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**CITY OF BUENA VISTA
REGULAR COUNCIL MEETING AND
EXECUTIVE SESSION
MARCH 15, 2018**

The City Council for the City of Buena Vista met for a Regular Council Meeting, on Thursday, March 15, 2018, at 6:00 p.m. in Council Chambers (2039 Sycamore Avenue).

Council Members Present: Mayor Bill Fitzgerald

Steve Baldrige Melvin Henson

Stanley Coffey Daniel Staton

Members Absent: Lisa Clark, Tyson Cooper

ADG#1 PLEDGE OF ALLEGIANCE AND PRAYER:

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

ADG #2 APPROVAL OF THE MINUTES FROM THE REGULAR COUNCIL MEETING ON MARCH 1, 2018:

Motion was made by Councilman Coffey to approve the minutes of the March 1, 2018, Regular Council meeting, seconded by Councilman Staton, carried by Council.

ADG #3 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.

No one spoke.

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ADG #4 REPORTS:

1.) Mayor:

Mayor Fitzgerald advised everyone that the Parry McCluer High School lady's basketball team won the State Championship again this year. He advised that the Buena Vista Rescue Squad will be holding their banquet and dance on Saturday, March 17 at the American Legion.

Councilman Henson said that they will socialize from 5 p.m. to 6 p.m.; dinner from 6 to 7; awards from 8 to 9 and dance from 9 to 12.

2.) City Manager:

Mr. Scudder started his report by introducing Rachel Moore as the City's new Economic Development Director. Rachel graduated from Lynchburg College with a degree in communications and public relations. She then attended VCU and got her master's degree. She has 10 years of experience in developing and implementing marketing local and regional tourism events. She has worked with Henrico County and in the private sector both on tourism, special events, promoting large suburban tourism as a destination. She has worked toward increasing both local business and tax revenue and has done a lot of market research. He opined she is a very good writer and editor. She has worked on web sites and various community groups, organizations, businesses and agencies and special events to accomplish specific tasks. She has maintained good relationships in her career with existing businesses and community members. The interview panel felt she was well suited for Buena Vista and will do a good job.

Ms. Moore said she is really excited to be here and looking forward to meeting everyone.

Mr. Scudder then read a certificate of appreciation from the Buena Vista Fire Department expressing their appreciation for our support in 2017. He also had a plaque from The Virginia Institute of Government. The plaque is from Ted Povar who heads up the information services at the Weldon Cooper Center in Richmond.

3.) City Attorney:

None.

4.) Council Committee/Representative:

Councilman Henson said that on March 15, 1919, the American Legion was formed in Paris, France. Our local post in Buena Vista is 97 years old. The American Legion was organized to help veterans. The American Legion held an event for veterans this past Saturday and a lot of the veterans received help. He advised that this coming Saturday night at the

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Parry McCluer Middle School the follies will be held. They will have a silent auction, 20 acts that involve the students and 1 act that will involve the teachers. The money made from the follies goes back to the school to buy books and grants for the teachers to buy materials for classroom use. BBQ chicken will be served at the BVFD building on March 24th. He also advised that Katy Patterson, Director of Parks and Recreation, is getting ready to do her first event. It will be the Easter egg hunt at the park on March 31.

Councilman Baldrige said the follies are a variety show that is sponsored by the Blues Education Foundation.

CONSIDER APPOINTMENTS TO VARIOUS BOARDS, COMMISSIONS, AND COMMITTEES:

APT #1 PUBLIC RECREATIONAL FACILITIES AUTHORITY:

Ms. MarVita Flint has resigned. Her term will expire on June 30, 2018. This is the first time this item has appeared on the agenda. ADVERTISED: NEW GAZETTE 3/14/18; WEB SITE AND CHANNEL 18 3/14/18

Since there are no applicants this item will be carried over to the next Council meeting.

NEW BUSINESS:

NB #1 PRESENTATION OF THE VLEPSC ACCREDITATION CERTIFICATE/SPEECH FROM DERRICK MAYS, PROGRAM MANAGER FOR VALEAC FROM DCJS/PHOTOS WITH MAYOR AND COUNCIL/REMARKS FROM CHIEF OF POLICE:

Chief Hartman said this is the culmination of being a fully accredited Police Department. He said that Mr. Mays is here from the Department of Criminal Justice System. Mr. Mays is the program manager for accreditation of the agency. He thanked Council and his staff for all the help that was given over the last 2 years to get the PD fully accredited.

Mr. Derrick Mays from the DCJS spoke next. He explained that the VALEAC stands for Virginia Law Enforcement Accreditation Correlation. That is the group of individuals who go out as assessors and the accreditation managers that perform the duties to help other agencies get accredited. They also go out to

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make sure the agencies are still in compliance with everything to stay accredited. VLEPSC stands for Virginia Law Enforcement Professional Standards Commission. That Commission is comprised of 6 Chiefs chosen by the Chiefs Association and 6 Sheriffs chosen by the Sheriffs Association. They are the governing body with regards to who becomes accredited. The program is managed by DCJS. Mr. Mays said the accreditation process can have up to 36 months to complete. Our Police Department did it in less than 24 months. The Buena Vista Police Department did it in such a way that they met the compliance standards for 190 standards with 0 returns. He opined that is not done often and that BVPD did it and it was done well. This shows the dedication that the Chief and his staff had towards getting this process accomplished. Buena Vista is #98 of the accredited agencies through VLEPSC. He opined this is a milestone in itself. It is the first time there have been 98 agencies accredited. He just finished 2 more processes so in May there will be 100 agencies accredited for the first time. Mr. Mays opined this could not have been accomplished without agencies like the Buena Vista Police Department setting the standard. He advised that Chief Hartman would not do his assessment until he knew his interns could be there because they were such an integral part of the process. He said they do not come in and try to tell police departments what to do but just show them how to be completely transparent. He said he could send 3 people to Buena Vista from any place across the State of Virginia and they will walk out 2 or 3 days later with a smile on their faces; you know you are doing things the way they are supposed to be done. He said to know that we have one of the most professional agencies in this area of Virginia and are only 1 of 2 in Rockbridge County says a lot. He then presented the initial accreditation certificate to Chief Hartman.

Councilman Henson wanted to know how long it would be before we have to be reaccredited.

Mr. Mays said 4 years.

Chief Hartman said the BVPD is very excited about becoming accredited and that Council should be very proud that our City now has an accredited Police Department.

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OLD BUSINESS:

OB #1 DISCUSS CITY CHARTER CHANGES:

Mayor Fitzgerald opened the discussion by saying that he thinks we need to form a committee to oversee the review of the City Charter.

Councilman Henson opined we need to have a work session with all Council members involved and then turn it over to a committee.

Mayor Fitzgerald said he agrees with having a work session. However, he opined that Council needs to go ahead and form a committee and that Council and the committee should have 1 work session.

Mr. Kearney said charters in the cities of Fairfax and Petersburg are the only 2 that have changed their charters in the last 10 years. In both situations, committees were formed. He talked with the attorney for Petersburg and has a call into the attorney for Fairfax. He opined the charter needs to be cleaned up more than anything. Petersburg had a 7 member committee consisting of some council members and citizens; Fairfax had 7 members also appointed. Mr. Kearney suggested that perhaps some former Council members would like to serve on the committee. **He said this will take a lot of work; the current charter has been adopted since 1952.** He said the committee would have to bring the changes to Council; Council will have to do an Ordinance; the Ordinance will then be sent to our representatives in Richmond. This must be done no later than November to be heard in the January session. They will have to vote on a bill to allow us to make changes to the charter.

Ms. Wheeler was asked to advertise in the News Gazette to see if perhaps some citizens would like to take part in changing the charter.

Councilman Baldrige suggested we reach out to former Council members to see if perhaps they would be interested in serving on the committee.

NEW BUSINESS:

NB #2 DISCUSS FAÇADE GRANT FUNDS:

Mr. Tom Roberts gave the following report on our Façade Grants:

The Façade Improvement Grant Program was approved in 2015 and began awarding grants in 2016, and has been very popular among local businesses. To

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date, \$35,469.00 has been disbursed. Combined with an additional \$7,500 currently obligated, this represents at least **\$86,000 worth of improvements to buildings in our downtown in the last two years**. This does not include interior improvements that did not qualify for matching funds.

Businesses that have completed grant-funded projects:

- Urban Farm girl
- JJ's Meat Shak
- Glamour Hut
- Building that houses Vinyl Cuts and Jenny Moon Certified Massage Therapist
- Ramsey Real Estate
- Former Ford car dealership

Each of these businesses is located on the Magnolia Avenue corridor where we seek to encourage commerce and activity, and the grant-funded improvements have made an obvious and tangible impact on the prosperous appearance of Buena Vista.

From a marketing and business development perspective, the grant program is an enticing tool in the City's basket of incentives it can offer small businesses downtown.

Currently, the City has approximately \$26,000 available to award in the current fiscal year. Although \$14,000 is allocated annually to the program, several buildings were approved for grants but did not complete the work and were not reimbursed, leaving that money available. The maximum grant amount is \$7,500, which must be matched at least 1:1 by the business. The grant expires one year after it is approved, so applicants have 12 months to complete the work and submit for reimbursement.

Mayor Fitzgerald opined we really need to boost the amount of the grants because of the work that Mr. Walker is going to be doing. He suggested that we set aside at least \$100,000.00.

Mr. Scudder said we have some remaining funds that could handle a couple of them. He opined we should approach the funds on a case by case basis to see what projects are going to happen.

Councilman Baldrige also said we will have to see when they come in. He said part of the reason we bumped it up was because you approve it in one year and it may be another budget year before they ask for their reimbursement. You need to have a float because we have made commitments. He said he is glad for where we are at. Councilman Baldrige stated that some of the buildings are part of Mr. Walker's group that was approved and then they did not take

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advantage of the grant. He said we may get reapplications on some of those buildings. Mr. Walker's may not request any money on some of his buildings until a year from now.

Mr. Scudder said that is what we did the last time when we had an influx of a bunch of projects that Council felt they wanted to fund.

Mayor Fitzgerald stated that Mr. Walker said he will want some of the grant money this year. He opined again that we should go ahead and increase the funds in the account and the money will be there when Mr. Walker is ready for it.

Mr. Roberts said the \$26,000.00 includes the \$14,000.00 that is in the budget that has been appropriated.

Mr. Scudder said we have \$26,000.00 that has been appropriated. Those funds are sitting there waiting for new façade grants. The maximum grant is \$7,500.00. He opined we have enough to do almost 4 grants. He said if you want to throw another \$5,000.00 or \$6,000.00 in it you would have enough for 4 grants.

Councilman Henson wanted to know if we have any new applications.

Mr. Roberts said we have one applicant as of today. There is another business that he has talked to but does not have an application from them. The third person is asking about it and may pursue it.

Councilman Baldrige opined the façade grant is a great program. He said he remembers working with Brian Brown on the first initial idea and bringing it to Council.

Mayor Fitzgerald said he feels it is a great program and wants to make sure the money is there if it is needed.

Councilman Henson said at the intersection of 21st and Magnolia there are 2 buildings that was not done. He wanted to know if Mr. Walker could reapply for the money.

Mr. Roberts said that Mr. Walker could reapply for those funds. There are 3 amounts that were approved in 2017 but not reimbursed. We have already obligated \$7,500.00 earlier in this fiscal year. That will be used for the Triangle building owned by Everett Beverly. He has been working on the building and we have seen some progress he has made. He should be signing the request for the funds shortly. He said the other thing he will point out is as far as Council thinks about funding is it is a very good program. This grant only funds work on the front exterior of a building. The grant is really designed for painting the front of a building; not painting the rear or the sides of the building.

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Councilman Coffey wanted to know if it would be feasible to take \$15,000.00 out of the General Fund and put it in the façade grant fund.

Mayor Fitzgerald said the \$15,000.00 would be in addition to the \$26,000.00 that is already in the fund.

Councilman Baldrige opined when we receive more applications Tom can come back to Council and request more money.

Mayor Fitzgerald opined that if Tom has to come back to Council for more funds it will just slow down the progress. He said we are going to give the money anyway so why not just put the money in the façade grant program.

Councilman Baldrige opined if we have \$26,000.00 already in the funds and 2 or 3 people come wanting a façade grant, we will add funding for 2 or 3 more. We are not slowing down anyone but we are getting reports that we still have float in the next ones coming up. He opined that we could probably make it through the whole year this year without needing to add to it. If you want to add \$15,000.00 it will surely take us at least 6 months.

Mr. Scudder said we are adding those funds in the current fiscal year for the budget if you want to pump it up for the next fiscal year. He opined the money will be there.

Councilman Henson then addressed the derelict building program.

Councilman Baldrige said we have been pretty well held back because that category is very small.

Councilman Henson stated that we only have \$14,000.00 and that will only take care of one house.

Councilman Baldrige said that both programs work to beautify the City and opined that we do truly have awful buildings that need to come down. He also wanted to know if we need to add funds to the derelict building account.

Councilman Coffey made the motion to add \$15,000.00 to the existing \$26,000.00 to benefit the façade grant program, seconded by Councilman Baldrige, carried by Council.

Councilman Baldrige then wanted to know if Council felt comfortable making a motion to add funds to the derelict structure account.

Councilman Henson advised that it takes about \$14,000.00 to take down one derelict structure.

Mr. Roberts advised there is \$14,000.00 in the derelict structure budget. With a lot of staff transitions we have struggled to pursue derelict housing in the last few months. We have to give property owners enough time to plan to remove the

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structure or to make improvements to it. He opined that we will not have time to use any additional funds.

Mr. Scudder opined that we are ok with the derelict structures. In the last 6 years we have done 1 with City funds and 3 where the owners took them down.

Councilman Baldrige said that he personally reached out to a handful of owners and suggested that they sell the structure and let someone else fix it up. He said it has been a gentle encouragement to fish or cut bait.

Councilman Coffey wanted to know if the houses were uninhabitable.

Councilman Baldrige said some of the houses are too far gone and they have to be taken down.

Councilman Coffey advised that the BVFD will sometimes burn derelict structures.

Councilman Henson said when he was teaching for the BVFD there were certain stipulations or rules that must be followed. There cannot be anyone with a health hazard within 500 feet from the area that is to be burned. He said there are certain rules that have to be followed also in the Virginia Code.

Mr. Roberts said that he has not read the Virginia Code on derelict structures. He has looked at the City Code on derelict structures.

Councilman Coffey wanted to know if the owners were capable to take down the structure or were they waiting for the City to take them down.

Councilman Baldrige said it would be less expensive for the owner to take the structure down themselves. It has sometimes helped the owners to do it themselves rather than have the City do it because it will cost them more if the City does take the structure down. He opined we have done a great job with the façade grant but not such a good job with derelict structures.

Mr. Scudder said if the structure is sound and secured the City cannot do anything about it.

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NB #3 TOM ROBERTS WILL GIVE AN UPDATE ON GIS:

Mr. Tom Roberts gave the following update on GIS:

What is GIS?

Geographic Information Systems (GIS) are the intersections of maps and databases. They don't just show us where things are, but allow us to track information about different features on a map. They allow us to analyze features based on where they are. GIS is organized into "layers" of a specific set of features, e.g. a water main layer, a parcel boundary layer, a car crash layer.

Using mobile apps, GIS allows staff to find information about features we have mapped from their phones or a tablet, and can edit can update on the go.

How will robust GIS benefit Buena Vista?

Examples—these things and MUCH MORE:

- Layers of water & sewer mains where staff can click on the line and get info on pipe diameter, material, when installed, etc.
- Layer of polygon areas where City crews mow, so we know exactly how much acreage
- Layer of parcel boundaries linked to our real estate database, so staff (and in the future, the public) can see who owns it, its assessed value, etc.
- Layer of zoning so staff & public can see what a property is zoned
- Layer of sewer backups so public works can identify problem areas with hard data
- Mobile apps for public works crews to edit and update data on water/sewer pipes, meters, as they repair them in the field
- Mobile app for property maintenance official to record and photograph new cases in the field, as well as track existing cases and repeat offenders
- Network routing functions to calculate the most efficient routes for trash trucks, meter reading, and other services

Investing the time and money to develop these layers and train staff to use GIS will save significant staff time and allow more informed decisions about projects to undertake. Especially in Public Works, there are no comprehensive paper maps that show the whole water or sewer system, and much of the knowledge of where pipes lie is only in staff knowledge. In Planning, a parcel layer is foundational to organizing and tracking a range of other land-use related information.

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Public Works will ultimately integrate its work order system with GIS to track what work is performed where and when. This will allow Trina to measure personnel time and material costs much better, as well as targeting repair projects more effectively.

History and Status

GIS layers are never “finished”; they are always being updated, corrected, and enhanced. The goal is to build the structure of each layer and get the majority of the features located. New layers will always be added to track new types of features or organize information in a new way.

Various layers have been in development for 20 years. We have scraps and leftovers from previous waves of effort, with varying levels of completeness or accuracy. Recent layer development and other projects:

- Parcel layer: Initiated development of new parcel boundary layer in April 2017. Currently, contracting with GIS specialist at the CSPDC to complete this. Substantial completion date estimated June 2018.
- GPS unit loaner program: In Feb-March 2017 participated in a pilot program where EPA lent out handheld GPS units to local government staff to help map utility features such as water meters, manholes, etc. I worked with Public Works and we tested, but the units were not sensitive enough to accurately locate features. This project did not go anywhere.
- Address point update: In Feb 2017 I updated the layer of address points used by E911 to correct address numbers, remove demolished buildings, add new buildings, etc. Layer had not been updated in some years.
- Zoning layer: Updated to reflect zoning changes since this layer was created; it is now current.
- Overlay layers created: Created new layers to show various overlays such as the parking regulation-exempt zone, the downtown historic district, the rental inspection zones, etc.
- Property Maintenance Tracking App: Planning department intern is currently developing a mobile app for staff to use reporting and tracking property maintenance cases through GIS.

Currently, Planning & Community Development has one desktop license for the ArcGIS software, so only I can use it, although we have some maps and layers housed on the Central Shenandoah Planning District Commission’s cloud-based ArcGIS Online platform. Right now, Public Works does not have access to any of the layers we have because of lack of software and the number of ArcGIS logins. However, we are moving forward quickly. Trina and I met with the Central Shenandoah Planning District Commission yesterday and worked out the details of their assistance to us, which will be general training and technical assistance on specific projects. Trina and I are moving forward with setting up an ArcGIS

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Online platform for Buena Vista that we will both use, funded through our existing FY18 budgets.

Councilman Henson asked Mr. Roberts to inform everyone about Fred Fix and the role he is playing in that situation.

Mr. Roberts said that Fred is experiencing some health issues right now. He is so close to retirement and was planning to do so in the fall. He requested Council's thoughts and prayers for Fred as he goes through his treatments trying to get better. He said that he is covering a little bit for Fred as far as building permits. He and Mr. Scudder have been talking about engaging Rockbridge County to help us during this time.

Mr. Scudder said we have had a gentleman's agreement with Rockbridge County for many years. We will be using that backup a little bit more.

NB #3 DISCUSS APPOINTING JACLYN HOSTETTER TO THE COMMUNITY POLICY MANAGEMENT TEAM:

Mr. Scudder said this is part of the comprehensive services funding for special needs of children and families support. They had an audit from the State and one of the things that you are supposed to have on that Board is a citizen parent representative. He said that Jaclyn meets all of the criteria that we need for that position.

Motion was made by Councilman Henson to appoint Ms. Jaclyn Hostetter to the Community Policy Management Team, seconded by Councilman Staton, carried by Council.

EXECUTIVE SESSION:

- (1.) ACCORDING TO SECTION 2.2-3711 (A) (7) OF THE 1950 CODE OF VIRGINIA, AS AMENDED, FOR THE PURPOSE OF CONSULTING WITH LEGAL COUNSEL CONCERNING THE CITY'S CURRENT LITIGATION WITH ACA FINANCIAL GUARANTY CORPORATION AND UMB BANK, N.A.**

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CERTIFICATION OF EXECUTIVE MEETING

MOTION: Councilman Baldrige

DATE: 3/15/18

SECOND: Councilman Staton

WHEREAS, the Buena Vista City Council has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Buena Vista City Council that such executive meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED, that the Buena Vista City Council hereby certifies that to the best of each member's knowledge (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Buena Vista City Council.

VOTE: AYES: All

NAYS: None

ABSENT DURING VOTE: Council Member Clark, Vice-Mayor Cooper

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ABSENT DURING MEETING: Council Member Clark, Vice-Mayor Cooper

Dawn M. Wheeler

Clerk of Council

REGULAR SESSION: Councilman Henson moved to return to regular session, seconded by Councilman Baldrige and carried by Council.

Mayor Fitzgerald

Mr. Baldrige

Mr. Staton

Mr. Henson

Mr. Coffey

ADJOURNMENT – There being no further business the meeting was adjourned.

Dawn M. Wheeler

Clerk of Council

William H. Fitzgerald

Mayor