

**CITY OF BUENA VISTA
REGULAR COUNCIL MEETING
COUNCIL CHAMBERS
NOVEMBER 18, 2021 - 6:00 P.M.**

ADG #1: PLEDGE OF ALLEGIANCE AND PRAYER:

Councilman Coffey delivered the opening prayer.

ADG #2: PUBLIC HEARING:

Mayor Fitzgerald read the following:

PUBLIC HEARING : LEASING CITY-OWNED VACANT LAND

Pursuant to the Code of Virginia Section 15.2-1800, notice is given that the City Council will hold a public hearing to receive comment on the following matters:

Leasing the City-owned vacant lot at 1736 Forest Avenue (Tax map ID 41-1-2-50-4) to Jason Tomlin for gardening.

The Public Hearing will be held in the City Council Chambers located in the Municipal Building located at 2039 Sycamore Avenue in Buena Vista during the regular City Council meeting at approximately 6:00 PM on Thursday, November 18th, 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 www.buonavistava.org/planning.

Mr. Tom Roberts started the discussion by saying that Mr. Jason Tomlin, whose parents live next to the lot, wants to lease the lot for gardening. This is a FEMA lot and there are deed restrictions on the lot. There was a house there, but it was taken down in the 2000's so the lot is empty. We have agreed to lease the lot to Mr. Tomlin for \$160.00 per year which is what the tax would be if the land were taxable.

Councilman Coffey wanted to know if the City could sell that FEMA lot.

Mr. Roberts said we cannot sell the FEMA lot. He also advised that the floodwall has no bearing on FEMA land. There is an appeal process, but it would take an act of congress to change the ruling on the FEMA land.

Mr. Tyree said they also require an engineering study on FEMA lots now.

Councilman Coffey wanted to know if the property that Mr. Tomlin wants to lease is FEMA property.

Mr. Roberts said the lot is not FEMA property.

Mr. Kearney said that FEMA gave the City the money to demolish the house and in return we put restrictions on the lot to meet FEMA guidelines.

Councilman Henson said the lots on 17th and 18th on Magnolia are the same way. He asked if Mr. Tomlin could store his camper on the lot now.

Mr. Tyree said he can store his camper there.

Mayor Fitzgerald closed the public hearing.

ADG #3 APPROVAL OF THE AGENDA:

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

ADG #4 APPROVAL OF THE MINUTES FROM THE REGULAR COUNCIL MEETING HELD ON OCTOBER 21, 2021, AND THE REGULAR COUNCIL MEETING HELD ON NOVEMBER 4, 2021:

Councilman Coffey made motion to approve the above listed minutes, seconded by Councilman Cooper, 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.

Chief Hartman thanked Council and Mr. Tyree for the bonuses the Police Department received. He said it really made a difference to the police officers. He also announced they were awarded the Cops Grant in the amount of \$93,000.00.

Ms. Wheeler read the following letter from the Junior Woman's Club of Buena Vista:

BUENA VISTA JUNIOR WOMAN'S CLUB

Mailing address:
c/o Betty Jo Garrett
345 Wheatland Drive
Lexington, Va. 24450

November 18, 2021

City of Buena Vista Council Members
2039 Sycamore Avenue
Buena Vista, Va. 24416

Dear Council Members,

For many years, the Buena Vista Junior Woman's Club has invested countless hours and revenue to projects that have been of benefit to the City and its citizens. We are a small non-profit club with less than 10 active members.

In addition to other projects, each year we sponsor an Angel Tree(s). This consist of collecting names of needy children from the Buena Vista School System. These children's names with their needs, clothes, and shoe sizes as well as their wishes for toys are placed on trees located at local banks. Citizens take the information and purchase gifts providing these children with a nice Christmas. The Junior Woman's Club provides gifts for the children that remain on the tree after the deadline and we also supplement gifts, toys, and clothing, for the children that need additional items. Members shop for and wrap these gifts.

As a small non-profit group, we would like to ask for a donation from the City to help us meet the needs of these families. We have provided gifts for 120 plus children and spent well over \$1,500 each year. Any amount you decide to donate for these children will be appreciated.

Thank you for your consideration. With your help, we will continue to meet the needs of the children of Buena Vista.

With best regards,
Fonda Coffey and Betty Jo
Garrett

Member representatives for
Buena Vista Junior Woman's Club

Mr. Tyree said it would be Council's decision to donate or not. We do not have anything budgeted. They spend about \$1,500.00 per year on this project.

Councilman Webb said he would think about half of the \$1,500.00. He said the Junior Woman's Club do fund raise. The Masonic Lodge is going to donate to them also.

Mayor Fitzgerald suggested that Council donate \$500.00.

Mr. Kearney said we will have to eventually do a budget amendment to cover the \$500.00.

ADG #6 REPORTS:

1.) Mayor:

None.

2.) City Manager:

Mr. Tyree advised he had a meeting with the Virginia Department of Health to discuss our water and wastewater needs. With the infrastructure act that is coming down the pipes, they are expecting to get \$30,000,000.00 for surplus water supply systems. They will have an extra \$30,000,000.00 for water repairs. They are also getting \$49,000,000.00 in a lead abatement program. They are thinking about expanding it and we will not know what they are going to do until after the first of the year. Right now, it is mainly for service lines. They are looking at water tanks that have lead based paint in the engineering report. If it is opened up with more money being available, we will be the first in line to receive it. It is a waiting game at this point. These funds will be statewide, not just for Buena Vista. USDA is also getting some funds. The good thing about the Virginia Department of Health is they go off the current census and USDA uses the old census figures. We would not have to raise rates if we get grants from VDH. He advised that Kristina and Jamie are working on Christmas and the Mayor and Skip Ramsey are working on the tree for the town square.

Ms. Ramsey said the tree will arrive tomorrow.

3.) City Attorney:

None.

4.) Council Committee/Representative:

Councilman Henson started his report by asking Chief Hartman if he knew the number of homeless veterans are in Buena Vista.

Chief Hartman said there are none of which he is aware.

Councilman Henson then asked if he knew of any homeless people in Buena Vista.

Chief Hartman said he is not aware of any homeless people in the City.

Mr. Tyree said he heard about one issue today. Cory Henson called today and said there is someone camping near one of the pump stations near the golf course. He said it may be someone coming off the trail.

Councilman Henson opined that due to the housing level we need to look at infrastructure. We have developers looking at 4 to 5 homes at a time. He said we need to look at more affordable homes and apartments. We need to encourage the contractors to build on the lots with the restrictions and requirements we now have in place.

Councilman Coffey said that Councilman Cooper has several many times in the past talked about a vision for the City and having a meeting. He opined we need to have a meeting and go over what our vision is for the City. If it involves other people, we need to have them there as well. He opined we need to look at a vision for the City 10 years down the road. We have a lot of things going on with Action BV.

Mayor Fitzgerald wanted to know how close we are to completing the comprehensive plan.

Mr. Roberts said we are not close.

Councilman Coffey said there two new businesses opening in Buena Vista. One is the Blue Bell Bakery, and the other is the Axe Throwing business in back of the Edward Jones building.

ADG #7 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 10th 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, POSTED ON SOCIAL MEDIA

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

THE ROCKBRIDGE AREA COMMUNITY SERVICES:

MR. KEITH HARTMAN'S TERM WILL EXPIRE ON DECEMBER 31, 2021. MR. HARTMAN IS ELIGIBLE TO SERVE AGAIN IF APPOINTED BY COUNCIL. THIS TERM WILL BEGIN ON JANUARY 1, 2022, AND EXPIRE ON DECEMBER 31, 2024:

NO APPLICANTS - WILL ADVERTISE THE NEWS GAZETTE ON 10/20/21: POSTED ON SOCIAL MEDIA

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

Mr. Brent Styler who serves on the Rockbridge Area Community Services Board addressed Council. Mr. Styler said there are fifteen people on the board from Buena Vista, Rockbridge County and Bath County. If they have fewer than seven people on the board they cannot operate. They have two vacancies now. The board meets about six times per year, every other month usually around 2:30 or 3:30 in the afternoon. The meetings are normally the last Wednesday of every other month. A greater concern now is they have been told by Federal people that everyone be vaccinated, or they will be terminated. That

could cause the whole place to shut down. The other two agencies may be in the same position.

Councilman Cooper wanted to know if Council should wait to find a replacement until they know whether the agency is going to close or not. He said he doubts we will have anyone 2 weeks from now to fill this vacancy.

OLD BUSINESS:

OB #1 SECOND READING OF A BUDGET AMENDMENT ORDINANCE:

Councilman Henson made motion to read the following Ordinance by title only, seconded by Councilman Cooper, carried by Council.

Ms. Wheeler read the Ordinance by title only.

BUDGET AMENDMENT ORDINANCE – ORD21-12

WHEREAS, on May 21, 2020, the City of Buena Vista adopted its budget for Fiscal Year 2021; 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 Equipment	81,204	
IT Department- IT Equipment & Software	91,665	
Sheriff Department- COVID 19 Supplies Equipment	27,480	
Fire Department- COVID 19 Supplies	16,939	
Rescue Squad- COVID 19 Equipment	22,799	
Regional Jail- COVID 19 Supplies Equipment	13,641	
Economic Development- Small Business Assistance Grants	49,500	
Non-Profits- Contributions to Community Foundation	50,000	
Transfer to Schools	100,000	
Electoral Board- CARES Election Expenses	35,948	
Federal Funds- CARES Funding		777,515

Federal Funds- Cares Election Funding		35,948
COVID Hazard Duty Pay	109,700	
City Manager- Severance	62,494	
Transfer Unappropriated General Fund		172,194

Motion to adopt the above Ordinance was made by Councilman Cooper, seconded by Councilman Henson.

Ms. Wheeler polled Council as follows:

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

William Fitzgerald, Mayor

ATTEST:

Dawn M. Wheeler, Clerk of Council

Date:

NEW BUSINESS:

NB #1 DISCUSS DEVELOPMENT RFP FOR CITY-OWNED PARCELS:

Mr. Tom Roberts started the discussion by stating that Councilman Henson brought up ways to encourage more development. For the past several years we have been talking about what we can do with some of the City's unused land. There are three parcels that have some development potential. The RFP that is in Council's packet describes where the lots are located. The general idea is to plan RFP's and contractors will respond by making proposals on some or all three of the lots. We will then evaluate them by their experience and the quality of the houses they intend to build. We will sell the lots for \$1.00 each. At the end of two years, they must have built a home. The developer is responsible for all development cost except curb and gutter. The reasons for selling the properties for \$1.00 each and providing curb and gutter is primarily that these are not prime building sites. The properties on Cedar and Chestnut in particular may involve significant expense for sitework. Also, the intention is to stimulate private-sector investment and provide housing for our workers for the long term. Assuming construction of four houses values at \$150,000.00 each (a conservative price based on recent new home sales), the one-time building permit fees will be approximately \$12,000.00 and the annual real estate tax revenue will be about \$7,620.00. The next step is to hold a City Council Public Hearing, after which Council will approve the sale of these three properties. Once approved, staff will advertise the RFP, review proposals, and select one or more contractors. Council pre-approving the sale will make the process quicker. One of the properties is on the corner of Orchard and Brook Avenue. This lot is pie shaped. The next lot is in the 1400 block of Cedar Avenue. About 15 years ago, Habitat for Humanity looked at these lots to build houses on. He opined those houses can be built on these lots with modifications. He discussed with the Planning Commission that with this property we will need to do a little bit of work in order to get vehicle access. The third property is at the south end of Chestnut Avenue. This property includes four lots but is at a dead-end of Chestnut (1100 block) and can accommodate one single-family house. The site is wooded and sloping.

Mayor Fitzgerald opined this is a good idea on a public/private partnership to get some of these lands developed. We are not getting but \$1.00 per lot, but it will turn into some revenue once the houses are built.

Mr. Tyree said it is important to note that it is a one time estimated \$12,000.00 building fee and about \$7,600.00 tax revenue. One year we will get about \$19,000.00 which he estimates what we would get if we sold the lots.

Councilman Cooper made motion to approve the presented plan, seconded by Councilman Henson, carried by Council.

Mr. Kearney said we will have to have a Public Hearing on the sale of the lots.

ADJOURNMENT:

There being no further business, the meeting was adjourned.

Dawn M. Wheeler
Clerk of Council

William H. Fitzgerald
Mayor