

**CITY OF BUENA VISTA
REGULAR COUNCIL MEETING, PUBLIC
HEARING AND EXECUTIVE SESSION
January 4, 2018**

The City Council for the City of Buena Vista met for a Regular Council Meeting, Public Hearing and Executive Session on Thursday, January 4, 2018, at 6:00 p.m. in Council Chambers (2039 Sycamore Avenue).

Council Members Present:	Mayor Bill Fitzgerald
Steve Baldrige	Melvin Henson
Tyson Cooper	Daniel Staton
Lisa Clark	

Members Absent: None.

ADG#1 PLEDGE OF ALLEGIANCE AND PRAYER:

Mayor Fitzgerald opened the meeting by requesting that everyone stand and repeat the Pledge of Allegiance. Council Member Lisa Clark delivered the opening prayer.

ADG #2 PUBLIC HEARING:

Pursuant to VA Code 15.2-2204 and the City of Buena Vista Land Development Regulations, notice is hereby given that the City Council of the City of Buena Vista, Virginia will hold a public hearing to receive comment on three matters: 1.) A Conditional Use Permit for the operation of a boxing gym at 1727B Sycamore Avenue; 2.) A zoning text amendment to eliminate Section 702 (Additional building on a single lot) from the Land Development Regulations; and 3.) A zoning text amendment to eliminate outdated zoning fee references and clarify authority of City Council to adopt a zoning fee schedule. The Public Hearing will be held in the City Council Chambers located in the Municipal Building at 2039 Sycamore Avenue.

Mr. Tom Roberts, Director of Planning, Community Development said he wanted to speak very briefly on the above items:

1.) A CONDITIONAL USE PERMIT FOR THE OPERATION OF A BOXING GYM AT 1727B SYCAMORE AVENUE:

Mr. Roberts said that Mr. Larry Hinojosa was planning on being at the Public Hearing tonight and that he had attended the Planning Commission Public Hearing. Mr. Roberts opined that Mr. Hinojosa has made a good effort to work with him to make the application work. He explained that essentially what we have is a recreational use enlightening factory district and under our code, as it is written, they will need a Conditional Use Permit. The location is where most recently Bald Bear Outdoors was between the Habitat Rehab Store and the new Used to New Store. The Planning Commission recommended approval of the Conditional Use Permit with one condition. The occupancy has to be limited to 25 people because the facility has only one bathroom.

2.) A ZONING TEXT AMENDMENT TO ELIMINATE SECTION 702 (ADDITIONAL BUILDING ON A SINGLE LOT) FROM THE LAND DEVELOPMENT REGULATIONS:

Mr. Roberts said this is essentially a code cleanup Zoning Text Amendment which will cleanup some obsolete sections of our codes such as Section 702 which is obsolete.

3.) A ZONING TEXT AMENDMENT TO ELIMINATE OUTDATED ZONING FEE REFERENCES AND CLARIFY AUTHORITY OF CITY COUNCIL TO ADOPT A ZONING FEE SCHEDULE:

Mr. Roberts advised that this recommendation is only removing some fees that are not actually what we are charging and clarifying that City Council has the authority to adopt a schedule of fees rather than having them written directly.

Mr. Scudder said that right now we have two: the adopted fee schedule and the old outdated fee schedule in the Zoning Ordinance.

Council Member Clark wanted to know if the Planning Commission wants to make the adopted schedule match what is in the Zoning Ordinance.

Councilman Cooper stated that the Planning Commission wants to eliminate the zoning.

Mr. Roberts opined it will be easier to change the fees if we want to do that in the future but Council could just adopt a fee schedule. We would then not have to go through a public hearing to get fees changed.

Mr. Scudder advised we have done that recently and have also done it a couple of times during the budget season.

There were no questions so Mayor Fitzgerald closed the public hearing.

ADG #3 APPROVAL OF THE MINUTES FROM THE DECEMBER 7, 2017 REGULAR COUNCIL MEETING.

Council Member Clark made the motion to approve the minutes of the Regular Council Meeting held on December 7, 2017, seconded by Councilman Henson, carried by Council.

ADG #3 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.

No one spoke.

Mr. Kearney advised Mayor Fitzgerald that he could un-table the matter of appointing a Vice-Mayor at this time.

Mayor Fitzgerald then made a motion to un-table the matter of appointing a Vice-Mayor, seconded by Councilman Cooper, carried by Council.

Mayor Fitzgerald motioned to appoint Councilman Cooper as Vice-Mayor seconded by Council Member Clark.

Councilman Baldrige motioned to appoint Council Member Clark as Vice-Mayor. This motion did not receive a second and died on the floor.

Clerk of Council, Dawn Wheeler, polled Council as follows for the appointment of Councilman Tyson Cooper for Vice-Mayor:

	Present	Absent	Yes	No	Abstain
Mayor Fitzgerald	X		X		
Melvin Henson	X		X		

Tyson Cooper	X		X		
Steve Baldrige	X		X		
Lisa Clark	X		X		
Daniel Staton	X		X		

ADG #4 REPORTS:

1.) Mayor

No report

2.) City Manager

Mr. Scudder started his report by saying we have been in a long term contract since 2011 with Auto Recyclers to do a municipal refuse facility for the City. Mr. Palmer has been very busy with the work he has been doing with his existing facility. He said the City has been flexible over a 5 or 6 year period with this project. When Rockbridge County went off on their own to do the landfill, Lexington was still going to go with Auto Recyclers. Later on Lexington decided to go with the County. When Lexington went with the County they raised the fees for Lexington in anticipation of building the new landfill. Mr. Palma allowed the City to stick with the old fee schedule of the Rockbridge Regional Landfill. He opined that the old fee schedule worked out to our advantage. For new Council members, this past November, Mr. Palmer said he was not going to be able to have the facility ready to handle our refuse. We have been working with a consultant, SES Engineering, to get permitting and everything in place. At that time Mr. Palmer told Mr. Scudder he would get back on the project at the end of the first term of 2018. Mr. Scudder met with Mr. Palmer recently and he has gone over the plans with Mr. Scudder again. The alternative is to sign an agreement with Rockbridge County where we are just a customer. We do not at this time negotiate into a one

to six year commitment. We are going to see how this goes. In the next few weeks Mr. Scudder will have to sign a customer agreement with Rockbridge County. This will be a new agreement based on their Regional Landfill Authority. Mr. Scudder opined we really do not have any other option based on a lot of different timing measures. He said he is going to move forward with that in the next week to sign the agreement with Rockbridge County. It is just a short time customer agreement and nothing will change for our citizens or what we do with our refuse. We will have the new rate.

Council Member Clark wanted to know what the new rate will be.

Mr. Scudder said our current rate is \$49.63 per ton with Auto Recyclers. We will have a \$10.00 intermediate charge.

Council Member Clark then wanted to know if Mr. Scudder had any information about Auto Recyclers time-line.

Mr. Scudder stated that we have been working on updating regional solid waste agreements to accompany his facility which has to be done through DEQ. The other thing is to make sure he has all of his permitting in line for or a timely launch. Those are the things Mr. Palmer has not met with us on recently. We have been working on it and we do have a draft. It is an academic exercise for DEQ to say that we are adding this to our regional solid waste agreement.

3.) City Attorney

Mr. Kearney advised that he has been working with our Treasurer, Mary Lee Huffman, on delinquent taxes. Letters went out today that gives the tax payer 30 days to make payment. This is the first step and they will continue to go forward with the process.

4.) Council Committee/Representative

Councilman Henson wanted to know the status of replacing the Economic Development Director.

Mr. Scudder explained that the first thing he wanted to do was to get the Park Director in place. We hired Katy Patterson who is originally from Buena Vista and is getting ready to graduate from JMU. She is very familiar with the City and GMP. In the next week to 2 weeks he will interview candidates and will be asking some of Council to do the interviews. He hopes to have someone in the office by sometime in February.

Councilman Henson stated there was supposed to be a hearing on December 21, 2017 on GO VIRGINIA on the training grant.

Mr. Scudder said there was a meeting on that today and the money went to Northern Virginia and the Hampton Roads area. We are still in the running for the Byer's Inc. application. We are making some modifications and then those modifications will go forward to the State.

Councilman Henson then wanted to know about the water leak between 2nd and 3rd Street down on Hazel and Evergreen. He said it was reported a month ago and it is still not fixed.

Mr. Scudder said he would look into it and advise his findings.

Councilman Henson then wanted to know why we have a contractor doing electrical work and we have 2 people employed with the City that has electrical knowledge.

Mr. Scudder said he was not aware of the situation. He said it may be a staffing issue and he will check into it.

Councilman Henson stated that he is concerned because some of the members of Council are not being informed about things going on in the City. He stated that people in Maryland know what is going on before Council does.

Mayor Fitzgerald said that everything he knows, Council will know. He said he has already talked to Dawn about taking notes if he and Mr. Scudder talks about something. She will take notes and they will be forwarded to each Council member. He said we need to make sure that Council is kept informed on things. He said there have been times when he has been asked a question and he doesn't know anything about what he is being asked. Mayor Fitzgerald said he will work hard to make sure that all of Council knows what is going on.

Ms. Wheeler requested to speak. She opined there is someone within our organization that is feeding knowledge to a lady in Maryland. She seems to know everything that goes on as soon as it happens. Ms. Wheeler stated that she does not know who is informing the lady but she has been shown some of the correspondence. She feels very strongly that it is coming from within our courthouse.

Councilman Baldrige said it might be handy to have Mr. Kearney talk to Council about our confidentiality duties and it also might be handy to have

department head training. Then they can go back to their departments and talk about what is and what is not appropriate as far as communication about personal. He feels there is a duty to be professional and he does not feel like we are all at where we should be. He opined that Council can set the example but he feels it goes far beyond Council. He feels there is a person or persons who are sending off texts or emails to someone they think is going to find the information juicy.

CONSIDER APPOINTMENTS TO VARIOUS BOARDS, COMMISSIONS, AND COMMITTEES:

APT #1 THE BUENA VISTA PLANNING COMMISSION BOARD:

Mr. Tyson Cooper has resigned from the Buena Vista Planning Commission effective January 1, 2018. This appointment will be from January 1, 2018 until December 31, 2020. This is the first time this item has appeared on the agenda. **ADVERTISED: THE NEWS GAZETTE-DECEMBER 20, 2017, WEB SITE (INTERVIEW CANDIDATES) MR. GUY HOLSTEIN; MR. NICK PORTER; MR. BRENT STYLER; MR. BRADYN TUTTLE; MS. DEIDRA DRYDEN**

Mr. Bill Braddy has resigned. He is no longer is a resident of Buena Vista. His term will expire on 6/30/20 and the third time it has appeared on the agenda. **ADVERTISED: THE NEWS GAZETTE – CHANNEL 18 – WEB SITE – TWITTER OCTOBER 18, 2017 APPLICANTS: MR. GUY HOLSTEIN, MR. NICHOLAS PORTER, MR. BRENT STYLER; MR. BRADYN TUTTLE; MS. DEIDRA DRYDEN**

Council Member Clark stated there are quite a few applicants for those two seats. She wanted to know if they would want to nominate a team or nominate individuals.

Councilman Henson wanted to know if Council should give the applicants a chance to speak.

Mr. Guy Holstein was the first applicant to speak. He said he would like to be considered for the Zoning Commission (this is not correct – it is the Planning Commission) Mr. Holstein said that he is a local business owner and a longtime resident of Buena Vista. He is also a longtime volunteer serving on the Buena

Vista Rescue Squad for 16 years. He said he is looking to volunteer and give back to the community and would appreciate Council's consideration.

Mr. Bradyn Tuttle was the next to address Council. He said he would appreciate Council's consideration for appointing him a position on the Planning Commission. He said that he moved to Buena Vista 4 years ago and fell in love with the City. He said the City reminds him a lot of where he grew up. He would like to be given the opportunity to help Council achieve their goals. He said he has a passion for success and creating communities.

Mr. Nick Porter was the next candidate to speak. He advised that he graduated from SVU last April. He and his wife have purchased a home on 9th Street. He would like to have an opportunity to get involved in the City. He also advised that he did an internship in the City Manager's office in Utah. He thanked Council for their consideration of him for the Planning Commission.

Councilman Henson motioned to appoint Mr. Tuttle to fill the vacancy on the Planning Commission that was created when Mr. Tyson Cooper resigned. The motion was seconded by Councilman Cooper and carried by Council.

Council Member Clark motioned to appoint Mr. Guy Holstein to fill the vacancy on the Planning Commission that was created when Mr. Bill Braddy resigned. The motion was seconded by Councilman Henson, carried by Council.

APT #2 THE ROCKBRIDGE DISABILITY SERVICES BOARD:

Mr. Brent Styler's term will expire on January 31, 2018. Mr. Styler is willing to serve again if reappointed. This is a four (4) year term and the first time this item has appeared on the agenda. ADVERTISED: THE NEWS GAZETTE – DECEMBER 20, 2017, WEB SITE

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

APT #3 THE ROCKBRIDGE DISABILITY SERVICES BOARD:

Mr. Tom Robert's term will expire on January 31, 2018. Mr. Roberts is willing to serve again if reappointed. This is a four(4) year term and the first time this item has appeared on the agenda. ADVERTISED: THE NEWS GAZETTE – DECEMBER 20, 2017, WEB SITE

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

APT #4 THE BUENA VISTA ECONOMIC DEVELOPMENT AUTHORITY:

Mr. Danny Staton has resigned due to being elected to serve on Council. His term will expire on March 31, 2021. This is the first time this item has appeared on the agenda. ADVERTISED: THE NEWS GAZETTE – DECEMBER 20, 2017, WEB SITE - APPLICANT: MR. BRENT STYLER

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

Mr. Tyson Cooper has resigned due to being elected to serve on Council. His term will expire on March 31, 2020. This is the first time this item has appeared on the agenda. ADVERTISED: THE NEWS GAZETTE – DECEMBER 20, 2017, WEB SITE - APPLICANT: MR. BRENT STYLER

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

Councilman Baldrige suggested that Ms. Wheeler get in touch with some of the other applicants for different boards to see if they would like to be considered for any of the above appointments.

APT #5 THE CENTRAL SHENANDOAH PLANNING DISTRICT COMMISSION:

Mr. Tim Petrie's term will end on June 30, 2018. This is the first time this item has appeared on the agenda. The person that is appointed to fill his unexpired term must be an elected official.

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

OLD BUSINESS:

OB #1 DISCUSS COUNCIL CANDIDATES.

The first person to speak was Mr. John Butler.

Councilman Baldrige asked Mr. Butler to tell Council about his background in serving in leadership in organizations.

Mr. Butler advised that he has been a resident of Buena Vista for the last 7 years. He said he also grew up in a small town and remembers people working together. He said he has served in leadership positions in the church and also the Boy Scouts of America. He has also coached athletic teams at the recreational, high school and college levels.

Councilman Baldrige wanted to know if Mr. Butler had any opportunities to serve in Buena Vista since moving here.

Mr. Butler said he has coached at Parry McCluer High School and has also been the Director of Transportation for the Buena Vista City Public Schools.

Council Member Clark asked Mr. Butler why he wanted to serve on Council.

Mr. Butler replied by saying that he has talked to a lot of people since he moved here that have lived here 30 to 40 years and he would like to see the City come back to what it used to be. He feels there could be businesses brought into town and improvements could be made and more accommodations in the City.

Council Member Clark asked Mr. Butler how he could go about doing the above.

Mr. Butler suggested getting a hotel in Buena Vista; talking to small business owners who are willing to bring their businesses to the City.

Council Member Clark asked him what he sees as the purpose of City Council.

Mr. Butler said he sees the purpose of City Council is to keep the City going. He feels Council should be a part of the community. He opined that everyone, Council member or not, has a responsibility to help make the City work.

Council Member Clark asked Mr. Butler how he felt about diversity among Council members and how important did he feel diversity is.

Mr. Butler said he sees a good diversity on Council now.

Council Member Clark then asked Mr. Butler what his goal would be if he served on Council.

Mr. Butler replied by saying that he now serves on the Social Services Board and they are looking for a new location. He feels Buena Vista would be a great place for them to relocate. For every dollar Council gives Social Services, they get six dollars of benefits.

Mr. Stanley Coffey was the next candidate to speak. He began his speech by stating that he is a long time resident of Buena Vista.

Council Member Clark asked Mr. Coffey why he wanted to serve on City Council.

Mr. Coffey said he ran as a write-in because he has a lot to offer the City. He also said he thinks the City has a lot to offer. He said the wealth and knowledge at SVU and also in this City could be harnessed and Council use this knowledge to make this a viable City again. He would like to bring new industries and small businesses down town again. We need to give people a reason to be in Buena Vista.

Council Member Clark then asked Mr. Coffey how he would go about doing the above.

Mr. Coffey said we have a diverse City with a wealth of knowledge at SVU, a wealth of knowledge of the people that has participated in this government and a wealth of knowledge of people that live in Buena Vista. They could come together as a think tank. He suggested that people need to come to Council and tell them what they think needs to be done. He said that Council is here for the people not just 7 people that are going to tell the citizens this is what they are going to do.

Council Member Clark then asked Mr. Coffey what he sees as a role of diversity among Council members.

Mr. Coffey said Council has men, women, youth, attorneys; you have people that work out in the cold every day to make a living. He said he is retired and he did work for 50 years. Council has all of these people that have lived here long enough to know what this City is all about. However, the 7 people that sat in front of him have to work together for this to work. He said he knows that everybody won't agree on everything but you have to let people know where you stand. He opined you can't sit back and not talk. He feels communication is the most important thing.

Council Member Clark asked Mr. Coffey what his number 1 goal if he is appointed to Council.

Mr. Coffey said his first goal would be is to try to get the Council to work together as a team. He stated that he is glad that Councilman Cooper got the job as Vice-Mayor and feels he has a lot to offer. He feels with Vice-Mayor Cooper, Council can be brought together.

Councilman Baldrige then asked Mr. Coffey about his experience in organizational leadership.

Mr. Coffey started by advising he served in leadership with the Buena Vista Rescue Squad for 23 years. He has served on the Board of his church for the last 8 years. Mr. Coffey advised he was employed by the City for 16 ½ years at the WWTP and then retired from the Lexington WWTP. He said he lived in South Carolina for a while and worked in a steel mill. He said he does not know anything about Council but neither does anyone else until they sit on Council and learn. He said he also served the Buena Vista Rescue as Captain and has held several other offices with them. He said that he wants to be part of Council to be a part of the revitalization of this town. He feels he can do that because people know who he is and he speaks what is on his mind.

Councilman Henson opined that Mr. Coffey has some good ideas about downtown but wanted to know if Mr. Coffey had any ideas on how to get the money.

Mr. Coffey opined if you have a coop of people, a think tank, 50 to 60 volunteers, in those people you are going to have people that are going to work in the shops. You will have people that will be involved that can do construction work that know how to reconstruct and can change things. You will also have people who will donate money for projects if they are involved in the project. He said he is aware of a person that wants to put at least 3 businesses downtown. He does not want to rent the property; he wants to purchase the property. He opined that Council needs to support the businesses downtown. He said the election was not about religion; it was about revitalizing this town. Mr. Coffey said he could talk all day about the way things used to be but we need to talk about what needs to be done to revitalize this town.

Councilman Henson asked Mr. Coffey if he had any ideas on how to keep people in Buena Vista.

Mr. Coffey responded by saying that one person cannot do it by themselves and that Council must come together to work on keeping people in Buena Vista. He opined that citizens need to attend Council meetings and let Council know how they feel about decisions made by Council. He said he ran as a write-in and if he is not appointed he will be on the ballot for election in November. He said you have to think with your heart sometimes and not just with your head.

Mr. Tim Petrie was the next to address Council.

Council Member Clark asked Mr. Petrie why he wants to serve on Council.

Mr. Petrie said he has shared with some people his personal reasons for not running for re-election to Council. He stated that he is a private person and it

was hard for him to bring that out. He said that Mr. Coffey is correct when he stated that he chose not to run. He opined that in this life timing is everything. In his life, something came up family wise and he really felt his priority was with his family and he decided to not run for re-election. When the time came to turn in the paperwork, his heart was not in it to seek re-election due to his family circumstance. He thanked God that his family issue has been resolved and improved greatly. He said it is nice to see a lot of people at the Council meeting. One of the things that really concerned him during his term on Council was lack of participation from the citizens. He opined in order to have a very informed public opinion requires discussion on both sides. He said he echoes what Mr. Coffey said about people's participation; showing up for Council meetings and speaking their minds and telling Council in a thoughtful manner what they believe to be an issue, problems or perhaps even a suggestion on how to solve an issue or problem. He said he also misses being on Council.

Councilman Baldrige asked Mr. Petrie to speak about his organizational leadership.

Mr. Petrie replied by saying he served on Council for almost 4 years. Prior to his election to Council he had served on the Planning Commission. Part of his time served on the Planning Commission he was Chairman. While serving as Chairman there were some pretty tough issues. He also has had leadership in his current position. He is a team leader for the ground water section with DEQ in Roanoke. He has intermingled some military experience serving in several foreign countries. He said he has always been surrounded by teams so his mindset is always been team concepts.

Council Member Clark then asked Mr. Petrie what he sees as a role of diversity among Council members.

Mr. Petrie said he has witnessed diversity on Council by just the experiences and expertise on different things. He feels diversity is very important. One of the things he really likes is coming to Council prepared to discuss, debate and analyze and figure out what the best course of action would be for the City of Buena Vista. There are a lot of sources to seek out and a diverse Council is very benefiting.

Council Member Clark asked Mr. Petrie as a member of Council what his one goal would be.

Mr. Petrie said his one goal would be to pursue a downtown that is vibrant. He also witnessed a very vibrant downtown. He said even as a child he witnessed how City business leaders and government leaders all worked together. We also

lived in a very different time back then when the economy was certainly strong. He still thinks that we can take the right steps to improve our City during the difficult times the City is in because of our budget being so restricted on some of the things we can do. We have improved our sidewalks and the façade grants have helped some business owners improve their properties. He opined this is not going to happen overnight. He feels everyone here wants to take pride in our City. He said we are really unique because we are a City. There are not many cities in Virginia. We are not part of a county. One of the goals he would like to see is for Buena Vista to have a newspaper. He opined we do not have our City voice. He said we are different from the County and Lexington. He feels a paper is a way of advertisement and another way to bring people to voice their suggestions and their feelings.

Mr. Brent Styler was the last applicant to speak. He started by saying we need to identify the City's needs and prioritize them. We need to manage our resources and define and emphasize our many strengths. He opined that we also need to be realistic about our present situation. We need to come to and form common ground; we need to foster citizen involvement. He said most times when he is in a meeting, he is the only person in the audience. He opined we can decide our own destiny and shape our own future. We need to make Buena Vista a destination. It can be done. It will not be done next week but if we start it next week we can get to that direction if we pull together. He advised that he generally goes to school board meetings, comprehensive plan meetings (he is on the committee), Planning Commission meetings and to Council meetings. He goes to these meetings because he wants to know who does what, what happens, what seems important and he wants to learn as much as he can about the City. He said he has lived here a year and a half. He is not tied to any faction or ideology; he is tied to making Buena Vista as good as it can be. We maybe can't go back to the 50's, 60's or 70's but we can do some things to make the 2020's attractive. He would like for people to come here based on word of mouth; that they heard we are a vibrant community and they want to be part of it. He would like for people to come here for advanced schools that would stretch every single student; not to the breaking point but make them reach out and give them something to reach for and help them get there. He likes to operate on what he calls a KISMIF principle: Keep it simple – make it fun. He has been extremely involved in the Boy Scouts. He is bringing a business. They have the Coiner Building and once they have the resource and the necessary materials at hand they are thinking of other initiatives to come in.

Councilman Baldrige wanted to know Mr. Styler's background with organizational leadership.

Mr. Styler said he could name a lot of things but he would only pick out a few. He was the logistics officer for the first test squadron in Viet Nam and they evaluated every aircraft, every missile that was fired, every crew member that fired a missile, every drone that was fired at and recovered the drone. They checked every aircraft in the Pacific Theatre, including allies like Singapore and Australia. At one time he was responsible for about 500 airmen. He said he and his staff had to support all types of aircrafts. He opined you can't be perfect but you try at it. He was also a lead analysis for Central America, Latin America and Cuba.

Council Member Clark asked Mr. Styler why he wants to serve on Council.

Mr. Styler stated that he came to Buena Vista by choice. He said his wife is a therapist that has her office in their home. He said if he is going to live here he wants it to be the best place he can help it be. In order to do that he said he needs a voice and would like to be at the table as things are discussed. The one thing he would like to key on is housing for student couples. There is not much on the campus for them. He is working on designs and options with the City staff as to what is available, what is possible, what would change if we can change it.

Council Member Clark then asked Mr. Styler what he sees as a role of diversity among Council members.

Mr. Styler opined there is a fair amount of diversity on Council. To him that is not as interesting as it is how well Council works together and what each member can bring to the table. He said he worked in some countries with a lot of foreign nationals and the diversities between some of them and some of our people were never an issue for him. However, the Council is responsible for the affairs of the City and there are things he would like to have a voice in or to be able to express an opinion.

Council Member Clark asked Mr. Styler as a new Council member what his number one goal would be.

Mr. Styler stated that he has a lot of goals and is not certain which would be higher than others. He said he had already mentioned housing for SVU couples. He said they have 7 buildings now; some of which they are rehabbing and some are operational. He would like to bring the students to Magnolia and the citizens to the school. In general he feels that would be one of his biggest goals. He feels there are many ways to reach that goal and they are working on those goals. He talks to people on the street to see if his goals match their goals. He talks fairly frequently to the City staff about different things. He opined bringing the two main groups of the town together would be a generalized primary goal.

Councilman Henson wanted to know Mr. Styler's thoughts on commercial development.

Mr. Styler stated that they are starting a business that is commercial development. He opined there are many other things that can be done. What you have to analyze is what Buena Vista will accept and support. He is trying to gauge what his audience might be with student housing. He is trying to gauge what the people of Buena Vista would like to have and trying to gauge what they would support. What kind of traffic would they bring to a given entity? The key is if people don't come there is no point in trying to start a business. He said a lot of what he is talking about does not happen overnight or next year but you start now, you take a bite, you take a bite and pretty soon you have the elephant consumed. He feels there are things that can still be added to the City. No matter who does it, it has got to be something that is attractive to somebody that is already here until you can get to the word of mouth thing; people would hear about what Buena Vista has and people would want to come here.

NEW BUSINESS:

NB #1 FIRST READING OF AN ORDINANCE ZONING TEXT AMENDMENT – SECTION 702, ADDITIONAL BUILDINGS ON A SINGLE LOT:

Mayor Fitzgerald asked Ms. Wheeler to read the following Ordinance:

ORDINANCE

ZONING TEXT AMENDMENT

SECTION 702, ADDITIONAL BUILDINGS ON A SINGLE LOT

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, the Land Development Regulations of the

City of Buena Vista are hereby amended to repeal Section 702, Additional buildings on a single lot, in its entirety.

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

Bill Fitzgerald, Mayor

ATTEST:

Clerk of Council

Date of Adoption

NB #2 FIRST READING OF AN ORDINANCE CONDITIONAL USE PERMIT 1727B SYCAMORE AVENUE BOXING GYM:

Mayor Fitzgerald asked Ms. Wheeler to read the following Ordinance:

ORDINANCE

CONDITIONAL USE PERMIT

1727B SYCAMORE AVENUE BOXING GYM

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, a conditional use permit to operate a boxing gym at 1727B Sycamore Avenue, Buena Vista, Virginia, as detailed in "Exhibit A" is granted; and

BE IT FURTHER ORDAINED that this conditional use permit is granted subject to the following condition: That the interior space shall

maintain an occupancy limit of 25 persons on a regular basis, unless additional toilet and sink facilities are installed to meet plumbing facility ratios found in the current Virginia Uniform Statewide Building Code.

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

Bill Fitzgerald, Mayor

ATTEST:

Clerk of Council

Date of Adoption

**NB #3 FIRST READING OF AN ORDINANCE ZONING TEXT
AMENDMENT ARTICLE 10, SCHEDULE OF FEES:**

Mayor Fitzgerald asked Ms. Wheeler to read the following Ordinance:

ORDINANCE

**ZONING TEXT AMENDMENT
ARTICLE 10, SCHEDULE OF FEES**

AN ORDINANCE to amend Article 10, Schedule of Fees, from the Land Development Regulations of the Code of the City of Buena Vista, as amended, for the purpose of removing the specific planning and zoning fees designated in the Land Development Regulations, and for clarifying the authority of City Council to adopt a fee schedule from time to time for such fees.

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, the Land Development Regulations of the City of Buena Vista are

hereby amended to repeal the introductory text and Sections 1001.00 through 1003.04, and to read and provide as follows:

Article 10. - SCHEDULE OF FEES

Fees are hereby established in order to help defray the expenses of administration, processing applications, publicizing and conducting public hearings, and performing necessary inspections

City Council may from time to time adopt a schedule of fees for applications, permits, and other actions and deliverables related to planning, zoning, and subdivision. Such fees shall conform to any and all applicable state law.

Sec.	1001.	(Reserved)
Sec.	1002.	(Reserved)
Sec. 1003. (Reserved)	Sec. 1004.00. - Return of fees.	

No portion of any fee payment shall be returned to any applicant, except that where an application requiring a public hearing is withdrawn prior to notification of public hearing, that portion of any fee payment relating to notice and conduct of public hearing shall be returned.

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

Bill Fitzgerald, Mayor

ATTEST:

Clerk of Council

Date of Adoption

EXECUTIVE SESSION:

- (1.) According to Section 2.2-3711 (A) (7) of the 1950 Code of Virginia, as amended, for the purpose of consulting with legal counsel concerning the City's current litigation with ACA Financial Guaranty Corporation and UMB Bank, N.A.

CERTIFICATION OF EXECUTIVE MEETING

MOTION: Mr. Henson

DATE: January 4, 2018

SECOND: Mr. Staton

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 that to the best of each member's knowledge (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

ABSENT DURING VOTE: NONE

ABSENT DURING MEETING: NONE

Dawn M. Wheeler
Clerk of Council

REGULAR SESSION: Councilman Baldrige moved to return to regular session, seconded by Council Member Clark and carried by Council.

Mayor Fitzgerald Mr. Baldrige Mr. Staton Mr. Henson
Mrs. Clark Vice-Mayor Cooper

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

Dawn M. Wheeler
Clerk of Council

William H. Fitzgerald
Mayor