

**Town of Bluefield
Town Council
Minutes
August 14, 2018**

The Bluefield, Virginia Town Council held a regularly scheduled Town Council Meeting on Tuesday, August 14, 2018 at 7:30 p.m. in the Council Chambers of the Town Hall located at 112 Huffard Drive, Bluefield, Virginia.

PRESENT

Don Harris, Mayor
Jimmy Jones, Councilmember
Ron Holt, Councilmember
Chuck Presley, Councilmember
Anglis Trigg Jr., Councilmember
Lee Riffe, Vice-Mayor

ALSO PRESENT

Mike Watson, Town Manager
Billie Roberts, Comm. Dev. Coordinator
Shane Gunter, Police Chief
Matt Freedman, Town Attorney
Lesley Clemons, Town Clerk
28 Members of Public
1 Member of Media

CALL TO ORDER

Mayor Harris called the meeting to order at 7:30 p.m.

INVOCATION AND PLEDGE

Steve Branch, Destiny Outreach Ministries led the Invocation. Mayor Harris led the Pledge of Allegiance.

APPROVAL OF AGENDA

Councilmember Jones made a motion to approve the agenda. Councilmember Presley seconded the motion. The motion passed unanimously by voice vote.

CONSENT AGENDA

Councilmember Presley made a motion to approve the consent agenda. Councilmember Holt seconded the motion. The motion passed unanimously by voice vote.

CITIZEN REQUESTS & SPECIAL PRESENTATIONS

Special Presentation: Pat Green Recognition – Mayor Don Harris

Mayor Harris asked Pat Green to come forward. He stated that Mrs. Green was a dedicated employee of Tazewell County for many years and had recently retired and was enjoying retirement. He presented her with a framed plaque signed by the councilmembers and wished her the best of luck and a happy retirement.

Special Presentation: BVLL Girls Softball Team

Mayor Harris asked the BVLL Girls Softball Team to come forward.

Dave Brown thanked council for their financial and non-financial support of the Little League. He stated that the girls had a gift to present to council and stated that the schools picked up pretty much every sport except for baseball and softball. He stated that the Little League picked up in between middle school and high school and this team was one game away from going to the World Series. He congratulated them.

Mayor Harris stated that they had a Resolution they would like to read and present to the softball team.

Mrs. Clemons read the following resolution.



Town of Bluefield

Resolution

Bluefield, Virginia Senior League Softball Team

WHEREAS, the Bluefield, Virginia Senior Little League Softball Team and their coaching staff have proudly represented the Commonwealth of Virginia, Tazewell County, and the Town of Bluefield; and

WHEREAS, this Senior Little League Softball Team, consisting of eleven local young ladies between the ages of 13 to 16 have made their mark in history; and

WHEREAS, the accomplishments of these young ladies this season is remarkable, winning the State Title during the 2018 Virginia State Senior League Softball Championship; and

WHEREAS, their title win at the State Championship marked the first time in history that a little league program earned a state title in Bluefield, Virginia; and

WHEREAS, the Bluefield, Virginia Senior Little League Softball Team had an impressive season, with a 4-0 record in state competition, and a 3-2 record in the Southeast Regionals, only one game short of the Senior League World Series

NOW THEREFORE BE IT RESOLVED, THAT THE TOWN COUNCIL OF BLUEFIELD, VIRGINIA, hereby recognizes the hard-work, dedication, and achievements of the 2018 Bluefield, Virginia Senior Little League Softball Team. Congratulations on a successful season!

Adopted the 8th day of August 2018.

Donald R. Harris, Mayor

Lesley L. Catron, Town Clerk

COMMITTEE REPORTS

Autumn Jamboree Committee Update – James Hampton

Mr. Hampton stated that the Autumn Jamboree would be on Saturday, September 1st with opening ceremonies beginning at 1 p.m. He went over the following schedule:

1-3 p.m.	Ruff Kutt performing on the Visitor Center porch
3 p.m.	Art & Essay Contest Winners announced at the Gazebo.
He stated that the theme for the art contest was “My favorite place in Bluefield, VA” and the theme for the essay contest was “Things I’d like to see come to my hometown”	
3:30 -6:30 p.m.	Beach Nite Band performing on the Visitor Center porch
7-10 p.m.	Cody Wickline performing on the Main Stage located on Walnut Street.
10 p.m.	Fireworks

He stated that also beginning at 1 p.m. would be the following:

- Kids Duck Races sponsored by the Kiwanis
- Apple Butter Demo sponsored by FUMC
- Hay Rides sponsored by the Town
- Food and Craft Vendors
- Kids Inflatables
- Rock Climbing Wall, Hungry Hippo Chowdown and the Extreme Air
- Fire Department Demos
- Wood and Rope Tower Building
- Bingo at 1:30

And much more....

UNFINISHED BUSINESS & REPORTS

None

NEW BUSINESS & REPORTS

Resolution: Smart Scale Applications, VOTE – Billie Roberts

Mrs. Roberts stated that this was an application for 3 different projects. She stated that it was 100% funding from VDOT and would not require money from our side. She stated that the projects were the College Avenue Traffic Signal Synchronization-\$859k, Huffard Drive to improve a two way left turn lane going up past Graham Middle School-\$6 million and State Rte. 746 ext. to College Avenue on the other side of Food City which would be an entirely new construction-\$4.9 million project.

Mr. Holt made a motion to approve the Resolution: Smart Scale Applications. Mr. Presley seconded the motion. The motion passed unanimously by voice vote.



Town of Bluefield

Resolution

**Endorsing the Submission of Smartscale Applications
Requesting Transportation Funding**

WHEREAS, the Town of Bluefield is submitting three Smartscale Applications to the Virginia Department of Transportation; and

WHEREAS, these include (1) Route 746 / College Avenue, (2) Huffard Drive (TWLTL), and (3) College Avenue Traffic Signal Synchronization; and

WHEREAS, these projects help address VTRANS needs as it relates to congestion, reliability, and safety; and

WHEREAS, these projects address the VTRANS needs in the area of support of the Heartland Corridor Segment E1; and

WHEREAS, during the 2014 session, the Virginia General Assembly enacted legislation in the form of House Bill 21 (Smartscale) which established new criteria for the allocation of transportation funding for projects within the state; and

WHEREAS, many of the aforesaid transportation projects identified by the Town of Bluefield meet the eligibility criteria for funding under Smartscale; and

WHEREAS, it is in the best interest of the Town of Bluefield to submit Smartscale applications requesting state funding for eligible transportation projects

NOW THEREFORE BE IT RESOLVED, THAT THE TOWN COUNCIL OF BLUEFIELD, VIRGINIA, that the Town of Bluefield fully endorses the submission of Smartscale applications requesting funding for the following transportation projects in no priority order:

- Route 746 - College Avenue
- Huffard Drive (FWLTL)
- College Avenue Traffic Signal Synchronization

ADOPTED this _____ day of _____, 2018.

ATTESTED:

Donald R. Harris, Mayor

Date

Lesley L. Catron

Date

CITIZENS COMMENTS

Frank Pochick, 303 Lynn Street complimented the Mayor and Council for endorsing the sports complex. He stated that he had heard of 2 members who opposed it and asked if that was correct.

Mayor Harris stated yes.

Mr. Pochick asked Mr. Presley and Mr. Riffe why.

Mr. Presley stated that he could not approve anything without having all of the ducks in a row.

Mr. Riffe stated that it was about the funding and not knowing who was going to play where.

Mr. Pochick stated that he assumed the people who gave the money to play at Mitchell Stadium this year came from Bluefield, WV. He asked where the money would come from next year.

Mr. Riffe stated that he could not see going forward until everything was in line. He stated that when they started this they had a so called agreement but he was still leery after what happened with the school and the new basketball gyms.

Mr. Pochick stated that they were going to lose students and athletes in the next 5 years if something was not done.

Mr. Riffe stated that they needed to rezone the area and take in more areas such as Springville, Deerfield, Falls Mills, etc. and as a Town they could not support a school but could help and could not just build a field for GHS that it would be for the community. He stated that they put money in those gyms for the community and could only use at certain times.

Mr. Pochick stated that if he was saying we did not have the money then there needed to be a Plan B.

Mr. Presley stated that they were working on a Plan B.

Mr. Pochick stated that he was looking at the facilities in Richlands and Tazewell and did not know why we could not do something like that for Graham.

Mr. Presley asked at the high school.

Mr. Pochick stated yes.

Mr. Presley agreed and said there was a lot that went on there and playing at the high school would be great if they would give us the land.

Mr. Pochick stated that it was a problem and we would lose students.

Kevin Daye, Eddie French, Reps for the Sedgewood Phase 1 Homeowners Association.

Mr. Daye stated that Mr. French was the Treasurer. He stated that their water rates had went up significantly over the past 4-5 months and if you looked at the calculated usage from March – July it showed the average 118 gallons per month. He stated that they were losing water from somewhere but did not know where. He stated that bills were up to \$400-\$500 per month and the kicker was the sewer. He stated with an increase of over \$12k for the year for water and sewer that they would like some help.

Mayor Harris asked if he talked to anyone.

Mr. French stated that they had talked to Mr. Watson.

Mr. Watson stated that there was a leak on the Town's side that had been checked and the meter changed out.

Mr. Daye stated that they had 36 units with 32 occupied.

Mr. Watson stated that they had a master meter.

Mr. Holt asked if the bill went up for usage.

Mr. Watson stated that it jumped \$400-\$500 from January to February.

Mr. Holt asked what it would cost for the Town to put in a new meter.

Mr. Daye stated that they would need 2 meters.

Mr. Watson asked if they checked both meters for a leak.

Mr. Hampton stated that he did not know.

Mr. Watson stated that he believed only one meter was checked.

Mayor Harris asked staff to look into it.

Mr. Watson stated that they would check it tomorrow.

Mr. French stated that the Sedgewood HOA had been paying for 2 lights that belonged to the Town for who knows how long.

Mr. Watson stated that they had been contacted and asked to switch them to the Town's account.

TOWN MANAGER'S REPORT

Waiver Request for CPRHA, VOTE

Mr. Watson stated that he received a request from the Cumberland Plateau Regional Housing Authority requesting that the Town waive the Authority's payment in lieu of taxes in the amount of \$894 for Graham Manor Apartments.

Mr. Trigg made a motion to approve the Waiver Request for CPRHA. Mr. Jones seconded the motion. The motion passed unanimously by voice vote.

Miscellaneous Billing

Mr. Watson stated that staff had tried over the years to update the billing software and recently purchased a miscellaneous billing software for services provided by the Town such as extra trash pickups, brush pickups, nuisance violations, permits, etc. He stated that in order to accurately and fairly manage these types of miscellaneous billings and ensure non-delayed payment for services provided that a penalty of 5% after 90 days and 10% annually would be in effect for late payments received for these types of miscellaneous billings.

Tailgating

Mr. Watson stated that last year the City allowed tailgating without alcohol and this year they were not allowing tailgating at all. He stated that this year they were doing it the right way and getting an ABC License and it was being held in the City Park. He stated that we would not be sending staff, security, etc. and the Town Attorney was looking into different ways to enforce it. He stated that an Event Permit would allow us to know what the event responsibilities were.

Mr. Holt stated that what he understood them trying to do was to provide an alternative. He stated that as a common courtesy they should have come by and told the Town. He stated that they had a lot of people who had reached out to them worried about their families coming and would like for the Town to send a few officers down there to protect and properly police.

Chief Gunter stated that they would have people there but they were very busy that day.

Mr. Holt stated that the ABC said they would be happy to staff it. He asked Chief Gunter if anyone that may be off would be willing to work overtime.

Mr. Freedman stated that he and Mr. Watson had discussed regulating it without council being involved. He stated that the localities would regulated who could be involved and where. He stated that it put council in a precarious position for approving an event but he was brainstorming trying to find ways to regulate events with 25 or more people.

Mr. Holt stated that he would feel good having Mr. Watson approve it.

Mr. Jones stated that they were charging \$5 and the money went to the Bluefield Preservation Society and would be open from 10 a.m. to 8 p.m. He stated that it would cost \$5 beer and that Bluefield, VA received nothing from this and the money would go towards the Granada Theater.

Mr. Freedman stated that they did not have much power regarding money but could do licensing or permitting on the beverages but could not do anything if the state had already okayed it.

Mr. Jones stated that the trolley would take them to the game.

Mr. Trigg stated that they had the park and should not get that much involved.

Mr. Riffe stated that he liked our idea about putting up a big screen and watching the game and having food, etc. He stated that this had been blown out of proportion and congratulations was all that he could say.

Mayor Harris stated that he approached the Mayor of Bluefield, WV years ago when this first started and offered Public Works employees for the game and asked to have a non-alcoholic area between the football stadium and the baseball field. He stated that he never heard back from the City Manager. He stated that he would bring it up for discussion with the Legislative Committee in Richmond.

Mr. Presley stated that people used this game for reunions and they needed to do something for those people.

Mr. Watson stated that they would ask our officers if they wanted to work for the overtime and also check with the City.

Mr. Holt stated that he worried about our folks.

Mr. Trigg stated that what they were doing now was better than what they had done in the past.

Pride of the Bluefield's Night

Mr. Watson stated that Pride of the Bluefield's Night at the Ballpark would be on Saturday, August 18th with the game starting at 7 p.m. He stated that employees and their family members would get in for free and also receive \$5 each for concessions.

5k of the Two Virginias

Mr. Watson stated that the 5k of the Two Virginias would be held on Saturday, August 25th at 9 a.m. He stated that employees and their family members would be free of charge.

Autumn Jamboree

Mr. Watson stated that the Autumn Jamboree would be held on Saturday, September 1st in downtown Bluefield, VA beginning at 1 p.m.

VML Conference

Mr. Watson stated that the VML Conference would be September 30th – October 2nd in Hampton, VA.

COUNCIL COMMENTS

Mr. Trigg had none.

Mr. Presley stated that they had covered a lot and gave a shout out to the Police Department. He stated that he hoped the G-Men beat the Beavers.

Mr. Holt stated that initially everyone was for the project and that it would help them to grow the sports programs. He stated that the School Board had to donate the property and that the Town Manager had worked it out but the board had a disagreement. He stated that it would be hard to find property to build it.

Mr. Jones stated that they needed to have a meeting with the Town and the School Board. He stated that the tennis courts at the Rec Park needed to be cleared.

Mr. Riffe stated that the Town looked nice. He stated that Graham was all about football but they had basketball, tennis, etc. as well. He stated that they needed to fight the County and bring in Springville, Falls Mills, Pocahontas, etc.

Mayor Harris reminded council that they appointed Mr. Holt, Mr. Watson and himself to a committee to meet with the City on these events and issues and would be meeting with them on Friday morning.

Mayor Harris stated that he had something exciting to announce and that several months ago a resident came into the store and told him that he would like to donate up to \$100k for a clock to be put in at Maple Hill Cemetery. He stated that the resident had left but came back to the Town he loved and he had spoken with him a little bit ago and that he, Mr. Watson and Mr. Freedman had went over it with him and he had some request. He stated that Mr. Watson assured him of his requests. Mayor Harris stated in the near future they would be the recipient of up to \$100k tower clock to be located at the Maple Hill Cemetery. He stated that the sight had already been selected.

ATTORNEY REPORT

Mobile Food Truck Ordinance, VOTE 2nd Reading, VOTE to Adopt

Mr. Freedman stated that this would be the 2nd Reading for the Mobile Food Truck Ordinance and would be read by title only. He asked for a motion to approve the 2nd Reading by title only.

AN ORDINANCE TO CREATE, BY CREATING DIVISION 13 (MOBILE FOOD ESTABLISHMENTS) OF ARTICLE VII (SUPPLEMENTARY DISTRICT REGULATIONS) OF CHAPTER 74 (ZONING) OF THE CODE OF ORDINANCES, TOWN OF BLUEFIELD, VIRGINIA

Mr. Holt made a motion to approve the 2nd Reading of the Mobile Food Truck Ordinance by title only. Mr. Presley seconded the motion. The motion passed unanimously by voice vote.

Mr. Freedman asked for a motion to adopt the Mobile Food Truck Ordinance.

Mr. Holt made a motion to adopt the Mobile Food Truck Ordinance. Mr. Presley seconded the motion. The motion passed unanimously by voice vote.

High Street/Highland Avenue, VOTE (Motion to Accept Deed & Authorize Mayor to Execute Deed)

Mr. Freedman asked for a motion to accept the High Street/Highland Avenue Deed in Council's Packet and to authorize the mayor to execute the deed.

RESOLUTION INDEX NUMBER _____

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 14TH DAY OF AUGUST, 2018.

A RESOLUTION RECOMMENDING THE APPOINTMENT/REAPPOINTMENT OF MEMBERS TO THE BOARD OF ZONING APPEALS OF THE TOWN OF BLUEFIELD, VIRGINIA

WHEREAS, the terms of the members of the Board of Zoning Appeals of the Town of Bluefield, Virginia expired on June 30, 2018, and appointments/reappointments must now be made; and

WHEREAS, under section 74-182 of the Code of Ordinances, Town of Bluefield, Virginia, members of the said board shall serve "terms of five years except the original appointments shall be made for such terms that the term of one member shall expire each year"; and

WHEREAS, corrections must be made to the new terms of the members of the said board in order to comply with the intent of the above stated authority;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA, that the Council of the Town of Bluefield, Virginia recommends the Circuit Court of Tazewell County, Virginia appoint/reappoint (as applicable) the below shown and bolded individuals to the Board of Zoning Appeals of the Town of Bluefield, Virginia for the corresponding below shown and bolded terms:

DANIEL WAYNE CLEMONS	(MEMBER)	JULY 1, 2018 --- JUNE 30, 2019
MICHAEL BURGESS JACOBS, JR.	(MEMBER)	JULY 1, 2018 --- JUNE 30, 2020
CHARLES LEE SIMPSON	(MEMBER)	JULY 1, 2018 --- JUNE 30, 2021
HARRY SAMUEL KAMMER	(MEMBER)	JULY 1, 2018 --- JUNE 30, 2022
DERRICK S. RUBLE	(MEMBER)	JULY 1, 2018 --- JUNE 30, 2023
JERRY HARLESS HICKMAN	(ALTERNATE MEMBER)	JULY 1, 2018 --- JUNE 30, 2023

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that this resolution is hereby adopted on August 14, 2018

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that this resolution applies retroactively, and is effective as of July 1, 2018.

EXECUTIVE SESSION

Councilmember Presley made a motion to enter into Executive Session pursuant to *Code of Virginia Section 2.2-3711-4-1 3* and Mrs. Clemons read:

Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

Councilmember Holt seconded the motion. The motion passed unanimously by voice vote.

Council entered into Executive Session at 8:57 p.m.

Councilmember Presley made a motion to enter out of Executive Session. Councilmember Jones seconded the motion. The motion passed unanimously by voice vote.

Councilmember Holt made a motion to adopt the following resolution certifying the Executive Session and Mrs. Clemons read:

WHEREAS, the Town Council of Bluefield, Virginia has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with provisions of the Virginia Freedom of Information Act; and WHEREAS, Section 2.2-3712-D of The Code of Virginia requires a certification by the Town Council of Bluefield, Virginia that such session was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of Bluefield, Virginia hereby certifies that, to the best of each members knowledge, (I) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the Town Council.

Adopted this 24th day of July.

Councilmember Trigg seconded the motion.

ROLL CALL VOTE

Councilmember Trigg:	Yes
Councilmember Presley:	Yes
Councilmember Holt:	Yes
Mayor Harris:	Yes
Councilmember Jones:	Yes
Vice-Mayor Riffe:	Yes

The motion passed unanimously by Roll Call Vote.

ADJOURN

Mr. Jones made a motion to adjourn the meeting at 9:50 p.m. Mr. Presley seconded the motion. The motion passed unanimously by voice vote.

Don Harris, Mayor

Lesley Catron, Town Clerk