

**CITY OF BUENA VISTA  
REGULAR COUNCIL MEETING  
MARCH 5, 2020**

The City Council for the City of Buena Vista met for a Regular Council Meeting on Thursday, March 5, 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 APPROVAL OF THE AGENDA:**

Motion was made by Vice-Mayor Clark to approve the agenda, seconded by Councilman Henson, carried by Council.

**ADG #3 APPROVAL OF THE MINUTES FROM THE REGULAR COUNCIL MEETING AND PUBLIC HEARING HELD ON FEBRUARY 20, 2020:**

Motion was made by Councilman Cooper to approve the above-mentioned minutes, seconded by Councilman Coffey, 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 an item listed on the agenda, open for public comment, will be heard when that item is considered:**

Ms. Lisa Perry, 2314 Cedar Avenue was the first person to speak. She stated that she has been at Enderly since last July maintaining the library and providing library

research, STEM and coding activities. Having little or no money in the library budget makes providing such activities a challenge. The single set of encyclopedias in the Enderly library date from 2002. The libraries student dictionaries date from the mid 1990's. The dictionaries were produced before the American STEM education push. A Blues grant was offered for the purchase of updated dictionaries. The only new material purchased by the Enderly library in the FY2019-2020 year came from the proceeds of the book fair. The library budget hovers around \$50.00 since the beginning of the school year. The Enderly library started the year with about 25 Dell laptops left from previous years. One by one they have crashed until now they only have 4. Other Enderly teachers have donated their OSMO units to the library so they are now up to 10 operable OSMO units upon which to practice coding. About 25 ipads at the library share 7 chargers. Last week one of the outdated surcharges failed. As she plugged in a laptop, a surge of electricity exploded. A second small explosion on the laptop burnt a student's hand. The library shares about 20 laptops with the Enderly Math Lab when they are available. Replacement computers, new books, STEM supplies, field trips, posters and other such items are out of the reach for Enderly. Cutting another \$200,000.00 from the budget sends a distinct message regarding where the City of Buena Vista's priorities lie.

Mayor Fitzgerald said we are in a tough situation. Everyone is going to say they do not want to be cut. The library and the school have already been to Council. He said no rates have been set.

Vice-Mayor Clark said that people are going to come to advocate and we need to allow citizens to speak. She said numbers have been mentioned in their Finance Committee meetings which are open to the public.

Mr. Chuck Rice, 560 Elm Avenue was the next person to approach Council. He said that he grew up in Buena Vista, left for several years and then came back. He said he has had several jobs but the most rewarding job he has had was coming back home. He said that Enderly was built in 1961; he was born in 1963 and started school in 1969. He said we are not just Blues: WE ARE FIGHTING BLUES. He said he is referring to the spirit of the City and the citizens. He opined the City has gone through a lot. He said he knows we are facing a crisis, but it is not just here in Buena Vista. A lot of schools are consolidating. He said there is something about our town; there is something about us; there is something to be said about the spirit of our teachers. Most of the teachers that he knows will spend hours both in and out of the classroom. He said they are not here just to say they are looking for a handout. They are here to support our schools and to see them go forward and progress; not regress. He said the worst thing that has happened to him was when his brother was killed, and he thinks about it often. Mr. Rice opined we have a lot of poverty in our City with children that come to school hungry every day. The teachers are there to support them, love them and give them an education. Our teachers give 100% every day; the principle

empowers them and gives them encouragement; we give the children encouragement. He said he wants to encourage our Council, our citizens, our school board and ask them to really look at where the cuts will be made. He asked Council to please consider our kids.

The next person to address Council was Michelle Poluikis., 1277 Maple Avenue. She said she is fairly new to the area only moving here a year ago this past October. Ms. Poluikis said that she appreciates all of Council's efforts and sacrifices as well as all of the elected officials. She said she is certain that decisions that are made for our City are made after a great deal of time and much work. She said she would like to ask Council to reconsider any decision concerning school funding. She opined it would be more damaging to the entire City for any financial savings than it would benefit. Buena Vista is in the process of revitalization. She attended a meeting about the proposed new library. Ms. Poluikis said these truly are exciting times for Buena Vista. She agrees that all the proposed plans bring the hope for new businesses to this jewel of a City, but she knows with certainty that all these efforts will be even more challenging if we do not first invest in our schools. Families want to make sure their children are in the best schools possible before they commit to move to an area. If we truly want to see our City flourish, we will not cut funds to our schools. Not only should we continue with our financial support for our schools, we should also seek other areas of support. Our schools are a treasure and the heartbeat of this community. Let us not be blinded to the fact by the burden of a line item.

Next a small group of elementary school students addressed Council about supporting our schools.

### **ADG #5 REPORTS:**

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

Mayor Fitzgerald advised that the Columbia Gas ribbon cutting event was really nice.

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

Mr. Scudder said he would like to really thank Elizabeth Braddy of the Chamber of Commerce and Tom and Kristina of our staff for really putting on a great event at Columbia Gas. Ed Smith from the News Gazette called today to say they are going to do an article on March 11 in the local paper about the census. He opined the 2020 census is particularly critical for Buena Vista. If a child does not get counted in the census, over a 10-year period of time that could be approximately \$20,000.00 per head that the City loses because that count was missed. The Fire Department, the school programs, Head Start, other Federally funded agencies for the needy, energy assistance, roads and bridges. Over the last 8 years since he has been here, the millions of dollars of improvements that Buena Vista received for road maintenance has been Federal money. He opined

it is up to us as citizens of Buena Vista to really make sure that our neighbors and everybody knows how important it is to be counted in the census.

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

None.

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

Vice-Mayor Clark said the Finance Committee met this week and Charles and Jay presented some of the figures and where we are at this point. Charles and Jay have gone through and looked at some different rate changes that are reflected in the budget books.

Mr. Scudder said the current fiscal year will be the 4<sup>th</sup> year of deficits and the fund balance cannot sustain it anymore. It is going to be a very serious cash flow issue; it is now. As we work through this process, he will try to email the schedule for our work sessions. We are all sharpening our pencils to do what we need to do. One of the things that came up in that meeting that was important is we have been here with Buena Vista before, about 5 or 6 years ago. Instead of just setting a tax rate that got us by, we knew we needed to build the fund balance so we did what is called a sustainable tax rate which we hoped would fund the City and cash flow problems for a period of 3 to 5 years. We did that and it worked for us, but the party is over. As the members of City Council, and certainly the Finance Committee, over the years realize that one of the big drivers here are unfunded State mandates. The jail is one because we have over 20 prisoners that should be in the State system that our localities are paying for. We also have a backlog because of the judicial changes we have had in judges. The jail costs and social service costs, which are mandated, are driving our budget deficit. We have shown that in multiple charts and will show it again when we do our presentation but that's the animal that is eating up the fund balance. It is not us funding schools or public works. We are fixing things that have broken but that is one of the big problems we have: unfunded mandates. They will not be resolved to help us anytime soon.

Councilman Cooper said we are talking about almost \$500,000.00 more this year for jail and CSA than 4 years ago.

Vice-Mayor Clark stated that is exactly where the deficit comes from. Both she and Mr. Scudder both sit on the board for CSA. There are certain things that localities are mandated to pay and other things that the committee makes the decision to pay. A lot of the things that the committee supports, while they are not mandated, are life saving things that you cannot say no to.

Councilman Henson advised that he went to the ribbon cutting for Columbia Gas and was impressed with the building and the workers there. There was also a Park and Rec Committee meeting with himself, Councilman Staton and Council Member Hickman. They discussed the upcoming events at the park and things that have been worked on at the park. They also discussed their ideas about the park being more productive and making better use of the park.

Councilman Coffey thanked both Tom Roberts and Kristina Ramsey for their participation in the Columbia Gas ribbon cutting event. He said the he, Jamie Goodin, Brian Deering and Jason Burk had a meeting yesterday about an event they are planning on having next year. They want the event to be successful for the whole community and for the both the City and the park to make money.

Councilman Henson then advised of the Labor Day Committee meeting that has been scheduled for Monday, March 9.

Vice-Mayor Clark said that Chief Hartman and some of the police officers read to students at Kling this week.

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

### **ADG #6 BUENA VISTA ECONOMIC DEVELOPMENT AUTHORITY:**

Mr. Peter Trotman has resigned. His term will expire on January 31, 2023. This is the third 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 #7 RARO:**

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

An application was received on March 5 from David Truslow for this vacancy.

Motion was made by Councilman Henson to appoint Mr. Truslow to the RARO Board, seconded by Council Member Hickman, carried by Council.

**OLD BUSINESS:**

**OB #1                    SECOND 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:**

Councilman Cooper wanted to know if the Ordinance had any changes made to it since the first reading.

Ms. Wheeler said no changes have been made to the Ordinance since the first reading.

Councilman Cooper motioned to read the Ordinance by title only, seconded by Vice-Mayor Clark, carried by Council.

Ms. Wheeler read the following Ordinance by title only:

**ORDINANCE – ORD 20-05**

**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**

Motion was made by Vice-Mayor Clark to adopt the above Ordinance, seconded by Councilman Cooper.

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:**

Mr. Kearney said that all of Council has a red line version of the advertisement that was handed out at the last meeting.

Motion was made by Vice Mayor Clark to approve the advertisement that was presented at the last Council meeting, seconded by Councilman Henson, carried by Council.

Councilman Henson stated that the last time we hired a City Manager, all of Council got a copy of the applications. They had a chance to go through all of them and number them from 1 to 10. The top 7 candidates were interviewed.

Mayor Fitzgerald said he is ok with all of Council receiving copies of all applicants and picking the top 7 to be interviewed.

Councilman Cooper suggested that everyone get just one batch of applications around April 15 and set up the interviews to start by May 15.

Ms. Wheeler wanted to know if Council wanted the City Manager's Profile included in the advertisements.

Mr. Kearney said we need to include in the advertisement a link to our web page for applicants to see the City Manager's Profile.

Council Member Hickman wanted to know when Council would select a committee to pick the applicants that will be interviewed.

Vice-Mayor Clark said if everyone is going to get a copy of all the applications, there is no need to form a committee. She said Council would have a work session to rate the applicants and decide when to start the interviews.

### **OB #3                      DISCUSS THE DOG PARK:**

Ms. Molly McClure updated Council on the progress of the Dog Park as follows:

It's been a busy six months since I last addressed you here, when you approved the concept of a dog park on city-owned land across 10<sup>th</sup> Street from the entrance to Glen Maury Park, adjacent to the soccer field. This memo details how we, the Friends of Buena Vista Dog Park, have used that time.

But first, I want to express our gratitude to Interim City Manager Jay Scudder, for helping this project get off the ground. We would not be here at all, and certainly not have come this far, without his encouragement and advice. We will really miss working with him and hope he will still be around to see the Park once it's up and running (puns intended).



- Formed a board that now consists of seven members from throughout Rockbridge County, and that has met monthly. Those seven members are: Molly McCluer (president and acting treasurer), Toni Williams (vice-president), Mary Halseth (secretary), Leah Alderman, Debbie Armentrout, Steve Baldrige, Allan Griffith, and Cher McCoy.
- Established a bank account based in BV's branch of Cornerstone Bank. Our current balance is \$1669 in Operations, \$50 in Restricted Funds, from 22 donors. Added to that is \$6700 in pledges from BV Rotary and from Rockbridge Realtors; we have spent \$250 (banner \$100, Chamber of Commerce Nonprofit Showcase table \$50, Chamber of Commerce membership \$100). Promotional items and other incidental expenses have been paid for out of pocket.
- Worked with W&L's Community Legal Practice Center to develop bylaws and fulfill other federal and state requirements for nonprofit status. The IRS granted 501c3 approval in November, retroactive to September.
- Met as needed with city officials, including Public Works, to make sure we are communicating well, and to work out details such as water line issues.
- Commissioned, chose and purchased a logo for marketing purposes, and purchased basic promotional items such as business cards with that logo. Edgewater Animal Clinic has been a positive supporter in helping to inform their visitors about the Park.
- Worked with Debbie Armentrout of Rockbridge Highland Realtors to secure major grants, now the bulk of our funding. Applied for grants from W&L (unsuccessful) and other grantors (pending applications include DuPont Credit Union, Orvis, Devils Backbone, USDA and Rockbridge County). Created a spreadsheet of fundraising information, detailed enough to allow follow up and record keeping.
- Chose Smith Fencing of Fairfield and worked with Nick Smith to (1) pace off approximately 1100 linear feet (=1.5 acres) needed for fencing, and (2) negotiate a discount from Virginia Frame in Stuarts Draft.
- Visited dog parks in other cities and held conversations with officials there gathering advice from their experience.
- Began planning our fundraising strategy, which initially would have relied on Facebook as a primary tool. That plan fell through, as we have been waiting for 4 months for Facebook to allow us a Donate button.

- Instead, created a simple website ([bvdogpark.org](http://bvdogpark.org)) to serve as primary channel for donations and basic information about the Park. Eventually a Park webcam will stream through this website.
- Molly McCluer has been attending workshops on nonprofit management offered by Dabney Lancaster's president Dr. Rainone.
- Communicated with Ed Smith of the News-Gazette to inform two articles and one editorial (7/24/2019; p.A6) in that paper. See <https://www.thenews-gazette.com/content/bv-council-oks-dog-park-concept> and <https://www.thenews-gazette.com/content/dog-park-friends-start-campaign>
- Worked with WDBJ reporter Bruce Young to produce a short television news segment about the Park.
- In December, began discussions with the local office of USDA Rural Development, in cooperation with the city of BV, for a major grant to cover water fountains.
- Participated in the Rockbridge Chamber of Commerce's Nonprofit Showcase, promoting the Park to potential supporters.
- Began sending bi-weekly news updates to a list of potential donors and other interested parties. (To be added to that list, please send us a message [at bvdogpark@gmail.org](mailto:bvdogpark@gmail.org)). Published a Facebook page without Donate button and posted about the Park on Next Door and on W&L's Daily Notices.

### Short-term goals:

- Communicate with BV City Attorney on drafting a lease for site, for token consideration; review with board and with legal advisor; sign and archive.
- Continue publicity/fundraising efforts, seeking to cooperate with WREL and other media outlets, as well as identifying new potential donors and strategies, and following up with pending applications for grants.
- Reach our "Phase 1" goal of collecting the \$12,000 estimated necessary for construction of fencing, and for signage, on the assumption that people will be more likely to participate and donate if they can see the project happening.
- Work to ensure good will throughout the County, and particularly within Buena Vista, as opportunities arise to communicate with residents.

### Long-term goals:

- Support and improve the well-being of dogs by providing them with hearty exercise opportunity, by helping young dogs to become sociable, and by helping owners to learn from each other about breeds and caregiving.
- Develop a reliable, cohesive group of volunteers to be on-site at the Park, on a scheduled basis as often as possible, to greet dogs and their owners, to explain and monitor Park policies and to help the board keep a "finger on the pulse" as the Park develops.
- Become a good example of a "third place," an operation which helps to create and strengthen community bonds, a meeting place (in addition to the workplace and to church) where people and dogs can socialize in a helpful way.
- Identify and respond to opportunities to develop the Park as a destination point for travelers and non-residents, and to bring fresh awareness to Buena Vista and its assets.



WHEREAS, the first pastor of the Buena Vista Presbyterian Church was Dr. Robert F. Campbell; and

WHEREAS, the pastor of the Buena Vista Presbyterian Church is now the Rev. Dr. Howard W. Boswell, Jr., who shepherds 97 members.

NOW THEREFORE, the Council of the City of Buena Vista does hereby congratulate the Buena Vista Presbyterian Church for their 130 years of service to the City of Buena Vista.

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

**NB #2****MR. ED WALKER TO UPDATE COUNCIL ON****GOBV:**

Mr. Ed Walker started his presentation by saying that periodically he likes to give Council a review of where GOBV is at. GOBV is a private funded republic benefit redevelopment project started in September 2018. The projection was that they would be here 3 to 5 years to try to see what they could do to just one of many to figure out a great pathway forward for Buena Vista in terms of Economic Development. Mr. Walker said they continue to do good work and have made good progress. They had a real estate investment of about \$1,300,000.00. They have spent \$1,700,000.00 total: \$400,000.00 since then has been spent on improvements, engineering, master planning, etc. They have not asked for any funding from the City. He said it is important to remember that anywhere he has done work, community redevelopment is very integrated. It is very processed oriented. It is not  $2 + 2 = 4$ . You are trying to get outcomes that are at least at a minimum good: there is a sense of good, better, best. If you can, you want the ultimate. At a minimum you want something that is good. He was reminded recently of how long this will take. He looked at the Hancock Building in Roanoke that took 4 or 5 years to get done. Once you make the commitment to redevelop, it is sort of irreversible. There is a sense of figuring out what a community needs and what they would like to have that is feasible and sustainable and then try to match that up with buildings. It is an interesting and time-consuming process. One of the big ideas around GOBV was simply to free the buildings from out of town ownership in many cases; in different ownership in many cases; under capitalized ownership in many cases; aging folks in many cases. That is called land banking. They were experimenting with private capital doing land banking for public benefit. One of the problems that Magnolia and Forest Avenue had was too much of it was owned by folks who, for reasons he just mentioned, could not make anything happen. When you land bank, you are trying to free that logic. They have been able to do that. Nelson Swartz was a businessman in Harrisonburg who owned a bunch of buildings in Buena Vista. Mr. Swartz was living in Harrisonburg and did not have very much interest in Buena Vista. They have invested in an architectural engineering plan; a first-generation downtown master plan; they hosted the Statewide leaders last April. His favorite thing they have done is added to their budget the job that Jamie Goodin has done so well. He realized that his group needed to have control over the economic development function. The idea was good people with good ideas. That is still it! Sometimes you will have well intended people. It is very difficult to match a building with a person that can use and deliver it. He opined the money is not as important as who the person is and what they want to do. If someone offered them \$1,700,000.00 for all the property and they were not right for the

buildings, they would not accept the offer. This is a process and we have to be patient for progress. They purchased the Dollar Value building and the other 2 buildings. They were told that a big snowstorm would bring the middle building down. The 2 buildings that were on the side of the building that was torn down will now be more valuable and more useful. The Direct TV office building is a neat building and it does have structural problems, like most of the other buildings that have been purchased. They do not want to fix up all the buildings before they are sold. They want the buyer to be able to get the tax credits on the building they purchase. The Direct TV office building has great upstairs apartments. The building is located next to Original Italian and they have decided to open the building up some. They have put a new roof on the Camelot building and have leased out the apartments. The Arts Council building is next to the Camelot building. They are really excited about getting DSLCC or SVU into downtown. Professor Dickson from SVU has leased the Arts Council building and will open up an axe throwing business in it. They suggested that the Arts Council move next door into the Camelot building. He opined the Ramsey building would be an awesome building for the library. They have invested \$20,000.00 to \$25,000.00 with engineers trying to figure out a space for the library. He said he would be heart broken if the library project should fall apart. Mr. Walker said a year or so ago they thought the McCormick building on Forest would be a better building for the library. They then realized they would rather be on Main Street. They have done some public meetings and have taken a lot of feedback. They realized that the Ramsey building would be a whole lot better for the library than the McCormick building. They now think the McCormick building would be a great building for apartments. He said from the beginning they would do everything they could to get DSLCC into downtown. Mr. Joe Wilson will buy the Ford building and the parking lot across the street and donate both to DSLCC.

Councilman Coffey asked Mr. Walker to clarify his stand on the building that the library is in now.

Mr. Walker said in the past he was very interested in putting a boutique hotel in the old library building but he is not interested now. He still feels it is an awesome idea and he hopes the City can find someone to do that. Mr. Walker said that they basically have 14 months left in Buena Vista. They will probably be out of Buena Vista in May 2021.

Vice-Mayor Clark wanted to know what is going to happen to the lot where the building was taken down. She opined it would be a great place for some more mural work.

Mr. Walker said they love private parks for public benefit. They have to be very careful with how they spend their money. You could spend several million dollars and actually end up with the wrong idea. You really have to be very disciplined and very careful while also being open minded being very creative and experimental. His aspirations for that land is a public park. They want to add a little bit to the sale of other buildings to cover the loss on the building that was taken down. They cannot afford to get the land leveled.

Councilman Henson said we have already leveled the land and planted grass.

Mr. Walker said they would love to have murals up there. They would love to be able to afford to put a pavilion there on the lot on the corner of Magnolia across from the library. They hope to make the lot level and make it usable. They have been making progress but it is just straggly. He hopes by the end of March or mid-April the lot will look less straggly.

Councilman Henson wanted to know if Mr. Walker had thought about putting apartments upstairs over the Arts Council building.

Mr. Walker said that Dave Dickson wants both floors.

Mr. Jamie Goodin said there was going to be a Healthy Buena Vista meeting on Saturday at the Ramsey Center from 9:00 a.m. to 12:00 p.m.

**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**