

**CITY OF BUENA VISTA  
REGULAR COUNCIL MEETING  
AND PUBLIC HEARING  
FEBRUARY 20, 2020**

The City Council for the City of Buena Vista met for a Regular Council Meeting and Public Hearing on Thursday, February 6, 2020 at 6:00 p.m. at the Buena Vista Municipal Building (2039 Sycamore Avenue).

Council Members Present:	Mayor Bill Fitzgerald
Melvin Henson	Danny Staton
Stanley Coffey	Cheryl Hickman
Tyson Cooper	Vice-Mayor Lisa Clark

Members Absent: None.

**ADG#1 PLEDGE OF ALLEGIANCE AND PRAYER:**

Mayor Fitzgerald opened the meeting by asking everyone to stand for the Pledge of Allegiance. Councilman Cooper delivered the prayer.

**ADG #2 PUBLIC HEARING:**

**PUBLIC HEARING**

**CITY COUNCIL**

**February 20<sup>th</sup> 2020**

Pursuant to Code of Virginia Section 15.2-2204 and the City of Buena Vista Land Development Regulations, notice is given that the City Council will hold a public hearing to receive comment on the following matters.

Update boundaries of designated Tourism Zones within the City for the purpose of

improving the Tourism Zone economic development incentive program.

The Public Hearing will be held in the City Council Chambers located in the Municipal Building located at 2039 Sycamore Avenue in Buena Vista during the regular City Council meeting at approximately **6:00 PM on Thursday, February 20<sup>th</sup>, 2020**. Staff reports for each matter, and a copy of the Comprehensive Plan, are available from the Director of Community and Economic Development, Thomas Roberts, 2039 Sycamore Avenue, Buena Vista VA 24416 or (540) 261-8607 or [troberts@bvcity.org](mailto:troberts@bvcity.org) or [bvcity.org/planning](http://bvcity.org/planning).

Mr. Tom Roberts opened the Public Hearing by advising this is an update to the Tourism Zone. He and Kristina Ramsey have been looking at the various economic development incentive programs that we have, and this is one they have been looking at since the Fall. They are proposing this change to the boundaries of the Tourism Zone. He said to not be confused by the word "ZONE": it is not zoning. This is just an economic development tool authorized by the State. They are giving a pretty wide latitude to structure on how we want to set eligibility and set the particular incentives we provide. Mr. Roberts said we can draw the boundaries wherever we want to. We have had it since 2004. The boundaries currently are the Magnolia corridor, going from 10<sup>th</sup> Street up to 23rd Street. The tourism zone program is really focused on promoting businesses that would cater to tourists and visitors, specialty retail, entertainment venues and lodging. We want to expand this into some logical places. They are looking at boundaries right now and will continue to look at the eligibility and the particular incentives that we provide to see if those are really calibrated to what we really need in Buena Vista.

Councilman Henson wanted to know what kind of impact this would have on part of 29<sup>th</sup> Street and Beech Avenue since they are both part of the Historic District.

Mr. Roberts said there will be no impact on either.

Mayor Fitzgerald closed the Public Hearing.

### **ADG #3    APPROVAL OF THE AGENDA:**

Motion was made by Councilman Cooper to approve the agenda, seconded by Councilman Coffey, carried by Council.

**ADG #4 APPROVAL OF THE MINUTES FROM THE REGULAR COUNCIL MEETING AND PUBLIC HEARING HELD ON FEBRUARY 6, 2020:**

Motion was made by Councilman Cooper to approve the above-mentioned minutes, seconded by Vice-Mayor Clark, carried by Council.

**ADG #5 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:**

Lt. Mitchell Harrison of the Buena Vista Police Department gave an update on the deer cull at Glen Maury Park. They were able to contribute about 400 pounds of deer meat to the Hunters for the Hungry. They broke the meat down into 1600 quarter pound servings and gave the meat to the Church of the Nazarene in Buena Vista.

Councilman Coffey said a lot of the meat was given away on Monday night at their food bank.

Lt. Harrison said our church in Buena Vista will be on their list for contributions in the future. In the past year he has talked some about the drone project with Virginia Tech. He wanted to publicly thank the Masonic Lodge, the Buena Vista Rescue Squad, the Rotary Club and a group from the Rotary Club in Lexington. They had a small grant that Virginia Tech provided to get them started and with help from the above organizations they have greatly expanded their search and rescue capabilities.

Mr. Jamie Goodin apologized for the last-minute change in plans for Ed Walker. He said Mr. Walker will be attending the first Council meeting in March.

## **ADG #6 REPORTS:**

### **1.) Mayor:**

Mayor Fitzgerald wished Mr. Scudder a happy birthday and then presented pictures to former mayors Harold Kidd and Mike Clements. He thanked them for their years of service to the City.

Former Mayor Kidd thanked Council and the Mayor for the picture and for their service to the City. He said as a citizen, he wishes Council good luck.

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

Mr. Scudder started his report by saying the ribbon cutting has been organized for Columbia Gas on March 2 at 3:30 p.m. He opined this is an amazing project and that Charles and Tom are working hard to get the reimbursements back in for this project. He advised that our jail costs continue to go up. We do have a program that is called Pre-trial Services and we have been involved in that program for about the last year through Blue Ridge Court Services. He said he is not exactly versed on how the Pre-trial Services works but it screens people and has some programs and keeps them out of local jails. Over the last year our part time participation in that has kept a lot of folks out of our jail. We have made application to take this program to a whole different level with it being a full-time position. Hopefully this will help to keep some people out of our local jail. They are pretty confident we are going to get funded for the full-time position. There has been discussion because of the overcrowding: the old jail study that was done about 10 years ago and then again 6 or 7 years ago has generated talk about what needs to be done at the jail. Due to our budget situation, the outcome might affect us. The RISPA Committee is also working on our court systems and our judges. He is hoping that committee will help a little bit more on the overcrowding. The CSA budget is down a little, but we have to budget based on the last 3 years.

Councilman Coffey wanted to know if the State is compensating the jail for the people that should be in State facilities.

Mr. Scudder said there are 2 categories that should not be in our local jail, but his answer is no the State does not compensate the local jails. We pay \$12.00 per day per inmate and our local taxpayers are footing the bill for that is based on where the inmate came from. As a region, we have sent letters to our elected officials in Richmond about this problem. Other jurisdictions have done it also, so we have done it collectively throughout the State. This is basically another unfunded mandate that is being pushed down on localities again.

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

None.

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

Councilman Henson advised that the Career Fest was held on Tuesday and was very successful. There were middle school and high school students there and a lot of different jobs were discussed. At the last Council meeting we discussed No Kill Shelters for animals. He said we should promote spay and neutering also. That would help cut down on the cost also. He mentioned there have been 3 wrecks involving emergency vehicles in the last 3 days. He reminded everyone to move over for emergency vehicles.

Mr. Scudder advised there was a meeting held at SVU where they discussed plans for the school. He said they have meetings from time to time and they give out a lot of good information.

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

##### **ADG #7 BUENA VISTA ECONOMIC DEVELOPMENT AUTHORITY:**

Mr. Peter Trotman has resigned. His term will expire on January 31, 2023. This is the second time it has appeared on the agenda. **NO APPLICANTS – ADVERTISED THE NEWS GAZETTE FEBRUARY 5, 2020; WEB SITE AND CHANNEL 18 JANUARY 30, 2020**

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

##### **ADG #8 RANA (ROCKBRIDGE AREA NETWORK AUTHORITY):**

Mr. Melvin Henson's term on RANA has expired and he is not eligible for re-appointment. This is a 4-year term and the second time it has appeared on the agenda. **– ADVERTISED THE NEWS GAZETTE FEBRUARY 19, 2020; WEB SITE AND CHANNEL 18 FEBRUARY 12, 2020**

We received an application from Mr. Joshua Eggleston for this board. Motion was made by Councilman Cooper to appoint Mr. Eggleston to the RANA Board, seconded by Vice-Mayor Clark, carried by Council.

**ADG #9 WORKFORCE INVESTMENT BOARD:**

Mr. Steve Douty's term will expire on April 30, 2020. This is a 4-year term and the first time it has appeared on the agenda. Mr. Douty is willing to serve again if re-appointed.

Motion was made by Council Henson to re-appoint Mr. Douty to the Workforce Investment Board, seconded by Councilman Coffey, carried by Council.

**ADG #10 WORKFORCE INVESTMENT BOARD:**

Mrs. Pat Ohleger's term will expire on April 30, 2020. This is a 4-year term and the first time it has appeared on the agenda. Mrs. Ohleger is willing to serve again if re-appointed.

Motion was made by Vice-Mayor Clark to re-appoint Mrs. Ohleger to the Workforce Investment Board, seconded by Councilman Henson, carried by Council.

**ADG #11 RARO:**

Mr. Eric Catlett has resigned effective immediately. His term will expire on 12/31/2020. This is the first time it has appeared on the agenda. – **ADVERTISED THE NEWS GAZETTE FEBRUARY 19, 2020; WEB SITE AND CHANNEL 18 FEBRUARY 12, 2020**

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

**OLD BUSINESS:**

**OB #1 SECOND READING OF AN ORDINANCE FOR A CONDITIONAL USE PERMIT FOR FIRST FLOOR RESIDENTIAL USE AT 2275 BEECH AVENUE, LKH ENTERPRISES INC.:**

Motion was made by Councilman Cooper to read the following Ordinance by title only, seconded by Councilman Henson, carried by Council.

Ms. Wheeler read the following Ordinance by title only:

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**Conditional Use Permit**

**Tax map 27-1-5-18-B, 2275 Beech Avenue**

**Ordinance – ORD 20-04**

**3 February 2020**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BUENA VISTA, VIRGINIA, that after a duly called public hearing, in accordance with the general welfare of the citizens of Buena Vista and in accordance with good zoning practices, a Conditional Use Permit shall be granted to the building at 2275 Beech Avenue, known as the former movie theater, for the purpose of allowing multifamily homes, apartments, or efficiencies located on the story of a building closest to the street level pursuant to Section 614.04-8 of the City of Buena Vista Land Development Regulations.

This ordinance shall be effective 30 days following adoption by City Council.

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William Fitzgerald, Mayor

ATTEST:

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Dawn Wheeler, Clerk of Council

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Date

Motion was made by Councilman Cooper to adopt the above Ordinance, seconded by Councilman Henson.

Ms. Wheeler polled Council as follows:

	<b>Present</b>	<b>Absent</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>
Mayor Fitzgerald	X		X		
Melvin Henson	X		X		
Vice-Mayor Tyson Cooper	X		X		
Cheryl Hickman	X		X		
Lisa Clark	X		X		
Danny Staton	X		X		
Stanley Coffey	X		X		

**OB #2 DISCUSS THE PROCESS FOR HIRING A NEW CITY MANAGER:**

Mayor Fitzgerald started the discussion by saying the application that was sent in from Brian Kearney is the advertisement that will be used if everyone approves it.

Councilman Cooper said that he made a few revisions and that he will send it to Ms. Wheeler. Mr. Cooper read his revised advertisement as follows:



Buena Vista, an independent City of approximately 6,400 citizens, **is in the midst of an** economic revitalization and is looking for a new City Manager with the **strategic** vision, energy, and **leadership** necessary to accelerate and advance this revitalization.

Buena Vista is located in the heart of the Blue Ridge less than **six** miles from the Appalachian Trail and the Blue Ridge Parkway and is home to one of the largest municipal parks in the Commonwealth. It is also conveniently located only **four** miles from Interstate 81 and **the** Norfolk Southern Railroad runs right through the City, supporting the strong industrial sector of its economy. Buena Vista is uniquely positioned adjacent to incredible outdoor recreational **opportunities** while also having easy access to interstate commerce. **Additionally,** Buena Vista is home **to two dynamic and growing institutions of higher education,** Southern Virginia University and the Dabney S. Lancaster Regional Community College Center.

The City is looking for an experienced, goal-oriented, **and data-driven individual** with strong **interpersonal and** leadership skills. The City Manager **must be an integral part of the community by living in the city, participating in local events, and** actively engaging with Council, **local** business leaders, and the citizens.

Buena Vista's FY 2020 general fund budget is approximately \$14,000,000 and there are currently **seventy** City employees under the direction of the City Manager.

Candidates must possess a Bachelor's Degree and three to five years progressively responsible leadership experience. Master of Public Administration, or equivalent graduate degree, is strongly preferred.

Starting salary and benefits are dependent upon qualification and experience.

Initial review of the applications will begin April 15, 2020. To be considered please submit a cover letter, resume and professional references to Dawn Wheeler, Clerk of Council, via email @ [dwheeler@bvcity.org](mailto:dwheeler@bvcity.org).

Councilman Henson opined we need to mention the City schools showing the sports and academic success. He said all City schools are fully accredited.

Mr. Kearney said there will also be a brochure that you can click on and there will be more information about the City. Tom and Kristina have designed the brochure. He said the brochure will be noted on the advertisement. Mr. Kearney wanted to know how many years of experience needs to be advertised. It was 3 to 5 years of experience required when Mr. Scudder was hired.

Councilman Henson said he is looking for someone who is young and energetic.

Mr. Kearney then asked when Council would like to start the advertisement. He reminded Council that the budget process is also coming up soon.

Mayor Fitzgerald asked Council if they wanted to wait to advertise until after the budget is approved.

Mr. Kearney said you probably would want to start 30 days before the end of the budget cycle. Normally the budget is adopted by May 1<sup>st</sup>.

Councilman Cooper opined they should begin reviewing applications around mid-April.

Council Member Hickman wanted to know if all of Council would be looking at the applications. She stated that she wants to be involved in the whole process.

Mayor Fitzgerald said a committee must be formed to choose the applicants that will be interviewed. The interviews will be conducted before the entire Council.

Ms. Wheeler wanted to know who would be doing the final draft of the advertisement.

Councilman Cooper said he would send the revised advertisement to Ms. Wheeler who will make the changes and send it out for Council's comments or approval.

Mr. Kearney said we will probably start advertising around the first part of March with a cut off around the 15<sup>th</sup> of April. The applications will be reviewed and then we can start setting up interviews. Mr. Kearney said we will advertise with VML, ICMA, local newspapers and our web site.

Mr. Jamie Goodin wanted to know if we could send out the advertisement to other City Managers for their review.

Mr. Kearney said we cannot do that.

### **NEW BUSINESS:**

#### **NB #1                      MR. ED WALKER TO UPDATE COUNCIL ON GOBV:**

Mr. Walker will update Council at the March 5<sup>th</sup> meeting.

#### **NB #2                      FIRST READING OF AN ORDINANCE TO UPDATE BOUNDARIES OF DESIGNATED TOURISM ZONES WITH THE CITY FOR THE PURPOSE OF IMPROVING THE TOURISM ZONE ECONOMIC DEVELOPMENT INCENTIVE PROGRAM:**

Ms. Wheeler read the following Ordinance:

#### **ORDINANCE**

#### **TOURISM ZONE AMENDMENT**

**WHEREAS**, in 2004 Council for the City of Buena Vista by Ordinance authorized the creation of Tourism Zones within the City ("Tourism Ordinance"); and

**WHEREAS**, Council has determined that it is in the best interest of the City, as an enhancement for growth, to expand the zones within in the Tourism Ordinance.

**NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BUENA VISTA, VIRGINIA**, the attached Exhibit "A" amending the zones to the Tourism Ordinance for the City of Buena Vista, is hereby approved. Accept as modified herein all other terms and conditions of the Tourism Ordinance shall remain in full force and effect.

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

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**WILLIAM H. FITZGERALD, MAYOR**

**ATTEST:**

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**Clerk of Council**

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**Date of Adoption**

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

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**WILLIAM H. FITZGERALD, MAYOR**

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**Dawn M. Wheeler, Clerk of Council**