

- (1.) Zoning Map Amendment for Dickinson property, tax map 61-1---2, South Magnolia Avenue:

Mr. Roberts said the property is twenty-three acres south end of the City owned by Robert Dickinson. It is located just north of Hall Springs and south of Dickinson Well. Mr. Dickinson would like to build a house on the land. It is currently zoned light manufacturing. They are requesting that it be rezoned to R1. Mr. Roberts said when he first started looking at this request his first concern was the general principle if you have land that is zoned manufacturing you do not want to change that because manufacturing land is valuable. Looking at it more carefully he realized that it really is not very suitable for industrial use. One of the reasons it is not suitable for industrial use is most of the land is in the one-hundred-year flood plain. It would be very difficult to get sewer to the site and it would be very expensive to pump it up the hill to the Industrial Park. There is already water running down 501. In order to get sewer, we would need to pump it up the hill at the Industrial Park. A more environmental thing in addition to being in the flood plain, the location is where a lot of water comes down the mountain. There would be a lot of storm water to deal with. This site is between two water sources. We have not used Hall Springs as a water source since the 1990's. The well is still a very productive water source that we could reactivate in the future. In 2010 we put the filtration plant in at Dickinson Well that was designed to also treat water from Halls Spring. If we need additional water in the future, Dickinson Well already has the plumbing set up to take water from Hall Springs. We also want to avoid heavy industrial uses near the wells and keep them protected. The Industrial Park is on the other side of Dickinson Well. Given this opportunity to rezone we can protect our water supply.

Councilman Coffey wanted to know if there would be stipulations on building a house in the flood plain.

Mr. Roberts said if it were built in the flood plain it would need to be built to flood protection standards. Some of the lane closer to the road is not in the flood plain. The other main thing to mention is the amount of development will be constrained by the septic system. If a house is built there, water will be easy to provide but it would have to be on a septic system because of the expense of running the sewer up the hill to the Industrial Park.

- (2.) Zoning Text Amendment – Section 507, Private Road Standards:

Mr. Roberts said this is a zoning text amendment for road standards for private streets. This one is really very narrow. It is just one small section. Last year we adopted requirements for private streets to regulate when and how they are built. Previously we did not have many regulations on private streets at all. Part of that Ordinance was specifying the exact VDOT road standards we had to build to. The current text we have is based on what we borrowed from

Rockbridge County. After talking with some developers and doing more research he realized it was not a good fit for Buena Vista. The new text clearly defines what VDOT requirements are allowed, and it also requires staff approval. What we have right now says private streets serving three to ten lots shall be constructed, at a minimum, to VDOT Standards for Mountainous Terrain. Private streets serving eleven or greater lots shall, at a minimum, be designed to VDOT Rolling Terrain Standards. In the staff report the geometric standards for rural local road systems is (GS-4). What we have specified was basically one line on this page of road standards and what he is purposing instead is you have to build it to one of the specific lines on this page. We have two whole pages, and we can do whichever design is appropriate for the project. These different standards are hard to talk about because there is not just one VDOT standard. There is a total system of standards based on how many people you have, how fast they are going to go, and the terrain. He is proposing we adopt these two pages and then let the project determine which specific standards on one of these pages we need. If we were working on a project that was large and everything is flat, then you would let the project determine which standard you would use. If the site is hilly and small with a few houses on it, the appropriate one is the different one because of the terrain and a different type of road. The lowest standard still has a minimum sight distance of stopping of 100 to 125 feet with a minimum width of the roadway of eighteen feet with a minimum shoulder of six feet. There are ditch requirements. You are still talking about a nice road.

Mayor Fitzgerald asked if anyone would like to speak about this matter.

Vice-Mayor Hickman wanted to know if this Ordinance was changed because of a specific project.

Mr. Roberts said this is for the 270 acres on the north end of town. He is doing his master plan for the whole site. This will be a private road used for different sites on the property. He has been talking with Hunter Young and it prompted him to look more closely at these road requirements. He said this is a commonsense update that really needs to be made anyway.

Councilman Henson wanted to know what City services would be offered since this is going to be a private road.

Mr. Roberts said there would not be any snow removal. There could be trash pickup depending on the development of each section.

Mayor Fitzgerald closed the public hearing.

ADG #3: APPROVAL OF THE AGENDA:

Councilman Cooper made motion to approve the agenda, seconded by Vice-Mayor Hickman, carried by Council.

ADG #4: APPROVAL OF THE MINUTES FROM THE SEPTEMBER 1, 2022, REGULAR COUNCIL MEETING AND EXECUTIVE SESSION AND MINUTES FROM THE INTERJURISDICTIONAL MEETING WITH THE CITY OF LEXINGTON, THE CITY OF BUENA VISTA, AND ROCKBRIDGE COUNTY ALONG WITH THE DEPARTMENT OF SOCIAL SERVICES DATED AUGUST 1, 2022:

Councilman Cooper made motion to approve the minutes from both meetings, seconded by Councilman Webb, carried by Council.

ADG #5: RECOGNITION/COMMUNICATION FROM VISITORS: Citizens who desire to speak to Council will be recognized at this time. Please limit your statement to three(3) minutes.

Mr. Brent Styler approached Council and said the Labor Day parade was very good. He mentioned that the American flags on main street were somehow snagged on the poles. A gentleman went through the streets and managed to unsnag them so they could fly freely. He opined that inflation is starting to kick us all over the place. They can only get about two-thirds of what they use to order. We have to make arrangements to work through the inflation. Domino is still shipping but their prices are still high. Ukraine ships one-fifth of the world's wheat and of course they are not shipping very much these days. Mr. Gibbons has been appointed to serve on the RACSB. He wanted to know if anyone's electric bill has increased. When it rains the library gets wet on the inside. He feels we need to factor that in when we start working on the budget.

Mr. Tyree said we just advised Julie, the Director of the Rockbridge Regional Library, that we are going to put a roof over the back of the library where the water comes in. A licensed plumber also suggested that instead of tying into the storm water drain where the storm water runs all the way down the mountain, down 21st Street by the library, we will dump it like household gutters out into the curb and see if that helps. We should be doing that within the next month or so.

Mr. Styler said that he went to Ohio in March to a convention to meet people that works on the things they are doing. They found someone that produces rocking chairs, and they ordered them in March. They received them in September.

ADG #6: REPORTS:

1.) Mayor:

None.

2.) City Manager:

Mr. Tyree advised that Kristina Ramsey was unable to come to the meeting tonight, but she did leave an invitation for the Scenic Maury River dedication which will be on Sunday, October 16, 2022, at Jordan's Point Park scheduled to begin at approximately 2:00 p.m. We will send out more information when we find out the exact time.

3.) City Attorney :

Mr. Kearney advised that we will be getting some more Opioid money. Hopefully, we should receive approximately \$16,000.00. We received approximately \$3,000.00 a couple of weeks ago.

4.) Council Committee/Representative:

Councilman Henson started his report by stating that things have been busy around Buena Vista. He advised that in September there will be a movie night at the Town Square. He advised there will be a pulled pork dinner at the BVFD on September 23. The Guns/Hoses ball game will be played on October 1, 2022, at GMP. RARO has started the youth football and soccer programs.

Councilman Coffey wanted to know who set up the new soccer field to the left of the current soccer field.

Councilman Henson said he does not know and neither did anyone else.

Councilman Coffey said he has had some people come to him about the Mountain Music event that was held at GMP. The people camping wanted to stay at the park and pay and they were not allowed to. In the past the campers have been allowed to pay and continue camping. He opined that this issue needs to be addressed at the next Parks/Rec meeting.

Councilman Staton said you had to leave the park. However, you could have left the lower campground and made a right-hand turn, gone around Route 608, came down through town and went back to the park and say you were coming for the music event, you could have camped.

Vice-Mayor Hickman opined it has been a hard year at the park. Nothing was clarified. We will have to identify the issues and work on them during the winter.

Councilman Staton said they need a set of rules that everyone must abide by.

Vice-Mayor Hickman said the Parks/Rec Committee did not understand how the events ran. It was about as clear as mud.

Councilman Coffey said once we get through the camping this year, they will sit down and take care of all of the problems, whatever they may be.

Councilman Henson advised that there was over 1,000 people at the Mountain Music event.

Councilman Coffey said when he went through the park there were hardly any campers.

Councilman Staton stated again that we must have a set of ground rules for the park and abide by them.

Councilman Webb said we have had about 75 hours of community service work performed at the park and in the City. The judges have been giving individuals community work in place of jail time.

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

THE BOARD OF ZONING APPEALS:

WE HAVE AN OPENING ON THE BOARD OF ZONING APPEALS. THIS TERM WILL EXPIRE ON 12/31/23. THIS IS THE 11TH TIME THIS HAS APPEARED ON THE AGENDA. THE TERM WILL BEGIN IMMEDIATELY: ADVERTISED THE NEWS GAZETTE AUGUST 24, 2022: POSTED ON SOCIAL MEDIA: NO APPLICANTS

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

WE HAVE AN OPENING ON THE BOARD OF ZONING APPEALS. THIS TERM WILL EXPIRE ON 12/31/25. THIS IS THE 2ND TIME THIS HAS APPEARED ON THE AGENDA. THE TERM WILL BEGIN IMMEDIATELY: ADVERTISED THE NEWS GAZETTE AUGUST 24, 2022: POSTED ON SOCIAL MEDIA: NO APPLICANTS

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

OLD BUSINESS:

NONE:

NEW BUSINESS:

NB #1: FIRST READING OF AN ORDINANCE AMENDING CHAPTER 16, ARTICLE 2, DIVISION 2 RELIEF OF THE ELDERLY AND DISABLED:

Mr. Tyree started the discussion by saying this Ordinance has been brought up by Ashton and Mary Lee. According to the Code of the City, we are now at approximately \$25,000.00 before we give relief to the elderly or disabled. We all know the cost of inflation and with the recent adjustment in social security some of our elderly and disabled, the \$25,000.00 threshold is no longer qualified. They will not be able to receive the relief even though they

may be on a single income. They are asking to bump the amount from \$25,000.00 to \$30,000.00 and there should not be any decrease in our revenue.

Ms. Dorton said we have a lot of people within that threshold. Twenty-five thousand is not a lot of money and if there are more than two people living in the house, they do not know how they will pay their bills. They are requesting that the amount be raised from \$25,000.00 to \$30,000.00. We do not have a lot of people that qualify.

Mr. Kearney said this Ordinance needs to be adopted immediately since the tax tickets will be mailed out in October. This is an emergency Ordinance and does not require a second reading.

Ms. Dorton advised that we give the people from October 1 to November 15 to see if they qualify for the tax break.

Ms. Wheeler read the following Ordinance:

ORDINANCE AMENDING CHAPTER 16, ARTICLE 2, DIVISION 2
RELIEF OF THE ELDERLY AND DISABLED
ORD22-12

WHEREAS, due to the changing economic conditions it is in the best interest of the citizens of Buena Vista to increase the combined gross income limitations as contained within Chapter 16, Article 2, Division 2, Relief of the Elderly and Disabled of the Code for the City of Buena Vista, from its current \$25,000 amount to \$30,000 and to adjust the income scale accordingly.

NOW THEREFORE BE IT ORDAINED by the Council for the City of Buena Vista, Virginia, that as of the date hereon, Chapter 16, Article 2, Division 2, Section 16-52 of the City Code is hereby amended so as to increase the gross combined income limitations from \$25,000 to \$30,000 and the income scale chart to read as follows:

0-12,000 – 80% Reduction
12,001-18,000 – 60% Reduction
18,001-24,000 – 40% Reduction
24,001-30,000 – 20% Reduction

Except as modified herein all other terms and conditions of Chapter 16, Article 2, Division 2 of the City Code shall remain in full force and effect.

Due to the real estate tax tickets, for which this change applies, being processed this Ordinance is to take effect immediately in order to reflect these changes for the upcoming real estate billing cycle and therefore this Ordinance is considered an Emergency Ordinance in accordance with the Buena Vista City Charter and will take effect immediately upon adoption.

WILLIAM H. FITZGERALD, MAYOR

ATTEST:

Clerk of Council

Date of Adoption

Vice-Mayor Hickman made motion to adopt the following Ordinance, 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		

Vice-Mayor Cheryl Hickman	X		X		
Danny Staton	X		X		
Stanley Coffey	X		X		
Steve Webb	X		X		

NB #2: FIRST READING OF AN ORDINANCE TO AMEND SECTION 507 FRONTAGE AND PRIVATE STREETS OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF BUENA VISTA, AS AMENDED, FOR THE PURPOSE OF CLARIFYING CONSTRUCTION STANDARDS FOR PRIVATE STREETS:

Councilman Cooper read the following Ordinance:

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Zoning Text Amendment
Ordinance Text
507.02 Frontage and Private Streets – Road Standards
9/8/2022

AN ORDINANCE to amend Section 507 Frontage and Private Streets of the Land Development Regulations of the Code of the City of Buena Vista, as amended, for the purpose of clarifying construction standards for private streets.

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 507.02-2.02 of the Land Development Regulations of the City of Buena Vista is hereby amended to read as follows.

507.02-2.02 Private streets shall be constructed, at a minimum, using the VDOT GS-4 Geometric Design Standards for Rural Local Road System or VDOT GS-8 Geometric Design Standards for Urban Local Street System. The Zoning Administrator must approve which standard is used.

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

William H. Fitzgerald, Mayor

ATTEST:

Clerk of Council

Date of Adoption

NB #3: FIRST READING OF AN ORDINANCE FOR A ZONING MAP AMENDMENT FOR DICKINSON PROPERTY, TAX MAP 61-1----2, SOUTH MAGNOLIA AVENUE:

Councilman Cooper read the following:

Zoning Map Amendment
Portion of Tax Map 56-A---3A, 300 block of South
Magnolia Ave
Ordinance Text

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, approximately 23 acres of the property identified as 56-A---3A, owned by Robert Dickinson and wife, and depicted on Exhibit A, shall be rezoned from LM Light Manufacturing to R1 Low Density Residential, and the zoning map for the City will be amended to reflect this change.

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

William H. Fitzgerald, Mayor

ATTEST:

Clerk of Council

Date of Adoption

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

Dawn Wheeler
Clerk of Council

William H. Fitzgerald, Mayor