#### CITY OF BUENA VISTA PUBLIC HEARINGS AND REGULAR COUNCIL MEETING (VIRTUAL MEETING) MAY 6, 2021 – 6:00 P.M.

#### ADG #1: PLEDGE OF ALLEGIANCE AND PRAYER:

Councilman Coffey delivered the opening prayer.

#### ADG #2:

Ms. Wheeler read the following:

#### PUBLIC HEARING #1 CITY COUNCIL May 6<sup>th</sup> 2021

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

Conditional Use Permit for 245 W 21<sup>st</sup> Street covering the following uses:

- a) 614.04-2 Beverage or food processing plants
- b) 614.04-8 Multifamily homes, apartments, or efficiencies located on the story of a building closest to the street level, when the building is mixed-use; or located in a single use building.
- c) 614.04-17 Small-scale production establishments, with tools, goods, repairs, services, equipment, and supplies in a permanent enclosed structure.

The applicant is The Advancement Foundation. The applicant proposes rehabilitating the former Mundet-Hermetite manufacturing plant into a mixed-used agricultural technology innovation center and business incubator. The project also includes loft apartments.

The Public Hearing will be held virtually via Zoom. The meeting begins at 6:00 PM on Thursday, May 6<sup>th</sup>, 2021. 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 or buenavistava.org/planning.

Join Zoom Meeting https://us02web.zoom.us/j/5528910134

#### Phone: 1 646 558 8656 Meeting ID: 552 891 0134

Mr. Roberts stated that everyone is aware of the AG-Tech Center and that Ms. Annette Patterson was in attendance. Mr. Roberts stated that in the Staff Report he would like to point out a few additional conditions that the Planning Commission agreed to.

Motion was made by Councilman Coffey to close the Public Hearing, seconded by Councilman Staton, carried by Council.

#### ADG #3: APPROVAL OF THE AGENDA:

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

#### ADG #4: APPROVAL OF MINUTES FROM THE SPECIAL CALLED COUNCIL MEETING (VIRTUAL) HELD ON MARCH 30,2021 AND THE APRIL 1, 2021, REGULAR COUNCIL MEETING (VIRTUAL):

Motion was made by Councilman Coffey to approve the minutes of the above meetings, seconded by Councilman Webb, 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.

Mrs. Fonda Coffey of the Buena Vista Junior Women's Club spoke to Council concerning a project they have undertaken to give back to the community. She showed a piece of art that was designed by Courtney Dickinson Austin that the Junior Woman's Club would like to put in the Town Square. The piece of art will be done by Lou Hamilton. Jean Clark will also be looking for grants to help with the project.

Councilman Coffey asked for the size of the piece of art.

Mrs. Coffey said it will be about 4-foot-high sitting on a concrete pad.

Councilman Coffey said he spoke with Jean Clark and Mrs. Elrod at the Action BV meeting about maybe putting the piece of art at the Buena Vista Library. We do not have a design plan for the Town Square yet and we do not know how much room we would have to place it.

Mayor Fitzgerald suggested it be put behind the flower garden in the Town Square.

Councilman Coffey said it would be beautiful sitting at the library.

Councilman Webb suggested it be put in the Town Square. He also reminded Council that the Junior Women's Club repaired the clock at the library and restored the old water fountain.

Mrs. Coffey said they purchased the clock and restored the water fountain. They are concerned about the cost. The project must be within their budget.

Councilman Coffey wanted to know who will be responsible for writing the grant. Kristina Ramsey said that Jean Clark will help along with Lou Hamilton.

Mrs. Coffey requested that the Town Square Committee decide where the piece can be put.

Vice-Mayor Hickman opined it is a great idea and she would like for the piece of art be visible. She advised the committee will meet again the first week in June. Mrs. Coffey asked Kristina to let her know when the next meeting is scheduled.

#### ADG #6: REPORTS:

1.)<u>Mayor:</u> None.

#### 2.) City Manager:

Mr. Tyree reported that the flags on the 10<sup>th</sup> Street Bridge have just been replaced and the storm broke them again. The flags will be put back up with heavy duty brackets before Memorial Day. He also said that he and Brian Kearney met with Hunter Young and RKK the other day so hopefully we will be getting some preliminary engineering reports within the next couple of weeks.

Councilman Coffey wanted to know if they filed for the million-dollar grant. He said the reason he asked was because when Jay was here, Ronnie Campbell told Jay they were going to have that money available through a grant and the sooner we submitted the grant the better off we would be.

Mr. Kearney responded by saying they have not filed for the grant. They are still working on the engineering.

Councilman Coffey wanted to know if the WWTP and RKK decided what process they are going with. He wanted to know if they were going to go back to the RBC's. He stated that he did not know how they could do any kind of engineering report when they do not have a process.

Mr. Kearney said there was supposed to be multi layers of engineering. Council will have to look at it and see what we can afford; what grants we can get; and maybe of the COVID monies we can get for infrastructure projects especially for water and sewer.

Councilman Coffey said the COVID money we are supposed to get is to be used for infrastructure, water, and sewer.

Mr. Kearney said there are loans available with low interest rates along with the COVID monies and the grant monies. He said he has told them the sooner we get the engineering the quicker we can it get in.

#### 3.) City Attorney:

None.

#### 4.) Council Committee/Representative:

Councilman Henson started his report by saying that the Town Square needs input from Council as to what they want to see put in there. He advised there were 110 campers at the park this weekend as well as 80 golfers at the golf course over the weekend. He opined the Town Square movie was good. There are several areas of the City that has tall grass. Public Works have been working on potholes which is a big concern, and they are also mowing. He said the cemetery is looking good.

Councilman Webb was the next to speak concerning cars parked at Grace Auto. He has had some complaints this week, so he went down there and there are 40 cars parked on that little piece of property.

Tom Roberts advised his department is working on this piece of property.

Councilman Coffey reported that they also park cars across the street.

Councilman Webb said the man beside of Grace had to put a fence up to keep them from parking cars on his property.

Councilman Coffey then stated that the Guy Carawan event at the park was a great success. We made money for the park. He thanked everyone involved with the event for doing a great job. He also opined that the locked bathrooms are working great.

#### ADG #7: CONSIDER APPOINTMENTS TO VARIOUS BOARDS, COMMISSIONS, AND COMMITTEES:

#### THE MAURY SERVICE AUTHORITY:

MR. JIMMY CARTER'S TERM WILL EXPIRE ON MAY 31, 2021. THIS IS A FOUR-YEAR TERM AND THE THIRD TIME IT HAS APPEARED ON THE AGENDA. MR. CARTER HAS MOVED FROM BUENA VISTA AND CANNOT SERVE AGAIN. ADVERTISED ON MARCH 17, 2021, THE NEWS GAZETTE: social media MARCH 11, 2021:

**NO APPLICANTS** - Mayor Fitzgerald said he is willing to serve on this Authority if Council appoints him. Motion was made by Councilman Coffey to appoint Mayor Fitzgerald to serve on the Authority, seconded by Council Webb, carried by Council.

#### OLD BUSINESS: None.

# NEW BUSINESS: NB #1: FIRST READING OF AN ORDINANCE FOR A CONDITIONAL USE PERMIT FOR 245 w 21<sup>ST</sup> STREET: Ms. Wheeler read the following Ordinance: Conditional Use Permit 245 W 21<sup>st</sup> Street Ordinance Text

4/28/2021

**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 following Conditional Uses shall be permitted on the property at 245 W 21<sup>st</sup> Street, known as the former Mundet-Hermetite site, to further the proposed agricultural technology innovation center:

- 1. 614.04-2 Beverage or food processing plants
- 2. 614.04-8 Multifamily homes, apartments, or efficiencies located on the story of a building closest to the street level, when the building is mixed-use; or located in a single-use building; with the following conditions:
  - a. Housing may occupy no more than 25% of the square footage of the existing building.
  - b. Housing will consist of between 8 and 20 apartments.
  - c. No housing unit will be less than 320 square feet.
  - d. The Advancement Foundation purchase of the property
- 3. 614.04-17 Small-scale production establishments, with tools, goods, repairs, services, equipment, and supplies in a permanent enclosed structure.

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

William Fitzgerald, Mayor

ATTEST:

Dawn Wheeler, Clerk of Council

Date

Mr. Kearney suggested before the second reading we add the Ordinance is based upon the property being acquired.

## NB #2:DISCUSS THE SPECIAL EVENT PERMIT ANDPOLICY:

Ms. Kristina Ramsey said they wanted to come to Council tonight and present what they have been working on during the last year. She said when she says "we", she is referring to the Police Emergency Department, Public Works, Parks and Recreation and the City Manager. They set to create the policy to streamline the process for planning and hosting events in the City. As of right now we do not have a policy nor a contact person for planning an event. Behind the scenes planning an event has been difficult. She advised that Council has in their packets a full events policy. She then shared the website screen (see the report in the minute book).

Councilman Cooper asked Mr. Kearney if we are violating any foul in the right to assemble. The policy says that no more than 5 people can assemble on City property without a permit.

Mr. Kearney said he would look at the policy very closely and advise his findings. Councilman Cooper wanted to know if there are any exceptions to the rule for the fees.

Ms. Ramsey said it would be at the discretion of the Special Events Panel. This subject was discussed in great length and feel certain events should still pay the \$25.00 fee or the rental fees might be a little different depending on the non-profit organization.

Councilman Webb wanted to know who set the rental fees for the buildings.

Ms. Ramsey said she does not know who set the fees.

Ms. Wheeler said that Council set the rates a few years back.

Councilman Henson opined that Kristina and her group have done a fantastic job and this event permit has been long overdue.

## NB #3:RESOLUTION RECOGNIZING MAY AS BUSINESSAPPRECIATION MONTH IN BUENA VISTA:

Ms. Wheeler read the following Resolution:

#### CITY OF BUENA VISTA <u>RESOLUTION RECOGNIZING MAY AS</u> <u>BUSINESS APPRECIATION MONTH IN BUENA VISTA- R21-01</u>

**WHEREAS,** on May 1, 2019, Governor Northam declared the month of May as Business Appreciation Month in the Commonwealth of Virginia; and,

**WHEREAS** Buena Vista businesses are vital to the City's economic prosperity and growth; and,

**WHEREAS** Buena Vista businesses provide jobs, products, and services to our residents, residents in our surrounding communities, and consumers far and wide; and,

**WHEREAS** Buena Vista businesses felt the impact of the C OVID -19 pandemic, and most were able to adapt, survive and even thrive through these tremulous times: and,

**WHEREAS** Buena Vista's top employment industries include higher education, retail trade, manufacturing, food service, and professional services, all of which were impacted by the pandemic; and,

**WHEREAS** Buena Vista is currently home to 267 business license holders and 7 manufacturing operations: and,

**WHEREAS,** as many Buena Vista business license holders are small businesses operated by dedicated entrepreneurs; and,

**WHEREAS** Buena Vista extends its gratitude and appreciation for the dedication and perseverance of all our local businesses.

**THEREFORE, BE IT RESOLVED,** The City Council of Buena Vista, do hereby recognize May 2021 as Business Appreciation Month in the Commonwealth of Virginia, and here in Buena Vista, we call this observance to the attention of all our citizens and ask that you thank your local business owners and support their operations.

William Fitzgerald, Mayor

Attest:

Dawn Wheeler, Clerk of Council

Date:

Motion was made by Council Henson to approve the above Resolution, seconded by Councilman Coffey, carried by Council.

## NB #4:RESOLUTION FOR THE ADOPTION OF THECENTRAL SHENANDOAH HAZARD MITIGATION PLAN 2020UPDATE:

Ms. Wheeler read the following Resolution:

#### **RESOLUTION – R21-02**

#### Adoption of the Central Shenandoah Hazard Mitigation Plan 2020 Update

**WHEREAS,** the City Council of Buena Vista, Virginia recognizes the threat that natural and manmade hazards pose to people within the City of Buena Vista: and

**WHEREAS,** the Disaster Mitigation Act of 2000, as amended, requires that local governments develop and adopt natural hazard mitigation plans to receive certain federal assistance and update these plans; and

**WHEREAS** the Central Shenandoah Hazard Mitigation Plan (CSHMP) identifies mitigation strategies to reduce or eliminate long-term risk to people and property in our community and in the Central Shenandoah Region from the impacts of future hazards and disasters; and

**WHEREAS** the CSHMP Steering Committee representing the 21 local jurisdictions of the Central Shenandoah Planning District convened to review the original Plan and study the Region's risks from and vulnerability to natural hazards, and to make recommendations on mitigating the effects of such hazards on the Region: and

**WHEREAS** the Steering Committee was provided staff support by the Central Shenandoah Planning District Commission; and

WHEREAS, the efforts of the Steering Committee, the staff of the Central Shenandoah Planning District Commission, as well as members of the public, private, and nonprofit sectors, have resulted in the development of the 2020 Update of the Central Shenandoah Hazard Mitigation Plan for the City of Buena Vista: and

**WHEREAS** the Central Shenandoah Regional Wildfire Community Protection Plan (CSRWPP) is an annex to the Central Shenandoah Hazard Mitigation Plan and is included in this resolution,

**NOW THEREFORE, BE IT RESOLVED** by the City Council of Buena Vista, Virginia that the Central Shenandoah Hazard Mitigation Plan 2020 Update is hereby approved and adopted for the City of Buena Vista.

Adopted by the	 _this	day of _	, ,	
2021				

Motion was made by Councilman Coffey to approve the above Resolution, seconded by Councilman Henson, carried by Council.

William H. Fitzgerald, Mayor

Attest:

Dawn Wheeler, Clerk of Council

Date:

## NB #5:FIRST READING OF THE ORDINANCE FOR THEPROPOSED 2021-2022 TAX RATES FOR THE CITY OF BUENAVISTA:

Ms. Wheeler read the below Ordinance:

#### AN ORDINANCE ESTABLISHING THE TAX RATES FOR THE CITY OF BUENA VISTA, VIRGINIA FOR THE FISCAL YEAR 2022

#### **ORDINANCE**

**BE IT ORDAINED BY THE COUNCIL FOR THE CITY OF BUENA VISTA, VIRGINIA,** that in accordance with Section 26-1 of the Code of the City of Buena Vista, there is hereby levied upon taxable real estate an effective tax rate of One Dollar and Twenty-Seven Cents (\$1.27) per One Hundred Dollars (\$100.00) assessed valuation for the fiscal year 2022, said levy to be based upon the value of such property as of July 1, 2021.

**BE IT FURTHER ORDAINED,** that there is hereby levied upon Personal Property a tax rate of Five Dollars and Eighty-Five Cents (\$5.85) per One Hundred Dollars (\$100.00) assessed valuation for the calendar year 2021, said levy to be based upon the value of such property as of January 1, 2020.

**BE IT FURTHER ORDAINED,** that there is hereby levied upon all public service corporation real estate the sum of One Dollar and Twenty-Seven Cents (\$1.27) per One Hundred Dollars (\$100.00) assessed valuation for the fiscal year 2022, said levy to be based upon the value of such property as of January 1, 2021.

**BE IT STILL ORDAINED,** that the Refuse fee shall be Twenty-One Dollars and zero cents (\$21.00) per month residential and shall be Eight Dollars and Forty cents (\$8.40) per unit commercial.

**BE IT STILL FURTHER ORDAINED,** that all other tax rates not expressly defined above shall remain the same until further action by council.

William H. Fitzgerald, Mayor

ATTEST:

Clerk of Council

Date of Adoption

## NB #6:FIRST READING OF THE PROPOSED 2021/2022MUNICIPAL BUDGET THE CITY OF BUENA VISTA:

Councilman Cooper read the below Ordinance:

#### AN ORDINANCE APPROVING THE FISCAL YEAR 2022 BUDGET:

#### ORDINANCE

BE IT ORDAINED, the City Council on May 13, 2021, held a public hearing on the proposed budget for fiscal year 2022; and

BE IT FURTHER ORDAINED, the City Council during a series of work sessions, has developed a balanced budget for fiscal year 2022.

NOW BE IT STILL FURTHER ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BUENA VISTA, that the following budget be and the same is hereby adopted for fiscal planning purposes:

#### **GENERAL FUND REVENUE**

<u>ITEM</u>	PROPOSED
	<u>2021-22</u>
General Property Taxes	\$6,433,620
Other Local Taxes	1,953,000
Permits, Privilege Fees	20,775
Fines and Forfeitures	76,420
Earnings from Investments	3,000
Charge for Services	852,676
Miscellaneous Revenue	258,759
Non-Categorical Aid from Virginia	681,919
Shared Expenses	930,577

Categorical Aid from Virginia	745,000
Categorical Aid Federal	174,023
<b>Transfers - Other Funds</b>	<u>10,000</u>
TOTAL GENERAL FUND REVENUE	E\$15,139,769

GENERAL FUND EXPENDITUR	ES
City Council	\$ 39,598
City Manager	147,221
City Attorney	70,000
Information Technology	136,000
Finance Director	256,475
Independent Auditor	59,800
Commissioner of the Revenue	203,207
Reassessment	33,000
Board of Equalization	3,000
City Treasurer	284,811
Insurance	68,600
Electoral Board	123,124
Circuit Court	6,234
General District Court	7,020
Juvenile & Domestic Relations Court	33,610
Clerk of the Circuit Court	248,352
City Sheriff	443,093
Commonwealth's Attorney	248,002
Criminal Justice Services	74,023
Police Department	1,625,985
Fire Department	158,000
Rescue Squad	110,903
Probation Officer	3,000
Magistrate	420
Medical Examiner	150
Economic Development	110,608
Planning	216,530
Administration & Engineering	166,154
Street Maintenance	1,103,390
Street Lights	73,000
<b>Refuse Collection Department</b>	424,987
Refuse Disposal	300,000
Maintenance of Building & Grounds	399,109
Maintenance of Greenhill Cemetery	145,679
General Tax Relief	80,000
Retiree Medical Plan	30,000
Central Dispatch	326,364
School Fund	2,433,803
Regional Jail	670,000
<b>Transfers to Other Funds</b>	441,706
Debt Service	187,968

Social Services	3,100,000
Non-Profit Agencies	<u>412,998</u>
TOTAL GENERAL FUND EXPENDITURES	\$15,005,875

#### WATER REVENUE PROPOSED

	0 10
ITEM	<u>2021-22</u>
Charge for Services	\$1,391,217
WATER Fund Revenues	\$1,391,217

#### WATER EXPENDITURES

Water Administration	101,018
Water Maintenance	344,070
Water Production	321,472
Debt Service	576,856
WATER FUND EXPENDITURES	\$1,343,416

#### SEWER REVENUE

PROPOSED

ITEM	<u>2021-22</u>
Charge for Services	\$1,201,345
Sewer Fund Revenues	\$1,201,345

#### SEWER EXPENDITURES

Sewer Administration	100,018
Sewer Maintenance	331,414
Wastewater Treatment Plant	769,913
SEWER FUND EXPENDITURES	\$1,201,345

## PARKS AND RECREATION REVENUEPROPOSED2020-21Charge for Services & Misc. Revenue195,800Transfer From General Fund141,724TOTAL PARK FUND REVENUE\$ 337,524

#### PARKS AND RECREATION EXPENDITURES

Administration \$	54,456
Recreation Department	125,809
Activities Department	16,300
Maintenance of Parks and Campgrounds	83,172
Swimming Pool	<u>57,787</u>
TOTAL PARK FUND EXPENDITURE	S \$ 337,524

#### GOLF COURSE REVENUE PROPOSED

<u>ITEM</u> <u>2021-2</u>	22
Charge for Services TOTAL GOLF COURSE REVENUE	<u>\$ 468,041</u> \$ 468,041
GOLF COURSE EXPENDITURES	
Golf Operations	<u>\$ 468,041</u>
TOTAL GOLF COURSE EXPENDITUR	ES \$ 468,041
SCHOOL CONSTRUCTION REVENUE PROPOSED	
<u>ITEM</u> <u>2021-22</u>	<u>2</u>
City Funds Transfer School Operation Fund	\$ 313,065 140,000
Golf Operations TOTAL GOLF COURSE EXPENDITUR SCHOOL CONSTRUCTION REVENUE PROPOSED ITEM 2021-22	ES \$ 468,041 <u>2</u> \$ 313,065

#### <u>18,173</u>

#### TOTAL SCHOOL CONSTRUCT REVENUE\$ 471,238

#### SCHOOL CONSTRUCTION EXPENDITURES

Literary Loan	\$ 375,000
Bus Lease	53,474
Middle School Loan	<u>42,764</u>

TOTAL SCHOOL CONSTRCT EXPEND \$ 471,238

#### SENIOR CENTER FUND REVENUE PROPOSED 2021-22

ITEM

BV/Lex/Rock County	\$ <u>8,500</u>
TOTAL SENIOR CENTER REVENUE	\$ 8,500

#### SENIOR CENTER FUND EXPENDITURES

Utilities and Operation Costs	<u>\$</u>	8,500
TOTAL SENIOR CENTER EXPEND	\$	8,500

SCHOOL NUTRITION FUND	<u>REVENUE</u>			
	PROPOSED			
ITEM	<u>2021-22</u>			
Nutrition Revenues		\$	413,669	
TOTAL SCHOOL NUTRITIO	N REVENUE	\$	413,669	
SCHOOL NUTRITION FUND EXPENDITURES				
Nutrition Expenses	\$ 413,669			
TOTAL SCHOOL NUTRITIO	ON EXPEND	\$	413,669	

William Fitzgerald, Mayor

ATTEST:

Dawn Wheeler, Clerk of Council

DATE:

## NB #7:FIRST READING OF THE ORDINANCEAPPROPRIATING FUNDS FOR THE OPERATION OF THE CITYOF BUENA VISTA FOR THE FY2022:

Ms. Wheeler read the below Ordinance:

#### **ORDINANCE**

#### AN ORDINANCE APPROPRIATING FUNDS FOR THE OPERATION OF THE CITY OF BUENA VISTA FOR THE FISCAL YEAR 2022

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BUENA VISTA, VIRGINIA,** that in accordance with 4-1, Budgets and Appropriations, of the Charter of Buena Vista, funds to support the operations of the City for the Fiscal Year 2022 is hereby appropriated effective July 1, 2021, in the amount of \$19,229,344 and in accordance with the following provisions:

General Fund	\$15,005,875
Water Fund	1,343,416
Sewer Fund	1,201,345
Parks & Recreation Fund	337,524
Golf Course Fund	468,041
School Construction Fund	450,974
Senior Center Fund	8,500
School Nutrition Fund	<u>413,669</u>
Total FY 2021 Budget	\$19,229,344

William H. Fitzgerald, Mayor

ATTEST:

Clerk of Council

Date of Adoption

#### ADJOURN:

There being no further business the meeting was adjourned.

William H. Fitzgerald, Mayor

ATTEST:

Dawn M. Wheeler, Clerk of Council

DATE: