

WAYNESBORO, VIRGINIA

CITY COUNCIL BUSINESS MEETING MINUTES



Council for the City of Waynesboro, Virginia held a Regular Business Meeting on Monday, January 22, 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, Planning Commission Clerk
Michael Wilhelm, Police Chief
Terri Marks, Finance Director

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

ABSENT: None

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.

CONSENT AGENDA:

Councilman Freeman moved to adopt the Consent Agenda as presented. Having been seconded, the motion was adopted 5:0 with affirmative votes from Council members Allen, Short, Freeman, Marks and Anderson:

- a) **Approval of Minutes:** Consider adopting the minutes for the January 8, 2018 Regular Business Meeting, and dispense with the reading of the minutes.
- b) **Rezoning – Waynesboro Place:** Second consideration/adoption of 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. (2018-06)
- c) **Second consideration/adoption of the following appropriation ordinances:**
 - i. **Public Works – Rosser Avenue/Lucy Lane Sidewalk:** \$46,000. (2018-07)
 - ii. **Police Department – Used Vehicle Purchase:** \$17,000. (2018-08)

Regular Business Meeting
Monday, January 22, 2018
Adopted February 12, 2018

MATTERS FROM CITY COUNCIL MEMBERS: With no matters from the Council, the meeting continued.

PROCLAMATION:

Black History Month: The City Manager read the following proclamation for Council's consideration:

PROCLAMATION (P18-02)
BLACK HISTORY MONTH

WHEREAS, Dr. Carter Godwin Woodson, distinguished African American author, editor, scholar and historian, who is known as the "Father of Black History," founded The Association for the Study of Negro Life and History (now the Association for the Study of African American Life and History) in September 1915, and Negro History Week in 1926, which became Black History Month in 1976; and

WHEREAS, Dr. Woodson proclaimed that Black History Month should always occur in the second week of February – between the birthdays of Frederick Douglass and Abraham Lincoln; and

WHEREAS, the theme of this year's celebration is "'African Americans in Times of War'" honoring those brave men and women who served their countries in the armed forces, like the legendary Tuskegee Airmen who were highly decorated for their service in World War II, especially those who made the ultimate sacrifice while defending the American ideals of freedom and democracy; and

WHEREAS, the history of the United States is rich with inspirational stories of great men and noble women whose actions, words, and achievements have united Americans and contributed to the success and prosperity of the United States.

BE IT RESOLVED by the Mayor of Waynesboro, Virginia, on behalf of the City Council, our local government takes great pleasure in recognizing February, 2018 as

BLACK HISTORY MONTH

and urges all citizens to join in celebrating the accomplishments of African Americans during Black History Month, and encourages the people of Waynesboro to recognize the many talents, achievements, and contributions that African Americans make to their communities; and

BE IT FURTHER RESOLVED, that the Clerk of the Council transmit copies of this resolution to the curator of the African American History Museum, Waynesboro, VA for appropriate distribution.

In witness whereof I have hereunto set my hand and caused the seal of the City of Waynesboro to be affixed this the 22nd day of January, 2018.

Council unanimously affirmed the proclamation. The Mayor asked the Clerk of the Council to ensure the signed proclamation is provided to Ms. Estello Randolph, curator for the African American History Museum.

PUBLIC HEARING - ALLEYS AND STREETS VACATION – SHUMATE – 7TH STREET SOUTH:

So that Dr. Bowman, property owner, can sell a portion of his land, Tom Shumate Surveyor, Inc. asked Council to consider adopting an ordinance to close and vacate all streets and alleys in Basic City south of the unimproved section of 7th Street South except the un-named 50-foot City right-of-way. The right-of-way to the rear of the property will remain open for access to the proposed Sunset Park. Council appointed viewers to ascertain if there would be a negative impact to approving this request, and the viewer's report that no inconvenience would result to the public if approved, with one viewer suggested assurance be provided that it will have no negative affect on the Sunset Park plans.

Staff's considerations include: applicant will pay the City \$6,539 for 1.66 acres; property would most likely be re-platted in order to conform to modern infrastructure standards; recipient does not plan to develop the area; ensure access to Sunset Park; vacation of internal lot lines to avoid landlocked lots. The Planning Director recommended Council consider adopting the ordinance with an addendum with the condition that the lot lines be dissolved creating one lot.

The public hearing was opened at 7:12 p.m. With no one signed up to speak, the public hearing was closed. Councilman Freeman moved to introduce the ordinance **CLOSING AND VACATING ALL STREETS AND ALLEY SIN BASIC CITY SOUTH OF THE UNIMPROVED SECTION OF 7TH STREET EXCEPT THE UNNAMED 50-FOOT RIGHT-OF-WAY ADJACENT TO SUNSET PARK**, with the stated considerations. Having been properly introduced, this ordinance will be considered again at the February 12, 2018 Regular Business Meeting.

PUBLIC HEARING – LAND TRANSFER 601 MEADOWVIEW COVE– MERRITT:

Several years ago, Mrs. Merritt and her late husband, Herbert C. Merritt, constructed the swimming pool in what they believed was their back yard at 601 Meadowview Cove, Waynesboro. According to the survey, a portion of the fenced yard, including part of the swimming pool, encroaches onto the neighboring property located near the southern edge of Ridgeview Park. In order to resolve the encroachment issue, the City desires to sell 0.037 acres of city land to the Sheila A. Merritt at a price of \$925.

The public hearing was opened at 7:14 p.m. With no one signed up to speak, the public hearing was closed. Councilman Pete Marks moved to introduce an ordinance **APPROVING THE SALE TO SHEILA A. MERRITT OF A PARCEL OF LAND CONSISTING OF 0.037-ACRES MORE OR LESS AND LOCATED ADJACENT TO 601 MEADOWVIEW COVE, WAYNESBORO, VIRGINIA**. Having been properly introduced, this ordinance will be considered again at the February 12, 2018 Regular Business Meeting.

PLANNING COMMISSION ANNUAL REPORT FISCAL YEAR 2017:

The Clerk of the Planning Commission presented the Planning Commission's Fiscal Year 2017 Annual Report that included a development review of rezonings, conditional use permits, and preliminary plats. Also included was an overview of ordinance updates, grant applications, the Comprehensive Plan update, and future plans and projects. Vice Mayor Short added that he would like an update made to the Tree Streets Historical District.

SOUTH RIVER FLY FISHING EXPO:

Councilwoman Anderson moved to approve a request by Destination Downtown Waynesboro to authorize the sale and consumption of alcohol in association with the South River Fly Fishing Expo from Wednesday, April 18, 2018 to Sunday, April 22, 2018. Having been seconded and with no objections, the application was approved 5:0 with affirmative votes from Council members Allen, Short, Freeman, Marks, and Anderson.

BLUE RIDGE SOAP BOX DERBY:

Councilman Freeman moved to approve an application from Mr. Joe Kaminski, Blue Ridge Soap Box Classic Derby President, to close a portion of Main Street and adjacent streets, place necessary barricading, and for amplified sound on Saturday, May 5, 2018, from 5:30 a.m. until 5:00 p.m., for the purpose of holding the annual Blue Ridge Soap Box Derby. Having been seconded and with no objections, the application was approved 5:0 with affirmative votes from Council members Allen, Short, Freeman, Marks, and Anderson.

ORDINANCES:

Fund Balance Allocation: The Deputy City Manager explained staff's recommended reallocation of the General Fund Unassigned Fund Balance of \$1,281,018: transfer to Committed Reserves (\$745,068), to the General Fund for accounting and auditing services (\$40,000), for transfer to the Capital Projects Fund for Technology Reserve (\$370,950), and to the Capital Projects Fund for Enterprise Resource Planning software expenditures (\$125,000), for the fiscal year ending June 30, 2018.

The Vice Mayor recommended re-establishing the Council Finance Committee to discuss issues such as the recommended allocations presented. He moved to introduce the ordinance as presented with the recommendation that Council and staff have discussions regarding how to proceed, especially in the next budget year. He made two recommendations: proceed as recommended by staff, or, Council could assign the surplus to undesignated reserves so that as part of the budget process, Council could direct the City Manager to develop a tax rate that would replenish the committed reserves into the next budget year, enabling Council to decide what to do with any surplus.

The City Manager clarified that Vice Mayor Short moved to introduce the ordinance and that Council and staff will discuss the recommended reallocations before any action is taken. Having been properly introduced, this ordinance will be considered again at the February 12, 2018 Regular Business Meeting.

Shenandoah Valley Animal Services Center – Renovation and Expansion: Councilman Freeman moved to introduce an ordinance **APPROPRIATING A PORTION OF THE FACILITIES MAINTENANCE RESERVE IN THE AMOUNT OF \$65,754, FOR TRANSFER TO THE ANIMAL SERVICE CENTER FUND, TO BE USED FOR RENOVATION AND EXPANSION OF THE ANIMAL CENTER BUILDING.** Having been properly introduced, this ordinance will be considered again at the February 12, 2018 Regular Business Meeting.

SOUTH RIVER WATERSHED PLAN:

The Natural Resources Conservation Service has partnered with Headwaters Soil and Water Conservation District and member jurisdictions to construct and subsequently rehabilitate flood control

dams benefitting Waynesboro and Augusta County. Of the 18 projects conceptualized, five projects remain on the project list but in an “inactive” status designation.

- Site 1-Routes 675 and 613; unfavorable geology
- Site 2- Southeast Quadrant of Augusta County; Interstate 81 bisects site
- Site 18- Route 657; unfavorable geology
- Site 20- Southeast of Ladd; gas line bisects site
- Site 21-Broadhead Creek; Land rights could not be obtained

As Waynesboro agrees that no further progress can be made on the full implementation of the South River Watershed Plan, Councilman Marks moved to authorize the City Manager to communicate to the National Resource Conservation Service that Waynesboro agrees that the remaining five projects can be deleted from the plan and that NRCS may begin the process of closing out the project. Having been seconded and with no objections, the motion was adopted 5:0 with affirmative votes from Council members Allen, Short, Freeman, Marks, and Anderson.

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

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

With no further business to discuss, the meeting was adjourned at 8:02 p.m. on a motion by Vice Mayor Short.

Julia Bortle, MMC, Clerk of Council

Bruce Allen, Mayor