A regular meeting of the Board of Directors of the City of Bluefield, Mercer County, West Virginia was held on Tuesday, September 24, 2019, at 6:00 pm in the Municipal Building Boardroom. Present were Mayor Ron Martin, Vice Mayor Barbara Thompson Smith, Director Robb Williams, Director Matt Knowles, Director Peter Taylor, City Attorney Colin Cline, City Treasurer Kelly Davis, Community and Economic Development Director Jim Spencer and City Clerk Bobbi Kersey. City Manager Dane Rideout 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 Ron Martin called the meeting to order.

Public Comments:

Ed Tomchin asked for a commitment from the Board to require all vendors to obtain a city business license. He reminded the Board that during the past holiday season, during certain events (Holiday of Lights, Lemonade Festival, Small Business Saturday, etc.), some vendors were allowed to participate without a license and did not pay B & O tax. He felt it was not fair to the citizens or businesses and was illegal. City Attorney Cline stated one way would be to have a one-day permit business license ($10.00) that would cover the cost of a city license and the B & O tax. Mr. Tomchin said some of the events were for two days. He suggested if the business did not operate as a brick and mortar a license, ($10.00) could be for one year and they pay B & O tax.

Harry Hanley stated he only came to City Hall when something concerned him. Several weeks ago there was a car accident where an “old white dude” ran into the back of a car on Bland Street. He said the man in the wreck was unconscious at first. Then the man looked for his hearing aid, gave the police his insurance, made a phone call and then got in another car and left.

He man said he was on his way to a funeral. The police did not take a breathalyzer, take him to the hospital or anything. Mr. Hanley stated if it had been a “black” man the police would have run the dogs up in the car, taken you to the hospital for a drug test and given a breathalyzer. What happen as a result is they painted the curb yellow saying there was not enough room for cars. A pole was also taken out. According to Mr. Hanley the same road distance is in front of Kammer Furniture and the Manor. He said he was told a truck could part in the middle lane to unload in front of his store. He stated he would not park in the middle of the road. Mr. Hanley said the next time he came he would come with written facts and if necessary the next time with his lawyer.

Samuel Harris asked if the position given to Bill Cole, as chairperson for the Bluefield Economic Development Authority, was a paid position. Mayor Martin stated this was not a paid position. Mr. Cole was elected by the BEDA members.

Javiline Buford stated she appeared before the Board last year asking why her street (West Ridge) had not been paved for thirty years, but she had to pay an $8.00 street fee. She said instead of cutting the grass on city owned property they are spraying poison and cutting down things that should not be cut. Ms. Buford said the street sweeper had never been on her street. She said he city owns the house beside her and it needs to be taken care of like she takes care of her property. Mayor Martin said the city does not have the resources to take care of all of the properties. Mayor Martin said the Board is working very hard to address issues in the city. Road paving is done in quadrants and the city is paving more roads than in the past. A street fee helps with repairs and paving of all streets in the city. Citizens use roads other than those just located in front of their house. He said he understood what she was saying and they were doing their best. Mayor Martin read off the list of roads set to be paved. City Engineer Kerry said he would get the street sweeper
to her house. Police Chief Dennis Dillow pointed out that some of the chemical spraying was done by AEP to keep the power lines free of foliage.

Art Riley said he attended the Street Paving Bid opening last week. City Treasurer Kelly Davis noted that the city had a budget of $300,000 and some of that money had been spent. Mr. Riley said the paving bid for AAA paving was $265,037.00 so there would be money left over. City Treasurer Davis said $61,808.00 had been spent leaving $238,000. If the bid was to come out to $265,000, the city would have to allocate more money. Mr. Riley said the city was to spend 80% of the budget on paving the streets, not anything else. City Treasurer Davis stated that not all streets fees are collected and the amount does not account for the labor. The city spends more than the required 80% on street paving. Mr. Riley said he understood the EDA is a new entity and would handle city owned properties. Mayor Martin said properties go into the land bank and not the EDA. City Attorney Cline said the EDA had nothing to do with the land bank. Mr. Riley asked how many buildings the EDA owned. City Attorney Cline said the EDA does not own any buildings. Some buildings are owned by the city. If approved on the agenda today the Elks Building will be transferred to the EDA, then the EDA would own one building.

Sheila Brooks stated she lived on Hancock Street at the old Alpha House on the north side. She said with the closure of the Grant Street Bridge the city had completely closed off our black history. When traveling (on the Martin Luther King, Jr. Bridge) west, she has to pull out into the middle of the road to see oncoming traffic. The old Bluefield/Princeton Bridge is not marked and is not angled correctly. If traveling from the east, it is difficult to turn. She asked the Board to focus on the Grant Street Bridge. Ms. Brooks stated there were several retired military and elderly citizens living on the north side of town. She felt there were several things on the north side that could be developed and she felt they were being closed out. Mayor Martin stated the bridge report was posted and everyone needed to read the report and look at the pictures available at the front of the Board Room.

Richelle Davis stated she was very concerned with the recent vandalism in the community. A few weeks ago, on a Sunday morning, the back window of her vehicle had been shot out in her driveway. She called the police and they were wonderful. Police Chief Dennis Dillow stated the detective working the case has made one arrest and is obtaining warrants for two more. There were over thirty cars vandalized. Ms. Davis said her parents are living with her and someone ransacked their house. They boarded up the house but it was broken into a second time. Whoever broke in had torn the house apart and it has now happened to some of her neighbors. On Hylton Street there are three vacant homes and valuable homes are being lost. She felt her family home now needs to be demolished. Ms. Davis said she had a fear of turning people in due to retaliation. Police Chief Dillow said for any citizen to call 911 to report suspicious activity and an officer will go to the location. The call can be made anonymously. Mayor Martin said there was progress and several homes are being repaired and remodeled. People in all parts of the city are taking pride in their neighbors. Ms. Davis asked if land owners could be held accountable. Mayor Martin said that was part of the Land Bank allowing city owned property to be purchased by land owners who would maintain and take an interest in the property. City Attorney Cline said he was frustrated. He felt some condemned homes, historically, had been used as a weapon against marginalized communities. However, some houses are in disrepair and should not become a cancer to the neighborhood. The city has a code enforcement department, but to issue a ticket can be counterproductive. If a person is having financial difficulty and cannot pay the ticket they normally cannot repair the house for a code violation. Also, code enforcement is not an effective tool for out of town property owners. City Attorney Cline said he would like to see community organizations, the churches, CASE and nonprofits to band together to form a resource board for those in need. Ms. Davis stated, “We want things to be better. We just don’t know how. Tell us what we can do to work with you, and we will. We need to start somewhere”. City Attorney Cline said working together to help form a resource board would be a start and he would be willing to be on the board. City Attorney Cline said the city was full of people who loved their neighborhoods and wanted to take care of them.

Trevon Simmons discussed marginalized people and their neighborhoods. He said the citizens were not upset at this Board but the lack of unresolved issues over a period of time. Mayor Martin said he did not grow up with a racial divide and did not see that divide in Bluefield. Mr. Simmons said the Board needed to understand the past in order to understand the present and their position on the Grant Street Bridge. Mayor Martin said the bridge has catastrophic issues and must be closed. The railroad has moved to Atlanta and this will take time. Mr. Simmons said the bridge and
the north side of town has always been an issue. He said it is hard to tell new people to come to the city when the people feel hopeless. Mr. Simmons said the Granada Theater was being renovated but there were historical places on the north side. Mayor Martin said he has given time and money to the Granada Theater. He said he loved this city and wanted to see activities. Mayor Martin expressed his gratitude to the citizens that are working to develop our city. For people to pick pieces and parts of what we are doing is not fair. The Granada is being funded by private donations, volunteers and dedication. The Granada Theater is part of the downtown revitalization and will benefit everyone. Mr. Simmons said he wanted to help and not to get turned off when we express our pain. Mayor Martin said for Mr. Simmons to pick a project and he would be more than willing to help. Mr. Simmons said the Grant Street Bridge was a way out for their community and the closing of the bridge symbolized keeping them in. Mr. Simmons asked about grants acquired for Exit I. Mayor Martin said grants are specified for specific projects. We need a hotel to help develop the area. Mr. Simmons stated he was interested in starting a Go Fund Me page, with possible matching funds, to help with the restoration of buildings located on the north side of town. Mayor Martin said he felt several citizens would help with those projects, himself included.

Deloris French thanked the Board for taking the time to listen. She was still very upset about the Grant Street Bridge and what was the city’s vision. Ms. French said she did not feel there was an option and the bridge needed to be replaced. Engineer Service Director Kerry Stauffer said the entire bridge needs to be rehabilitated, including replacing floor beams and repairing fatigue, cracks and other issues in the “super structure”. The decision to repair or replace will largely be determined by Norfolk Southern Railroad and that process is ongoing. This is a public/private ownership that began in 1941. There are no details other than which entity was responsible for which parts of the bridge, with the city primary responsibility to maintain the deck and walkway. Engineer Stauffer estimated the city is responsible for approximately 20% of the bridge and NS is responsible for 80% of the bridge. Only partial inspections have been permitted due to needing NS permission for a full inspection. Pictures were available so citizens could see the deterioration of the bridge that prompted the DOH closing the bridge. The Governor’s office is involved. A summary of the inspection report had been sent to that office, they contacted NS and were instrumental in moving the process forward. The city is working with NS, DOH, and the Governor’s office for a possible solution. Bridge and Structure Engineer for NS, Chris Bennet lives in Atlanta and is now involved. Mr. Bennet has been very helpful. Based on a document received from Josh Anderson, head bridge engineer at the DOH District 10, the estimated the cost to rehab the bridge would be 1.5 to 2 million dollars. To replace the bridge or provide a new structure would cost in excess of approximately 6 million dollars. We are in communication with Mr. Bennet and he had been to Bluefield. City Attorney Cline said the railroad is examining the issue and had not refused to date. For now, we need to wait for a reply and come up with a solution. It is a complex engineering issue that will not be solved overnight.

Minutes

Mayor Ron Martin requested a motion to approve the minutes for the September 10, 2019 Board of Directors meeting. Director Matt Knowles moved to approve the minutes from the September 10, 2019 Board of Directors meeting was unanimously approved.

Action on New Business

Mayor Martin requested approval to transfer the Elks Building to the BEDA. City Attorney Cline asked that this item be tabled. Director Robb Williams moved to table the approval of the Elks Building to the BEDA was unanimously approved and so ordered. City Attorney Cline stated he felt the transfer needed an ordinance. Mayor Martin said we would like to recoup the city’s cost and require a development plan for any interested business.

Mayor Martin requested approval of AAA Paving and Sealing, Inc. street paving contract for $265,037.00. Mayor Martin stated this issue had been discussed earlier in the meeting. Vice Mayor Barbara Thompson Smith moved to approve of AAA Paving and Sealing, Inc. street paving contract for $265,037.00 was unanimously approved and so ordered.

Mayor Martin requested approval of recommendation from the Planning Commission to deny an application by Bluestone Health Association. City Attorney Colin Cline stated Bluestone Health Association applied for a PUD or
Planned Unit Development in the residential area next to the new elementary school being built on Cumberland Road. Bluestone Health Association was seeking to build a health clinic in the area. The application was denied due to Bluestone Health not presenting requested documentation to the Planning Commission concerning stormwater plans. Other concerns included traffic and safety conditions. **Director Matt Knowles moved to approve the recommendation from the Planning Commission to deny an application by Bluestone Health Association, Inc. was unanimously approved and so ordered.**

Mayor Martin requested approval of Segra (formerly Lumos) to use city owned fiber conduit at Bland Street to 211 Federal Street for First Community Bank upgrades. City Attorney Cline stated, that several years ago, the city approved the laying of some conduit under the streets and sidewalks downtown. The conduit was to be used to provide fiber optics to buildings downtown. First Community Bank is remodeling and adding several employees and needs to improve internet service to their location. Segra needs to use the conduit to provide that service. **Director Robb Williams moved to approve the request for Segra to use city owned fiber conduit at Bland Street to 211 Federal for First Community Bank upgrades was unanimously approved and so ordered.**

Mayor Ron Martin requested approval of Lease with FedEx. City Attorney Colin Cline stated FedEx has had a location for several years in what is now the Commercialization Station. They are moving their location to a different bay due to downsizing. The lease is for five years with the option to renew. The rent will stay the same. **Director Robb Williams moved to approve the lease with FedEx was unanimously approved and so ordered.**

Mayor Martin requested approval to pledge $500 in support of the East River Mountain Town Band. Mayor Martin stated this is the last year for the band. When the Fine Arts Commission was disbanded the city promised to continue support of the East River Mountain Town Band. **Vice Mayor Barbara Thompson Smith moved to approve a pledge of $500 in support of the East River Mountain Town Band was unanimously approved and so ordered.**

Mayor Martin requested approval of an award from FEMA for the AFG 2018 (Assistance to Firefighters Grant) for $163,222.00. City Ambassador Marie Blackwell stated the grant will be used for pagers, radios and exhaust systems for both the Central Station as well as for Station 3 on Cumberland Road. City Treasurer Kelly Davis stated the grant included a match from the city for $7,772.48. **Director Robb Williams moved to approve the FEMA - AFG 2018 grant for $163,222.00 was unanimously approved and so ordered.**

Mayor Martin requested approval for Fox and Thompson to install an HVAC unit in the Fire Department and Police Department. **Director Matt Knowles moved to approve Fox and Thompson to install an HVAC unit in the Fire Department and Police Department was unanimously approved and so ordered.**

**Action on Accounts**

City Treasurer Kelly Davis requested approval of the collection list. The list consists of one hundred six accounts to be submitted for a total of $168,132.36. Mayor Martin pointed out the number is larger due to several unpaid demolitions. **Director Matt Knowles moved to approve the collection report as presented for $168,132.36.** Director Robb Williams asked City Attorney Cline to check if the names on the collection list could be published.

City Treasurer Kelly Davis stated the second revision to the General Fund Budget increased the estimated revenue by $958,226 with $653,126 being an increase in the fund balance after all closing entries were completed for the prior year. The remaining revenue adjustments include the final reduction of B &O tax due to the sale of BRMC. The revenue adjustments also include the anticipated funds from Bluefield State College for the law enforcement contract and the initial transfer from the Storm Water Board of $150,000. This revision brings the overall revenue budget to $15,272,161. The Budget Revision also increases the expenditures appropriations by $958,226. Some of the expenditure revisions are:

- Reduction in staff or planned staffing for Economic Development, City Manager, Police Department (not police officers), Storm Water Department and Parks and Recreation Department.
• Carry over funding from prior year for AEP Edge Grant and fire Department donations from State Farm, WVAWC and AEP.
• Reduction of various lines for anticipated cost savings.
• Additional $10,000 to City Hall budget for replacement of 2 HVAC units.
• Reduction of $10,000 to annual contribution to Craft Memorial Library.
• Increase contingency to maximum amount allowed – 10% of budget.
• Increase transfer of funds expenditure line to $826,293 in anticipation of Exit 1 grant and wrap up of Commercialization Station grant.

The overall increase in the expenditure budget totals $958,293; thereby, increasing the total General Expenditure Budget to $15,272,161 and creating a balanced budget as required by State Code.

**Director Robb Williams moved approval of General Fund Revision No. 2 was unanimously approved and so ordered.**

**Report of Community and Economic Development Director Jim Spencer**
Community and Economic Development Director Jim Spencer stated there would be a payment application document for the Commercialization Station at the next meeting. We are working with a gentleman interested in opening a maker space at the Commercialization Station. A maker space is collaborative work space will have equipment that you can use if you become a member. The goal is to increase the ability for folks to start a business.

**Adjournment**
Mayor Ron Martin requested a motion to adjourn. **Director Matt Knowles moved to adjourn the meeting was unanimously approved and so ordered.**