

**Town of Bluefield
Special Called Town Council
Work Session
Minutes
March 7, 2017**

The Bluefield, Virginia Town Council held a Special Called Town Council Work Session on Tuesday, March 7, 2017 at 5:30 p.m. in the Council Chambers of the Town Hall located at 112 Huffard Drive, Bluefield, Virginia.

PRESENT

Don Harris, Mayor
Lee Riffe, Vice-Mayor
Ron Holt, Councilmember
Chuck Presley, Councilmember

ALSO PRESENT

Mike Watson, Town Manager
Matt Freedman, Town Attorney

ABSENT

Jimmy Jones, Councilmember
Steve Danko, Councilmember
Lesley Catron, Town Clerk
Kim Hernandez, Executive Assistant
Billie Roberts, Comm. Dev. Coordinator
Shane Gunter, Police Chief

CALL TO ORDER

Mayor Harris called the meeting to order at 5:30 p.m.

BUDGET

Mr. Watson stated that there were 2 things that they needed to look at that was brought up, the water fund and increases in salaries.

Water Fund

Mr. Watson handed out a list of the surrounding areas water prices. He stated that the auditors came in and said we were 20% down on our water fund. He stated that the water fund was an enterprise fund which was separate from the general fund and ran and supported itself. He stated that way you could tell what your rate was and how you needed to support it and right now we were supporting our water fund out of our general fund. He stated that in 2012 we had a big drop when Bluefield Beverage went out of business. He stated that we lost \$250k per year in water and during this procedure we raised rates and cut back on regular and part time salaries and cut back across the board.

He stated that revenues were not going up and were \$1,600,000 in 2015/2016 and this year he was projecting they would be \$1,079,400. He stated on Page 3 of the Water Fund that is was at \$79k right now. He stated looking back it showed negative figures because prior year reserves did not show up on these reports. He stated they were considered as non revenue.

Mr. Riffe asked why in 2013/2014 it was over.

Mr. Watson stated that the only thing he could see was where we quit paying the utility payment, line replacement and contingency. He stated at the bottom of Page 3, we were \$49,307 off which is putting the payment back in for the equipment because he budgeted less for it. He stated that the payment for the new truck was not shown.

Mr. Holt asked what truck.

Mr. Watson stated that they bought new trucks last year and paid for it thru a loan that was renewed.

Mr. Holt asked if it was bought specifically to be used for the water department.

Mr. Watson stated yes. He stated that it was a bobcat utility truck and was a \$26k per year payment for 5 years at 2.49%. He stated to even it up you would have to have to do an increase of \$2 on the minimum and 6% overall.

Mr. Holt asked how that would affect the average consumer.

Mr. Watson stated that a 4,000 gallon customer's average bill would be \$35.68.

Mr. Holt asked to balance the budget and raise it how much would that be.

Mr. Presley asked if the average customer was at \$35.68 now what would the new amount be.

Mr. Watson stated that would be the new amount.

Mr. Presley asked what the amount was now.

Mr. Watson stated \$33.26 so it would go up \$2.42.

Mr. Holt asked if it were done over a course of 2 years could that be done in one vote.

Mr. Watson stated that they had not had a raise since 2014 when it went up \$1 on the minimum and 3% overall.

Mr. Presley stated that it had to be done and that would offset the police department's raise.

Mr. Watson stated that he tried to raise it every 2 years.

Mr. Presley stated that no one would complain about an increase in water.

Mr. Holt asked when the Town was looking to do a major infrastructure overhaul.

Mr. Watson stated that it was something done constantly.

Mr. Holt asked if there was something in the next 10 years that we would have to spend money on.

Mr. Watson stated in 2020 he had \$1,000,000 that he would put back into because we would be paying off a loan.

Mr. Presley asked if it was the \$500k improvement to be able to take over the PSA in Falls Mills and Pocahontas.

Mr. Watson stated that he just got the estimates and to put a line in from the Fire Department thru the end of Town would cost \$444k but he could do it in house for \$70k-\$80k.

Mr. Riffe asked if there was a way to get the water back from the Wal-Mart area.

Mr. Watson stated that we could offer to buy their side of the system.

Mr. Riffe asked if that would be a possibility.

Mr. Holt asked what they were talking about.

Mr. Watson stated that we did not supply the area where Chuck lives with water.

Mr. Presley stated that it was thru West Virginia American Water.

Mr. Riffe asked if we could get them back since we could now supply it.

Mr. Watson stated that you would have to ask them to sell the Town their customers.

Mr. Holt asked Mr. Watson what his recommendation would be.

Mr. Watson stated that we would need a \$2 on the minimum and 6% overall in order to make the fund work right and that he would rather have it all at once. He stated

that for what was offered in Bluefield, VA he did not see them encountering a lot of opposition if they went up the full amount now. He stated that the minimum customer right now is at \$19.20 and their cost would go up to \$21.20.

Mayor Harris stated that the cost of chemicals had gone up so that would justify an increase.

Mr. Watson stated that it could be put in the budget and voted on later if everyone was in agreement. He stated that it would be added in and shown in an updated budget.

Mr. Freedman stated that if everyone was in agreement, it was okay to put in the budget and they would vote on it once it was included in the budget.

Mr. Watson stated that on 4,000 gallons of water the cost was \$49.89 for residential out of town and that the Town of Tazewell was \$53.85 He stated on residential in town we were at \$33 and they were \$38.

Mr. Riffe asked what the 6% increase was for.

Mr. Watson stated that the first 2,000 gallons was \$19.20 and the next 2,000 – 28,000 gallon you added \$7.03 per 1,000 gallons. He stated that it would go to \$7.45.

Mr. Riffe asked if that would pay off the truck.

Mr. Watson stated that it would make the payment. He stated last year there was discussion about the cost to set a water meter. He stated that we were now charging \$450 for a water meter tap that use to be \$350. He stated that was not counting labor and we had \$404.08 in a water tap for a standard setting and \$655.88 for a double.

Mr. Holt stated that we were just trying to recoup the cost.

Mr. Watson stated yes.

General Fund

Mr. Watson stated that there were 2 groups looking for donations, one was the Heart of Appalachia.

Mr. Holt stated that there was a Tazewell County Tourism office that has already been extremely nice to them.

Mr. Watson stated that it was not something we did. He stated that the other one was the Tazewell County Fair.

Mr. Holt stated that his thought was we had a carnival for our people here.

Mr. Watson stated that it was the same request as before and we gave them \$500 per year. He stated that Viola Asbury was head of the fair.

Mr. Presley asked why we would give Tazewell County \$500.

Mr. Watson stated that Tazewell County was not over the fair that it was the Fair Association but the county gave them some money this year. He stated that it would be 2 weeks earlier this year and the money Tazewell County gave them was to make up for gate receipts and to have a free gate night.

Mr. Presley asked if it would benefit us.

Mr. Riffe stated that Bluefield people went.

Mr. Holt asked if there was not a day where they offered free rides or something.

Mr. Watson stated that the Mountain Festival was a WV Chamber event. He stated 7-8 years ago they considered not doing the Mountain Festival and just having the carnival so they asked the City and the Town to come together and make this event happen. He stated that the Chamber was not a political group and worked for whoever paid them membership. He stated that the first year we gave them \$5k plus labor and now we no longer gave \$5k but sent our guys over to pick up trash and empty the dumpsters.

Mr. Presley asked how that worked for the police officers who worked it.

Mr. Watson stated that James Drew wrote the Town a check and we paid our police officers a little better than the overtime rate. He stated that he told them they had to pay us \$35 per hour. He stated that it was not really our event but let staff go and help with things such as the pageant. He stated that the Tazewell County Fair was not our event either but the Autumn Jamboree was.

Mr. Holt stated that we did other things throughout the year as well.

Mr. Watson stated that we were not trying to make money but break even and the problem with the fair was they were trying to make money every year to support the next year.

Mayor Harris stated that he thought the \$500 was worthwhile.

Mr. Holt asked what he thought about \$2,500 which was what they were asking for now.

Mr. Watson stated that he had the \$500 in the budget already.

Mayor Harris stated that he did not realize they were asking for \$2,500. He stated that the fair was one of the nicest things down there but did not agree to \$2,500.

Council agreed to leave it at \$500.

Mr. Watson stated the next thing was salaries and he knew Mr. Holt was passionate about this. He stated that they had a meeting to discuss what they wanted to do and it was to raise entry level officers and to give a raise to all officers beyond that to compensate.

Mr. Holt stated that it was also to establish a starting pay that was consistent.

Mr. Watson handed out a paper from the surrounding areas and stated that Richlands and Tazewell did not have a problem giving him their pay information.

Mr. Holt stated that the county was not on there but that a person coming in with no experience started out at \$29,000 and when they got out of the academy and put in their first year it moved to \$31,000.

Mr. Watson stated that we just hired 2 new officers who would be sworn in at the next meeting.

Mr. Holt stated that as an investigator he made \$40k per year.

Mr. Riffe asked how many years that was.

Mr. Holt stated 11 years.

Mr. Watson stated that they did not need to talk about names but the drug task force person made \$36,379.

Mr. Holt stated that did not include overtime.

Mr. Watson stated that was correct. He stated that we had an incentive which was the Law Fit Challenge that was done two times per year and they received \$500 for each time. He stated that they also worked during Wal-Mart Black Friday, the carnival and received money from the DMV. He stated that we were required from the DMV to do seat belts checks, etc. He stated that this was a base salary without overtime.

Mr. Presley stated that when he did the numbers what he was looking at was the base guys would start out at \$5k more and across the board the base would be \$4k more which would be around \$70k-\$80k more per year that they would have to find. He stated that we needed to find a way to keep these guys here.

Mr. Holt stated that Bluefield, WV started out at \$31k and we were starting out around \$26k or a little lower.

Mr. Riffe stated that we paid for them to go to the academy and asked what if they took that away.

Mr. Watson stated that we would not get anyone.

Mr. Holt stated that they had to live while they were there.

Mr. Watson stated that we paid for all the expenses. He stated that it was around \$1k to buy uniforms, they had to have a service physical, a vest and it cost around \$4,500-\$5,000 to send them to the academy.

Mr. Holt stated that the first year's salary was gone because they were not of any benefit to the Town and looking at the 2nd year; it was still lost because they were still learning. He stated that you would invest 2 years into an officer until they were really ready to get out and do it on their own and that put them at the 3 year contract and then you would lose them. He stated there were a couple of really good officers right now that were looking at other areas. He stated that we had a serious heroin problem coming to our area and that Rocky Gap recently had 3-4 overdoses in one night. He stated that it was a public safety issue when we were not retaining and keeping the best possible officers.

Mr. Riffe suggested changing the contract if we did these raises.

Mr. Watson stated that the last few years they did not have the support they needed politically. He stated that he would like to pay better but the question was how you do it. He stated in the past, if someone retired or quit, he would take the difference in pay and use it as incentives for performance.

Mr. Riffe stated that was what you had to do.

Mr. Watson stated that the raises usually given were for cost of living and he generally gave a 2%-3% raise. He stated that a 2% raise would not make much of a difference.

Mr. Holt stated with insurance increases, etc. the employee did not see that raise. He stated that other councilmember's believed it should be more than just the Police Department to get a raise and he agreed.

Mr. Watson stated that it was tough and he had an employee ask him the other day about getting a raise. He stated that someone hired in Public Works started off around \$8 and received \$1 raise when they got their CDL's. He stated that most Public Works employees made less than a starting officer made. He stated as a Town we did not

pay comparable to any other although there were a few that had been here for years making more. He stated in general Town's just did not pay.

Mr. Presley asked if we had too many people in each department or were we ok.

Mr. Watson stated that positions were cut when they could be.

Mr. Holt stated that people probably asked why there were 22 positions in the Police Department but they were all needed for different shifts, time off, etc. He stated that he would like to take care of the Police Officers now but would vote for an across the board pay raise if we could find the money for it.

Mr. Watson stated that he had looked at doing it a couple of different ways such as \$4k across the board and starting out \$5k more then up to \$2k for the higher ones.

Mr. Holt stated that he thought what Chief Gunter's suggestion was for it to be \$4k across the board for everybody. He stated that he did not like that a person with more experience would get less of an increase than someone who was newer. He stated that it would create hostility and would rather see a standard.

Mr. Presley stated that anything would be better but he would like to see \$3,500-\$4,000.

Mr. Holt suggested raising it to match the county so it either raised the starting pay to \$31k and that's what they got or they got the \$3k-\$4k raise.

Mr. Watson stated that there were 90 full time employees with the Town.

Mr. Presley asked Mr. Watson what he thought.

Mr. Riffe asked if council was the ones to do it.

Mr. Holt stated that he thought so.

Mr. Riffe stated that he thought they looked at the Chief's and Town Manager's salaries.

Mayor Harris stated that he and Mr. Holt disagreed because he was a watch maker and if he had a bunch of watch makers working for the Town he would want them to be looked after too just as he was a police officer.

Mr. Holt disagreed and stated that it was a public safety issue. He stated that we were losing good police officers because we were not paying them what other jurisdictions paid them. He stated that we were not even paying them equal to the

surrounding areas and that he would make a motion but hoped that everyone would work together on it.

Mayor Harris stated that he did not think one job was more important than another.

Mr. Holt stated that he did.

Mr. Presley stated that he did when it came to the Police Department. He stated that they were not appreciated until they were needed.

Mr. Riffe stated that his concern was where the money would come from.

Mr. Freedman asked if council raised the meals tax to accommodate what they were thinking could it be done.

Mr. Watson stated yes.

Mr. Riffe stated that he thought there should be a 5 year contract with police officers.

Mr. Holt stated that may be possible if the pay was better.

Mayor Harris asked how much turnover there had been in the Police Department.

Mr. Presley stated about 25% in the past few years.

Mr. Watson stated that 2 had retired 1 left to go to Blacksburg and 1 left to go work for Coke. He stated that he would have to look at it and bring it back.

Mayor Harris stated that Mr. Riffe made a point. He asked Mr. Watson if the contract was 3 years now.

Mr. Watson stated yes if we sent them thru the academy. He stated that 90% stayed for the health insurance.

Mr. Riffe asked if there was any municipality that was doing a paper performance with categories set up.

Mr. Holt stated that it did not happen in government work because it was generally structured. He stated that he would like to see something structured.

Mr. Watson stated that the pay was separated by the different offices such as patrol officer, lieutenant, etc.

Mr. Riffe stated that he agreed we needed the safety but asked how they were going to get there with the meals tax. He stated that it was brought up "can we chew off some of the fat in our departments". He stated that he did not want to get rid of people but asked if they were over in some areas.

Mr. Presley stated that was why he brought it up was because when the guys saw him out they talked to him about things and told him they did not think they needed all of the workers.

Mr. Holt stated that he did not personally see where they were overstaffed. He stated that he did not know which department they were talking about because we were pretty much operating with the bare minimum in the Water Department and that the Police Department could not afford to lose anyone.

Mr. Presley stated that all you heard was the negative when things were done throughout the Town and if they did do an increase then they needed to explain to the citizens why and give them a concrete answer.

Mr. Riffe asked if anything was going for the meals tax right now.

Mr. Watson stated no, that it went into the general fund and was not designated to anything.

Mr. Presley asked how much 1% would give them.

Mr. Watson stated that 7/10 of a penny would be close to \$168k.

Mr. Presley stated that 1% would be around \$200k.

Mr. Watson stated it would be between \$200k-\$220k.

Mr. Riffe asked if it was not being used right now, how much did they have and could it be used now to do this.

Mr. Holt stated no because they were about to the dollar on the budget.

Mr. Watson stated that they did not have any more money unless they started cutting employees or not doing services.

Mr. Riffe stated that the meals tax now was going somewhere to spend on something.

Mr. Watson stated yes. He stated that if they decided they wanted to give raises then he would have to go back and look at things such as not cutting as much grass, not fixing roads, not plowing as much, etc. He stated that if they wanted to keep service the

way it was now, they would have to find money and the only way local government could find money was by raising fees.

Mr. Holt asked what Tazewell's meals tax was at.

Mr. Watson stated that Richlands-6%, Tazewell-7%, Cedar Bluff-6%, Wytheville-7%, Christiansburg-7.5% and that Bluefield, WV and Tazewell County did not have a food tax. He stated that Bluefield, WV wanted to put one in.

Mr. Holt stated if you raised taxes overall.

Mr. Watson stated that it was food tax that sales tax could not be raised.

Mr. Holt stated that they were looking at expanding and developing some new infrastructure so if they wanted to do this and everyone could agree on it and give a 2% for everyone else would a 1.5% increase in meals tax offset that cost.

Mr. Watson stated that it would depend on how it was set up.

Mr. Presley asked to not include the Police Department right now and if they did a 2% increase across the board for the other employees what dollar figure would that be.

Mr. Riffe stated that he disagreed with a 2% to everybody.

Mr. Presley agreed. He stated that when he was out campaigning he had a lot of people say that they had too many people working in Town Hall. He asked Mr. Watson what his opinion was. He stated he was not saying that he was for it or against but was asking Mr. Watson's opinion on it.

Mr. Watson stated that there is a position that he would not hire back but he would have a problem with someone who had 20 years experience and deciding they were no longer needed. He stated that the Town got wrote up every year for separation of duties. He stated that if we were a private industry then there would be no problem to cut a position. He stated that we paid vacation time, sick leave, personal days and for example if Dee was off at the front desk then you would have to have someone to cover it.

Mr. Presley stated that he just wanted to have an explanation to give to those asking.

Mr. Watson stated an example with the Water Crew was he was bare bones and could not afford to lose another person. He stated that he could not cut a position.

Mr. Holt stated that if the officers were given \$3k across the board with the exception of 2 officers who were making \$26k-\$27k and raise them to \$31k year that would be \$57k. He stated that he would do it in a heartbeat.

Mr. Riffe stated that they would start out at \$31k and asked if it would be a 5 year contract.

Mr. Holt stated that he would get behind that.

Mr. Riffe asked where you would go with raises after that.

Mr. Watson stated before a department head gave a raise, it had to come thru his office. He stated that if they wanted to give a \$3k across the board raise that it would be proving a salary.

Mr. Riffe asked by doing this would they be going over top of him and Chief Gunter.

Mr. Watson stated that if they wanted to vote to do it, that it was up to Council. He stated that there really was no good way to do it.

Mr. Presley stated that they could not worry about the feelings because if they did then no one would get a raise at all.

Mr. Holt stated that if they were asked he thought they would be ok.

Mayor Harris stated that there were 90 employees and they would talk. He stated that right now the atmosphere was good with all of the employees but if they went to doing this for one group and not another it would create a lot of animosity.

Mr. Watson stated in the general fund a 2% raise would be \$31,628. He stated that the \$57k would really cost around \$65k and about \$36k for a 2% for the other employees.

Mr. Riffe asked how the \$57k went to \$65k.

Mr. Watson stated that you had about 15% of added cost (7.5% social security and another 7%).

Mr. Riffe suggested dropping it down to \$2,500 to cover that cost.

Mr. Presley stated at least \$3k.

Mr. Watson stated that he could do any rate council wanted.

Mr. Holt stated that when one person was given that much authority/discretion that it was setting it up for bad things not saying it would happen but that is why council needed to take more control as far as oversight.

Mr. Watson asked what they were talking about.

Mr. Presley stated giving Chief to ability to give the raise.

Mr. Riffe stated that he kept going back to the paper performance and he thought it should be up to the department head and Mr. Watson to set down and decide it.

Mr. Watson stated that if it was done the way they were talking about, that there was no performance in it. He stated that what he did now was a performance raise other than a base salary raise.

Mr. Holt asked how much a 2% raise would be.

Mr. Watson stated \$36k plus \$65k with the Police Department so it would be around \$102k.

Mr. Presley stated that a 1% sales tax raise would be \$185k.

Mr. Watson stated that it would be meals tax and would be around \$168k.

Mr. Presley asked with that extra \$50k per year would it go into the general fund.

Mr. Watson stated that if it were raised it would go into the general fund and would be spent. He stated that he was so tight on the budget that he had no play room.

Mr. Holt suggested a 1.5% raise with the new infrastructure, etc.

Mr. Watson stated that the reason they were talking about .7 was because currently it was at 5.3%. He stated that it would bring it up to 6% plus 5% sales tax would bring it up to 11% on food.

Mr. Presley stated that the Town needed to do something like. He stated that they needed to look at paying down their debts as well.

Mr. Watson stated that you had to replace your stuff.

Mr. Holt stated that if you looked at what was in savings and what would have to be spent in case of an emergency that was a drop in a bucket. He stated that they had talked about improving infrastructure and asked if they did a 1.5% meals tax increase would that offset the cost of the raise and potentially offset the improvements in infrastructure.

Mr. Watson stated that 1.5% would put 1% towards future projects.

Mr. Holt stated that 1.5% would do it.

Mr. Watson stated yes that would give the 2% raise and \$3k across the board to the Police Department.

Mr. Holt stated that would put us equal with just about everyone around here.

Mayor Harris stated that he was not against progress in anyway and that they had been conservative. He stated that they had never been extravagant and he did not mean by giving raises. He stated that Mr. Watson did a darn good job and did not buy anything unless he had looked at 5 sources for the item and appreciated that about him. He stated that the discussion had been good but there were 2 other council members not there.

Mr. Holt stated that he did not want to rush anything and these meetings were good and they should have them more often. He stated that he did not want to have to make a motion on this but would rather it be included in the budget. He stated that he was just passionate about this and felt strong enough about it that if he had to make a motion that he would because he promised people that he would do it and he was fulfilling that promise. He stated that he would rather work together and do it and that this amount was not what he wanted to give them that he was looking to give more.

Mayor Harris stated in the years he had been on council, he had never promised anyone anything.

Mr. Holt stated that this was the only promise he had made.

Mayor Harris stated that as he had said before, he was only \$0.15 out of the dollar.

Mr. Holt stated that he was correct and that he wanted to work with everyone and address it in the budget and vote on the overall budget with something that everyone was comfortable with. He stated that was why he liked having these meetings.

Mayor Harris stated that he had a good relationship with all of the Town employees. He stated that he was still not there concerning the raise for the Police Department but when one of the fellows on the garbage truck went to buy a gallon of milk, it would be the same price as the one getting the big raise. He stated that these were things he looked at. He stated that their perspectives were different and he did not see any one department that was better than another one. He stated that Mr. Presley probably made promises as well.

Mr. Presley stated that he did not necessarily make any promises but wanted to see the Police Department better and see them stay.

Mr. Holt stated that we had 2 armed robberies in one week and have had multiple murders in a course of a year. He stated looking back he did not remember seeing this much crime which was from the increase in narcotics and that was what our future will hold unless we keep good seasoned LEO's on the street.

Mayor Harris stated that he went to Mr. Watson about a year ago and told him that he was told that "it" (heroin) was here and we needed to be proactive. He stated at the housing project he was told was where it was coming from. He asked Mr. Watson to have them make rounds 2-3 times per day to let them know we were watching. He stated that he did not see the community changing that much.

Mr. Presley stated that it would only get worse if they did not do something.

Mr. Riffe asked how many years as a patrolman before you could move up.

Mr. Holt stated that it would be up to the person if they wanted too and the Chief.

Mr. Riffe asked what Mr. Watson would suggest.

Mr. Watson stated talking about the Police Department that the easy way crushing it in together and what that was doing was closing the gap between lieutenant and sergeant, etc. He stated that he knew Mr. Holt did not like that way. He stated that the way it was now was it was based upon merit from past. He stated that for him merit raises were given in the fall.

Mr. Holt brought the animal control officer up again.

Mr. Freedman stated that he had drafted a rough draft ordinance and they could supplement the salary of another person from another jurisdiction but if they were going to go that route, he would want to "beef up" the animal ordinances in Town. He stated that he and Mr. Holt had talked about cats being a problem and we could regulate them as being a public nuisance and being unlicensed and not being properly vaccinated for rabies. He stated as it related to the license that the Town could impose a tax on the licensing of the cats. He stated that the county already did it for dogs. He stated that he wanted to get a feel from council on what they wanted to do.

Mr. Presley asked if he meant how many cats per household.

Mr. Freedman stated that it would be any cat being licensed and having proof of vaccinations running at large.

Mr. Holt stated in the Pinehill Park area there were 7 feral cats that no one was taking care of. He stated that he did not know if the barking dogs would be the same because it was more of a nuisance.

Mayor Harris stated that we had an ordinance for that.

Mr. Watson stated that what he and Mr. Freedman were talking about was you cannot regulate wild cats so what you needed to do was make everybody in Town get a vaccination tag. He stated that tags would be made that had a number on it and you would pay so much a year for the Town tag.

Mr. Holt stated that it would only be a couple of dollars.

Mr. Watson stated that it would only be for cats to prove that your animal had rabies shot. He stated that we would find a way for them to renew it. He stated if there were a cat out without the tag on, that animal control could pick it up.

Mr. Freedman stated that this would be a way of resolving the issue with feral cats because you were now requiring a responsible owner to do this.

Mr. Holt stated then we could address those just throwing the food out.

Mr. Freedman stated that it would be in the form of a nuisance.

Mr. Holt stated that they could impose civil penalties against those people.

Mr. Freedman stated that the way he was looking at wording it was someone keeping, harboring or feeding cats that were basically creating an unsafe, unsanitary or harmful conditions to the general public or that particular neighborhood and would not just be someone feeding a cat.

Mr. Riffe asked if that would be businesses too.

Mr. Holt stated if they were creating this environment then yes.

Mr. Watson stated that the way people were going to look at it was you are going to tax my cat now.

Mr. Freedman stated that it would be subject to a Public Hearing because we were proposing a tax.

Mr. Holt stated that what he would say to them was they were trying to create a safer environment for their animal that they care about because they did not want these unvaccinated feral cats attacking their cat.

Mr. Watson stated that the way they talked was the Animal Control Officer would take out the fine against the property owner and it would be on the Town to prosecute it so the fines would go to the Town.

Mr. Freedman stated that right now he had it punishable as a Class 4 Misdemeanor with a maximum penalty of \$200 and no jail time. He stated that there was probably a way to do a civil penalty but would not have as much "bite". He stated that they could make it to where if it were a repetitive offense it could be a misdemeanor.

Mr. Riffe asked if dogs would be included.

Mr. Watson stated that dogs were already included.

Mr. Riffe stated there was no Town tax on dogs.

Mr. Watson stated no it was county. He stated that what Mr. Freedman was looking at, we could not do a dog tag license in Town only City's could but that Town's could do cats for rabies.

Mr. Freedman stated that we could do running at large as it relates to rabies and licensing as it relates to cats. He stated that the way he had proposed it to be drafted was that it would give a greater protection to the owners for running at large without proof of both rabies and proof of licensing.

Mr. Holt stated that 95% of cat owners had indoor cats that did not stray too far.

Mr. Presley suggested starting it out at \$1 so it did not upset the citizens.

Mr. Holt stated \$2 because that would still not offset our cost.

Mr. Freedman stated that was assuming everyone would comply and pay the tax.

Mr. Holt stated that if they told them they were just trying to protect their cat from others, it may not be as bad.

Mr. Riffe asked if the \$15k to pay this person would come out of the 1%.

Mr. Holt stated that it would come out of the general fund. He stated that it was actually \$20 that the Sheriff wanted but we were already paying \$5k so we would have to raise the other \$15k.

Mr. Riffe stated that it was actually \$20k.

Mr. Holt stated yes that it would be paid to the Sheriff's office to offset that cost for him to hire another part time person. He stated that we were currently paying \$5k.

Mr. Presley stated that it would be \$116k needed with this.

Mr. Freedman stated that there was something else he wanted to talk to them about and as a Town they could have one of their own police officers be trained to do animal control as part of their duties.

Mr. Holt stated that a Sheriff's Deputy would have to be sworn in for the Town to enforce Town Ordinances because currently the Sheriff's Department could not enforce Town Ordinances. He stated that all of those fines, etc. would still go to the Town even if the Sheriff's Office was enforcing it.

Mr. Freedman asked why not just have an officer in the Town take on the responsibility.

Mr. Holt stated that we did not have the equipment and would have to buy it and you were not supposed to transport animals in regular cars because of allergens, etc. He stated that the Sheriff's Office was already outfitted to do this.

Mr. Freedman stated that Mr. Holt had brought up the idea basically supplementing the salary or doing some type of supplement to the county for an animal control person but he had made the suggestion to see if there was a way to do it in-house with our officer and own equipment.

Mr. Watson stated that it would cost the same.

Mr. Holt questioned it being the same.

Mr. Watson stated that he would not take a police officer to do it but would swear in another person to be a dog catcher at a lower rate.

Mr. Holt stated on top of that they would still have to buy a vehicle and the equipment and send them to be trained.

Mr. Watson stated that it would save on the aggravation of the calls by telling them to call Tazewell County Animal Control.

Mr. Freedman stated that he wanted to bring up the cat ordinance to see how council felt about it.

Mr. Riffe stated that he thought it was great.

Mayor Harris stated that he had lived in his house for around 40 years and had never seen a cat over there.

Mr. Holt stated that another thing he asked Mr. Freedman to look at was a residential noise ordinance because right now you could play your music as loud as you wanted too and there was not a thing that a police officer could do about it.

Mr. Freedman asked if that was something else council wanted to look at.

Council agreed.

Mr. Presley asked Mayor Harris what was going on with the Panhandling downtown.

Mayor Harris stated that basically what was happening was you had one property owner that owned 2 buildings that would rent to anybody and everybody. He stated that what happened a couple of weeks ago was a lady "overdosed" died that lived in one of their apartments. He stated "overdosed" but they were doing an autopsy on her but that druggies and alcoholics were all in their together going up the street to the new restaurant creating a scene. He stated that there was a lady who had moved in with one leg and she was seen sitting on the stoop right next to Dave's building. He stated that he went up the street and she asked him if he smoked and had a cigarette. He stated that she was stopping others and asking them for money or to buy her food. He stated that they had never had anything like that downtown and he talked to the owner's wife and she acted like she did not know what he was talking about.

Mr. Freedman asked if it was on private or public property.

Mayor Harris stated private property of the owner.

Mr. Freedman stated that the way our ordinance was set up that he tried to be mindful of what the Supreme Court stated about the first amendment right for free speech for panhandling. He stated that the way our ordinance regulated it was as it related to public areas within the Town, aggressive behavior was prohibited and as it related to private property, we could regulate that in any fashion that we liked.

Mr. Watson stated that was as long as the property owner did not want it to happen on their property.

Mayor Harris stated that there was an ordeal with the lady wanting to put the pole business in and she was very adamant about doing so. He stated she was in for a few weeks and moved out.

Mr. Watson stated that she moved in the Paper & More Building where Zumba was.

Mayor Harris stated that they need to answer Mr. Holt's question and asked if all of council was ok for the \$20k.

Mr. Watson stated that it would take an additional \$15k.

Mayor Harris asked him to look in the budget and see if it could be done.

Mr. Watson stated that he would try to plan another meeting where everyone could be there.

ADJOURN

Mayor Harris adjourned the Work Session at 9:15 p.m.

Don Harris, Mayor

Lesley Catron, Town Clerk



TOWN OF BLUEFIELD
Don Harris, Mayor
Lee Riffe, Vice Mayor
Michael Watson, Town Manager

OATH OF OFFICE

Virginia: Tazewell County, to wit:

I, **Brandon Roark**, do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the Commonwealth of Virginia, and that I will faithfully and impartially discharge the duties incumbent upon me as a **Police Officer** for the Town of Bluefield, Virginia to the best of my ability, so help me God.

Given under my hand this **14th** day of **March, 2017**.

Brandon Roark, Police Officer

The forgoing oath was taken and subscribed by the above named **Brandon Roark**, before me, **Michael Watson**, Town Manager for the Town of Bluefield, Virginia, in the County aforesaid, this **14th** day of **March, 2017**.

Michael Watson, Town Manager

Witness _____
Donald R. Harris, Mayor



TOWN OF BLUEFIELD
Don Harris, Mayor
Lee Riffe, Vice Mayor
Michael Watson, Town Manager

OATH OF OFFICE

Virginia: Tazewell County, to wit:

I, **Jonathan Tibbs**, do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the Commonwealth of Virginia, and that I will faithfully and impartially discharge the duties incumbent upon me as a **Police Officer** for the Town of Bluefield, Virginia to the best of my ability, so help me God.

Given under my hand this **14th** day of **March, 2017**.

Jonathan Tibbs, Police Officer

The forgoing oath was taken and subscribed by the above named **Jonathan Tibbs**, before me, **Michael Watson**, Town Manager for the Town of Bluefield, Virginia, in the County aforesaid, this **14th** day of **March, 2017**.

Michael Watson, Town Manager

Witness _____
Donald R. Harris, Mayor

BUDGET AMENDMENTS
2016 / 2017

PURPOSE: Payment to Reimburse Overtime – Police Department

Revenue				
Line Item		Original Budget	Amended Budget	Change
0400-0413	Misc. State Law	<u>\$43,731.50</u>	<u>\$44,068.75</u>	<u>\$337.25</u>
	Enforcement	<u>\$43,731.50</u>	<u>\$44,068.75</u>	<u>\$337.25</u>

Expenditure				
Line Item		Original Budget	Amended Budget	Change
3110-1200	Salaries Overtime	<u>\$9,000.00</u>	<u>\$9,337.25</u>	<u>\$337.25</u>
		<u>\$9,000.00</u>	<u>\$9,337.25</u>	<u>\$337.25</u>

PURPOSE: Body Armor Bought by BVPD, then purchased by TCSO – Police Department

Revenue				
Line Item		Original Budget	Amended Budget	Change
0400-0413	Misc. State Law	<u>\$44,068.75</u>	<u>\$44,468.75</u>	<u>\$400.00</u>
	Enforcement	<u>\$44,068.75</u>	<u>\$44,468.75</u>	<u>\$400.00</u>

Expenditure				
Line Item		Original Budget	Amended Budget	Change
3110-6010	Guns, Ammo,	<u>\$12,000.00</u>	<u>\$12,400.00</u>	<u>\$400.00</u>
	Nightsticks	<u>\$12,000.00</u>	<u>\$12,400.00</u>	<u>\$400.00</u>

PURPOSE: Hardware & License – Police Department

Revenue				
Line Item		Original Budget	Amended Budget	Change
0100-0509	Prior Years Reserves	<u>\$98,731.09</u>	<u>\$100,928.09</u>	<u>\$2,197.00</u>
		<u>\$98,731.09</u>	<u>\$100,928.09</u>	<u>\$2,197.00</u>

Expenditure				
Line Item		Original Budget	Amended Budget	Change
3110-8106	Grants	<u>\$54,660.99</u>	<u>\$56,857.99</u>	<u>\$2,197.00</u>
		<u>\$54,660.99</u>	<u>\$56,857.99</u>	<u>\$2,197.00</u>