

**CITY OF BUENA VISTA
SPECIAL COUNCIL MEETING
PARRY MCCLUER MIDDLE
SCHOOL AUDITORIUM
DECEMBER 21, 2019 12:00 P.M.**

The City Council for the City of Buena Vista met for a Special Council Meeting on Saturday, December 21, 2019 at 12:00 p.m. at the Parry McCluer Middle School (2329 Chestnut Avenue).

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

*******Prior to acting on the proposed Resolution City Council will take comments from the audience for a period of ONE HOUR. The Council will hear from those citizens of Buena Vista who wish to address the Council and have pre-registered giving their full name and address and indicating that they are a resident of the City.*******

We appreciate your cooperation.

Mr. Dennis Hawes, 156 Poplar Avenue, Buena Vista, Vice Chairman of the Buena Vista Republican Party introduced Delegate Ronnie Campbell.

Delegate Campbell urged everyone to support the Second Amendment Sanctuary City Resolution. He also reminded everyone of how important it is to vote. He finished his speech urging everyone to re-elect Donald Trump as

President, elect a Republican Governor and a Republican House. He also asked Council to pass the Resolution for the Second Amendment Sanctuary City.

Mr. Kearney stated that 19 people signed up to speak and once public comment was done, Council would discuss and vote on the Resolution.

The following spoke in favor of supporting the 2nd Amendment Sanctuary City Resolution:

Mr. Chris Simpkins, 115 South Woodland Avenue, Buena Vista

Mr. Joel Ramsey, 143 East 5th Street, Buena Vista

Ms. Cheryl Hickman, 2345 Birch Avenue, Buena Vista

Mr. Jason Omahony, 1104 East 24th Street, Buena Vista

Ms. Jennifer Brown, 8171 Frank Lane Road, Singers Glen, VA

Mr. Michael Hamilton, 324 Woodland Avenue, Buena Vista

Mr. Christian Larlee, 50 Riders Ridge Trail, Buena Vista

Mr. Michael Barry-Rec, 448 Lime Kiln Road, Lexington

Mr. Scott Guise, 336 Murat Road, Lexington

Mr. Kendall Wheeler, 1343 Oak Avenue, Buena Vista

Mr. Phillip Hunt, 1764 Birch Avenue, Buena Vista

Mr. Joey Coleman, 2275 Chestnut Avenue, Buena Vista

Mr. Jamey Staton, 138 East 9th Street, Buena Vista

Mr. John Metzler, 2334 Birch Avenue, Buena Vista

Ms. Collette Barry-Rec, 448 Lime Kiln Road, Lexington

The following spoke against supporting the 2nd Amendment Sanctuary City Resolution:

Mr. Jeffrey Cash, 1263 Forest Avenue, Buena Vista

ADG #2 RESOLUTION AFFIRMING AND SUPPORTING BUENA VISTA'S COMMITMENT TO THE CONSTITUTION OF THE UNITED STATES AND THE COMMONWEALTH OF VIRGINIA:

Council Member Clark read the following Resolution:

**RESOLUTION OF THE
CITY OF BUENA VISTA**

WHEREAS, The Council for the City of Buena Vista enters into this Resolution after an affirmative vote in open session; and

WHEREAS, citizens of Buena Vista have informed the Council that they have concerns that their rights as provided for in the 2nd Amendment to the United States Constitution may be impaired by legislative action forthcoming in the next session of the Virginia General Assembly; and

WHEREAS, the Constitution is the cornerstone upon which our government is formed, and any limitation of the rights contained therein should be vigorously contested. In furtherance thereof the Council for the City of Buena Vista enters into this Resolution.

NOW THEREFORE BE IT RESOLVED by the Council for the City of Buena Vista that they are opposed to any action by the Virginia General Assembly that would adversely impact the constitutionally protected rights of the citizens of the City of Buena Vista, specifically those contained within the Second Amendment to the Constitution and request that the Virginia General Assembly refrain from taking any such actions.

BE IT FURTHER RESOLVED that although the Council acknowledges that it has no legal authority to adopt local legislation which supersedes any law enacted by the Virginia General Assembly and that any determination regarding the constitutionality of legislation lies with the judicial branch of government, Council

wishes to clearly and unequivocally express its support of the right of its citizens to keep and bear arms by declaring the City a Second Amendment Sanctuary City.

BE IT FURTHER RESOLVED that the Council direct staff to forward a copy of this Resolution to the City's elected representatives in the Virginia General Assembly.

This Resolution shall become effective as of the date hereon.

Date: _____

CITY OF BUENA VISTA, VA

WILLIAM H. FITZGERALD, Mayor

After reading the above Resolution motion was made by Council Member Clark to open discussion on the above Resolution, seconded by Councilman Coffey, carried by Council.

After discussion by Council Members concerning the above Resolution, motion was made by Councilman Baldrige to read the amended Resolution, seconded by Vice-Mayor Cooper, carried by Council:

RESOLUTION OF THE

CITY OF BUENA VISTA

R19-15

WHEREAS, The Council for the City of Buena Vista enters into this Resolution after an affirmative vote in open session; and

WHEREAS, citizens of Buena Vista have informed the Council that they have concerns that their rights as provided for in the 2nd Amendment to the United States Constitution and Article I, Section 13 of the Constitution of Virginia may be impaired by legislative action forthcoming in the next session of the Virginia General Assembly; and

WHEREAS, the Second Amendment of the United States Constitution (hereinafter, "Second Amendment") reads: "A well-regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed".

WHEREAS, Article I, Section 13 of the Constitution of Virginia reads: "that a well-regulated militia, comprised of the body of the people, trained to arms, is the proper, natural, and safe defense of a free state, therefore, the right of the people to keep and bear arms shall not be infringed...and that in all cases the military should be under strict subordination to, and governed by, the civil power,"; and

WHEREAS, the Constitutions are the cornerstone upon which our government is formed, and any limitation of the rights contained therein should be vigorously contested. In furtherance thereof the Council for the City of Buena Vista enters into this Resolution.

NOW THEREFORE BE IT RESOLVED by the Council for the City of Buena Vista that they are opposed to any action by the Virginia General Assembly that would adversely impact the constitutionally protected rights of the citizens of the City of Buena Vista, specifically those contained within the Second Amendment and Article I, section 13 of the Constitution of Virginia and request that the Virginia General Assembly refrain from taking any such actions.

BE IT FURTHER RESOLVED that although the Council acknowledges that it has no legal authority to adopt local legislation which supersedes any law enacted by the Virginia General Assembly and that any determination regarding the constitutionality of legislation lies with the judicial branch of government, Council wishes to clearly and unequivocally express its support of the right of its citizens

to keep and bear arms by declaring the City a Second Amendment Sanctuary City.

BE IT FURTHER RESOLVED that the City Council hereby declares its intent to promote constitutional actions on the Second Amendment and Article I, Section 13 of the Constitution of Virginia through such means as may be expedient.

BE IT FURTHER RESOLVED that the Council direct staff to forward a copy of this Resolution to the City's elected representatives in the Virginia General Assembly.

This Resolution shall become effective as of the date hereon.

Date: December 21, 2019

CITY OF BUENA VISTA, VA

WILLIAM H. FITZGERALD, Mayor

Motion was then made by Councilman Henson to adopt the above amended Resolution, seconded by Council Member Clark.

Ms. Wheeler polled Council as follows:

	Present	Absent	Yes	No	Abstain
Mayor Fitzgerald	X		X		
Melvin Henson	X		X		
Vice-Mayor Tyson Cooper	X		X		
Steve Baldrige	X		X		
Lisa Clark	X		X		
Daniel Staton	X		X		

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

William H. Fitzgerald, Mayor

Dawn M. Wheeler, Clerk of Council