

**CITY OF BUENA VISTA
REGULAR COUNCIL MEETING & EXECUTIVE SESSION
COUNCIL CHAMBERS
April 6, 2023, 6:00 P.M.**

The City of Buena Vista City Council met for a Regular Meeting and Executive Session on Thursday, April 6, 2023, at 6:00 p.m.

Members Present:

Melvin Henson
Tyson Cooper
Steve Webb

Mayor Bill Fitzgerald
Vice-Mayor Cheryl Hickman
Stanley Coffey
Danny Staton

Members Absent: None.

ADG #1: PLEDGE OF ALLEGIANCE AND PRAYER

Councilman Cooper delivered the opening prayer.

ADG #2: APPROVAL OF THE AGENDA

Councilman Cooper moved to approve the agenda, seconded by Vice-Mayor Hickman, and it was carried by Council.

ADG #3: MINUTES DELAYED

ADG #4: 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.

Ms. Coretta Thurman, 2575 Hawthorne Avenue stated that she pays taxes on two properties in the City, and she had heard a rumor that the City was giving away land to the school. She said she inquired about this with Tom Roberts and Tom told her that this was for contractors only. She opined that the City of Buena Vista is not in the habit of giving away free land and she was made to buy the part of the alley that is connected to her house. She also mentioned that her neighbor had to do the same. She feels like instead of giving away property, they should sell it and get in the revenue instead of increasing taxpayer's taxes. She stated that you can't give land away and then raise taxes on the taxpayers. She also mentioned that Mr. Roberts said that this was for fair housing. Ms. Thurman said that fair housing and student housing are two different things. Student housing is the responsibility of the college to provide. It is not the responsibility of the citizens of Buena Vista to provide housing for the students. She opined that if they want to give away free land, that is fine, but don't do for one person what you can't do for everyone else. Ms. Thurman then presented Council with photos of student housing (her neighbors). She noted that she had to go to the football coach to get these students to cut their grass. She asked for Council to "pass a bill" to give land away and that fair housing should be for everyone, not just students. She stated that people of low income should not be excluded, and everyone should have the option to live in this facility or building, not just students.

Councilman Cooper asked Tom Roberts to clarify this as he was not aware of the City giving land to the school to build fair housing.

Mr. Roberts approached Council and stated that he had spoken with Ms. Thurman recently. He mentioned that he thinks some of the things Ms. Thurman referred to was a combination of several things that the City had looked into previously. About a year ago, we looked at three City-owned lots and a program to incentivize housing construction by transferring or selling those for \$1.00 to contractors with the agreement that they would build houses. We ultimately did not award any of those as we did not get the response from contractors that we had hoped to see and did not feel good about moving forward with that. The second thing, with SVU, was a couple months ago when we were looking at transferring several (three and then two) City-owned parcels to SVU that were considered not developable and ultimately Council said 'no, we don't want to transfer those'. That has been tabled/not happening. He further noted that we have considered several things but have not actually moved forward with giving away any City property at this time. He opined that we should consider different options, but Ms. Thurman brings up a good point about fairness and consistency and about making sure that we're considering the value of parcel of City-owned land and how we dispose of them. He thinks the fair housing part that Ms. Thurman spoke about may be referring to their discussion about our (the City) desire to see affordable housing and the housing study that is now underway will be completed next year which will include recommendations for how the City might be involved in helping to encourage more housing. We want to have adequate housing that is affordable and for the people that live and work here. The housing study will look at ways the City might be potentially involved in creating affordable housing. That may mean taking some of the City-owned parcels and building houses on those in some way; but we do not know at this point. There will be a different set of considerations after we look at what the housing study recommends.

Mr. Jim Hudson, 1872 Forest Avenue approached Council and recalled that he had spoken with them a while back about the Library. He was wondering if he could be updated on the project(s) to keep water out of the Library, unless the six sandbags laid in the back are the water mitigation project. He mentioned that he has seen a lot of good things in the paper about Town Square across the street from the Library; at a good price of about \$700,000. He questioned if anyone had talked about what to do about the water.

Mayor Fitzgerald said that he offered to seal the door, but they did not want that. Mr. Hudson stated that sealing a door is a band aid on a deep wound.

Mayor Fitzgerald responded saying that he suggested sealing the door up until they got everything built. He said they did not want to do that, and that is why the sandbags are there, to protect it until it is built.

Mr. Hudson asked if there were any plans beyond that or if someone was going to try to figure out what it is going to take to fix it permanently.

Mayor Fitzgerald said that they had already decided, they are just waiting for the moment to get in there and close in that area so that water will not get in there anymore. He stated that right now, it is open, and water is coming in through the edge of the door, so they are going to actually close that whole area in.

Mr. Hudson asked what the cost of that would be and Mayor Fitzgerald stated that it would all be done in-house.

ADG #5: REPORTS

1. Mayor

None.

2. City Manager

Mr. Tyree reported that they had been to some meetings over the last couple of weeks in Richmond and DC. He stated that there was some potential for some Federal and State funding for the many projects we have going on. They had some good meetings with some of the Senator's folks and it was really positive, and we should definitely be in consideration for some of the earmarks coming up for some of our projects.

Hunter Young, the engineer for the Wastewater Treatment Plant, said we should know within the next 60 days how much funding we should be getting. Delegates Austin and Campbell are both working together on an appropriations committee to make sure that there is potentially more funding for the City's WWTP projects. We have everyone working together and now it's just going through the motions. We should hear back soon on the amounts we will receive.

Mr. Tyree turned the floor over to Kristina Ramsey to report on the workshop we had this week. Ms. Ramsey greeted Council and stated that we had a Recreation Economy for Rural Communities workshop on Tuesday and Wednesday, and this generated an excellent turnout. She stated that she was shocked, and it turned out much better than expected. She also mentioned that the facilitation team noted that this was the best attendance they have seen at all of their workshops. She further mentioned that we are one of 25 communities in the country that were selected to participate in this outdoor recreation program. The workshop kicked off with a community tour with about 15 partners from Federal and State agencies visiting different areas of the City that are relevant to outdoor recreation. They visited SVU, the Chessie Trail boat launch and heard from Rockbridge Outdoors, Laurel Park and met with Chad Coffey with RARO, spent a lot of time at Glen Maury Park, did the river walk, and a downtown walking tour. The tour was followed by the initial workshop that took place from 5:30 – 8:00 p.m. at the fire house. There were over 70 people in attendance including citizens, various organizations, community leaders, folks from SVU, Tony Francis with the school system, healthcare representatives, and Debbie Garrett with Congressman Cline's office was also there. During that time, we laid the groundwork for initial feedback from all in attendance. Activities included one-word exercises where they learned what outdoor recreation means for different members of our community. They also did a headline activity where each participant shared a news headline for what they would like to see for the City in five years. On Wednesday, the workshop continued from 9:00 a.m. to 5:00 p.m. and there were still over 50 people in attendance. They heard case studies from other communities, information about Appalachian Trail communities, and information about different funding opportunities from nine Federal agencies who shared a lot of different grant opportunities and technical assistance programs we could take advantage of. Additionally, there were a lot of hands-on activities. This included asset mapping where they put dots on all the assets that we have now for outdoor recreation as well as some we would like to see in the future like a dog park or skate park, for example. They also did itinerary planning for what it looks like now if folks were to visit the City. Examples include grandparents with grandkids coming to the city; what would they do on a three-day trip here? What would a family visiting SVU as an option for their student do in three-days here? Through that activity they identified strengths, weaknesses, and gaps for all those areas. They also did goal review and action planning brainstorming. The people in attendance went through four different goals for downtown: improving infrastructure, promotion, branding, and improving or adding educational offerings for youth. Following that, they began creating the actual action plan for activities that they could work on. That

includes improvements for Glen Maury Park, focusing on developing lodging, improving promotions, new educational offerings, and different ways we can approach that. From here, we will have three additional calls where we are inviting folks from the workshop where we will hash out the rest of the action plan. In the end, we will have all of the feedback from the workshop as well as a detailed action plan on what we can do to improve our economy through outdoor recreation that we can then work towards with all of these State and Federal partners that are already willing to give us money. Ms. Ramsey invited Council to join in on those calls and noted that she is very excited about what can come of this. Ms. Ramsey also shared that next Friday, April 14, at 1:00 p.m. we are doing a ribbon cutting for a track trail at GMP. This is a kids and parks program with Blue Ridge Parkway to help get families and kids out on trails and outdoors. This is led by Rockbridge Outdoors. Mr. Tyree gave special kudos to Kristina for all her work and effort in organizing everything.

3. City Attorney

None.

4. Council Committees/Representatives

Councilman Staton spoke about some cosmetic work needed at the cemetery. There are some bricks that need to be replaced at both entrances and there are quite a few dead trees. As we know, tombstones are very expensive, and a lot of families cannot afford new ones. There are several areas in the cemetery where limbs from the dead trees have fallen on tombstones. He opined that we need to look into what can be done to get these trees taken down before something gets destroyed.

Councilman Henson began his report speaking about the high winds on the previous weekend. He stated that the fire department was called out five different times for downed trees across the road and one tree had fallen across a vehicle; luckily no one was in the vehicle. He also spoke about several garages throughout the City that have been converted into living quarters and he wants to talk to Tom Roberts about this. He reminded everyone about the upcoming events at Glen Maury Park. The Easter egg hunt will be this Saturday at noon and the Cruise-in will be on the 15th from 3:00-7:00 p.m. There will be a kid's fishing day on April 29 beginning at 9:00 a.m.; they began this several years ago and are now bringing it back. The Guns and Hoses softball game is scheduled for April 29th at 6:00 p.m. All proceeds from the game will go toward the new playground. He asked Mr. Tyree who the Animal Control officer is because he had a call this morning about a skunk running around a neighborhood and it possibly had rabies. He mentioned there has also been a problem with people not picking up after their dogs when walking them. The Combat Warriors from American Legion Post 16 in Lynchburg will be riding motorcycles through the Valley and will be making a stop in Buena Vista at American Legion Post 126. There will be around 200 riders throughout the course of the morning. This is on April 22 and the bikers should be in town around 10:00 a.m. He told everyone to mark their calendars for May 10; the Community Table will be furnishing meals at the fire house from 6:00-7:00 p.m. You can make donations if wanted and RATS transportation will pick people up and take them if they need a ride.

ADG #6: CONSIDER APPOINTMENTS TO BOARD, COMMISSIONS, AND COMMITTEES

Mountain Gateway Community College Board

We have an opening on the Mountain Gateway Community College Local Board. This term will expire on June 30, 2024. This is the 2nd time this has appeared on the agenda. The term will begin immediately, as Lisa Clark has resigned.

There were no applicants.

Vice-Mayor Hickman stated that she is interested but wanted to know about the hours so she could make sure she would be able to attend the meetings. She will be calling them to find out this information.

OLD BUSINESS

OB #1: SECOND READING OF AN ORDINANCE FOR A CONDITIONAL USE PERMIT FOR MORE THAN FOUR UNRELATED PERSONS IN A DWELLING UNITY (SECTION 711) AT 1744 CEDAR AVENUE

Councilman Cooper asked if there had been any changes to the Ordinance since the last meeting. Tom Roberts replied that there had not.

Councilman Cooper moved to read the Ordinance by title only, seconded by Vice-Mayor Hickman and carried by Council.

Councilman Cooper read the Ordinance by title.

Mayor Fitzgerald opined that we should stick with only four and that he doesn't think we should allow any more than that in a house. Councilman Henson agreed, due to the location of the house and the houses adjacent to this property makes it tight quarters through there.

Councilman Coffey remembered voting against this on Chestnut Avenue a couple of years ago when someone wanted to put nine people in a house. He also agreed that the four people currently living there is plenty, further mentioning that there are a lot more living there than they say there are.

Vice-Mayor Hickman agreed saying that this is a hinderance on the citizens if we are going to move all or a lot of the students into the community to live in residential homes. Her concern is that it is taking up all the housing in town because most of the houses have students living in them. She questioned that if the school is planning to expand by roughly 800 students, then why could they not build a dorm for these students instead. She opined that this is already a problem and will continue to be more of a problem if they continue to bring the students into residential homes when they should be housed in student housing instead. She further opined that the school cannot bring 800 more students into the college without doing something to supplement the housing. Mayor Fitzgerald responded saying that a lot of colleges usually house students for the first year then they go out in the community to live. Vice- Mayor Hickman said that even though we are a college community, we are small, and this is a hinderance for the City. She reiterated Councilman Henson's report that there are garages being turned into student housing. She further noted that she is getting more and more complaints from citizens because of the amount of student housing in town. We want to be welcoming to students, but if they are pushing out community members to put students in the housing, then we are not coexisting. She also opined that [the City] cannot absorb 800 students into the community.

Councilman Coffey recalled when SVU was Southern Seminary as an all-girls school, they did not live in the community, only at the school. He opined that there is plenty of space up there (at SVU) to build and provide more student housing. Mayor Fitzgerald responded that that is the

future plan; to build dorms on the school property.

Councilman Cooper asked Tom Roberts what the Planning Commission's recommendation was. Mr. Roberts stated that they did not have one.

Mayor Fitzgerald asked for a motion.

Councilman Henson moved to decline the Ordinance and was seconded by Councilman Staton.

Mr. Tyree completed a roll call vote on the motion to **decline** the Ordinance as follows:

Member	Present	Absent	Yes	No	Abstain
Councilman Henson	X		X		
Councilman Cooper	X		X		
Councilman Webb	X		X		
Councilman Staton	X		X		
Councilman Coffey	X		X		
Vice-Mayor Hickman	X		X		
Mayor Fitzgerald	X		X		

The Ordinance was NOT adopted based on unanimous vote.

NEW BUSINESS

NB #1: UPDATE ON PUBLIC WORKS FROM PUBLIC WORKS DIRECTOR COREY HENSON

Mr. Henson began by stating that he wanted to update Council on what has been going on "behind the scenes" at public works over the last few months. They now have a full-time mechanic. They were able to refurbish one of the old leaf blowers in case one of the new ones goes out. They were able to put a new roof on and fabricate inside with metal from old dump beds as they were replaced with aluminum beds. He used this to fabricate gutter protectors that saved \$300 each for five of them. They also refurbished an abandoned equipment trailer that was left on their lower lot. They got the title and replaced the fenders and tires at a minimal cost. They took a one-ton flatbed crew cab 4x4 truck that had one green door, one yellow door, and two white doors and tore it down completely inside the shop. They primed and painted it, replaced the doors, windows, mirrors, and sideboards with used parts and now it looks like a brand-new truck and is back on the road. Chris and Jeremy Pooley were able to find a nice bucket truck in Harrisonburg. Corey stated that he was able to talk them down on the price from \$59,900 to \$52,800. He addressed Councilman Staton's concern about the tree limbs falling in the cemetery and said that they used this bucket truck to take care of some of those falling limbs two days ago. He also stated that he noticed the loose and missing bricks today that Councilman Staton had mentioned as well, and they will be getting those taken care of. Springtime is here; they have started pressure washing and painting the Public Works building and it will look really nice once they are done with that. He stated that he is very proud of his guys and the morale of the shop. He mentioned that they have a lot of work coming up: curbing and gutters, new water and sewer installs, a lot of work at the WWTP, paving, potholes, and patching.

Vice-Mayor Hickman asked if they have a schedule for fixing the roads in town or if they have scouted out the worst areas. Corey responded that Chris and Jeremy are trying to get some of the smaller things done before the asphalt plant actually fires up. Vice-Mayor Hickman stated that she had received a call from a citizen who popped a tire on Long Hollow. Corey said that he has contacted the gas company about that. He said he was told by the Miller Pipeline that they're going to start paving Long Hollow next week. He further stated that he will be contacted by Columbia Gas tomorrow morning, and they are going to take care of these issues. He will be reaching out to the lady who popped her tire to help get her to the right people.

Councilman Webb opined that we should have a City employee or representative with them to monitor and inspect the work as they complete it. Corey agreed and noted that they had gotten rid of the contractors they were using.

Councilman Staton asked if they would be coming back to open any holes up or just paving. He mentioned that he was in that business for most of his life and as he watched those workers, he noticed that when they put the material back in the hole, they just covered it up, then the dirt settles, and that's why it doesn't last.

Corey also opined that we should send someone to an asphalt class to get certified for the future. He said that when he talks to the "main man" from Columbia Gas, he is going to talk to him about some of the paving that has been done because it is rippled and rough, like going up towards the high school, for example.

Councilman Henson asked how the manpower situation was for Public Works. Corey responded that he's down one full-time and two part-time, but he hired young school kid today for mowing, which leaves one part-time and one full-time position open; everything else is filled as of now. The full-time opening is with curbing and guttering and has been advertised, but it is hard to compete with other localities on pay.

Mr. Tyree gave kudos to Corey for purchasing the bucket truck with funds that he had saved out of the Public Works budget this year and for being mindful of every tax dollar we get.

EXECUTIVE SESSION

Councilman Cooper read the following:

- 1. According to Section 2.2-3711 (A) (1) of the 1950 Code of Virginia, as amended, for the purpose of reviewing applications for the Clerk of Council position.**
- 2. According to Section 2.2-3711 (A) (3) of the 1950 Code of Virginia, as amended, for the purpose of discussing the possible disposition of publicly held real property where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the City.**

CERTIFICATION OF EXECUTIVE MEETING

MOTION: Councilman Cooper

DATE: April 6, 2023

SECOND: Vice-Mayor Hickman

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:

AYES – ALL NAYS – NONE

MEMBERS ABSENT DURING VOTE: None

MEMBERS ABSENT DURING MEETING: None

Jason L. Tyree, City Manager

REGULAR SESSION:

Council Member Coffey moved to return to regular session, seconded by Council Member Webb and carried by Council.

Mayor Fitzgerald - Y Mr. Webb - Y Mr. Staton - Y Mr. Henson - Y

Vice-Mayor Hickman - Y Mr. Cooper - Y Mr. Coffey - Y

ADJOURNMENT

There being no further business, the meeting was adjourned.

Jason L. Tyree, City Manager

William H. Fitzgerald, Mayor

