

**Town of Bluefield
Town Council
Minutes
July 9, 2019**

The Bluefield, Virginia Town Council held a regularly scheduled Town Council Meeting on Tuesday, July 9, 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
Lesley Catron, Town Clerk
Matt Freedman, Town Attorney
Billie Roberts, Comm. Dev. Coordinator
Shane Gunter, Police Chief
6 Members of Public

ABSENT

Jimmy Jones, Councilmember

CALL TO ORDER

Mayor Harris called the meeting to order at 7:32 p.m.

INVOCATION AND PLEDGE

Mayor Harris asked for a moment of prayer for Mr. Jones who was recuperating from a stroke. He then led the Pledge of Allegiance.

APPROVAL OF AGENDA

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

CONSENT AGENDA

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

CITIZEN REQUESTS & SPECIAL PRESENTATIONS

Special Presentation: Princeton Rescue Squad Resolution – Councilmember Holt

Mr. Holt read the following resolution:



TOWN OF BLUEFIELD

RESOLUTION

RECOGNITION OF GENEROSITY OF PRINCETON RESCUE SQUAD

WHEREAS, on February 16, 2019, an officer of the Bluefield, Virginia Police Department was shot and injured while performing a traffic stop on U.S. Route 460; and

WHEREAS, the wounded officer was sent to Carillion Roanoke Memorial Hospital in stable condition to be treated for his wounds sustained during the incident; and

WHEREAS, the community came together to show their support for the injured officer; and

WHEREAS, Princeton Rescue Squad went above and beyond the call of duty to show their support of the officer by forming a fundraiser to assist with expenses incurred; and

WHEREAS, Princeton Rescue Squad raised money selling t-shirts in an attempt to offset some of the traveling and medical care costs for the officer; and

WHEREAS, one-hundred percent of the proceeds raised from the t-shirt fundraiser went directly to the officer and his family; and

WHEREAS, the actions of the Princeton Rescue Squad truly represented the unity and bond between all of those that serve as first responders.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT THE TOWN COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA, hereby recognizes the generosity of the Princeton Rescue Squad for their fundraising efforts to support our injured officer. Your kindness and compassion speaks volumes about your squad and our community.

Adopted the 14th day of May, 2019.

Donald R. Harris, Mayor

Lesley L. Catron, Town Clerk

A member of the Princeton Rescue Squad thanked council for recognizing the squad and thanked Ashley and Mike Crowder for getting this fundraiser started. He stated that if the officer needed anything in the future that they would be there to help.

COMMITTEE REPORTS

None.

UNFINISHED BUSINESS & REPORTS

None.

NEW BUSINESS & REPORTS

None.

CITIZENS COMMENTS

None.

TOWN MANAGER'S REPORT

Schedule Public Hearing: Disposal of Properties, VOTE

Mr. Watson stated that he would like to schedule a Public Hearing in the upcoming month for the disposal of 3 properties. He stated that he would like to dispose of them with the best possible use and would take request for ideas from the public on how to use these properties before a 3-4 member committee of staff met to determine the best need for the properties.

Mr. Trigg made a motion to schedule a Public Hearing for the disposal of properties. Mr. Presley seconded the motion. The motion passed unanimously by voice vote.

Cemetery Commission Reappointment, VOTE

Mr. Watson stated that Gail Cook had been on the Cemetery Commission for many years and that it would be his recommendation to reappoint her.

Mr. Trigg made a motion to reappoint Gail Cook to the Cemetery Commission. Mr. Presley seconded the motion. The motion passed unanimously by voice vote.

Community Clean-up & Cookout

Mr. Watson stated that the Community Clean-up Day and Cookout was scheduled for Saturday, July 20th at 8:30 a.m. at Pinehill Park.

COUNCIL COMMENTS

Mr. Holt had none.

Mr. Bailey had none.

Mr. Presley asked if there was any more news or an update on the Tazewell County EMS.

Mr. Watson stated that the last conversation they were looking to hire a part time person and were working to provide services.

Mr. Presley stated that there was a sewage smell at Aramark. He stated that the church was using the Rich property that the Town had bought so it was being used. He gave a shout out to staff for a great job.

Mr. Trigg stated that the AKA Sorority thanked the Town for Katherine Johnson's Resolution.

Mr. Holt stated that he had been working with Charlie regarding the Tazewell County EMS services.

Mayor Harris stated that there would probably be an article in this weekend's BDT concerning the Dominion project. He stated that he was asked quietly to propose a letter for the Town regarding this project and gave council a copy of it.

ATTORNEY REPORT

Refuse and Weeds Notice Ordinance, VOTE – 1st Reading (attached at end of minutes)

Mr. Freedman stated that this was an amendment to the Nuisance Ordinance Chapter 22 of the Code of Ordinances and if council was good with the form in which it was presented then he would need a motion and a vote to approve the 1st Reading. He stated that he would read it in the back of the chambers.

Mr. Presley made a motion to approve the 1st Reading of the Refuse and Weeds Notice Ordinance. Mr. Holt seconded the motion. The motion passed unanimously by voice vote.

Notice to Abate Nuisance Ordinance, VOTE – 1st Reading (attached at end of minutes)

Mr. Freedman stated that this was also an amendment to the Nuisance Ordinance Code Section 22-54 and if council was good with the form in which it was presented then he would need a motion and vote to approve the 1st Reading. He stated that he would read it in the back of the chambers.

Mr. Bailey made a motion to approve the 1st Reading of the Notice to Abate Nuisance Ordinance. Mr. Presley seconded the motion. The motion passed unanimously by voice vote.

The Hair Haven – Convenience Type Business, VOTE (attached at end of minutes)

Mr. Freedman stated that the next two items he was bringing to council was on behalf of the Zoning Administrator. He stated that council had a memo in front of them with the correct addresses and asked that the minutes reflect this. He stated that both were convenience type businesses in the B-1 Zoning District and that they had both already gone to the Planning Commission for approval and would also need Town Council's vote as well.

He stated that the first one was The Hair Haven located at 1121 VA Ave. and that Councilman Presley would have a conflict before voting. He stated that if council was ok with the corrected memo then he would ask for a vote.

Mr. Trigg asked if they were both across the street.

Mr. Presley stated yes that he had bought it.

Mayor Harris stated that there was one councilmember with conflict.

Mr. Presley stated that he would abstain from voting due to a conflict.

Mr. Freedman stated that Mr. Presley had a written recusal that would be made part of the minutes (attached at end of minutes).

Mr. Bailey made a motion to approve The Hair Haven as a convenience type business. Mr. Holt seconded the motion.

ROLL CALL VOTE

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

The motion passed unanimously by Roll Call Vote.

VA Ave. Farmhouse Furniture Store – Convenience Type Business, VOTE (attached at end of minutes)

Mr. Freedman stated that the VA Ave. Farmhouse Furniture Store, 1120 VA Ave was also a convenience type business in a B-1 Zoning District and if council was good with it then he would need a motion and a vote to approve.

Mr. Holt made a motion to approve the VA Ave. Farmhouse Furniture Store as a convenience type business. 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.

EXECUTIVE SESSION

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 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;

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 subjects: the Economic Development purchase of recreational facility and the discussion of Town personnel.

Councilmember Bailey made a motion to enter into Executive Session as described above. Councilmember Presley seconded the motion.

The motion passed unanimously by voice vote.

Mr. Presley made a motion to enter back into regular session. Mr. Bailey seconded the motion.

CERTIFICATION OF EXECUTIVE SESSION

WHEREAS, the Town Council of Bluefield, Virginia convened a closed meeting on July 9, 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 July 9, 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 July 9, 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

ADJOURN

Mr. Holt made a motion to adjourn the meeting at 9:19 p.m. Mr. Presley seconded the motion. The motion passed unanimously by voice vote.

Don Harris, Mayor

Lesley Catron, 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 23RD DAY OF JULY, 2019

AN ORDINANCE TO AMEND SECTION 22-127 (NOTICE) OF ARTICLE IV (REFUSE AND WEEDS) OF CHAPTER 22 (ENVIRONMENT) OF THE CODE OF ORDINANCES, TOWN OF BLUEFIELD, VIRGINIA

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that Section 22-127 of Article IV of Chapter 22 of the Code of Ordinances, Town of Bluefield, Virginia is hereby amended to read as follows

Sec. 22-127. Notice; appeal.

The property owner(s) of property where trash, garbage, refuse, or litter must be removed or where grass and/or weeds must be cut shall be notified as described in section 22-54 of this chapter. Such notice, once given, shall be effective for a period of twelve (12) months thereafter, and no further notice shall need to be provided within the said twelve (12) month period.

A property owner may appeal the condition alleged in the notice. The appeal process hereunder shall be the same process stated in section 22-54 of this chapter

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that this ordinance amends and reenacts Section 22-127 of Article IV of Chapter 22 of the Code of Ordinances, Town of Bluefield, Virginia.

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that this ordinance is hereby adopted on this 23rd day of July, 2019

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that this ordinance shall be effective on the 23rd day of August, 2019

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 23rd day of July, 2019.

(REMAINDER OF PAGE INTENTIONALLY LEFT BLANK)

NONE
JULY 9, 2019
JULY 23, 2019

JULY 23, 2019
AUGUST 23, 2019

[illegible]

ABSTENTIONS

BY: DONALD R. HARRIS, MAYOR DATE
TOWN OF BLUEFIELD, A VIRGINIA MUNICIPAL CORPORATION

LESLEY L CATRON, TOWN CLERK DATE
TOWN OF BLUEFIELD, A VIRGINIA MUNICIPAL CORPORATION

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 23RD DAY OF JULY, 2019

AN ORDINANCE TO AMEND SECTION 22-54 (NOTICE TO ABATE CONDITION CONSTITUTING NUISANCE; APPEAL) OF DIVISION 2 (ABATEMENT) OF ARTICLE II (NUISANCES) OF CHAPTER 22 (ENVIRONMENT) OF THE CODE OF ORDINANCES, TOWN OF BLUEFIELD, VIRGINIA

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that Section 22-54 of Division 2 of Article II of Chapter 22 of the Code of Ordinances, Town of Bluefield, Virginia is hereby amended to read as follows

Sec. 22-54. Notice to abate condition constituting nuisance; appeal.

If at any time a town officer finds a condition which constitutes a nuisance exists within the corporate limits of the town, then he/she shall notify the property owner(s) of the property where such condition exists. Such notice shall (i) identify the condition, (ii) require the condition to be abated or corrected within fourteen (14) days of the notice's postmark date, (iii) be sent to the last known address of the property owner(s) by certified mail with return receipt requested, and (iv) be posted in a conspicuous place upon the subject property. Any such notice, once given, shall be effective for a period of twelve (12) months thereafter, and no further notice shall need to be provided within the said twelve (12) month period.

A property owner may appeal the alleged existence of a nuisance upon their property to the town council. Such appeal must be filed in writing with the Town Clerk of the town within seven (7) days of the date notice was posted upon the subject property. Failure to note an appeal as described in this section shall constitute an absolute waiver to the right of appeal granted in this section. Upon a properly filed appeal, any action of the town as it relates to the nuisance alleged shall be stayed pending a decision of the town council. The decision of the town council as it relates to the alleged existence of a nuisance shall be final.

In the event the town officer providing the above described notice states therein that the condition which constitutes a nuisance is an immediate threat to the health, safety, or welfare of the general public, then the property owner(s) of the property where such condition exists shall immediately comply with the terms of such notice.

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that this ordinance amends and reenacts Section 22-54 of Division 2 of Article II of Chapter 22 of the Code of Ordinances, Town of Bluefield, Virginia.

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that this ordinance is hereby adopted on this 23rd day of July, 2019.

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE TOWN OF BLUEFIELD, VIRGINIA that this ordinance shall be effective on the 23rd day of August, 2019

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 23rd day of July, 2019

PUBLIC HEARING	NONE
FIRST READING	JULY 9, 2019
SECOND READING	JULY 23, 2019
MOTION TO ADOPT MADE BY	_____
MOTION TO ADOPT SECONDED BY	_____
ADOPTION DATE	JULY 23, 2019
EFFECTIVE DATE	AUGUST 23, 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 _____
DONALD R. HARRIS, MAYOR
TOWN OF BLUEFIELD, A VIRGINIA MUNICIPAL CORPORATION

DATE

ATTEST.

LESLEY L. CATRON, TOWN CLERK
TOWN OF BLUEFIELD, A VIRGINIA MUNICIPAL CORPORATION

DATE



TOWN OF BLUEFIELD

E-Mail: williams@bluefieldva.org

Town Web Site – www.bluefieldva.org

Office of Building, Zoning, and Property Maintenance

July 9, 2019

Re: Convenience Type Business (The Hair Haven 1121 Va. Ave.)

Dear Council,

At the recent Planning Commission meeting the PC voted to approve The Hair Haven as a convenience type business located at 1121 Va. Ave. All convenience type businesses in the B-1 Zoning district require approval from Planning Commission, and Town Council. Based upon the Planning Commission's decision it is my recommendation to approve The Hair Haven as a convenience type business.

Thank You,

Kris Williams
Zoning Administrator

Business Plan (The Hair Haven)

1. Description of Business: Full service hair salon: coloring, haircuts, perms, waxes, etc.
2. One possibly two employees will be working at the business.
3. 4 parking spaces will be needed.
4. There is probably 10 or more parking spaces available at the location.
5. I will run the salon by appointment only. There will be no set hours for salon.
6. I will not need an area for unloading equipment/supplies.

I plan to have a 4x4 sign located at the entrance of the salon that reads The Hair Haven.

Heather Short





TOWN OF BLUEFIELD

STATEMENT OF DISCLOSURE AND DISQUALIFICATION

Declaration of Interest with respect to a transaction in which a member of the Council of the Town of Bluefield, Virginia may not participate in accordance with Section 2.2-3112 of the Code of Virginia (1950) as amended.

This declaration is being made as it relates to a transaction(s) or matter(s) where a member of the Council of the Town of Bluefield, Virginia may not participate by virtue of law or by reason of their own choice.

The Virginia State and Local Government Conflict of Interests Act requires that I make this disclosure, and for it to be recorded in the records of the Town of Bluefield in any case in which I am forbidden or choose not to participate. Therefore, I make the following disclosure:

1. The transaction(s) or matter(s) involved is/are:

The approval by the Town Council of Bluefield, Virginia of The Hair Haven, as a convenience-type business, at 1121 Virginia Avenue in Bluefield, Virginia.

2. My personal interest(s) affected by this/these transaction(s) or matter(s) is/are:

I am the sole Member of Presley United, LLC. Presley United, LLC owns the building and real estate at 1121 Virginia Avenue in Bluefield, Virginia, and would directly benefit from the said property or a portion thereof being leased by The Hair Haven.

4. I affirmatively state that I will not vote or in any manner act or participate on behalf of the Council of the Town of Bluefield, Virginia in the matter(s) or transaction(s) regarding *the approval by the Town Council of Bluefield, Virginia of The Hair Haven, as a convenience-type business, at 1121 Virginia Avenue in Bluefield, Virginia.*

7-9-2019
DATE

Charles E. Presley, Jr.
PRINTED NAME

SIGNATURE

When applicable, this form must be read verbally at meetings of the Council of the Town of Bluefield, Virginia, and the substance thereof included by the Town Clerk/Secretary in the minutes of said meetings. The applicable member of the Council of the Town of Bluefield, Virginia must also complete, sign, date, and provide this document to the Town Clerk of the Town of Bluefield, Virginia.



TOWN OF BLUEFIELD

E-Mail: williams@bluefieldva.org

Town Web Site – www.bluefieldva.org

Office of Building, Zoning, and Property Maintenance

July 9, 2019

Re: Convenience Type Business (Virginia Ave. Farmhouse Furniture Store 1120 Va. Ave.)

Dear Council,

At the recent Planning Commission meeting the PC voted to approve The Virginia Ave. Farmhouse Furniture Store as a convenience type business located at 1120 Va. Ave. All convenience type businesses in the B-1 Zoning district require approval from Planning Commission, and Town Council. Based upon the Planning Commission's decision it is my recommendation to approve The Hair Haven as a convenience type business.

Thank You,

Kris Williams
Zoning Administrator

Description of Business-

Selling furniture and decor items

Front of building (3/4 of space) will be used for a display / show room of furniture and decor items. Customers will come in and pick up their pre ordered furniture and be able to view and potentially purchase other pieces of furniture and decor items we have on hand.

Back part of building (1/3 of space) will be used for assembling and storage. The back will also have a garage door for easy access for customers to pick up pre ordered furniture items. Tools will also be in the back part of the building (miter saw, table saw, drill, etc...). We will have a door separating the front part of the store and the back part. Customers will not be able to access the back part of the store, unless they drive up behind the building (by the garage door) and enter to pick up their furniture.

Parking -

- We have 3 spaces in the back for parking
- Street parking

Employees -

Possibly 3 in the future

Hours of Operation:

Monday through Saturday

9am to 9:30pm (these times may be subjected to change)

Sunday

By appointment

