

**Town of Bluefield
Town Council
Minutes
September 24, 2019**

The Bluefield, Virginia Town Council held a regularly scheduled Town Council Meeting on Tuesday, September 24, 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
Ron Holt, Councilmember
Chuck Presley, Councilmember
Jarrod Bailey, Councilmember
Anglis Trigg Jr., Vice-Mayor

ALSO PRESENT

Mike Watson, Town Manager
Kim Hernandez, Town Clerk
Billie Roberts, Comm. Dev. Coordinator
Matt Freedman, Town Attorney
Shane Gunter, Police Chief
Rachel Looney, Administrative Asst.
6 Members of Public

ABSENT

Jimmy Jones, Councilmember

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

Mayor Harris added under New Business a vote to go to Public Hearing regarding the Companion Animal Ordinance and under Town Managers Report a vote for the Fincastle name and the logo.

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

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

CONSENT AGENDA

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

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

CITIZEN REQUESTS & SPECIAL PRESENTATIONS

None.

COMMITTEE REPORTS

Economic Development Update – Billie Roberts

STARS

Mrs. Roberts stated that the STARS (Strategically Targeted Affordable Roadway Solutions) program led by VDOT was a program or study to develop comprehensive, innovative transportation solutions to relieve congestion bottlenecks and solve critical traffic and safety challenges. She stated that it was important to us because it prepared a source of current data, developed solutions that could be programmed in the VDOT Six-Year Improvement Program which included the Smart Scale, State of Good Repair, Highway Safety Improvement Program and Revenue Sharing and improved the accuracy of cost estimates and schedules. She stated that the area of study was the US 460 and College Avenue Corridor and that there had been traffic counters in the field over the last several weeks from Leatherwood down to Route 720 along 460 and College Avenue. She stated that these would include video stations and tube counts and the next step would be study work group meetings with the Town, Bluefield College, VDOT and the Cumberland Planning Plateau District and Public Feedback Meetings to receive drivers and stakeholders input and providing information. She stated that the tentative date was October 23rd or 24th in the Council Chambers.

Smart Scale

Mrs. Roberts stated that she had spoken with the Bristol District regarding the Smart Scale application and it looked like it would be funded. She stated that it would improve the four existing signals on College Avenue starting at the fountain and going to the Shell Station. She stated that the estimated cost was \$859k and was 100% funded through VDOT. She stated that the scheduled start date was 2023 with an end date of 2025 but because of a surplus of funds, they were wanting it spent immediately and we may see it start in the next year or so. She stated that it would take about one year to complete.

Mr. Bailey asked if the crosswalks were included.

Mr. Watson stated no that he had contacted VDOT but they could not be added to that project.

Farmer's Market Bridge

Mrs. Roberts stated about a week ago that she and Mr. Watson had met with VDOT and FUMC concerning the replacement of the bridge near the Farmer's Market Shelter. She stated that it would start in 2022.

Mr. Watson stated that it was prefabbed and would require 2 new pillars and they would bring the bridge in with a crane, upgrade the sidewalks and railing leaving one lane open for walking traffic.

Mrs. Roberts stated that they were letting everyone know that the line of communication was there.

Mayor Harris asked how long.

Mr. Watson stated that it would probably take one year for the engineering and 6-8 months to do it. He stated that it would be completely funded through VDOT.

RALLY SWVA Grant

Mrs. Roberts stated that we were awarded the Rally SWVA Grant (Thompson Charitable Foundation) for \$3k. She stated that staff would be working with the DDC Stakeholders and Community to come up with a project and that we would be offered support through the UVA Wise Economic Development team. She stated that meetings would start in mid-October.

Census Group

Mrs. Roberts stated that we would be forming a Census Group which was important to use for Economic Development. She stated that it would be a “Complete Count Group” and the meetings would start in October.

Bluefield College Transportation Plan

Mrs. Roberts stated that staff was working with Bluefield College to implement a Student Transportation Plan.

Dominos Grand Opening/Ribbon Cutting

Mrs. Roberts reminded council of the grand opening/ribbon cutting for Dominos tomorrow at 11:30 a.m.

UNFINISHED BUSINESS & REPORTS

None.

NEW BUSINESS & REPORTS

Charter Changes – Public Hearing, Oct. 8th, Motion and ROLL CALL VOTE – Kim Hernandez

Mrs. Hernandez stated that the Charter Changes was talked about during the Work Session and if council was ok then we would need a motion and vote to go to Public Hearing on October 8th.

Mr. Presley made a motion to approve scheduling a Public Hearing on October 8th concerning the Charter Changes. 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.

Companion Animals – Public Hearing, Oct 22nd, Motion and ROLL CALL VOTE – Kim Hernandez

Mrs. Hernandez stated that the Companion Animals Ordinance was also discussed during the Work Session and that council had agreed to go to Public Hearing concerning this and we would need a motion and vote to go to Public Hearing on October 22nd.

Mr. Holt made a motion to approve scheduling a Public Hearing, October 22nd on the Companion Animals. 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.

Upcoming Events – Kim Hernandez

Mrs. Hernandez stated that the Annual Tree Lighting & Community Gathering would be held on Saturday, November 23rd. She stated that we would have the ice skating rink along with cookies and hot chocolate once again this year. She stated that the Christmas Parade was tentatively scheduled for Saturday, December 7th depending upon if the football team was in playoffs. She stated that the Employee Dinner would be held on Tuesday, December 17th and the Volunteer Dinner would be held on Thursday, December 19th at Fincastle.

CITIZENS COMMENTS

Dave Wohlford, Sedgewood stated that he came in late when the fire hydrants were being discussed during the Work Session and that he was a Master Plumber and if they did not use the valves that they would freeze up and break if not tested every 6 months. He stated that he had a friend get side swiped at the Hockman Pike Bridge near Mobile Estates and the other vehicle left and that he knew of more occasions concerning that bridge. He stated that some more of that bank needed to be cut back to help with this problem.

TOWN MANAGER'S REPORT

Councilmember Jones Update

Mr. Watson stated that the Mayor and Mr. Presley had visited Mr. Jones. He stated that he and either Mrs. Roberts or Mrs. Hernandez had been visiting with Mr.

Jones and he was in a good state and seemed to be in a good mood and encouraged the other council to go by and visit him.

Mr. Presley stated that last Wednesday he and the Mayor went by and spent about 30 minutes with Mr. Jones and had a heart to heart with him and asked if he would be willing to come back to the meetings. He stated that he said he would be happy to and that he would be picking him up and bringing him to the October 22nd meeting. He stated that he was doing well cognitively and he looked forward to seeing him at the meeting.

Mayor Harris stated that he still had paralysis on the left side but was mentally alert and anxious to come back. He stated that he and his daughter would be going to the Jimmy Jones tournament at Fincastle on Friday.

Mr. Presley stated that Mr. Jones had asked him to take him.

Mayor Harris emphasized for everyone to go by and talk to him and encourage him because he had been through a lot.

Water CIP Update

Mr. Watson stated that the bids came back over budget and we were waiting on a letter from VDH approving the same interest rate and terms. He stated that he was looking at ways to save money.

Street Sweeper

Mr. Watson stated that the street sweeper would hopefully be out this week or next starting in the Sedgewood area and that Public Works was really busy right now and had recently built two well houses and was currently working on the water project.

Sedgewood Pool

Mr. Watson stated that he and the Public Works Superintendent had gone by the Sedgewood Pool and picked up the glass personally. He stated that they picked up about ½ coke bottle over all. He stated that they were planting grass and had put hay down and was watering it to get the grass to start growing. He stated that he would like to put up barriers in the future and that he went by a 2nd time and picked up a little bit more glass.

Fire Hydrants

Mr. Watson stated that staff was looking into a system to test the hydrants and he would bring it back to council. He stated that his concerns would be with who did what and that he would like to develop a plan and update the way we did it.

Water Treatment Plant

Mr. Watson stated that he had done some research on how we treated the water and that it consisted of chemical addition, flocculation, sedimentation, filtration, disinfection and fluoridation. He stated that it was tested frequently and we maintained water quality that greatly exceeded the standards set by the VDH and EPA. He read the following: “As seen in our Annual Drinking Water Report that we post online, we produce water that is excellent in quality and is recognized by VDH. We’ve received awards from VDH yearly for excellence in clarified water quality, filtered water quality, and filter operations quality. We receive Gold Level Awards which means we produce water that is recognized as the best quality in the state. We have also received awards from the CDC for maintaining optimal fluoride levels. Lastly, we have received several Water System of the Year Awards from the Virginia Rural Water Association. In all we’ve received 27 awards since the year 2000”. He stated that he would email a copy of the letter to council

Signs

Mr. Watson apologized and stated that he could not find the sign that was blocking the intersection. He stated that it was not the intersection that he thought it was and he did not see any signs blocking any intersections at this time.

Tour du’ Parc

Mr. Watson stated that Tour du’ Parc had a good turnout today and that there were 146-6th grade students who participated and that staff set up stations.

Quilters Retreat

Mr. Watson stated that the Quilters would have their Quilt Retreat on September 27th – 29th in the Council Chambers. He stated that they would also be having a class to teach those who were interested.

VML Conference

Mr. Watson stated that the VML Conference this year would be held in Roanoke VA at the Hotel Roanoke on October 6th – 8th.

Sanders House Bean Dinner

Mr. Watson stated that the bean dinner was changed to October 22nd and invited everyone to attend.

Fincastle name and logo, VOTE

Mr. Watson stated that we would need a motion and vote to approve the name Fincastle and the logo that was presented in the Work Session.

Mr. Holt made a motion to approve the name Fincastle and the logo that was discussed during the Work Session. Mr. Presley seconded the motion. The motion passed unanimously by voice vote.

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

COUNCIL COMMENTS

Mr. Holt had none.

Mayor Harris had none.

Mr. Bailey had none.

Mr. Presley invited everyone to the Sanders House Twisted History, October 10th – 12th. He suggested the Mayor be on the Census group and asked that staff check into the sewer smell around Aramark. He gave a shout out to the Police, Fire, Town staff and trash guys.

Mr. Trigg had none.

ATTORNEY REPORT

Ordinance to amend Section 22-92 (Removal) of Article III (Inoperable Motor Vehicles) of Chapter 22 (Environment) – 2nd Reading (by title only), Motion to Adopt, ROLL CALL VOTE

Mr. Freedman stated that the title on the agenda read Ordinance to amend Section 22-92 (Removal) of Article II (Inoperable Motor Vehicles) of Chapter 22 (Environment). He stated that Ordinance had gone through the 1st Reading and was now up for its 2nd Reading. He stated that if council was good with it to be read by title only then he would need a motion, 2nd and vote to read by title only.

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

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

Mr. Freedman read it by title only: An ordinance to amend Section 22-92 (Removal) of Article III (Inoperable Motor Vehicles) of Chapter 22 (Environment) of the Code of Ordinances, Town of Bluefield, Virginia. He stated that now that the 2nd Reading had been done if council was ok with the Ordinance as presented then he would need a motion, 2nd and a Roll Call Vote to adopt that Ordinance

Mr. Holt made a motion to adopt the ordinance. 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.

Ordinance Authorizing the Town to dispose of and quitclaim all of its right, title and interest in 830 Greever Ave, 826 Greever Ave and 129 Depot St – 2nd Reading (by title only, Motion to Adopt, ROLL CALL VOTE

Mr. Freedman stated that the title on the agenda read Ordinance Authorizing the Town to dispose of and quitclaim all of its right, title and interest in 830 Greever Ave, 826 Greever Ave and 129 Depot St. He stated that this would be the 2nd Reading of the Ordinance and if council was good to proceed with the 2nd Reading by title only then we would need a motion, 2nd and vote to read by title only.

Mr. Bailey made a motion to approve the 2nd Reading by title only. 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.

Mr. Freedman read it by title only: An Ordinance Authorizing the Town to dispose of and quitclaim all of its right, title and interest in 830 Greever Ave, 826 Greever Ave and 129 Depot St. within the corporate limits of the Town of Bluefield. He stated with the 2nd Reading now complete and if council was good with the Ordinance as presented and ready to adopt then he would need a motion, 2nd and a Roll Call Vote to adopt it.

Mr. Holt made a motion to adopt the ordinance. 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.

Ordinance accepting and authorizing the execution of a certain memorandum of understanding & use agreement dated October 8, 2019, that is between the Commonwealth of Virginia and the Town of Bluefield – 1st Reading, Motion to Adopt, ROLL CALL VOTE (attached at end of minutes)

Mr. Freedman stated that the title on the agenda read Ordinance accepting and authorizing the execution of a certain memorandum of understanding & use agreement dated October 8, 2019, that is between the Commonwealth of Virginia and the Town of Bluefield. He stated that the Ordinance was before council for its 1st Reading and was entitled: An ordinance accepting and authorizing the execution of a certain memorandum of understanding & use agreement dated October 8, 2019, that is between the Commonwealth of Virginia and the Town of Bluefield. He stated that this was a “laxed” form of lease permitting an employee of the Commonwealth of Virginia Department of Corrections to use one of our offices and some parking spaces here at the Town Hall. He stated that we were happy to have her and she was a great resource to have for the victims in the area. He stated that if council was good with the form of this ordinance then he would need a motion, 2nd and a Roll Call Vote to do the 1st Reading in the back of the Chamber.

Mr. Holt made a motion to approve this 1st Reading of the Ordinance accepting and authorizing the execution of a certain memorandum of understanding & use agreement dated October 8, 2019, that is between the Commonwealth of Virginia and the Town of Bluefield. 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.

ADJOURN

Mr. Holt made a motion to adjourn the meeting at 8:06 p.m. Mr. Presley seconded the motion. The motion passed unanimously by voice vote.

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

Don Harris, Mayor

Kim Hernandez, Town Clerk

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 8TH DAY OF OCTOBER, 2019

AN ORDINANCE ACCEPTING AND AUTHORIZING THE EXECUTION OF A CERTAIN MEMORANDUM OF UNDERSTANDING & USE AGREEMENT DATED OCTOBER 8, 2019, THAT IS BETWEEN THE COMMONWEALTH OF VIRGINIA AND THE TOWN OF BLUEFIELD

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that the Memorandum of Understanding & Use Agreement dated October 8, 2019 between the Commonwealth of Virginia and the Town of Bluefield, attached to this ordinance, is hereby accepted and shall be executed on behalf of the Town of Bluefield, a Virginia Municipal Corporation, by its Town Manager

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that this ordinance is hereby adopted on this 8th day of October, 2019, and such ordinance shall be effective upon adoption

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 8th day of October, 2019

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PUBLIC HEARING NONE
 FIRST READING 09/24/2019
 SECOND READING 10/08/2019
 MOTION TO ADOPT MADE BY _____
 MOTION TO ADOPT SECONDED BY _____
 ADOPTION DATE 10/08/2019
 EFFECTIVE DATE 10/08/2019

Name of Councilman	Attendance (Present or Absent)	Vote (Aye, Nay, Abstain, or 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

_____ DATE _____
 KIM HERNANDEZ, TOWN CLERK
 TOWN OF BLUEFIELD, A VIRGINIA MUNICIPAL CORPORATION

MEMORANDUM OF UNDERSTANDING

&

USE AGREEMENT

THIS MEMORANDUM OF UNDERSTANDING & USE AGREEMENT, hereinafter referred to as "this Agreement", is made and entered into on the 8th day of October, 2019, by and between the TOWN OF BLUEFIELD, a Virginia Municipal Corporation, hereinafter referred to as "Town", and the COMMONWEALTH OF VIRGINIA, acting by and through the Virginia Department of Corrections, hereinafter referred to as "Commonwealth", who are the two (2) parties to this Agreement.

NOW, THEREFORE, WITNESSETH

That for and in consideration of the terms, conditions and provisions contained herein, and other good and valuable consideration, the sufficiency of which is hereby acknowledged, Town and Commonwealth agree to the following:

1. Town hereby allows and permits Commonwealth to use one (1) office space and one (1) parking space at its Town Hall, located at 112 Huffard Drive in Bluefield, Virginia, for purposes of allowing and permitting Deirdre J. Hasty-Martin, hereinafter referred to as "Hasty-Martin", an employee of the Virginia Department of Corrections, to have a more central location to work within the Southwest Virginia area. This location will allow Hasty-Martin to more easily assist, access, and advocate for victims of crimes in the Southwest Virginia area. No compensation shall be paid to Town by Commonwealth for the use of such Town premises.
2. The term of this Agreement shall be on a month to month basis, and in no event shall such term exceed a total period of two (2) years. This Agreement shall be deemed effective as of the date first above written, and is subject to renewal.
3. This Agreement may be terminated at any time by either Town or Commonwealth so long as thirty (30) days prior written notice is provided. Such written notice shall be provided by mail to: the Director of Victim Services with the Virginia Department of Corrections for purposes of notifying Commonwealth and the Town Manager of Town for purposes of notifying Town. The official business addresses of Commonwealth and Town shall be acceptable mailing addresses for purposes of providing such notice.

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4. If either party hereto receives a request pursuant to Code of Virginia §2.2-3700 et seq ("FOIA") and it is determined that the other party is the custodian of the record requested, the party receiving the request will notify the requestor of the identity of the custodian pursuant to §2.2-3704(B)(3) of FOIA.
5. Commonwealth shall provide and maintain all insurance policies relevant to the employment of Hasty-Martin during the entire term of this Agreement. Such policies shall include, but not be limited to, general liability insurance, unemployment insurance, and worker's compensation insurance.
6. The terms, conditions, and provisions of this Agreement shall be interpreted in accordance with federal and Virginia law. Furthermore, this Agreement may be amended by a subsequent writing executed by the parties hereto.

Town, by ordinance of the Council of the Town of Bluefield, Virginia, adopted on the 8th day of October, 2019, accepts this Agreement and authorizes its execution by its Town Manager on behalf of Town.

Commonwealth, by joining in this Agreement through signature of its authorized representative, accepts this Agreement.

(REMAINDER OF PAGE INTENTIONALLY LEFT BLANK)

IN WITNESS WHEREOF, the parties to this Agreement, or authorized agents on their behalf, have caused this Agreement to be executed in their name as of the day, month, and year first above written

TOWN OF BLUEFIELD
A VIRGINIA MUNICIPAL CORPORATION

BY _____
MICHAEL WATSON

ITS TOWN MANAGER

COMMONWEALTH OF VIRGINIA
COUNTY OF TAZEWELL, to wit

The foregoing instrument was acknowledged before me by Michael Watson, the Town Manager of the Town of Bluefield, a Virginia Municipal Corporation, on this _____ day of _____, 2019

NOTARY PUBLIC
MY COMMISSION EXPIRES _____
REGISTRATION NUMBER _____

ATTEST

KIM HERNANDEZ, TOWN CLERK

COMMONWEALTH OF VIRGINIA
COUNTY OF TAZEWELL, to wit

The foregoing instrument was acknowledged before me by Kim Hernandez, the Town Clerk of the Town of Bluefield, a Virginia Municipal Corporation, on this _____ day of _____, 2019

NOTARY PUBLIC
MY COMMISSION EXPIRES _____
REGISTRATION NUMBER _____

COMMONWEALTH OF VIRGINIA
VIRGINIA DEPARTMENT OF CORRECTIONS

BY _____

PRINTED NAME _____

TITLE _____

COMMONWEALTH OF VIRGINIA
COUNTY CITY OF _____, TO WIT

The foregoing instrument was acknowledged before me on this _____ day of _____, 2019, by _____ of the Virginia Department of Corrections, who has been authorized to execute the same

NOTARY PUBLIC
MY COMMISSION EXPIRES _____
REGISTRATION NUMBER _____

AFFIX NOTARY STAMP