

**CITY OF BUENA VISTA
REGULAR COUNCIL MEETING
AND EXECUTIVE SESSION
JANUARY 7, 2021
(VIRTUAL)**

The City Council for the City of Buena Vista met for a Regular (Virtual) Council meeting and Executive Session on Thursday, January 7, 2021 at 6:00 p.m.

Council Members Present:
Melvin Henson
Stanley Coffey
Tyson Cooper

Mayor Bill Fitzgerald
Cheryl Hickman
Vice-Mayor Clark
Danny Staton

Members Absent: None.

ADG #1 PLEDGE OF ALLEGIANCE AND PRAYER:

Vice-Mayor Clark delivered the opening prayer.

ADG #2 APPROVAL OF THE AGENDA:

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

ADG #3 APPROVAL OF THE MINUTES FROM THE REGULAR COUNCIL MEETING (VIRTUAL) HELD ON DECEMBER 17, 2020 AND THE EXECUTIVE SESSION HELD ON DECEMBER 22, 2020:

Motion was made by Councilman Coffey to approve the above-mentioned minutes, seconded by Councilman Staton, 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.

Mr. Sam Hirt, 2057 Chestnut Avenue introduced himself to Council and informed them that he would like to become active in serving the community.

Ms. Wheeler said she would send him an application along with a copy of the agenda to see if he would be interested in serving on any of the vacancies on the boards and committees.

ADG #5 REPORTS:

- 1.) **Mayor:**
None.

2.) City Manager:

Mr. Scudder started his report by advising that Tom Roberts got another forestry grant and planted trees on 10th Street. Mr. Scudder reminded Council that he had emailed them information about Counties having the same authority as Cities to do cigarette taxes beginning in July. He said he shared all the history about where the City of Buena Vista has been on the subject over the years. There will be a robust effort between local jurisdictions in this area to establish a tax on cigarettes. The tax will be based on all 3 jurisdictions.

3.) City Attorney:

None.

4.) Council Committee/Representative:

Vice-Mayor Clark said she has heard a lot of positive feedback on the Christmas Parade and how the Police Department handled the traffic. She also reported that the BVCPS would be returning to the classroom on Monday, January 11, 2021.

Councilman Coffey wanted to know the status of moving the dirt down on 10th Street.

Mr. Scudder said he will make sure the dirt gets removed very soon.

Councilman Henson cautioned everyone to be careful because of COVID. He has lost 3 friends in the past week due to the virus. He then wanted to know what information Mr. Kearney had on the meeting scheduled for January 12, 2021. He reminded everyone there is a Planning Commission meeting scheduled for January 12 beginning at 7:00 p.m.

Mr. Kearney said he had sent an email to Councilman Henson stating the Council meeting would probably last only about 30 minutes.

Mayor Fitzgerald wanted to know if having the meeting earlier would make it easier for the Planning Commission meeting.

Ms. Wheeler said the only problem with changing the Council meeting earlier is Councilman Staton might not be able to attend.

Mayor Fitzgerald asked Councilman Staton if could take a few minutes from work on January 12th if the meeting started at 5:00 p.m.

Councilman Staton said he could attend the meeting if it starts at 5:00 p.m.

Ms. Wheeler will revise the agenda changing the time for the meeting from 6:00 p.m. to 5:00 p.m.

Council Member Hickman wanted to know if the Finance Committee meeting that is also scheduled for January 12th can be changed to January 19th beginning at 5:30 p.m.

Ms. Wheeler will revise the notification of the Finance Committee meeting from January 12th to January 19th.

Mr. Scudder said before we know it, we are going to be in the middle of the budget season. He opined we really need to start lining up some goals and information for this year's budget. Robinson, Farmer, Cox will be here for the January 21st meeting.

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

THE ROCKBRIDGE AREA COMMUNITY SERVICES BOARD:

MS. JANET JOLLY'S TERM EXPIRED ON DECEMBER 31, 2020. THIS IS A 2 YEAR TERM AND THE FOURTH 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 Council meeting.

THE ROCKBRIDGE DISABILITY SERVICES BOARD:

MS. PAM ROBEY'S TERM EXPIRED ON DECEMBER 31, 2020. THIS IS A 4 YEAR TERM AND THE FOURTH 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 Council meeting.

THE PLANNING COMMISSION:

MR. PRES MANUAL'S TERM EXPIRED ON DECEMBER 31, 2020. THIS IS A 4 YEAR TERM AND THE FOURTH 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 Council meeting.

THE BUENA VISTA ECONOMIC DEVELOPMENT AUTHORITY:
**MR. LEON BARKER HAS RESIGNED FROM THE BUENA VISTA ECONOMIC DEVELOPMENT BOARD. THIS IS A 4 YEAR TERM AND THE THIRD TIME IT HAS APPEARED ON THE AGENDA. ADVERTISED NOVEMBER 18, 2020 THE NEWS GAZETTE: WEB SITE AND CHANNEL 18 NOVEMBER 12, 2020-
NO APPLICANTS**

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

OLD BUSINESS:
NONE.

NEW BUSINESS:
NONE.

EXECUTIVE SESSION:
Mayor Fitzgerald the following:

- (1.) ACCORDING TO SECTION 2.2-3711 (A) (1) OF THE 1950 CODE OF VIRGINIA, AS AMENDED, FOR THE PURPOSE OF DISCUSSING PROSPECTIVE CANDIDATES FOR APPOINTMENT TO CITY COUNCIL:**
- (2.) 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:**

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

CERTIFICATION OF EXECUTIVE MEETING

MOTION: Councilman Henson
SECOND: Councilman Coffey

DATE: January 7, 2021

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

- 1.) ACCORDING TO SECTION 2.2-3711 (A) (1) OF THE 1950 CODE OF VIRGINIA, AS AMENDED, FOR THE PURPOSE OF DISCUSSING PROSPECTIVE CANDIDATES FOR APPOINTMENT TO CITY COUNCIL:**

2.) 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:

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: 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.

Brian Kearney
City Attorney

William H. Fitzgerald

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

Dawn M. Wheeler
Clerk of Council

William H. Fitzgerald
Mayor