

# WAYNESBORO, VIRGINIA

## CITY COUNCIL BUSINESS MEETING MINUTES



Council for the City of Waynesboro, Virginia held a Regular Business Meeting on Monday, January 8, 2018, at 7:00 p.m. in the Council Chambers of the Charles T. Yancey Municipal Building, 503 West Main Street, Waynesboro, Virginia, with Mayor Allen presiding and calling the meeting to order:

PRESENT: Council Members: Bruce Allen, Mayor  
Terry Short, Jr., Vice Mayor  
Jeff Freeman, Councilman  
Pete Marks, Councilman  
Elzena Anderson, Councilwoman

City Staff: Mike Hamp, City Manager  
James Shaw, Deputy City Manager  
Julia Bortle, Clerk of Council  
Luke Juday, Planning Director  
Michael Wilhelm, Police Chief  
Terri Marks, Finance Director

Outside Counsel: Ms. Melisa Michelsen, Esq., Litten & Sipe

ABSENT: None

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### **PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA:**

Mayor Allen opened the meeting and asked the City Manager to lead everyone in the Pledge of Allegiance to the Flag of the United States of America.

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### **CONSENT AGENDA:**

After removing item 2d for separate consideration on the request of Councilman Freeman, Vice Mayor Short moved to adopt the Consent Agenda. The motion was seconded and adopted with affirmative votes from Council members Allen, Short, Freeman, Marks and Anderson:

- a) **Approval of Minutes:** Consider adopting the minutes for the December 11, 2017 Regular Business Meeting, and dispense with the reading of the minutes.
- b) **Conditional Use Permit – 532 E Main Street:** Second consideration/adoption of an amended ordinance granting a conditional use permit request by Frederick Wayne Powell, owner, to allow Vehicle Services, Limited use and Vehicle Sales, Rental, or Leasing use at 532 East Main Street, Waynesboro, Virginia, City Tax Map number 46-1-64-8A, 9 & 10. (2018-01)
- c) **Preliminary Subdivision Plat - Evershire:** Second consideration/adoption of an ordinance granting a preliminary subdivision plat request by Steve Tomasi for Hopeman Land Co., owner, to amend a preliminary subdivision plat (known as Evershire) approved on January 24, 2005 for a

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241-lot residential subdivision on a 35.457 -acre residual tract at 200 Guilford Lane, Waynesboro, Virginia, Tax Map 24-3-1A. (2018-02)

e) **Second consideration/adoption of the following appropriation ordinances:**

- i. Fire Department – Roof Repair: \$19,075. (2018-04)
- ii. Schools – High School Renovation: \$750,000. (2018-05)

Councilman Freeman explained his reason for voting against an increase in City Council compensation in exchange for eliminating City health care coverage as it may prevent qualified citizens from running for City Council. Vice Mayor Short moved to adopt Consent Agenda item 2d. Having been seconded, the ordinance was adopted with affirmative votes from Council members Allen, Short, Marks, and Anderson, with Councilman Freeman objecting.

d) **City Council Compensation:** Second consideration/adoption of an ordinance adjusting compensation for the City Council for the City of Waynesboro. (ADOPTED 4-1 WITH FREEMAN VOTING NO) (2018-03)

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**MATTERS FROM CITY COUNCIL MEMBERS:**

Vice Mayor Short asked that the attorney prepare a brief presentation to present to Council at an upcoming meeting regarding City code enforcement and what is permitted by the state regarding neighborhood improvements, property maintenance, and abandoned vehicles. Also, Council is encouraged by the discussions held with delegates regarding the K-12 capital investment grant program, an innovation facility to bring a center of higher education to Waynesboro, and finally, advocating for the initial preliminary engineering to facilitate the Waynesboro branch of the Natural History Museum.

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**BASIC CITY BOWMAN LOTS – RIGHT OF WAY VACATION:**

Councilman Freeman moved to receive the viewers' report and consider setting a public hearing for Monday, January 22, 2018 to receive public comment regarding the impact of a request by Mr. G. William Watkins, representative of Dr. Kenneth Bowman, to close and vacate approximately two acres of unimproved alleys and streets at the end of May Avenue in Basic City. It was reported that no land owner abutting the proposed vacation will suffer any special damage if the request is approved. One viewer asked that consideration be given that if approved, it will not have any adverse effect on Sunset Park plans. The Vice Mayor asked that something be prepared in advance of the public hearing regarding any impact. Having been seconded, the report was received and public hearing set with unanimous affirmative votes from Council members Allen, Short, Freeman, Marks, and Anderson.

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**REZONING – WAYNESBORO PLACE:**

The Planning Director stated that in concerns raised regarding connectivity in the area, the developer has presented a proffer that they will contribute \$20,000 toward the construction of an extension of the sidewalk on Windigrove Drive to the intersection of Rosser Avenue and Windigrove Drive, as follows:

The owners of Waynesboro Place LLC do voluntarily agree and proffer as follows: the owner shall pay to the City \$20,000 for the construction of a sidewalk along Windigrove Drive or any portion thereof. Such payment shall be paid in full upon receipt by the owner of notice by the City that the sidewalk project has been completed. The owner shall have no obligation to make such payment unless

within five years to the date that Council approves the amendment to the original PUD, the City enters into a contract for the construction of a sidewalk project or begins construction of the sidewalk. Within thirty (30) days from the date that Council approves the amendment to the original PUD, the owner shall provide appropriate and durable financial assurance to the City of \$20,000 payment by providing a letter of credit, cash, escrow or bond.

Councilwoman Anderson moved to introduce an ordinance to amend an approved Planned Unit Development (known as Waynesboro Place) at Windigrove Drive, Waynesboro, Virginia, City Tax Map numbers 51-20-1-1, 51-20-1-2, 51-20-2-1, 62-8-3-2, and 61-2-3-1. Having been properly introduced, this ordinance will be considered again at the January 22, 2018 Regular Business Meeting.

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**AUTHORIZATION TO RECEIVE REAL PROPERTY:**

Councilman Marks moved to adopt a resolution authorizing the City Manager and/or the Mayor to receive real property interests on behalf of the City of Waynesboro for the calendar year 2018.

**RESOLUTION  
AUTHORIZING ACQUISITION OF REAL PROPERTY (R18-01)**

**WHEREAS**, City Council prefer that the City Mayor and/or the City Manager have the authority to acquire real property when it is in the best interest of the City.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WAYNESBORO, VIRGINIA, AS FOLLOWS:**

1. Pursuant to and in accordance with City of Waynesboro Charter, the City Mayor and/or the City Manager, either of whom may act, have the authority to acquire real property when it is in the best interest of the City for the calendar year starting January 1, 2018 and ending December 31, 2018; and
2. The City Manager is hereby authorized to take any other actions that are reasonable and necessary to effectuate the acquisition of real property.

Having been seconded and with no objections, the resolution was adopted with affirmative votes from Council members Allen, Short, Freeman, Marks, and Anderson.

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**ORDINANCES:**

**Public Works – Rosser Avenue/Lucy Lane Sidewalk:** Vice Mayor Short moved to introduce an ordinance appropriating \$46,000 from the Capital Projects Fund’s grant local match reserve to provide for Waynesboro’s match for expenditures related to the Rosser Avenue/Lucy Lane sidewalk project. Having been properly introduced, this ordinance will be considered again at the January 22, 2018 Regular Business Meeting.

**Police Department – Used Vehicle Purchase:** Councilman Freeman moved to introduce an ordinance appropriating \$17,000 of State Asset Forfeiture Funds for transfer to the Equipment Fund, to provide funding for a used vehicle for the special Operations Division of the Police Department. Having been

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properly introduced, this ordinance will be considered again at the January 22, 2018 Regular Business Meeting.

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**COMMUNICATION, CORRESPONDENCE, AND CALENDAR:** With no matters to discuss by staff or Council, the meeting continued.

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**CITIZEN COMMENT PERIOD:** With no one signed up to speak, the meeting continued.

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With no further business to discuss, the meeting was adjourned at 7:17 p.m. on a motion by Vice Mayor Short.

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Julia Bortle, MMC, Clerk of Council

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Bruce Allen, Mayor