

**CITY OF BUENA VISTA
REGULAR (VIRTUAL) COUNCIL MEETING
SEPTEMBER 3, 2020**

The City Council for the City of Buena Vista met for a Regular (Virtual) Council meeting on Thursday, September 3, 2020 at 6:00 p.m.

Council Members Present:
Melvin Henson
Stanley Coffey
Tyson Cooper

Mayor Bill Fitzgerald
Danny Staton
Cheryl Hickman

Members Absent: Vice-Mayor Lisa Clark

ADG #1 PLEDGE OF ALLEGIANCE AND PRAYER:

Mayor Fitzgerald opened the meeting by asking everyone to stand for the Pledge of Allegiance. Council Member Hickman delivered the prayer.

ADG #2 PUBLIC HEARING:

PUBLIC HEARING

City Council

September 3rd, 2020

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

Plan of development approval for single family home to be addressed 404 Beverly Hollow Lane, Tax Map ID 61-1---1A. Plan of development is required because parcel is located in the R6 Residential PUD zone.

The Public Hearing may 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, September 3rd 2020, or the meeting may be held virtually via Zoom. Details of the meeting format will be available on the City website at <https://www.buenavistava.org/city-services/government/city-council/council-agenda-minutes/> or the public may contact staff

directly as the date gets closer. The public is encouraged to submit comments by paper mail, email, telephone, or during the meeting. 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.

Mr. Roberts started the Public Hearing by saying the Public Hearing is concerning a single-family home at the end of Beverly Hollow Lane. There are already 3 existing houses on the Lane. He recommends approval. The most significant thing is whether Beverly Hollow Lane, which is a private road, is accessible by emergency vehicles. John Rowsey, The City of Buena Vista Fire Chief, drove a fire truck up Beverly Lane to the homesite and he is comfortable with the road. The road is gravel and Chief Rowsey had no issues driving the fire truck up to the house.

Councilman Coffey advised that he and Councilman Henson were up there last week while it was raining, and he said the roads are decent and the water runs off down the side of the road.

Mayor Fitzgerald closed the Public Hearing.

ADG #3 APPROVAL OF THE AGENDA:

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

ADG #4 APPROVAL OF THE MINUTES FROM THE REGULAR COUNCIL MEETING (VIRTUAL) HELD ON AUGUST 20, 2020:

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

Mr. Jamie Goodin read the following letter from Mr. Ed Walker:

Dear Colleagues and Friends of GoBV,

Background and Introduction

As some of you are aware, in the fall of 2017 we launched a multi-year, community-oriented, non-profit real estate project (GoBV) in Buena Vista (BV) to catalyze progress in any way possible and to land-bank and redeploy historic buildings that had been in inactive ownership for many years. The intent was to help advance projects and planning and thereby assist the community. More than \$1.7 million dollars was invested in the GoBV project over the three-year period. Our community-impact efforts were greatly benefitted by the outstanding efforts of Jamie Goodin who led the most effective aspects of GoBV project management.

Thanks to Jamie and many others there are several notable accomplishments. Along with our local colleague, Skip Ramsey, we were gratified to sell the largest building in our portfolio, the old Ford Dealership, to a locally-focused philanthropist who aspires to use the building to contribute to BV's ongoing workforce development efforts. We also invested more than \$30,000 to create and advance professional plans and community meetings in hopes of assisting the creation of an improved BV library. We invested in professional architectural advice and plans to add approximately 20 additional housing units in downtown, and we aspire to sell key buildings to those capable of seeing these plans through to completion.

We were able to remove an unsalvageable building, which increased adjacent property values. We renovated and leased three apartment units, coordinated two property tours, and hosted a two-day summit meeting for local and statewide investors and economic development agencies. We worked closely with BV's economic revitalization grant efforts and facilitated ActionBV's soon-to-be mural installation downtown.

According to our 3-5-year plan, it is time to complete our part of the project by selling the remaining twelve buildings and lots over the next 30-60 days and thereby to hand the baton to other community developers and owners. Below you will see a price list and information summary for each property. Please also see www.gotobv.com for more information. Please share this information with your networks and others who are interested. We very much want to find the right, community-minded buyers for these buildings.

There is a strong bias to sell to people with a proven track record for community oriented, mixed-use redevelopment. Realtors and brokers will be protected and can avail themselves of a 3% fee for representing the buyer's side.

During the first 30 days (until 9/25/20) of the divestment process, GoBV will be represented by Woltz & Associates as well as Skip Ramsey. They will co-list the portfolio. Shortly thereafter, the remaining assets will be auctioned and that will be handled exclusively by Woltz & Associates. The intention is to pursue the divestment progressively and strategically so that community-oriented purchase prospects will have a chance to make offers prior to the auction process.

Buena Vista

Buena Vista is a terrific Main Street city in many ways: at the foot of the Blue Ridge mountains, on the Appalachian Trail, on the banks of the Maury River, 3.5 miles from Interstate 81, 6 miles from Interstate 64W, and a surprisingly solid local economy. The city limits are adjacent to both the George Washington and Jefferson National Forests. BV is home to Southern Virginia University and is 7 miles from Lexington, Virginia. Over the last three years GoBV convened statewide public and private resources and leaders in BV, and they are devoted to helping BV create a brighter future for itself. Potential collaborators at VHDA, DHCD, VCC and other organizations know BV's situation well and are eager to assist solid projects.

As many know, BV has also had its share of internal and external challenges and has largely found itself left behind even as many other small cities and towns have succeeded by innovating and reviving themselves through combinations of private capital and inspired local government. But BV has a brighter future, and has made significant progress, including a current search for a new city manager. Hopefully city leaders will develop a peer-reviewed process and consult experts and other city managers to quickly find a terrific person for this essential job.

Transactions Timeline: August 25, September 25, and October 28 3 Phases: Immediate Contract, Highest and Best Offers, and Auction of Remainder

As of August 25, 2020, all properties have "Immediate Contract" (Buy Now) pricing listed below. We will accept Immediate Contracts on a first-come, first-served basis and reserve the right not to accept a contract for any reason - especially if it's not clear if the prospective purchaser has a proven reputation as a good building and/or community steward. Immediate Contracts can be made at any time for any number of buildings from now until the last phase of this process.

Immediate Contracts can be made from today forward, *including offers from very qualified and proven community investors who would like to acquire the entire portfolio.* The price list summary is below.

Final and Best Written Offers deadline will be September 25, 2020. If you would like to make an offer at less than the Immediate Contract price, you may make an FBWO at any time but not later than 9/25/20. At any time, GoBV can choose to accept an FBWO contract for less than the Immediate Contract price.

Final Auction of Remainder Properties will likely take place on October 28, 2020. GoBV reserves the right not to sell and to set pricing reserves.

If you are interested in making an offer, please contact either Skip Ramsay at 540-261-8888 or Jim Woltz at 540-342-3560 or through your buyer's broker.

Many thanks, E

As-Is for Sale Summary / Buena Vista

Name: "Camelot"

Address: 2047 Magnolia Avenue

Estimated gross building square footage: 5,220

A second story 4-bedroom apartment

Monthly Income: \$1,000

A large first floor commercial space

No income. Ready for rehab.

Estimated vacant land square footage: 1,087

Immediate Contract Price (Buy Now): \$195,000 / written offers also welcome

by 9/25/20

Notes: Tax assessed at \$258,000. \$20,000+ new roof 2020. Apartment

upfits in 2019. Historic and New

Market Tax Credit eligible. Written offers welcome by 9/25/20 deadline.

Brokers protected.

Name: "Annex"

Address: 2043 Magnolia Avenue

Estimated gross building square footage: 625

No present income. Ready for rehab.

Estimated vacant land square footage: 2,500 w/ possible easement to 2037
Magnolia

Immediate Contract Price (Buy Now): \$50,000 / written offers also welcome
by 9/25/20

Notes: Internal demolition complete. Historic and New Market Tax Credit
eligible. Written offers welcome by

9/25/20 deadline. Brokers protected.

Name: "Magnolia Parking Lot"

Address: Corner of Magnolia Avenue and 20th Street

Estimated vacant land square footage: 12,500

Immediate Contract Price (Buy Now): \$90,000 / written offers also welcome
by 9/25/20

Notes: New Market Tax Credit eligible. Written offers welcome by 9/18/20
deadline. Brokers protected.

Name: "Salon and Parking Lot"

Address: 2002 Magnolia Ave. and parking lot on the corner of Magnolia and
20th

Gross building square footage: 2,440 SF

Monthly income salon \$ 600

Vacant rear office available to rent

Unoccupied/vacant land square footage: 10,000

Immediate Contract Price (Buy Now): \$125,000 / written offers also welcome
by 9/25/20

Notes: Historic and New Market Tax Credit eligible. Written offers welcome
by 9/25/20 deadline. Brokers

protected.

Name: "Linric"

Address: 2067 Magnolia Avenue

Gross building square footage: 8,950 SF

Large remodeled upstairs apartment

Monthly Income: \$ 1,200

Large empty downstairs space ready for rehab

Unoccupied/vacant land square footage: 0 SF

Immediate Contract Price (Buy Now): \$245,000. Written offers welcome by 9/25/20.

Notes: Historic and New Market Tax Credit eligible. Written offers welcome by 9/25/20 deadline. Brokers protected. Tax-assessed \$247,200.

Name: "Town Square"

Address: 2117 Magnolia Avenue

Estimated vacant land square footage: 13,204 SF

Immediate Contract Price (Buy Now): \$ 95,000

Notes: Written offers welcome by 9/25/20 deadline. Brokers protected.

Appraised at \$110,000

Name: "Arts Council"

Address: 2037 Magnolia Avenue

Gross building square footage: 10,250 SF / Two stories

No existing income. Ready for rehab.

Estimated vacant land square footage: 1,125 SF

Immediate Contract Price (Buy Now): \$195,500

Notes: Historic and New Market Tax Credit eligible. Space plan complete for apartments utilizing easement with adjacent courtyard behind the Annex. Tax-assessed \$219,500. Written offers welcome by 9/25/20 deadline. Brokers protected.

Name: "Dollar Value Buildings and Middle Lot"

Addresses: 2159, 2161-2163, & 2175 Magnolia Avenue. No income. Rehab ready.

2159: 2,000 sf bldg and 1,125 sf vacant land. Buy now: \$60,000

2161: 4,812 sf vacant land. Buy now: \$50,000

2175: 2,880 sf bldg and 1,682 sf vacant land. Buy now: \$75,000

Immediate Contract Price (Buy Now): \$175,000 for all three

Notes: Smaller building is Historic and New Market Tax Credit eligible.

Larger building is New Market Tax Credit eligible. Can be purchased together or separately. Written offers welcome by 9/25/20 deadline. Brokers protected.

Name: "McCormick"

Address: 2045 Forest Avenue

Gross building square footage: 5,000

Vacant land square footage: 1,250

Immediate Contract Price (Buy Now): \$140,000 to a desirable buyer

Notes: Historic and New Market Tax Credit eligible. Schematic drawings for 8-unit apartment building complete and available for review. Tax assessed at \$140,400. Written offers welcome by 9/25/20 deadline. Brokers protected.

Name: "Ramsey"

Address: 2076 Magnolia Avenue

Gross building square footage: 6,750

One professional office with monthly income: \$ 350

Lower level is rehab ready

Vacant land square footage: N/A

Immediate Contract Price (Buy Now): \$195,000

Notes: Tax-assessed at \$310,500. Historic and New Market Tax Credit Eligible. Written offers welcome by

9/25/20 deadline. Brokers protected.

Councilman Coffey wanted to know if all the properties are for sale now and not lease.

Mr. Goodin said they are all for sale.

ADG #6 REPORTS:

1.) Mayor:

None.

2.) City Manager:

Mr. Scudder started his report by saying that several years ago when they did the 911 Center, one of the big-ticket items was the CAD 911 system. They ended up going with the firm that quoted the highest price because they thought the firm would serve our community best. He said they are trying to deal with some issues with that system now. Mr. Kearney and all our regional partners have been involved in trying to solve some of these issues. The system sometimes blinks out and we are investing different options. Mr. Scudder said he had sent Council some emails today concerning the WWTP. He said that Council is aware of some of the other issues at the WWTP. He and Mr. Kearney are working on refinancing some debt with USDA. Two of the RBC's at the WWTP have been repaired and they have failed again. We are looking at repairing the RBC's, as well as looking at new RBC's which will be more efficient. This might help with the nutrients credit issues that we have. We spend about \$50,000.00 per year for the nutrient credit exchange program. They are going to investigate on ways to address upgrades at the WWTP. Before this meeting Danny, Stanley and Melvin provided a list of code compliance issues around the City. Everyone has noticed we have made a pretty big dent and positive headway in those issues. He thanked Danny, Stanley, and Melvin for noticing the improvements.

Councilman Coffey said there are 2 RBC's down at the WWTP. If we lose another RBC in either location, we are going to be in real trouble. This will cause the plant to fail. We must do something.

Mr. Scudder said we are working hard on that now. Traci and Corey are doing a good job and we have also involved Hunter Young.

3.) City Attorney:

Mr. Kearney said they had a very good meeting last week with the USDA. They are very much interested in helping the City. The USDA has been very positive so we may have some funds to fix some of the problems we are having.

4.) Council Committee/Representative:

Council Member Hickman said Council's Finance Committee has a meeting scheduled for next week. It was originally scheduled to be a joint meeting with the Finance Committee from the School Board. She opined that due to COVID, Council's Finance Committee should meet alone to discuss the things associated with the CARES ACT funds. She also wanted to meet alone so Council will have more information to give schools about how the City can help them.

Councilman Cooper said that they also need to look at the future needs of the schools not just the immediate needs.

Councilman Coffey said he wanted to thank Public Works for the work they have been doing. They said the list they were given was very beneficial because they don't see everything.

Councilman Henson wanted to know if the brush on Magnolia would be moved before the holiday.

Mr. Scudder said the brush will be moved.

Councilman Henson said that Public Works have been doing a good job with getting things done as well as also doing a good job with public safety. Workforce Development will have a virtual job fair on September 24th.

Kristina Ramsey gave a brief update on the CARES funding that was allocated to the Community Foundation last week and the EDA. The Community Foundation has advertised for the non-profit grants and are accepting application through September 15th. They have done some outreach to encourage non-profits to apply for the grants. The EDA began advertising this morning for the small business grants. It is advertised on the web site, social media, the News Gazette, sending out physical mailers and emailing all the businesses. The application will open on September 9th and close on September 25th for the first round. There will be a second round if there is still funding available.

Mr. Scudder said that Ms. Ramsey has done a really good job on getting this program organized and following through with all our businesses.

Councilman Cooper stated that Council gets together and talks about a lot of short-term immediate needs, but Council is still lacking any kind of

strategic plan or vision for where exactly we are going to guide all our shorter-term decisions. He opined that Council really needs to take it seriously and think about the future with a coherent, organized strategic plan.

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

**ADG #7 THE BUENA VISTA PLANNING COMMISSION:
MR. BRADYN TUTTLE HAS RESIGNED. HIS TERM WOULD
HAVE ENDED ON DECEMBER 31, 2020. THIS IS THE SECOND
TIME THIS HAS APPEARED ON THE AGENDA:
ADVERTISED THE NEWS GAZETTE AUGUST 19, 2020: WEB
SITE AND CHANNEL 18 AUGUST 14, 2020**

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

**ADG #8 THE BUENA VISTA ECONOMIC DEVELOPMENT
AUTHORITY:
MRS. ELIZABETH BRADY HAS RESIGNED. SHE IS NO LONG
A RESIDENT OF BUENA VISTA. HER TERM WILL EXPIRE ON
MARCH 31, 2024. THIS IS THE FIRST TIME THIS HAS
APPEARED ON THE AGENDA:
ADVERTISED THE NEWS GAZETTE SEPTEMBER 2, 2020: WEB
SITE AND CHANNEL 18 AUGUST 27, 2020**

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

OLD BUSINESS:

None.

NEW BUSINESS:

**NB #1 CONTINUATION ORDINANCE FOR VIRTUAL
COUNCIL MEETINGS:**

Mayor Fitzgerald said this is something that Council must do routinely to have virtual meetings.

Mr. Kearney said this Ordinance does not change what we have previously. This extends the Ordinance until the state of emergency ends.

Councilman Cooper read the following Ordinance:

CONTINUATION ORDINANCE

WHEREAS, on April 16, 2020, the City Council for the City of Buena Vista adopted an Ordinance Confirming and Ratifying the Declaration of a Local Emergency; and

WHEREAS, in accordance with Section 5 of this Ordinance it was to remain in effect until repealed for a period not exceeding six (6) months from the declaration of the local emergency; and

WHEREAS, it was anticipated at the time of its adoption that the local emergency would subside within six (6) months, however, the local emergency continues unabated and therefore the terms and conditions of the April 16, 2020 Ordinance need to remain in full force and effect until the local emergency has subsided.

NOW THEREFORE BE IT ORDAINED that the Ordinance of April 16, 2020 is hereby extended until such time as the Local Emergency Declaration, as outlined therein, has been rescinded and is no longer effective.

BE IT FURTHER ORDAINED that since the emergency still exists this Continuation Ordinance shall be effective on and after the date of its adoption on September 3, 2020.

William H. Fitzgerald, Mayor

Attest:

Clerk of Council

Date of Adoption

NB #2 ORDINANCE TO APPROVE DEVELOPMENT FOR A SINGLE-FAMILY HOME TO BE ADDRESSED 404 BEVERLY HOLLOW LANE, TAX MAP ID 61-1---1A:

Councilman Cooper read the following Ordinance:

**ORDINANCE
PLANNED UNIT DEVELOPMENT
TAX MAP 66-1---1A, 404 BEVERLY HOLLOW LANE
3 SEPTEMBER 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, the Plan of Development shown in Exhibit A is hereby approved, pursuant to Section 607 of the Land Development Regulations of the City of Buena Vista.

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

William Fitzgerald, Mayor

ATTEST:

Dawn Wheeler, Clerk of Council

Date

Mayor Fitzgerald said he would like to see this Ordinance move on a little bit quicker and wanted to know how long it will be before Council can vote on the Ordinance.

Mr. Kearney said that Council can vote on the Ordinance at the next regularly scheduled Council meeting in 2 weeks unless Council calls for a special meeting. Mayor Fitzgerald requested that Council have a special meeting to approve this Ordinance since the home is a modular one and they need to break ground since the home is ready.

Council agreed to have a special meeting to approve the Ordinance.

NB #3 PROCLAMATION FOR POOL EMPLOYEES:

Councilman Henson explained that he requested this Proclamation since the employees had only a short notice to get the pool open and they had added tasks because of COVID-19. He said they did a great job.

Council Member Hickman said she had heard only a few complaints and Councilman Coffey said he had heard none.

Council Member Hickman read the following Proclamation:

PROCLAMATION

WHEREAS, Mayor Fitzgerald and City Council would like to thank the employees of the Glen Maury Park Pool, Mr. Ben Staton and Ms. Millie Sizer for all the great work they did this summer; and

WHEREAS, these ladies and gentlemen have done an amazing job and given their talent to make the pool a more pleasant experience for our citizens and guests during the COVID-19 Pandemic.

NOW, THEREFORE BE IT PROCLAIMED, on behalf of the Mayor and City Council of the City of Buena Vista, we thank you for all you have done to improve our public pool.



NB #4 DISCUSS PAVING FROM ADVANCE AUTO TO ROUTE 60 EAST:

Tom Roberts started the discussion by saying that he, Jay Scudder, and Charles Clemmer talked about this paving project. We budgeted \$180,000.00 in this year's budget for paving the section of Route 501 on the south end of town that is out of compliance. We did lose our lane mile payments for this section of road from VDOT because of the poor condition of the road. We are required to pave that section of the road to receive lane mile payments again. Additionally, we have the other section of Route 501 and the section of Route 60 going west that are part of the State of Good Repair VDOT funds that are fully funded by VDOT. The contract bids from the contractors are less than the amount that we were allocated by VDOT for the project so we believe that we can both sections of Route 501 and the west section of Route 60 basically without the \$180,000.00. We are taking money that would be used for road related issues and shifting around what it would go towards so we could pay for the eastern part of Route 60 from Route 501 to the eastern City line. We will take extra money that we had allocated to Route 501 south and we would add to that the money that we will be getting for the lane mile payment that we will be getting for the section that will be paved. We are also adding additional lane mile payments. We are projecting around \$85,000.00 of additional lane mile payments based on recalculating road lengths throughout the City. At the beginning of 2020 he spoke to Council about some work that he had done to check over all the lane miles within the City to make sure we were getting all of the lane mile payments that were due to us. He found several miles of road that we were not getting payments for. We believe those payments should be \$85,000.00, possible more. We are going to go with, for the sake of argument, \$85,000.00. Between that \$85,000.00 of additional lane mile payments, the \$43,000.00 payments for the southern section of Route 501 that we will start getting again and the \$180,000.00 we have budgeted for the road work on Route 501 already, Jay is proposing to spend that money on paving Route 60 from Route 501 to the east City line.

Mr. Scudder said he feels the important thing that the Public Works Committee has pointed out also working through this math is that section of Route 60 is in poor shape. We do not know when we may get another opportunity with State Of

Good Repair money. The State Of Good Repair money is going to go federal next year. He said we have Green Forest Avenue with Everbrite and the new company Nebco. That is also a scenic byway coming into the City limits. If you use Route 501 south as an example, when that was in poor condition and VDOT pulled that money, that was probably over \$100,000.00 of lost revenue because of the poor condition on that road. He has worked with Adams Paving and Greg Schultz over the last 8 plus years and they have done some helpful things for Buena Vista. He and Greg have worked very hard to look at this section of road to try to make sure we can get a really good price while they are here mobilized. The good part of this component is what Michael Branscome with VDOT told Mr. Scudder it looks like the money we were granted in the grant for the State Of Good Repair for the 2 Route 501 projects and the Route 60 west project looks like those projects will come within the perimeters of the money we were allotted with VDOT under the bid that we received from Adams that was very low. He opined this is an amazing opportunity, with prices the way they are, to pave that section of road and not have to worry about losing lane miles possible in the future. He feels this opportunity is too good to pass up. Mr. Scudder said he just wanted to make sure Council understands the math and the rational. The memo that he provided Council explains all of this. We will monitor this the best we can and try to move forward to get this done if Council chooses to do so. Councilman Cooper said he thinks it is a great idea. He thanked Mr. Scudder and the City leadership team. It is just another example of their source fullness and their forward thinking. He feels like it is capitalizing on an opportunity and he fully supports it. Councilman Henson wanted to know how many lane miles is involved. Mr. Scudder said it is close to 2 miles, coming and going, in lane miles. Councilman Henson wanted to know how much money we would lose if we don't do it. Mr. Scudder said on Route 501 south we are losing north of \$50,000.00 per year. Councilman Staton opined that we don't know how it is going to affect us down the road, so we should go ahead with the project. Council gave Mr. Scudder approval to go ahead with the project.

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

WILLIAM H. FITZGERALD, MAYOR

Dawn M. Wheeler, Clerk of Council