

**CITY OF BUENA VISTA
REGULAR COUNCIL MEETING
DECEMBER 7, 2017**

The City Council for the City of Buena Vista met for a Regular Council Meeting on Thursday, December 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	Tim Petrie
Bill Fitzgerald	Vice-Mayor Clark

Members Absent: None.

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 APPROVAL OF THE MINUTES FROM THE OCTOBER 19, 2017 REGULAR COUNCIL MEETING:

Motion was made by Vice-Mayor Clark to approve minutes from the November 16, 2017 Regular Council meeting, seconded by Councilman Petrie, carried by Council with the exception of Councilman Dyer who abstained.

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.

Mr. Dave Miske, 120 E 22Nd Street said that the trees look good on Main Street and he likes the new design of the sidewalks. He invited everyone to the Paxton House on December 17 from 2 to 5 to celebrate Christmas.

Dr. John Keeler was the next person to speak. He reminded Council of the third annual Heroes Breakfast at the high school on December 8, from 7:30 to 9:30. He thanked Council for another good year and constant support.

ADG#4 REPORTS:

MAYOR:

Mayor Tolley started his report by thanking everyone that put forth a great effort for the Christmas events that have taken place. He said he had a letter from Dabney S. Lancaster Community College thanking Council for their contribution to the DSLCC scholarship campaign.

CITY MANAGER:

Mr. Scudder did not attend.

Ms. Trina Mastran, Public Works Director, stated that she has been in Public Works for about a month. She said she is trying to get familiar with what the staff are doing and trying to get to know them. She would like to have a better system of tracking expenditures so the department can better spend their money. She is putting in place a work order system across the board. Her goal is to make Public Works a customer service department. She said she will need Council's support as she goes through looking at policies and procedures. She opined it is very important to put something in place that is sustainable. She then presented Council with a picture of SVU's completed stadium. She stated that she is very proud to be a part of this 10 year project.

CITY ATTORNEY:

Mr. Kearney advised that he sent a letter to all of Council on November 29 about the upcoming appointment to the seat on Council that will be vacated by Mayor Elect Fitzgerald. He wanted to make sure that no one has any questions about the appointment procedure. He said the new Council that takes office in January will be appointing someone for a 10 month term. If that appointee chooses to, they will have to run for election in the next scheduled election. He said that Council has only 30 days to make the appointment which is a short time frame. If Council does not appoint someone within that 30 day period, the Circuit Court Judge will appoint someone to fill the vacant seat.

Councilman Baldrige wanted to know if it would be a problem for someone who is interested in being appointed making that statement now.

Mr. Kearney said the new Council will set the procedure for appointing the new Council member. The only requirement is that the appointee is someone who is registered to vote. He opined the sooner Council does something with this appointment the better because of the 30 day time frame. We have regular Council meetings scheduled on January 4 and January 18. He said we could always have a special meeting to make the appointment if need be.

Councilman Fitzgerald opined that 30 days is plenty of time to make an appointment.

Mr. Kearney stated that 30 days is enough time for the new Council to make the appointment. He also advised there is nothing in the Charter that requires any particular procedure. That is why he sent the letter out to make sure everyone understands the procedure. He stated again that anyone that is a citizen of Buena Vista and is registered to vote can be appointed to fill the empty seat.

Councilman Henson opined we need to emphasize this appointment is only a 10 month term.

Mr. Kearney said the State law has changed and requires a special election be held no later than November of next year once the opening takes place in January of next year. The candidate will have to follow the rules like any other election. All of the general rules apply. He will get permission from the judge to have a special election in November 2018.

Councilman Baldrige stated that he would like for Council to make the announcement that there is going to be an opening on Council and people that are interested could write a letter to Council.

Councilman Henson wanted to know if a letter would be required or if they could fill out an application such as the one we use for committees and boards.

Councilman Baldrige agreed that an application could be used in place of a letter of interest.

Ms. Wheeler asked if Council would like to have the opening advertised.

Councilman Fitzgerald opined we should wait until after the first of the year.

Councilman Baldrige said we could do all these things now in order to let citizens know about the open seat.

Councilman Fitzgerald stated that he has spoken with Mr. Kearney, Ben Cline and Chris Russell about making sure Council fills the vacant seat the correct way. He wants the public to know that the correct procedure is followed. He

opined the Charter confuses everyone and he wants the public to know that Council went the extra mile to clear up the confusion.

Councilman Baldrige said that when we get to wherever we are going, he opined we need to let everyone know and then have the candidates write a letter to Council to say they are interested in filling the vacant seat.

Councilman Fitzgerald stated that whatever Council decides will be the way it is done.

Vice-Mayor Clark wanted to know if our current Council can decide how to fill the vacant seat.

Mr. Kearney stated the present Council cannot decide the process to be used to fill the vacant seat.

Councilman Fitzgerald opined we could possibly have an extra meeting in January to appoint someone to fill his vacant seat.

Councilman Henson wanted to know if there will be an empty seat on Council when we meet on January 4th.

Mr. Kearney replied by saying there will be an open seat on Council as of midnight, December 31, 2017. He stated again that the first regular Council meeting for 2018 will be held on January 4.

Councilman Fitzgerald opined that Council could decide at that meeting on what procedure they will follow to fill the seat.

Vice-Mayor Clark wanted to know if Council could set the process at the reorganizational meeting on January 3rd.

Mr. Kearney said that the procedure could be approved during the reorganizational meeting on January 3rd. It would need to be an agenda item.

Vice-Mayor Clark opined that in the meantime it would not hurt for anyone to send an application or letter of interest. She opined if we decide the procedure at the reorganizational meeting and then invite the candidates to our first official meeting on January 4, 2018, and advertise the opening at that point, we can invite them to speak at the next 2 meetings and make a decision at the last scheduled meeting in January.

Mr. Kearney stated that the first official meeting of Council will be the next day after the reorganizational meeting. He opined that would make it difficult if it was done that way.

Councilman Baldrige stated if we have to say to the candidates please send a letter we will have to give them time to send the letter. He does not want to make a decision the same night we ask them to attend the Council meeting and give them an opportunity to speak and ask questions.

Vice-Mayor Clark stated again we have only 30 days to make the appointment.

Councilman Henson wanted to know if we have to advertise 2 times.

Councilman Baldrige said we do not have to advertise twice but opined Council needs to give the people 2 weeks.

Vice-Mayor Clark wanted to know if this Council could set the time line since it cannot set the procedure.

Mr. Kearney said the new Council will set what needs to take place with the procedure.

Councilman Baldrige stated if the candidates get their applications or letters in by January 18, they could speak with Council on that night.

Vice-Mayor Clark opined the candidates could speak on January 18 and Council could meet again on January 25.

Mr. Kearney said the new Council can set a date for January 25 to make the appointment as long as the appointment is made by January 30th. That is the drop dead date. He said Council can have as many meetings as they want between the 1st and the 30th as long as they appoint someone by January 30th.

Councilman Fitzgerald wanted to know if it would hurt anything if we advertised for applications and then the new Council disagrees.

Mr. Kearney said it would be fine to advertise and if the new Council does not agree we can advertise again.

Ms. Wheeler asked if Council wanted the applicants to fill out the same applications that people do for committees, commissions and boards.

Mr. Kearney wanted to know if Council wanted the advertisements placed now or later. If we advertise for the candidates to fill out the applications and turn them in to Ms. Wheeler and the new Council decides that is not what they want, it will not hurt anything. He stated again that Council does not have a policy at this time. He said Council has used a variety of policies over the years. Mr. Kearney said that Council does not have a policy and are not trying to set a policy tonight.

Councilman Fitzgerald stated that is why he is trying to clear it up completely. It has been done both ways. After the procedure is cleared up he would like to have the Charter amended to show the procedure to be followed in the future.

Mr. Kearney stated that clarity is always best. He asked again if Council wanted Ms. Wheeler to advertise for the empty seat.

Councilman Fitzgerald said we can advertise and then the new Council will take a look and decide exactly what method is to be used.

Councilman Baldrige opined if we go ahead and advertise it will give people a chance to think about what they want to do.

Mr. Kearney wanted to know if Council wanted to put the item on the agenda for the January 3rd meeting or the January 4th meeting.

Council decided they wanted the procedure discussion added to the January 3rd meeting.

COUNCIL COMMITTEE/REPRESENTATIVE:

Vice-Mayor Clark asked Councilman Baldrige if he could attend the DSS Board meeting scheduled for December 13, 2017 beginning at 3:30.

Councilman Baldrige said he would fill in for Vice-Mayor Clark at that meeting.

Councilman Petrie said we are in the process of interviewing for the new Parks and Recreation Director. Today they had 4 very strong candidates and have a couple of more to interview. He opined it was very encouraging to see the talent out there and hopefully we can make the right choice.

Councilman Dyer wanted to know if any of the candidates were the same ones as the last time the job was open and if any of the candidates are local.

Councilman Petrie said they were not the same ones and there are some former local people.

Ms. Wheeler said some were former citizens of Buena Vista and there will be 1 on Monday that lives in Buena Vista.

Councilman Henson said it was a very educational experience for him and the ones that served on the committee. He opined they learned a lot about what could be done at the park and some good ideas about things that could turn the park around.

Mayor Tolley wanted to know who was on the interview panel.

Councilman Petrie advised that Councilman Fitzgerald, Councilman Henson, City Manager Jay Scudder, Police Chief Hartman, park employee Millie Sizer, Planning Director Tom Roberts and himself made up the interview panel.

Councilman Henson reported that he attended the Rockbridge County Economic meeting where they discussed the needs for skilled labor in the community. They talked about the ability to reach out to young people and helping them get into those areas. He opined there are a lot of people getting away from trades and it is a need for those professions. Councilman Henson then asked Tom Roberts if he had any information on the expansion plans for DSLCC.

Mr. Roberts reported there have been no updates from DSLCC.

Mayor Tolley said that DSLCC has a six year plan they have put out.

CONSIDER APPOINTMENTS TO VARIOUS BOARDS, COMMISSIONS, AND COMMITTEES:

APT #1 ROCKBRIDGE AREA COMMUNITY SERVICES BOARD:

Dr. James Bradford's term will expire on 12/31/17. Dr. Bradford is not eligible to be reappointed. This is a three (3) year term and the third time it has appeared on the agenda. **ADVERTISED: THE NEWS GAZETTE – CHANNEL 18 – WEB SITE – TWITTER OCTOBER 18, 2017**

Ms. Wheeler said she had one application from Mrs. Janet Jolley that was sent to Council.

Councilman Petrie said since we have been advertising since October 18, 2017 with only one applicant, Council should respond on this appointment. He then made the motion to appoint Mrs. Janet Jolley to the RACSB, seconded by Councilman Baldrige, carried by Council.

OLD BUSINESS:

None.

NEW BUSINESS:

NB #1 AUDIT PRESENTATION BY ROBINSON, FARMER, COX:

Ms. Sadie Gibson, of Robinson, Farmer, Cox presented the audit. (See presentation in minutes). She started the report by saying the State has a new requirement that the audit must be presented in open forum before December 31st each year. She thanked City staff for their help in getting the report ready.

Councilman Baldrige thanked Ms. Gibson for her report. He said it is his understanding that this year the State came up with a set of criteria looking for municipal fiscal distress. He advised it is ten different ratios they are looking at. He wanted to know if Ms. Gibson was familiar with that report.

Ms. Gibson said that she does not know about the program. She stated that she is always available to help with anything she can.

Councilman Baldrige opined that maybe the results reported by Ms. Gibson could help Council work out those ratios.

Councilman Petrie wanted to know if the report indicates changes in the index for funding from the State for education.

Councilman Baldrige advised it was a new creation just this year. He stated that when he went to the VML Conference there was a session about it. Greatly we are not in the category of fiscal distress; not so greatly we are not far from it. He opined that Council could probably take what they have learned from Robinson, Farmer, Cox and calculate their own benefit.

Councilman Petrie said it may or may not impact the educational funding.

Vice-Mayor Clark stated that the composite index has changed.

Mayor Tolley said it is a check list or watch list that they use to identify localities that are trending in a downward position that they can step in and take steps to help before they get to a critical situation. This came about as a result of some financial problems and issues in a couple of cities in Central Virginia. He then said the fund balance in the report had a \$194,000.00 decrease and we basically know where that decrease went because we are using it. He opined that is the purpose of the fund balance. We use the fund balance so we can take advantage of grants and opportunities out there to make new sidewalks and other niceties for our City. He also pointed out that Ms. Gibson said that 20% fund balance was the norm. We are looking at about \$2,000,000.00 unrestricted cash which is very close to the 20% of the norm.

Ms. Gibson stated that comparison is unassigned fund balance to general fund expenditures for the year. Ours is 21% and that is healthy. Ms. Gibson said a lot of other localities will set a minimum threshold target. They do not want to go below that target.

Mayor Tolley said that not too many years ago, we were operating with a very slim fund balance. It was through the efforts of Council to build that fund balance up to a healthy situation. This has enabled the City to take advantage of some grant opportunities to do some things that needed to be done. Mayor Tolley then thanked Ms. Gibson for the report.

Vice-Mayor Clark wanted to know if our budget is set up on a 100% collection or less.

Ms. MarVita Flint, Commissioner of the Revenue, who was in the audience said our personal property is based on 98% collection and she is not sure about real estate. She knows that neither is based on 100% collection.

Councilman Henson wanted to know the status of collecting delinquent real estate taxes.

Mr. Kearney advised that the delinquent real estate taxes are being looked at right now. He said that the Treasurer will give him a list of delinquent taxes by December 11. Letters will be going out right after the first of the year.

Mayor Tolley said the State code says you cannot take any action until the taxes are past due for 3 years.

Mr. Kearney advised they have looked at delinquent taxes that are 2 years old, if not 3.

Mayor Tolley said if you look at the chart that was in Ms. Gibson's audit report, you can see we have collected 98 to 99% of the delinquent taxes.

Mr. Kearney said that the Treasurer is going after the delinquent tax payers with letters and will put an ad in the newspaper.

NB #2 RESOLUTION FOR VIRGINIA STATE PARKS:

Ms. Veronica Naughton and Ms. Shana Pooley were in attendance to accept the Resolution.

Vice Mayor Clark read the following Resolution:

RESOLUTION-R17-06

WHEREAS Virginia State Parks are a critical element of rural Virginia's travel and tourism infrastructure, contributing over \$224 million to state and local economies in 2016; and

WHEREAS the Natural Bridge State Park in Rockbridge County attracts over 178,000 visitors a year; and

WHEREAS tourists travel through and frequently stay overnight in Rockbridge County and the cities of Buena Vista and Lexington to visit Natural Bridge State Park; and

WHEREAS patrons to Natural Bridge State Park have spent in excess of \$10.4 million through the state between September 2016 and August, 2017 and approximately 76% of this spending was by out-of-state visitors; and

WHEREAS economic activity stimulated by Natural Bridge State Park generated approximately \$893,000 in state and local tax revenues between September 2016 and August 2017; and

NOW THEREFORE BE IT RESOLVED, by the City Council of Buena Vista, Virginia, that City Council, by this resolution, formally requests members of the Virginia General Assembly to support full funding of Virginia State Parks and to support what is needed to adequately maintain and operate what currently exists in terms of facilities, infrastructure and authorized construction, as detailed in the Virginia Association for Parks Needs Assessment; and

AND BE IT FURTHER RESOLVED by the City Council of Buena Vista, Virginia, that City Council, by this resolution, formally

requests the Virginia Municipal League to place this issue on their legislative agenda and support it to the General Assembly.

Larry Tolley, Mayor

Motion was made by Councilman Petrie to approve the above Resolution, seconded by Councilman Baldrige, carried by Council.

Vice-Mayor Clark then presented the Resolution to Ms. Veronica Naughton.

NB #3 RESOLUTION FOR BRAIDING THE WAY:

Councilman Baldrige read the following Resolution:

RESOLUTION-R17-07

WHEREAS Braiding the Way for Outdoor Recreation in the Rockbridge Area, “Braiding the Way,” began as a regional collaborative effort to strengthen the capacity of the local governments; state and federal government agencies; and business, education, health and community-based organizations to collectively achieve the shared vision of increasing outdoor recreation-oriented tourism, and growing the industries that directly and indirectly support such tourism in the region; and

WHEREAS the Braiding the Way initiative has facilitated a master planning process establishing a shared vision for outdoor recreation in the region and led by a Steering Committee composed of key partners including Lexington and Rockbridge Area Tourism, Rockbridge County, City of Lexington, City of Buena Vista, and representatives from over twenty government, business, education, health and community-based organizations; and

WHEREAS the Braiding the Way initiative has received technical assistance support through the Rivers, Trails and Conservation Technical Assistance Program of the National Park Service and funding support through the Rural Community Development Initiative Grant of the U.S. Department of Agriculture Rural Development; and

WHEREAS the goal of the Braiding the Way initiative is to develop a Master Outdoor Recreation and Trail Plan and Implementation Strategy for the

Rockbridge Area that consolidates and incorporates past trail and water trail planning efforts, identifies and prioritizes trail and water trail development projects and establishes a framework for implementation; and

WHEREAS through the Braiding the Way initiative, an economic impact studies inventory, an outdoor recreation survey and an economic impact analysis report were completed to document the benefits of outdoor recreation to the region; and

WHEREAS through the Braiding the Way initiative, a marketing strategy for outdoor recreation has been developed to enhance tourism and business development to support regional economic development goals; and

WHEREAS the Braiding the Way initiative has enabled the compilation of an existing natural resources assets inventory, an analysis to identify and evaluate potential projects and resulted in a series of Community Forums to receive public input concerning outdoor recreation assets and projects; and

WHEREAS the Braiding the Way Steering Committee has developed a Rockbridge Area Outdoor Recreation and Trail Plan to serve as the guiding document to develop the outdoors industry in our region; and

WHEREAS the Braiding the Way Steering Committee is evolving into the Rockbridge Area Outdoors Partnership, a coordinating entity as outlined in its Partnership Agreement; and

WHEREAS the Rockbridge Area Outdoors Partnership will serve as a forum for sharing information, coordination and supporting the promotion and maintenance of the network of trails, parks, water trails, bikeways and other outdoor recreational activities for the Rockbridge Area that supports economic, stewardship and community health and wellness goals.

NOW THEREFORE BE IT RESOLVED, by the City Council of Buena Vista, Virginia, hereby expresses its support for the Rockbridge Area Outdoor Recreation and Trail Plan to serve as the guiding document to develop the outdoors industry in our region; recognizes the efforts of the Rockbridge Area Outdoors Partnership to serve as the forum for implementation of the Rockbridge Area Outdoor Recreation and Trail Plan and will work with the Rockbridge Area Outdoors Partnership to increase economic, conservation and community wellness benefits for all Rockbridge area residents.

Adopted this 7th day of December, 2017

Larry Tolley, Mayor

Motion was made by Councilman Henson to approve the above Resolution, seconded by Councilman Petrie, carried by Council.

Mr. Tom Roberts, Director of Planning and Community Development, said that adopting the above Resolution is a plan of which you have the Executive summary and a copy of the full report. This has been a culmination of 3 years of work. In attendance tonight is Ms. Tracey Hibbert from the CSPDC and she has been working on this project as well. He opined it has been a fantastic process pulling together dozens of stakeholders over the last 3 years to identify outdoor recreation assets, figure out what we need to do to improve them, develop a new marketing program and then put all of this into a plan. We already have a fantastic web site, Rockbridgeoutdoors.com, that is really well organized and is a great resource for people looking to find something to do in our area. In January they will have the first meeting of The Rockbridge Area Partnership. The Steering Committee has been with them for 3 years and did all the plans are reconstituting its partnership and they will be implementing the plans. He opined that the local governments are interracial in this because for a lot of these projects we will be the fiscal agents. We will be getting the grants and administering the grants. He opined again it is a fantastic project.

Ms. Hibbert thanked Council for their support.

Councilman Baldrige presented the Resolution to Ms. Hibbert.

NB #4 PINNING OF A POLICE OFFICER BY CHIEF KEITH HARTMAN:

Chief Hartman thanked Council for allowing them to have the pinning ceremony. He said it was a special opportunity for him since this is the first time he has had a chance to promote somebody within the Police Department. Lt. Miller is more than worthy of this promotion as he has shown through his hard work and dedication and shown what it takes to be a leader within the organization. He said the following about Lt. Miller:

- 1.) Lt. Miller grew up in Buena Vista and attended the Buena Vista City Schools
- 2.) Graduated from Parry McCluer High School in 1996
- 3.) Joined the workforce at Burlington Industries
- 4.) Enrolled at Dabney S. Lancaster in 1998. Graduated in 2000 with an Associate of Applied Science – Administration of Justice

- 5.) Attended Radford University and graduated in 2002 with a Bachelor of Science and Criminal Justice
- 6.) Began his law enforcement career at the Rockbridge Regional Jail as a Jail officer in the Fall of 2002
- 7.) Joined the Buena Vista Sheriff's Department as a part-time Deputy from June 2004 through July 2014
- 8.) Hired as a Patrolman with the Buena Vista Police Department in January 2007
- 9.) Promoted to Corporal in 2009 investigating minor violations
- 10.) Promoted to Investigator/Sargent in 2011 investigating major crimes
- 11.) Graduated in 2013 from a 9 week Virginia Department of Forensic Academy
- 12.) Appointed Emergency Management Coordinator in 2015

Lt. Miller's wife pinned him. Lt. Miller thanked Chief Hartman, his fellow officers and his family for their support throughout his career. He especially thanked his wife for all of her support.

NB #5 DISCUSS AUTHORIZATION FOR PUBLIC WORKS TO PURCHASE A MINI EXCAVATOR:

Ms. Trina Mastran, Public Works Director, introduced Mr. Leslie Floyd who has been employed by the City for 14 years and Mr. Ken Talley who has been employed for 11 years.

Mr. Talley advised that a few months ago they set out to put together a bid package for a mini excavator since it was needed the most. The backhoe that was used at the cemetery died. The bid package was sent to 10 dealers: 8 responded; 5 bids came in; 2 of the 8 declined to bid; 1 no response. The lowest bid received was \$40,998.00 for a mini excavator. On November 15th a letter was sent out to each of the companies that responded with a bid. There were 2 and one half pages of specifications for the excavator. Lawrence Equipment Company was the one that met and exceeded all of our standards and they also had the lowest price. One of the biggest issues we have at the cemetery is we have 18th and 19th century stones with very little clearance in between the rows. They need about a 5 to 6 foot track to dig the graves. Also, the turning radius

needed to be more. This excavator will be used mainly at the cemetery. It can fit between the older stones without relocating them. The alleys and the sidewalks are also issues. Some of the alleys are so narrow it is very hard to get equipment in and out of them without destroying people's property. It also has the horse power that is needed to excavate for replacing water and sewer lines.

Councilman Dyer wanted to know where Lawrence is located and who the manufacturer of the excavator is.

Mr. Talley stated that Lawrence is located in Troutville and manufactured by Case.

Councilman Henson wanted to know if the excavator can handle the 36" grave bucket. He also wanted to know if the bucket is still being used.

Mr. Floyd said they are still using the 36" grave bucket on the John Derr for water and sewer. He said he was told they could get him a bucket for the excavator.

Councilman Henson wanted to know if they have a trailer for hauling the excavator.

Mr. Floyd said they do have a trailer.

Mr. Talley said this company also included in the price 3 buckets: 18", 24" and 36" buckets.

Mayor Tolley wanted to know if the excavator is available now.

Mr. Talley said it is available.

Councilman Dyer wanted to know if they considered leasing the equipment instead of buying it.

Mr. Talley said they do have the option to lease the equipment. He opined the problem with leasing is at the end of the lease you do not own the equipment. He said on a 36 month lease the payments were about the same or a little less. However, at the end of the lease you still owe a little over half on the equipment. The figures are the same on a 60 month lease. They also gave a straight forward purchase plan. He opined the decision is left up to Council and the City Manager as to how to fund the purchase.

Mayor Tolley wanted to know if the old backhoe is gone.

Both Mr. Floyd and Mr. Talley stated the old backhoe is gone.

Mayor Tolley said there were no dollars in the current budget to purchase this equipment. We have a need for the equipment and we have the money to purchase it. We will take the funds from our general fund balance.

Ms. Mastran said there is some money in the cemetery fund and she would feel more comfortable discussing the funding with Jay.

Mayor Tolley said the money will have to come from the cash surplus to make the purchase of the equipment.

Mr. Kearney advised if the funds are taken out of the general fund balance, at the end of the year, an amendment will be made to the budget to show where the funds came from to purchase the equipment.

Councilman Henson said knowing the background about the backhoe, he would motion to take funds from the general fund balance to purchase the mini excavator, seconded by Councilman Baldrige, carried by Council.

*****THE FOLLOWING PROCLAMATIONS WERE NOT ON THE AGENDA*****

Vice-Mayor Clark read the following Proclamation for Mayor Tolley:

PROCLAMATION

WHEREAS, MAYOR LARRY TOLLEY has faithfully served the City of Buena Vista from July 1, 2010 to December 31, 2017, first as a member of City Council and then as Mayor and who's knowledge of the City and its citizenry has provided depth in moving the City forward on tough decisions; and

WHEREAS, Mayor Tolley faithfully fulfilled the duties of City Mayor and City Council member with the highest integrity and performed many acts of kindness that enriched the lives of many of the citizens of the City of Buena Vista and the surrounding area; and

WHEREAS, the City of Buena Vista is extremely grateful to Mayor Tolley for his dedication in not only serving the City of Buena Vista in this capacity but also his valuable input to the boards and committees he has faithfully served on.

NOW, THEREFORE BE IT PROCLAIMED, on this date, December 7, 2017, by the Buena Vista City Council and the Citizens of the City of Buena Vista that Mayor Tolley be honored for all of his years of service and that his well deserved retirement be enjoyed for many years to come.

Jay Scudder, City Manager

The City of Buena Vista

Vice-Mayor Clark presented the Proclamation to Mayor Tolley.

Mayor Tolley said it has been an honor to represent the citizens of Buena Vista. In his efforts through the years on City Council and as mayor, He has always tried to extend his best foot forward and represent the City in a positive manner. Moving forward his wish to the Council members is they continue to impress upon the positive that is here for the City; that they don't get caught up on all the negative publicity that gets out there. He hopes that Council will do their best to work together. He said we get bombarded by social media putting comments out there that are unfounded. His challenge to this Council moving forward is to stay positive, gather all the facts that you can and make honest and best decisions moving forward.

Vice-Mayor Clark read the following Proclamation:

PROCLAMATION

WHEREAS, MR. JOHN DYER has faithfully served the City of Buena Vista from January 4, 2016, to December 31, 2017 as a member of City Council; and

WHEREAS, Mr. Dyer faithfully fulfilled the duties of a City Council Member with the highest integrity and performed many acts of kindness that enriched the lives of many of the citizens of the City Buena Vista and the surrounding area ; and

WHEREAS, the City of Buena Vista is extremely grateful to Mr. Dyer for his dedication in not only serving the City of Buena Vista in this capacity but also his valuable input to the Boards and Committees he has served on.

NOW, THEREFORE BE IT PROCLAIMED, on this date, December 7, 2017, by the Mayor, the Buena Vista City Council and the citizens of the City of Buena Vista that Mr. Dyer be honored for his years of service.

Jay Scudder, City Manager

The City of Buena Vista

Vice-Mayor Clark presented the Proclamation to Councilman Dyer.

Councilman Dyer said that he enjoyed his tenure on Council. He said he started out as the young kid on the block and he is still the young kid. He thanked everyone and said he had enjoyed working with everyone.

Vice-Mayor Clark read the following Proclamation:

PROCLAMATION

WHEREAS, MR. TIM PETRIE has faithfully served the City of Buena Vista from May 16, 2014, to December 31, 2017 as a member of City Council; and

WHEREAS, Mr. Petrie faithfully fulfilled the duties of a City Council Member with the highest integrity and performed many acts of kindness that enriched the lives of many of the citizens of the City Buena Vista and the surrounding area ; and

WHEREAS, the City of Buena Vista is extremely grateful to Mr. Petrie for his dedication in not only serving the City of Buena Vista in this capacity but also his valuable input to the Boards and Committees he has served on.

NOW, THEREFORE BE IT PROCLAIMED, on this date, December 7, 2017, by the Mayor, the Buena Vista City Council and the citizens of the City of Buena Vista that Mr. Petrie be honored for all of his years of service.

Jay Scudder, City Manager

The City of Buena Vista

Vice-Mayor Clark presented the Proclamation to Councilman Petrie.

Ms. Wheeler asked if there will be a second meeting in December.

Mayor Tolley said that was up to Council and wanted to know what was on the agenda.

Ms. Wheeler advised there is nothing on the agenda for the December 21 meeting.

Mayor Tolley said we will not have a second meeting in December.

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

Larry Tolley, Mayor

Dawn M. Wheeler, Clerk of Council