

**CITY OF BUENA VISTA
REGULAR COUNCIL MEETING
AND EXECUTIVE SESSION
FEBRUARY 4, 2021
(VIRTUAL)**

The City Council for the City of Buena Vista met for a Regular (Virtual) Council meeting and Executive Session on Thursday, February 4, 2021 at 6:00 p.m.

Council Members Present:
Melvin Henson
Stanley Coffey
Tyson Cooper

Mayor Bill Fitzgerald
Cheryl Hickman
Steve Webb
Danny Staton

Members Absent: None.

ADG #1 PLEDGE OF ALLEGIANCE AND PRAYER:

Councilman Cooper delivered the opening prayer.

ADG #2 APPROVAL OF THE AGENDA:

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

ADG #3 APPROVAL OF THE MINUTES FROM THE REGULAR COUNCIL MEETING (VIRTUAL) AND EXECUTIVE SESSION HELD ON JANUARY 21,2021:

Motion was made by Councilman Coffey to approve the minutes from the January 21, 2021 Regular Council meeting and Executive Session, seconded by Councilman Henson and carried by Council with the exception of Councilman Webb who abstained.

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 thanked Councilman Webb for coming on Council.

2.) City Manager:

None.

3.) City Attorney:

None.

4.) Council Committee/Representative:

None.

ADG #6 CONSIDER APPOINTMENTS TO VARIOUS BOARDS, COMMISSIONS, AND COMMITTEES:

THE ROCKBRIDGE DISABILITY SERVICES BOARD:

MS. PAM ROBEY'S TERM EXPIRED ON DECEMBER 31, 2020. THIS IS A 4 YEAR TERM AND THE SIXTH TIME IT HAS APPEARED ON THE AGENDA. MS. ROBEY IS NOT WILLING TO SERVE AGAIN. ADVERTISED FEBRUARY 3, 2021 THE NEWS GAZETTE: WEB SITE AND CHANNEL 18 JANUARY 27, 2021 –

NO APPLICANTS

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

THE ROCKBRIDGE DISABILITY SERVICES BOARD:

Mr. ALAN MCMAHAN'S TERM EXPIRED ON JANUARY 31, 2021. THIS IS A 4 YEAR TERM AND THE FIRST TIME IT HAS APPEARED ON THE AGENDA. MR. MCMAHAN IS WILLING TO SERVE AGAIN. ADVERTISED FEBRUARY 3, 2021 THE NEWS GAZETTE: WEB SITE AND CHANNEL 18 JANUARY 27, 2021 –

NO APPLICANTS

Motion was made by Councilman Henson to re-appoint Alan McMahan to the Rockbridge Disability Services Board, seconded by Councilman Coffey, carried by Council.

THE ROCKBRIDGE DISABILITY SERVICES BOARD:

MS. LISA CLARK'S TERM EXPIRED ON JANUARY 31, 2021. THIS IS A 4 YEAR TERM AND THE FIRST TIME IT HAS APPEARED ON THE AGENDA. MS. CLARK IS NOT WILLING TO SERVE AGAIN. ADVERTISED FEBRUARY 3, 2021 THE NEWS GAZETTE: WEB SITE AND CHANNEL 18 JANUARY 27, 2021 – NO APPLICANTS

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

THE BUENA VISTA ECONOMIC DEVELOPMENT AUTHORITY:

MR. BRENT STYLER'S TERM WILL EXPIRE ON MARCH 31, 2021. THIS IS A 4 YEAR TERM AND THE FIRST TIME IT HAS APPEARED ON THE AGENDA. MR. STYLER IS WILLING TO SERVE AGAIN. ADVERTISED FEBRUARY 3, 2021 THE NEWS GAZETTE: WEB SITE AND CHANNEL 18 JANUARY 27, 2021 – NO APPLICANTS

Motion was made by Councilman Cooper to re-appoint Mr. Styler to the Buena Vista Economic Development Authority, seconded by Councilman Coffey, carried by Council.

THE BUENA VISTA ECONOMIC DEVELOPMENT AUTHORITY:

MR. LYNN CHAPMAN'S TERM WILL EXPIRE ON MARCH 31, 2021. THIS IS A 4 YEAR TERM AND THE FIRST TIME IT HAS APPEARED ON THE AGENDA. MR. CHAPMAN IS WILLING TO SERVE AGAIN. ADVERTISED FEBRUARY 3, 2021 THE NEWS GAZETTE: WEB SITE AND CHANNEL 18 JANUARY 27, 2021 – NO APPLICANTS

Motion was made by Councilman Henson to re-appoint Mr. Chapman to the Buena Vista Economic Development Authority, seconded by Councilman Coffey, carried by Council.

THE BUENA VISTA ECONOMIC DEVELOPMENT AUTHORITY:

MR. GEORGE HUGER'S TERM WILL EXPIRE ON MARCH 31, 2021. THIS IS A 4 YEAR TERM AND THE FIRST TIME IT HAS APPEARED ON THE AGENDA. MR. HUGER IS NOT WILLING TO SERVE AGAIN. ADVERTISED FEBRUARY 3, 2021 THE NEWS GAZETTE: WEB SITE AND CHANNEL 18 JANUARY 27, 2021 – NO APPLICANTS

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

THE PLANNING COMMISSION:

MR. PRES MANUAL'S TERM EXPIRED ON DECEMBER 31, 2020. THIS IS A 4 YEAR TERM AND THE SIXTH TIME IT HAS APPEARED ON THE AGENDA. MR. MANUAL IS NOT WILLING TO SERVE AGAIN. ADVERTISED FEBRUARY 3, 2021 THE NEWS GAZETTE: WEB SITE AND CHANNEL 18 JANUARY 27, 2021 – APPLICANTS: MS. KRISTIE GIBBONS AND MR. BRENT STYLER

Motion was made by Councilman Cooper to appoint Ms. Kristie Gibbons to the Planning Commission, seconded by Councilman Coffey, carried by Council.

OLD BUSINESS:

NONE:

NEW BUSINESS:

NB #1 PROCLAMATION FOR THE BUENA VISTA FLOYD-DAVIDSON POST NO. 126 FOR THEIR 100TH YEAR CELEBRATION:

Ms. Wheeler read the following Proclamation:

PROCLAMATION

WHEREAS, on February 7, 1921, the Buena Vista Floyd-Davidson Post No. 126 of the American Legion was granted its Permanent Charter: and

WHEREAS, in November 1921, the Auxiliary for the Buena Vista Floyd-Davidson Post No. 126 of the American Legion is proposed. Their Permanent Charter was received on July 27, 1923: and

WHEREAS, the major activities of Post No. 126 up to 1924 consisted chiefly of assisting disable men and their dependents: and

WHEREAS, in 1929 Post No. 126 purchased the former Lutheran Church located at 1861 Chestnut Avenue and Legion meetings were held there from 1929 until 1954: and

WHEREAS, in 1931 Post No. 126 began offering lodging for stranded ex-servicemen in the Club House basement: and

WHEREAS, on March 28, 1935 Unit 126 of the Auxiliary for the Buena Vista Floyd-Davidson American Legion Post No. 126 Auxiliary received another Permanent Charter and still exists today: and

WHEREAS, from 1939 to 1945 World War II veterans began to join and buildup membership in Post No. 126: and

WHEREAS, in 1953 work began on the new American Legion Buena Vista War Memorial Building located at 19th and Magnolia Avenue: and

WHEREAS, on December 31, 1954 the Buena Vista War Memorial Building was dedicated to all veteran's past and present; and

WHEREAS, on January 5, 1981, Squadron 126, of the Buena Vista Floyd-Davidson American Legion received another Permanent Charter after years of inactivity and is still in existence today and growing; and

WHEREAS, on August 24, 2017 the Floyd-Davidson American Legion Post incorporated as The Floyd-Davidson American Legion Post 126, Inc.; and

WHEREAS, on October 13, 2019, Veterans Memorial Bridge that goes across the Maury River separating the City of Buena Vista and the Glen Maury Park was dedicated to veterans, past and present and future; and

WHEREAS, The Floyd-Davidson American Legion Post 126, Inc. continues to provide services to its veterans and their dependents in the Buena Vista, Lexington, and Rockbridge County communities.

NOW THEREFORE, the Council of the City of Buena Vista does hereby congratulates and thanks The Buena Vista Floyd-Davidson Post 126, Inc. of the American Legion on their 100th year of providing services to all the brave men and women who have fought and continue to fight for freedom for all the citizens of the United States of America.

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

NB #2 APPOINT A NEW VICE-MAYOR:

Mayor Fitzgerald asked Council to please consider Councilman Cooper as the new Vice-Mayor since he has served in the position in the past and did a very good job.

Mayor Fitzgerald motioned to appoint Councilman Cooper as the new Vice-Mayor, seconded by Councilman Coffey.

Councilman Henson motioned to appoint Council Member Hickman as the new Vice-Mayor, seconded by Councilman Coffey.

Ms. Wheeler polled Council as follows for the appointment of Council Member Hickman as Vice-Mayor:

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

By a vote of 4 to 3, Council Member Hickman was appointed Vice-Mayor.

EXECUTIVE SESSION:

Mayor Fitzgerald read the following:

- (1.) **ACCORDING TO SECTION 2.2-3711 (A) (7) OF THE 1950 CODE OF VIRGINIA, AS AMENDED, FOR THE PURPOSE OF CONSULTING WITH LEGAL COUNSEL CONCERNING THE ACA LAWSUIT.**
- (2.) **ACCORDING TO SECTION 2.2-3711 (A) (6) OF THE 1950 CODE OF VIRGINIA, AS AMENDED, FOR THE PURPOSE OF INVESTING PUBLIC FUNDS IN THE DISPOSITION OF TRASH AND REFUSE.**
- (3.) **ACCORDING TO SECTION 2.2-3711 (A) (5) OF THE 1950 CODE OF VIRGINIA, AS AMENDED, FOR THE PURPOSE OF DISCUSSING A PERSPECTIVE NEW BUSINESS THAT HAS NOT BEEN PREVIOUSLY DISCLOSED.**

Motion was made by Councilman Cooper to go into Executive Session, seconded by Councilman Coffey, carried by Council.

CERTIFICATION OF EXECUTIVE MEETING

MOTION: Councilman Cooper
SECOND: Councilman Coffey

DATE: February 4, 2021

WHEREAS, the Buena Vista City Council has convened an executive meeting as follows:

- (1.) ACCORDING TO SECTION 2.2-3711 (A) (7) OF THE 1950 CODE OF VIRGINIA, AS AMENDED, FOR THE PURPOSE OF CONSULTING WITH LEGAL COUNSEL CONCERNING THE ACA LAWSUIT.**

- (2.) ACCORDING TO SECTION 2.2-3711 (A) (6) OF THE 1950 CODE OF VIRGINIA, AS AMENDED, FOR THE PURPOSE OF INVESTING PUBLIC FUNDS IN THE DISPOSITION OF TRASH AND REFUSE.**

- (3.) ACCORDING TO SECTION 2.2-3711 (A) (5) OF THE 1950 CODE OF VIRGINIA, AS AMENDED, FOR THE PURPOSE OF DISCUSSING A PERSPECTIVE NEW BUSINESS THAT HAS NOT BEEN PREVIOUSLY DISCLOSED.**

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.

Brian Kearney
City Attorney

REGULAR SESSION: Councilman Coffey moved to return to regular session, seconded by Councilman Staton, carried by Council.

Mayor Fitzgerald

Vice-Mayor Hickman

Mr. Staton

Mr. Henson

Mr. Coffey

Mr. Cooper

Mr. Webb

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

Brian Kearney
City Attorney

William H. Fitzgerald