

**CITY OF BUENA VISTA
REGULAR COUNCIL MEETING AND
PUBLIC HEARING
SEPTEMBER 7, 2017**

The City Council for the City of Buena Vista met for a Regular Council Meeting and joint Public Hearing with the Planning Commission on Thursday, September 7, 2017, at 6:00 p.m. in Council Chambers (2039 Sycamore Avenue).

Council Members Present:	Mayor Larry Tolley
Steve Baldrige	Melvin Henson
John Dyer	
Bill Fitzgerald	Vice-Mayor Clark

Members Absent: Tim Petrie

ADG#1 PLEDGE OF ALLEGIANCE AND PRAYER:

Mayor Tolley opened the meeting by requesting that everyone stand and repeat the Pledge of Allegiance. Councilman Baldrige delivered the opening prayer.

ADG #2 PUBLIC HEARING

Chairman Dennis Hawes called the Public Hearing to order. He explained the purpose of the Public Hearing was to take comment on a possible rezoning of property located at 2806 Beech Avenue. The owner has asked to rezone the property from R3 Residential Limited to MB Mixed Business. The Mixed Business matches everything all along 29th Street, all the way down Beech Avenue and across the street from where Family Dollar and Hardee's are located. The only exception is the brick house on the hill that is designed Institutional.

Mayor Tolley read the following:

Pursuant to VA Code 15.2-2204, notice is hereby given that the City Council of the City of Buena Vista, Virginia will hold a joint public hearing with the Planning

Commission regarding the rezoning of a certain property, described as Section 5, Block 21, Lots 13, 14, 15, and 16, or as Tax Map number 18-1-5-21-14, located at 2806 Beech Avenue. Applicant is requesting rezoning from R3 Residential Limited to MB Mixed Business. Planning Commission is requesting the property be added to the Seminary Hill Historic District. The Public Hearing will be held in the City Council Chambers located in the Municipal Building at 2039 Sycamore Avenue in Buena Vista on Thursday, September 7th, 2017 at 6:00 PM. A copy of the request and supporting materials is available in the Department of Planning and Community Development, 2039 Sycamore Avenue, Buena Vista or telephone (540) 261-8607.

Mr. Hawes advised that the above was advertised for 2 weeks in The News Gazette.

Mr. Skip Ramsey of Ramsey Real Estate approached Council and the Planning Commission on behalf of the owner of the property located at 2806 Beech Avenue, Mr. Bob Bolling. Mr. Ramsey advised that the property is for sale and is under contract. Mr. and Mrs. Stanley, who were in the audience, already own 2 successful hostels and would maybe like to use the property to open another one in Buena Vista. He encouraged Council and the Planning Commission to rezone the property to help bring more business into Buena Vista.

Mrs. Mitzi Evans, Roanoke, Virginia was the next to speak. She advised that her mother has lived directly beside the property in question for 60 years. She opined you would need to know what to expect living beside something like the hostel. Mrs. Evans stated that her mother's property adjoins the 2806 Beech Avenue property. She opined the property should not be rezoned because it has been R3 for the entire 60 years her mother has lived there.

Mr. Hawes explained that maybe in the future the property will be changed into a hostel which will be used for hikers.

Mrs. Evans said that when her mother's house was built the sewer line had to go out to Beech Avenue.

Mr. Hawes said again that all of the other parts of the area is zoned MB.

Mrs. Evans was concerned about the resale of her mother's property and what the effect would be on the value of her mother's house. She opined that once the property is set up as MB it will not go back to R3. She said that once the property is rezoned to MB the house could be torn down and anything put in its place.

Councilman Baldrige asked Mrs. Evans if she knew if anyone has been living in the house at 2806 Beech Avenue for the last year.

Mrs. Evans said that she does not know of anyone living in the house for at least the past 2 years.

Mr. Ramsey said the lease was not renewed in June of 2016 because the owner wanted to sell the property.

Mrs. Evans said that she has no problem with what the new owners are planning to do with the property. However, looking down the road, what kind of control would anyone have over what is put there?

Mr. Tom Roberts addressed one of Mrs. Evans questions concerning what can be done in a MB zone. He said there are various uses such as stores, offices, multi- family residential. He advised the 2 things to know is:

- 1.) Anything that is built on that site, except for another single house, would have to go through the site planning process which would provide an opportunity for some review of the nature of the development and how it would impact adjacent developments.
- 2.) We are also adding the property to the Seminary Hill Historic District which will require approval from the Planning Commission.

Mayor Tolley declared the Public Hearing closed.

ADG#3 APPROVAL OF THE MINUTES FROM THE AUGUST 17, 2017 REGULAR COUNCIL MEETING AND EXECUTIVE SESSION:

Motion was made by Councilman Fitzgerald to approve the minutes from the August 17, 2017 regular Council meeting and Executive Session, seconded by Councilman Baldrige, carried by Council.

ADG#4 RECOGNITION/COMMUNICATION FROM VISITORS:

Citizens who desire to speak on matters not listed on the agenda below will be heard at this time. Citizens who desire to speak on a specific item listed on the agenda, open for public comment, will be heard when that item is considered.

Mrs. Peggy Goodsell, 61 Shannon Watts Lane, Lexington, Virginia spoke concerning the proposed improvements for the Paxton House. Mrs. Goodsell thanked Council for all of the support given to the Paxton House and a special thanks to Mr. Scudder for all that he does. She opined that once upon a time the

restoration of the Paxton House was a dream for many in the City but today that dream has been realized. The exterior, attic and first floor have been completed. They are now working on plans to restore the basement. From the inception of the project it was known that a handicap entrance to the house would have to be installed as well as a handicap bathroom. For several years the Women's Club in Buena Vista has generously offered to put a bathroom in the house. The State Department of Historic Resources said they would not approve a bathroom going into the house. They suggested a separate outside building. Over the past several weeks Wayne Flint has been working with George Pinkerton, who is donating his labor, on the bathroom which will be located on the north side of the house. The area will include 3 things:

- 1.) A handicap entrance
- 2.) A handicap bathroom in a separate building. The building will have the appearance of an old structure. The bathroom is a waterless system called ELOO. The water system was donated by Francis Lynn's son and would have cost them \$4,000.00.
- 3.) An attractive court yard and patio area for community purposes.

The plan has been approved by the following:

- 1.) The Paxton House Board of Directors
- 2.) The State Department of Historical Resources
- 3.) The regional office in Salem
- 4.) The Buena Vista Women's Club
- 5.) The Buena Vista Junior Women's Club

The Women's Club and the Junior Women's Club will be financing about 2/3 of the cost. The project will probably be completed in segments. The last thing to put in would be the driveway because of the service vehicles. The State wants them to keep the brick away from the house so they will be using pea gravel.

Mayor Tolley wanted to know where the driveway would end.

Mrs. Goodsell said it will end at the bathroom. They will have a brick sidewalk to the end. She said the driveway will only be used for service maintenance vehicles. She said they are acquiring furniture now. They have an 1832 square piano that was originally in the house being donated back to them from W&L.

Mrs. Goodsell advised they are very careful about the donations they accept for the house because they only want items that are acceptable for the house.

Mayor Tolley wanted to know if they were asking permission from Council to proceed with their project.

Councilman Dyer wanted to know if the Paxton House Committee had ever come to Council to ask approval for a project before this one.

Mrs. Goodsell said they have been working with the Richmond Historical Office. They have approved everything they have done to the house.

Councilman Dyer wanted to know if this project has already been discussed with the Paxton House Board and both Woman's Clubs and received a majority of approval on it.

Mrs. Goodsell advised that the Paxton House Board, the Women's Club and the Junior Women's Club have approved the project. The Regional Office in Salem has also approved the project.

Councilman Dyer asked Mrs. Goodsell to relay to Mr. Flint how much Council appreciates his work.

ADG#5 REPORTS:

MAYOR:

Mayor Tolley said that on Labor Day he received a couple of recognitions for the City's 125th anniversary. One was a Resolution from Ben Cline from The General Assembly and the other was from Congressman Bob Goodlatte. Vice-Mayor Clark read the Resolution from Ben Cline and Councilman Baldrige read the one from Bob Goodlatte. Mayor Tolley advised that he received a letter following a Buena Vista Watershed meeting with the staff of USDA Natural Resources Conservation Service, the City of Buena Vista and the Natural Bridge Soil and Water Conservation regarding our ongoing flood control projects. He advised we came to a stop concerning some of the interior stream projects as money ran out. This happened about the same time as Hurricane Katrina hit in New Orleans and about the same time there were political changes in Washington. The letter is the response to the meetings and discussions that they have been having. He opined the letter should be read in the Council meeting and needs to be discussed as Council moves forward. Mayor Tolley stated that Council is charged as stewards of the City. We have an investment in the flood control project and if we don't maintain we will lose. Mayor Tolley then

read the letter. (See minute book for copy of letter) Mayor Tolley said he read the letter for a purpose. There is mention of funding in the letter and the cost could be very significant. He opined what they are basically saying is that to continue in the project that was started we will have to start back from ground zero. He opined our flood control project has been an investment in this community and Council is charged to be stewards of that investment. Mayor Tolley said we need to exercise whatever measures we can to continue to protect this City from flooding; both from the river and the interior streams. Mayor Tolley said that he agrees with Mr. Scudder that it will take outside money to get this done. At the same time, we still need to be aware of this and we need to seek out opportunities to find the money. He said this is something that will be on our docket that Council will have to be looking at.

Vice-Mayor Clark wanted to know who within our organization would be responsible to keep this on the docket.

Mayor Tolley opined it should be Council to keep it up front. He said if you are looking for a department it should be the Planning Commission.

Vice-Mayor Clark wanted to know what their follow up will be.

Mayor Tolley opined we should seek opportunities for funding and keep it up front for us so we can identify the areas that need attention.

Vice-Mayor Clark stated that Council has talked about where work has been done and different parts of the City that we are responsible for and the parts that the citizen is responsible for. She opined that the information needs to be gotten out to the citizens.

Mayor Tolley opined this is a very complex system. He opined that Council needs to be educated. He also said that we will have to respond to the letter.

Councilman Dyer agreed that it is a complex system. The maintenance of what we have that has already been built is not that complex to him. He said the last he remembered that Council talked about was that Tom Roberts was going to investigate who is responsible and the approach that Council is going to take. He said that he is concerned about the growth that is in there now. He said that our approach the last time it was talked about was we were knocking on wood and that is a scary thought for him. He opined that instead of planning and preparing we are taking the approach to react.

Mayor Tolley stated that was why he read to letter. Everyone needs to be aware of the situation and we need to plan.

Councilman Dyer stated that he understood what Mayor Tolley was saying. However, the last time Council talked about the creeks was 4 weeks ago and nothing has happened as far as maintaining.

Mayor Tolley said that he will not say that nothing is happening because Tom is gathering information. There is no physical work going on.

Vice-Mayor Clark wanted to know if we could go ahead and make this topic an agenda item for our next meeting.

Mayor Tolley opined that we should get a report from Tom. He said that he feels he does not know enough about it to discuss the issue. He opined we could get estimates for doing the job because he knows we do not have enough man power to get the job done.

Councilman Dyer stated that we know we have certain structures that we are responsible for keeping the right of way clear.

Mr. Tom Roberts answered Councilman Dyer by saying that he is correct. He said in the report that he gave about a month ago is basically the structures that have been built in these areas have been done at various times and various agencies. For most of them we have maintenance obligations. Just know that in general we can do some things. On most of the projects it is written pretty specific on how it should be maintained. He opined it is a matter of pulling together and finding the documentation.

Mayor Tolley said one of the points discussed at the meeting was when an agency has done a litigation project in a certain area and is not continued all the way down to the river, it does have an adverse effect on what is below that between that litigation and the river.

Mr. Scudder said if you look at the one that does define some maintenance, which is Chalk Mine Run, is when they did that project the most complicated and expensive part of the project is down on Route 60; not up at the top of the mountain. They did the top of the mountain but down where it comes through the City were not done. That is a very expensive and massive project. The City does not have the money to do the job. We can request the money for the study to redo all the work that was done in the 1990's and that is probably the answer to the letter. This project will be a multi- million dollar project. We would have to get the funding to hire an engineering firm to redo all of this work.

Vice-Mayor Clark wanted to know why we would have to redo all of the work when the creeks just need to be cleaned.

Mr. Scudder stated that is another part of the work is where the responsibility lies to clean the creeks. We were getting prison crews that cleaned the creeks but we do not get them anymore. If we can get those type of resources we can certainly use them.

Vice-Mayor Clark feels it is very important to get the creeks clean. She opined that she cannot see how you can spend millions of dollars on a study that says you need to clean the creeks out and you already know they need to be cleaned.

Mr. Scudder said the study would be to engineer the rest of Chalk Mine Run.

Vice-Mayor Clark stated that every time this subject has been talked about we agree there is a problem with the interior streams.

Mr. Scudder said we have some areas that have brush and sediment that needs to be cleaned out.

Councilman Baldrige said that we do know that we accepted for the City the retention pond for Savernake. It has trees growing up in the retention pond that have to be cut out. There is a spillway with that retention pond that is supposed to go down to the creek. He opined it is faulty engineering that it all does not run downhill. It floods the houses that are uphill from his house. It has done it twice. Because it flooded those houses then they cannot call it a natural disaster. They would have to say faulty engineering of the City owned retention pond. As a homeowner, it concerns him. It has to be some way to eliminate that saddle so the water actually runs downhill.

Vice-Mayor Clark wanted to know if other than waiting to apply for Federal funds, that we might or might not receive, what can we do to keep our City from flooding in the meantime.

Mr. Scudder said if we have the resources we can do some work with the creeks.

Councilman Baldrige said that some of the problem may be the notification to the land owners that they need to clear. Maybe letters should be sent from the City saying that it is the land owner's responsibility to clear the creek, not the City.

Mr. Scudder said the creeks were cleaned about every 2 to 3 years by the prison crews which we do not have anymore.

Councilman Dyer said he understands that we have limited manpower and limited funds. He opined that we should get an estimate from an outside contractor on getting the creeks cleaned out and bring it back to Council.

Mr. Skip Ramsey said that he was here in both 1969 and 1985 when the City flooded. He was also here when we finally got flood protection. The City got a lot of money from the Federal government to do these projects. However, we are not maintaining them. He said he agrees with Councilman Dyer on how we can ask the citizens to go out and do things to their property when as a City we are not maintaining our own property. He opined we need to set the example for the City. He said if we have millions of dollars in the bank we need to use some of it to do some maintenance. He opined we need to encourage people to come to Buena Vista and open up new businesses. Our taxes are higher than most places in the whole state for a community the size of ours.

Mayor Tolley said we are working in that direction. It cannot happen overnight. Mayor Tolley said we have experienced floods here. There are many opportunities to help people. There is one that has come about that started from our volunteer guru, Pastor Bryan LePere. He has challenged a youth group in town to put together 20 flood buckets. There is a list of items that goes in those buckets. They will have them ready to go to Richmond after October 9th and then will be delivered to the flood victims in Texas. He would like for citizens to participate in this effort. There are 2 collection points: 1 is the Treasurer's Office and the other is at JJ's Meat Shack. Also, on October 7th at JJ's there will be a classic car cruise-in and we will be encouraging people who attend to bring buckets.

CITY MANAGER:

Mr. Scudder advised that the street improvement project on Sycamore was 98% completed last week and the new striping will be done next week. The new DI's seem to be doing very well. The dips have finally been fixed on the streets with a million dollar grant that we got from VDOT. The Magnolia project that we are working on with VDOT and the contractor will start next week. Bids are due next Thursday on the Safer Routes to School project. We are also working on the sewer project down at the park and should be completed by the end of next week.

Councilman Henson opined we need to stay on top of the water situation at GMP since we have Nothin Fancy coming up soon.

Mr. Scudder said that staff feels we will have the water hooked up pretty quickly.

CITY ATTORNEY:

None.

COMMITTEE REPORTS:

Councilman Dyer wanted to know if any progress has been made with the solid waste program.

Mr. Scudder said we have had some discussions. We are working with SCS Engineering to update the regional solid waste plan to include Paul Palma. Also Mr. Paul Palma is working on our solid waste situation with SCS to make sure he is all ready for permitting when he is able to start construction. He opined there will be a delay on Paul Palma's side but he is not sure how much it will be at this time.

Mr. Dyer advised that Mr. Palmer stated he will have 3 to 4 weeks construction time.

Mr. Scudder also said we have to remember that Mr. Palma let us use the County Landfill until that landfill was closed. Going forward, we will have that differential in the new rate because we will be a new customer for them. The difference between his rate and the County rate is about \$12.00 per ton.

Councilman Dyer stated that Mr. Palma's rate is \$49.63 per ton.

Mr. Scudder did secure some waste management contracts with waste management a better rate for him than he had previously. He does not know if that will be reflected in that \$49.63 or not because we will save a little over a dollar in the tipping fee. He opined the thing is getting the engineering stuff done and making sure that he is ready to go. He opined it could be 6 months from now before he is ready to go.

Councilman Dyer wanted to know if Mr. Palma would have to get new permitting again.

Mr. Scudder said he does not think so.

Councilman Dyer said that up until June of this year we were paying \$35.00 to \$36.00 per ton and now we are expecting to jump to \$49.63 when Paul finally gets busy and gets things ready. He advised that we are now paying the County \$53.00 per ton.

Mr. Scudder says that sometime in the summer it will become \$62.00 per ton.

Mayor Tolley said we will have a single source for recycling with Mr. Palma. He opined with the County landfill we will still have to do our own recycling.

Councilman Dyer stated that the only thing we are doing with recycling is collecting it and taking it down to Paul.

Mayor Tolley said that when Paul takes over it will all be single streamed.

Councilman Dyer said once again that Mr. Palmer will charge us \$49.63 per ton for recycling. He opined there is a lot of difference between \$49.63 and \$63.00. He said we are already talking about 6 months which will take us into the middle of next year. He also wanted to know how long we will be paying \$63.00 per ton.

Mr. Scudder opined that it will be studios to sit back and see how the program goes with the County. Mr. Palma understands where we are right now and says he will get the job done. If he doesn't we will have to do something else. We will have no other option. Mr. Scudder advised that Mr. Palmer has some things he has to work through right now but he understands where we are. We are doing everything we can to move the project forward.

Councilman Dyer asked if the City is ok with paying \$63.00 per ton right now.

Mr. Scudder said at this point we do not have any other choice.

Councilman Dyer wanted to know if the County would consider us being a customer longer than on a month to month basis.

Mr. Scudder said they would be. The timing of that is very important. Mr. Scudder said that he would rather talk about this subject one on one.

Councilman Dyer then wanted to know the status of our new website.

Mr. Brian Brown said that everything is ready with Mr. Wolfe and we are waiting on getting it on the server with our current supplier. It should be up and running by October 1.

Councilman Henson then announced that there will be a fund raiser for flood victims in Texas at Camden Field on September 15th called Guns and Hoses. This is a free event but donations of cleaning supplies, money etc. will be appreciated. He also said the new flags hanging downtown look really good. He also said the repairs to the sidewalks on Walnut Avenue are looking good. On Labor Day there were a lot of pictures taken on 14th and Magnolia. The pictures were good but the background was a little bit out of proportion. He would like to see Mr. Palma fix the building up.

Mr. Scudder advised that Mr. Palma is supposed to be tearing it down.

Councilman Henson then wanted to know the status of the restrooms at Green Hill Cemetery.

Mr. Scudder explained that we have not had time to do anything about them as of yet.

Councilman Henson said he was speaking of the ones at the new building.

Mr. Scudder advised that there is a water issue with that restroom.

Councilman Henson then addressed the subject of the large pot hole at the intersection of Long Hollow Road and Catalpa Avenue.

Mr. Scudder said it will be repaired next week.

Councilman Henson then wanted to know the status of a business plan to get more businesses downtown.

Mr. Scudder said that Mr. Brown meets with people all the time to get new businesses downtown. We are working on one big project.

Councilman Henson opined we are lacking retail space downtown. There are only 9 true commercial buildings in downtown Buena Vista. We have one business that is getting ready to open up in a neighboring community. She will work one day per week in Buena Vista and 4 days per week in Lexington. He opined we need to clean our act up and keep the businesses we have. He also said the Hospice Hustle will be held on September 16th at GMP.

**CONSIDER APPOINTMENTS TO VARIOUS BOARDS,
COMMISSIONS, AND COMMITTEES:**

None.

OLD BUSINESS:

None.

NEW BUSINESS:

NB #1 PROCLAMATION FOR MRS. YOLANDA BOATWRIGHT:

Mayor Tolley read and presented the following Proclamation to Mrs. Yolanda Coffey Boatwright:

PROCLAMATION

WHEREAS, MRS. YOLANDA COFFEY BOATWRIGHT was hired as a part time employee in the Treasurer's Office for the City of Buena Vista in the year of 1983; and

WHEREAS, MRS. YOLANDA COFFEY BOATWRIGHT did become a full time Deputy Treasurer for the City of Buena Vista in the year of 1987; and

WHEREAS, MRS. YOLANDA COFFEY BOATWRIGHT was elected Treasurer for the City of Buena Vista in November, 1993 and took office on January 1, 1994; and

WHEREAS, MRS. YOLANDA COFFEY BOATWRIGHT is a dedicated wife, mother and daughter and was a Certified Governmental Treasurer; member of the Treasurers' Association; member of the Stone Church of the Brethren; served on the Rockbridge Regional Fair Board; member of the American Legion Auxiliary; member of the Labor Day Committee; member and officer of the Buena Vista Junior Woman's Club.

WHEREAS, MRS. YOLANDA COFFEY BOATWRIGHT

did retire as Treasurer for the City of Buena Vista on June 30, 2017.

THEREFORE, on behalf of the citizens of Buena Vista and the City Council, we express our deepest appreciation to **MRS. YOLANDA COFFEY BOATWRIGHT** for giving of herself and her career to the City of Buena Vista for the past 34 years.

Larry F. Tolley, Mayor

NB #2 DISCUSS A RESOLUTION SUPPORTING THE POSIBILITY OF A NEW FIRE TRAINING CENTER IN BUENA VISTA:

Mr. Nathan Ramsey started the discussion by stating that there has been talk for several months within our community about the burn building that is located in the City of Buena Vista. He said in February we had one of the first live burnings that he has participated in since taking on his position as new Chief in the County. The Department of Fire Programs has a trailer that they have been supplying to Rockbridge County, the City of Lexington and the City of Buena Vista volunteer firemen. There were 30 volunteer firemen on a Saturday morning for training and the trailer would not work. He wanted to know why the current burn building was not being used for training. He feels it is conducive to continue using the burn building for training and to not rely on outside agencies helping to provide that sort of equipment for training. He opined that quality training is not being received for our volunteers that are needed. The only other option they have is to go to other counties for Class A real time training. The current burn building cannot be used because it does not meet the requirements for State certification. With that being said, having a Firefighter 1 trained under the State is able to move on to future employment opportunities and also it makes them become safer firefighters for our communities. There is nothing in Virginia that says you have to be trained; you just have to be over 18 years old. A lot of the firefighters want to be trained and they would like to provide that type of service. The current burn building is not with the current standard. We have to be able to perform under instruction at grade, which can be done at the current building. He

advised that training can still be done at the current building but it is non-certified. He has been in contact with some of the division chief leaders with fire programs and we have a good chance of getting the grant which is \$450,000.00 for construction and \$30,000.00 for architectural fees. He is asking Council for approval to apply for the grant. Part of the provisions for the grant is we have to have land secured and it must have a fire hydrant on it. There is water there at the end of the driveway so they would have to know the cost to put water to a fire hydrant on the property. They chose this site because that is where the burn building is currently and with the construction of our new 911 Center, their training will be held there also. The classrooms will be set up at the new 911 Center and then the training could take place just down the hill at the burn building.

Mayor Tolley wanted to know if they would upgrade the building that is there now or would a new building be built.

Mr. Ramsey said he does not have the answer to that question at this time.

Mayor Tolley wanted to know how it would affect the cost if the current building had to be demolished.

Mr. Ramsey advised that once you have the land secured and water on the location, the turn key is usually around \$400,000.00 to \$450,000.00. They have also applied for other grant opportunities through the Central Shenandoah Planning Commission District to assist them in finding additional monies if needed. The deadline for the fire programs grant is January 1, 2018. It is a lengthy process to go through but he wanted to make sure that we are able to keep the building here at the current location.

After further discussion concerning water on the property and the size of the building, Mayor Tolley asked Clerk of Council, Dawn Wheeler to read the following Resolution:

RESOLUTION

WHEREAS, there is currently located a regional fire training facility in the City of Buena Vista at the corner of East Midland Trail and Vista Links Drive; and

WHEREAS, there is currently an opportunity through the use of grant funds to upgrade the facility to a Class “A” Fire Training Facility; and

WHEREAS, such a facility will greatly enhance the efficiency and capabilities of the Buena Vista Fire Department and its regional partners so as to improve the services to the citizens of Buena Vista and the surrounding communities; and

WHEREAS, the Buena Vista Fire Department and the regional fire departments have requested the City to support a grant application for the new Class “A” Fire Training Facility, to be located on the current facility site.

NOW THEREFORE BE IT RESOLVED that Council for the City of Buena Vista, Virginia hereby supports a regional application to obtain a grant for up to \$480,000 to construct and maintain a Class “A” Fire Training Facility on the property located in the City of Buena Vista on the corner of East Midland Trail and Vista Links Drive.

Larry F. Tolley, Mayor

Attest:

Clerk of Council

Date of Adoption

Motion was made by Vice-Mayor Clark to approve the above Resolution, seconded by Councilman Baldrige, carried by Council.

NB #3 FIRST READING OF AN ORDINANCE TO REZONE SECTION 5, BLOCK 21, LOTS 13,14,15 AND 16 OR AS TAX MAP NUMBER 18-1-5-21-14 LOCATED AT 2806 BEECH AVENUE FROM R3 RESIDENTIAL LIMITED TO MB MIXED BUSINESS.

Mr. Tom Roberts, Director of Planning and Community Development, advised that after the Public Hearing, The Planning Commission, by unanimous vote, recommended approval of the request for rezoning from R3 to MB. The Planning Commission also recommends that the property be included in the Seminary Hill Historic District. Mr. Roberts said that the Planning Commission would like for Council to take action on this request tonight.

Mr. Kearney explained that this will be the first reading of the Ordinance and it cannot be adopted tonight.

Councilman Dyer wanted to know the benefit of having the property adopted into the Seminary Hill Historic District.

Mr. Roberts said the benefit of having the property in the SHHD is it would make it more uniform with the properties around it. All of the other properties around it except going east on 28th Street are in the SHHD. The historic district also adds a level of review by the Historic District Review Committee to ensure general conformance in the historic character and some of the historic guidelines. Any demolition, new construction, etc. will require a Certificate of Appropriateness from the Planning Commission.

Councilman Dyer wanted to know if the owner would benefit any by being in the SHHD.

Mr. Roberts said not in this historic district. This is a locally designated historic district, not a state or national district.

Councilman Dyer wanted to know if there would be any changes in the infrastructure with the changing of the zoning.

Mr. Roberts replied by saying if a new development would come along and they want to build something else there, that would be the point where we would require improvement to water/sewer. It could potentially involve some improvements to 28th Street. All of this depends on what would be proposed for that site.

Councilman Dyer wanted to know if the road had to be widened who would be responsible for the cost.

Mr. Scudder said the developer would be responsible.

Councilman Henson said that he is not opposed to the change from R3 to MB but he is opposed to SHHD. He wanted to know if the change would welcome or detour business.

Mr. Roberts opined for this property in the SHHD the cost would not be that much. Even if it were a Mom and Pop operation they would still need to go through the site planning process. Therefore, they would still be coming before the Planning Commission. The Certificate of Appropriateness cost is \$300.00. Having the historic district review does add a little bit of uncertainty in terms of what the Historic District Committee is going to ask. You could have some increased costs of the building.

After further discussion on whether property should be in the historic district or not, Mayor Tolley asked Ms. Wheeler to read the following Ordinance:

ORDINANCE

ZONING MAP AMENDMENT

BY THE COUNCIL OF THE CITY OF BUENA VISTA, VIRGINIA, that after a duly called public hearing, in accordance with the general welfare of the citizens of Buena Vista and in accordance with good zoning practices, Lots 13, 14, 15 and 16 of Section 5, Block 21 as shown on the attached "Exhibit A," is rezoned from Residential Limited R3 to Mixed Business MB and is rezoned to the Seminary Hill Historic District Overlay for the City of Buena Vista, and the zoning map for the City will be amended to reflect this change.

This Ordinance shall take effect thirty (30) days from the date hereon.

Larry F. Tolley, Mayor

ATTEST:

Clerk of Council

Date of Adoption

ADJOURNMENT: There being no further business Mayor Tolley adjourned the meeting.

Larry Tolley, Mayor

Dawn M. Wheeler, Clerk of Council