

**Town of Bluefield
Town Council
Minutes
May 28, 2019**

The Bluefield, Virginia Town Council held a regularly scheduled Town Council Meeting on Tuesday, May 28, 2019 at 7:30 p.m. in the Council Chambers of the Town Hall located at 112 Huffard Drive, Bluefield, Virginia.

PRESENT

Don Harris, Mayor
Anglis Trigg Jr., Vice-Mayor
Chuck Presley, Councilmember
Jarrod Bailey, Councilmember
Ron Holt, Councilmember

ALSO PRESENT

Mike Watson, Town Manager
Lesley Catron, Town Clerk
Matt Freedman, Town Attorney
2 Members of Police Dept.
4 Members of Public

ABSENT

Jimmy Jones, Councilmember
Billie Roberts, Comm. Dev. Coordinator
Shane Gunter, Police Chief

CALL TO ORDER

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

INVOCATION AND PLEDGE

Jim Drake, Parkview Baptist Church invited everyone to the 3rd Annual Hometown Hero luncheon on Sunday. He led the Invocation. Mayor Harris led the Pledge of Allegiance.

APPROVAL OF AGENDA

Mayor Harris removed Tazewell County Board of Supervisors Update - Charlie Stacy from Citizen Requests & Special Presentation. He added an Executive Session for Personnel and Property and moved the Attorney's Report to after the Executive Session and moved the vote to schedule a Public Hearing on the FY 19/20 Budget from Town Managers Report to Attorney's Report.

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

PURPOSE: Police Department – School Resource Officer Grant Payment

Revenue

Line Item		Original Budget	Amended Budget	Change
0400-0413	Misc. Law	<u>\$73,372.82</u>	<u>\$82,454.57</u>	<u>\$9,081.75</u>
	Enforcement	<u>\$73,372.82</u>	<u>\$82,454.57</u>	<u>\$9,081.75</u>

Expenditure

Line Item		Original Budget	Amended Budget	Change
3110-1100	Salaries	<u>\$832,163.50</u>	<u>\$841,245.25</u>	<u>\$9,081.75</u>
	Regular	<u>\$832,163.50</u>	<u>\$841,245.25</u>	<u>\$9,081.75</u>

Mr. Trigg made a motion to approve the Budget Amendments. Mr. Presley seconded the motion.

ROLL CALL VOTE

Vice-Mayor Trigg:	Yes
Councilmember Presley:	Yes
Councilmember Bailey:	Yes
Mayor Harris:	Yes
Councilmember Jones:	Absent
Councilmember Holt:	Yes

The motion passed unanimously by Roll Call Vote.

CITIZENS COMMENTS

David Wohlford stated that the parks still needed drainage and work. He stated that what he had witnessed at the last council meeting and on several different occasions concerned him very much was they had a friend who had issues and a vote was taken on the sign ordinance and after the vote was cast, the Mayor instructed “said individual” to change his vote. He stated that once a vote was cast that it was voted and that was all he would say on that because it was up to council to resolve. He stated that the next thing was also concerning the sign issue and he had done some research and Federal Law determined political and religious signs on your property down to the end of your property line and unless it was obstructing visual then it could be done under the First Amendment. He stated that the Supreme Court had already decided this issue and regarding code signs of subdivisions that it was basically a contract and under Federal and State Law, you could not contract for an illegal action.

Mr. Watson asked which park he was referring too.

Mr. Wohlford stated all of them had water puddles everywhere.

Mr. Watson stated that he had not noticed it.

Mr. Wohlford stated that he could take them and show them what he was talking about.

Mr. Watson stated that he had not seen any water pooled at Graham Rec Park.

Mr. Wohlford stated that he saw puddles at the slides at the Pinehill Park playground and that it needed some eyeballing.

Mr. Watson stated that he would go through and check them all.

TOWN MANAGER'S REPORT

Bluefield Iron & Metal Update

Mr. Watson stated that we should have a report in the next 30-60 days to determine the next step of this project.

Water Capital Improvement Project Update

Mr. Watson stated that we were almost at the point to where we could buy materials and that we should be close to being able to bid it out. He stated that he hoped to see movement on this project soon.

Graham Rec Park Playground Update

Mr. Watson stated that a commercial playground had been put in along with rubber mulch and drain lines underneath. He invited everyone to go out and look at it.

GHS Tennis Team Donation, POSSIBLE VOTE

Mr. Watson stated that they had talked about donations over the years and the GHS Tennis Team had requested a \$500 donation.

Mr. Holt made a motion to approve the \$500 GHS Tennis Team Donation. Mr. Presley seconded the motion. The motion passed unanimously by voice vote.

Mountain Festival

Mr. Watson stated that the Mountain Festival would be May 28th – June 2nd. He stated that the Town put up a tent and helped with odds and ends and had been doing so for the past 12 years. He stated that this brought a lot of people to our area and it had been made into more than just a carnival.

Red Cross Blood Drive

Mr. Watson stated that the Red Cross Blood Drive would be held on June 5th in the Council Chambers from 2-6 p.m.

Community Clean-up & Cookout

Mr. Watson reminded everyone of the Community Clean-up Day and Cookout on Saturday, June 8th at 8 a.m. at Pinehill Park with a cookout afterwards.

COUNCIL COMMENTS

Mr. Holt thanked that Town for partnering with the Little League. He stated that the State Tournament was coming up and they would have a couple of big events happening this summer that would bring in 1000's of people.

Mr. Bailey had none.

Mr. Presley gave a shout out to staff and stated that he had been asked by the folks on Depot Street for a soccer goal.

Mr. Trigg had none.

Mayor Harris had none.

MOTION FOR CLOSED MEETING

It is hereby moved that the Council of the Town of Bluefield, Virginia enter into a closed meeting pursuant to Section 2.2-3711 (A) (1) and (3) of the Code of Virginia (1950) as amended, The specific purpose for this motion is to discuss the following matter(s):

Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; and evaluation of performance of departments or schools of public institutions of higher education.

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, with such closed meeting being confined to the following subject: The discussion of the possible acquisition of property for public purpose and use.

Councilmember Presley made a motion to enter into Executive Session as described above. Councilmember Bailey seconded the motion. The motion passed unanimously by voice vote.

CERTIFICATION OF EXECUTIVE SESSION

WHEREAS, the Town Council of Bluefield, Virginia convened a closed meeting on May 28, 2019, pursuant to a duly adopted motion, attached hereto, and such closed meeting was convened in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, the Town Council of Bluefield, Virginia returned to its open meeting held on May 28, 2019.

NOW, THEREFORE, THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA HEREBY CERTIFIES that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were discussed in the closed meeting held on May 28, 2019, to which this certification applies and (ii) only such public business matters as were identified in the motion convening such closed meeting were heard, discussed, or considered by the Council of the Town of Bluefield, Virginia in such closed meeting.

ROLL CALL VOTE

Vice-Mayor Trigg:	Yes
Councilmember Presley:	Yes
Councilmember Bailey:	Yes
Mayor Harris:	Yes
Councilmember Jones:	Absent
Councilmember Holt:	Yes

ATTORNEY REPORT

Ordinance Adopting Deed of Lease with Sunset Fiber, VOTE 2nd Reading (By Title Only) ROLL CALL VOTE – (To Adopt)

Mr. Freedman stated that this would be the 2nd Reading by Title Only of the Ordinance Adopting the Deed of Lease with Sunset Fiber. He stated if council was ok with the 2nd Reading by Title Only, then he would need a motion and a vote to approve.

Mr. Holt made a motion to approve the 2nd Reading by Title Only of the Ordinance Adopting Deed of Lease with Sunset Fiber. Mr. Bailey seconded the motion.

ROLL CALL VOTE

Vice-Mayor Trigg:	Yes
Councilmember Presley:	Yes
Councilmember Bailey:	Yes
Mayor Harris:	Yes
Councilmember Jones:	Absent
Councilmember Holt:	Yes

The motion passed unanimously by Roll Call Vote.

AN ORDINANCE ADOPTING A DEED OF LEASE BETWEEN THE TOWN OF BLUEFIELD AND SUNSET FIBER, LLC TO PERMIT SUCH LESSEE THE ABILITY TO MAINTAIN A POINT OF PRESENCE IN BLUEFIELD, VIRGINIA AND TO PERMIT SUCH LESSEE THE ABILITY TO PROVIDE BROADBAND SERVICES TO THE TOWN OF BLUEFIELD.

Mr. Freedman stated if they were good with the ordinance and lease that was attached to it then he would need a motion to adopt the ordinance and Roll Call Vote to adopt it.

Mr. Holt made a motion to adopt the Ordinance Adopting Deed of Lease with Sunset Fiber. Mr. Presley seconded the motion.

ROLL CALL VOTE

Vice-Mayor Trigg:	Yes
Councilmember Presley:	Yes
Councilmember Bailey:	Yes
Mayor Harris:	Yes
Councilmember Jones:	Absent
Councilmember Holt:	Yes

The motion passed unanimously by Roll Call Vote.

Resolution to Acquire and Accept Fincastle on the Mountain, ROLL CALL VOTE (To Adopt) (attached at end of minutes)

Mr. Freedman stated next was a Resolution entitled: A RESOLUTION AUTHORIZING THE TOWN OF BLUEFIELD TO ACQUIRE AND ACCEPT THAT CERTAIN REAL ESTATE COMMONLY KNOWN AS FINCASTLE ON THE MOUNTAIN. He stated that the Resolution authorized the Town Manager to execute and accept any deed that conveyed that Real Estate to the Town including any improvements and appurtenances. He stated that if council was ok with the Resolution then he would need a motion and Roll Call Vote to adopt.

Mr. Bailey made a motion to approve the Resolution to Acquire and Accept Fincastle on the Mountain. Mr. Holt seconded the motion.

ROLL CALL VOTE

Vice-Mayor Trigg:	Yes
Councilmember Presley:	Yes
Councilmember Bailey:	Yes
Mayor Harris:	Yes
Councilmember Jones:	Absent
Councilmember Holt:	Yes

The motion passed unanimously by Roll Call Vote.

Schedule Public Hearing for FY 2019/2020 Budget, VOTE

Mr. Freedman asked for a motion, second and vote to schedule a Public Hearing for the FY 2019/2020 Budget.

Mr. Presley made a motion to schedule a Public Hearing for the FY 2019/2020 Budget. Mr. Holt seconded the motion. The motion passed unanimously by voice vote.

ADJOURN

Mr. Bailey made a motion to adjourn the meeting at 9:05 p.m. Mr. Presley seconded the motion. The motion passed unanimously by voice vote.

Don Harris, Mayor

Lesley Catron, Town Clerk