

**CITY OF BUENA VISTA
REGULAR (VIRTUAL) COUNCIL MEETING
JULY 2, 2020**

The City Council for the City of Buena Vista met for a Regular (Virtual) Council meeting on Thursday, July 2, 2020 at 6:00 p.m.

Council Members Present:
Melvin Henson
Stanley Coffey

Mayor Bill Fitzgerald
Danny Staton
Cheryl Hickman
Vice-Mayor Lisa Clark

Members Absent: Tyson Cooper

ADG #1 PLEDGE OF ALLEGIANCE AND PRAYER:

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

ADG #2 APPROVAL OF THE AGENDA:

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

ADG #3 APPROVAL OF THE MINUTES FROM THE PUBLIC HEARING, REGULAR COUNCIL MEETING (VIRTUAL) AND EXECUTIVE SESSION HELD ON JUNE 18, 2020:

Motion was made by Vice-Mayor Clark 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.

No one spoke.

ADG #5 REPORTS:

1.) Mayor

None.

2.) City Manager

Mr. Scudder started his report by advising there was a meeting concerning the COVID-19 money. Mr. Clemmer will provide an update on that meeting later during this meeting. He opined that we are doing rather well

on gathering the census information. Mr. Scudder said that Ms. Ramsey has done a really good job of doing outreach. He feels that has helped a lot with our numbers.

Ms. Ramsey said we are at 64%. She said we are just slightly higher than Lexington and Rockbridge County at this point. She advised the census count has been extended to August.

Mr. Scudder said there will be a meeting next week on the upcoming paving project. At the next Council meeting he will be able to provide a clear update on that. The City received its reimbursement from the Industrial Park entrance from VDOT. He thanked Charles and Tom for making sure we got the reimbursement in.

Vice-Mayor Clark asked Mr. Scudder if he was able to get in touch with the folks they were trying to get in touch with.

Mr. Scudder said he did and basically what he found out was that it is centered around more work to try to get foster families in our area. One of the big drawbacks in that is childcare that meets the Social Services guidelines because there are not a lot of services for that in our region. They said in the letter they are going to try to ramp up foster care for our region. In our region working with the Roanoke office, in the last 8 or 9 months, we made a big pitch for fostering. Mr. Scudder said we did pick up some families, but there is still a big need out there for more foster parents.

3.) City Attorney

Mr. Kearney advised that as of yesterday we have had some changes to the law. One of those changes is that every local elected official now must take a class in FOIA. He said it is an online class and it includes all constitutional officers and all of Council. He said he will be sending out the information and everyone must do the training.

Mayor Fitzgerald wanted to know if they must take the class every year.

Mr. Kearney said it must be taken every 2 years. Mr. Kearney said he will email everyone so they will know how to proceed to take the class.

Councilman Coffey wanted to know if he will have to take this class since he took it last year.

Mr. Kearney said he would not have to take the class but every 2 years.

4.) Council Committee/Representative

Ms. MarVita Flint, The Commissioner of the Revenue, reminded Council that she did send them the real estate equalized tax rate. She wanted to know if anyone had any questions concerning the rate.

Mayor Fitzgerald said he did not receive the email.

Ms. Flint said she would resend the email on Monday.

Council Member Hickman wanted to know if the rate was based on \$1.29 or \$1.21.

Ms. Flint said it is based on \$1.21.

Mr. Scudder said that based on the newly adopted budget and the rate of \$1.29, he believes we will have to go back and investigate and re-

calculate that but if it \$0.03 lower, based on the increase, then the new equalized rate will be around \$1.26.

Ms. Flint said that she is a quirky person when it comes to numbers. She has always loved math and even numbers. Whenever a tax rate is decided and ends with an odd number, she cringes inside. She said her children were born in even years. She started working for the City of Buena Vista in 1976. She was hired by Shirley Johnson and became her Chief Deputy in 1978. So now, 44 years later, in the year of 2020, it gives her great pleasure and joy to announce that she will be retiring in the 12th month of this year.

Council congratulated Ms. Flint on her upcoming retirement and thanked her for her service to the City of Buena Vista.

Councilman Coffey said that last Wednesday he and Councilman Henson went to the cemetery and then to the golf course to have coffee. When they got to the golf course around 11:00 a.m., there were around 41 people out on the course. The place was packed and there were people in and out all day long. He talked to Ed Armentrout yesterday at the pool. He was up there picking up trash. Councilman Coffey talked to Mr. Armentrout about the sand traps having white sand. They are putting white sand in the sand traps and the golf course is really looking good. He said the pool is also looking great. He thanked Mr. Armentrout and Millie for all the work they do. He also thanked Public Works and all the employees in the Court House for the work they have been doing. He also thanked Council and Mr. Scudder for all they do.

Vice-Mayor Clark said she talked to someone who had been at the golf course one day this week and the course was so full they did not even play.

Councilman Coffey said there are people from Lexington who have tee times for 2021.

Council Member Hickman asked Mr. Scudder the date that the pool would open.

Mr. Scudder said that Edward, Ken, and Millie have done a lot of work this week. He has given them parameters that everyone has discussed, and they may try to open on Saturday.

Mayor Fitzgerald suggested to wait a week and advertise the opening.

Mr. Scudder said he would prefer that we wait a week to open the pool but so many people are chomping at the bit to open the pool that he is willing to let our staff and the lifeguards give it a shot and see how it goes.

Mayor Fitzgerald said if people do not know they need to make a reservation they are going to just show up and will not be allowed in the pool. He said that getting the guidelines out in one day is not going to happen and not everyone is on face book.

Vice-Mayor Clark said we may have to do a trial this weekend and start with the reservations next week.

Kristina Ramsey said she has gotten a sufficient number of messages; so many that she is having a hard time keeping up with them all. She opined

if we put the guidelines out on face book, twitter and Instagram tomorrow, the pool would be overflowing with reservations by the end of the day.

Vice-Mayor Clark said they have been working as an admin team with teachers and reps from each school for over a month. They have already submitted their health plan to the Department of Education, and it has been accepted. The next step is they are working on their instructional plan, transportation plan and their cleansing and sanitation plan. They are having 2 big workdays next week. The plan is to bring as many kids back as safely as they can. They will have social distancing guidelines. She said the school will look different than what you have seen before. They are having to use every possible space to divide the classrooms. Normally there are about 20 students per room but there will only be room for about 12 or 13 students per room when they return to school. They are using all their additional people to become like teachers. They are also developing a plan for students who do not want to come back right away because they feel unsafe or the family has health concerns so they can do virtual learning. They may be at school part of the time and some of the time doing remote learning.

Council Member Hickman wanted to know if the kids will return to school on August 17th or will that date be extended.

Vice-Mayor Clark said the calendar has not changed yet. If the School Board decides to change the start date, they will change it.

CONSIDER APPOINTMENTS TO VARIOUS BOARDS, COMMISSIONS, AND COMMITTEES:

ADG #6 THE ROCKBRIDGE COUNTY SOCIAL SERVICES BOARD:

Mr. John Butler's term will expire on July 31, 2020. This is a 4-year term. Mr. Butler is moving from our area and cannot be re-appointed. This is the second time this item has appeared on the agenda.

ADVERTISED THE NEWS GAZETTE: JUNE 10, 2020 – WEB SITE AND CHANNEL 18 – JUNE 9, 2020

Mayor Fitzgerald said he would be willing to serve on this board if Council is willing to appoint him. Vice-Mayor Clark motioned to appoint Mayor Fitzgerald to serve on the Rockbridge County Social Services Board to fill Mr. Butler's remaining term which will expire on July 31, 2020 and to also serve the next 4 years, seconded by Councilman Coffey, carried by Council.

Mayor Fitzgerald wanted to know if he would be appointed for only 1 month since the term expires on July 31, 2020.

Mr. Kearney said he could be appointed for 1 month and the 4-year term since it is so close to July 31.

OLD BUSINESS:

OB #1 DISCUSS THE CARES ACT FUNDS:

Mr. Clemmer started the discussion by saying there is legislation right now that we are waiting to see if the CARES money can be used to recoup revenue loss. For FY2020 we are planning to use a portion of the money to cover our workers salaries; the jail for our share of a vehicle; washers and dryers to clean clothes; PPE for our front-line workers. These funds will come from FY2020.

Mr. Scudder said the jail portion for Buena Vista was about \$24,000.00.

Mr. Clemmer said it was about \$26,000.00.

Mr. Kearney wanted to know the total dollar amount that will be used from last year's budget.

Mr. Clemmer said that it is around \$50,000.00 excluding the cost for PPE. He does not have the figure for PPE.

Mr. Kearney wanted to know the amount of money the City is supposed to receive from CARES.

Mr. Clemmer said \$561,000.00.

Councilman Coffey wanted to know if we will use some of the CARES money to hire people to sanitize the bathrooms in the park and the pool.

Mr. Scudder said we will use some of the CARES funds for that purpose. Right now, we are using a portion of the workers that already work in the park. We are reimbursing the City for their extra sanitation work they are doing. We will be adding on a percentage to an existing employee for the COVID-19 funding. We are trying to maximize that for our best interest.

OB #2 DISCUSS RE-ADVERTISING FOR THE CITY MANAGER POSITION:

Mr. Kearney said as discussed previously, the pool that came through had a little bit left to be desired. Council was talking about the idea of re-advertising the position and looking at the applicants after we get an additional group of applicants in. He said this is a difficult time right now because of the pandemic. He suggested that Council wait a few months to re-advertise and hopefully things will have calmed down some with COVID-19. He opined this is not something that has to be done immediately.

Mayor Fitzgerald asked Council if they wanted to look at re-advertising in August.

Council Member Hickman opined we need to re-advertise and not wait too long.

Mayor Fitzgerald stated that right now the problem is the quality of applicants.

Council Member Hickman said there were some good quality applicants in the pool, but they have taken other jobs. She said again we should not wait too long before we re-advertise.

Councilman Coffey said he does not see any problem with re-advertising now.

Councilman Staton said he feels the same as Councilman Coffey.

Vice-Mayor Clark said she is good with whatever the group decides.

Mr. Kearney said the only problem with re-advertising so soon is the more we advertise people will stop looking at the position.

Mayor Fitzgerald said he agrees with Mr. Kearney about the re-advertising.

Councilman Henson opined that we should re-advertise soon.

Mr. Kearney said he will get with Ms. Wheeler when she returns to discuss the re-advertisement. Mr. Kearney suggested that he bring the advertisement back to the next meeting along with a time frame so Council can decide what they want to do.

OB #3 SECOND READING OF AN ORDINANCE TO INCREASE THE FEE FROM \$10.00 TO \$20.00 AS PART OF THE COSTS IN EACH CRIMINAL OR TRAFFIC CASE IN DISTRICT AND CIRCUIT COURTS IN WHICH THE DEFENDANT IS CONVICTED OF A VIOLATION OF ANY STATUTE OR ORDINANCE:

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

Mayor Fitzgerald read the following Ordinance by title only:

ORDINANCE ORD20-10

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BUENA VISTA, VIRGINIA, that in accordance with §53.1-120 of the *1950 Code of Virginia*, as amended, a fee of Twenty Dollars (\$20.00) shall be assessed as part of the costs in each criminal or traffic case in district and circuit courts in which the defendant is convicted of a violation of any statute or ordinance. The assessment shall be collected by the clerk of the court in which the case is heard, remitted and held by the City Treasurer and appropriated by City Council to the Sheriff's Office solely for the funding of courthouse security personnel and, if requested by the Sheriff, equipment and other personal property used in connection with courthouse security.

This ordinance shall take effect on July 1, 2020 and shall amend the May 10, 2007 Ordinance to reflect the increase in the fees allowed under §53.1-120 of the *1950 Code of Virginia*, as amended.

This Ordinance shall take effect 30 days after the second reading and adoption of the Ordinance.

William H. Fitzgerald, Mayor

ATTEST:

Clerk of Council

Date of Adoption

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

Mr. Kearney polled Council as follows:

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

NEW BUSINESS:

NB #1 RESOLUTION OF SUPPORT FOR FY22 SMART

SCALE FUNDING:

Mr. Tom Roberts said he had mentioned this to Council several months back when we started the application. This is a VDOT program and the project we will use the funding for is sidewalks and crosswalk improvements at Beech Avenue and 29th Street. In Council's packet is a memo with a picture of the map showing where the proposed changes are. He opined it is self-explanatory. The funding is 100% funding so there will not be a City match if we are successful. This funding is 6 years off and part of the process is having a Resolution from Council supporting the project. Construction would probably not begin until 2027. Councilman Henson wanted to know if later we could add to the project if they decide to put some apartments in between 32nd and 33rd Street.

Mr. Roberts said we could add on to the project later if necessary. He said he briefly mentioned in the memo but 2 years ago we basically had sidewalk running up to where Vista Apartments are on Rockbridge Avenue. That project was not successful. Part of the reason it was not successful was it was bigger and more expensive. This is a smaller version of that project. Hopefully since it is a smaller version it might be more competitive in the scoring system. Councilman Coffey read the following Resolution:

RESOLUTION R20-07

WHEREAS the Smart Scale program through the Virginia Department of Transportation provides funding to localities for transportation infrastructure projects; and

WHEREAS the City of Buena Vista amended its Comprehensive Plan on July 19th, 2018 to designate an Urban Development Area within the City of Buena Vista, making the City eligible to receive funds through the Smart Scale program; and

WHEREAS there exists a critical need for repair, improvement, and expansion of the City's pedestrian infrastructure, such as crosswalks and sidewalks, to protect the health and safety of residents and visitors; and

WHEREAS the Smart Scale program will provide up to 100 percent of eligible project costs on a reimbursement basis; and

WHEREAS a Resolution of Support is required to be submitted with a Smart Scale program project application; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Buena Vista that the Rt 60/Rt 501 Pedestrian Improvement project as proposed for submission to the Fiscal Year 2022 Smart Scale program furthers the goals of the Comprehensive Plan and supports the general safety and welfare of the citizens of Buena Vista.

AND BE IT FURTHER RESOLVED that the City Manager or his designee is hereby authorized to cause such information or materials as may be necessary to be provided to the Virginia Department of Transportation and to enter into such agreements that may be necessary to permit formulation, approval, and funding the Rockbridge Avenue Sidewalk project through the Smart Scale program.

AND BE IT FURTHER RESOLVED that the City of Buena Vista hereby agrees to accept all maintenance responsibilities for the permanent infrastructure constructed as part of this project, and to keep this facility reasonably open for public use for the expected useful life of the project.

William H. Fitzgerald, Mayor

Attest:

Clerk of Court

Date of Adoption

Councilman Henson motioned to approve the above Resolution, seconded by Councilman Coffey, carried by Council.

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

WILLIAM H. FITZGERALD, MAYOR

Dawn M. Wheeler, Clerk of Council