



City of Buena Vista City Council

Regular Council Meeting, Public Hearings & Executive Session

January 18, 2024, 6:00 PM
Council Chambers – 2039 Sycamore Avenue

The City Council for the City of Buena Vista met for a Regular Council Meeting, Public Hearings, & Executive Session on Thursday, January 18, 2024, at 6:00 p.m.

Members Present: Mayor Tyson Cooper

Danny Staton
Michelle Poluikis

Steve Webb
Ronald Cash

Members Absent: Melvin Henson

ADG #1: CALL TO ORDER, PLEDGE OF ALLEGIANCE AND PRAYER

Mayor Cooper called the meeting to order, and Councilwoman Poluikis delivered the opening prayer.

ADG #2: BUENA VISTA CITY COUNCIL PUBLIC HEARINGS

Public Hearing #1: Conditional Use Permit for five (5) unrelated persons to occupy 2345 Birch Avenue

Mayor Cooper opened the Public Hearing.

Tom Roberts explained that the standard occupancy for a house of this size is four unrelated people and if this CUP is not approved, the fifth person will be required to move out. The proposal expands the parking area to accommodate more vehicles. For the interior layout, the master bedroom will have double occupancy, and the other three bedrooms will be single occupancy. Mr. Roberts noted that the Planning Commission did recommend approval of this with conditions. Those conditions being that the two basement rooms shown as “storage” are not to be used for sleeping unless they are made to conform with the Statewide Building Code and that the parking area be expanded and edged so it is deep enough to accommodate off-street parking.

- Jeannie Fitzgerald, 545 East 23rd Street, raised concerns over parking (for the ones who live there and their visitors), extra traffic, speeding and obeying stop signs, the fact that there is always five or more people living there at any given time, and that these students are rude and dangerous. Mrs. Fitzgerald opined that if this [CUP] passes, it will open the door for others throughout the city. She also questioned who would be monitoring this to ensure that it is only the approved number of people living there.
- Thomas Akers, 2356 Birch Avenue, was the next to speak. Mr. Akers stated that he has lived in his home for 25 years and has always admired the community. He said that this house has been a problem for two years and has now become completely intolerable due to excessive alcohol and drug use and further noted that he has witnessed many of them driving while intoxicated. He is concerned that there is no interest from the city in fixing this problem and accommodating them isn't serving anyone.

- Wayne Fitzgerald, 545 East 23rd Street, reiterated that there are currently about six to eight people living there and with the property owner living in North Carolina, there is no one watching over this. He stated that he has tried talking to them on several occasions regarding their behavior, but nothing changes. He said that they are rude and disrespectful. He asked Council to sincerely think about what this will be causing if they pass it.

Public Hearing #2: Zoning Text Amendment for Section 630 Dimensional Regulations, for the purpose of restructuring and clarifying the dimensional regulations table and allowing all dimensional regulations in the table to be modified or waived by means of a conditional use permit.

Mayor Cooper opened the Public Hearing.

Tom Roberts reported that this relates to regulations on setbacks, lot areas, etc. He noted that most of the amendment is just housekeeping items to reformat and update the table and make it visually clearer and reduce clutter. The one actual change to the Section is adding new text addressing the applicability of the table and allowing flexibility in dimensional regulations by CUP.

Public Hearing #3: Zoning Text Amendment for Section 711 Group Homes, for the purpose of updating and clarifying language for the conditional use permit process for occupants in a dwelling.

Mayor Cooper opened the Public Hearing.

Mr. Roberts noted that this proposal does NOT change the CUP process for the number of people in a dwelling, which will remain the same. This is simply rewriting the text because the current text is about 25 years old and a lot of it no longer applies. This will condense three pages down to about two paragraphs. This also provides guidance on parking requirements. He noted that this is something that the Planning Commission requested.

ADG #3: APPROVAL OF THE AGENDA

Councilman Webb moved to approve the agenda. Councilman Staton seconded the motion, and it was carried by Council.

ADG #4: APPROVAL OF MINUTES FROM THE JANUARY 4, 2024, ORGANIZATIONAL AND REGULAR COUNCIL MEETING

Motion to approve the minutes was made by Councilman Staton, seconded by Councilwoman Poluikis, and carried by Council.

ADG #5: RECOGNITION/COMMUNICATION FROM VISITORS

- Assistant Police Chief Dave Clements reported that the BVPD was awarded with a violence against women grant. This grant provides community outreach and training and allows for a liaison for victims throughout the entire judicial process. The award is \$100,000 over two years, with a 25% match.
- Jennifer Humphrey, 2174 Maple Avenue, asked Council to consider having meetings recorded or live streamed in order to be more accessible for the elderly and disabled who aren't able to attend the meetings in person.

ADG #6: REPORTS

1. Mayor

None.

2. City Manager

Mr. Tyree informed Council that they will be receiving a request from Rockbridge County at a future meeting for support in conducting an airport study for the region.

Mr. Tyree also informed Council that beginning at the next meeting we will have Department Heads, Constitutional Officers, and Court Clerks coming in on a quarterly rotation to give a brief presentation and update to Council.

3. City Attorney

None.

4. Council Committees/Representatives

Councilman Webb asked Mr. Tyree if Council would resume receiving a weekly report from him. Mr. Tyree stated that in order to avoid constantly repeating a lot of the same information, we will be transitioning the weekly report to a monthly report/newsletter.

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

Economic Development Authority:

Mr. Steve Baldridge has resigned from the EDA. This appointment will begin immediately and will expire on March 31, 2025. This is the first time it has appeared on the agenda.

There were no applicants for this opening; it will be carried over to the next meeting.

Public Recreation Facilities Authority:

Mr. Brent Styler is unable to complete his term on the Public Recreation Facilities Authority. This appointment will begin immediately and will expire on June 30, 2026. This is the first time it has appeared on the agenda.

There were no applicants for this opening; it will be carried over to the next meeting.

OLD BUSINESS

OB #1: SECOND READING OF AN ORDINANCE TO ABANDON CITY RIGHT-OF-WAY: 200 FEET IN THE 200 BLOCK OF POPLAR AVENUE

Mr. Roberts noted that the text has changed since the first reading; he presented the following Ordinance:

Abandonment of Public Right-of Way Portion of Poplar Avenue

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BUENA VISTA, VIRGINIA, that in accordance with Section 15.2006 through 2008 of the Code of Virginia, as amended, that the public right-of-way described in "Exhibit A" and "Exhibit B" attached hereto, (the "Property"), shall be vacated and abandoned upon receipt of the consideration noted in "Exhibit A" and the completion of the

conditions outlined below.

BE IT FURTHER ORDAINED that as a condition of the aforesaid abandonment and vacation, the City retains a perpetual easement over, under, and across the Property for the installation, maintenance, repair, or replacement of all utilities, including, but not limited to, water and sewer lines; electric; cable; telephone; and gas lines; and garbage pick-up.

BE IT FURTHER ORDAINED that this ordinance shall be recorded in the Clerk's Office of the Circuit Court for the City of Buena Vista, Virginia, and indexed under the names listed in "Exhibit A."

BE IT FURTHER ORDAINED that this ordinance shall be effective at such time as the following conditions have been satisfied:

The scope of engineering services described in "Exhibit C," or equivalent scope of services from another engineering firm, is completed; submitted to the City; and approved for construction by all necessary City departments; and

Any necessary bond or financial security required by the Erosion and Sediment Control Permit is secured or paid.

This ordinance shall be null and void if the aforesaid conditions are not satisfied within one (1) year of adoption of the ordinance by City Council.

This ordinance shall be placed of record only once all of the conditions contained herein have been satisfied. Therefore upon recordation the Property shall be vacated.

Tyson T. Cooper, Mayor

Attest:

Sarah M. Burch, Clerk of Council

Date of Adoption

Mr. Roberts stated that the developer will be building a corral to house trash cans for all three houses, and this is something that will be incorporated into the conditions.

Councilman Cash asked whose property the trash will be on. Mr. Roberts said that it will be on the property closest to 3rd Street, and this will be listed in the covenants of the HOA so that the homeowners are aware and agree to the fact.

On a motion to **approve** by Councilman Webb, seconded by Councilman Staton, Ms. Burch completed a roll call vote as follows:

Member	Present	Absent	Yes	No	Abstain
Councilman Henson		X			
Councilwoman Poluikis	X		X		
Councilman Webb	X		X		
Councilman Staton	X		X		
Councilman Cash	X			X	
Mayor Cooper	X		X		

By an affirmative vote of four to one, the Ordinance was **adopted**.

NEW BUSINESS

NB #1: DISCUSSION OF GUIDELINES FOR PUBLIC COMMENT DURING CITY COUNCIL MEETINGS

Mayor Cooper asked if there were any questions or concerns regarding the new public comment guidelines; there were none.

Councilman Webb moved to **adopt** the guidelines with Councilman Staton seconding the motion, and it was carried by Council.

The newly implemented guidelines are as follows:

Guidelines for Public Comment & Public Hearings During City Council Meetings

The rules of conduct for the City of Buena Vista regular and special meetings shall be:

1. Except for public hearings designated as such by action of the City Council, public participation at meetings of the City Council shall be limited to the public comment segment of the agenda of regular or special City Council meetings.
2. Any requests for City Council action must be presented to the Mayor or City Manager at least 30 days in advance of the next regularly scheduled City Council meeting. Any request received within 30 days of the next regular City Council meeting may be held until the following regularly scheduled City Council meeting. City Council reserves the right to not act on any actions requested until proper vetting is completed, and all information is obtained in order to facilitate an informed and appropriate decision.
3. All public comments shall be limited to three (3) minutes per person for all agenda and non-agenda items. However, the Mayor may give additional time for special circumstances or good cause. An individual's time may not be given or traded to other speakers or reserved for other portions of the meeting. The City Manager or designee shall act as timekeeper or City Council shall designate another elected officer as timekeeper. Each speaker will be signaled when their time has expired.
4. Any person wishing to speak at a public meeting must sign the appropriate "sign-in sheet" upon entering the room before the start of the meeting indicating their intention to speak. This sheet shall be used by the Mayor, Vice-Mayor, or other City Council member to recognize speakers. Any person wishing to speak at a public meeting during the public comment segment or during

a public hearing when a sign-in sheet is not available, shall raise their hand. When recognized by the Mayor, Vice- Mayor, or other City Council member, the individual must stand and state their name, address, and if appropriate, group affiliation and must state the subject they will be addressing.

5. A public hearing is conducted to receive comments from interested parties relating to the purpose of the public hearing. City Council will not engage in dialogue with speakers during public hearings or public comment.
6. Members of the City Council, speakers, and audience must observe proper decorum. Any statement made during the meeting or during a public hearing by the Mayor, members of City Council, city employees, or members of the public shall not involve personal, disrespectful, or slanderous attacks on individuals, regardless of whether the individual attacked is an elected official, city employee, or member of the public.
7. The Mayor or the presiding officer shall have control of the meeting. The use of profane, vulgar, inflammatory, threatening, abusive or disparaging language, or racial or ethnic slurs will not be tolerated. All attendees must be respectful to others present at all times.
8. Discussion between speakers and attendees of the public meeting or hearing are prohibited. A speaker may disagree with or support prior speakers in comments directed to the City Council. No person attending a meeting or public hearing shall engage in booing, handclapping, or otherwise disrupt the formality of the proceedings.
9. Banners, flyers, or other signs are not permitted in the Council Chambers. Distribution of flyers in the meeting room is also prohibited.
10. Any attendees leaving the meeting prior to adjournment must leave in a quiet and orderly manner until outside the meeting room and hallway so as not to disturb the meeting.
11. If the Mayor or presiding officer fails to enforce the rules set forth herein, a member of the City Council may move to require them to do so, and an affirmative vote of a majority of the City Council shall require them to do so. Any decision relating to enforcement of the rules set forth herein may be appealed and overturned by a vote of a majority of the City Council members.
12. Any person who disregards the directives of the Mayor or presiding officer in enforcing these rules or generally conducts themselves in a boisterous or inappropriate manner while addressing the City Council or otherwise disturbs the peace during a meeting may be barred from further participation at future meetings and lose any balance of time remaining for their comment.
13. If a speaker who violates these rules refuses to step down, the Mayor or presiding officer may ask the individual to be removed from the Council Chambers.

NB #2: PROCLAMATION OF APPRECIATION FOR DR. JAMES C. BRADFORD

Mayor Cooper read the following Proclamation:

Proclamation of Appreciation
Dr. James C. Bradford

WHEREAS Dr. James C. Bradford served as Chairman of the Electoral Board for the City of Buena Vista for 20 years; and

WHEREAS Dr. Bradford is a member of the Retired Teachers Association and served as Superintendent for Buena Vista City Public Schools for 33 years; and

WHEREAS Dr. Bradford has been an active member of the Buena Vista Baptist Church where he holds the title of Deacon Emeritus and serves as Chairman of the finance team, Sunday school teacher, and head of the Communion team; and

WHEREAS Dr. Bradford faithfully fulfilled the duties of the Electoral Board and has been a huge supporter of all aspects of the community both big and small for countless years; and

WHEREAS the City of Buena Vista is incredibly grateful to Dr. Bradford for his dedication to serving the City, its students, and its citizens.

NOW, THEREFORE, BE IT PROCLAIMED, on this date, January 18, 2024, by the Mayor, the Buena Vista City Council, and the citizens of Buena Vista, that Dr. James C. Bradford be honored for his years of service to the City.

Tyson T. Cooper, Mayor

Councilman Webb moved to **approve** the Proclamation. Councilman Cash seconded the motion, and it was carried by Council.

NB #3: PROCLAMATION OF APPRECIATION FOR MRS. GLORIA E. MARTIN

Mayor Cooper read the following Proclamation:

Proclamation of Appreciation
Gloria E. Martin

WHEREAS Mrs. Gloria E. Martin served as an officer of election and as Co-Chair for the Electoral Board for a total of 20 years; and

WHEREAS Mrs. Martin has been an active member of the community in many ways serving on the Buena Vista School Board, the Fighting Blues Band Boosters, and as a member and eventually President of the Buena Vista fire Department Auxiliary; and

WHEREAS Mrs. Martin is a long-time member of the First Baptist Church where she serves as Deacon and President of the Usher Board; and

WHEREAS Mrs. Martin performed her duties as officer and co-chair for the Electoral Board with honesty and integrity; and

WHEREAS the City of Buena Vista is extremely grateful to Mrs. Martin for her dedication to volunteering and supporting the City and its citizens.

NOW, THEREFORE, BE IT PROCLAIMED, on this date, January 18, 2024, by the Mayor, the Buena Vista City Council, and the citizens of Buena Vista, that Mrs. Gloria Martin be honored for her years of service.

Tyson T. Cooper, Mayor

Councilman Staton moved to **approve** the Proclamation with Councilman Webb seconding, and it was carried by Council.

NB #4: LIBRARY DIRECTOR, JULIE GOYETTE, TO DELIVER UPDATE ON ROCKBRIDGE REGIONAL LIBRARY SYSTEM

Mrs. Goyette reported the following highlights from the Rockbridge Regional Library System:

- Since 1988, the system has served the areas of Lexington, Warm Springs, Glasgow, Goshen, and Buena Vista.
- In addition to the physical locations, there are three outreach vehicles to reach homebound, disabled, elderly, and preschool patrons.
- The library system is a Regional 501(c)(3) nonprofit organization.
- They serve over 40,000 residents across the region.
- There are currently 50 employees in the library system.
- The board of trustees consists of 12 members appointed by the four jurisdictions which they serve.
- Local funds from the four jurisdictions served by the library system are the largest source of income.
- They receive annual allocations in the form of state aid from the Library of Virginia.
- They receive funding from their foundation based on three rolling years of investments.
- They receive money from the Federal government because they filter the computers in compliance with CIPS, the Child Internet Protection Act.
- The library system also receives unrestricted donations which can be applied to the operating budget. Donors have the option to designate their gifts to a specific branch or purpose.
- Products and services offered by the library system include passport processing, print books, eBooks, E-audiobooks, training and resources on the website, hotspots available for checkout, and printing services. They also provide a variety of programs including story times, author talks, literacy tutoring, improv and movie nights, and book clubs.
- During FY23 there were several increases, including youth programs, program participants, database use on the website, books by mail, patron visits, eBook checkouts, and the use of meeting rooms. Their largest decrease for the year was for printed material checkouts.

NB #5: FIRST READING OF AN ORDINANCE FOR A CONDITIONAL USE PERMIT FOR FIVE (5) UNRELATED PERSONS TO OCCUPY 2345 BIRCH AVENUE

Ms. Burch read the following:

**Conditional Use Permit
2345 Birch Avenue**

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 603.03-7 and Section 711 of the Land Development Regulations, a Conditional Use Permit shall be issued for occupancy of the dwelling at 2345 Birch Avenue by five unrelated persons, in conformance with the staff report and site plan attached as "Exhibit A" and the following conditions:

1. That the two basement rooms shown on the plan as "storage" rooms are not used for sleeping unless they are made to conform with the Virginia Uniform Statewide Building Code for emergency egress; and
2. That the gravel parking area in front of house is expanded and edged so it is deep enough to accommodate perpendicular off-street parking with at least 15' of the space outside the public street right-of-way.

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

NB #6: FIRST READING OF A ZONING TEXT AMENDMENT FOR SECTION 630: DIMENSIONAL REGULATIONS

Ms. Burch read the following:

**Zoning Text Amendment
Section 630: Dimensional Regulations**

AN ORDINANCE to amend Section 630 of the Land Development Regulations of the Code of the City of Buena Vista, as amended, for the purpose of updating residential occupancy 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 is repealed and replaced in full as shown in the attached "Exhibit A".

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

NB #7: FIRST READING OF A ZONING TEXT AMENDMENT FOR SECTION 711: RESIDENTIAL OCCUPANCY

Tom Roberts read the following:

**Zoning Text Amendment
Section 302 and 711: Residential Occupancy**

AN ORDINANCE to amend Sections 302 and 711 of the Land Development Regulations of the Code of the City of Buena Vista, as amended, for the purpose of updating residential occupancy 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, that Section 302-04-9 Dwelling Unit is hereby repealed; and that Section 302.01-10 and 302.04-5 are amended to read as follows:

302.01-10 Apartment means a dwelling unit located in a building with other dwelling units or other uses, providing living quarters for a single family. Efficiency dwelling units are apartments.

302.04-5 Dwelling (or Dwelling Unit) means any building or portion thereof which is designed for or used primarily for residential purposes by one family as herein defined, except hotels, dormitories, and automobile trailers. Dwellings may be used for transient occupancy pursuant to Section 714 Residential Transient Occupancy.

BE IT FURTHER 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 711 is amended in full as shown in the attached "Exhibit A".

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

NB #8: DISCUSSION AND APPROVAL OF ARPA FUNDS FOR GLEN MAURY PARK CAMPGROUND RESTROOM

On behalf of Councilman Henson who was absent from the meeting, Mr. Tyree requested a total of \$100,000 in ARPA funds to be allocated to Glen Maury Park. The request includes \$50,000 to construct a new bathroom for the lower campground in order to be compliant with health department regulations. He noted that we will not be able to open parts of the campground without this new bathroom. \$20,000 will go to install a fence and additional handicap parking at the new playground; \$25,000 for resurfacing the tennis courts and incorporating pickle ball courts; and \$5,000 for contingencies. He informed Council that we did not receive the grant to resurface the tennis courts and that the high school uses these courts for practice.

Councilwoman Poluikis moved to **approve** the allocation, seconded by Councilman Cash, and carried by Council.

NB #9: DISCUSSION AND APPROVAL OF ARPA FUNDS FOR TOWN SQUARE PAVILION

Kristina Ramsey recapped her previous report stating that we are partnering with the local timber framers and VMI to construct the pavilion for Town Square. The main goal of the project is to promote community engagement through the building process and to give back to a worthy organization. Miss Ramsey stated that even though the labor and timber for the pavilion are donated, building the pavilion will require approximately \$100,000 to prepare the site and construct. She noted that they are seeking monetary donations and labor/in-kind donations to help bring the real costs down, and material donations to help offset the total cost. They are committed to ensuring that the project is completed on time and within budget and have begun a comprehensive fundraising effort. However, with the build day (April 5-9) rapidly approaching, we have a limited amount of time to acquire funding and get the required site work done within the necessary timeline. Miss Ramsey then requested funding of \$100,000 to ensure the project can move forward while we continue to fundraise and seek donations. She did note that this is the bare

minimum that we would need in order to move forward, but the ideal situation would be \$200,000 which would allow them to go ahead and do the sidewalk around the entire area as well as the platform for the stage. She added that once the pavilion is built, it will offer a beautiful and centrally located event venue enhancing our downtown. The construction project itself will foster community engagement, local pride, and proof that our City is vibrant and capable.

After some discussion, on a motion by Councilman Webb, seconded by Councilman Staton, Council unanimously **approved** \$200,000 of ARPA funds to go to the Town Square project.

NB #10: INTERVIEW OF CITY COUNCIL APPLICANTS

There were seven applicants for the vacant City Council seat. The person selected will fill the seat until the special election on November 5, 2024. Council invited each applicant up to the podium for an interview.

- Jody Fix is a 35-year citizen, wife of the late Fred Fix, and recently retired. When asked how she handles conflict, she stated that she worked in the insurance side of her business, so she dealt with conflict quite often and what she learned is that it is important to listen to both sides, give each side equal attention, and most importantly have patience.
- Todd Jones moved here in 1977 and practiced law in town for 45 years. His government appointments have included Mayor, City Council, and Planning Commission. He also has experience with the school and planning and zoning issues. Mr. Jones has no interest in running for election in November and wants to offer his experience to the Council until that time. When asked what project he feels is most important at this time, he stated that the WWTP has to be solved.
- Timothy Petrie moved here as a child in 1968 and recently retired from the Virginia Department of Environmental Quality. He was also a member of the Navy Reserves. He has served on various boards as well as City Council in the past and is currently a member of the Planning Commission. He is experienced in compliance and enforcement as well as having DEQ expertise. Mr. Petrie does intend to run in the November election. He also agreed that the WWTP is the most important project facing the city right now.
- Stanley Coffey is a lifelong citizen and a life member of the Buena Vista Rescue Squad. Mr. Coffey had most recently served on Council since 2016 and wants to see things finished. He noted that he learned a lot during his time on Council and wants to continue that. He also agreed that the WWTP has to be redone.
- Steve Baldridge has lived here since 1998 and served the community in many capacities including various boards as well as City Council. He is passionate about helping people understand differences and explaining things to help people understand how Council works. Mr. Baldridge wants to get things done, help people, and work together.
- Jennifer Humphrey, whose family is originally from here, moved back to the City in 2007. Mrs. Humphrey is passionate about education and has some concerns about Mountain Gateway that she would like to address.
- Michael Lonergan has lived in the City for 15 years. He is a local realtor and was in the Peace Corps. Mr. Lonergan's experience includes budgets, water projects, digging wells and septic and he understands the difference between need versus want. He loves the City and wants to

see more community involvement.

EXECUTIVE SESSION

According to Section 2.2-3711 (A) (1) of the 1950 Code of Virginia, as amended, for the purpose of discussing and considering perspective candidates for appointment to fill a vacancy on the Buena Vista City Council.

RETURN TO REGULAR SESSION:

Councilman Webb moved to return to regular session, seconded by Councilman Cash and carried by Council.

CERTIFICATION OF EXECUTIVE MEETING

MOTION: Councilman Webb

DATE: January 18, 2024

SECOND: Councilman Cash

PURPOSE: Discuss Council Applicants

WHEREAS, the Buena Vista City Council has convened an Executive Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS Section 2.1-344.1 of the Code of Virginia requires a certification by the Buena Vista City Council that such Executive Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Buena Vista City Council hereby certifies to the best of each member's knowledge that: (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the Executive Meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the Executive Meeting were heard, discussed or considered by the Buena Vista City Council.

VOTE:

Councilman Henson absent

Councilwoman Poluikis ✓

Councilman Staton ✓

Councilman Webb ✓

Councilman Cash ✓

Mayor Cooper ✓

AYES – 5

NAYS – 0

MEMBERS ABSENT DURING VOTE: Melvin Henson

MEMBERS ABSENT DURING MEETING: Melvin Henson

Sarah M. Burch, Clerk of Council

NB #11: APPOINTMENT OF CITY COUNCIL MEMBER

Mayor Cooper asked for nominations.

Councilman Webb moved to appoint Mr. Todd Jones to the vacant Council seat. The motion was seconded by Councilman Cash.

Ms. Burch completed a roll call of Council as follows.

Member	Present	Absent	Yes	No	Abstain
Councilman Henson		X			
Councilwoman Poluikis	X		X		
Councilman Webb	X		X		
Councilman Staton	X		X		
Councilman Cash	X		X		
Mayor Cooper	X		X		

By unanimous vote, Mr. Todd Jones was appointed to City Council.

ADJOURNMENT

There being no further business, the meeting was adjourned.

Sarah M. Burch, Clerk of Council

Tyson T. Cooper, Mayor