

**CITY OF BUENA VISTA
REGULAR COUNCIL MEETING AND
EXECUTIVE SESSIONS**

FEBRUARY 7, 2019

The City Council for the City of Buena Vista met for a Regular Council Meeting and Executive Sessions on Thursday, February 7, 2019, at 6:00 p.m. in Council Chambers (2039 Sycamore Avenue).

Council Members Present:	Mayor Bill Fitzgerald
Steve Baldrige	Daniel Staton
Melvin Henson	Stanley Coffey
Vice-Mayor Tyson Cooper	Lisa Clark

Members Absent: None

ADG#1 PLEDGE OF ALLEGIANCE AND PRAYER:

Mayor Fitzgerald opened the meeting by requesting that everyone stand and repeat the Pledge of Allegiance. Council Member Clark delivered the opening prayer.

**ADG #2 APPROVAL OF THE MINUTES FROM THE REGULAR
COUNCIL MEETING HELD ON JANUARY 17, 2019:**

Motion was made by Councilman Baldrige to approve the above mentioned minutes, seconded by Vice-Mayor Cooper, carried by Council with the exception of Council Member Clark 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 an item listed on the agenda, open for public comment, will be heard when that item is considered.

Mr. Garry Floyd representing the American Legion spoke first. He stated that the City of Buena Vista has always been very important to the American Legion. They are now removing 600 ceiling tiles with the help from SVU students. Public Works left a truck there to haul away the old tiles. He then thanked Mr. Scudder, Council and the citizens of Buena Vista for all of their support for the Legion. The motto for the American Legion is "God and Country". He said the Legion is here for the people, especially the veterans. He said they need new ideas and new people so they can get strong like they have been in the past. He opined the Legion could build back up what they have lost. Mr. Floyd said the Legion just recently provided a new stove for an elderly veteran who is wheelchair bound. He also reminded everyone that the building is not the American Legion building but is the War Memorial building that belongs to everyone. He said our forefathers had enough insight to set the building up as a War Memorial building in case the American Legion would fold, the building could not be touched. He said they keep the building up. Mr. Floyd said the Legion needs new people and new ideas.

Mr. Ed Walker was the next person to address Council. He advised there was information that he wanted to share with Council as they make progress on their project. He said he wanted to speak about the economic development aspects of the project and adding to the City's life style and learning. He said they are the renewal development team. He then said their whole idea is "GO BV". They will have free stickers for people to put on their vehicles. He opined we have a lot of alias that are big fans of Buena Vista. He said there will probably be 3 or 4 primary marks with "GO BV" on them. Mr. Walker said he wanted to start with a request and an invitation to Council. He said they are ready to start the more aggressive part of economic development partnership with the community. They want to go ahead and execute on parts of the plan that they feel pretty confident with. Also, in a more deliberate way try to put some more process that would amount to a downtown master plan. He opined we have a really strong hire with Rachel Moore. They have been meeting with her more directly and he feels she will be more directly involved. They will be meeting with Rachel more regularly trying to figure out how they can serve the City's goals and also to see how the City can be helpful to them. He said that Cornerstone Bank is in a temporary location in Buena Vista. He has requested that they put their permanent building in downtown.

Mr. Walker said they want to start meeting more directly with Council members. They want to report more directly to Council. He also said they want to make sure we have a set of incentives the same as other communities our size are offering to get people to come into Buena Vista. He opined the best economic development item for Buena Vista is the library. He suggested that perhaps the McCormick Seed Building could be used for a new library. Mr. Walker said they would really like to see the library moved but the final decision will be made by Council and the Library Board. He opined the library is one of the crown jewels of Buena Vista and making this move would give it one of the resources it needs. Their projections are based on other communities that have enhanced their libraries; their usage has been enhanced by 250%. It seems the smaller the community, the greater the economic impact. Mr. Walker said they cannot make this happen; it has to be Council and the library. They feel it is a real important place to start. He feels it will be difficult, if not impossible, for the library to stay where they are given the condition of the existing library building. He would really love to see the library converted into one of their buildings. There is a simple way to talk about how these things get built. Mr. Walker explained that for every dollar that you put into hard construction on an historic building, you basically get a discount of 32.5%. He explained if you have hard construction of \$500,000.00, you would deduct your State and Federal tax credits. The hard construction cost would be \$338,000.00; the McCormick building appraises at \$140,000.00; the furniture fixtures and equipment comes out to \$598,000.00. Mr. Walker said it has been amazing to him how people are so hesitant to join in. He opined there is no better place to start than the library. He said when they start to get better numbers back and they present it to Council, it will be a real number. He advised they can deliver the library building in less than 12 months. He said they need to do some beautification on Forest Avenue. "GO BV" is the biggest and best opening move for all of us to get started. Their investment to date is \$1,354,400.00 and they spend about \$8,000.00 per month carrying the debt. They are fully focused on making progress. They are ready this spring to start making very clear, methodical progress towards getting some of these things done. The best way for them to spend the least amount of money and have the highest impact is called a Town Square; the former Foot of the Mountain place. They are going to start spending some money to get the front part taken off and put a new awning on. They want to open that space up for any outdoors outfitter to use as their staging place to take advantage of the areas amenities. They will let the outfitter use the building for nothing. They want to spruce it up a little more. Mr. Walker said that Cole Bowman is in charge of this project. They are hoping to have someone in there by the spring. Mr. Walker said that Buena Vista needs a master plan. They have done one of their own. He said again that he is amazed at the attitude of people to wait and see what he does before they become involved. He opined that we need to graphically show clear pictures of the 3 or 4 directions that this can go. They are all modular. They need some drawings from

designers, landscape architect that sort of shows the story. For example, the trees and the landscaping stuff that leads from the town to the river. We can apply for funding through DHCD to get matches and that takes a real long time. He opined we should pursue all of those. Mr. Walker said he would be happy to advance those costs just to get us underway because we need to get started. If the City can figure out a way that he would get reimbursed he would be happy to do that. He said they have several prospects interested in a couple of buildings and they are submitting proposals for owner/occupancy to purchase some buildings.

Councilman Coffey wanted to know if Mr. Walker has any investors who have come forward and said they would like to be a part of this project.

Mr. Walker said yes and no. He said there are a ton of people that are real excited about it. The part that is frustrating to him is they are waiting for someone else to start. He has said he does not know how much more to start than the \$1,300,000.00 that has been invested already. He said he needs people that want to jump on the playground and play ball. Some of the people that are interested live out of town and there are several people that have been in business for a long time that are interested.

Councilman Coffey wanted to know what it will take to get people interested in Mr. Walker's project.

Mr. Walker said they are going to have to work closer, harder and smarter and make it easier for those folks that are interested. He opined we will get there. He said the reason he loves the library so much is a library is unusually powerful. They punch way above their weight class in terms of the effect they have on the economy; kids; schools. He opined what a library is today is so different than what we grew up with. There are things that cannot be done in the building they are in now. His vote is to start with the library. After more discussion about the possibilities of businesses coming into town, Mr. Walker said he will be in touch with Council.

ADG #4 REPORTS:

1.) Mayor

None.

2.) City Manager

Mr. Scudder started his report by advising that the Park Avenue well is down. We will basically have to put in all new pumps and he should have the cost by tomorrow. He said that Columbia Gas has started working on Magnolia Avenue. Tom Roberts and Rachel Moore have been working very hard on the Industrial Park. Mr. Scudder stated that Columbia Gas has a target date of early May to break ground. He opined there are a lot of big things going on in the City.

3.) City Attorney

Mr. Kearney advised that the tax suit has been filed.

4.) Council Committee/Representative

Councilman Baldrige advised that there was a Carillion Stonewall Jackson update and they reported that opioids are down 60 per cent from last year.

Mr. Scudder said they have also purchased some state of the art equipment at CSJ.

Councilman Henson then addressed the water leak on 24th Street. He said the leak happened around Christmas and was fixed around the 1st of February. With the weather being cold, it created ice and that created problems for citizens in that area to get in and out. He wanted to know if anyone checked on the people that live at 1105 and 1205 East 24th Street to see if they were ok. He said they could not get in or out of their homes due to the accumulated ice.

Mr. Scudder said we put salt and sand on the ice and some cones around the icy area.

Councilman Coffey wanted to know if the problem had been corrected.

Councilman Henson said the problem has been taken care of. It was an 8" water line leak. He advised he had attended a Workforce meeting and they are working hard on trying to keep our citizens in the City and eliminating the reasons they have to go outside of Buena Vista to find employment. He also met with Economic Development and discussed infrastructure upgrades throughout both of the cities and the county. Councilman Henson said with the incorporation of BRC into the RANA system most of the county has high speed internet and better TV reception.

Councilman Coffey stated that Mr. Floyd did not mention that SVU students helped at the American Legion to replace the ceiling tiles.

Mr. Floyd said again that 600 ceiling tiles were replaced in the building and the SVU students are in the building at this time finishing up the project. He also stated again that the building is a War Memorial Building that belongs to all citizens: the American Legion just keeps the building up. The American Legion has a 100 year lease on the building. He then offered everyone the opportunity

to help the American Legion. He explained there are several ways to join the American Legion. You do not have to be a veteran to join. He said they need new people with new ideas to help make the American Legion what it once was.

Council Member Clark wanted to know who the historian is for the Legion. She has some material from WWII and Viet Nam.

Mr. Floyd said that Linda Dalton is the historian. He said they are trying to bring back dances at the Legion. They have had 2 in the last 2 months with very little support from the citizens of Buena Vista. They also have plans to rework the basement for children and our senior citizens.

Mayor Fitzgerald advised that he did attend the CSPDC meeting. They are celebrating 50 years this year. We will present a Resolution at our next Council meeting.

CONSIDER APPOINTMENTS TO VARIOUS BOARDS, COMMISSIONS, AND COMMITTEES:

APT #1 BUENA VISTA ECONOMIC DEVELOPMENT AUTHORITY:

Mr. Guy Holstein has resigned. His term will expire on March 31, 2020. This is the second time this item has appeared on the agenda. ADVERTISED THE NEWS GAZETTE 1/23/19; WEB SITE AND CHANNEL 18 1/16/19. NO APPLICANTS

This item will be carried over to the next Council meeting.

APT #2 BUENA VISTA PLANNING COMMISSION:

Mr. Guy Holstein has resigned. His term will expire on June 30, 2020. This is the second time this item has appeared on the agenda. ADVERTISED THE NEWS GAZETTE 1/23/19; WEB SITE AND CHANNEL 18 1/16/19. APPLICANT: MAROLYN CASH

Motion was made by Council Member Clark to appoint Mrs. Cash to the Buena Vista Planning Commission, seconded by Councilman Coffey, carried by Council.

OLD BUSINESS:

OB #1 DISCUSS CHARTER COMMITTEE:

Mayor Fitzgerald started the discussion by saying at the last Council meeting he suggested that Council come up with some rules for forming the Charter Review Committee. He asked if anyone has any suggestions on how to form the committee, send them to Vice-Mayor Cooper who will send them to Mr. Kearney for review. The suggestions will then be presented to Council for approval.

NEW BUSINESS:

NB #1 FIRST READING OF AN ORDINANCE AMENDING THE PARKING FINES FEE SCHEDULE IN THE CITY OF BUENA VISTA:

Clerk of Council, Dawn Wheeler, read the following Ordinance:

ORDINANCE – ORD 19-01

**AN ORDINANCE AMENDING THE PARKING FINES FEE SCHEDULE
IN THE CITY OF BUENA VISTA**

BE IT ORDAINED BY THE COUNCIL FOR THE CITY OF BUENA VISTA, VIRGINIA, that the Fee Schedule contained within Section 32-595(f) of the City of Buena Vista Code is amended as follows:

(f) The schedule of fines which may be paid under this section shall be as

follows: TABLE INSET:

Description of	Fine	After 96 Hours
No/Expired State Tag	\$20.00	\$40.00
No/Expired City tag displayed	20.00	40.00
No parking	25.00	50.00
Parking in loading zone	25.00	50.00
Parking overtime	20.00	40.00
Blocking Crossing	25.00	50.00

Angle parking	20.00	40.00
Double parking	20.00	40.00
Too close to intersection	20.00	40.00
Less than 15 ft. from hydrant	20.00	40.00
Parking on left side of street	20.00	40.00
Abandoned auto violation	50.00	100.00
Too far from curb	20.00	40.00
Parking on yellow line	25.00	50.00
No/Expired inspection sticker	25.00	50.00
Illegal parking in residential zone	25.00	50.00
Blocking sidewalk	25.00	50.00
Blocking alley	25.00	50.00
Illegal parking in handicapped zone	100.00	200.00
Parking in a fire lane	50.00	100.00

BE IT FURTHER ORDAINED THAT, except for the revised Fee Schedule, all other of the provisions of Section 32-595 shall remain in full force and effect and that this Ordinance shall become effective thirty (30) days after adoption.

William H. Fitzgerald, Mayor

ATTEST:

Clerk of Council

Date of Adoption

CERTIFICATE OF VOTES

The following is record of the roll-call vote by the City Council of the City of Buena Vista, Virginia, acting on behalf of the City, regarding the adoption of AN ORDINANCE AMENDING THE PARKING FINES FEE SCHEDULE IN THE CITY OF BUENA VISTA at the regular public meeting held _____.

	AYE	NAY	ABSTAIN	ABSENT
William H. Fitzgerald,				
Tyson Cooper, Vice Mayor				
Lisa Clark				
Steve Baldrige				
Danny L. Staton, Sr.				
Stanley B. Coffey				
Melvin Henson				

(SEAL)

Clerk, City Council for the
City of Buena Vista, VA

Council Member Clark wanted to know what the meaning of “After 96 hours” was.

Lt. Harrison of the Buena Vista Police Department explained that the fine has to be paid within 96 hours to avoid the late penalty.

Councilman Henson wanted to know if the above infractions are hard to enforce.

Lt. Harrison said it is not hard to enforce since they have been doing this for a number of years. The only change is the cost of the fine that will keep us in line with other local law enforcement agencies. The offender must take the ticket to the Treasurer’s Office within 96 hours and pay the fine. If after the 96 hours the fine is not paid, a certified

letter is sent to the offender. Then they will serve a summons for failure to pay the fine.

NB #2 DISCUSS AND APPROVE A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO EXPEND FUNDS FROM THE REGIONAL IDA TO IMPROVE THE CHESSIE TRAIL CONNECTION:

Mr. Tom Roberts started the discussion by saying this item was discussed at the last Council meeting. Under the Robey Bridge there is a rough and steep pathway. We would be using portions of funds to put down new rock. Mr. Roberts said it will cost about \$7,500.00 for Virginia Infrastructure to do the work. Buena Vista's share is approximately \$21,000.00 from the IDA total. All three localities earmarked that money for trail development. There will be some money left over to do some other projects on the trail.

Mr. Scudder said the path has eroded over time. When the bridge was built it was dedicated to the City as an easement for a trail connection. In 1994 we sold the railroad bed to Bontex. He said they looked at City staff making the repairs and they are still thinking about letting our staff make the repairs. They have also talked about allowing some volunteers do the work. We were allotted thousands of dollars from VDOT for the connection. The engineers found out it was going to be a lot more expensive than the original estimates to make the connection. Our match would have been 20%. We backed off from that. This makes a lot more sense and makes the path more usable. This is also a lot safer alternative. ADA requirements were what drove the cost of the connection up. It made it not feasible to use federal money for this project.

Clerk of Council, Dawn Wheeler, read the following Resolution:

RESOLUTION - R19-03

**RESOLUTION TO AUTHORIZE THE CITY MANAGER TO EXPEND FUNDS
FROM THE REGIONAL IDA TO IMPROVE THE CHESSIE TRAIL
CONNECTION**

Whereas, the Chessie Nature Trail and the Brushy Blue Greenway trail system are important regional outdoor recreation features that are essential to the economic development of the Rockbridge area; and

Whereas, the City has made it a priority to better connect its River Walk and its downtown with the Chessie Nature Trail, by pursuing multiple sidewalk construction and trail development projects; and

Whereas, certain funds have been distributed from the regional Industrial Development Authority and designated for use by the three member localities for regional trail development.

Therefore Be It Resolved, that the City Manager is authorized to expend said funds distributed from the regional Industrial Development Authority and enter into agreements necessary to make improvements to the trail connection between the River Walk and the Chessie Nature Trail, which may include construction, site work, wayfinding signage and other related efforts.

Given this 7th Day of February 2019.

William H. Fitzgerald, Mayor

ATTEST:

Clerk of Council

DATE: _____

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

NB #3 PROCLAMATION FOR THE 100TH ANNIVERSARY OF THE AMERICAN LEGION:

Councilman Henson advised that Post 126, The Buena Vista American Legion, is 98 years old today.

Vice-Mayor Cooper read and presented the following Proclamation to the Commander of Post 126, Mr. Garry Floyd:

PROCLAMATION

1919 - 2019

AMERICAN LEGION

WHEREAS, The American Legion was chartered by Congress in 1919 as a patriotic veteran's organization: and

WHEREAS, The American Legion focused on service to veterans, service members and communities, the Legion evolved from a group of war-weary veterans of World War 1 into one of the most influential nonprofit groups in the United States: and

WHEREAS, The American Legion's membership swiftly grew to over 1 million, and local posts sprang up across the country: and

WHEREAS, The American Legion's membership today stands at over 2.4 million in 14,000 posts worldwide. The posts are organized into 55 departments: one each for the 50 states, along with the District of Columbia, Puerto Rico, France, Mexico and the Philippines: and

WHEREAS, over the years, The American Legion has influenced considerable social change in America, won hundreds of benefits for veterans and produced many important programs for children and youth.

NOW, THEREFORE, BE IT PROCLAIMED, by the City of Buena Vista Council and the citizens of Buena Vista that we do hereby proclaim the year of 2019 as the 100th anniversary of The American Legion and we thank you for your dedication to the City of Buena Vista.

William H. Fitzgerald,
Mayor, The City of
Buena Vista

EXECUTIVE SESSIONS:

Vice-Mayor Cooper read the following:

ACCORDING TO SECTION 2.2-3711 (A) (3) AND (5) OF THE 1950 CODE OF VIRGINIA, AS AMENDED, FOR THE PURPOSE OF DISCUSSING THE POSSIBLE DISPOSITOIN OF PUBLICLY HELD REAL PROPERTY WHERE DISCUSSION IN AN OPEN MEETING WOULD ADVERSELY AFFECT THE BARGAINING POSITION OR NEGOTIATING STRATEGY OF THE CITY AND A PROSPECTIVE BUSINESS PREVIOUSLY UNANNOUNCED LOCATING IN THE CITY:

ACCORDING TO SECTION 2.2-3711 (A) (1) OF THE 1950 CODE OF VIRGINIA, AS AMENDED, FOR THE PURPOSE OF EVALUATING THE PERFORMANCE OF THE CITY MANAGER AND CLERK OF THE COUNCIL:

CERTIFICATION OF EXECUTIVE MEETING

MOTION: Councilman Henson

DATE: February 7, 2019

SECOND: Councilman Baldrige

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: NONE

ABSENT DURING MEETING: NONE

Dawn M. Wheeler

Clerk of Council

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

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

Dawn M. Wheeler

Clerk of Council

William H. Fitzgerald

Mayor