

**CITY OF BUENA VISTA  
PUBLIC HEARING AND  
REGULAR COUNCIL MEETING,  
COUNCIL CHAMBERS  
FEBRUARY 3, 2022 – 6:00 P.M.**

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

Councilman Cooper delivered the opening prayer.

**ADG #2: PUBLIC HEARING:**

Mayor Fitzgerald read the following:

**BUENA VISTA CITY COUNCIL  
PUBLIC HEARING  
FEBRUARY 3, 2022**

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:

- 1.) Conditional Use Permit for 2350 Beech Avenue. A four-family dwelling is proposed at this vacant site.
- 2.) Zoning Text Amendment to reduce the addition setback required for structures on corner lots, and to clarify lot area regulations.
- 3.) Zoning Text Amendment to change the name of the Seminary Hill Historic District to the Seminary Hill District. No other changes to the district are proposed.

The Public hearing will be held in Council Chambers, City Hall, 2039 Sycamore Ave., Buena Vista, Virginia 24416. The meeting begins at 6:00 p.m. on Thursday, February 3, 2022. 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, Virginia, 24416 or (540) 261-8607 or [troberts@bvcity.org](mailto:troberts@bvcity.org) or [buenavistava.org/planning](http://buenavistava.org/planning).

Mr. Jason Tyree, City Manager started the discussion concerning the conditional use permit for 2350 Beech Avenue. Mr. Bryson Adams is proposing a four-family unit in the twenty-three hundred block of Beech Avenue. The mixed-use zone requires a

conditional use permit for multifamily buildings. At the January 11, 2022, meeting of the Planning Commission, they approved the conditional use permit for 2350 Beech Avenue. It will provide much needed housing for Buena Vista workers or students. The site has been vacant for many years, and it is located in a mixed-use corridor.

Councilman Coffey wanted to know if the property is located between the barber shop and the Five and Dime Pizza store.

Mayor Fitzgerald advised the property is located where Councilman Coffey said it is.

Mr. Tyree began the discussion on the second item that is a zoning text amendment to reduce the setback required for construction on corner lots and to clarify lot regulations. At the January 11, 2022, Planning Commission meeting they approved recommendation to City Council. This is making it a little bit clearer. He said right now it takes a lawyer to read the zoning text. It reduces the corner set-back to make it more in line with what other communities have. It is clearing up things so citizens can understand the zoning requirements.

Mr. Kearney advised the zoning text amendment for corner lots makes it more clear for people to understand.

Mr. Tyree said that Mr. Robert's analysis says that the dimensional regulations lists minimum front, side, and rear setbacks for primary and accessory building in many zones. Some of the wordage that is currently in our code say, "Add 15 feet for corner lots." In R3 it will be going from a 20-foot corner minimum setback to 10-feet. Mr. Tyree said that basically there are several corner lots right now that people cannot build on even though it would fit a house because of our current regulations. This will turn several lots that are unbuildable to buildable lots. He said this will hopefully increase our housing market.

Mrs. Christina Himes of 2474 Maple Avenue wanted to know how much change it will be.

Mr. Tyree said it will go from twenty feet on the side to ten feet.

Mrs. Himes wanted to know if people were requesting this at the present time or something that was brought up in the community.

Mr. Tyree said since he has been City Manager, there have been at least two owners that have discussed this because they own corner lots. They have requested that Mr. Roberts get involved in this to see what can be done.

Councilman Henson said the Planning Commission also looked at the sight distance of where the house is to make sure there is ample sight distance.

Mrs. Himes wanted to know if there are any safety issues involved with the setback of houses.

Mr. Tyree opined with change he does not foresee many challenges like that because the City generally has a twelve foot right of way and now there will be a 10-foot set back. You will really have about twenty feet of clearance to see versus setting on the property line. Not in every situation does the City own about twelve feet but generally we do.

Mr. Tyree said this item is for the Seminary Hill Historic District. This one was actually brought up in 2019. In 2019 the Planning Commission recommended to City Council

to have it changed. They did have a public hearing on the change and discussed it but did not vote to approve the name change. At the January 11, 2022, Planning Commission meeting they voted to recommend approval of the name change. The only thing that changes is the name of the hill from Seminary Hill Historic District to Seminary Hill District. The thought behind this is the name Seminary Hill District has a more neutral sound and lower perceived barriers to investment and redevelopment.

Mayor Fitzgerald stated that when this subject came up last time people thought it would change things within the district. All this is doing is taking the name "Historic" out but none of the rules are being changed.

Councilman Webb wanted to know why it was being discussed again.

Mayor Fitzgerald said if the name "Historical" is in the description it makes developers not want to develop the area because there are so many restrictions. He said we do not have that many restrictions, but we want to make sure we do not scare any investors away.

Mr. Tyree stated that most communities that have "Historic" in their district have extremely strict regulations.

Councilman Coffey stated that taking "Historic" out is changing the district. He opined you are taking the name "Historic" out, so it does change.

Mayor Fitzgerald stated again that nothing is changing in the district.

Councilman Coffey wanted to know why we wanted to take it out if it does not change anything.

Councilman Henson opined that the word "Historical" chases investors away.

Councilman Webb wanted to know why Council is addressing the issue again if Council voted on it years ago.

Mr. Tyree said the Planning Commission approved it and it was sent up to Council. They had a public hearing, but Council failed to vote on it at that time.

Councilman Coffey opined that people that want to come in Buena Vista to build will still have to jump through hoops to do so.

Ms. Kristina Ramsey advised that right now we have very little rules or regulations from having the Historic district. She opined taking the word "Historic" out of the name will not discourage investors. There are not a lot of restrictions in the "Historic" district and removing the word will make it more inviting for developers.

Councilman Coffey said again that we are changing the district by removing "Historic."

Mr. Tyree said once again the district will still be Historic. The only way to change the district from Historic would be for Council to do a resolution to undo the Historic registry. None of that is being proposed. The only thing that is being proposed is the name change.

Mr. Kearney said when you go downtown Lexington it is all historic. It is a historic community. You have to go through the Historic Commission to get any changes made including paint color, brick, etc. People in Virginia believe if the word "Historic" is included you have to jump through hoops. That word was not originally intended for this district. It was never intended to be a historic district that has that level of control

such as is in Lexington. Mr. Kearney stated again that nothing will change in this district except the name.

Councilman Henson advised that in a historical district you cannot have a drive through.

Mr. Kearney reiterated that no changes will be made in any way. The change will just make it more inviting for investors.

Councilman Henson stated that this basically effects 29<sup>th</sup> Street down to Hardees; from Hardees on Beech Avenue to where Jason had his shop.

Councilman Coffey wanted to know if Ms. Ramsey had a list of the restrictions for an historic district.

Ms. Ramsey said that Mr. Roberts should have that list.

Mr. Bryson Adams of 2505 Laurel Avenue, Buena Vista, was next to speak. He said that originally, he thought it was kind of silly to change the name. It is regulated just like any other block in Buena Vista. The only historical building in the district would be the main hall in the Southern Virginia building. Mr. Adams said he agrees with the name change strictly for the reasons that have been mentioned already. He opined that when people go to do work in historical areas anything they do has to be approved. With this the only thing that will change is the name. He said there is no difference in the Southern Hill Historic District as far as building codes are concerned. The building codes are the very same for anywhere in the City.

Ms. Christina Himes wanted to know the boundaries again.

Councilman Henson answered by saying 29<sup>th</sup> Street from Ridge Avenue down to Hardees; from Hardees on Beech Avenue to where Jason had his shop.

Ms. Himes wanted to know if the small businesses in that area are considered in the historic district.

Councilman Henson said the businesses are in the historical district.

Ms. Himes said if SVU did have its own zoning would the areas listed above be in that zoning district.

Councilman Henson said again the only change is the word "Historic" is being removed.

Ms. Himes wanted to know if there is room for development in the area.

Councilman Henson stated it is room for development in the area.

Mayor Fitzgerald closed the public hearing.

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

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

### **ADG #4 APPROVAL OF THE MINUTES FROM THE REGULAR COUNCIL MEETING AND EXECUTIVE SESSION HELD ON JANUARY 20, 2022:**

Vice-Mayor Hickman made motion to approve the above-mentioned minutes, seconded by Councilman Henson, 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.**

Mr. Brent Styler advised Council that both HB28( voted on 1/25/22 87-12) and SB292(voted on 1/31/22 37-3) have been approved for the Scenic Maury River. They have not yet had a formal vote. This may enhance our tourist operation. This will open up an area where other things can be done that could further increase tourism in our area. Mr. Styler said he has a letter from the Executive Director of the RACSB apologizing for causing any undue stress that the COVID vaccination situation has caused anyone. They originally acted in good faith based upon the available information at the time. It now appears that, at this time, RACS is not subject to the CMS vaccination mandate. Because they are only instituting the vaccine mandate to comply with the CMS rule, they are changing course and will not be requiring staff to be vaccinated. At the last meeting he mentioned something about RGGI. This could have a pretty strong effect on our electrical bills.

**ADG #6 REPORTS:**

**1.) Mayor:**

None.

**2.) City Manager:**

None.

**3.) City Attorney:**

None.

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

Councilman Henson advised they had a Parks/Rec meeting where they basically went through the calendar for 2022 and added a few new events. He opined it was a very productive meeting. He attended the meet and greet meeting at the old Hermetite building. There was a good crowd and some good proposals. DSLCC is getting ready to move into the old Courtesy building. He opined that between the Innovation Center and the new DSLCC building we will be seeing future employment, training, and development.

Councilman Cooper said it is his understanding that there are seven businesses in the Innovation Center already.

Ms. Kristina Ramsey gave the following report:

**INNOVATION CENTER:**

The Chamber held a great coffee and conversation event at the Advancement Foundation's Innovation Center yesterday.

Renovations in the front office area are going wonderfully...they have cleaned the space out, painted, put down new flooring, and so much more. The space has truly transformed since my first time visiting it.

TAF has completed their classroom area and is inviting individuals and organizations to do presentation, workshops, and classes in the space.

There will also be a community center at the back side of the building (where all the windows are), where groups will be able to gather for meetings or just hangout. This side of the building is also where the café will be, as well as the outdoor recreation activities and/or businesses outside. All of this will flow nicely together.

TAF is actively seeking volunteers to help complete additional projects in the space, as well as donors and sponsors.

Multiple tenants have signed lease agreements to utilize the space

Earth Magic, LLC.

Quest Knight – unmanned systems

GermZapp – automated hand sanitizing stations

Mushroom growing company – apparently this is a huge market that is very successful.

And others!

The GO Virginia grant received in December was received mainly to hire staff for the center – as of right now TAF has hired two staff members, one for business development and agriculture, and the other for manufacturing management.

Annette and her team are working on additional grants to fund more of the buildout of the project. Tom and I are working with them on a few of these grants, as well as other aspects of the project.

I have spoken to Annette and once she has a few more things in place, we will arrange a time for Council, EDA, and Main Street Buena Vista board to come hear about the project and tour the facility.

Vice-Mayor Hickman wanted to know if the efficiency apartments are still in the plans.

Ms. Ramsey said they are still in the works. She advised there are six businesses signed up for the Gauntlet. At least four or five of them are going to be in the space afterwards. One of them is a business considering bottling salsa.

Councilman Coffey wanted to know if these businesses will eventually be in the City.

Ms. Ramsey said that is the goal. As they grow, they will move out into the City. She said that Annette has the resources to help find them better spaces and also the resources to expand.

Councilman Henson said back several years ago we had organizations to remove snow. Some of those organizations have gone to pot due to the former City Manager and the former Public Works Director. Corey did a pretty good job considering what he had to work with. A lot of the employees at Public Works are new and do not have any experience like they did back in his days at Public Works. Corey is short on manpower also which does not help. He said that seven employees from Public Works had COVID out of a total of twenty-eight or twenty-nine employees. Overall, he feels that Public Works did a good job removing the snow.

Councilman Webb stated that at some point Council is going to have to get together and discuss snow removal on sidewalks. Lexington is thinking about fining people for not cleaning sidewalks. In the past couple of weeks, he has seen people walking on sidewalks that have not been cleaned and they are solid ice.

Mr. Tyree advised that our City Code does state that snow removal is the responsibility of the tenant or property owner.

Councilman Webb opined we should put an ad in the local newspaper and let everybody know every year that it is their responsibility to clean their sidewalks.

Councilman Henson said that Lexington is proposing a \$2,500.00 fine or a year in prison.

Councilman Webb said it is a Class 1 misdemeanor if you do not clean your sidewalk after it snows. He opined when people have to walk out in the street because the sidewalk has not been cleaned, it is a hazard.

Assistant Police Chief Waylon Miller, who was in the audience, said that according to our code it is a Class 3 misdemeanor.

Councilman Henson said that Public Works had a problem this time because we had both snow and ice, and the ice did not melt.

Councilman Coffey said you have to realize that there are people that cannot get out and shovel snow. He said that he will not shovel his walk because he is not able to.

Councilman Webb said we are going to have to enforce the shoveling of snow on sidewalks.

Councilman Henson opined that a lot of people are not aware that they must shovel their sidewalks.

Mayor Fitzgerald suggested that Council look at the plan and see if changes need to be made.

Mr. Tyree said we will not be able to pick and choose. If we do enforce the snow removal it will have to be for everyone.

**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 13th 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 will be carried over to the next scheduled Council meeting.

**DABNEY S. LANCASTER COMMUNITY COLLEGE BOARD:**

**MR. ANDY WOLFE HAS RESIGNED. HE IS MOVING FROM BUENA VISTA. THIS TERM WILL BEGIN ON JANUARY 1, 2022, AND END ON**

**JUNE 30, 2024. THIS IS THE 3RD TIME IT HAS APPEARED ON THE AGENDA:**

**NO APPLICANTS: ADVERTISED THE NEWS GAZETTE DECEMBER 8, 2021. POSTED ON SOCIAL MEDIA**

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

**OLD BUSINESS:**  
**NONE.**

**NEW BUSINESS:**

**NB #1 DR. TONY FRANCIS, SUPERINTENDENT OF THE BUENA VISTA CITY PUBLIC SCHOOLS REQUESTS FOR THE SCHOOLS TO KEEP CARRY OVER MONEY FROM 2020-2021 BUDGET:**

Dr. Tony Francis, Superintendent of the Buena Vista City Public Schools addressed Council concerning left over funds from the 2020-2021 school budget. Dr. Francis said he sent a memo to Mr. Tyree after an audit of the 2020-2021 budget to request over \$230,000.00 in funds not spent be retained by the school division. The funds will be used to do capital improvement projects and would go into their facilities reserve account. They have approximately \$50,000.00 in the account. They would like to have more in that account in case they have a major breakdown they will not have to come to Council and request additional funds. The feasibility study that costs \$25,000.00 will come out of these funds. They have a sufficient leak in the roof at the Ramsey Center that they are getting quotes for to be repaired. They would like to have the bus lot paved. They were not able to scrape the bus lot when it snowed because it is gravel. He said the big thing is to put it in the facilities reserve account. He opined we have some older schools, and he does not want to come to Council to request more funding. This past year was very unique because they received a lot of federal money that had to be spent in a certain time. That allowed some of the local money to not be spent. The federal money now is over a three-year period; it is not something that you have to spend right away. Dr. Francis said he would not anticipate coming to Council asking to retain \$230,000.00 every year.

Mayor Fitzgerald stated that it was decided a long time ago to let the schools have left over money back. He opined it is a good idea because Council will not be surprised with the schools coming back asking for more funding. The schools takes care of the excess funds themselves.

Councilman Webb wanted to know if \$25,000.00 of these funds will be used for a feasibility study for a new school.

Dr. Francis said \$25,000.00 would be used to pay for the feasibility study. The Construction Committee felt like they should get a feasibility study to look and see if it would be practical to renovate the old schools and things of that nature. The feasibility study will look at the different options for school and will provide a lot more information.

Councilman Henson said in the past the schools have come to Council to keep their excess funding and have not done what they said they were going to do with it. For five years Council was told the money would be used for a new roof at Kling Elementary School. After five years, they patched the roof.



Dr. Francis explained that the roof at the Ramsey Center will not be a patch but will be a replacement roof. It is his understanding that nothing has been done to roof since the school received the building.

Mayor Fitzgerald said the roof at the Ramsey Center is about twelve years old and it should last for at least twenty years.

Dr. Francis said if they can get by with a repair, they will do so. They will also be developing a capital improvement plan that he will be sharing before next year with the school board. One of the things you do when you have that facility reserve is you rank the projects. He opined you always want to keep some money for emergencies.

Councilman Cooper made motion to allow the City of Buena Vista Public Schools retain their excess funding in the amount of \$230,000.00, seconded by Councilman Staton and carried by Council.

Dr. Francis thanked Council for allowing the schools to keep the excess funds and said they will be spent very wisely.

Councilman Henson wanted to know if they have a preventative maintenance program.

Dr. Francis said that is the idea with the capital improvement plan. He could not find a preventative maintenance program. He intends for the capital improvement plan to rank to say if they have money, we know we need to do x,y, or z and then do it.

### **NB#2 DISCUSS AGREEMENT WITH ACA:**

City Attorney Brian Kearney started the discussion by saying that after about one and a half years of discussing a settlement agreement, we have one between ACA Financial Guaranty Corporation, UMB Bank, National Association, as Successor Indenture Trustee, the City of Buena Vista, and the Public Recreational Facilities Authority. Mr. Kearney said the long and short of it is we are going to put everything behind the City. It will be a complete release of all suites pending such as the one in the Buena Vista Circuit Court which has been hanging there for a year and a half. There will be no further lawsuits of any kind. This has been going on for a long time. We have an agreement that has been signed off by ACA and he has been assured that the trustee will sign. He said ACA will pay off the bond holders. The trustee has to agree to it, but they really cannot stop it. The bonds can be redeemed at any time. Under the bond agreement it can only be redeemed at a payment date. The next payment date is July 15, 2022. We will do the agreement now, but the actual closing will take place within 14 days around July 15, 2022, with it being no later than July 29, 2022. By the end of July all of this will be done. At that time, the certificates of satisfaction for the municipal building and the police department will be done along with all court claims. Mr. Kearney said there are several pages in the agreement that go round and round. Our bond counsel has made sure that we have a complete release of any claims of any nature by anyone. There have been changes made back and forth to ensure that both the City and the Authority are both protected. The City will pay \$325,000.00 to be held in trust until the closing date. At closing, that will be the full payment that will be paid. That is the City's only obligation. At the closing the golf course will be turned over to ACA. To continue to help market the property, the City will pay \$6,000.00 per month to be paid to ACA for up to twelve months. That money will also be held in escrow to be held by him. ACA will have to show Mr. Kearney every month that they still own the property and are marketing it. If they sell the property within three months, the money will come back to the City. This is a one-time deal that was part of the negotiations. There are 164.3 acres owned by ACA and it is important to know the property and to help them to market the land. The golf course will be closed within three weeks and will not re-open. ACA will not operate a golf course; they will develop the land. Tonight, we need to appoint the Mayor to sign-off

on the settlement agreement. There may be some slight changes. There is one letter that has to go to the bond holders giving them notice that the bonds are going to be redeemed. ACA will have to give the bond holders the letter. Our bond counsel made a very minor change yesterday and he opined that will be the only change that will be made.

Councilman Henson said once ACA takes possession of the golf course, they will have to pay taxes on it. He said there is some acreage that does not go with the golf course.

Mr. Kearney said there is another sixty or sixty-five acres that does not go with the golf course. This is the boundary around the golf course. He said there is water and sewer all along the road at Vista Links Drive which will be nice for investors.

Ms. Wheeler read the following Resolution:

**RESOLUTION – R22-05**  
**APPROVAL OF SETTLEMENT AGREEMENT WITH**  
**ACA FINANCIAL GUARANTY CORPORATION AND UMB BANK,**  
**SUCCESSOR INDENTURE TRUSTEE**

**WHEREAS**, attached hereto is a Settlement Agreement by and between ACA Financial Guaranty Corporation, UMB Bank, National Association, as Successor Indenture Trustee, the City of Buena Vista, and the Public Recreational Facilities Authority for the City of Buena Vista, settling all issue and disputes between the parties associated with the Lease Revenue Bonds, Series 2005A ("Settlement Agreement"); and

**WHEREAS**, City Council has determined that it is in the best interest of the citizens of Buena Vista to enter into the Settlement Agreement; and

**WHEREAS**, there may be slight changes to the Settlement Agreement of a non-substantive matter needed in order to finalize the Settlement Agreement, Council authorizes William H. Fitzgerald, Mayor, to accept such changes, if any, prior to final signature.

**NOW THEREFORE BE IT RESOLVED** that Counsel for the City of Buena Vista hereby approves of the Settlement Agreement and appoints William H. Fitzgerald, Mayor, to execute the Settlement Agreement as modified on behalf of the City.

This Resolution shall take effect immediately.

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William H. Fitzgerald, Mayor

ATTEST:

\_\_\_\_\_  
Dawn Wheeler, Clerk of Council

DATE:

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

**NB #3 FIRST READING OF AN ORDINANCE FOR A CONDITIONAL USE PERMIT FOR 2350 BEECH AVENUE:**

Ms. Wheeler read the following Ordinance:

**Conditional Use Permit**  
**2350 Beech Avenue**  
**Ordinance Text**  
**1/24/2022**

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, pursuant to Section 614.04-8 of the Land Development Regulations, a Conditional Use Permit shall be issued for the purpose of constructing a four-family dwelling in conformance with the staff report and site plan attached as Exhibit A on the property at 2350 Beech Avenue, Tax Map number 27-1-5-28-2.

This ordinance shall be effective 30 days following adoption by City Council, or upon purchase of the property, whichever is later.

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William H. Fitzgerald, Mayor

ATTEST:

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Dawn Wheeler, Clerk of Council

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DATE:

**NB #4 FIRST READING OF AN ORDINANCE FOR A ZONING TEXT AMENDMENT FOR SECTION 630 AND SECTION 701:**

Ms. Wheeler read the following Ordinance:

**ZONING TEXT AMENDMENT**  
**SECTION 630 AND SECTION 701**  
**ORDINANCE TEXT**  
**1/24/2022**

AN ORDINANCE to amend Sections 630 of the Land Development Regulations of the Code of the City of Buena Vista, as amended, to reduce the minimum side setback on corner lots; and to repeal section 701 of the Land Development Regulations of the Code

of the City of Buena Vista, as amended, to eliminate duplicative and conflicting setback regulations.

**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, Section 630 of the Land Development Regulations of the City of Buena Vista are hereby amended as follows in the attached Exhibit A.

**BE IT ALSO ORDAINED** 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, Section 701 of the Land Development Regulations of the City of Buena Vista is hereby repealed.

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

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William H. Fitzgerald, Mayor

ATTEST:

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Dawn Wheeler, Clerk of Council

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DATE:

**NB #5 FIRST READING OF AN ORDINANCE FOR A ZONING TEXT AMENDMENT FOR SECTION 615 SEMINARY HILL HISTORIC DISTRICT:**

Ms. Wheeler read the following Ordinance:

**Zoning Text Amendment**  
**Ordinance Text**  
**Section 615 Seminary Hill Historic District**  
**1/24/2022**

**AN ORDINANCE** to amend Section 615 Seminary Hill Historic District of the Land Development Regulations of the Code of the City of Buena Vista, as amended, for the purpose of enhancing the perception of the overlay district by altering the name.

**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, Section 615 of the Land Development Regulations of the City of Buena Vista is hereby amended to read and provide as follows in the attached Exhibit A.

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

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ATTEST:

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Dawn Wheeler, Clerk of Council

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DATE:

**NB #6 DISCUSSION OF PUBLIC WORKS EQUIPMENT NEEDS AND AUTHORIZATION TO ACQUIRE NEW EQUIPMENT:**

Mr. Tyree opened the discussion by advising that Council had asked Corey Henson, Public Works Director, to provide a list of Public Works equipment needs. He said at the last Council meeting Council talked about the needs for Public Works in order to do their jobs such as snow removal and leaf collection. Corey has put together a list of exactly everything that they feel they need to help them complete some of these tasks. Mr. Tyree said the total cost for everything is \$555,000.00. This price includes a milling machine so we can do some paving. We are now hiring contractors to do our paving. There is a trailer unit which is pulled behind a leaf vac that is actually a two-man operation. Right now, we are using three to four men so there will be a cost savings with this piece of equipment and additional staff that can go elsewhere. There are trucks, dump trucks with plows, Ford F250 pick-up trucks, and a steam-pressure washer on the list.

Councilman Coffey opined that Public Works does need all of the equipment, but they also need to have preventative maintenance for all of their equipment. He said it is hard to do if you do not have someone to do it. He said he has been pushing hard for a mechanic at the Public Works shop. Councilman Coffey said Council was supposed to get a printout of what has been spent in the last two years.

Mr. Tyree advised that Mr. Clemmer is still working on the list. What Corey has initially found is around \$40,000.00 between overtime and labor. The thing that has increased since we have not had a mechanic is Public Works overtime increased from 2,000 hours to 3,000 hours. Unfortunately, our guys are not mechanics, so they have to spend more time on equipment that they are trying to fix. He opined we can probably make a strong case to have a mechanic at Public Works. Charles is looking into the benefit side and whatever savings we would have by having a mechanic at Public Works. Charles did not include the police department, but he has asked him to since Public Works performs maintenance on their vehicles also.

Mayor Fitzgerald opined with the milling machine they will be able to do bigger spots. He wanted to know if we have a roller that works. If we have a workable roller, we could do whole sections and not just potholes.

Corey Henson said we do have a workable roller.

Councilman Coffey opined the milling machine will pay for itself in the long run.

Councilman Henson stated that VDOT requires you to cut a square anytime you patch on a highway system. He said they can use it on some ditches and the roads to wells and the pump station.

Councilman Webb wanted to know if we already have our new plows for the F250 pickups.

Mr. Henson said we have new quotes on the one-ton truck with a spreader and plow and it should be here within two weeks.

Councilman Henson wanted to know the condition of the sewer jet.

Mr. Henson opined the sewer jet is still holding together.

Mr. Tyree said the sewer jet is one of the things listed in the PER for the WWTP. We will most likely get a grant to cover the cost of a new sewer jet. He said he asked Hunter to add a generator to the PER for the WWTP.

Councilman Henson then wanted to know about the street sweeper.

Mr. Henson said the street sweeper is ok for now.

Councilman Coffey wanted to know if Mr. Henson was wanting to purchase all of the listed equipment at one time. He wanted to know if we can use the ARP money for the requested equipment.

Mr. Tyree said we can use ARP funds for the equipment.

Councilman Coffey wanted to know the condition of the motor grader.

Mr. Henson said it is leaking hydraulic fluid and is being worked on now. He said if we had a mechanic, he would be able to repair the leaking fluid.

Mayor Fitzgerald asked Mr. Tyree how much money the City has left from the ARP funds.

Mr. Tyree said we have about two million dollars left and should be receiving between three to four million more in May and June.

Councilman Henson opined we have heard from Mr. Henson and others for years. We expect him to do a job and we need to give him equipment to do his job.

Vice-Mayor Hickman said in the past we did not have the funds to replace equipment. In addition to getting new equipment, we also need to do preventative maintenance. She opined we definitely should purchase the equipment and it will take care of some of the problems we face. She also said she feels if we give the employees good equipment it will also raise the moral of the employees.

Councilman Coffey told Mr. Henson that he will have to hold employees accountable for maintaining the equipment.

Mr. Tyree said that one of the things he and Mr. Henson have talked about is this will be a level set for us. From this point on he and Mr. Henson will develop a capital improvement plan so that over three or four years we will see that something needs to be replaced and this will keep us from getting so far behind.

Councilman Webb wanted to know how many crews are needed to run the leaf truck.

Mr. Henson said no one is using the truck as of now because it is frozen.

Councilman Coffey said the new leaf machine will cut down from four or five people to two people to operate the machine. That will be a savings also.

Vice-Mayor Hickman said they have also talked about employee training. She said there is VDOT training and training employees on how to use the equipment.

Councilman Coffey advised we are getting away from CDL equipment also.

Vice-Mayor Hickman made motion to approve the purchase of equipment for Public Works up to \$541,000.00 subject to the Virginia Procurement Act, seconded by Councilman Cooper, carried by Council.

### Public Works Equipment Needs

8' plows 2ea. For the 2 F-250 Pickups	\$ 7,000.00 ea. Installed Total \$ 14,000.00
10' Plow 1 ea. For 1-Ton Dump Truck	\$ 9,500.00 Installed
2022 F-550 4X4 Dump Truck w/ 10' Plow and SS Spreader	\$130,000.00. EA. \$260,000 (2)
2022 F-250 4X4 Truck	\$60,000
High School Pump Station Pump Upgrades /with one spare pump and pump control valve. From 96 gal/pm to 150 gal/pm.	\$36,000.00 Installed
One new three' pump control valve for 32ndST. Pump station only one pump in operation as of now.	\$ 6,000.00 Installed
New Steam/pressure washer for cleaning trucks and equipment	\$ 7,500.00
Trailer unit pull behind Remote control leaf vac and containment box. 2-man operation. Cost savings of 3-4 men less to operate. Used elsewhere??	\$ 65,000.00 ea. \$130,000 (2)
Milling machine attachment for skid steer	\$32,000.00
Total	\$555,000

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

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**WILLIAM H. FITZGERALD, MAYOR**

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**Dawn M. Wheeler, Clerk of Council**