to the West Virginia HUD Small Cities Block Grant Program to request funding for the City of Bluefield: Lynn Street Stormwater Rehabilitation Project. Prior to the board meeting there was a public meeting for public input on the Small Cities Block

Grant. **Director Ellen Light made a motion to approve the Resolution to the West Virginia HUD Small Cities Block Grant Program to request funding for the City of Bluefield: Lynn Street Stormwater Rehabilitation Project, second; unanimously approved and so ordered.**

Mayor Cole stated the next action item was **approval of a lease agreement with the Alliance for the Arts, LTD, for the former Bluefield City Hall.** City Attorney Brian Cochran stated in 1979 the City Municipal Building Commission leased the former City Hall to the Summit Players. It was then renewed in 1982 with the Bluefield Area Arts and Crafts Center. It was renewed again in 2008 with the Alliance of the Arts and it is now up for renewal. Director Ellen Light clarified only part of the building was leased to the Summit Players in 1979 and in 1982 the rest of the building to the Arts and Crafts Center. In 1987 the lease was made with the Alliance of the Arts for the entire building and that lease was renewed in 2008. City Attorney Cochran stated that in 2009 or 2010 the Bluefield Municipal Building Commission transferred the building back to the City of Bluefield and the lease transferred as well. We are now renewing the lease with the Alliance of the Arts. It is a three-year lease agreement with a potential option to renew for an additional three-year period. The three-year renewal would be a mutual agreement between the City and the Alliance of the Arts. City Attorney Cochran stated they could renew as long as they complied with the terms with the consent of the City. **Director Michael Gibson made a motion to approve the lease agreement with the Alliance for the Arts, LTD, for the former Bluefield City Hall as presented by City Attorney Brian Cochran, second; and approved. (4-yes and Director Ellen Light abstained).** The lease agreement is approved pending approval of the Alliance of the Arts Board.

Mayor Cole read for **approval the First Reading of an ORDINANCE AUTHORIZING THE CITY OF BLUEFIELD TO PURCHASE REAL ESTATE.** City Attorney Brian Cochran stated in October of 2015, an Ordinance to accept transfer of real estate was approved, authorizing the City of Bluefield to purchase two tracts consisting of 90.44 acres and 7.8 acres, North Slope of East River Mountain, Beaver Pond District, Mercer County, West Virginia. The heirs of Ward and Lucille Goodwin, with the exception of Tracy Bascue, by deed recorded in the Office of the Clerk of the County Commission of Mercer County, West Virginia, in the Deed Book 1030 at page 85, have donated their respective interests in the property to the City. Tracy Bascue has agreed to sell her 1/6th interest in the described real estate to the City of Bluefield for \$86,000. This property has been appraised for \$450,000. There will be a second reading on May 9th. **Director Michael Gibson made a motion to approve the First Reading of an ORDINANCE AUTHORIZING THE CITY OF BLUEFIELD TO PURCHASE REAL ESTATE KNOWN AS THE GOODWIN PROPERTY, second; unanimously approved and so ordered.**

Mayor Cole read for the **approval the First Reading of an ORDINANCE AUTHORIZING THE CITY OF BLUEFIELD TO PURCHASE A PARCEL OF REAL ESTATE SITUATED IN THE BEAVER POND DISTRICT, MERCER COUNTY, WEST VIRGINIA FOR A PRICE OF \$65,000.00.** City Attorney Brian Cochran stated the City of Bluefield and Stovall Real Estate, LLC, have reached an agreement for the transfer of all of that certain lot or parcel of real estate located at or near the intersection of U.S. Route 19 and Grassy Branch cutoff, assessed as eighty-four and seventeen one-hundredths (84.17) acres and designated on the records of the Mercer County Assessor, Beaver Pond District, as Map 26, Parcel 174, for purchase of \$65,000 paid by the City of Bluefield to Stovall Real Estate, LLC. Issues concerning the City's ability to sell this property due to unknown property boundaries have been discussed. **Director Ellen Light made a motion to approve the First Reading of an ORDINANCE AUTHORIZING THE**

CITY OF BLUEFIELD TO PURCHASE A PARCEL OF REAL ESTATE SITUATED IN THE BEAVER POND DISTRICT, MERCER COUNTY, WEST VIRGINIA FOR A PRICE OF \$65,000.00, second; unanimously approved and so ordered.

Mayor Cole read the title for the **Second Reading of an ORDINANCE AUTHORIZING THE CITY OF BLUEFIELD TO EXECUTE A DEED GRANTING THE CITY OF BLUEFIELD SANITARY BOARD, GRANTEE, PARCELS OF REAL ESTATE SITUATED AT BLUEFIELD AVE., IN THE CITY OF BLUEFIELD, MERCER COUNTY, WEST VIRGINIA.** City Attorney stated this is the property received by donation from Skyline Motors in 2014. The transfer of this real estate, is the first use of the Home Rule Ordinance, were we declared this property as surplus, and that it has no need for such property and there is a demonstrable need for such property by the Sanitary Board to be able to perform services for the benefit of the citizens of Bluefield. It has also been stated in the Ordinance and Deed in the event that the Sanitary Board should cease using the property for the benefit of the citizens the property shall automatically, by operation of law, revert to and vest in the City, and the Sanitary Board shall thereafter have no right, title or interest. **Vice Mayor Barbara Thompson Smith made a motion to approve the second reading of an ORDINANCE AUTHORIZING THE CITY OF BLUEFIELD TO EXECUTE A DEED GRANTING THE CITY OF BLUEFIELD SANITARY BOARD, GRANTEE, PARCELS OF REAL ESTATE SITUATED AT BLUEFIELD AVE., IN THE CITY OF BLUEFIELD, MERCER COUNTY, WEST VIRGINIA.** Mayor Cole stated he did not feel there was an eminent need for the Sanitary Board to have this parcel of real estate and it might be a good idea to wait for the response from the Small Cities Block Grant application. Director Michael Gibson suggested adding if the Sanitary Board stops using the property for purposes consistent with the Bluefield Sanitary Board's charter. City Attorney Brian Cochran stated the language in the Ordinance came from the State Home Rule Requirements but and there could be an amendment to the deed but not for this second reading. **The ordinance failed 4-0; with Vice Mayor Barbara Thompson Smith abstained.**

OTHER:

Director Michael Gibson made a motion to recess the meeting, second; unanimously approved and so ordered.

Bobbi Kersey, City Clerk

Thomas J. Cole, Mayor