

**REGULAR MEETING – BOARD OF DIRECTORS  
BLUEFIELD, MERCER COUNTY, WEST VIRGINIA  
July 11, 2017 - Noon**

A regular meeting of the Board of Directors of the City of Bluefield, Mercer County, West Virginia was held on Tuesday, July 11, 2017, at noon in the Municipal Building Boardroom. Present were Mayor Thomas J. Cole, Vice Mayor Barbara Thompson-Smith, Director Ellen Light, Director Michael Gibson, Director Chuck McGonagle, City Manager Dane Rideout, City Treasurer Kelly Davis, City Attorney Colin Cline and City Clerk Bobbi Kersey. Community and Economic Development Director Jim Spencer was absent.

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**

**Vice Mayor Barbara Thompson Smith moved that the minutes of the June 13, 2017, Board of Directors meeting be approved, unanimously approved and so ordered.**

**Director Chuck McGonagle moved that the minutes of the June 13, 2017, Board of Canvass/Election be approved, unanimously approved and so ordered.**

**CITY MANAGER DANE RIDEOUT**

**New Fire Engine** has arrived. The City will conduct a ceremony in the next couple of weeks on how to bring a new fire engine into service. The tradition of changing a fire engine truck dates back to the time of horse drawn equipment. The City will honor our past by continuing several of the traditions. More information will be available on the city website and in the Bluefield Daily Telegraph. The new fire engine was built with options specifically for our city terrain. An older fire engine was towed this week and another caught on fire; both have been repaired. The old trucks are more than twenty years old so the new arrival could not have come at a better time.

**Dog Park** ribbon cutting was July 6. City Manager Rideout stated he heard nothing but positive comments and he is seeing the park utilized on a daily basis by very responsible dog owners. The city has applied for a grant from PetSmart. If the grant is awarded, a "tent like", canopy roof will be designed to provide shelter for the owners and animals. This Board was instrumental in pursuing this amenity for the City. Mayor Cole stated the original dog park was to be constructed at the Fairview Park. Citizen Bill Nabors suggested that an alternate location be investigated and suggested downtown. Mayor Cole thanked the citizens for their various suggestions and ideas and was proud that this concept had come to fruition.

**Paving** bid advertisement is now in the paper. Some streets that need paving are not on the list. City Manager Rideout has been in a discussion with West Virginia American Water Company and Bluefield Gas Company and they are coordinating paving decisions. The City will be milling and applying base and top coats for several of the streets that are to be paved.

**The Boy Scouts** will be back in town. They will be in other parts of the City but will concentrate their work in the City Park. Citizens are asked to be aware and use caution because they will be working on projects near some of the streets.

**City Engineer Tony Wagner** continues to work with the utility companies. He is also working with Bluefield State College on zoning and building permits for a new dorm project.

**Public Works** continues their daily routine and mowing around the city. City Manager Rideout said the asphalt plant has signed a large contract with the Department of Highways. They run a different type of asphalt than we use for potholes. In order to go to a different plant the asphalt is cold when it arrives at the worksite, as the city does not have insulated trucks. Potholes will be filled as soon as possible.

**Demolition** will be scheduled on six houses and three demolitions should take place this week.

**Permits** valued at a total of \$138,000 were pulled in the month of June. People are investing inside the city. Code Enforcement had fifty-two new code cases, five animal cases, eight rental inspections and playground inspections. The department is integrating a new job order system.

**Human Resource Director Angie Foley** is currently advertising and accepting applications for public works laborer and police dispatcher. Applications are also being accepted for probationary fire fighters and probationary police officers. There is a physical and written test for firefighter and police officer positions. A job fair was held Monday, July 10, at the Herb Sims Parks and Recreation Center. Congressman Jenkins and Congressman Griffin, from Virginia, attended the job fair. Employers are looking for qualified workers in the region. The Job Fair was sponsored by the Greater Bluefield Chamber of Commerce.

**Code Enforcement Specialist Director Lori Mills** is working with Lecia Smith on a large project at Yakkity-Yak Playground. The playground is now twenty years old and needs revamped. Leathers and Associates, the original designers of Yakkity-Yak, will be in town July 26. By spring of next year, the playground will begin a makeover and will be handicapped acceptable. Handicap equipment in the playground was a goal set by this board.

**City Attorney Colin Cline** was welcomed and introduced. City Manager Rideout stated Attorney Cline is an asset to the city and will be invaluable to the decision making process within the city. One of the larger tasks Attorney Cline will undertake will be a revamp of the code of ordinances.

### **Presentation**

City Manager Rideout stated West Virginia Water Company announced the Bluefield Fire Department would receive \$1,000 from the Firefighters Support Grant Program. The grant will be put towards the purchase to updated personal protective gear for our sixteen firefighters. West Virginia American Water Company Representative Jason Knowles presented the check to Captain Richard Hodge and Captain Jimmy Perkins. Mr. Knowles thanked the first responders for their service and dedication. City Ambassador Marie Blackwell applied for the 2017 Firefighting Support Grant.

### **PUBLIC COMMENTS:**

**Ed Tomchin, Bluefield citizen**, stated he submitted a FOIA request with the City Clerk to view a copy of the tentative agreement between the City of Bluefield and K-VA-T. Mayor Cole, Attorney Cline and City Clerk Kersey had responded by verbal communication, email, and person to person that a written agreement was not available at this time. His request would be honored as soon as there is a written agreement/document available to the public. Mr. Tomchin questioned a police officer charged with a DUI. It was his understanding the officer was still on duty. Attorney Michael Gibson stated he was representing the officer. The

alleged offense did not take place within the city limits and the matter is under investigation and still pending. Mayor Cole stated once the court makes a decision, the city would take appropriate action. The officer is innocent until proven guilty and deserves his day in court. The officer is exercising his constitutional rights under the law.

**Art Riley, representing the Downtown Merchants Association** asked the following:

- Would the ISO rate change with the award to the firefighters and the new fire truck? City Manager Rideout stated there are other issues that need to be addressed but certainly these items would be a benefit. These are building blocks but there are financial decisions that need to be addressed.
- How many miles will be paved? City Manager Rideout said there is not a final tally so it is difficult at this time to say. Some of the paving will be completed in - house.
- Is the city making progress on the vacant building ordinance? City Manager Rideout said the city is working to enforce this ordinance. The city has increased code enforcement, hired a full time attorney and had to deal with some other issues. Downtown is the top priority and Economic and Development Director Jim Spencer has sent a letter to vacant building owners and we are waiting for a response. We must document and do things in a legal manner.
- The Downtown Merchants thanked the present Board and have appreciated their patience, kindness, and service. Thank you for serving the City.

**Willie Hunt, Bluefield citizen** stated most of his questions/concerns had been answered. Mr. Hunt asked if the equipment could be left instead of driving the mower back and forth to public works. City equipment is too expensive to be left unattended. Mr. Hunt had questions about grass cutting and fallen tree/limbs. Cars cannot be parked on sidewalks due to the weight of the cars. Police Officers gave a warning and were doing what they were supposed to do. City Manager Rideout requested Mr. Hunt schedule an appointment so they could talk.

#### **ACTION ITEMS**

**City Treasurer Kelly Davis** requested approval of the June 30, 2017 monthly financial statement. At the close of June 2017, the 12<sup>th</sup> month of the fiscal year, revenue collected totaled \$10,956,958 (100.52%) of the projected amount of \$10,900,660. Expenditures totaled \$10,825,294 (83.75%) of the projected budget of \$12,926,114. **Director Ellen Light moved to approve the June financial statement as presented; unanimously approved and so ordered.**

**City Treasurer Kelly Davis** requested approval of seventy-nine accounts for the July Collections for \$64,917.00 **City Treasurer Davis stated some citizens have set up a payment plan but she requested the accounts be approved in the event payment is not made. Director Mike Gibson moved to approve the July Collection list, including those that have set up payments; unanimously approved and so ordered.**

**City Treasurer Kelly Davis** reminded all business owners inside, and outside of Bluefield, the 1%, Municipal Sales Tax did go into effect as of July 1. For information or questions, contact City Treasurer Davis.

#### **Reports, Boards and Commissions:**

Director Ellen Light praised the Parks and Recreation Department for all the activities they are providing this summer.

She expressed how she wished more citizens were taking advantage of the programs. Parks and Recreation Director and his staff are doing a phenomenal job.

Mayor Cole said the Knights Inn property has been before the Buildings Commission for close to two years. The property has been condemned by the Buildings Commission. The property owner appealed to the court and the court upheld the decision made by the commission. Another item the commission is also working on abandoned and unsafe property. The commission determines what will happen to the property. In the event of a structural fire that results in the total loss of a property, a state code requires the insurance agency to notify the municipality. Many insurance companies have not been informing the city. With the help of Attorney Cline, the city plans to address this issue. Mayor Cole said he felt that the work done by the Buildings Commission and Code Enforcement is one of the most important jobs in the city. Mayor Cole said as part of his job as mayor serving as Chairman of this commission was one of the most rewarding. It is a huge benefit living in a municipality and having people look after things on your behalf.

**Reports from Officers:**

Director Michael Gibson recognized Mayor Cole, Director Ellen Light and Director Chuck McGonagle. He thanked them for their service to the city. He stated that each person possessed a special talent and interest that the citizens of Bluefield have benefitted. Director Gibson said he would like to highlight one of the unsung heroes of the city government, Director Chuck McGonagle. Director McGonagle is a remarkable board member and possesses a knowledge of building, plumbing and electrical work. He has freely given of time and talent to inspect city buildings helping to determine what best to do with the property. This job cost Director McGonagle money, as he could not bid on city projects. Director McGonagle was thanked for his gentle but firm nature.

Director Gibson is involved in a mediation concerning the Alliance of the Arts. They will have a meeting July 21 at 9:30 a.m. in Attorney John Shott's office on Commerce Street. He was told the city's attorney might be unable to attend. In the event she is unable to attend, Director Gibson asked if a motion should be made for him to represent the City or Attorney Cline attend, rather than reschedule the date. Director Gibson sits on the Alliance Board as an ex-officio member. Director Gibson does not have voting privileges on the Alliance of the Arts Board. Director Light noted the City never voted to be involved in this issue but requested City Manager Rideout investigate. It was determined that Attorney Cline would attend the meeting.

Vice Mayor Barbara Thompson Smith stated there were some wonderful events scheduled at Craft Memorial Library that citizens should utilize.

Mayor Cole thanked the Planning Commission for their involvement obtaining a dog park. Please keep Economic and Development Director Jim Spencer and his family in prayers as his daughter is having surgery. Mayor Cole welcomed Attorney Cline.

Mayor Cole moved to adjourn, unanimously approved and so ordered.

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Bobbi Kersey, City Clerk

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Thomas J. Cole, Mayor