



CITY OF BUENA VISTA COUNCIL AGENDA

REGULAR COUNCIL MEETING

JULY 16, 2026 | 6:00 PM

Council Chambers – 2039 Sycamore Avenue

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

ADG #2: APPROVAL OF THE AGENDA

ADG #3: APPROVAL OF MINUTES FROM THE JUNE 18, 2026, REGULAR COUNCIL MEETING & EXECUTIVE SESSION, AND THE JUNE 25, 2026 SPECIAL CALLED EXECUTIVE SESSION

ADG #4: RECOGNITION/COMMUNICATION FROM VISITORS

Citizens who desire to speak to council regarding items **NOT listed** on the agenda will be recognized at this time. Please limit your statement to three (3) minutes.

ADG #5: REPORTS:

1. Mayor
2. City Manager
3. City Attorney
4. Council Committees/Members
5. Department Heads/Constitutional Officers/Court Clerks
6. Invited Community Organizations

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

None

OLD BUSINESS

OB #1: SECOND READING OF AN ORDINANCE FOR ZONING TEXT AMENDMENT TO ADOPT NEW SECTION 702 ACCESSORY DWELLING UNITS

OB #2: SECOND READING OF AN ORDINANCE FOR ZONING MAP AMENDMENT IN THE 100 BLOCK OF SOUTH HAZEL AVENUE

OB #3: SECOND READING OF AN ORDINANCE FOR RIGHT OF WAY ABANDONMENT IN THE 100 BLOCK OF SOUTH HAZEL AVENUE

OB #4: SECOND READING OF AN ORDINANCE FOR ROW ABANDONMENT IN THE 300 BLOCK OF LONGHOLLOW ROAD

NEW BUSINESS

ADG #7: RECOGNITION/COMMUNICATION FROM VISITORS

Citizens who desire to speak to council regarding items **listed under New Business** on the agenda will be recognized at this time. Please limit your statement to three (3) minutes.

NB #1: ROCKBRIDGE RECOVERY PRESENTATION

NB #2: CERTIFIED CRIME PREVENTION COMMUNITY PRESENTATION

NB #3: DISCUSSION & APPROVAL OF AN APPROPRIATION RESOLUTION

NB #4: DISCUSSION OF CEMETERY FEE STRUCTURE

NB #5: DISCUSSION & APPROVAL OF A RESOLUTION ADOPTING THE CENTRAL SHENANDOAH HAZARD MITIGATION PLAN 2026 UPDATE

NB #6: DISCUSSION & APPROVAL OF NEW CITY MANAGER CONTRACT

ADJOURNMENT

UPCOMING MEETINGS

- July 20 | 6:00 PM – Cemetery Committee
- July 21 | 6:00 PM – Citizens Advisory Committee
- July 23 | 6:00 PM – Outdoor Spaces Committee
- July 27 | 4:00 PM – Budget & Finance Committee
 - August 6 | 6:00 PM – City Council

UPCOMING EVENTS

- Every Monday | 6:30 PM – Line Dancing @ The American Legion
- Every Friday | 3:00 PM – Farmers Market @ Magnolia Square
 - Every Friday | 6:00 PM – Friday Events @ Straws
- July 17 | 6:30 PM – Fridays in the Park ft. Bang Bang @ GMP
- July 17 | 7:00 PM – Word Bridge Wright Night @ Leaf & Lore
- July 18 | 8:00 AM – Heroes Breakfast @ The American Legion
 - July 23 | 8:30 PM – Summer Movie Night @ BV Baptist
- July 24 | 6:00 PM – Beach Music Friday ft. Spencer Hatcher @ GMP
 - July 25 – Beach Music Festival @ GMP
 - August 1 | 11:00 AM – Chicken Cooking @ BVFD
- August 4 | 7:00 PM – Word Bridge Wright Night @ Leaf & Lore

The Buena Vista City Council met for a Regular Council Meeting and Public Hearings on Thursday, June 18, 2026, at 6:00 p.m.

Members Present:

Mayor Jesse Lineberry

Vice-Mayor Danny Staton

Michelle Poluikis

William Kerr

Stephanie Noel-Branch

Ronald Cash

Members Absent:

Amy Gilliam

ADG #1: CALL TO ORDER

Mayor Lineberry called the meeting to order at 6:00 p.m.

ADG #2: APPROVAL OF THE AGENDA

Vice-Mayor Staton moved to approve the agenda, Councilmember Noel-Branch seconded, and the motion carried.

ADG #3: BUENA VISTA CITY COUNCIL PUBLIC HEARINGS

Public Hearing #1

Zoning Text Amendment to adopt new Section 702 Accessory Dwelling Units, for the purpose of allowing and regulating detached and attached accessory dwelling units.

Tom Roberts explained that accessory dwelling units, or ADUs, are secondary residential units located on the same property as a primary dwelling. Examples include apartments above garages, basement apartments, and detached tiny homes. He noted that the City's current zoning ordinance does not adequately provide for ADUs and that the City's housing study recommended adopting regulations to address them. Although the Commonwealth of Virginia has adopted legislation related to ADUs, Mr. Roberts stated that the law does not take effect until 2027 and recommended that the City adopt local regulations in advance of the state requirements.

Proposed Ordinance Provisions

- ADUs would be permitted on lots containing a single-family dwelling.
- The maximum size of an ADU would be 50% of the primary dwelling's floor area; the minimum size would be 320 square feet.
- Occupancy would be limited to two people with a maximum of one bedroom.
- The property owner would be required to occupy either the primary dwelling or the ADU.
- Detached ADUs would be subject to the same setback requirement as other accessory structures.
- One off-street parking space would be required.
- ADUs would only be permitted on properties with single-family dwellings and would not be allowed in conjunction with duplexes or other multifamily dwellings.
- All ADUs would be required to comply with applicable building codes.

Mr. Roberts noted that the Planning Commission recommended approval of the amendment. He explained that the restriction limiting ADUs to single-family properties was added after the Planning Commission's recommendation as a policy clarification and could be retained or removed by City Council. In response to Vice-Mayor Staton's question about minimum lot size, Mr. Roberts stated that no additional lot size requirements were proposed beyond those already required for a legal residential lot.

Councilmember Poluikis noted that the City already has several existing ADUs. Mr. Roberts agreed, explaining that many have existed for decades. He added that some property owners have recently converted garages or other structures into apartments without obtaining permits, and one purpose of the proposed ordinance is to create a legal process that encourages compliance with building and zoning regulations.

Councilmember Cash asked whether existing ADUs that do not meet the proposed minimum square footage standards would be affected. Mr. Roberts explained that legally established existing ADUs would be grandfathered. However, if an illegally created ADU were later submitted for legalization and did not meet the minimum size requirement, it could present an issue. He noted that a conditional use permit process could allow case-by-case consideration of reduced minimum square footage, if appropriate.

There being no further public comment, Mayor Lineberry adjourned Public Hearing #1.

Public Hearing #2

Zoning Map Amendment and City Right-of-Way abandonment in the 100 block of South Hazel Avenue, consisting of all lots in Block 57, Section 1. The ROW abandonment would consist of 150' of undeveloped alley in the center of this block.

Tom Roberts explained that a developer plans to build six single-family homes on the wooded property. The request includes rezoning the property from R-2 to R-3 to allow smaller lot sizes and abandoning an undeveloped 150-foot alley to accommodate the proposed development. He stated that two homes would front South Hazel Avenue, while four homes would be accessed by a private cul-de-sac.

Mr. Roberts explained that road design, water and sewer connections, stormwater management, and erosion control would be addressed during the site plan review process. He also noted that drainage improvements along Hazel Avenue would be evaluated as part of the project. The proposed right-of-way abandonment would involve approximately 2,250 square feet of alley property, with a purchase price of \$1,687.50.

Councilmember Cash asked whether the cul-de-sac would be designed with a traditional circular turnaround. Mr. Roberts responded that the final design had not yet been determined and could be either a traditional bulb or a T-turnaround, both of which meet VDOT standards for emergency vehicle access.

There being no further public comment, Mayor Lineberry adjourned Public Hearing #2.

Public Hearing #3

City right-of-way abandonment of alley in "Block 1, Forest Addition," 300 block of Longhollow Road. The alley is approximately 800 feet long by 15 feet wide, is not developed or in use, and has not been mapped on official City plat maps in many decades, if ever.

Tom Roberts explained that the alley originated from a subdivision plat recorded in the late 1800s but was never developed or shown on the City's official maps or GIS system. The issue came to light when a property owner sought a boundary adjustment that could not be approved while the platted alley remained in place. Mr. Roberts recommended abandoning the alley at no cost, noting that most affected property owners were likely unaware of its existence and that the abandonment would help clear property titles.

Councilmember Cash asked whether utilities existed within the alley. Mr. Roberts said he was unaware of any utilities in the specific area but noted that the abandonment ordinance includes standard language reserving the City's rights to access and maintain any existing or future utility infrastructure, if needed. Mr. Cash suggested notifying adjacent property owners that any gardens or improvements placed within the former alley area could be disturbed if utility work became necessary in the future.

There being no further public comment, Mayor Lineberry adjourned Public Hearing #3.

ADG #4: APPROVAL OF MINUTES FROM THE JUNE 4, 2026, REGULAR COUNCIL MEETING & EXECUTIVE SESSION

Councilmember Kerr moved to approve the minutes, Councilmember Poluikis seconded, and the motion carried.

ADG #5: RECOGNITION/COMMUNICATION FROM VISITORS – NON-AGENDA ITEMS

- Allison Clark, a Clinical Mental Health Counseling graduate student at Liberty University and Rockbridge County native, addressed the need for expanded access to medication-assisted treatment for opioid use disorder. She stated that the closest methadone clinic is approximately one hour away, creating a barrier for individuals seeking care. Ms. Clark shared her personal experience with addiction and recovery, explaining that methadone treatment helped her achieve sobriety, leave an abusive relationship, complete her undergraduate degree, and pursue graduate studies. She referenced research comparing methadone and Suboxone outcomes, noting that methadone has shown higher long-term retention rates for individuals with severe opioid dependence. Ms. Clark asked Council to work with Rockbridge County and the City of Lexington to consider a feasibility study or task force on establishing a local methadone treatment clinic. She said the goal would be to improve recovery opportunities, workforce participation, and family stability by increasing access to evidence-based treatment.

ADG #6: REPORTS:

1. Mayor

Mayor Lineberry expressed appreciation for recent City events and shared enthusiasm for upcoming activities.

2. Interim City Manager

Mr. Handley reported on a recent visit to the National Center for Healthy Veterans in Altavista with representatives from Purple Heart Homes. He said the visit highlighted opportunities to connect veterans completing rehabilitation and job training programs with employment in Buena Vista. He noted that the organization is developing tiny home communities and manufacturing tiny homes to support the program, which could help attract skilled workers and new residents to the City.

Mr. Handley announced that a joint meeting of the Buena Vista City Council, Rockbridge County Board of Supervisors, and Lexington City Council was tentatively scheduled for July 28 at the Natural Bridge Hotel. The meeting would give local leaders an opportunity to discuss regional issues and hear from Rockbridge Regional Jail Superintendent Colonel Derek Almarode regarding jail operations, overcrowding, and future facility needs.

Mr. Handley also reminded Council that the Budget & Finance Committee would meet on June 22 at 4:00 p.m.

3. City Attorney

None.

4. Council Committees/Members

Cemetery Committee

Mr. Staton reported that the Cemetery Committee recently reviewed operations and pricing at Green Hill Cemetery. The Committee identified the need to update the cemetery's fee structure and policies and plans to bring recommendations to Council.

Outdoor Spaces Committee

Mrs. Noel-Branch announced that the Outdoor Spaces Committee's "Make a Splash" campaign had provided summer pool passes for 25 children. She also reminded everyone that the Committee would meet the following Wednesday at 6:00 p.m. in Council Chambers.

Events Committee

Mr. Cash reported that preparations were progressing well for the July 4th celebration at Inspiration Hill in Glen Maury Park. He announced that retired Air Force veteran and Parry McCluer High School graduate Jay Brown would serve as keynote speaker. The historic time capsule would still be opened during the event, but placement of the new time capsule had been postponed until Labor Day. He encouraged the public to attend the ceremony, which will include patriotic music by the SVU Choir under the direction of Dr. Ben Gaughan.

5. Department Heads/Constitutional Officers/Court Clerks

Michael Loudermilk – Public Works

Mr. Loudermilk summarized Public Works' May activities, including collecting 263.5 tons of household refuse, digging ten graves at Green Hill Cemetery, repairing seven water leaks, treating an average of one million gallons of water per day, and removing four dead animals. He also noted that Public Works Appreciation Week was recognized through social media and a staff appreciation lunch.

6. Invited Community Organizations

Jen Carpenter – Main Street Buena Vista

Mrs. Carpenter reported that the Rubber Duck Race during Rockbridge Outdoors Fest was successful, with all 120 ducks recovered. She also announced that Main Street Buena Vista received a tourism marketing grant double the previous year's award and earned its first Virginia Main Street Merit Award for 1,000 volunteer service hours supporting downtown revitalization.

She introduced the "Get to Gnome BV" self-guided downtown scavenger hunt, noted that downtown businesses would welcome riders during the upcoming Norton Rally, and reported that Mountain Day vendor applications had opened, with more than 70 vendors registering in the first week. She also highlighted the launch of mainboothly.com, a new online vendor management platform where the public can view participating vendors and event maps.

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

None.

OLD BUSINESS

NONE

NEW BUSINESS

ADG #8: RECOGNITION/COMMUNICATION FROM VISITORS – NEW BUSINESS ITEMS

None.

NB #1: FIRST READING OF AN ORDINANCE FOR ZONING TEXT AMENDMENT TO ADOPT NEW SECTION 702 ACCESSORY DWELLING UNITS

Ms. Burch presented the following Ordinance:

**Zoning Text Amendment
Section 702 Accessory Dwelling Units**

AN ORDINANCE to amend Section 302 and adopt new Section 702 of the Land Development Regulations of the Code of the City of Buena Vista, as amended, for the purpose of regulating Accessory Dwelling Units.

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 302 is hereby amended, and Section 702 is hereby adopted as shown in the attached "Exhibit A".

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

NB #2: FIRST READING OF AN ORDINANCE FOR ZONING MAP AMENDMENT IN THE 100 BLOCK OF SOUTH HAZEL AVENUE

Ms. Burch presented the following Ordinance:

**Zoning Map Amendment
100 Block of Hazel Avenue
Lots 4, 5, 6, 7, 16, 17, and 18 of Block 57, Section 1**

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 following property shall be rezoned from R2 Residential to R3 Residential Limited pursuant to Section 617.03-3 of the Land Development Regulations, and the zoning map for the City shall be amended to reflect this change: Lots 4, 5, 6, 7, 16, 17, and 18 of Block 57, Section 1, located in the 100 block of South Hazel Avenue.

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

NB #3: FIRST READING OF AN ORDINANCE FOR RIGHT OF WAY ABANDONMENT IN THE 100 BLOCK OF SOUTH HAZEL AVENUE

Ms. Burch presented the following Ordinance:

**Abandonment of Public Right of Way
Portion of Alley in Block 57, Section 1**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BUENA VISTA, VIRGINIA, that in accordance with Section 15.2-2066 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 B".

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".

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

NB #4: FIRST READING OF AN ORDINANCE FOR ROW ABANDONMENT IN THE 300 BLOCK OF LONGHOLLOW ROAD

Ms. Burch presented the following Ordinance:

**Abandonment of Public Right of Way
Alley in Block 1, Forest Addition, 300 Block of Longhollow Road**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BUENA VISTA, VIRGINIA, that in accordance with Section 15.2-2006 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”.

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”.

This ordinance shall be effective 30 days after adoption.

NB #5: DISCUSSION & APPROVAL OF AN APPROPRIATION RESOLUTION

Steve Bolster explained that the appropriation resolution addressed two administrative budget items. First, it would transfer funds from the General Fund to the Green Hill Cemetery Perpetual Care Fund to replace money transferred out over many years without a replacement plan. He said the transfer would restore the fund to approximately its 2001 balance and support long-term cemetery maintenance. Second, the resolution would correct an administrative oversight by properly recording the FY25 school division carryover transfer on the General Fund side.

Councilmember Cash emphasized the importance of rebuilding and protecting the Perpetual Care Fund. He noted that the Cemetery Committee is reviewing cemetery fees and the percentage of lot sale proceeds dedicated to the fund to support its long-term sustainability. He also asked whether the school carryover funds could be used for the school construction project. Superintendent Dr. Heather Ault stated that the carryover funds had already been used for renovations at the Ramsey Center and temporary improvements at the high school and must be spent by the end of the fiscal year.

Councilmember Poluikis asked whether the Perpetual Care Fund should have increased beyond its 2001 balance through investment earnings and additional lot sales. Mr. Bolster explained that the fund is invested in certificates of deposit and the Local Government Investment Pool, where it earns interest, and said staff would continue looking for opportunities to strengthen the fund in future budget cycles.

Councilmember Cash asked staff to provide updated information on the current value of the Perpetual Care Fund and future funding needs as the Cemetery Committee develops fee recommendations. Mr. Bolster noted that staff has discussed a long-term goal of building the fund to support future cemetery maintenance and operations.

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:

General Fund – Transfers to Other Funds

10.9314.67540	Transfer to Green Hill Cemetery Fund	\$215,000.00
10.9314.67590	Transfer to School Fund	<u>\$688,927.00</u>

Sub-total 1 **\$903,927.00**

Total General Fund Appropriation **\$903,927.00**

Approved: This 18th day of June 2026.

Jesse D. Lineberry, Mayor

Attest:

Sarah M. Burch, Clerk of Council

On motion by Councilmember Noel-Branch, seconded by Councilmember Cash, and carried by Council, the Resolution was unanimously approved.

NB #6: DISCUSSION & APPROVAL OF A RESOLUTION REQUESTING A REFERENDUM FOR A ONE PERCENT (1%) INCREASE IN THE SALES TAX TO PROVIDE REVENUE SOLELY FOR CAPITAL PROJECTS FOR THE CONSTRUCTION OR RENOVATION OF SCHOOLS IN THE CITY TO BE HELD ON NOVEMBER 3, 2026, IF ALLOWED

City Attorney Brian Kearney explained that the proposed 1% sales tax is expected to generate approximately \$600,000 annually and could support debt service for future school capital improvements. Because the General Assembly had not finalized the enabling legislation, Mr. Kearney prepared two resolutions to address possible legislative outcomes. One reflected the House version of the state budget, which could allow approval of the referendum through July 22; the other reflected the Senate version, which could require court approval by June 29 because of election timing requirements.

Mr. Kearney said Council's action would position the City to move quickly if the legislation is approved. He noted that no court action could occur until the enabling legislation is enacted and that additional legal and public notice requirements would have to be completed before the referendum could be placed on the ballot. Councilmember Noel-Branch asked whether the two resolutions were intended to prepare for either legislative outcome. Mr. Kearney confirmed that they were intended to allow the City to proceed promptly once the state budget and enabling legislation were finalized.

Ms. Burch presented the following Resolution(s):

Buena Vista City Council Resolution

WHEREAS there is currently pending an amendment to 58.1-605.1 of the 1950 Code of Virginia that would allow the City of Buena Vista to hold a referendum to increase the local sales tax by one percent (1%) to provide revenue solely for capital projects for the construction, renovation, and/or equipping of schools in the city and to finance such projects; and

WHEREAS Buena Vista anticipates that this proposed legislation will become effective upon the passage of the current budget for the Commonwealth of Virginia before the end of June 2026; and

WHEREAS in order to hold a referendum on November 3, 2026, a Circuit Court Order needs to be entered by June 29, 2026 (or July 22, 2026).

NOW, THEREFORE, BE IT RESOLVED, that Council for the City of Buena Vista hereby requests the Circuit Court for the City of Buena Vista enter an Order, subject to the pending legislation being finalized by the

Commonwealth of Virginia, to allow the following referendum as part of the General Election for November 3, 2026:

SALES TAX

Should the City of Buena Vista be authorized to levy a general retail sales tax at a rate not to exceed one percent (1%), provided the revenue from the sales tax shall be used solely for capital projects for the construction, renovation, and/or equipping of schools in the City of Buena Vista, to finance such projects, and that the sales tax shall expire by June 17, 2046?

☐ Yes

☐ No

BE IT FURTHER RESOLVED that the City Attorney prepare the appropriate Petition and Order for such a referendum and to sign the same on behalf of the City.

This referendum shall take effect immediately.

Jesse D. Lineberry, Mayor

Attest:

Sarah M. Burch, Clerk of Council

Date of Adoption

Mr. Kearney added that, under the proposed state legislation, the 1% sales tax could remain in effect for up to 20 years. He explained that the expiration date in the resolution reflects the maximum period allowed by law and is not tied to a specific debt obligation. Any funding need beyond that period would require a future referendum.

Councilmember Kerr moved to approve the Resolution, Councilmember Noel-Branch seconded, and the motion carried unanimously.

ADJOURNMENT

With no further business, the meeting adjourned at 7:09 p.m.

Sarah M. Burch, Clerk of Council

Jesse D. Lineberry, Mayor



CITY OF BUENA VISTA CITY COUNCIL

SPECIAL CALLED EXECUTIVE SESSION

June 25, 2026 | 5:00 PM

Council Chambers – 2039 Sycamore Avenue

The Buena Vista City Council met for a Special Called Executive Session on Thursday, June 25, 2026, at 5:00 p.m.

Members Present:

Mayor Jesse Lineberry

Vice-Mayor Danny Staton

Michelle Poluikis

William Kerr

Stephanie Noel-Branch

Ronald Cash

Members Absent:

Amy Gilliam

CALL TO ORDER

Mayor Lineberry called the meeting to order at 5:00 p.m.

EXECUTIVE SESSION

According to Section 2.2-3711 (A) (1) of the 1950 Code of Virginia, as amended, for the purpose of interviewing candidates for City Manager and to discuss the hiring of a new City Manager.

On motion by Councilmember Cash, seconded by Councilmember Poluikis, and carried unanimously, City Council convened in an Executive Session at 5:01 p.m.

REGULAR SESSION

On motion by Vice-Mayor Staton, seconded by Councilmember Noel-Branch, and carried by Council, the City Council reconvened in regular session at 8:39 p.m. with the following certification:

Certification of Executive Meeting

WHEREAS the Buena Vista City Council has convened in an Executive Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The 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:

Councilmember Poluikis ✓

Councilmember Kerr ✓

Councilmember Noel-Branch ✓

Councilmember Cash ✓

Vice-Mayor Staton ✓

Mayor Lineberry ✓

AYES – 6

NAYS – 0

Members absent during vote: Amy Gilliam

Members absent during meeting: Amy Gilliam

Sarah M. Burch, Clerk of Council

ADJOURNMENT

With no further business, the meeting adjourned at 8:42 p.m.

Sarah M. Burch, Clerk of Council

Jesse D. Lineberry, Mayor

Main Street Buena Vista: Program Update for City Council

Executive Director Update – July 2026

- First ever Norton Rally Downtown Evening – June 25 brought riders from across the US and friends from Europe and New Zealand into downtown for a bike show, live music, games, and a movie at Straws. Businesses stayed open late, offered discounts, and showed up beautifully. Thank you to every business that participated!
- Water fountain installed at Magnolia Square – thank you to Public Works and Michael for making this happen! A real upgrade for our downtown activation space and everyone who spends time there.
- [Get to Gnome BV](#) – launching! A year-round downtown scavenger hunt driving foot traffic to participating businesses. More stops are being added as gnomes are built!
- Downtown Movie Series with Straws – National Treasure at Straws July 4 (VA250 tie-in!), outdoor movie July 17 at Magnolia Square, outdoor movie August 7 – free and open to all
 - BV Baptist Church – MSBV is promoting their summer outdoor movie nights rather than running a competing event. This is exactly the kind of radical collaboration and community spirit we want to model downtown.
- MGCC Nonprofit Institute Fall 2026 workshops – Dr. Rainone is offering nonprofit management and QuickBooks workshops right here in BV. MSBV is sharing this with all downtown businesses and organizations—another reason to celebrate having Mountain Gateway in our community!
- Virginia is ranked #3 in CNBC's Top States for Business – great context for the economic momentum we are part of here in BV!
- Connect BV – Monday, August 24 | 5-9 PM – ghost tours, downtown business tours, treasure hunt with cash prizes, games, music, car show, restaurant activities, Farmers Market at Magnolia Square, and more! Designed to welcome ALL college and school students back and open to the entire community.
 - Giving out free welcome stickers to businesses that come to Business Solutions meetings :) We just communication about what is going on, and brainstorm on how to help each other. Any home business, business, entrepreneur is welcome to come!



- Mountain Day is 100 days away – expanding to three days this year!
 - Friday, October 9 – Movie + Local Appalachian Educator Presentation
 - Saturday, October 10 – Main festival on Magnolia Avenue + Family & Children’s Activity Zone at VIA
 - Sunday, October 11 – Community Gospel Sing
- Community Investment Training Program – application submitted to the Richmond Federal Reserve for the 2027 cohort! Our proposed project is the two corner buildings—the former Bank of America building and the Carpet Outlet Building—the most visible and catalytic redevelopment opportunity in our historic district. We have data from last year’s redevelopment study, pro formas on both buildings, and a potential investor at the table. We are actively gathering resources, incentives, and support to make this happen!
- DIG Wayfinding Grant – in progress (~\$12,000 for downtown kiosks and signage)
- Virginia Tourism Corporation Microbusiness Marketing Grant – deadline July 30, actively pursuing
- ***Downtown Walking Tour – would any Council members be interested? If building owners are open to it, we would love to walk you through some of our most exciting spaces—including the former Bank building, the Library, and newly renovated gems like Art on Magnolia. We want you to see firsthand what we are working with and why this moment matters for Buena Vista. Please let us know if you are interested!***



ORDINANCE

Zoning Text Amendment

Section 702 Accessory Dwelling Units

6/4/2026

AN ORDINANCE to amend Section 302 and adopt new Section 702 of the Land Development Regulations of the Code of the City of Buena Vista, as amended, for the purpose of regulating Accessory Dwelling Units.

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 302 is hereby amended and Section 702 is hereby adopted as shown in the attached "Exhibit A."

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

Jesse Lineberry, Mayor

ATTEST:

Sarah Burch, Clerk of Council

Date



STAFF REPORT

TYPE: Zoning Text Amendment

PROJECT: Section 702 Accessory Dwelling Units

DATE: 6/15/2026

SYNOPSIS

Adopt regulations allowing accessory dwelling units (ADUs).

SUMMARY

This draft text and the analysis was presented and discussed earlier this spring to Planning Commission and City Council, and has now been scheduled for public hearing. The draft text has not changed. For in-depth analysis, please see earlier staff reports.

Currently, accessory dwelling units (ADUs) are generally not permitted in the City. ADUs represent an important piece of the housing stock, and many localities in recent years have updated their regulations to permit them. The recent regional housing study recommended that Buena Vista explore this. Additionally, Governor Spanberger has signed a bill, that would pre-empt local prohibitions of ADUs and permit them anywhere single-family dwellings are permitted beginning in 2027. The text of this included.

ANALYSIS

Proposed Policies

The draft text reflects staff recommendations, Planning Commission discussion and recommendations, and alignment with the bill in General Assembly.

Key policy points of draft text:

- Minimum lot size for house with ADU of 6,250 sf (one lot).
- Max square footage of ADU is 50% of the main house, minimum size is 320 sf (this will align with existing minimum sq ft for "efficiency" apartments in Mixed Use zone)
- Max of 2 people living in ADU
- Max of one bedroom in ADU
- Owner occupancy of either main house or ADU required
- Same setbacks for ADUs as other accessory buildings
- One off-street parking space required for ADU

EXHIBIT A - DRAFT TEXT

Definitions

302.XX *Accessory dwelling unit, or ADU*, a complete independent dwelling unit, with kitchen and bath, designed, arranged, used, or intended for occupancy by not more than two persons for living purposes and having a separate entrance and address, that is either (a) contained within the principal structure of a single-family dwelling (an “attached ADU”) or (b) in a separate, fully detached structure from the principal structure (a “detached ADU”).

Regulations

702.00 Accessory Dwelling Units

702.01 Purpose. The intent of this section is to regulate the construction and occupancy of accessory dwelling units (ADUs). ADUs shall be clearly secondary and accessory to the primary dwelling unit as to location, height, square footage, floor area ratio, and building coverage, and in keeping with the character of a single family neighborhood. The ADU must be integrated into or be compatible with the primary structure using features such as roof lines, exterior materials, window patterning or exterior color.

702.02 Accessory dwelling units generally

702.02-1 A single accessory dwelling unit, both attached and detached, shall be considered a customary accessory use in all zones where single-family dwellings are permitted. A zoning permit must be obtained prior to construction or use of an accessory dwelling unit.

702.02-2 Use and occupancy of each dwelling unit must comply with all applicable building, property maintenance, and rental inspection code regulations including inspection requirements, as applicable. Accessory dwelling units must conform to the currently-adopted Virginia Uniform Statewide Building Code.

702.02-3 A primary dwelling unit may have no more than one accessory dwelling unit.

702.02-4 No accessory dwelling unit may be established on a lot with more than one dwelling unit.

702.02-5 Accessory dwelling units are subject to the dimensional regulations applicable to other accessory buildings within the same zoning district.

702.02-6 No accessory dwelling unit may be established or built on a non-conforming lot. To establish or build an accessory dwelling unit, its lot must meet the minimum lot size, if any, within the applicable zone.

702.02-7 At least one off-street parking space must be dedicated to the accessory dwelling unit.

702.02-8 Attached ADUs may be no larger than 50% of the square footage of the primary dwelling unit. Detached ADUs may be no larger than 50% of the square footage of the primary building.

702.02-9 The minimum square footage of the ADU is 320.

702.02-10 An accessory dwelling unit may have no more than one bedroom.

702.03 Occupancy of accessory dwelling units

702.03-1 No more than two persons may occupy the ADU.

702.03-2 On a property with an accessory dwelling unit, the property owner must at all times be the permanent resident of either the primary or accessory dwelling. Determination of residency shall be made by the Zoning Administrator. Occupancy of an accessory dwelling unit when neither the primary dwelling nor the accessory dwelling unit is the permanent residence of the property owner shall constitute a zoning violation.

CODE OF VIRGINIA AMENDMENT

Approved April 13, 2026

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 15.2-2292.3 as follows:

§ 15.2-2292.3. Development and use of accessory dwelling units.

A. As used in this section, "accessory dwelling unit" or "ADU" means an attached or detached dwelling unit on a residential dwelling lot that:

1. Provides complete independent living facilities for one or more individuals;
2. Is located on the same lot as a proposed or existing primary residence; and
3. Includes facilities for living, sleeping, eating, cooking, and sanitation.

B. Zoning ordinances for single-family residential zoning districts shall be deemed to include accessory dwelling units as a permitted accessory use, and no locality shall require compliance with any other requirements except as provided in this section.

C. Any person proposing an ADU shall first obtain an ADU permit from the locality, for which the locality may charge a fee of no more than \$500. Such fee shall be in addition to any other applicable fees, including inspection, site, or building permit fees, that may be required in connection with the ADU. A locality shall issue the permit if the applicant demonstrates that the ADU complies with the requirements of this section and the local codes and ordinances referenced herein.

D. Localities may require the following:

1. A lease term for the rental of an ADU of 30 consecutive days or longer;
2. Replacement of a primary dwelling's required parking if the construction of the ADU eliminates such parking;
3. Dedicated parking for the ADU;
4. Limits on floor area, lot coverage, and impervious area of an ADU of no less than (i) 350 square feet on lots less than 2,500 square feet and (ii) 500 square feet on lots 2,500 square feet or greater;
5. Compliance with (i) building codes, including the requirements of the Uniform Statewide Building Code (§ 36-97 et seq.), for an accessory dwelling unit if the ADU is attached or for a dwelling unit if the ADU is detached; (ii) water, sewer, septic, emergency access, flood zone, and stormwater requirements; (iii) historic and architectural districts and corridor protection restrictions; and (iv) Air Installations Compatible Use Zone restrictions;
6. Owner occupancy of the ADU or the primary dwelling, but not both, only at the time an application is submitted to construct or convert an accessory dwelling unit;
7. That the ADU shall be no more than 500 feet from the primary dwelling;
8. No ADUs on a residential lot that has more than one dwelling unit; and
9. No ADUs sold separately or subdivided from the primary dwelling.

E. Localities shall not require the following:

1. Rear or side setbacks for the ADU that are greater than the setback required for the primary dwelling or the setback required for accessory structures on the residential lot, whichever is less;
2. Restrictions for ADUs that are more restrictive than those for single-family dwellings within the same zoning area with regard to height, rear or side setbacks, lot size or coverage, or building frontage;
3. A restrictive covenant concerning an ADU on a lot or parcel zoned for residential use by a single-family dwelling;
4. Improvements to public streets as a condition of allowing an ADU, except as necessary to reconstruct or repair a public street that is disturbed as a result of the construction of the ADU; or
5. Consanguinity or affinity between the occupants of an ADU and the primary dwelling.

F. Nothing in this section shall be construed to supersede or limit contracts or agreements between or among individuals or private entities related to the use of real property, including recorded declarations and covenants, the provisions of condominium instruments of a condominium created pursuant to the Virginia Condominium Act (§ 55.1-1900 et seq.), the declaration of a common interest community as defined in § 54.1-2345, the cooperative instruments of a cooperative created pursuant to the Virginia Real Estate Cooperative Act (§ 55.1-2100 et seq.), or any declaration of a property owners' association created pursuant to the Property Owners' Association Act (§ 55.1-1800 et seq.).

G. Nothing in this section shall apply to any existing permits for an ADU approved by the locality prior to July 1, 2027.

H. Nothing in this section shall be construed to restrict a locality's passage prior to July 1, 2027, of an ADU ordinance, or a subsequent amendment thereof, that substantially complies with the requirements of this section.

I. Nothing in this section shall apply to a locality that adopted an ADU ordinance prior to January 1, 2026.

2. That the provisions of this act shall become effective on July 1, 2027.



ORDINANCE

Zoning Map Amendment

100 block of Hazel Avenue, Lots 4, 5, 6, 7, 16, 17, and 18 of Block 57, Section 1

6/4/2026

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 following property shall be rezoned from R2 Residential to R3 Residential Limited pursuant to Section 617.03-3 of the Land Development Regulations, and the zoning map for the City shall be amended to reflect this change: Lots 4, 5, 6, 7, 16, 17, and 18 of Block 57, Section 1, located in the 100 block of South Hazel Avenue; as shown on Exhibit A.

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

Jesse Lineberry, Mayor

ATTEST:

Sarah Burch, Clerk of Council

Date



STAFF REPORT

TYPE: Zoning Map Amendment

PROJECT: 100 block S Hazel Ave single family homes

DATE: 6/4/2026

SYNOPSIS

Applicant proposes rezoning, alley abandonment, and lot line adjustment to allow construction of new private street to access five single-family home lots.

SITE INFORMATION

Address/Tax Map:	100 block of South Hazel Ave, portions of TMID 58-2--57-2 (lots 4-7 and 16-18)
Existing Zoning:	R2 Residential
Existing land use:	Vacant/forested
Proposed Zoning:	R3 Residential Limited
Proposed land use:	Single-family dwellings
Size:	46,000 sf (1.06 acres)
Staff Recommendation:	Approve

Overview

This project would create a new five-home cul-de-sac off South Hazel Avenue. The necessary approvals are

- 1) Zoning Map Amendment (ZMA) – Planning Commission/City Council - the applicant proposes slightly smaller lot sizes than are permitted by the current R2 zoning. On May 12th 2026, the Planning Commission voted to recommend approval of the ZMA.
- 2) ROW Abandonment – Planning Commission/City Council - the alley will be abandoned to allow development of the rear (western) portion of the property, which otherwise does not have street frontage. On May 12th 2026, the Planning Commission voted to recommend approval of the abandonment.
- 3) Site plan – Staff - Any development involving a private street requires site plan approval. The site plan will include details on the street design, utilities, and structure locations.
- 4) Erosion & Sediment Control – Staff and our 3rd party engineer - This project will require ESC review because of the amount and type of land disturbance. This plan will provide details on how runoff and drainage will be managed.

Analysis

1. Overall Layout and Design
 - a. Proposed new lots will generally conform to existing platted lots except that lots 16 & 17 (fronting on S Hazel Ave) will be merged to accommodate a new private street entrance, and alley will be abandoned and incorporated into the lots. The purpose of the new private street is to provide access and frontage for the lots on the rear of the property.
 - b. House designs have not been finalized but conceptual designs are included. The concept is a one-story, 3 bedroom, 2 bathroom, 1200 sq ft home.
 - c. The plat shows setback lines based on the R3 zoning.

2. Vehicular Circulation and Parking

- a.** The new private street will extend from S Hazel Ave and wrap around behind the houses on lots 17 and 18 to serve the lots on the back (west) side of the property. The private street will be surfaced in gravel and will meet VDOT GS-4 standards for rural ditch & shoulder geometric design. The termination of the road will be either a rounded bulb cul-de-sac or a T to allow turnaround of emergency vehicles, per the standards, and the travel way will be sufficient to allow two-way traffic.
- b.** All construction and maintenance of the street will be the responsibility of the developer and subsequently a homeowner's association or other legally-binding, recorded shared maintenance obligation. The City will not provide gravel or maintain the street. The only scenario in which the City would accept maintenance responsibility is if the developer or property owners paid to upgrade it to VDOT standards for public streets (including paving) and deeded it to the City, but this is not anticipated.
- c.** At PC the width and condition of Hazel Ave was raised. To this site and beyond this road is paved with asphalt in good condition. It is not very wide, but staff believe that the small amount of additional traffic generated by the new homes can be supported by the existing street, especially because there is limited through traffic at this location given the very rough nature of Robinson Gap Rd.
- d.** At PC, the traffic generated by the high school (now combined middle and high school) was raised as concern. People noted that drivers do not always heed the stop signs and drive fast. Staff will relay this to the Police Dept for enforcement.

3. Water and Sewer

- a.** The previous owner (David Hickman) has worked with the City to install sanitary sewer in the ROW of Evergreen Ave to the west of the property. This is in progress. Water will be tapped from S Hazel Ave. The capacity of both is sufficient to serve the planned houses.
- b.** At PC fire hydrant question was raised – Staff will ensure a fire hydrant is within maximum distance of the new homes. This will likely require a new hydrant near the new street entrance. The water line in Hazel is large enough to support a hydrant.

4. Storm Water Management

- a.** The project will be subject to the Erosion & Sediment Control regulations. The site and ESC design has not been completed yet, but the new private street and the yards of the homes will be required to manage storm flows. This will likely involve a new ditch or pipe to Pedlar Gap Run nearby to the west.
- b.** At PC drainage problems with existing roadside ditch on Hazel Ave was raised. Staff will work with Public Works on this to clean out the existing ditch and likely clean out the existing stormwater pipe under Hazel Ave. The new street and entrance will be designed to limit runoff onto the existing street or into the existing channels, instead funneling as much as possible into new drainage channels for proper management.

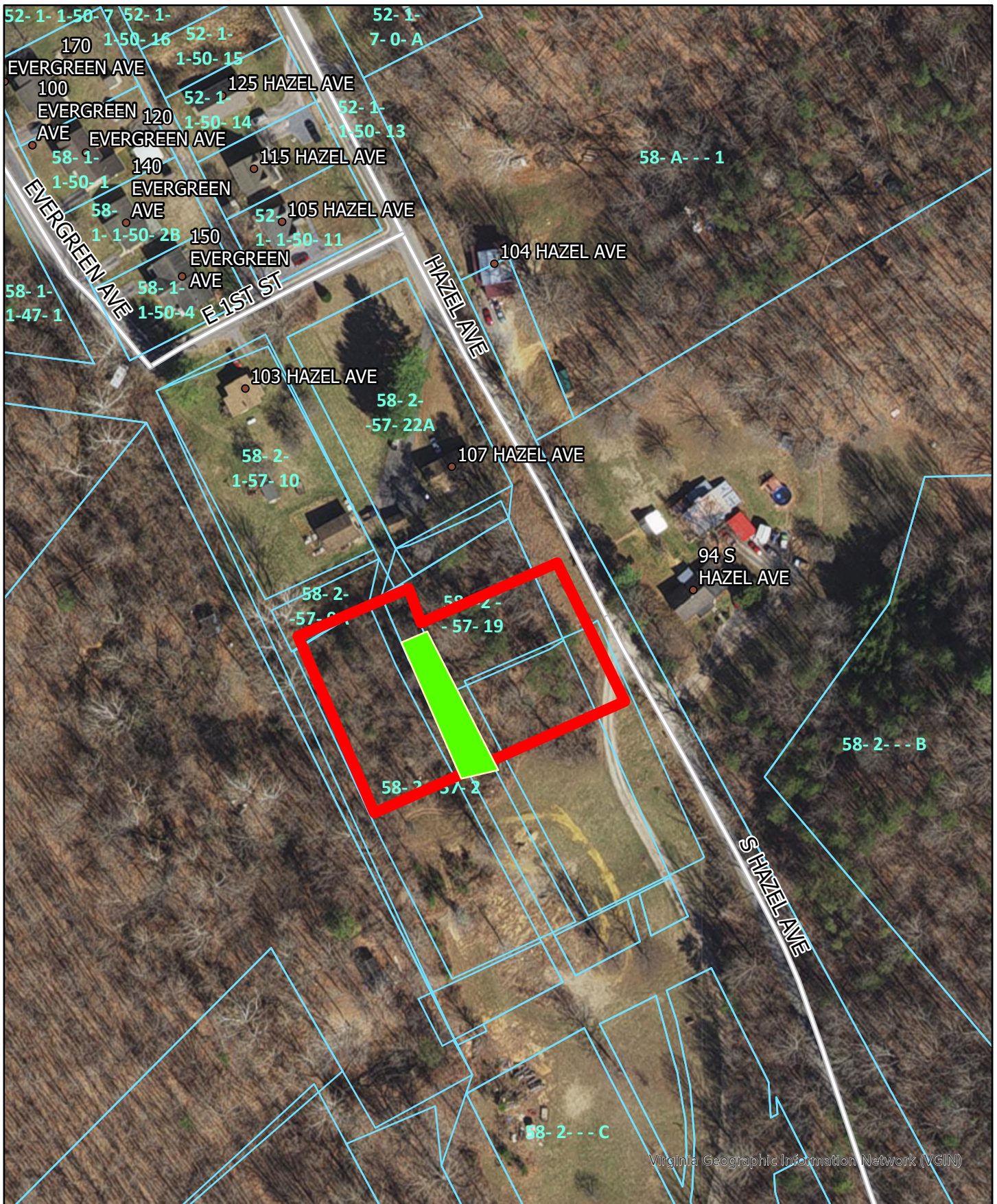
5. Zoning and Comprehensive Plan

- a.** This block is currently zoned R2 Residential. The Future Land Use map of the Comprehensive Plan designates this for Medium Density Residential, which is described as 4.65-11.15 dwelling units per acre and as the “residential pattern that characterizes

most neighborhoods in Buena Vista. Residences are composed of single-family and two-to four-family homes.” This Medium Density Residential designation is used for neighborhoods zoned both R2 and R3 Residential Limited.

While this block and the next block going south of South Hazel Ave are zoned R2, the three blocks going north on Hazel Ave are zoned R3 Residential Limited. Additionally, there is a small portion (four lots) at the corner of Hazel Ave & 1st St that is zoned R4 Medium Density Residential. Based on old files, it appears that this property was rezoned from R3 to R4 in anticipation of apartments or townhouses that were never built. Instead, three single-family homes in the same pattern and spacing of R3 were built. The neighborhoods zoned R2 to the west of the project site are largely disconnected from the site by Pedlar Gap Run, especially the Savernake neighborhood on South Woodland Ave.

- b. R3 zoning is suitable for this site for the following reasons:
 - i. Proximity of existing R3 zoning
 - ii. The typical setbacks and lot sizes within that existing R3 zoning on Hazel Ave north of the site
 - iii. The disconnection from areas zoned R2 that are characterized by larger lot sizes and larger homes (especially Savernake)
 - iv. Consistency with the Medium Density Residential Future Land Use designation
 - v. Consistency of proposed single-family dwellings with existing single-family dwellings in the neighborhood. At PC, neighbors stated that they did not want to see multifamily dwellings here and would prefer single-family.
6. ROW Abandonment
- a. The area of alley to be abandoned is 2,250 sq ft. At \$0.75 per square foot, the price is \$1,687.50.
 - b. At PC, it was questioned why the alley adjacent to Lot 7 is not being abandoned. Staff answered that it is not necessary and makes the abandonment transaction more complicated as it involves two adjacent parties not one. However, it was suggested that abandoning this portion of alley could make the development more neat and complete. Staff are in touch with the adjacent owner about their openness to this abandonment.

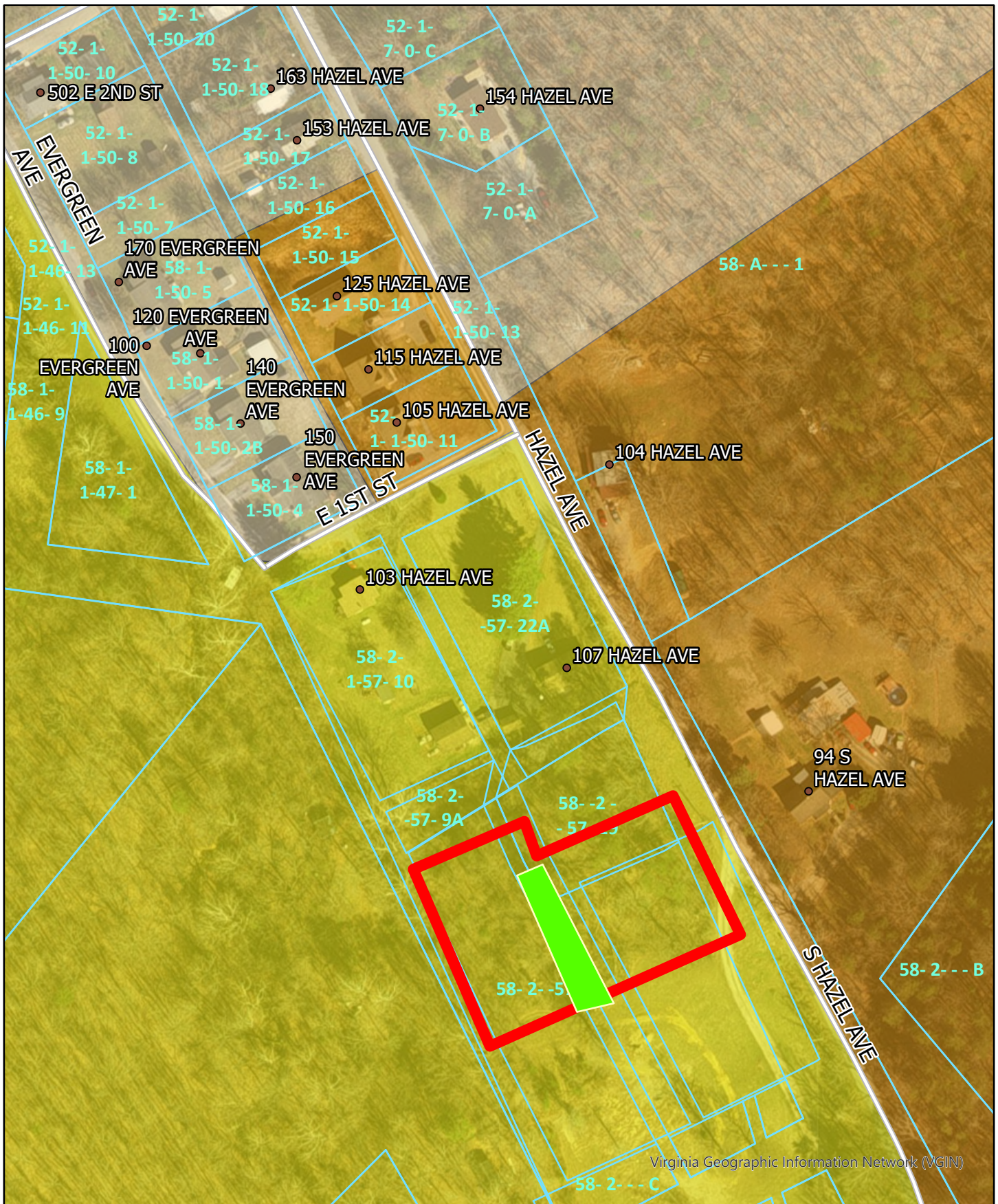


00.00.01 0.02 0.03 0.04
Miles

100 bl S Hazel Ave ZMA & ROW Abandonment

Note: GIS parcel boundaries are particularly inaccurate in this part of the City.

2026



00.00 0.01 0.02 0.03 0.04
Miles

100 bl S Hazel Ave
ZMA & ROW Abandonment

2026

EXHIBIT A

PROPOSED LOT LAYOUT AND
BUILDING SETBACK LINES

- LEGEND
- IRON PIN SET
 - IRON PIN FOUND
 - ⊙ POINT

DRAFT

SEE NOTES ON SHEET 3

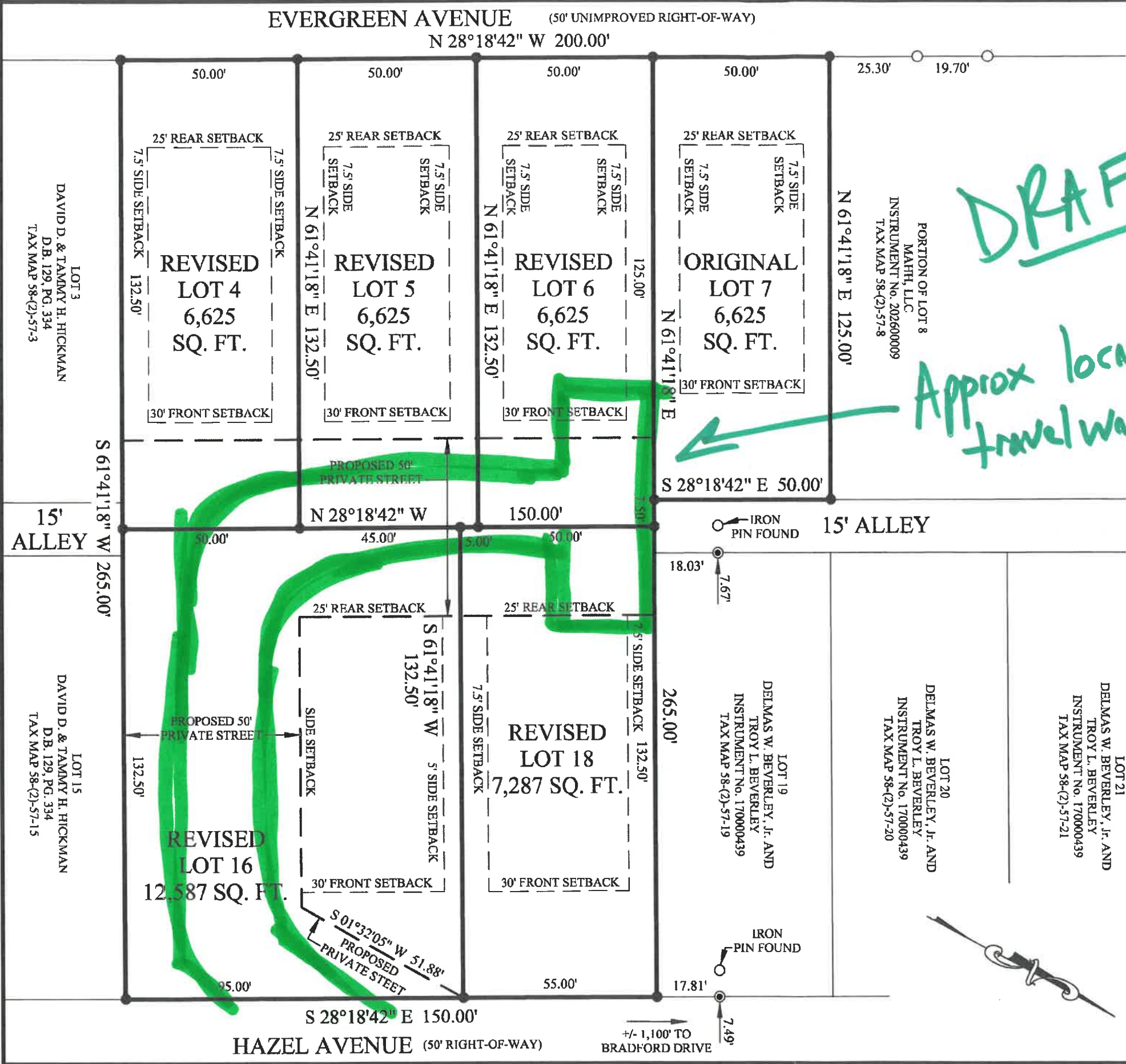
Approx location of
travelway, details TBD

PLAT SHOWING
A REDIVISION OF LOT 4, LOT 5,
LOT 6, LOT 16, LOT 17, LOT 18,
BLOCK 57, SECTION 1, BUENA VISTA
PRESENTLY IN THE NAME OF
MAHH, LLC
CITY OF BUENA VISTA,
ROCKBRIDGE COUNTY,
VIRGINIA
SCALE 1" = 30'
APRIL 3, 2026
REVISED: APRIL 17, 2026

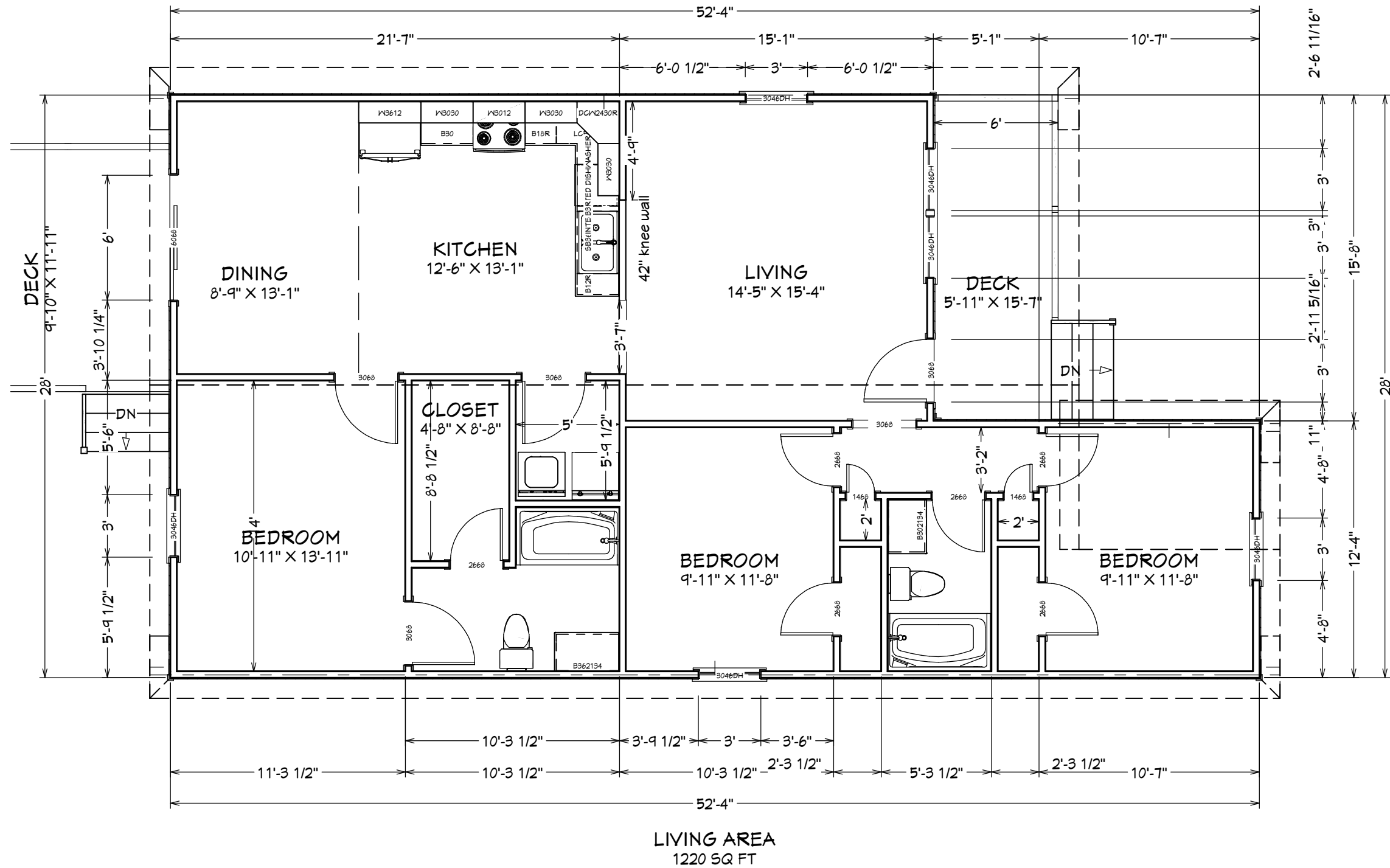


Lotts & Associates, P.C.

Land Surveying - Land Planning
21 Cambridge Drive * P.O. Box 1167
Stuarts Draft, Virginia 24477
Phone (540) 337-0012 Fax (540) 337-1455









Looking northwest, standing on the edge of the property (toward high school)



Looking south, standing in Hazel Ave, looking at the property



Looking west at location of entrance , this is David Hickman's driveway



Looking southwest directly at property corner



Hazel Ave looking northwest (toward high school)



ORDINANCE

**Abandonment of Public Right of Way
Portion of Alley in Block 57, Section 1
6/4/2026**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BUENA VISTA, VIRGINIA, that in accordance with Section 15.2-2006 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 B".

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.

This ordinance shall be effective 30 days after adoption.

Jesse Lineberry, Mayor

ATTEST:

Sarah Burch, Clerk of Council

Date

EXHIBIT A

PROPOSED LOT LAYOUT AND
BUILDING SETBACK LINES

- LEGEND
- IRON PIN SET
 - IRON PIN FOUND
 - ⊙ POINT

DRAFT

SEE NOTES ON SHEET 3

Approx location of
travelway, details TBD

PLAT SHOWING
A REDIVISION OF LOT 4, LOT 5,
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PRESENTLY IN THE NAME OF
MAHH, LLC
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ROCKBRIDGE COUNTY,
VIRGINIA
SCALE 1" = 30'
APRIL 3, 2026
REVISED: APRIL 17, 2026



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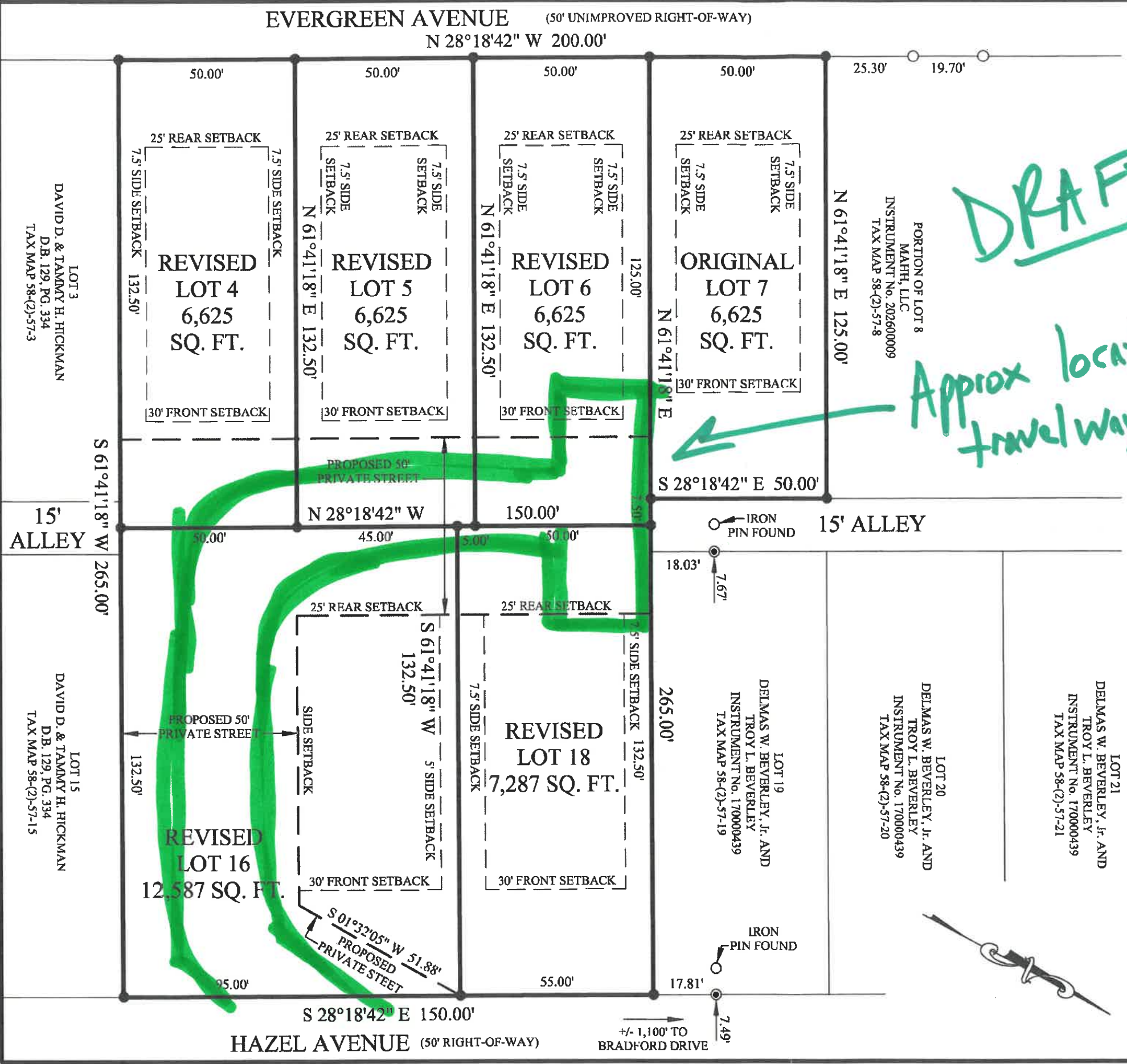


EXHIBIT B

Grantor (for recording purposes): City of Buena Vista

Grantee: MAHH, LLC, whose address is 250 Hammond Lane, Staunton VA 24401

Consideration: \$1,687.50

Tax Map Number: Abandoned right-of-way shall be incorporated into 18-1-6-21-9

Description of Property: A 150' long portion of the alley located in Block 57, Section 1, located between lots 4, 5, 6 and lots 16, 17, 18, as shown on Exhibit B.



ORDINANCE

**Abandonment of Public Right of Way
Alley in Block 1, Forest Addition, 300 block of Longhollow
Road 6/15/2026**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BUENA VISTA, VIRGINIA, that in accordance with Section 15.2-2006 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 B".

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.

This ordinance shall be effective 30 days after adoption.

Jesse Lineberry, Mayor

ATTEST:

Sarah Burch, Clerk of Council

Date



STAFF REPORT

TYPE: ROW Abandonment

PROJECT: 300 Block Longhollow Ave – Alley Abandonment

DATE: 6/2/2026

SYNOPSIS

City requests abandonment of alley in 300 block of Longhollow Ave (Block 1, Forest Addition).

Summary

- Owner of 355 Longhollow Ave submitted plat for boundary adjustment, research uncovered previously unknown alley.
- “Forest Addition” plat (1890’s) was not reflected in later plat maps but informed some development in this area.
- This alley has never been developed, nor has it been mapped properly, and residents were likely unaware of it.
- City requests abandonment of alley in entire block to clear title for property owners, especially the owner of 355 Longhollow Ave.
- Alley is approximately 700’ long and 15’ wide

ANALYSIS

Overview

Initially, the property owner of 355 Longhollow Ave sought a boundary adjustment to relocate the property line between two adjacent parcels he owned. Boundary adjustments are approved by Tom Roberts in his capacity as the Subdivision Administrator. When he submitted the plat to staff for review, it revealed an alley cutting through the middle of the property about which staff were unaware. Further research showed that this block was part of a large subdivision plat from the 1890’s called the “Forest Addition.”

The Buena Vista Land Company laid out the town (later city) of Buena Vista in 1890. The original City boundaries followed this original platted subdivision, but also in the 1890’s adjacent tracts of land were platted out to catch the fervor of the real estate boom. These plats have streets and lots similar to familiar original layout, but most were never built. The adjacent tracts platted include the Enderly Heights, West Enderly (across the river from Enderly Heights), and the Forest Addition.

These plats carry some legal weight even if subsequent development did not conform to them. Presence of documented streets and alleys can cloud title and introduce confusion of ownership and rights. In this particular case, staff cannot approve a plat showing an alley running through the middle of a parcel.

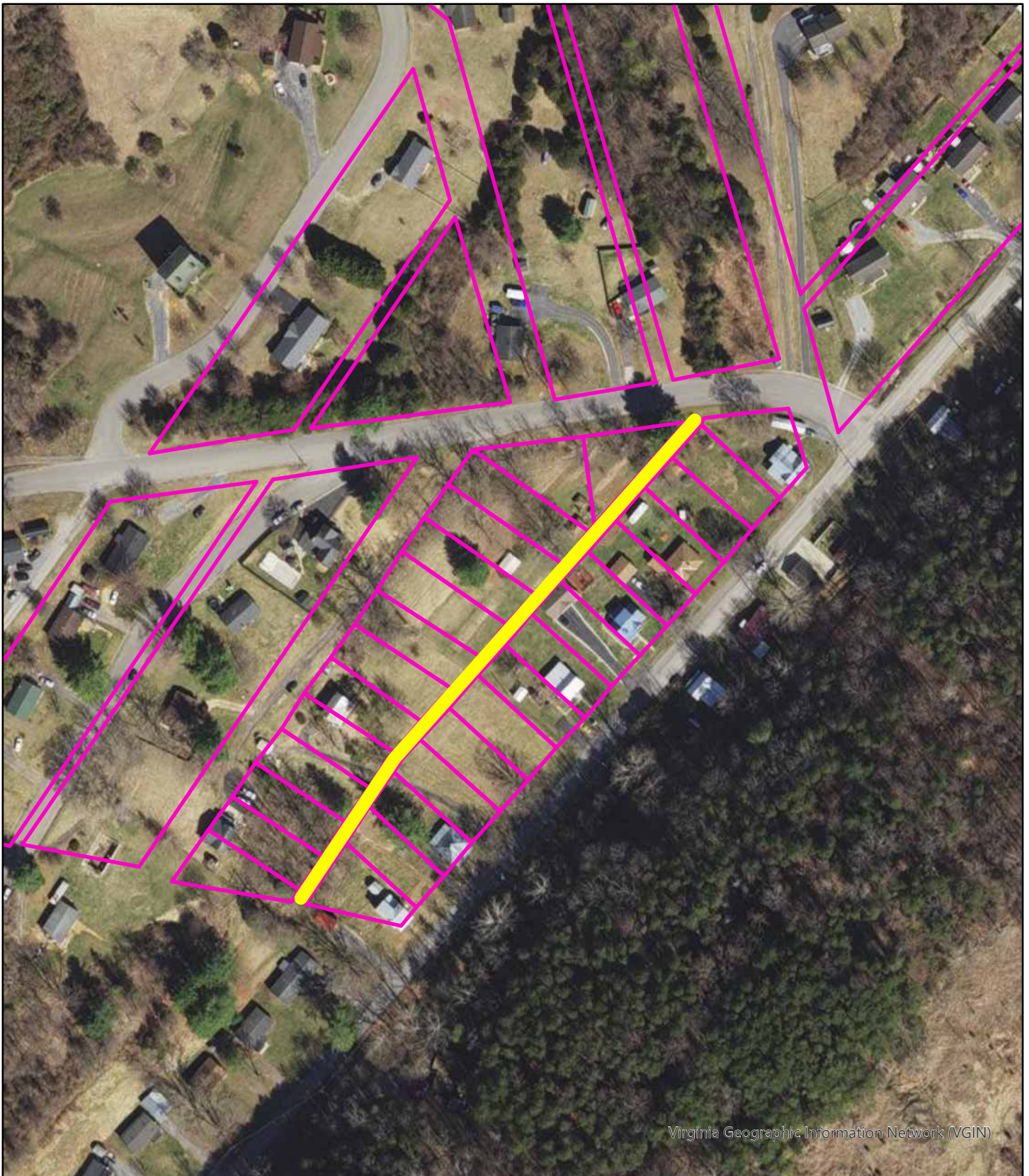
Staff recommend abandoning the alley through Block 1 of the Forest Addition to eliminate any title questions and allow this particular boundary adjustment to move forward. Although there are additional undeveloped streets and alleys in the Forest Addition, staff does not recommend addressing those at this time as that would be a larger research project to trace chains of title and current disposition.

Staff will recommend to City Council to charge no price to the adjacent owners for this abandonment because this alley was not previously known or adequately mapped. The adjacent owners thought they already owned this land, and were not seeking to expand their

property. It is likely that their real estate assessments were not aware of this alley, although staff have not confirmed the impact of this.

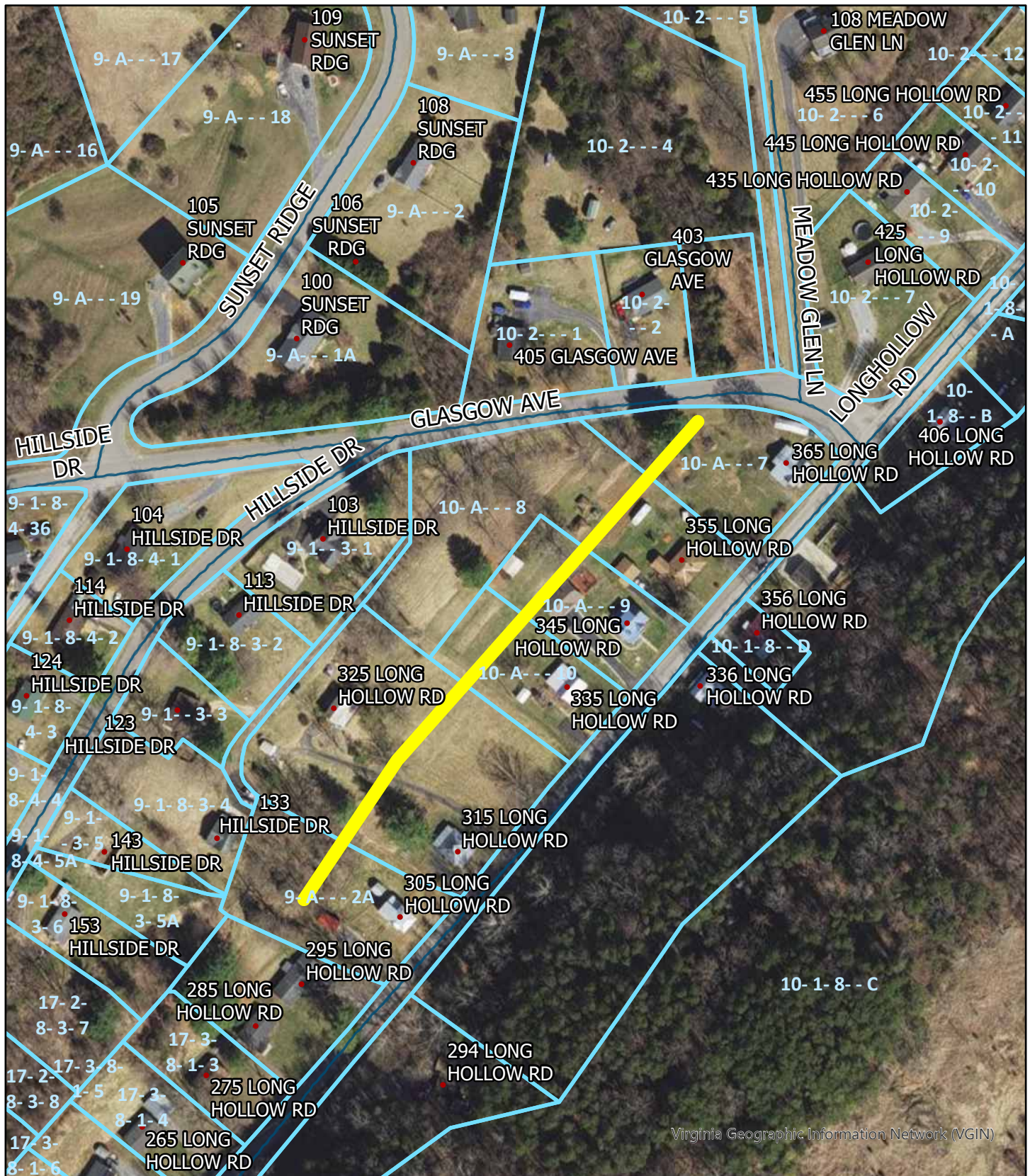
This abandonment will NOT do the following:

- It will NOT affect any known utilities
- It will NOT affect any existing development or access to any properties
- It will NOT affect the developed alley that is used to access 123 Hillside Dr and 133 Hillside Dr (on the Forest Addition plat, this is the “Burns Avenue” ROW)

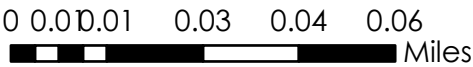


0 0.01 0.02 0.03 0.04 0.06 Miles

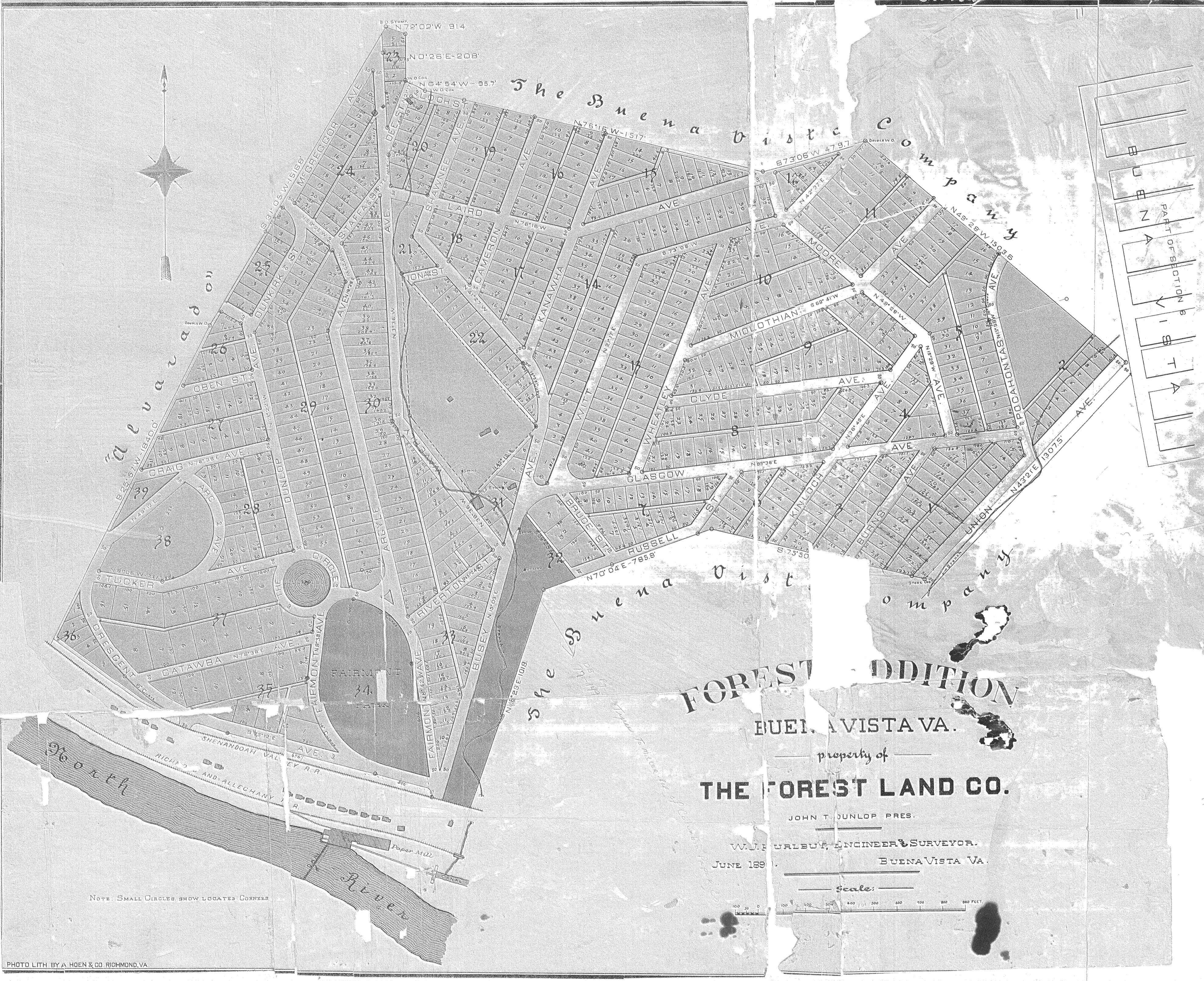
**"Forest Addition" (1892?)
Plat Lines with Alley in Yellow**



Virginia Geographic Information Network (VGIN)



**Current Parcel Boundaries
Plat Lines with Alley in Yellow**

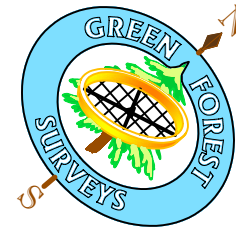


NOTE: SMALL CIRCLES SHOW LOCATED CORNERS

LINE	BEARING	DISTANCE
L1	N 82°33'58" E	19.81'
L2	S 17°00'02" E	62.90'
L3	S 42°18'58" W	71.35'
L4	S 42°18'58" W	58.92'
L5	N 53°10'07" W	2.86'

THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT AND, THEREFORE, MAY NOT, NECESSARILY, INDICATE OR SHOW ALL ENCUMBRANCES OR IMPROVEMENTS ON THE PROPERTY.

THE INTERNAL LOT AND ALLEYWAY LINES SHOWN HEREON FROM THE FOREST SUBDIVISION (AT PLAT CABINET C SLIDE 11) MAY OR MAY NOT BE VACATED.



SOURCE OF MERIDIAN
VA GRID

**BOUNDARY LINE ADJUSTMENT FOR
RANDALL DAVIS**
BUENA VISTA CITY, VIRGINIA
GREEN FOREST JOB # GF02391
REVISION 2, MAY 4, 2026
SHEET 1 OF 1

THIS PROPERTY LIES IN FLOOD ZONE "X" ("AREA DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN") AS SHOWN ON THE FLOOD INSURANCE RATE MAP (FIRM) FOR ROCKBRIDGE COUNTY, VIRGINIA AND INCORPORATED AREAS. MAP NUMBER 51163C0401 C; EFFECTIVE DATE: APRIL 6, 2000.

PORTIONS OF THIS PROPERTY LIE WITHIN OR ADJACENT TO THE TRAVELED WAYS OF LONG HOLLOW ROAD (ROUTE 631), GLASGOW AVENUE, AND HILLSIDE DRIVE, AND ARE SUBJECT TO ANY PUBLIC OR DEEDED RIGHTS NORMALLY ASSOCIATED WITH A ROAD AND, OTHER RIGHTS OR RESTRICTIONS REVEALED BY A TITLE REPORT.

ROAD WIDTHS SHOWN HEREON FROM FOREST HILLS SUBDIVISION (PLAT BOOK 5 PAGE 129 AT ROCKBRIDGE COUNTY COURTHOUSE.)

THE INTENT OF THIS BOUNDARY LINE ADJUSTMENT IS TO 1: ADJUST THE BOUNDARY LINE BETWEEN TM# 10-A---8 AND TM# 10-A---7

AND 2: TO CONVEY THE RESIDUE OF TM# 10-A---7 SHOWN HEREIN AS PARCEL B TO TM# 10-A---8

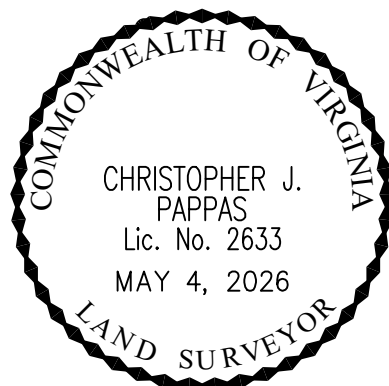
ZONED R2. SEE BUENA VISTA CODE OF ORDINANCES.
FRONT : 30'
BACK : 25'
SIDES: 30' TOTAL

Now or Formerly
RANDALL C. DAVIS
INSTRUMENT# 202500198
TM# 10-A---7 A.K.A. LOT 4 SECTION 90A
0.495 ACRES ORIGINAL (PER SURVEY)
LESS PARCELS A & B
0.215 ACRES TOTAL

LEGEND

(TYPICAL UNLESS NOTED OTHERWISE)

- IRON ROD OR PIPE FOUND
- IRON ROD SET
- POINT



APPROVED BY:

SUBDIVISION AGENT

DATE



HORIZONTAL DATUM: SPCS NAD83 (2011), VA SOUTH ZONE
VERTICAL DATUM: NAVD 88, GEOID 18 CONUS

PARCEL B SHOWN HEREON IS THE RESIDUE OF THE LAND DESCRIBED IN INSTRUMENT# 100000199 AFTER A CONVEYANCE OF LAND OUT OF SAID PARCEL AS DESCRIBED BY PLAT IN INSTRUMENT# 130000676.

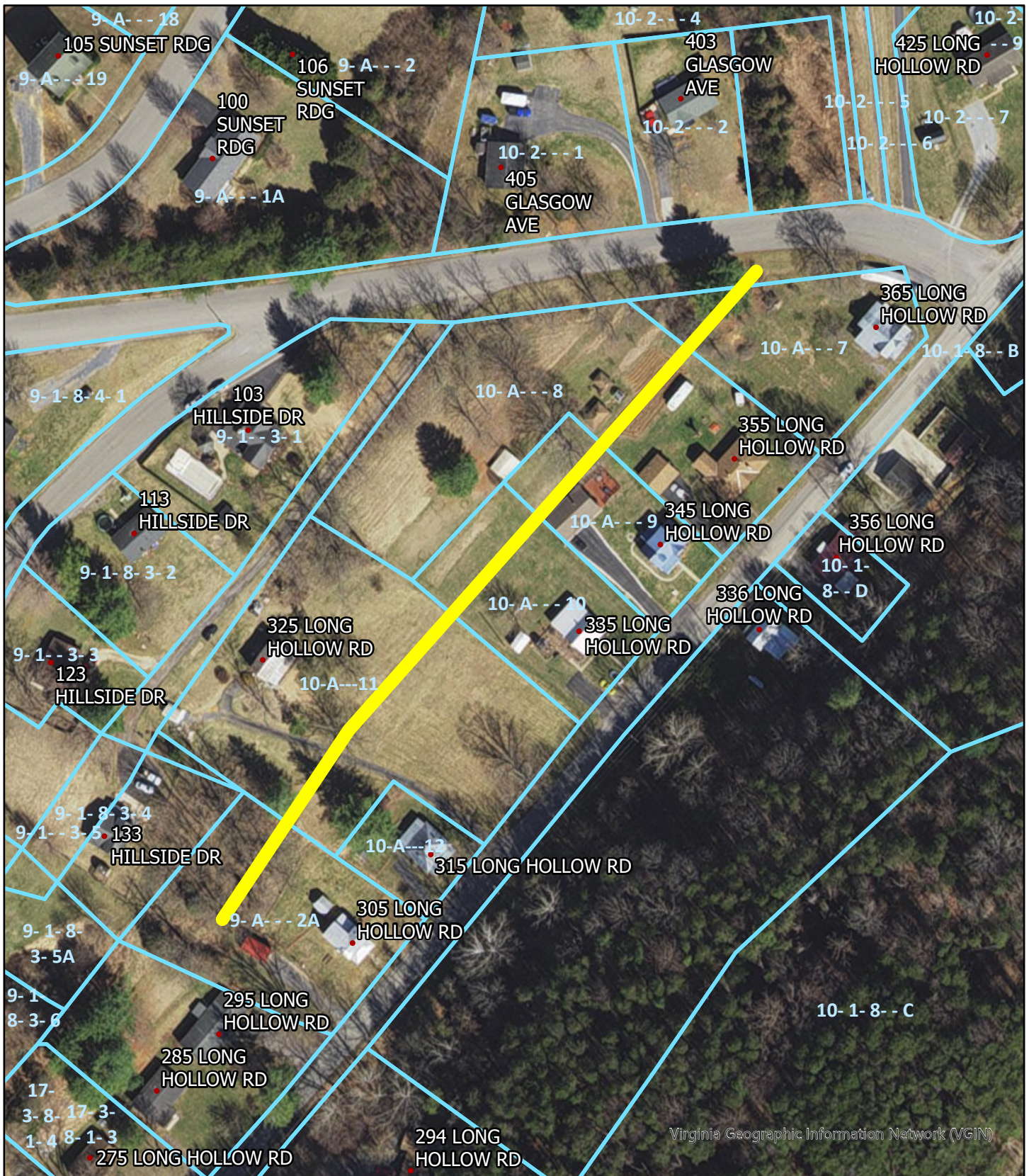
ALL DEED AND INSTRUMENTS LISTED ON PLAT ARE REFERENCED TO BUENA VIST COURT HOUSE UNLESS SPECIFICALLY CALLED OUT AS FROM ROCKBRIDGE COURT HOUSE.

GREEN FOREST SURVEYS, LLC

WWW.GREENFORESTSURVEYS.COM

P.O. BOX 121, FAIRFIELD, VA 24435 (540) 261-1077





0 0.00 0.01 0.02 0.03 0.04 Miles

300 Block Longhollow Rd Alley Abandonment

EXHIBIT A

2026

EXHIBIT B

Grantor (for recording purposes): City of Buena Vista

Grantee: MOUNTAIN VALLEY RENTALS B LLC, whose address is 1317 Woodland Ave, Buena Vista VA 24416

Consideration: \$0

Tax Map Number: Abandoned right-of-way shall be incorporated into 9-A---2A (305 Longhollow)

Description of Property: The portion of said alley, measuring 15' in width, running through the parcel depicted on Exhibit A.

Grantor (for recording purposes): City of Buena Vista

Grantee: ROBYN C. LAWHORNE, whose address is 325 Long Hollow Road, Buena Vista VA 24416

Consideration: \$0

Tax Map Number: Abandoned right-of-way shall be incorporated into 10-A---11 (325 Longhollow)

Description of Property: The portion of said alley, measuring 15' in width, running through the parcel depicted on Exhibit A.

Grantor (for recording purposes): City of Buena Vista

Grantee: CYNTHIA STATON HARTBARGER and DALE R. HARTBARGER, husband and wife, as tenants by the entirety with the right of survivorship, whose address is 1715 Pine Ave, Buena Vista VA 24416

Consideration: \$0

Tax Map Number: Abandoned right-of-way shall be incorporated into 10-A---10 (335 Longhollow)

Description of Property: The portion of said alley, measuring 15' in width, running through the parcel depicted on Exhibit A.

Grantor (for recording purposes): City of Buena Vista

Grantee: TIMOTHY GLASS and KIMBERLY GLASS, husband and wife, as tenants by the entirety with the express right of survivorship as at common law, whose address is 345 Longhollow Road, Buena Vista VA 24416

Consideration: \$0

Tax Map Number: Abandoned right-of-way shall be incorporated into 10-A---9 (345 Longhollow)

Description of Property: The portion of said alley, measuring 15' in width, running through the parcel depicted on Exhibit A.

Grantor (for recording purposes): City of Buena Vista

Grantee: RANDALL DAVIS, whose address is 355 Longhollow Road, Buena Vista VA 24416

Consideration: \$0

Tax Map Number: Abandoned right-of-way shall be incorporated into 10-A---8 (355 Longhollow)

Description of Property: The portion of said alley, measuring 15' in width, running through the parcel depicted on Exhibit A.

Grantor (for recording purposes): City of Buena Vista

Grantee: RANDALL DAVIS, whose address is 355 Longhollow Road, Buena Vista VA 24416

Consideration: \$0

Tax Map Number: Abandoned right-of-way shall be incorporated into 10-A---7 (365 Longhollow)

Description of Property: The portion of said alley, measuring 15' in width, running through the parcel depicted on Exhibit A.

NB #1



ROCKBRIDGE RECOVERY

Thank You

to the City of Buena Vista

Presented by Lori Turner

June 2026





WITH GRATITUDE

Because Buena Vista *said yes,* *neighbors who were waiting for a door to open now have one.*

When the Opioid Abatement Authority asked who stood behind this work, the City of Buena Vista answered as a **cooperative partner**. That partnership helped Rockbridge Recovery secure **\$812,000 in FY2027 funding** — including \$150,000 in capital to purchase a new building. This deck is our way of showing you exactly what your yes makes possible.

AWARDED — FY2027

\$812,000

OAA Cooperative Partnership

Includes \$150K in capital to
purchase a new building



WHAT YOUR YES BUILT

HOPE House, today

Founded in 2022, Rockbridge Recovery now runs a working recovery campus in the heart of our region.



Two certified recovery residences

A 6-bed men's home and a 4-bed women's home — VARR, NARR, and DBHDS certified.



A Peer Outreach Center

Peer support, transportation, and a front door for anyone seeking help.



Harm reduction & community care

Meeting people where they are, with partners across the region pulling in the same direction.

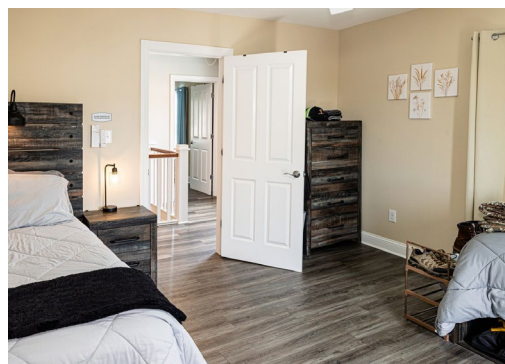
WHAT YOUR YES BUILT

The Women's House

A real home for the women in our program — dignified spaces, furnished room by room by community partners.



Women's fitness area



Furnished private bedrooms



Comfortable, personal touches



Women's shared area

Every room tells the same story: **the community built this with us.**

WHAT YOUR YES BUILT

The Men's House

A real home for the men in our program — room to live, cook, gather, and rebuild.



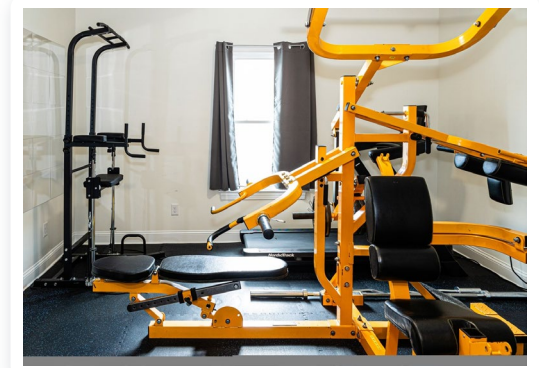
Men's HOPE House exterior



Men's full shared kitchen



Men's house common area



Men's house fitness center

Recovery takes a whole environment: **HOPE House provides it.**

WHAT YOUR YES BUILT

Inside the Peer Outreach Center



One front door — and no wrong way in. Drop by, no appointment needed.



Harm Reduction

- Care kits
- Sharps disposal center
- On-site STD insta-testing



Peer Support & Drop-In

- 1:1 peer support
- Drop in — no appointment
- Group meeting center
- Resource center



Wraparound Services

- Personal hygiene services
- Lending library
- Reentry services
- Jail programs
- Youth programs

THE PEOPLE BEHIND IT

Virginia's Peer of the Year

The peer-support model isn't a theory — it's people doing the work.

SAARA OF VIRGINIA — 2026 PEER OF THE YEAR

Josh Clark

Substance Use Services Director, Rockbridge Recovery

Recognized statewide for the lived experience and day-in, day-out commitment that makes peer recovery work.

When the state names your peer specialist Peer of the Year, **it tells a locality everything about the people behind the project.**



A MODEL FOR THE STATE

Presented statewide as a model

This June, our region's partnership model went to the state's biggest stage.

✓ “Bridging the Gap: CBOs & Local Government”

Lori Turner presented our breakout session at the statewide Opioid Abatement Authority conference, June 2026.

✓ A regional model

The Rockbridge region is now cited statewide as a model for how community organizations and local government partner.

✓ A reflection on you

That reputation belongs to every partner who said yes — Buena Vista included.



Presented by Lori Turner • Virginia OAA conference, June 2026

When the state wants to show how community and local government partner the right way — **they point here.**

WHO YOUR YES IS FOR

Behind every door, a life beginning again.

- A mother working to bring her children home.
- A son who left jail with nowhere to go.
- A neighbor who relapsed — and found a place that didn't give up.
- Someone's daughter. Someone's friend. Someone you already know.

Because Buena Vista said yes, none of them face it alone.



THE PROOF

A community that already said yes

Before a single settlement dollar arrived, our neighbors put their names, their letters, and their money behind this work.

\$218,096

in local cash raised

42%

locally funded before
settlement dollars

14

letters of support

33

supporting entities



A donated building. The first home of HOPE House didn't come from a grant — it came from someone in this community who believed before the money did.

WHAT YOUR PARTNERSHIP SUSTAINS

What the FY2027 funds make possible

The renewed Opioid Abatement Authority funding keeps every part of this campus running — and lets us reach further.



Recovery housing

Safe, certified beds for men and women rebuilding their lives.



Peer support & outreach

Certified peers who've walked the road, meeting people where they are.



Harm reduction

Keeping people alive long enough to find recovery.



Transportation

Removing the simplest barrier between someone and their next appointment.



On-site rapid testing

Rapid HIV and HCV testing, close to home and stigma-free.



Recovery to workforce

A reintegration pipeline that turns recovery into a paycheck and a future.

THE ROAD AHEAD

Year four is the start of years five and six

We don't stand still. We're always building — and always filling the gaps.

Keep building

- ✓ Expand the women's program
- ✓ Grow the outreach center
- ✓ On-site testing & care kits
- ✓ A community meeting space

Keep you in the loop

- ✓ Plain-language updates, on time
- ✓ Share stats, wins, and awards
- ✓ Surface bad news early, not late
- ✓ No surprises — ever

Keep our word

- ✓ Honor the good-neighbor agreement
- ✓ Stay accountable to residents
- ✓ Remind you why you said yes
- ✓ Show up when there's no ask



THANK YOU, BUENA VISTA

You said yes.
We're keeping the promise.

Lori Turner — Rockbridge Recovery



lori.turner@rrhopehouse.org



540-414-2674



rrhopehouse.org



BUENA VISTA POLICE DEPARTMENT

Certified Crime Prevention Community (CCPC) Program

City Council Briefing: Program Highlights & Accomplishments

The City of Buena Vista has achieved certification as a DCJS Certified Crime Prevention Community, meeting all 12 required Core Elements and 7 selected Optional Elements. This briefing highlights the history and accomplishments of each program element supporting this certification.

CORE ELEMENTS (12 Required)

Core 1: Buena Vista Community Safety Council

A new interagency council uniting law enforcement, schools, businesses, faith leaders, and residents to guide community safety strategy citywide.

- Formed in 2025 as part of the City's DCJS Certified Crime Prevention Community initiative.
- Held its inaugural meeting in September 2025.
- Current membership includes BVPD, Economic Development, Main Street Buena Vista, local businesses, the Community Services Board, two local pastors, a City Schools representative, and a Southern Virginia University student/volunteer EMT.

Core 2: Certified Crime Prevention Specialist

BVPD now has a state-certified Crime Prevention Specialist providing free security assessments to the community.

- Community Resource Division established in 2024, creating the need for a certified specialist.
- Officer Josh Guttman completed 120+ hours of DCJS training, earning certification in May 2025.
- Now offers free Security Site Assessments (CPTED-based) to businesses and residents at no cost to the City.

Core 3: Buena Vista Neighborhood Watch

A city-wide Neighborhood Watch program is launching, built directly from resident survey feedback.

- Development began Fall 2025; resident interest survey posted December 2025 drew 21 responses across the city.
- City divided into five geographic zones for manageable coordination.
- Program structure (zone coordinators, block captains) established; pilot launch planned in the north end where interest was strongest.

Core 4: Community Policing

The Community Resource Team has become a visible, trusted presence at City Council meetings, local businesses, and community events.

- Community Resource Team formed in 2024 (Sgt. Tomlin and Officer Guttman).
- Attended 10 City Council meetings and 2 major community events in 2025, engaging an estimated 250 citizens.
- Partnered with the City building inspector's office, resolving three code violation cases through compliance.
- Grew the department's Facebook page to 4,953 followers, with 109 net new followers in July 2025 alone.

Core 5: Community Safety Literature

Refreshed and expanded public safety materials, plus a new statewide-recognized domestic violence risk assessment tool.

- Brochure rack inventoried and refreshed in April 2025 with new materials from Virginia State Police, the DMV, and the FTC.
- Department actively shares safety content from agencies like the U.S. Consumer Product Safety Commission and NHTSA.
- In May 2025, Investigator Smith implemented the Lethality Assessment Program (LAP) for intimate partner violence victims, a nationally recognized practice that helps predict and prevent domestic violence homicides.

Core 6: Security and Safety Assessments

Free, professional security assessments are now available to Buena Vista businesses and residents.

- Launched for businesses in Fall 2024 following formation of the Community Resource Unit; expanded to residents in Spring 2025.
- Uses Crime Prevention Through Environmental Design (CPTED) principles.
- Conducted walkthroughs and meetings with four local businesses to date, with two additional assessments pending.

Core 7: Crime Analysis

BVPD leverages modern data systems and technology to make policing more proactive and transparent.

- Uses Southern Software RMS/CAD and the statewide TREDs traffic data system.
- Publishes monthly traffic citation and arrest reports outside the Chief's office for public transparency.
- Distributes shift pass-down emails to keep all personnel informed of trends and incidents.
- Operates two radar trailers that both slow traffic and display community safety messages.

Core 8: School Safety Audit

All four Buena Vista City Schools undergo comprehensive, state-mandated safety audits in close partnership with BVPD.

- Five School Resource Officers serve the division's four schools.
- 2025-2026 school year included five fire drills, two lockdown drills, and one earthquake drill.
- Schools equipped with Verkada camera systems and electronic key card access.
- Each school maintains a multidisciplinary threat assessment team (SRO, principal, guidance counselor).

Core 9: Business Watch

A new communication channel connecting BVPD directly with the local business community.

- Launched September 2025; three businesses currently enrolled.
- Created a private "BV Business Watch" Facebook group for crime prevention tips.
- Developed a QR-code-based tool for officers to conduct and share on-site security checks with businesses monthly.

Core 10: Victim/Witness Services

A well-established, 30-year partnership ensures crime victims and witnesses receive consistent support through the court process.

- Partnership with the Commonwealth's Attorney's Office Victim/Witness Program has served the community for over 30 years.
- Current Coordinator has served in the role for approximately 16 years.
- Assists approximately 125-140 victims annually with rights information, court accompaniment, safety planning, and referrals.

Core 11: Delinquency Prevention Program

Three years of daily in-school legal education, now expanded into a popular new summer camp for younger children.

- Virginia Rules curriculum delivered daily to 7th graders at Parry McCluer Middle School for three consecutive years.
- Averages 30 middle schoolers annually, about 5 hours of SRO instruction per week.
- Launched an inaugural week-long Virginia Rules Summer Camp in July 2025 for ages 9-12: 21 registered, averaging 13 daily attendees.

- Strong community response led the department to make the summer camp an annual offering.

Core 12: Accreditation

BVPD has held state accreditation for over seven years, reflecting sustained professional standards.

- Accredited through the Virginia Law Enforcement Professional Standards Commission (VLEPSC) since February 2018.
- Completed its most recent VLEPSC audit in June 2022, earning accreditation through June 2026, with only one minor file correction out of 191 standards evaluated.
- Managed by a full-time civilian Accreditation Manager, Mrs. Marnie Mikels.

OPTIONAL ELEMENTS (7 Selected)

Optional 1: Cooperative Agreements

Formal regional partnerships strengthen BVPD's reach and response capability beyond city limits.

- Mutual aid agreements in place with Rockbridge County Sheriff's Office and Lexington Police Department.
- Formal agreement with Buena Vista City Public Schools (July 2025-June 2027) establishes the SRO Program as a collaborative safety and prevention initiative.

Optional 2: Domestic Violence Program

A nationally recognized risk-assessment tool is helping BVPD better protect domestic violence victims.

- Lethality Assessment Program (LAP) implemented May 2025; 100% of sworn officers trained.
- 14 lethality assessments completed and 45 victims referred to Project Horizon in 2025.
- Approximately 37 Emergency Protective Orders obtained for domestic-related incidents in 2025.

Optional 3: National Night Out

One of the community's most anticipated annual events, growing each year in size and regional participation.

- Held in partnership with Rockbridge County Sheriff's Office and Lexington Police Department.
- 2025 event drew over 100 community members and 10+ partner agencies, including Virginia State Police, VMI Police, and the American Red Cross.
- Moved to October in 2025 for better weather and higher family attendance; featured a scavenger hunt tied to a free movie at Hull's Drive-In.

Optional 4: School Resource Officer Program

BVPD took over full responsibility for school security in 2024, building lasting relationships with students and families.

- Dedicated team of four SROs established in 2024, serving Kling Elementary, Enderly Heights Elementary, Parry McCluer Middle, and Parry McCluer High.
- When grant funding for two positions lapsed, the School Board voted to absorb a portion of salaries to avoid any service interruption.
- SROs are widely recognized in the community, known by name to the students they serve.

Optional 5: Community Safety Education Program (Speakers Bureau)

Longstanding community presentations are now formally organized and tracked for consistency.

- Formalized in 2026 to organize outreach that had previously been informal.
- Established a standardized request process and centralized activity log.
- Ongoing topics include fraud/scam awareness and Civilian Response to Active Shooter Events (CRASE).

Optional 6: TRIAD

A brand-new regional partnership dedicated to protecting and engaging Buena Vista's senior citizens.

- TRIAD Charter formally signed January 20, 2026, by BVPD, Rockbridge County Sheriff's Office, and Valley Program for Aging Services.
- SALT Council (Seniors and Law Enforcement Together) established March 2026 with a 10-member board and approximately 20 community members in attendance at its first meeting.
- Public awareness efforts underway through social media, local media, and flyers at Valley Program for Aging Services.

Optional 7: Virginia Rules

A cornerstone youth education program, reaching every 7th grader in Buena Vista and now extending into the summer months.

- Delivered daily to 7th graders at Parry McCluer Middle School for three consecutive years.
- Inaugural Virginia Rules Summer Camp held July 2025: 21 registered participants, average daily attendance of 13.
- Four officers supported the summer camp daily, giving children broad exposure to BVPD personnel.

Certification reflects the collaborative work of the Buena Vista Police Department, City Schools, regional law enforcement partners, and community organizations across all 19 program elements.

Agenda Item: Review and Approval of an Appropriation Resolution

Overview:

1. In 2025, the City of Buena Vista was awarded a \$50,000 grant through the Virginia Brownfields Restoration and Economic Redevelopment Assistance Fund (VBAF), administered by the Virginia Department of Environmental Quality (DEQ) and Virginia Economic Development Partnership (VEDP). The grant was awarded to support additional environmental assessment and remediation planning activities associated with the former Bontex property, specifically focused on the building basement areas identified during previous environmental investigations. At the time of application, the project was anticipated to include a local match provided by the property owner. As project conditions evolved, the project team identified an alternative match source through a previously awarded DEQ Technical Assistance Grant that funded environmental studies, site analysis, market analysis, and redevelopment concept planning for the property. Utilizing this existing grant-funded work as the required match allows the City to move forward with the VBAF project without requiring additional local cash contributions. Approval of the appropriation resolution will authorize the City to receive and expend the \$50,000 VBAF grant award and allow staff to proceed with the next phase of environmental due diligence and redevelopment planning activities at the Bontex site. These efforts support the City's ongoing work to prepare the property for future investment, redevelopment, and economic revitalization.
2. On November 20, 2025 (FY 2026), City Council approved an appropriation of \$906,000 for the VDOT-funded Streetscape Project. Since that time, the project was completed. However, final project expenditures and reimbursements will extend into FY 2027. As a result, the remaining project budget of \$160,121 is requested to be reappropriated or carried over from FY 2026 to FY 2027. This ensures funding authority remains available to complete associated payments. This is a reimbursement grant program, so we must expend our funds first and then submit reimbursement drawdowns to VDOT.
3. On August 21, 2025, City Council approved an appropriation resolution that included \$81,717 for the Town (Magnolia) Square Project. Project activities have continued as planned; however, the project was not fully completed prior to the close of FY 2026. Approximately \$17,538 of the original appropriation remained unexpended. Because project-related expenditures will continue into FY 2027, the remaining budget authority must be carried forward to allow the City to complete the project and properly account for expenses. Remaining funding is a combination of local and fundraising dollars.

4. On March 2, 2026, City Council approved an appropriation resolution of \$65,000 for the Community Flood Preparedness Fund (CFPF) Culvert Replacement Project which represented 50% of the estimated project cost. As communicated in the March 2026 staff report: 1. BV was awarded grant for designing replacement for failing culvert at 6th St and Woodland Ave; 2. Total project cost is estimated at \$130,000; the grant award is for \$117,000 (90%); the local cash match is \$11,800 (9%), and City staff time representing the in-kind match is \$1,200 (1%); and 3. The March 2026 appropriation represented approximately 50% of the estimated project cost. The staff report also noted that City Council adopted a resolution in the fall of 2025 supporting and authorizing the application submission with the understanding of the budget totals presented above. The unexpended balance at June 30, 2026, is \$64,800. As the project extends into FY 2027, the remaining budget authority must be carried forward to allow project activities to continue. Staff is also requesting an additional appropriation of \$65,000 (the remaining 50%), representing the estimated project costs necessary to fully fund the project budget and complete the planned engineering services. Once design is complete, the City will be eligible for this same program to fund construction of culvert/bridge. The next round of CFPF grant applications will be due in autumn 2026.

5. On November 20, 2025, City Council approved an appropriation of \$1,230,000 for the Community Development Block Grant (CDBG) Downtown Revitalization Project. The project is now substantially complete. However, invoices for goods and services remain to be processed and paid for in FY 2027. As for the fiscal year-end 2026, staff estimates that \$425,178 of the original appropriation remains available and is needed to satisfy outstanding project obligations and complete final grant closeout activities. Accordingly, staff is requesting that City Council approve a FY 2026 carryover appropriation of this amount into FY 2027. This request does not increase the overall project budget previously authorized by Council but rather carries forward existing budget authority to ensure the City can pay remaining project costs and successfully complete all grant administration and financial reporting requirements. This is a reimbursement grant program, so we must expend City funds initially and then submit reimbursement drawdowns to the Virginia Department of Housing and Community Development.

Recommendation: Receive staff report. Pose any questions you may have and discuss as desired. If in agreement, vote to approve the attached appropriation resolution.

Attachments: FY 2027 Appropriation Resolution dated July 16, 2026.



CITY OF BUENA VISTA

APPROPRIATION RESOLUTION

July 16, 2026

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, 2027**, from the UNAPPROPRIATED SURPLUS of the **GENERAL FUND** and expended as follows:

Virginia Brownfields Restoration and Economic Redevelopment Assistance Fund (VBAF) Award

10.8401.56182	VBAF Grant Expense	<u>\$50,000.00</u>
Sub-total 1		\$50,000.00

Streetscape Project – VDOT Funding (FY 2026 Carryover)

10.8402.56183	Streetscape Project – VDOT Funding	<u>\$160,121.00</u>
Sub-total 2		\$160,121.00

Town (Magnolia) Square Project (FY 2026 Carryover)

10.8402.56186	Town Square Project	<u>\$17,538.00</u>
Sub-total 3		\$17,538.00

Community Flood Preparedness Fund – Culvert Replacement Project (FY 2026 Carryover)

10.8402.56188	DCR CFPF Culvert Replacement Project	<u>\$129,800.00</u>
Sub-total 4		\$129,800.00

Downtown Revitalization Project – CDBG Grant Funding (FY 2026 Carryover)

10.8402.60680	Connect BV CDBG Grant	<u>\$425,178.00</u>
Sub-total 5		\$425,178.00

Total General Fund Appropriation	\$782,637.00
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Approved: This 16th day of July 2026.

Jesse D. Lineberry, Mayor

Attest:

Sarah M. Burch, Clerk of Council

A RESOLUTION OF THE CITY OF BUENA VISTA, VIRGINIA, ADOPTING THE CENTRAL SHENANDOAH HAZARD MITIGATION PLAN 2026 UPDATE.

WHEREAS the Buena Vista City Council recognizes the threat that natural hazards pose to people and property within the City of Buena Vista; and

WHEREAS the City of Buena Vista has prepared a multi-hazard mitigation plan, hereby known as the Central Shenandoah Hazard Mitigation Plan 2026 Update, in accordance with federal laws, including the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended; the National Flood Insurance Act of 1968, as amended; and the National Dam Safety Program Act, as amended; and

WHEREAS the Central Shenandoah Hazard Mitigation Plan 2026 Update identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in the City of Buena Vista, Virginia from the impacts of future hazards and disasters; and

WHEREAS adoption by City Council of the City of Buena Vista demonstrates its commitment to hazard mitigation and to achieving the goals outlined in the Central Shenandoah Hazard Mitigation Plan 2026 Update.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BUENA VISTA, VIRGINIA, THAT: The City of Buena Vista, Virginia, hereby adopts the Central Shenandoah Hazard Mitigation Plan 2026 Update. Revisions to the plan made after adoption that are necessary to satisfy plan approval requirements shall not require City Council to re-adopt the plan. Subsequent plan updates following the approval period for this plan shall require separate adoption resolutions.

ADOPTED by a vote of _____ in favor and _____ against, and _____ abstaining.

Jesse D. Lineberry, Mayor

Attest:

Sarah M. Burch, Clerk of Council

Date of Adoption



2026 CENTRAL SHENANDOAH HAZARD MITIGATION PLAN

EXECUTIVE SUMMARY

The Central Shenandoah Hazard Mitigation Plan (CSHMP) serves as the region's long-range plan for reducing the impact from natural and human-caused hazards. The Plan identifies vulnerabilities in communities across the region and establishes strategies to protect lives, property, infrastructure, and critical services.

On May 20, 2026, the Virginia Department of Emergency Management (VDEM) and the Federal Emergency Management Agency (FEMA) formally approved the plan, enabling participating jurisdictions to remain eligible for FEMA Hazard Mitigation Assistance grant programs upon local adoption.

The full CSHMP can be viewed online: <https://connect.cspdc.org/hazard-mitigation-plan>

PLANNING PROCESS

Originally adopted in 2005, the 2026 Plan marks the third comprehensive update and reflects the region's continued commitment to proactive hazard mitigation. The Central Shenandoah Planning District Commission (CSPDC) developed the plan over the course of two years in collaboration with 21 jurisdictions, 4 special districts, and more than 30 regional organizations. It serves as coordinated guidance for building safer communities while maintaining eligibility for federal mitigation funding. The process included:

- Comprehensive risk assessments for 8 natural hazards and 4 human-caused threats
- Evaluation of local and regional capabilities for 5 cities, 5 counties, 11 towns, and 4 special districts
- Development of regional goals and jurisdiction-specific mitigation actions
- Extensive public and stakeholder engagement, including 458 public survey responses, 4 steering committee meetings, and individual consultations with all participating entities

Notably, the region's mountainous terrain, extensive river systems, rural development patterns, karst geology, and communication restrictions under the National Radio Quiet Zone create unique resilience challenges that require coordinated regional planning. Through the planning process, flooding, wildfires, and severe winter weather emerged as the region's highest-risk hazards. Other significant threats include hazardous materials incidents, drought, sinkholes, tropical storms, and infrastructure failure.

REGIONAL MITIGATION PRIORITIES

To guide implementation, the Plan establishes six overarching regional goals supported by regional strategies and locality-specific mitigation actions. Actions include infrastructure improvements, flood mitigation projects, emergency preparedness initiatives, land use planning tools, and public education efforts. Together, these actions seek to reduce future losses and improve long-term community resilience.

1	Economic Resilience and Protection: Bolster the regional economy by reducing hazard impacts on economic sectors and critical business infrastructure.
2	Housing and Neighborhood Protection: Protect residential properties and prioritize vulnerable neighborhoods and housing populations.
3	Environmental Stewardship and Natural Hazard Mitigation: Restore and enhance natural systems' hazard mitigation functions while protecting environmental resources.
4	Resilient Public Infrastructure: Ensure high-quality, resilient infrastructure that maintains essential services before, during, and after hazard events.
5	Public Health and Safety Enhancement: Promote public health and safety by reducing hazard-related risks and ensuring effective emergency response.
6	Collaboration and Innovation: Collaborate across jurisdictions and sectors to improve resilience through innovative approaches.

LOCAL ACTION ITEMS

In accordance with FEMA's planning requirements, participating localities and special districts developed prioritized mitigation actions and projects for each of the 12 hazards and threats based on local needs, capacity, timeline, and available funding. Implementation of these actions may occur through future capital projects, policy initiatives, infrastructure investments, and state or federal grant opportunities. A list of actions specific to the City of Buena Vista is included in this summary.

PLAN ADOPTION & IMPLEMENTATION

Adoption of the CSHMP is required for participating jurisdictions and special districts to remain eligible for FEMA's grant programs, including funding opportunities that support flood mitigation, infrastructure hardening, emergency power systems, property protection, and other resilience projects. Upon local adoption, the CSPDC will continue to monitor the Plan annually and update it every five years in accordance with FEMA requirements. Through coordinated regional implementation, the CSHMP provides a framework for building safer and stronger communities across the Central Shenandoah region.

CITY OF BUENA VISTA LOCAL ACTIONS

The following table summarizes the mitigation actions developed for the City of Buena Vista to address the hazards identified through the planning process. A more detailed version of the table is included in the full CSHMP and provides additional information regarding implementation timeframe, potential funding sources, and local priority rankings (i.e., High, Medium, Low).

<i>Hazard</i>	<i>Regional Goal</i>	<i>Action</i>
Multi-Hazard	#3	BV-1. Develop a Tree Canopy Goal and tree planting plan in collaboration with the Green Infrastructure Center. Prioritize implementation of actions that address tree canopy coverage while mitigating multiple hazards including flooding, urban heat island effects, and soil erosion.
Flooding	#3	BV-2. Maintain compliance with the National Flood Insurance Program (NFIP) by engaging in various activities included in the three basic components of the NFIP: 1) Floodplain identification and mapping risk, 2) Responsible floodplain management, 3) Flood insurance.
	#3	BV-3. Consider flood mitigation actions in the City focused on natural systems protection.
	#4	BV-4. Develop comprehensive maintenance plan for all flood and stormwater infrastructure assets, specifically creeks with channel modifications, sediment basins, the James Olin Flood Control Project, culverts, and bridges.
	#3	BV-5. Continue implementation of the USDA-funded Buena Vista Watershed Protection Project to prevent flooding from four interior streams. Project protects 240 residences, 70 commercial structures, and utilities through debris basin construction, culvert/bridge replacement, and stream channel improvements.
	#3	BV-6. Develop a DCR-approved Flood Resilience Plan including review of the City's 1999 Watershed Plan to identify and prioritize flood mitigation and stormwater projects eligible for Community Flood Preparedness Fund (CFPF) and other grants.
	#4	BV-7. Maintain partnership with U.S. Army Corps of Engineers (USACE) for levee/flood wall maintenance along Maury River. Pursue co-benefits including recreational trail expansion connecting to Chessie Trail network.
Wildfire/ High Winds	#3	BV-8. Encourage the lessening of potential wildfires, or wind-driven fires, by: 1) Education and outreach to residents, especially those living in woodland areas and the Wildland-Urban Interface (WUI).

Hazard	Regional Goal	Action
		2) Reduction of hazardous fuels throughout the community. 3) Reduction of structural ignitability to limit injury, loss of life, and property damage. 4) Having trained first responders with proper tools and equipment that will serve as a frontline defense against wildfire.
Drought	#6	BV-9. Assist the CSPDC with the update and adoption of the Upper James River Water Supply Plan as mandated by DEQ.
Extreme Temperatures	#5	BV-10. Enhance emergency shelter capacity and resilience by ensuring facilities are equipped with adequate HVAC systems, backup generators, and emergency supplies for extended operations during extreme heat and cold events.
Severe Winter Weather	#4	BV-11. Continue to implement the City's procedures for road weatherization and maintenance during winter weather events.
Infectious Disease Outbreak	#5	BV-12. Continue to partner with the Central Shenandoah Health District of the Virginia Department of Health (VDH) to monitor disease outbreaks and keep residents informed.
Hazardous Materials Release	#5	BV-13. Update and maintain a comprehensive Hazardous Materials Emergency Response Plan (HMERP) including identification of local hazmat risks, response procedures, evacuation protocols, and coordination with regional hazmat teams.
Utility or Infrastructure Failure	#5	BV-14. Expand backup generator capacity beyond current installations at the high school and police department. Prioritize critical facilities including City Hall, water treatment plant, emergency operations center, and primary emergency shelters.
Active Assailant	#5	BV-15. Conduct security assessments of public buildings and events with recommendations for physical security improvements.
Sinkholes	#3	BV-16. Monitor any emergent sinkholes. Coordinate with relevant agencies and utility providers as needed.

CITY MANAGER EMPLOYMENT AGREEMENT
BETWEEN THE CITY OF BUENA VISTA, VIRGINIA
AND
KRYSTAL M. ONAITIS
BEGINNING JULY 16, 2026

THIS AGREEMENT, made and entered into July 16, 2026 by and between the COUNCIL OF THE CITY OF BUENA VISTA, VIRGINIA, a municipal corporation, hereinafter called City Council, as party of the first part, and KRYSTAL M. ONAITIS, hereinafter called City Manager, as party of the second part, both of whom understand as follows:

WITNESSETH:

WHEREAS, the City Council desires to employ the services of Krystal M. Onaitis as its City Manager as provided by the City Charter and Code; and

WHEREAS, it is the desire of the City Council to provide certain benefits, establish certain conditions of employment and to set working conditions of said employee; and

WHEREAS, it is the desire of the City Council (1) to hire the services of Krystal M. Onaitis as City Manager and to provide inducement for her to remain in the City's employment, (2) to make possible full work productivity by assuring the City Manager's morale and peace of mind with respect to future security, and (3) to provide a just means for terminating the City Manager's employment when City Council may desire to do so; and

WHEREAS, Krystal M. Onaitis desires to accept employment as City Manager of the City of Buena Vista.

NOW THEREFORE, in consideration of the mutual covenants described below, the parties agree as follows:

SECTION I. EMPLOYMENT

City Council hereby agrees to employ Krystal M. Onaitis as City Manager pursuant to the terms and conditions set forth herein.

SECTION II. INITIAL TERM AND RENEWAL

A. Initial Term. This Agreement shall be binding on the parties hereto as of July 16, 2026, however Krystal M. Onaitis shall officially begin as City Manager on August 3, 2026, with her initial term running until June 30, 2031, unless sooner terminated by either party in accord with provisions of this Agreement.

B. Renewal. This Agreement may be renewed for an additional 5-year term beginning July 1, 2031, by mutual written Agreement of the parties. In the event that Council decides not to renew, the Agreement shall expire as of June 30, 2031 and the City shall be obligated for payments to the City Manager as set forth in Section IV (C).

SECTION III. OBLIGATIONS

A. The City Manager's Commitments

(1) Duties and Authority

(a) The City Manager shall be the chief executive officer of the City and be responsible to the City Council for the proper administration of all affairs of the City.

(b) The City Manager shall perform all of the duties of the City Manager as set forth in the Code of Ordinances, City of Buena Vista (the "City Code"), the statutes of Virginia, and City policies and procedures approved by the City Council, as may be provided from time to time. The City Manager shall also perform other legally permissible and proper duties and functions as the City Council may assign from time to time.

(c) The City Manager shall administer and enforce policies established by the City Council and promulgate policies as necessary to implement City Council policies.

(d) To accomplish this, the City Manager, by way of example and not limitation shall have the power and shall be required to:

(i) Attend all meetings of the City Council, unless excused by the Mayor, and take part in the discussion as appropriate, of all matters

before the City Council. The City Manager shall receive notice of all regular and special meetings of the City Council.

(ii) Review all agenda documents and prepare the agenda for any regular or special meetings of the City Council.

(iii) Direct the work of all City officers and departments that are the concern and responsibility of the City Council, except those that are directly appointed by or report directly to the City Council. The City Manager shall endeavor to implement changes that the City Manager believes will result in greater efficiency, economy, or improved public service in the administration of City affairs.

(iv) Coordinate with Constitutional officers.

(v) Recommend to the City Council from time to time, adoption of such measures as the City Manager may deem necessary or expedient for the health, safety, or welfare of the community or for the improvement of administrative services.

(vi) Conduct research in administrative practices in order to bring about greater efficiency and economy in City government and develop and recommend to the City Council long-range plans to improve City operations and prepare for future City growth and development.

(vii) Provide management training and develop leadership qualities among department heads and staff as necessary to build a City management team that can plan for and meet future challenges.

(2) Hours of Work

(a) The City Manager is expected to engage in those hours of work that are necessary to fulfill the obligations of the City Manager's position. The City Manager does not have set hours of work but is expected to be in her office approximately 8:30 a.m. to 4:30 p.m. each day, and to be available at all times. The City Manager is an exempt employee and is not entitled to extra pay for overtime or holidays. It is, however, recognized that the City Manager must devote a great deal of time outside the normal office hours of the City, and to that end the City Manager will be allowed periodically to take time off during normal office hours.

(b) The City Manager shall devote her full time and attention to her job and shall not engage in teaching, consulting, speaking, or performing other non-City connected activities for which she is compensated except with the express prior consent of the City Council. City Council is aware of Krystal M. Onaitis' consulting business and Krystal M. Onaitis agrees to take on no additional clients and to wind down and suspend this business activity within a reasonable period of time.

(c) The City Manager shall reside in the City of Buena Vista during the term of this Agreement. Notwithstanding the foregoing and in recognition of shortage of housing options in the City, City Council agrees that the City Manager shall be given until August 3, 2027, to relocate her residence to the City of Buena Vista. If she is unable to locate housing by this date, this date will be increased by an additional twelve (12) month period so long as she has used reasonable effort to obtain suitable housing. Failure to relocate in the time provided in this Section (up to August 3, 2028) shall be good and sufficient cause to terminate this Agreement and in that event, the City Council shall have no obligation to pay the severance compensation provided in Section IV(C) of this Agreement. Notwithstanding the foregoing, the City Council may extend this period for good cause.

B. City Council Commitments

(1) Policies. The City Council sets policy for the governance and administration of the City, and it implements its policies through the City Manager.

(2) Travel. Subject to budget approval by the City Council, the City hereby agrees to pay the travel and subsistence expenses of the City Manager for professional and official travel, meetings and occasions adequate to continue the professional development of the City Manager and to adequately pursue necessary official and other functions for the City, including, but not limited to, the Annual Conference of the International City/County Management Association ("ICMA"), the Virginia Local Government Management Association ("VLGMA"), the Virginia Municipal League, and such other national, regional, state and local governmental groups and committees thereof on which the City Manager serves as a member.

(3) Compensation. The City agrees to provide the following compensation to the City Manager during the term of the Agreement:

(a) Throughout the terms of this agreement, the base salary for the City Manager shall be as follows:

(i) The monthly salary shall be based off an annualized amount of \$140,000, pro-rated during the period of employment, with the salary beginning as of August 3, 2026.

(ii) Plus, a monthly allowance of \$450 per month for car and ancillary expenses ("monthly allowance"). The monthly allowance shall be creditable compensation for purposes of Virginia Retirement System ("VRS").

(b) The City Manager shall be paid at the same intervals and in the same manner as regular City employees.

(c) The City shall not at any time during the term of this Agreement reduce the base salary, compensation or other financial benefits of the City Manager, unless as part of a general City management salary reduction, and then in no greater percentage than the average reduction of all City department heads whose salaries are reduced.

(d) Beginning July 1, 2027, and every year thereafter, the base salary shall increase by the same percentage increase to all City Department Heads (excluding constitutional officers) or as adjusted by City Council.

(4) Retirement. The City contracts with the VRS for retirement benefits and the City agrees that the City Manager will be treated as any other employee with regard to City contributions to and the vesting of said retirement benefits.

(5) Basic Benefits

(a) Vacation and Sick Leave. The City agrees that the Manager shall be entitled to 120 hours (being the equivalent of 15 working days) of vacation and administrative leave per year (80 hours of annual leave through accrual and 40 hours of administrative leave, all of which must be used by the end of the calendar year). 90 days from the date hereon 100 hours shall be credited to this benefit with additional time accruing thereafter at the rate outlined above. The City may consider adjustments to these figures during future discussions on compensation. The City Manager shall be entitled to any other categories of leave and paid holidays on the same basis as other City employees.

(b) Medical Benefits. The City agrees to provide hospitalization, surgical and comprehensive medical insurance for City Manager and to pay the entire premium.

C. Mutual Commitments

(1) Performance Evaluation and Goals.

(a) The City Manager shall receive her initial review by City Council no later than January 1, 2027.

(b) Thereinafter, the City Council shall review and evaluate the performance of the City Manager by June 1st of each year. The review and evaluation shall be in accordance with specific written criteria to be developed jointly by the City Council and the City Manager.

(c) Annually, during the term of this Agreement and any renewals thereof, the City Council and City Manager shall define goals and performance objectives for the proper operation of the City and the fulfillment of the Council's policies. They shall further establish priorities among those goals and objectives, which shall be agreed upon in writing by June 1st of each year of this Agreement.

(d) City Council may, in its discretion, award the City Manager a performance based salary increase, in an amount designated by the City Council for significant progress towards accomplishment of the goals and performance objectives for the operation of the City and fulfillment of the Council's policies.

(2) ICMA Code of Ethics. The Parties acknowledge that the City Manager is a member of the International City/County Management Association ("ICMA"). The City Manager shall be subject to and comply with the ICMA Code of Ethics as in effect on the effective date of this Agreement or any subsequent amendment thereto.

SECTION IV. SEPARATION

A. Resignation/Retirement. The City Manager may resign or retire at any time and agrees to give the City at least 90 days' advance written notice of the

effective date of the City Manager's resignation, unless the Parties otherwise agree in writing. Failure to provide 90 days' advance notice shall constitute a breach of this Agreement and a waiver of the City Manager's entitlement to compensation for unused accrued annual vacation leave balances under Section IV F. below. The City Manager's actual resignation or retirement date will be mutually established.

B. Suspension. The City Council may, by majority vote, suspend the City Manager with full pay and benefits. The City Council may also suspend the City Manager without pay or benefits during the course of an investigation as to whether there is cause for termination. If no such cause is determined to exist, the City Manager shall be paid her salary and benefits that were suspended.

C. Non-Renewal. If the City Manager desires her employment to extend beyond the end of the term established herein (June 30, 2031), she shall give a written request for renewal of her contract to City Council no later than January 1, 2031. In the event City Council shall elect not to renew this Agreement, as may be requested by the City Manager, it shall so advise the City Manager in writing no later than February 1, 2031. In the event of such non-renewal, the City Manager and City Council agree that the City Manager shall continue to be employed as City Manager through June 30, 2031, unless the parties mutually agree otherwise as the end date for non-renewal. At the conclusion of the City Manager's employment on June 30, 2031, or the mutually agreed upon date for non-renewal, the Council shall continue the City Manager's salary as in effect as of the date of termination for each of the next six (6) months. The City Manager may, at her sole discretion, elect to accept this severance as a one-time lump sum payment or as periodic payments for a period of her choosing. The City Manager shall also be entitled to payment for any accrued annual vacation leave.

D. Early Termination Without Cause.

The City Council may terminate this Agreement and the employment of the City Manager without cause at any time during the contract term, upon written notice of the termination given to the City Manager, which notice may be given anytime. In the event of such termination without cause, the Parties agree that if such termination occurs within one hundred eighty (180) days of this Agreement the City Manager shall receive no additional payments (also known as severance) of any kind.

After one hundred eighty (180) days, if terminated without cause, the City will pay to the City Manager her salary in effect as of the date of termination for a period of six (6) months following the date of termination. The City Manager may, in her sole discretion, elect to accept any severance as a one-time lump sum or as periodic payments for a period of her choosing. The City Manager shall also be entitled to payment for any accrued annual vacation leave. The non-renewal or termination payments provided for in this section shall not be considered as part of the City Manager's base pay in computing the City's contribution to the City Manager's retirement plan. For this paragraph a resignation upon the request of Council shall be considered an early termination without cause.

E. Termination for Cause

(1) The City Manager may be terminated for cause. As used in this section, "cause" shall mean only one or more of the following:

- (a) Conviction of a felony or any misdemeanor;
- (b) Abuse of drugs or alcohol that materially affects the performance of the City Manager's duties;
- (c) Failure to reside in the City of Buena Vista in accordance with the terms herein;
- (d) A breach of this Agreement.

(2) In the event the City terminates the City Manager for cause, then the City may terminate this Agreement immediately and the City Manager shall be entitled to only the compensation accrued up to the date of termination, payments required by Section IV F. below, and such other termination benefits and payments as may be required by law. The City Manager shall not be entitled to any severance benefits upon termination for cause.

F. Payment for Unused Leave Balance

(1) On separation from City employment, the City Manager shall be paid for all unused accrued annual vacation leave.

SECTION V. MISCELLANEOUS PROVISIONS

A. Amendments. This Agreement may be amended at any time by mutual

Agreement of the City and the City Manager. Any amendments are to be negotiated, in writing, and adopted by the City Council.

B. Conflict of Interest

(1) The City Manager shall not engage in any business or transaction or shall have a financial or other personal interest or association, direct or indirect, which is in conflict with the proper discharge of official duties or would tend to impair independence of judgment or action in the performance of official duties. Personal as distinguished from financial interest includes an interest arising from blood or marriage relationships or close business, personal or political associations.

(2) The City Manager shall also comply with the applicable conflict of interest provisions of the Code of Virginia, the City of Buena Vista Personnel Manual, and any conflict of interest code adopted by the City Council.

C. Severability. If any clause, sentence, part, section or portion of this Agreement is found by a court of competent jurisdiction to be illegal or unenforceable, such clause, sentence, part, section or portion so found shall be regarded as though it were not part of this Agreement and the remaining parts of this Agreement shall be fully binding and enforceable by the Parties hereto.

D. Governing Law; Jurisdiction and Venue. This Agreement shall be governed, controlled, enforced, interpreted and construed in accordance with the laws of the Commonwealth of Virginia without giving effect to any choice or conflict of law provisions or rule that would cause the application of the laws of any jurisdiction other than the Commonwealth of Virginia. The Parties agree that venue for any disputes shall be in the City of Buena Vista, Virginia. The Parties to this Agreement expressly consent to submit to the jurisdiction of such court and waive any personal jurisdiction or venue defenses concerning said forum.

E. Entire Agreement. This Contract represents the entire Agreement of the Parties and no representations have been made or relied upon except as set forth herein. This Contract may be amended or modified only by a written, fully executed Agreement of the Parties.

F. Notice. Any notice, amendments or additions to this Agreement,

including change of address of either party during the term of this Agreement, which the City Manager or the City shall be required or may desire to make shall be in writing and shall be sent by prepaid first class mail or hand delivered to the respective parties as follows:

If to the City:

Jesse Lineberry, Mayor
City of Buena Vista
2039 Sycamore Avenue
Buena Vista, VA 24416

With copy to:

Brian J. Kearney, City Attorney
City of Buena Vista
P.O. Box 905
Lexington, VA 24450

If to the City Manager:

Krystal M. Onaitis
2039 Sycamore Avenue
Buena Vista, VA 24416

G. No Waiver. The failure or delay of a party to insist upon the strict performance of any provisions of this Agreement or the failure or delay of a party to exercise any right, option or remedy hereby reserved shall not be construed as a waiver of any such provision, right, option or remedy or as a waiver of a subsequent breach thereof. No provisions of this Agreement shall be deemed to have been waived unless such waiver shall be in writing signed by both parties.

H. Construction. The language of this Agreement shall be in all cases construed simply according to its fair meaning and not strictly against the party who drafted such language.

I. Headings. The headings, subheadings and captions are used in this Agreement for convenience and reference only and shall not be used in interpreting, construing or enforcing any of the provisions of this Agreement. The neuter singular pronoun shall be deemed to include the masculine, the feminine and the plural.

J. Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same Agreement.

K. Moving Expenses. The City will pay \$10,000.00 in moving expenses for the City Manager's move to the City of Buena Vista and or Rockbridge area including any rental penalties associated with the move, subject to the provision that if the City Manager voluntarily leaves her position as City Manager at any time during the first 12 months of this Agreement, that she repay to the City any moving expenses she received. After 12 months this reimbursement obligation shall lapse and be of no further force or effect.

IN WITNESS WHEREOF the Council of the City of Buena Vista has caused the Agreement to be signed and executed in its behalf by its Mayor and duly attested by the Clerk of the Council and the City Manager has signed and executed this Agreement.

CITY OF BUENA VISTA

Attest:

Clerk of Council

By: _____
Jesse Lineberry, Mayor

Date: _____

Krystal M. Onaitis, City Manager

Date: _____

Approved as to Form:

Brian J. Kearney, City Attorney