

**CITY OF BUENA VISTA
REGULAR COUNCIL MEETING
AND EXECUTIVE SESSION
NOVEMBER 5, 2020
(VIRTUAL)**

The City Council for the City of Buena Vista met for a Regular (Virtual) Council meeting and Executive Session on Thursday, November 5, 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:

Vice-Mayor Clark delivered the opening prayer.

ADG #2 APPROVAL OF THE AGENDA:

The agenda was approved by Council.

ADG #3 APPROVAL OF THE MINUTES FROM THE REGULAR COUNCIL MEETING (VIRTUAL) HELD ON OCTOBER 15, 2020 AND THE EXECUTIVE SESSION (VIRTUAL) HELD ON OCTOBER 22, 2020:

Council approved the minutes from the Regular Council Meeting (Virtual) held on October 15, 2020 and the Executive Session (Virtual) held on October 22, 2020 with the exception of Vice-Mayor Clark who abstained from the October 22, 2020 meeting.

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:

Mayor Fitzgerald said he did not have a report. He requested that anyone that had a report to please limit their time since the agenda was full.

2.) City Manager:

Mr. Scudder advised we are going to start paving on Tuesday. He met with AMT, Greg Schultz, and John Cole today. We are going to start on 3rd Street and then do Route 501. They will then go to 29th Street West starting at Advance Auto and go to where the State ended up a couple of years ago. Mr. Scudder said he spoke with Councilman Henson and Councilman Coffey today and told them we are not going to do 29th Street because he feels we will qualify very highly in The State of Good Repair next year. They are going to look at Culvert Street and the 2-block section of Walnut that is so bad. He is going to get a quote and present it to Council next week. We are already approved to potentially spend the money to do 29th Street. It will be considered paltry compared to that. We will shift from 29th Street to do those 2 sections which will never qualify for The State of Good Repair money. There will be a meeting next Tuesday or Friday with the engineers about the WWTP. They will try to finalize the engineering report. John Cole will be working on pothole repair a lot next week. Mr. Scudder said he is still working on CARES Act money and the best way to benefit the City with those funds.

3.) City Attorney:

None.

4.) Council Committee/Representative:

None.

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

1.) THE BOARD OF ZONING APPEALS:

MR. ART FURLER'S TERM WILL EXPIRE ON DECEMBER 31, 2020. THIS IS A 5 YEAR TERM AND THE FIRST TIME IT HAS APPEARED ON THE AGENDA. MR. FURLER IS WILLING TO SERVE AGAIN IF RE-APPOINTED. ADVERTISED OCTOBER 21, 2020 THE NEWS GAZETTE: WEB SITE AND CHANNEL 18 OCTOBER 14, 2020 - NO APPLICANTS

Councilman Coffey motioned to re-appoint Mr. Furler, seconded by Councilman Cooper, carried by Council.

2.) THE BOARD OF ZONING APPEALS:

MS. CHRISTINA HIMES TERM WILL EXPIRE ON DECEMBER 31, 2020. THIS IS A 5 YEAR TERM AND THE FIRST TIME IT HAS APPEARED ON THE AGENDA. MS. HIMES IS WILLING TO SERVE AGAIN IF RE-APPOINTED. ADVERTISED OCTOBER 21, 2020 THE NEWS GAZETTE: WEB SITE AND CHANNEL 18 OCTOBER 14, 2020 - NO APPLICANTS

Motion was made by Vice-Mayor Clark to re-appoint Mrs. Himes, seconded by Councilman Cooper, carried by Council.

3.)THE ROCKBRIDGE AREA COMMUNITY SERVICES BOARD:
MR. BRENT STYLER'S TERM WILL EXPIRE ON DECEMBER 31, 2020. THIS IS A 3 YEAR TERM AND THE FIRST TIME IT HAS APPEARED ON THE AGENDA. MR. STYLER IS WILLING TO SERVE AGAIN IF RE-APPOINTED. ADVERTISED OCTOBER 21, 2020 THE NEWS GAZETTE: WEB SITE AND CHANNEL 18 OCTOBER 14, 2020 – NO APPLICANTS

Motion was made by Councilman Henson to re-appoint Mr. Styler, seconded by Vice-Mayor Clark, carried by Council.

4.)THE ROCKBRIDGE AREA COMMUNITY SERVICES BOARD:
MS. JANET JOLLY'S TERM WILL EXPIRE ON DECEMBER 31, 2020. THIS IS A 2 YEAR TERM AND THE FIRST TIME IT HAS APPEARED ON THE AGENDA. MS. JOLLY IS NOT WILLING TO SERVE AGAIN. ADVERTISED OCTOBER 21, 2020 THE NEWS GAZETTE: WEB SITE AND CHANNEL 18 OCTOBER 14, 2020 – NO APPLICANTS

This item will be carried over to the next scheduled Council meeting.

5.)THE ROCKBRIDGE DISABILITY SERVICES BOARD:
MS. PAM ROBEY'S TERM WILL EXPIRE ON DECEMBER 31, 2020. THIS IS A 4 YEAR TERM AND THE FIRST TIME IT HAS APPEARED ON THE AGENDA. MS. ROBEY IS NOT WILLING TO SERVE AGAIN. ADVERTISED OCTOBER 21, 2020 THE NEWS GAZETTE: WEB SITE AND CHANNEL 18 OCTOBER 14, 2020 – NO APPLICANTS

This item will be carried over to the next scheduled Council meeting.

6.)THE ROCKBRIDGE REGIONAL JAIL:
MR. JAY SCUDDER'S TERM WILL EXPIRE ON DECEMBER 31, 2020. THIS IS A 1 YEAR TERM. THE CITY MANAGER NORMALLY FILLS THIS APPOINTMENT.

Motion was made by Councilman Cooper to re-appoint Mr. Scudder, seconded by Councilman Coffey, carried by Council.

7.)THE PLANNING COMMISSION:

MR. TIM PETRIE'S TERM WILL EXPIRE ON DECEMBER 31, 2020. THIS IS A 4 YEAR TERM AND THE FIRST TIME IT HAS APPEARED ON THE AGENDA. MR. PETRIE IS WILLING TO SERVE AGAIN IF RE-APPOINTED. ADVERTISED OCTOBER 21, 2020 THE NEWS GAZETTE: WEB SITE AND CHANNEL 18 OCTOBER 14, 2020 – NO APPLICANTS

Motion was made by Councilman Staton to re-appoint Mr. Petrie, seconded by Vice-Mayor Clark, carried by Council.

8.)THE PLANNING COMMISSION:

MR. PRES MANUAL'S TERM WILL EXPIRE ON DECEMBER 31, 2020. THIS IS A 4 YEAR TERM AND THE FIRST TIME IT HAS APPEARED ON THE AGENDA. MR. MANUAL IS NOT WILLING TO SERVE AGAIN. ADVERTISED OCTOBER 21, 2020 THE NEWS GAZETTE: WEB SITE AND CHANNEL 18 OCTOBER 14, 2020 – NO APPLICANTS

This item will be carried over to the next scheduled Council meeting.

9.)RARO:

MR. LARRY FLOYD HAS RESIGNED FROM THE RARO BOARD. HIS TERM WOULD HAVE EXPIRED ON DECEMBER 31, 2020. THIS IS A 4 YEAR TERM AND THE FIRST TIME IT HAS APPEARED ON THE AGENDA. ADVERTISED OCTOBER 21, 2020 THE NEWS GAZETTE: WEB SITE AND CHANNEL 18 OCTOBER 14, 2020 – ONE APPLICANT: MRS. DEIDRA DRYDEN

Motion was made by Councilman Henson to appoint Mrs. Dryden, seconded by Council Member Hickman, carried by Council

10.) RARO:

MR. DAVID TRUSLOW'S TERM WILL EXPIRE ON DECEMBER 31, 2020. THIS IS A 2 YEAR TERM AND THE FIRST TIME IT HAS APPEARED ON THE AGENDA. MR. TRUSLOW IS WILLING TO SERVE AGAIN IF RE-APPOINTED. ADVERTISED OCTOBER 21, 2020 THE NEWS GAZETTE: WEB SITE AND CHANNEL 18 OCTOBER 14, 2020 – NO APPLICANTS

Council Member Hickman motioned to re-appoint Mr. Truslow, seconded by Vice-Mayor Clark, carried by Council.

OLD BUSINESS:

None.

NEW BUSINESS:

NB#1

FIRST READING OF AN ORDINANCE TO AMEND THE 2019-2020 BUDGET:

Vice-Mayor Clark read the following Ordinance:

ORDINANCE

BUDGET AMENDMENT ORDINANCE

WHEREAS, on May 16, 2019 the City of Buena Vista adopted its budget for Fiscal Year 2020; and

WHEREAS, The City Council approved certain ongoing projects and activities that required additional funds and usage of fund balances to be reappropriated during the current fiscal year.

NOW THEREFORE, BE IT ORDAINED, By the Council for the City of Buena Vista, Virginia, in accordance with Section 15.2-2507 of the 1950 Code of Virginia that the Budget be amended to increase the following line items by the amounts shown:

	Debit	Credit
Building and Grounds- COVID 19 Supplies	10,391	
Finance Department- IT Costs	43,618	
Industrial Park	235,652	
Regional Jail- Inmates/Costs & COVID 19	184,246	
Social Services- GSA	561,758	
Federal Funds- CARES		172,432
State Funds- CSA Reimbursement		432,554
Industrial Park- Reimbursement		140,300
Transfer Unappropriated General Fund		290,379

William H. Fitzgerald, Mayor

ATTEST:

Clerk of Council

Date of Adoption

NB #2 MARY LEE HUFFMAN AND KAREN VASSAR TO DISCUSS WATER DISCONNECTIONS:

Mary Lee Huffman, Treasurer for the City of Buena Vista started the discussion by saying that she and Karen Vassar, Public Works Office Manager, wrote a short memo to Council to let them know they are trying to come up with a plan for the reinstatement of disconnects. She said we have some customers that have not paid a water bill since February or March. Water is one of our largest losses with COVID they have seen. They have been checking with Mr. Kearney every month and finally in October the moratorium was lifted.

Mayor Fitzgerald wanted to know if they would present the plan to Council before it is implemented.

Ms. Huffman said the memo sent to Council was to let them know what they are planning to do with delinquent accounts. There are discussions on making payment plans which is not something we normally do. If those plans go beyond six months, we feel the water customers would have to prove to the City that they were directly affected by COVID. They are trying to recover the money as quickly as they can.

Mayor Fitzgerald opined it is going to hard to determine who was affected by COVID and who was not.

Ms. Huffman said they have assessed that. If someone has a loss of income, they should be able to prove it. If someone has been working and chose to not pay their bill, they feel they should not have the same opportunity as that of someone who has lost their income.

Councilman Coffey wanted to know if Ms. Huffman had a number of the people that have not been paying.

Ms. Vassar advised that she and Ms. Huffman had talked about customers who owe the City \$500.00 or more. She shows there are 25 customers at this time who owe \$500.00 or more. The amount owed is almost \$22,000.00.

Councilman Coffey wanted to know if these customers that have delinquent bills are normally regular paying customers or they ones that the City has problems with on a regular basis.

Ms. Vassar said the majority of them are problem customers.

Ms. Huffman said that Ms. Vassar's records can show if it is a customer that has always paid or if they are delinquent all the time. They want Council to know they are trying to work together to come up with a plan. It is a large amount of money outstanding now from us not making disconnects. We normally may cut off 40 people per month with 130 disconnects going out. You get down to 30 or 40 and we have gained that much income in a month which we are not seeing now. This month Ms. Vassar had over \$44,000.00 in disconnects. Some people are not paying because we could not cut their service off.

Councilman Coffey wanted to know how many customers we have that are behind in their payments.

Ms. Vassar said the monthly average is 40 to 45 cutoffs. She ran the report November 1st and there are 122 people that are at least 1 month behind.

Ms. Huffman said we normally do not disconnect service in December so they are trying to get notices out in a timely manner so we can try to get some of the accounts paid before December.

Mr. Scudder said we work very well as a team and are very customer service oriented. We have helped people in the past trying to get their payments up to date.

The memo to Council is below:



Mary Lee Huffman
Treasurer

CITY OF BUENA VISTA
OFFICE OF THE TREASURER

2039 Sycamore Avenue
Buena Vista, Virginia 24416

(540) 261-8621
(540) 261-8618 Fax

TO: CITY COUNCIL
FROM: MARY LEE HUFFMAN, TREASURER
KAREN VASSAR, PUBLIC WORKS OFFICE MANAGER
DATE: NOVEMBER 2, 2020
SUBJECT: RESUME MONTHLY DISCONNECTIONS

October 6, 2020 the moratorium ended for disconnecting utility services for unpaid bills. Our offices have been working

together to develop a plan to start the disconnection process. The first disconnection would occur in January 2021.

The November water bills will be printed with a statement that the moratorium was lifted October 6, 2020 and disconnections will resume. A letter will be sent to each resident that owes \$500.00 or more in delinquent water bills, as of November 1, 2020.

If requested, contracts will be made with residents who owe over \$500.00 in delinquencies. Along with the contracted payment amount, the monthly water bill must be paid by the due date. The delinquent amount must be paid in full within 6 months of the contact date. If a payment is missed, the resident will be disconnected and the fees for disconnection must be paid, as well as the total delinquent bill owed. Any residents requesting a contract be extended beyond 6 months must prove they have been adversely affected by Covid-19. Approval will be at the discretion of the Public Works Office Manager and the Treasurer.

EXECUTIVE SESSIONS:

Vice-Mayor Clark read the following:

- 1.) ACCORDING TO SECTION 2.2-3711 (A) (1) OF THE 1950 CODE OF VIRGINIA, AS AMENDED, FOR THE PURPOSE OF INTERVIEWING PROSPECTIVE CANDIDATES FOR CITY MANAGER:**
- 2.) ACCORDING TO SECTION 2.2-3711 (A) (3) OF THE 1950 CODE OF VIRGINIA, AS AMENDED, FOR THE PURPOSE OF DISCUSSING THE POSSIBLE ACQUISITION OF THE REAL ESTATE LOCATED AT THE CORNER OF 21ST STREET AND MAGNOLIA AVENUE:**

There being no further business, Vice-Mayor Clark motioned to go into executive session, seconded by Council Member Hickman, carried by Council.

CERTIFICATION OF EXECUTIVE MEETING

MOTION: Vice-Mayor Clark
SECOND: Council Member Hickman

DATE: November 5, 2020

WHEREAS, the Buena Vista City Council has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Buena Vista City Council that such executive meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED, that the Buena Vista City Council hereby certifies that to the best of each member’s knowledge (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Buena Vista City Council.

VOTE: AYES: ALL

NAYS: NONE

ABSENT DURING VOTE: None

ABSENT DURING MEETING: None

Dawn M. Wheeler
Clerk of Council

REGULAR SESSION: Vice-Mayor Clark moved to return to regular session, seconded by Council Member Hickman, carried by Council.

Mayor Fitzgerald
Mr. Cooper

Ms. Hickman
Mr. Coffey

Mr. Staton
Vice-Mayor Clark

Mr. Henson

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

Dawn M. Wheeler
Clerk of Council

William H. Fitzgerald
Mayor