



**TOWN OF BLUEFIELD
TOWN COUNCIL MEETING
June 27, 2017
AGENDA**

7:30 p.m. **Call to Order**

7:31 p.m. **Invocation and Pledge of Allegiance**

- Pastor Jim Drake, Parkview Baptist Church

7:33 p.m. **Approval of Agenda**

7:34 p.m. **Consent Agenda**

- [June 13, 2017 Work Session Minutes](#)
- [June 13, 2017 Council Meeting Minutes](#)

7:35 p.m. **Citizen Requests & Special Presentations**

- Special Presentation: Tazewell County Update – Charlie Stacy

7:47 p.m. **Committee Reports**

7:48 p.m. **Unfinished Business & Reports**

7:49 p.m. **New Business and Reports**

7:50 p.m. **Town Manager's Report**

- Old Hockman Pike Update
- [Sedgewood Pool Discussion](#)
- Cat Ordinance Discussion
- Animal Control
- Speed Study (Rte. 720 and Tazewell Avenue) Discussion
- Bluefield, VA Rescue Squad Update
- Town Offices Closed Tuesday, July 4th.
- Employee Night at the Ballpark – Saturday, July 29th @ 7 pm at Bowen Field

8:10 p.m. **Citizen Comments**

8:15 p.m. **Council Comments**

8:27 p.m. **Attorney Report**

- Ordinance to Increase Tax on Meals - 2nd Reading, **VOTE** (To Read by Title Only)
VOTE (To Adopt the Ordinance)
- Ordinance to Approve & Adopt the FY 2017/2018 Budget - 2nd Reading, **VOTE** (To Read by Title Only)
VOTE (To Adopt the Ordinance)
- Proposed Cat Ordinance Draft

8:33 p.m. **Executive Session:** Section 2.2-3711-A-1.3

9:03 p.m. **Executive Session:** Section 2.2-3711-A-1.1

9:33 p.m. **Adjourn**

VIRGINIA: AT A REGULAR MEETING OF THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA HELD AT THE COUNCIL CHAMBERS OF THE TOWN HALL IN BLUEFIELD, VIRGINIA ON THE 27TH DAY OF JUNE, 2017.

AN ORDINANCE INCREASING THE TAX ON MEALS WITHIN THE CORPORATE LIMITS OF THE TOWN OF BLUEFIELD, VIRGINIA TO SIX AND ONE HALF PERCENT (6.5%).

WHEREAS, a public hearing concerning increasing the tax on meals within the corporate limits of the Town of Bluefield, Virginia to six and one half percent (6.5%) was held before the Council of the Town of Bluefield, Virginia on the 23rd day of May, 2017, at 6:30 p.m., after notice of the said public hearing was duly published on the 16th day of May, 2017, in the Bluefield Daily Telegraph, a newspaper having general circulation in Bluefield, Virginia.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that the tax on meals within the corporate limits of the Town of Bluefield, Virginia, imposed under Section 50-332 of Article VIII of Chapter 50 of the Code of Ordinances, Town of Bluefield, Virginia, is hereby increased to six and one half percent (6.5%).

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that Section 50-332 of Article VIII of Chapter 50 of the Code of Ordinances, Town of Bluefield, Virginia is hereby amended to read as follows:

Sec. 50-332. Levy.

There is hereby imposed and levied by the town on each person a tax at the rate of six and one half percent (6.5%) on the amount paid for meals purchased from any food establishment, whether prepared in such food establishment or not, and whether consumed on the premises or not.

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that this ordinance is hereby adopted on this 27th day of June, 2017.

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that this ordinance shall be effective on the 1st day of July, 2017.

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that Donald R. Harris, the Mayor of the Town of Bluefield, Virginia, shall execute this ordinance on behalf of the said Council.

IT IS SO ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA on this 27th day of June, 2017.

PUBLIC HEARING: 05/23/2017
FIRST READING: 06/13/2017
SECOND READING: 06/27/2017
ADOPTION DATE: 06/27/2017
EFFECTIVE DATE: 07/01/2017
FINAL RECORDED VOTE: _____
MEMBERS PRESENT: _____
MEMBERS ABSENT: _____
RESULT OF VOTE: _____

AYES NAYES ABSTENTIONS

COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA

BY: _____ DATE _____
DONALD R. HARRIS, MAYOR
TOWN OF BLUEFIELD, A VIRGINIA MUNICIPAL CORPORATION

ATTEST:

LESLEY CATRON, TOWN CLERK DATE
TOWN OF BLUEFIELD, A VIRGINIA MUNICIPAL CORPORATION

VIRGINIA: AT A REGULAR MEETING OF THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA HELD AT THE COUNCIL CHAMBERS OF THE TOWN HALL IN BLUEFIELD, VIRGINIA ON THE 27TH DAY OF JUNE, 2017.

AN ORDINANCE APPROVING AND ADOPTING THE 2017-2018 FISCAL YEAR BUDGET FOR THE TOWN OF BLUEFIELD, A VIRGINIA MUNICIPAL CORPORATION, INCLUDING THE INCREASES IN MEALS TAX, WATER RATES, AND SALARIES/WAGES SHOWN THEREIN.

WHEREAS, a public hearing concerning the approval and adoption of the 2017-2018 FISCAL YEAR BUDGET for the Town of Bluefield, a Virginia Municipal Corporation, was held before the Council of the Town of Bluefield, Virginia on the 23rd day of May, 2017, at 7:00 p.m., after notice of the said public hearing was duly published on the 16th day of May, 2017, in the Bluefield Daily Telegraph, a newspaper having general circulation in Bluefield, Virginia.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that the 2017-2018 FISCAL YEAR BUDGET for the Town of Bluefield, a Virginia Municipal Corporation, which is attached to this ordinance, including the increases in meals tax, water rates, and salaries/wages shown therein, is hereby approved and adopted by the Council of the Town of Bluefield, Virginia on this 27th day of June, 2017.

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that this ordinance is hereby adopted on this 27th day of June, 2017.

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that this ordinance shall be effective on the 1st day of July, 2017.

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that Donald R. Harris, the Mayor of the Town of Bluefield, Virginia, shall execute this ordinance on behalf of the said Council.

IT IS SO ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA on this 27th day of June, 2017.

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2017-2018
Preliminary

ACCOUNT
REVENUE

General Property Taxes
TOTAL \$1,010,000

Other Local Taxes
TOTAL \$3,037,811

Permits (Misc. Permits & Fees)
TOTAL \$22,750

Fines & Forfeitures
TOTAL \$47,500

Use of Money & Property
TOTAL \$38,000

Charges for Services
TOTAL \$439,000

Miscellaneous Revenue
TOTAL \$375,000

Revenue from the Commonwealth - Non Categorical
TOTAL \$196,677

Revenue from the Commonwealth - Categorical
TOTAL \$2,164,544

Other Financing Sources
TOTAL \$1,000,000

Transfers To General Fund
TOTAL \$161,350

TOTAL REVENUES \$8,492,632

EXPENDITURES

Town Council
TOTAL \$62,782

Town Manager	
TOTAL	\$459,796

Legal	
TOTAL	\$4,000

Independent Audit	
TOTAL	\$39,000

Treasurer	
TOTAL	\$197,602

Bookkeeping	
TOTAL	\$124,381

Vehicle Maintenance	
TOTAL	\$504,072

Police Department	
TOTAL	\$1,560,680

Fire Department	
TOTAL	\$161,922

Building Inspection	
TOTAL	\$118,909

Street Department	
TOTAL	\$1,242,371

Refuse Collection	
TOTAL	\$276,040

Town Hall Buildings & Grounds	
TOTAL	\$126,336

Recreation Department	
TOTAL	\$298,179

Cemetery	
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TOTAL \$78,663

Planning Commission

TOTAL \$6,990

Community Development

TOTAL \$68,000

Donations

TOTAL \$27,200

Zoning Administrator

TOTAL \$89,114

Nondepartmental

TOTAL \$127,426

Transfer

TOTAL \$348,655

Capital Projects

TOTAL \$500,000

FEMA and Capital Projects

TOTAL \$1,500,000

Debt Service-Active

TOTAL \$570,514

TOTAL EXPENDITURES \$8,492,632

Water Fund

REVENUE \$1,153,660

EXPENDITURES \$1,153,660

Transit

REVENUES \$528,710

EXPENDITURES \$528,710

Cemetery

REVENUES 34550

EXPENDITURES 34550

VIRGINIA: AT A REGULAR MEETING OF THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA HELD AT THE COUNCIL CHAMBERS OF THE TOWN HALL IN BLUEFIELD, VIRGINIA ON THE _____ DAY OF _____, 2017.

AN ORDINANCE TO CREATE, BY CREATING ARTICLE III (CATS) OF CHAPTER 6 (ANIMALS) OF THE CODE OF ORDINANCES, TOWN OF BLUEFIELD, VIRGINIA

WHEREAS, a public hearing concerning this ordinance was held before the Council of the Town of Bluefield, Virginia on the _____ day of _____, 2017 at _____ p.m., after notice of the said public hearing was duly published on the _____ day of _____, 2017, and the _____ day of _____, 2017, in the Bluefield Daily Telegraph, a newspaper having general circulation in Bluefield, Virginia.

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that Article III of Chapter 6 of the Code of Ordinances, Town of Bluefield, Virginia is hereby created to read as follows:

ARTICLE III. CATS

Sec. 6-90. Purpose.

The purpose of this article and the sections therein is to protect the safety, health, and well-being of the citizens of the Town of Bluefield, and to ensure the proper care of cats located within the corporate limits of the Town of Bluefield.

Sec. 6-91. Authority.

This article and the sections therein are adopted pursuant to the authority described in sections 3.2-6543, 15.2-900, 15.2-1102, and 15.2-1700 of the Code of Virginia (1950) as amended.

Sec. 6-92. Definitions.

The term "cat", when used in this article, shall mean any domesticated or feral animal that is a member of the species *Felis catus*.

The term "owner", when used in this article, shall mean any person who has a right of property in a cat, who keeps or harbors a cat, who has a cat in his/her care, or who acts as a custodian of a cat.

The term "own", when used in this article, shall mean to hold a right of property in a cat, to keep or harbor a cat, to have a cat in one's care, or to act as a custodian of a cat.

The term “plainly audible”, when used in this article, shall mean when the caterwauling, howling, meowing, or whining of a cat may be heard by the human ear without the aid of any hearing aid or faculty.

The term “run at large” or “running at large”, when used in this article, shall mean when a cat is on the premises of another, who is not the owner of such cat, but shall not include a situation where the owner of such cat, or his/her designee, is accompanied by such cat and such cat is under such owner’s direct and immediate control.

The term “Treasurer” shall mean the Treasurer of the Town of Bluefield.

Sec. 6-93. Tax imposed; cat licenses to be issued.

A resident of the Town of Bluefield, who is also an owner of a cat four (4) months old or older, shall annually apply to the Treasurer to obtain a cat license if such resident’s cat is located within the corporate limits of the Town of Bluefield.

Upon satisfactory proof of vaccination against rabies in accordance with section 3.2-6526 of the Code of Virginia (1950) as amended and payment of a tax in the amount of two dollars and 00/100 (\$2.00), the Treasurer shall issue a cat license to an owner of a cat. Each cat license issued by the Treasurer shall be specific to one (1) cat, valid for one (1) year, and be in the form of a written receipt and license tag containing the name of the issuing jurisdiction and a permanent unique identifier. The written receipt shall be kept safely by the owner of the cat subject to the cat license, and the license tag issued shall be securely fastened to a substantial collar, and worn by the cat subject to the cat license. The collection and disposition of the tax created pursuant to this section shall be in accordance with the requirements of section 3.2-6534 of the Code of Virginia (1950) as amended.

Sec. 6-94. Duplicate license tags may be issued by Treasurer.

In the event a license tag issued pursuant to section 6-93 of this article is lost, destroyed, or stolen, then the owner of the cat subject to the cat license issued and lost, destroyed, or stolen shall apply to the Treasurer for a duplicate license tag and present the original license receipt.

Upon affidavit of an owner before the Treasurer that an original license tag was lost, destroyed, or stolen, the Treasurer shall issue a duplicate license tag that shall be affixed to a substantial collar, and worn by the cat subject to the cat license originally issued. The Treasurer shall endorse the permanent unique identifier of the duplicate license tag and its issue date on the face of the original license receipt. The fee for a duplicate license tag shall be one dollar and 00/100 (\$1.00), and shall be collected by the Treasurer before the duplicate license tag is issued.

Sec. 6-95. Unlicensed cats within the Town of Bluefield unlawful; penalty.

It shall be unlawful for any resident of the Town of Bluefield, who is also an owner of a cat four (4) months old or older, to own a cat (4) months old or older within the corporate limits of the Town of Bluefield unless such cat is validly licensed with the Town of Bluefield.

A violation of this section shall constitute a Class 4 misdemeanor. Each violation thereof shall constitute a separate and distinct offense.

Sec. 6-96. False statements on an application for a cat license unlawful; penalty.

It shall be unlawful for any person to make a false statement, or in any way present false evidence or information, when applying to the Treasurer for a cat license.

A violation of this section shall constitute a Class 4 misdemeanor. Each violation thereof shall constitute a separate and distinct offense.

Sec. 6-97. Unlicensed cats running at large unlawful; penalty.

It shall be unlawful for an owner of a cat four (4) months old or older to permit such cat to run at large within the corporate limits of the Town of Bluefield when such cat is not validly licensed with the Town of Bluefield as provided in this article.

A violation of this section shall constitute a Class 4 misdemeanor. Each violation thereof shall constitute a separate and distinct offense.

Sec. 6-98. Prima facie evidence of unlicensed cat.

Any cat not wearing a collar bearing a valid license tag for the proper calendar year shall prima facie be deemed to be unlicensed and, in any proceeding under this article, the burden of proof of the fact that such cat is validly licensed shall be on the owner of such cat.

Sec. 6-99. Certain conditions created or caused by cats deemed a public nuisance.

Any cat that creates unsafe, unsanitary, or dangerous conditions within the corporate limits of the Town of Bluefield shall constitute a public nuisance.

Any cat that repeatedly damages or fouls the property of another, who is not the owner of such cat, within the corporate limits of the Town of Bluefield, shall constitute a public nuisance.

Any cat that repeatedly and continually caterwauls, howls, meows, or whines within the corporate limits of the Town of Bluefield, between the hours of 10:00 p.m. and 6:00 a.m. eastern standard time, when such caterwauling, howling, meowing, or whining is plainly audible and disturbing to another, who is not the owner of such cat, shall constitute a public nuisance.

An owner of a cat who intentionally or recklessly permits the existence of a public nuisance as described in this section shall be guilty of a Class 4 misdemeanor. Each violation thereof shall constitute a separate and distinct offense.

Sec. 6-100. Enforcement.

It shall be the duty of the Police Department of the Town of Bluefield to enforce this article.

Sec. 6-101. Severability.

If any section, provision, or portion of this article is held to be invalid by a court of competent jurisdiction, then that decision shall in no way affect the remaining sections, provisions, or portions of this article. The invalid section, provision, or portion thereof shall be severable.

Secs. 6-102—6-132. Reserved.

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that the Council of the Town of Bluefield, Virginia adopts this ordinance on this _____ day of _____, 2017.

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that this ordinance shall be effective on the _____ day of _____, 2017.

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that the Council of the Town of Bluefield, Virginia authorizes Donald R. Harris, the Mayor of the Town of Bluefield, Virginia, to execute this ordinance on behalf of said Council.

IT IS SO ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA on this _____ day of _____, 2017.

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PUBLIC HEARING: _____
 FIRST READING: _____
 SECOND READING: _____
 ADOPTION DATE: _____
 EFFECTIVE DATE: _____
 FINAL RECORDED VOTE: _____
 MEMBERS PRESENT: _____
 MEMBERS ABSENT: _____
 RESULT OF VOTE: _____

 AYES NAYES ABSTENTIONS

COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA

BY: _____
 DONALD R. HARRIS, MAYOR DATE
 TOWN OF BLUEFIELD, A VIRGINIA MUNICIPAL CORPORATION

ATTEST:

 LESLEY CATRON, TOWN CLERK DATE
 TOWN OF BLUEFIELD, A VIRGINIA MUNICIPAL CORPORATION