

**CITY OF BUENA VISTA  
REGULAR COUNCIL MEETING**

**OCTOBER 4, 2018**

The City Council for the City of Buena Vista met for a Regular Council Meeting on Thursday, October 4, 2018, at 6:00 p.m. in Council Chambers (2039 Sycamore Avenue).

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|--------------------------|-----------------------|
| Council Members Present: | Mayor Bill Fitzgerald |
| Steve Baldrige           | Daniel Staton         |
| Stanley Coffey           | Melvin Henson         |
| 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. Vice-Mayor Cooper delivered the opening prayer.

**ADG #2 APPROVAL OF THE MINUTES FROM THE REGULAR COUNCIL MEETING HELD ON SEPTEMBER 6, 2018:**

Motion was made by Council Member Clark to approve the minutes from the Regular Council Meeting held on September 6, 2018, seconded by Councilman Henson, 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 an item listed on the agenda, open for public comment, will be heard when that item is considered.**

Mr. Larry Floyd, 245 Ridge Avenue was the first person to speak. Mr. Floyd advised that he is one of the two representatives from Buena Vista for RARO. He said he is a football coach and his team is in first place. At the Brewbaker annex RARO is putting up a new field. It will be used for all sorts of sports activities. Mr. Floyd said the City still does not have a scoreboard at Camden Field. He said it has been a year or longer since we have been participating in RARO. Mr. Floyd advised that RARO is trying to get scoreboards for Laurel Park. He said he will be attending at least one Council meeting per month in the future.

Councilman Henson said we are looking into getting a portable scoreboard. He reported that Katy Patterson, Director of Glen Maury Park, has the information on the scoreboard. She will get with Darrell to find out if the suggested scoreboard is suitable for RARO. He said the scoreboard will cost about \$2,000.00.

Mr. Floyd wanted to know when we can expect to receive the scoreboard.

Mr. Scudder said he has told Ms. Patterson to order the portable scoreboard.

Councilman Henson said the shipping time is 3 to 4 weeks.

The next person to address Council was Mr. William Bane, 1630 Oak Avenue. He advised Council that he will be taking over the Guy Carawan Bluegrass Festival since Mr. Carawan has passed away. He wanted to know if perhaps we could erect a nice memorial at the park in memory of Mr. Carawan.

Councilman Coffey wanted to know the size of the monument.

Mr. Bane said probably 2 feet x 36 inches. He said he would like to have Mr. Carawan's picture on the monument and that he would pay to have the picture put on.

Mr. Scudder will check on this request and let Mr. Bane know his findings.

The next person to address Council was Johnna Gippemeier, 2607 Edgewood Drive. She said she has lived in Buena Vista for 15 years and has concern about water from her neighbor's property running in her yard. She said she has talked with 3 people in the City and has not had any feedback from anyone. She said that Mr. Scudder has been shown her concern and she has not heard back from him. Mrs. Gippemeier said she

has suffered a lot of anxiety over the water situation in her yard. She opined that the water does not have any way to go to the street. She said the builder inspector has looked at the situation and said it is not supposed to be the way it is. She is concerned that the hill her house is on will become unstable. She said she has had no assurance or response concerning her situation.

Mr. Scudder stated that he has talked to Mr. Kearney about the situation and they have not had time to get back with Mrs. Gippemeier.

Mayor Fitzgerald wanted to know how much longer it would be to get her an answer.

Mr. Kearney said he should have a response by next week.

Chief Keith Hartman was the next to speak. He advised everyone that visitation for former police Chief Plogger will be held on Sunday from 3 to 5 and the funeral will be on Monday at 11. He also said he serves on the Rockbridge Area Community Services Board. They were called to an emergency meeting on Tuesday to be told that the Executive Director resigned effective October 12, 2018. The Finance Director is serving as interim director and Mr. Chuck Carr is helping them. He reminded Council that Buena Vista still has a seat open on the board that needs to be filled.

## **ADG #4 REPORTS:**

### **1.) Mayor**

Mayor Fitzgerald stated that the storm tore up Reid's Hill and wanted to know what has been done to fix the road.

Mr. Scudder said that he and John Cole have been working with Ricky McDaniel. He said the City diverted a trench.

Mr. Cole said they dug an extra ditch and that milling will be put in so the fire department can get up there if necessary. He said we have gotten only 3 loads free of charge and may have to purchase more.

Mr. Scudder said there is not nearly as much milling as originally thought and the next milling project will be Route 501.

Mr. Cole said they are communicating every day and hope to get more on Tuesday.

### **2.) City Manager**

Mr. Scudder said he wanted to give an update on the Industrial Park. He said he has been working with Tom Roberts, Rachel Moore and Trina Mastran and they met with 2 engineering firms: Draper Aden and Civil Engineering. They selected Civil Engineering to go forward with the engineering design work. He has authorized Hunter to start the traffic impact analysis that is the prerequisite for applying for the VDOT money to do the entry road. The cost for this analysis is going to be around \$14,000.00. Ms. Moore has \$13,000.00 in her budget and we

received about \$2,000.00 for the option on the property. We are trying to analyze how much engineering the firm from Ohio has done versus how much engineering we need to do. With the help of Hunter we have identified a scope and what needs to be done and he has provided engineering estimates. Some of the money will be up front money and the VDOT money is all on a timing scale. He opined it looks very positive that this project is going forward. In meeting with the company representatives we are moving forward with the anticipation that everything is going to come together and meet everyone's time lines. Depending on how much we have to expend on engineering design costs, we are pretty much moving forward with the project. Some of the money will be assigned to the Economic Development budget. It will be over and we will have to settle it up at the end of this fiscal year. Once construction has begun, if it is water and sewer related, we will be using the left over funds from the Dickinson Well project. He opined it is a good economic development project and will sit our Industrial Park up for future development. The Mayor wanted to make sure the laterals are going to be put under 501 so water and sewer will be accessible on the other side of the road. Hunter has confirmed they will be installed. He said we have been busy and he is not sure when Columbia Gas is going to start their project on Magnolia. He has noticed that they have been doing a lot of asphalt final repair. The final repair work looks adequate. He then wanted to know when the Safe Routes to School project is going to start.

Mr. Roberts said we should have the notice to proceed next week.

Councilman Baldrige thanked City personnel for all of the preparation that was done concerning hurricane Florence.

### **3.) City Attorney**

Mr. Kearney started his report by saying that the tax sale is listed in the local paper that came out yesterday.

### **4.) Council Committee/Representative**

Councilman Henson said he attended a workshop educational committee meeting concerning education in high school and college and in the aftermath people are still trying to find better jobs. He said the message does not seem to be getting into our educational systems in this area. Through DSLCC and grant money, they will pay up to 90% of the tuition provided you complete the class. They are in search of welders and commercial truck drivers. There seems to be a big demand for production workers rather than technical workers. Councilman Henson opined that "TEAM BUENA VISTA" went to pot recently while preparing for Hurricane Florence. He feels that some of the key people that should have been involved were not. He said only 5 to 6 people know the system. He wanted to know when the last inventory was taken for each building in the City. He said the operational manual tells you where things are supposed to be and where they

have gone. The manual also tells about the yearly maintenance and the inspection of the floodwall by the Corp of Engineers. The floodwall has not been inspected for over 17 months. He opined the rocks at the floodwall are dangerous and we had an employee get hurt there earlier in the week. He wanted to know at what point we shut the park down and mover the campers out during a high water situation. He also wanted to know what we do with the campers if they have to be moved. He opined there are a lot of things that need to be looked at. Some of it comes from lack of knowledge, not wanting to work with other team members and follow through.

Councilman Coffey wanted to know when the last time the bridge gate was closed.

Mr. Scudder advised the Corp of Engineers comes down once a year and everyone, including the railroad, goes through a protocol that is written out.

Ms. Trina Mastran, Director of Public Works, said there are a lot of new people including her. She opined the meeting they had at the Police Department went very well. She informed everyone that the inspection of the floodwall was done about a year ago. They are in the process of scheduling another inspection. Ms. Mastran said they do have a lot of responsibility with the floodwall. She also knows that Corey Henson and Ken Talley know what is in the buildings. She said there are check lists that has to be gone through concerning the floodwall. She said that she and Chief Hartman are talking about future events and what will need to be done.

Mr. Scudder opined we have a very organized program for creek maintenance that was not in place a few years ago. Every year the Corp comes down and everyone gets together and goes through an annual run of everything to make sure it works. In some of our staff meetings we have talked about having the inspection twice a year. He said the fact is that we are in better shape now than in the past.

Councilman Henson said that he disagrees with Mr. Scudder.

Council Member Clark said she was involved a little bit on the emergency management side because of the schools. She said when the school officials came back from their meeting with Chief Hartman and Ms. Mastran they had nothing but praise for the whole group. She said she has a lot of confidence in the floodwall protecting us from the river but has concerns about the interior streams.

Councilman Henson then advised everyone about the benefit dinner for Fred Fix, the community work day and Mountain Days.

Vice-Mayor Cooper said the community work day is coming along quite well. He said they are expecting between 900 to 1,000 volunteers to meet at the pavilion at GMP at 9:00 a.m. on Tuesday, September 9. They will be served a free lunch and will work until around 4:00 p.m. There will also be a block party at Penny Park afterwards. He said everything at the park will be the same color after the community work day.

Mr. Larry Floyd expressed his concern about the student's safety painting the barn at GMP.

Vice-Mayor Cooper said safety will be first.

Mr. Scudder said there is specialized equipment that will be available to do such jobs as painting the barn.

Council Member Clark advised that the Charter Committee met before the Council meeting and that Mr. Tim Petrie was appointed Chairman of the committee. The Charter will be reviewed line by line and will have some sort of communication that will meet all of the FOIA regulations. The committee will meet every other month.

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

### **APT #1 ROCKBRIDGE AREA COMMUNITY SERVICES BOARD:**

**Ms. Lori Turner has resigned. Her term will expire on December 31, 2020. This is the tenth time this item has appeared on the agenda. ADVERTISED THE NEWS GAZETTE 3/21/18; WEB SITE AND CHANNEL 18 3/15/18. NO APPLICANTS** – This item will be carried over to the next Council meeting.

### **APT #2 ROCKBRIDGE AREA DISABILITY SERVICES BOARD:**

**Ms. Rebekah Powers has resigned. Her term will expire January 31, 2021. This is the sixth time this item has appeared on the agenda. ADVERTISED THE NEWS GAZETTE 6/27/18; WEB SITE AND CHANNEL 18 6/19/18. ONE APPLICANT: LISA CLARK**

Motion was made by Councilman Henson to appoint Council Member Clark to serve on this board, seconded by Councilman Coffey, carried by Council.

**APT #3 SHENANDOAH VALLEY WORKFORCE DEVELOPMENT BOARD:**

Ms. Janice Shanks has resigned. Her term ended June 30, 2018. This is a 4 year term. The Shenandoah Valley Workforce Development Board has asked that we appoint someone from the private sector to replace Ms. Shanks. This is the fourth time this item has appeared on the agenda. **ADVERTISED THE NEWS GAZETTE AUGUST 1, 2018; WEB SITE AND CHANNEL 18 7/26/18. NO APPLICANTS** - This item will be carried over to the next Council meeting. Ms. Moore will ask industries for a volunteer.

**APT #4 BUENA VISTA ECONOMIC DEVELOPMENT AUTHORITY:**

Mr. Jacob Thayer has resigned. His term will expire on July 31, 2019. This is the fourth time this item has appeared on the agenda. **ADVERTISED THE NEWS GAZETTE AUGUST 1, 2018; WEB SITE AND CHANNEL 18 7/27/18. NO APPLICANTS** - This item will be carried over to the next Council meeting.

**APT #5 ROCKBRIDGE AREA SOCIAL SERVICES BOARD:**

Mr. Billy Spence has resigned. His term will expire on October 31, 2020. This is the second time this item has appeared on the agenda. **ADVERTISED THE NEWS GAZETTE SEPTEMBER 5, 2018; WEB SITE AND CHANNEL 18 8/30/18. NO APPLICANTS** – This item will be carried over to the next Council meeting.

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

**NB #1 RESOLUTION FOR MR. MARK CLINE:**

Mr. Tom Roberts read the following Resolution:

**RESOLUTION**

**WHEREAS**, Mr. Mark Cline is a local artist with whimsical, fun and thoughtful pieces large and small to numerous to list, found across Virginia and across the world; and

**WHEREAS**, Mr. Cline has proven dedicated to the community by consistently participating in parades, festivals and events of all kinds and donating time, art and materials; and

**WHEREAS**, Mr. Cline spearheaded a project to infest downtown Buena Vista with cartoonish insects of the most delightful and surprising design on April 1<sup>st</sup> of this year, that they might perch, lurk, squat and hang upon our buildings and incite curiosity, laughter and excitement all spring and summer long; and

**WHEREAS**, these six and eight legged visitors did brighten downtown, raised the profile of Buena Vista, celebrated the arts and creativity and drew tourists.

**THEREFORE BE IT RESOLVED** that the City of Buena Vista extends its sincere gratitude and appreciation to Mr. Cline for building and lending these sculptures to the Buena Vista Arts Council and the City of Buena Vista.

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Bill Fitzgerald, Mayor

ADOPTED: October 4, 2018

ATTEST:

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Clerk of Council

Mr. Cline thanked Council and said we have a beautiful City.

**NB #2 RESOLUTION FOR THE CITY OF BUENA VISTA TO COMPLY WITH THE STATE CODE 9.1-400 RECOGNIZING LOCAL EMERGENCY DEPARTMENTS:**

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

**RESOLUTION**

**WHEREAS**, at a regularly scheduled meeting of the City of Buena Vista City Council held on October 4, 2018, the City of Buena Vista wishes to comply with the State Code 9.1-400 recognizing local emergency departments; and

**WHEREAS**, the City of Buena Vista City recognizes two departments, namely the City of Buena Vista Volunteer Rescue Squad and the City of Buena Vista Volunteer Fire Department; and

**WHEREAS**, the City Council, the governing body of the City of Buena Vista, have for many years recognized the existence of both volunteer organizations but have never formally adopted a resolution; and

**WHEREAS**, for such fire and rescue departments to be eligible for benefits of the "Line of Duty Act: a resolution must be approved by the governing body; and

**NOW THEREFORE BE IT RESOLVED**, that on October 4, 2018 the City Council of the City of Buena Vista voted to recognize the aforementioned fire and rescue departments as emergency responders for the citizens of the City of Buena Vista; and

**BE IT FURTHER RESOLVED** that the City of Buena Vista acknowledges the important contribution made by the members of each fire and rescue department to the City of Buena Vista and wishes to make available the benefits of the "Line of Duty Act".

ADOPTED: October 4, 2018

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Bill Fitzgerald, Mayor

ATTEST:

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Clerk of Council

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

**NB #3 PRESENTATION BY TRINA MASTRAN ON BRUSH PICKUP AND PAVING WITHIN THE CITY:**

Ms. Mastran started her presentation by thanking the Public Works and Safety Committee for working with the Public Works Department. She said when she first went to Public Works she kept hearing about a lot of brush and other materials that needed to be picked up within the City. They started looking into it and Ken Talley put in place a system of collecting data for all of the waste they pick up. She then provided pictures with examples of what the crews have to pick up. (See pictures in minute book) Ms. Mastran thanked her staff for all of their hard work and also mentioned that Beverley Brothers is not pleased with the size of brush that we have been delivering to them. The recommendation from the Committee is to enforce the brush ordinance. They discussed charging a fee for picking up large amounts of brush but in order to charge the fee the public must be educated a lot.

Mr. Scudder said that in our ordinance there is a section that says that we can charge a fee for large piles of brush. The ordinance does not state a specific fee but it has always been an ordinance concerning brush.

Ms. Mastran said the staff knows what they can pick up and what they can't. She said

we will only implement the fees after a lengthy education concerning brush pick up.

Council Member Clark suggested that we put the brush presentation on our web site.

Councilman Henson thanked Ms. Mastran and her staff for a job well done.

Vice-Mayor Cooper asked Ms. Mastran if he could see the letter to the citizens in violation of the brush ordinance before it is sent out.

Ms. Mastran then introduced John Cole, Street Supervisor, to Council. She said that right now we have a lot of potholes in the City. She said that Johnny organized some of the higher priority ones.

Mr. Cole advised that he and Trina rode around the City and picked out places that need to be addressed. There are 20 or more spots that need to be paved. These places are going to have to be milled. He opined that most of our roads are in bad shape. For example, up on Hickory you can see the dirt under the asphalt. He also took 3 contractors around: Adams Paving, B&S, Weatherman Collins. B&S was the low bidder. He said that \$58,000.00 of their bid is for Cedar Avenue where the major water line repair was made. We have decided we will take our crew and try to pave that ourselves.

Ms. Mastran said we get a lot of complaints about Culvert Street. We will apply for those dollars again. We can apply for up to a million dollars. She opined that Route 501 will not take a million dollars to repair. It was patched last year. We will try to do the repairs in February or early March and get it done in FY2019. The submittal date for the grant money is the end of January.

Mr. Scudder said that B&S is a sub-contractor for Adams Paving. He said he talked to the Mayor this afternoon and they agree we need to go with option B.

Ms. Mastran said we will defer Hazel Avenue. They are asking for \$67,225.36 for B&S to do the work. She said the City does not have the ability to mill asphalt. She opined we can do Cedar Avenue without milling.

Mr. Scudder said that when we do pot hole patching we use a hot box and that keeps the asphalt at a right consistency. We will check into purchasing a hot box.

Mr. Cole said that is one of the problems they have trying to do different locations in the City. The asphalt starts setting up before you can prepare the spot. It is also a scheduling nightmare. Right now he has only 2 guys on the streets. Everyone else is mowing. He said you have to pull people from everywhere just to get things done. He advised that B&S came in with the lowest bid. They should be able to do the repair work at the end of October or early November. We will start working on Cedar Avenue on

October 5.

Councilman Henson wanted to know the cost to repair Cedar.

Ms. Mastran said she will let him know.

Councilman Henson motioned to approve the request from Public Works in the amount of \$67,225.36 for pot hole repairs, seconded by Councilman Staton, carried by Council.

#### **NB #4 PRESENTATION BY TRINA MASTRAN ON REPAIRS FOR THE OYLER PAVILION AT GMP:**

Ms. Mastran said that Mr. Scudder had requested they put together a bid for repairs to the Oyler Pavilion at GMP. (See bids in minute book)

Mr. Ken Talley said they advertised and went through the process of getting qualified contractors. They received 2 qualified bids and the cheapest one came back from T. E. Conner which included some extras. He included in his cost a rough estimate for sheets of plywood. The price for the plywood may increase some after the work is started and they actually see how much plywood needs to be replaced. Mr. Conner's subtotal is \$26,800.00. Mr. Talley said there is additional work that was not included in the bid because these are items such as the posts. We may have to only replace a couple of posts but we may need more. He said the other big issue is the roof itself. The roof dumps water right onto the support bracing. We will eliminate that problem by installing guttering.

Mr. Scudder said he is very pleased with the bid and the work done to get the bids. He also would like for Mr. Talley to talk to Mr. Conner about repairing some of the places on the barn roof at GMP.

Council Member Clark asked if these funds will be taken from the General Fund since this repair is not a budget item. She wanted to know if any of the Nothin Fancy proceeds figured in to the revenue side of the budget.

Mr. Scudder said he is not sure. He said that since he has been here when we get that kind of money it is used to reinvest into the park.

Council Member Clark wanted to know if we collected enough from events in the park to cover this expense.

Mr. Scudder opined we need to say the money will come out of the General Fund balance. He said he is pretty sure that park revenue goes back into the park fund

balance.

Councilman Henson motioned that the funding for this project will come first from revenues solely used at the park and then if necessary, take funds from the General Fund balance, seconded by Council Member Clark, carried by Council.

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

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Dawn M. Wheeler

Clerk of Council

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William H. Fitzgerald

Mayor