

**CITY OF BUENA VISTA
REGULAR COUNCIL MEETING
COUNCIL CHAMBERS
OCTOBER 7, 2021 - 6:00 P.M.**

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 Webb, carried by Council.

ADG #3 APPROVAL OF SEPTEMBER 16, 2021, PUBLIC HEARING AND REGULAR COUNCIL MEETING:

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

Dr. Laura Kornegay, Health Director of the Central Shenandoah Health District came tonight to recognize all the work of the locality and some work that specific folks have done during the pandemic. It is hard to believe since March 2020, we have had over 38,000 cases in our district that have been investigated, 1,400 hospitalizations, and about 597 deaths throughout the district. Public Health has been able to provide through collaboration with communities such as Buena Vista, 60,256 vaccines to date. Throughout the district, 174,000 vaccines have been distributed. She opined the one silver lining of the pandemic has been the increased collaboration among public health partners. They would like to take the opportunity during the pandemic to appreciate all the hard work that has been done. She then presented a certificate of appreciation to Waylon Miller thanking him for all his help during this pandemic.

ADG #5 REPORTS:

1.) Mayor:

None.

2.) City Manager:

Mr. Tyree advised that he attended the VML conference on Monday and Tuesday and one of the scary seminars was regarding the increase in the number of FOIA requests made nationally, state and localities. They did not have a real good breakdown of localities because only the bigger cities and counties are keeping track of the FOIA requests. Over the last 5 years there has been a tremendous amount of FOIA requests coming in. He will put some things together based on some feedback from some of the other localities and will be sending some information out to Council in the next few weeks.

3.) City Attorney:

None.

4.) Council Committee/Representative:

Councilman Henson advised it is Fire Prevention Week and the firehouse will be open on Saturday. Downtown trick or treating will be held on October 29 and at the park on October 30. There will be music by Party Crashers from 6:30 to 9:30 at GMP on October 30. Mountain Day is Saturday October 9.

Councilman Coffey wanted to know if Mr. Roberts had talked to the people from Beers and Brawls.

Mr. Roberts said he did talk to them, and they are not coming.

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

THE BOARD OF ZONING APPEALS:

MR. ART FURLER'S TERM WILL EXPIRE ON 12/31/25. THIS IS A FIVE-YEAR TERM AND THE SEVENTH TIME IT HAS APPEARED ON THE AGENDA. THE TERM WILL BEGIN IMMEDIATELY. MR. FURLER HAS MOVED AND IS UNABLE TO CONTINUE TO SERVE:

NO APPLICANTS: ADVERTISED THE NEWS GAZETTE JULY 7, 2021, WILL POST ON SOCIAL MEDIA

This will be carried over to the next Council meeting.

OLD BUSINESS:

OB #1: RESOLUTION TO ADOPT NON-DISCRIMINATION POLICY FOR CDBG PROJECT:

Mr. Tom Roberts started the discussion by passing out the latest version of the Resolution below. On Monday he received the updated language from CDBG. As discussed at the last meeting, one of the concerns was conflict with existing non-discrimination policy and whether the terms were different. He added phrases that this is just related to activities related to the execution of the CDBG program. It is specific to this grant program. The other update was to the protected categories. There are more protected categories in this Resolution than the version Council saw at the last meeting.

Motion was made by Councilman Cooper to adopt the following Resolution, with changes, seconded by Councilman Henson, carried by Council.

Mr. Roberts read the following Resolution:

RESOLUTION R21-13

EMPLOYMENT NONDISCRIMINATION POLICY

WHEREAS, the City of Buena Vista has been offered and intends to accept federal funds through the Community Development Block Grant (CDBG) program; and

WHEREAS, the City of Buena Vista is committed to non-discriminatory, merit-based employment practices that foster a diverse and inclusive workplace,

BE IT RESOLVED that in any activities related to the execution of the CDBG program, the City of Buena Vista hereby adopts the following employment non-discrimination policy statement:

The City of Buena Vista or any employee thereof will not discriminate in employment, housing or accommodations because of race, color, religion, national origin, sex or gender, age, familial status, source of income, veteran status, disability, sexual orientation, or gender identity.

Administrative and personnel officials will take affirmative action to ensure that this policy shall include, but not be limited, to the following: employment, upgrading, demotion or transfer; rates of pay or other forms of compensation; and selection for training.

Applicants, employees, and former employees are also protected from retaliation (punishment) for filing a charge or complaint of discrimination, participating in a discrimination investigation or lawsuit, or opposing discrimination (for example, threatening to file a charge or complaint of discrimination).

Dated October 7th, 2021

William H. Fitzgerald, Mayor

ATTEST:

Dawn M. Wheeler, Clerk of Council

OB #2 MR. JAKE SHEWEY TO DISCUSS THE GREENWOOD CEMETERY:

Mr. Jake Shewey started the discussion by advising years ago Mrs. Irma Thompson got some of the research done for the cemetery. They found thirty-seven names of people buried there. On First Street that goes down through there the City only owns fifteen feet of the property and that is the only way to get into the cemetery. Mr. Steve Douty owns the property on both ends of the property. He telephoned Mr. Douty and told him they wanted some of his property. He marked the plat and met with Mr. Douty. Mr. Douty agreed with the marked-up plat. (Copy of the marked-up plat is in the minute book) The City owns the cemetery itself and Mr. Douty owns the land on both side of it. There are red marks on First Street that represents the fifteen feet of property that the City owns. He marked out thirty feet on one side and 30 to 35 feet on the other side. The next red line goes straight up and there are no more grave sites on that side. You will then go by Mr. Beverly's property line which also does not have any graves. You then go over to Mr. Douty's land which is 3/10's of an acre. The old part goes straight down where the City will have seventy-five feet. Mr. Douty said he will survey and put all new corners in. Mr. Shewey asked Mr. Douty to stay five feet away the property line and graves. Mr. Douty will do the survey for free.

Mr. Tyree said in green on the plat is the proposed new area. The City owns most of the cemetery. However, there is a part that is outside of the City property line boundary. This proposal incorporates the entire cemetery. The City would gain about 3/10's of an acre.

Val said they have had a great day. The four of them (Preston, Mike, Jake, and Val) had visitors today from the Virginia Department of Historical Resources. Two experts came in. One was Joanna Green who is the archologist for cemetery preservationist and the other is Tim Roberts who is the community outreach coordinator for the department. They went through the cemetery. This was the first time Val had been all the way through the cemetery and it was really touching to her. The visitors were very excited about what they saw. They are exploring and gathering information to enter the State data base. This particular State agency offer a lot of resources free of charge. They are considering what they went through today as sacred ground. They are considering Jake's proposal and what they would like to do at the cemetery. They support the proposal, and they will be including that in a summary.

She suggested that anyone who has not been through the cemetery should go. So many of the folks that built our City are buried there.

Councilman Coffey wanted to know if there are any grants available that could be used for this project.

Val said there are plenty of grants.

Mr. Shewey advised they will be applying for grants and also looking for donations. He said it feels very peaceful in the cemetery. There are gravestones falling. He said back in the day, people would gather rocks and lay off family areas to be buried in. He asked Jeremiah Brockenbrough at the school about the kids making the bulletin board with a roof and also with a plexiglass window. He said it would be a great project for the students.

Councilman Henson wanted to know how much of the property they will lose by the slope of the hill plus Pedlar Gap.

Mr. Kearney said they are going to actually gain property.

NEW BUSINESS:

None.

ADJOURN:

There being no further business, the meeting was adjourned.

William H. Fitzgerald, Mayor

ATTEST:

Dawn Wheeler, Clerk of Council

DATE:
