



City of Buena Vista City Council Regular Council Meeting

August 21, 2025, 6:00 PM
Council Chambers – 2039 Sycamore Avenue

The City Council for the City of Buena Vista met for a Regular Council Meeting on Thursday, August 21, 2025, at 6:00 p.m.

Members Present: Mayor Tyson Cooper
Vice-Mayor Danny Staton
Michelle Poluikis – *arrived at 6:06*
Melvin Henson – *arrived at 6:06*

Stanley Coffey
Ronald Cash

Members Absent: Steve Webb

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

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

ADG #2: APPROVAL OF THE AGENDA

Vice-Mayor Staton moved to approve the agenda, seconded by Councilman Coffey, and carried by Council.

ADG #3: APPROVAL OF MINUTES FROM THE AUGUST 7, 2025, REGULAR COUNCIL MEETING & EXECUTIVE SESSION

Motion to approve the minutes was made by Councilmember Coffey, seconded by Councilmember Cash, and carried by Council.

ADG #4: RECOGNITION/COMMUNICATION FROM VISITORS

- Jeremy Becker, 185 East 36th Street, raised concerns about ongoing issues with inconsistent code enforcement in his neighborhood. He cited problems such as trash, human waste, loud vehicles, reckless driving, aggressive dogs running loose, illegal dumping, loud music, and fighting. Mr. Becker requested that Council prioritize consistent enforcement and ensure timely response to reported violations to show support for residents who are maintaining the standards and uphold community pride.
- Jesse Lineberry, 2525 Racey Drive, addressed Council with concerns about the recently reopened Shelter 4 at GMP being closed again due to alleged drug activity. He noted that this shelter is preferred by those residents who prefer a quieter space and asked that the PD monitor the situation instead of having park employees “police” the park and those situations.

ADG #5: REPORTS

1. Mayor

Mayor Cooper mentioned that there is an open seat on the School Board following a resignation of one of their members. Qualified voters are encouraged to submit a statement of interest and

resume to the School Board Clerk by August 26th.

2. City Manager

Mr. Tyree advised that Columbia Gas plans to replace a section of pipeline between 9th and 10th Streets on Magnolia Avenue where it was just recently paved. Prior to the paving, they had assured us that this area would not be disturbed, however, new funding has come through to allow them to complete this project. They plan to bore under the sidewalk rather than dig into the road to help reduce any damage to the road. More information about that will be forthcoming in the following weeks.

There has been a recent increase in complaints regarding the quality of trash pickup. Most of the refuse crew members are new, so the supervisor will be following them around to ensure proper training and will be retraining them periodically.

Mr. Tyree reminded everyone of the City's policy on placing political signs in the City right-of-way. They are only permitted in the ROW beginning the Saturday prior to Labor Day and the Monday evening (after 5:00 pm) prior to Election Day and all signs must be removed by noon on the following day.

There are several trees (especially elms with dead wood and/or in utility lines) that have been identified for removal at Camden Field. Some are poorly placed and diseased and must be removed; the selected trees have been marked with pink ribbon. Tom Roberts is working with the Tree Board to find new trees to replace these.

3. City Attorney

Mr. Kearney clarified from the conversation at the last meeting regarding the cigarette tax in Rockbridge County that Glasgow charges its own 25¢ per pack local tax, they do not get a 3¢ share off of the County's 25¢ tax as previously reported.

4. Council Committees / Members

a. Budget & Finance

None.

b. Outdoor Spaces

Mr. Henson advised that they will be holding their next City tour on August 23rd.

c. School Facilities

None.

Mr. Cash provided a brief update on the Rockbridge[BV]250 efforts, noting that the "Flag Fund" is growing with commitments totaling around \$2,100, or roughly 10% of the total project cost (donations for the Flag Fund include \$200/star and \$500/stripe). He is also seeking team members to help handle the details of the flag garden project.

Mr. Cash also followed up on Mr. Tyree's report about the trees at Camden Field, confirming that the trees are in poor health due to disease (especially the Dutch Elms) and poor planting. He also noted that the utility lines involved are telephone, not power lines.

5. Department Heads / Constitutional Officers / Court Clerks

Richard Atkins – Public Works

So far this year, the Public Works Department has completed the following:

- 110 tons of asphalt in potholes and curbing
- 600-feet of curbing on 24th Street from Hawthorne to Spruce Avenues
- New street signs installed from 1st to 13th Street on the east side of Magnolia Avenue
- Curb and crosswalk painting; more to come
- Over fifty water leak repairs
- Over ten new water/sewer taps
- Over one hundred sewer stoppages cleared
- They receive about ten 811 service tickets each day with a three-man crew
- Daily trash/brush collections
- Daily mowing and brush clearing

6. Invited Community Organizations

None.

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

Planning Commission

Mr. Justin Wiseman's term on the Planning Commission expires on August 31, 2025. Mr. Wiseman is unable to serve another term at this time. This is a four-year term and the second time it has appeared on the agenda.

Applicants: Kathryn Janiczek & Jesse Lineberry

Councilmember Henson nominated Mrs. Janiczek for the open seat with Councilmember Cash seconding.

Councilmember Coffey nominated Mr. Lineberry for the open seat with Vice-Mayor Staton seconding.

Ms. Burch completed a roll call vote of Council for each nomination.

For Mrs. Janiczek:

Member	Present	Absent	Yes	No	Abstain
Councilmember Henson	X		X		
Councilmember Poluikis	X		X		
Councilmember Webb		X			
Councilmember Coffey	X			X	
Councilmember Cash	X		X		
Vice-Mayor Staton	X			X	
Mayor Cooper	X			X	

Due to the vote resulting in a tie, the motion to appoint Mrs. Janiczek failed.

For Mr. Lineberry:

Member	Present	Absent	Yes	No	Abstain
Councilmember Henson	X			X	
Councilmember Poluikis	X			X	
Councilmember Webb		X			
Councilmember Coffey	X		X		
Councilmember Cash	X		X		
Vice-Mayor Staton	X		X		
Mayor Cooper	X		X		

With a vote of 4-2, Mr. Lineberry was appointed to the Planning Commission.

OLD BUSINESS

None.

NEW BUSINESS

NB #1: DISCUSSION & APPROVAL OF AN APPROPRIATION RESOLUTION

Mr. Bolster advised that there are projects that were approved for funding in FY 2025 that will continue towards completion in FY 2026. The large majority of these projects have funding that's either grant or other external sources, so the request is for Council to consider appropriating the funds to complete these projects.

Mayor Cooper clarified that these are projects that were expected to be completed in FY 2025 but haven't been therefore we need to appropriate the money in FY 2026 to finish them; but we're not spending more money than we originally planned to.

Ms. Burch presented the following Resolution:

Appropriation Resolution

BE IT RESOLVED by the City Council of Buena Vista, Virginia, that the following appropriations are, and the same is hereby made, for the period ending **June 30, 2026**, from the UNAPPROPRIATED SURPLUS of the **GENERAL FUND** and expended as follows:

Maury River Access Project - VOF Grant (FY 2025 Carryover)

10.8402.56184	VOF River Access Design	<u>\$16,805.00</u>
Sub-total 1		\$16,805.00

Historic Structure (Old City Hall) Report & Feasibility Study (FY 2025 Carryover)

10.8402.52500	Professional Services	<u>\$25,000.00</u>
Sub-total 2		\$25,000.00

Town (Magnolia) Square Project (FY 2025 Carryover)		
10.8402.56186	Town Square Project	<u>\$81,717.00</u>
Sub-total 3		\$81,717.00
Buena Vista Flood Hazard Resilience Plan - DCR Grant (FY 2025 Carryover)		
10.8402.56187	CFPF Resilience Plan Grant	<u>\$20,000.00</u>
Sub-total 4		\$20,000.00
VIA Commercial Kitchen Equipment - DACS (FY 2025 Carryover)		
10.8402.52070	Equipment & Materials	<u>\$741.00</u>
Sub-total 5		\$741.00
Total General Fund Appropriation		\$144,263.00

BE IT RESOLVED by the City Council of Buena Vista, Virginia, that the following appropriations are, and the same is hereby made, for the period ending **June 30, 2026**, from the UNAPPROPRIATED SURPLUS of the **PARKS & RECREATION FUND** and expended as follows:

Disc Golf Artificial Grass Tee Padding & Kayak Locker for GMP - Regional Tourism Grant (FY 2025 Carryover)		
12.7103.52070	Equipment & Materials	<u>\$7,980.00</u>
Sub-total 1		\$7,980.00
Total Parks & Recreation Fund Appropriation		\$7,980.00

Approved: This 21st day of August 2025.

Tyson T. Cooper, Mayor

Attest:

Sarah M. Burch, Clerk of Council

Councilmember Henson moved to **approve** the appropriation resolution, with Vice-Mayor Staton seconding, and it was carried by Council.

NB #2: DISCUSSION & APPROVAL OF A RESOLUTION FOR APPROVAL OF PLAN & SETTLEMENT WITH PURDUE SACKLER

Mr. Kearney advised that there are some additional bankruptcy settlements that have been negotiated with the Sackler family and several opioid manufacturers. This is similar to the other settlements that we have been a part of over the last few years, so we will continue to get money coming in sporadically. The money does have to be used for local opioid remediation programs

such as the Hope House and Recovery Court that we have appropriated those funds to previously.

Ms. Burch presented the following Resolution:

A Resolution of the Buena Vista, Virginia, City Council Accepting the Purdue Pharma Bankruptcy Plan and Approving of the City's Participation in the Proposed Direct Settlement of Opioid-Related Claims Against the Sackler Family, and Directing the City's Outside Counsel to Execute the Documents Necessary to Accept the Plan and Effectuate the City's Participation in the Settlement

WHEREAS the opioid epidemic that has cost thousands of human lives across the country also impacts the City of Buena Vista by adversely impacting the delivery of emergency medical, law enforcement, criminal justice, mental health and substance abuse services, and other services by Buena Vista's various departments and agencies; and

WHEREAS Buena Vista has been required and will continue to be required to allocated substantial taxpayer dollars, resources, staff energy, and time to address the damage the opioid epidemic has caused and continues to cause the citizens of Buena Vista; and

WHEREAS a settlement proposal has been negotiated that will cause the Sackler family, the owners of the Purdue Pharma family of companies, to pay an aggregate of \$6.5 billion nationwide to resolve opioid-related claims against them and resolve Purdue Pharma's bankruptcy; and

WHEREAS Buena Vista has joined a suit against Purdue Pharms and the Sackler family for their role in the distribution, manufacture, and sale of the pharmaceutical opioid product that have fueled the opioid epidemic that has harmed the citizens of Buena Vista; and

WHEREAS the City's suit seeks recovery of the public funds previously expended and to be expended in the future to abate the consequences and harms of the opioid epidemic; and

WHEREAS the City submitted a proof of claim in the bankruptcy and is thus entitled to vote on whether the bankruptcy court should accept or reject the associated bankruptcy plan; and

WHEREAS the City, on advice of outside counsel, has approved and adopted the Virginia Opioid Abatement Fund and Settlement Allocation Memorandum of Understanding (the "Virginia MOU"), and affirms that this pending settlement with the Sackler family shall be considered a "Settlement" that is subject to the Virginia MOU, and shall be administered and allocated in the same manner as the opioid settlements entered into previously with the Distributors, Janssen, Teva, Allergan, Walmart, CVS, Walgreens, and Kroger; and

WHEREAS the City's outside counsel has reviewed the available information about the proposed settlement with the Sackler family and the Purdue Pharma bankruptcy plan and has recommended that the City accept the bankruptcy plan and participate in the settlement, in order to recover its share of the funds that the settlement would provide.

NOW THEREFORE, BE IT RESOLVED, that the Buena Vista City Council, this 21st day of August, 2025, accepts the Purdue Pharma bankruptcy plan and approves of the City's participation in the proposed settlement of opioid-related claims against the Sackler family, and directs the City's outside counsel to execute the documents necessary to effectuate the City's participation in the settlement, including the required release of claims against the Sackler family, and accept the bankruptcy plan.

Tyson T. Cooper, Mayor

Attest:

Sarah M. Burch, Clerk of Council

Date of Adoption

Councilmember Cash made a motion to **approve** the Resolution. Councilmember Coffey seconded the motion, and it was carried by Council.

NB #3: DISCUSSION & APPROVAL OF A RESOLUTION FOR APPROVAL OF SETTLEMENT WITH OPIOID MANUFACTURERS

Ms. Burch presented the following Resolution:

A Resolution of the Buena Vista, Virginia, City Council Approving of the City's Participation in the Proposed Settlements of Opioid-Related Claims Against Alvogen, Amneal, Apotex, Hikma, Indivior, Mylan, Sun, and Zydus and Their Related Corporate Entities, and Directing the City's Outside Counsel to Execute the Documents Necessary to Effectuate the City's Participation in the Settlements

WHEREAS the opioid epidemic that has cost thousands of human lives across the country also impacts the City of Buena Vista by adversely impacting the delivery of emergency medical, law enforcement, criminal justice, mental health and substance abuse services, and other services by Buena Vista's various departments and agencies; and

WHEREAS Buena Vista has been required and will continue to be required to allocate substantial taxpayer dollars, resources, staff energy, and time to address the damage the opioid epidemic has caused and continues to cause the citizens of Buena Vista; and

WHEREAS eight settlement proposals have been negotiated that will cause eight opioid manufacturers, Alvogen, Inc., Amneal Pharmaceuticals, Inc., Apotex Corp., Hikma Pharmaceuticals USA, Inc., Indivior Inc., Mylan Pharmaceuticals, Inc., Sun Pharmaceutical Industries, Inc., and Zydus Pharmaceuticals USA, Inc. (collectively the "Manufacturers") to pay approximately \$720 million nationwide to resolve opioid-related claims against them; and

WHEREAS Buena Vista joined a suit against certain of the Manufacturers and their related corporate entities for their role in the distribution, manufacture, and sale of the pharmaceutical opioid products that have fueled the opioid epidemic that has harmed the citizens of Buena Vista; and

WHEREAS the City's suit seeks recovery of public funds previously expended and to be expended in the future to abate the consequences and harms of the opioid epidemic; and

WHEREAS the City, on advice of outside counsel, has approved and adopted the Virginia Opioid

Abatement Fund and Settlement Allocation Memorandum of Understanding (the “Virginia MOU”), and affirms that these pending settlements with the Manufacturers shall be considered a “Settlement” that is subject to the Virginia MOU, and shall be administered and allocated in the same manner as the opioid settlements entered into previously with the Distributors, Janssen, Teva, Allergan, Walmart, CVS, Walgreens, and Kroger; and

WHEREAS the City’s outside opioid litigation counsel has recommended that the City participate in the eight settlements in order to recover its share of the funds that the Manufacturers settlements would provide.

NOW THEREFORE, BE IT RESOLVED that the Buena Vista City Council, this 21st day of August, 2025, approves of the City’s participation in the proposed settlements of opioid-related claims against the Manufacturers and their related corporate entities, and directs the City’s outside counsel to execute the documents necessary to effectuate the City’s participation in the settlements, including the required release of claims against the Manufacturers.

Tyson T. Cooper, Mayor

Attest:

Sarah M. Burch, Clerk of Council

Date of Adoption

Councilmember Poluikis made a motion to **approve** the Resolution, with Councilmember Cash seconding, and it was carried by Council.

ADJOURNMENT

There being no further business, the meeting was adjourned.

Sarah M. Burch, Clerk of Council

Tyson T. Cooper, Mayor