

**CITY OF BUENA VISTA
REGULAR (VIRTUAL) COUNCIL MEETING
JUNE 4, 2020**

The City Council for the City of Buena Vista met for a Regular (Virtual) Council meeting on Thursday, June 4, 2020 at 6:00 p.m.

Council Members Present:
Melvin Henson
Stanley Coffey
Tyson Cooper

Mayor Bill Fitzgerald
Danny Staton
Cheryl Hickman
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. Vice-Mayor Clark delivered the prayer.

ADG #2 APPROVAL OF THE AGENDA:

Councilman Cooper motioned for the approval of the agenda, seconded by Council Member Hickman, carried by Council.

ADG #3 APPROVAL OF THE MINUTES FROM THE REGULAR COUNCIL MEETING (VIRTUAL) HELD ON MAY 21, 2020:

Motion was made by Councilman Coffey to approve the above-mentioned minutes, seconded by Council Member Hickman, carried by Council.

**ADG #4 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.**

Police Chief Keith Hartman thanked Council and Mayor Fitzgerald for the Proclamation honoring National Police Week at the May 21, 2020 meeting. He also thanked Council for their support throughout the year and opined we are in some trying times right now. He said we are lucky to live in the community that we live in. Chief Hartman offered their use of force forms for anyone that is interested in seeing them. He said that Council decided at the last meeting they would not take a stipend for their service to the City. He said he does not think it is fair for Council to do that. He opined that Council does a lot of work for the City and they should not have to pay out of their pockets for gas, meals, training, etc. He said the assessments are in and some seem up and some seem down. He said he knows the goal is to equalize the budget which would mean a

reduction in the tax rate from \$1.29. He said he would strongly make a recommendation that the City employee's pay raise be put back in the budget. Any City employee that participates in the insurance program will actually take a pay cut with the increase in insurance premiums. He opined that any City employee that makes at least \$60,000.00 will break even. His request is that Council figure out some sort of way to give the employees some sort of a raise so their take home pay will not take such a huge hit. Chief Hartman thanked Council for all the hard work they put into the budget and said he realizes this was not an easy budget to do.

Ms. MarVita Flint, the Commissioner of the Revenue was the next to speak. She advised that she would be giving Council an update on the reassessment. At first the notices were going to go out in April. They had a month's worth of problems with their computers. The data entry lady was not able to put the assessments in the computer as quickly as they thought she would. However, they were mailed out last Friday. The Assessor will be doing hearings starting on Monday by phone only. They have around 10 people that have requested to speak with the Assessor. The last day anyone will be able to speak with the Assessor will be June 15th. She has asked the firm to make sure, if at all possible, by the next Council meeting that she have the concrete figures so she can give Council the equalized rate for the reassessment. If after meeting with the Assessor, the citizen is not satisfied they will go before the Board of Equalization. Ms. Flint said that technology continues to be a problem with the Treasurer's office, the Commissioner's office, and Public Works. Unfortunately, we have some of the oldest software. She realizes there was no money put in the budget for software. Now they are dealing with having to call daily the man that is helping to keep their computers running or the software company. She opined that is very hard to come to work and the system is not working and you cannot do your job. Ms. Flint said that she agrees with Chief Hartman that the City employees raise should be put back into the budget.

Vice-Mayor Clark said that most of the reassessments that she has seen have gone up. She wanted to know if we have the number for the total amount.

Ms. Flint said we do not have the total amount. She is normally given that after they make their adjustments.

Vice-Mayor Clark opined that once we get the total amount, Council can then discuss some of the issues such as employees pay raises, etc.

Councilman Staton wanted to know if she would have the total amount by our next Council meeting.

Ms. Flint said she hopes to have the figures and will send them out as soon as she receives them.

Ms. Liz Bowerfind requested that Council and the Police Department make some sort of response to the brutal murders of George Floyd, Tony McDade, and Breonna Taylor. She opined that the Police Department should address the brutality of the killings and how we can all move forward together in this time of healing.

Tom Roberts was the next to speak. He said he wanted to touch briefly on technology. We have put out an RFP for new IT managed services company.

Mr. Roberts stated we have been talking about this for awhile and various things delayed it. We got the RFP out several weeks ago to replace EN Computers or it could be EN Computers again. They are putting out a proposal. The company will be our outsourced technology provider. On Tuesday we had a sight visit where we had several interested firms come and walk around City Hall and see the server. They also looked at the Police Department. Proposals are due on June 17th. We expect to be able to select a new firm by early July. Mr. Roberts said we have a group of staff including Chief Hartman, Charles Clemmer, the Treasurer, the Commissioner of Revenue and Jay. Our group of people will be looking at these firms. Hopefully, we can find a good company that can provide the services we need and a good value. Once we engage a new firm, one of their tasks is going to be help us look for software solutions.

Council Member Hickman advised that the last person she talked to about our technology said it was not that great. Besides the fact they are very expensive and their service is not that great. She said it is no good to have a new company if they leave the computers down for 3 days. She asked Mr. Roberts to get references so we can make sure we are getting good service.

Mr. Roberts opined that communication was some of EN Computers problem.

Councilman Henson wanted to know if Public Works and WWTP would be included in the package.

Mr. Roberts said they will be included. The SCADA systems for the WWTP is with another third-party vendor. He said he has also been looking very carefully at the internet service for all of our different locations. He has identified a number of places where we can save money. He is hoping that we might be able to save as much as \$500.00 per month. Once we get a new service provider then we will be able to look at the internet suppliers.

ADG #5 REPORTS:

1.) Mayor

None

2.) City Manager

Mr. Scudder said he wanted to remind everybody that they need to be counted in the census. Mr. Scudder said we did an RFP for refinancing Dickinson Well and did not get any responses. We are talking to USDA to see if we can refinance through them. Mr. Kearney and Bond Council are doing a lot of work on that as well. He said AMT is the company that we contracted with to handle the State of Good Repair money. That is the money we got from VDOT somewhere in the neighborhood of about \$900,000.00 to repair roads. There will be a pre-bid meeting on July 17th. We need to get the project done by the end of the year. He said that he and Mr. Clemmer have been talking about the challenges we will have with this project.

3.) City Attorney

None.

4.) Council Committee/Representative

Councilman Cooper said following up on our last meeting, one of the things Council discussed was a vision, some kind of strategic planning. Ms. Hickman made a good point that the last meeting was not the meeting to accomplish that in. However, it is something that Council needs to do especially while Council is in the process of looking for a new City Manager. He said he just wanted to keep Council aware of it and thinking about the vision. Hopefully, Council can get together soon and be working on a vision for the City. He would like to have something by the end of the year.

Mr. Scudder said that he and Tyson discussed the subject of a vision for the City. He has also talked to Tom Roberts. He said he has been involved in a lot of visioning with different jurisdictions and they all took on different lives of their own. There is no reason why in the upcoming year Council and the community and a third-party facilitator could not do a visioning plan. He has asked Tom to round up some of the plans that we have that have been talked about and put together in the past. There are varying and different parts of the comprehensive plan. He opined that visioning documents are good. We have talked about it for a good number of years and we have different components of it but to do a real charge that is community involved and driven is not a bad idea. It is not overly expensive to do something like that: you might spend anywhere between \$5,000.00 and \$15,000.00 and end up with a pretty reasonable plan.

Councilman Coffey wanted to know if anyone has heard from Ed Walker or Jamie Goodin.

Mr. Scudder said we have not heard from either one.

Mr. Roberts said that due to COVID-19, they are laying pretty low.

Mr. Scudder said he thinks we will add a little bit to this subject later on in the meeting.

Councilman Henson reported that due to COVID-19 and the weather, there was not a lot of people camping at Glen Maury Park. He advised they are working on trails at the park. He advised that Public Works is now doing some asphalt patching and are repairing a lot of water leaks on our antiquated system. He then asked Mr. Scudder if we can do anything about the Bontex building where the roof has caved in.

Mr. Scudder said he will get with Alan one day next week and go look at the building. He opined that Alan has been doing a very good job at getting some areas of the City cleaned up.

Councilman Henson said the advanced warning light at 23 and Magnolia has been down for over 2 years.

Mr. Scudder said he would look into it and get back with Council.

Councilman Henson suggested that Council have another executive session for setting guidelines in the hiring process for a new City Manager.

Vice-Mayor Clark said she talked with Darrell Plogger from RARO and he has been in close communication with both of our RARO Board members and he is very happy with their service. Mr. Plogger asked that Buena Vista stay active with the RARO Board. They talked about having a City-wide recreation for the youth in Buena Vista before school starts back in the fall.

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

ADG #6 THE CITY OF BUENA VISTA PLANNING COMMISSION:

Ms. Marolyn Cash's term will expire on June 30, 2020. This is a 4-year term. Ms. Cash is willing to serve again if re-appointed. This is the first time this has appeared on the agenda.

ADVERTISED THE NEWS GAZETTE: JUNE 3, 2020 – WEB SITE AND CHANNEL 18 – MAY 28, 2020

Motion was made by Vice-Mayor Clark to re-appoint Ms. Cash to the Buena Vista Planning Commission, seconded by Councilman Coffey, carried by Council.

ADG #7 THE SHENANDOAH VALLEY PARTNERSHIP:

Ms. Kristina Ramsey's term will expire on June 30, 2020. This is a 2-year term. Our Economic Development Director normally serves in this position.

Motion was made by Councilman Henson to re-appoint Ms. Kristina Ramsey to the Shenandoah Valley Partnership, seconded by Council Member Hickman, carried by Council.

ADG #8 ROCKBRIDGE REGIONAL LIBRARY BOARD:

Ms. Jessica Rasmussen has resigned from the Rockbridge Regional Library Board. Her term will expire on June 30, 2021. This is the first time this item has appeared on the agenda.

ADVERTISED THE NEWS GAZETTE: JUNE 3, 2020 – WEB SITE AND CHANNEL 18 – MAY 29, 2020:

Motion was made by Councilman Cooper to appoint Ms. Jessica Whipple to fulfill the unexpired term of Ms. Jessica Rasmussen, seconded by Councilman Staton, carried by Council.

OLD BUSINESS:

OB #1 DISCUSS DOG PARK LEASE:

NEW BUSINESS:

NB #1 A JOINT RESOLUTION BY THE CITIES OF BUENA VISTA AND LEXINGTON TO ESTABLISH A JOINT CITY OF BUENA VISTA AND THE CITY OF LEXINGTON BOARD OF BUILDING CODE APPEALS:

Mr. Alan McMahan explained that the State law through the building code requires every jurisdiction that enforces the building code to have a Board of Appeals. We joined forces with the City of Lexington to create a Board of Appeals. Neither City has many appeals.

Councilman Cooper said he looked over the Resolution and he is curious about the composition of the Board. What is the magic number about 5 and why is it 3 to 2?

Mr. McMahan said the logic is that Lexington enforces the fire prevention code also so the 3rd person will represent someone from the fire prevention program. They chose 5 so it would not be an even number.

Mr. Scudder said that having the fire side of this is one of the largest parts of building codes and that is why they established building codes in the first place.

Mr. McMahan stated the fire part is for the City of Lexington only.

Mr. Kearney advised that he and Alan have been working on the Resolution for about a month and a half.

Ms. Wheeler read the following Resolution:

A JOINT RESOLUTION BY THE CITIES OF BUENA VISTA AND LEXINGTON TO ESTABLISH A JOINT CITY OF BUENA VISTA AND CITY OF LEXINGTON BOARD OF BUILDING CODE APPEALS AND TO ADOPT BY-LAWS FOR THE OPERATION OF THE JOINT APPEALS BOARD R20-04

WHEREAS, Section 36-105 of the Code of Virginia, 1950, as amended, requires each local building department to establish a Local Board of Building Code appeals to hear appeals from any person aggrieved by the local building department's application of the Building Code or refusal to grant a modification to the provisions of the Building Code; and

WHEREAS, Section 36-105 of the Code of Virginia, 1950, as amended, allows agreements with other local governing bodies for the appeals resulting from the enforcement of the provisions of the Building Code; and

WHEREAS, The City of Buena Vista and Lexington desire to establish a Joint Appeals Board and to establish the by-laws by which this Appeals Board operates; and

WHEREAS, the by-laws are attached hereto and made a part of this Resolution.

NOW THEREFORE BE IT RESOLVED by the Councils for the City of Buena Vista and the City of Lexington that a joint City of Buena Vista and City of Lexington Board of Building Code Appeals be established and that the by-laws, attached hereto, be adopted for the operation of said Appeals Board.

This Resolution shall become effective as of the date of adoption by both jurisdictions.

CITY OF BUENA VISTA, VA

CITY OF LEXINGTON, VA

WILLIAM H. FITZGERALD, Mayor

FRANK W. FRIEDMAN, Mayor

Attest:

Attest:

Dawn Wheeler, Clerk of Council

Clerk of Council

Date of Adoption

Date of Adoption

Motion was made by Councilman Cooper to adopt the above Resolution, seconded by Councilman Coffey, carried by Council.

NB #2 DISCUSS DONATION OF LAND TO DSLCC:

Mr. Scudder started the discussion by saying that Council might recall a while back, Tyson and Mayor Fitzgerald spearheaded us to do an evaluation to analyze all the City owned land in the City. Mayor Fitzgerald presented an idea to Mr. Scudder about what might be a good piece of land the City could donate to DSLCC. They identified a piece of land going up Enderly Hill on the left-hand side of the road.

Mayor Fitzgerald said that in order for Dabney to receive the building they had to raise a certain amount of money and the private investors were going to donate the balance. Dabney was asking for donations. The City did not have any money to donate but we do have some land that we could donate to them and it will get the land back on the tax book.

Vice-Mayor Clark wanted to know what Dabney has planned for the donated land.

Mayor Fitzgerald said Dabney will sell the land to raise money. They are also working on trying to receive a grant. The more money they can raise, the larger the grant will be.

Mr. Scudder said the idea is to turn the Courtesy Ford Building into a technical training center to be operated by DSLCC. Mr. Joe Wilson bought the building and donated it to Dabney. Dabney has received some grants for equipment and such. Dabney wants it to be a regional job training center.

Councilman Coffey wanted to know how much property we are donating.

Mr. Tom Roberts said it is about 1 acre of land and he feels this presents an opportunity to see some development there. Mr. Roberts said we are looking for ways to use these properties that we do not need to hold on to.

Mr. Scudder said that hopefully whoever ends up with the land will be able to develop it into some kind of compatible use. Mr. Scudder said that he and Tom have also looked at the zoning there of by right uses. He feels there is some good opportunity there for single family or low-density residential apartments.

Mr. Roberts said if apartments were put on the land, it would have to be rezoned. Duplexes would be allowed with a conditional use permit. He said this particular land would be a good candidate to upgrade from a R3 to a R4 and it is 1 block away from land zoned commercial and mixed use. He suggested that low density town houses or apartments would be a good fit for the land.

Councilman Henson said you could probably add a couple of more feet to the property.

Mr. Kearney advised we would have to have a public hearing on July 2, 2020. All of Council is ok with moving forward on the land.

NB #3 A MOTION TO RESCIND THE ACTION TAKEN ON THE 2020/2021 BUDGET TO REMOVE THE LINE ITEM EXPENSE FOR CITY COUNCIL:

Councilman Coffey motioned to rescind the action taken on the 2020/2021 budget to remove the line item expense for City Council, seconded by Council Member Hickman.

Councilman Cooper said he has no objections to receiving money. His concern is the City employees not receiving a pay increase. He said he would feel much more comfortable if the City employees were receiving a raise.

Council Member Hickman said she can agree with Councilman Cooper. However, the line item is not just for their stipend; she said the line item also includes expenses for lobbying for such things as social services and jail cost. She had wanted to do it last year but did not get to. Council Member Hickman stated Council is serving the community and everyone else that has ever served on Council has received the stipend. She opined that no one liked cutting the raises or the school, but it had to be done.

Councilman Coffey said he worked for the City of Buena Vista for 16 years and he went for 2 or 3 years and did not get a raise. He said the stipend is not a raise; it is for doing what they do. He stated that all of Council deserves the stipend because of all of the things they have done to try to save the City and make Buena Vista a better place. They worked on the budget for at least 4 months and did what they felt they had to do.

Vice-Mayor Clark said she knows how important a raise is to people who are on the lower end of salaries. She said they talked tonight of what they might be able

to do if the assessments come back higher such as give the City employees a raise, lower the tax rate, etc. One thing that was not mentioned is the chunk of money missing from the schools. There are a lot of people working at the school who make less than \$25,000.00 per year.

Councilman Coffey wanted to know if the decision to not bring some of the workers back to the school was made after the last Council meeting or had that already been projected before the school funds were cut.

Vice-Mayor Clark said the decision was made after the last Council meeting. Dr. Keeler has a copy of the budget comparison if anyone is interested in seeing it. After some discussion about what school board members are paid and what Council members are paid, Ms. Wheeler polled the Council as follows:

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

With the City Council line item added back to the budget, the following are final amendments made to the budget:

SECOND AMENDED ORDINANCE FY 2021
AN ORDINANCE APPROVING THE FISCAL YEAR 2021
BUDGET

ORDINANCE – ORD 20-08

BE IT ORDAINED, the City Council on May 7, 2020 held a public hearing on the proposed budget for fiscal year 2021; and

BE IT FURTHER ORDAINED, the City Council during a series of work sessions, has developed a balanced budget for fiscal year 2021;

Now, BE IT STILL FURTHER ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BUENA VISTA, that the following budget be and the same is hereby adopted for fiscal planning purposes:

GENERAL FUND REVENUE

<u>ITEM</u>	<u>PROPOSED 2020-21</u>
General Property Taxes	\$6,433,620
Other Local Taxes	1,965,500
Permits, Privilege Fees	20,775
Fines and Forfeitures	76,420
Earnings from Investments	3,000
Charge for Services	852,676
Miscellaneous Revenue	253,105
Non-Categorical Aid from Virginia	680,169
Shared Expenses	955,510
Categorical Aid from Virginia	3,653,234
Categorical Aid Federal	123,747
Transfers - Other Funds	<u>10,000</u>
TOTAL GENERAL FUND REVENUE	\$15,027,755

GENERAL FUND EXPENDITURES

City Council	\$ 39,548
City Manager	146,313
City Attorney	70,000
Information Technology	62,450
Finance Director	293,727
Independent Auditor	40,700
Commissioner of the Revenue	203,335
Reassessment	33,000
Board of Equalization	3,000
City Treasurer	279,676
Insurance	68,600
Electoral Board	116,675
Circuit Court	6,250
General District Court	6,800
Juvenile & Domestic Relations Court	33,490
Clerk of the Circuit Court	244,334
City Sheriff	450,084
Commonwealth's Attorney	243,905
Criminal Justice Services	73,747
Police Department	1,537,786
Fire Department	158,000
Rescue Squad	110,903
Probation Officer	3,000

Magistrate	420
Medical Examiner	150
Economic Development	110,437
Planning	207,756
Administration & Engineering	63,932
Street Maintenance	894,466
Street Lights	73,000
Refuse Collection Department	300,000
Maintenance of Building & Grounds	411,691
Maintenance of Greenhill Cemetery	166,276
General Tax Relief	80,000
Retiree Medical Plan	30,000
Central Dispatch	317,528
School Fund	2,433,803
Regional Jail	570,000
Transfers to Other Funds	424,791
Debt Service	187,968
Social Services	3,100,000
Non-Profit Agencies	<u>389,656</u>
TOTAL GENERAL FUND EXPENDITURES	\$14,468,597

WATER & SEWER REVENUE

PROPOSED

<u>ITEM</u>	<u>2020-21</u>
Charge for Services	\$2,554,791
WATER & Sewer Fund Revenues	\$2,554,791

WATER & SEWER EXPENDITURES

Administration & Engineering	\$	194,189
Water Maintenance		342,602
Sewer Maintenance		349,794
Wastewater Treatment Plant		770,946

Water Production	310,116
Debt Service	576,856
WATER & SEWER FUND EXPENDITURES	\$2,544,503

PARKS AND RECREATION REVENUE

	PROPOSED <u>2020-21</u>
Charge for Services & Misc. Revenue	\$ 193,800
Transfer From General Fund	<u>119,657</u>
TOTAL PARK FUND REVENUE	\$ 313,457

PARKS AND RECREATION EXPENDITURES

Administration	\$ 54,122
Recreation Department	102,076
Activities Department	16,300
Maintenance of Parks and Campgrounds	83,172
Swimming Pool	<u>57,787</u>
TOTAL PARK FUND EXPENDITURES	\$ 313,457

GOLF COURSE REVENUE

	PROPOSED <u>2020-21</u>
<u>ITEM</u>	
Charge for Services	\$ 457,847
TOTAL GOLF COURSE REVENUE	\$ 457,847

GOLF COURSE EXPENDITURES

Golf Operations	\$ 457,847
TOTAL GOLF COURSE EXPENDITURES	\$ 457,847

SCHOOL CONSTRUCTION REVENUE

	PROPOSED <u>2020-21</u>
<u>ITEM</u>	

City Funds	\$ 313,065
Transfer School Operation Fund	140,000
Interest Recovery	<u>18,173</u>

TOTAL SCHOOL CONSTRUCT REVENUE \$ 471,238

SCHOOL CONSTRUCTION EXPENDITURES

Literary Loan	\$ 375,000
Bus Lease	53,474
Middle School Loan	<u>42,764</u>

TOTAL SCHOOL CONSTRCT EXPEND \$ 471,238

SENIOR CENTER FUND REVENUE

<u>ITEM</u>	<u>PROPOSED</u>
	<u>2020-21</u>
BV/Lex/Rock County	\$ 8,500
TOTAL SENIOR CENTER REVENUE	\$ 8,500

SENIOR CENTER FUND EXPENDITURES

Utilities and Operation Costs	\$ 8,500
TOTAL SENIOR CENTER EXPEND	\$ 8,500

SCHOOL NUTRITION FUND REVENUE

<u>ITEM</u>	<u>PROPOSED</u>
	<u>2020-21</u>
Nutrition Revenues	\$ 441,105
TOTAL SCHOOL NUTRITION REVENUE	\$ 441,105

SCHOOL NUTRITION FUND EXPENDITURES

Nutrition Expenses	\$ 441,105
TOTAL SCHOOL NUTRITION EXPEND	\$ 441,105

William H. Fitzgerald, Mayor

ATTEST:

Clerk of Council

Date of Adoption

SECOND AMENDED

ORDINANCE - ORD 20-09
AN ORDINANCE APPROPRIATING FUNDS FOR THE OPERATION OF THE
CITY OF BUENA VISTA FOR THE FISCAL YEAR 2021

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BUENA VISTA, VIRGINIA, that in accordance with 4-1, Budgets and Appropriations, of the Charter of Buena Vista, funds to support the operations of the City for the Fiscal Year 2021 is hereby appropriated effective July 1, 2020 in the amount of \$18,705,247 and in accordance with the following provisions:

General Fund	\$14,468,597
Water & Sewer Fund	2,544,503
Parks & Recreation Fund	313,457
Golf Course Fund	457,847
School Construction Fund	471,238
Senior Center Fund	8,500
School Nutrition Fund	<u>441,105</u>
Total FY 2021 Budget	\$18,705,247

William H. Fitzgerald, Mayor

ATTEST:

Clerk of Council

Date of Adoption

ADJOURNMENT: There being no further business, the meeting was adjourned.

WILLIAM H. FITZGERALD, MAYOR

Dawn M. Wheeler, Clerk of Council