

Council for the City of Waynesboro, Virginia, held a Regular Business Meeting on Tuesday, October 14, 2008, at 7:00 P.M. in Council Chambers of the Charles T. Yancey Municipal Building, 503 West Main Street, Waynesboro, Virginia, with Mayor Williams presiding and calling the meeting to order:

PRESENT: Council Members: Timothy D. Williams, Mayor
Frank S. Lucente, Vice Mayor
Nancy M. Dowdy, Councilwoman
Lorie M. Smith, Councilwoman
Bruce E. Allen, Councilman

Staff: Michael G. Hamp II, City Manager
Julia Bortle, Clerk of Council
Robert Lunger, Esq., Interim City Attorney
James Shaw, City Planner
Charlie Scott, Fire Chief
Pat Nicosia, Director of Budgeting, Purchasing, Inventory
Anne Showman, Finance Director

Planning Commission: David Bihl, Chairman
Harry Colman
Jeanie McCutcheon
Gregory Bruno
Scott Jones

ABSENT: None

MAYOR'S OPENING REMARKS:

The Mayor welcomed all in attendance and asked Vice Mayor Lucente to lead everyone in the Pledge of Allegiance. He then asked if Council members had anything to discuss before proceeding with the agenda.

Mrs. Dowdy acknowledged the passing of past Councilman Paul Klann, president of Klann Organ. She noted his service to the community and his contributions, and that he will be missed. A moment of silence was observed for Mr. Klann and his family. Mrs. Dowdy also thanked the Waynesboro Downtown Development Incorporated and the people who helped produce and assist with the Fall Foliage Festival and the Wine Festival.

Mrs. Smith declared that the Wayne Theatre Alliance celebrated the groundbreaking of the renovation for the Wayne Theatre today, with many citizens in attendance. She also thanked everyone on behalf of herself and her family for the thoughts and prayers extended to her family during her daughter's illness.

CONSENT AGENDA:

Mrs. Smith moved, seconded by Mr. Allen, to adopt and approve the Consent Agenda as presented.

- a. Approval of minutes from the September 17, 2008 Work Session, the September 22, 2008 Regular Business Meeting, and the September 30, 2008 Called Meeting, and dispense with the reading of the minutes.
- b. Second consideration/adoption of an ordinance appropriating \$26,750 from Sewer Fund Unreserved Retained Earnings to the Sewer Fund for expenditures related to digester building upgrades at the wastewater plant for the Fiscal Year ending June 30, 2009.
- c. Second consideration/adoption of an ordinance appropriating a Department of Justice Project Safe Neighborhood sub-grant in the amount of \$1,600 to the Police Department for expenditures related to hosting the annual Virginia Association of Chiefs of Police Conference for the Fiscal Year ending June 30, 2009.
- d. Second consideration/adoption of an ordinance appropriating \$7,708 from Parks and Recreation Miscellaneous Gifts/Donations to Parks and Recreation Leases and Rentals for expenditures related to Xtremefest 2008 and Summer Extravaganza 2008 for the Fiscal Year ending June 30, 2009.
- e. Second consideration/adoption of an ordinance appropriating an insurance loss payment in the amount of \$1,575 to Parks and Recreation for expenditures related to repairs of damage done at Riverview Cemetery for the Fiscal Year ending June 30, 2009.
- f. Second consideration/adoption of an ordinance appropriating a Title III Grant in the amount of \$10,148 to the Elementary Central Office Fund for the Fiscal Year ending June 30, 2009.
- g. Second consideration/adoption of an ordinance appropriating an Artist in Residency Grant in the amount of \$1,450 to the Elementary Central Office Fund for Fiscal Year ending June 30, 2009.
- h. Second consideration/adoption of an ordinance appropriating a grant from the AHC Community Health Foundation in the amount of \$25,000 to the Elementary Central Office Fund for the Fiscal Year ending June 30, 2009.

With no objection, the Consent Agenda was approved and adopted with affirmative votes from Council members Williams, Lucente, Dowdy, Smith, and Allen.

PROCLAMATION NAMING OCTOBER AS ALPHA DELTA KAPPA MONTH:

Council was asked to consider adopting a proclamation naming October as Alpha Delta Kappa Month in the City of Waynesboro, Virginia. The Mayor read the following proclamation:

PROCLAMATION

WHEREAS, Alpha Delta Kappa, an honorary organization of teachers devoted to philanthropic, educational and social endeavors, and the overall promotion of the public good to communities, states and nations around the world; and,

WHEREAS, the Virginia Alpha Gamma chapter of Waynesboro and Augusta County is commemorating thirty-eight years of service and has been providing philanthropic and social contributions; and,

WHEREAS, locally this chapter supports numerous worthwhile endeavors including, but not limited to, Valley Mission, Salvation Army, New Directions Center, Western State, Augusta Medical Center, Waynesboro Public Schools, and local nursing homes, both financially and through immeasurable volunteer hours;

NOW, THEREFORE, I, TIMOTHY D. WILLIAMS, Mayor of the City of Waynesboro, Virginia and on behalf of the Waynesboro City Council, do hereby proclaim October as

Alpha Delta Kappa Month

IN WITNESS WHEREOF, I here unto set my hand and cause the Seal of the City of Waynesboro to be affixed this 14th day of October, Two Thousand and Eight.

Mrs. Smith moved, seconded by Mrs. Dowdy, to adopt this proclamation. With no objections, this motion was approved with affirmative votes from Council members Williams, Lucente, Dowdy, Smith, and Allen. Ms. Susan Guthry, president of Alpha Delta Kappa, accepted the proclamation and thanked the Council for helping them to promote excellence in education.

JOINT PUBLIC HEARING FOR STAUNTON-AUGUSTA-WAYNESBORO HABITAT FOR HUMANITY:

The Mayor stated that this is the date and time to hold a joint public hearing with the Planning Commission at the request of Rhonda Howdyshell, Executive Director, Staunton-Augusta-Waynesboro Habitat for Humanity, to rezone from C-2 General Business District to RB-1 General Dwelling District, a property at 801 B Street, described as Tax Map #37-(1) Block 218, Lots 7A and 8, Comprehensive Plan Designation Medium Density Residential/Revitalization, to allow future residential development by right. Establishing that a quorum of the Planning Commission was present, the Mayor called the joint public hearing to order at 7:10 p.m. and called on the City Manager for preliminary comments. The City Manager called on the City Planner to review the request and report.

Mr. Shaw reviewed the request to enable Habitat for Humanity to build a house at 801 B Street, Waynesboro. The review included current area zoning and street configurations. Staff is concerned with neighboring property boundaries because it appears that an existing home encroaches on the property in question. Staff suggests that a survey be conducted to establish the size of the lot, ensuring the Council does not create a non-conforming lot in the district. Also, a question of spot zoning was addressed because the RB-1 district would be separate from other RB-1 districts. Because this would be “down zoning” and is consistent with the Comprehensive Plan, and serves the interest of the community by providing affordable housing, it does not appear that it would qualify as a spot zone.

Staff stated that the proposed rezoning is consistent with the recently adopted Land Use Guide and other objectives of the Comprehensive Plan to provide housing in the community and to revitalize the neighborhood. City Staff recommends, however, that no decision on the rezoning be final until a survey of the property is produced, demonstrating that the lot conforms to the dimensional standards and other requirements of the RB-1 General Dwelling District.

Mrs. Smith asked about the encroachment of the parcel and if the property would conform if that parcel were subtracted. Mr. Shaw stated that without a legal survey, it would be difficult to determine if there is an encroachment and recommended the survey to determine that. Mrs. Howdyshell

has been informed of staff's need for a survey, and it is hoped that the survey would be completed before the Planning Commission meets on October 21.

With no one wishing to speak at the joint public hearing, it was closed at 7:18 p.m. The matter will be brought before the Planning Commission at their October 21 meeting.

JOINT PUBLIC HEARING FOR TOMASVILLE SUBDIVISION:

The Mayor stated that this is the date and time to hold a joint public hearing with the Planning Commission at the request of W. R. Boutros, Sphinx Land Development, LLC, owner, for Preliminary Subdivision Plat approval for a 47-lot residential development on a 26.37-acre parcel described as Tax Map/Parcel 13-1-11B, located on the north side of White Bridge Road, Waynesboro, Virginia. It is presently zoned RA-2 Single Family District, the Comprehensive Plan Designation being Low Density Residential. Establishing there was a quorum of the Planning Commission members present, the Mayor opened the joint public hearing at 7:19 p.m. and asked the City Manager for comments. The City Manager stated that the City Planner would present the staff's report.

Mr. Shaw reviewed the request, including area zoning and surrounding development and stormwater management. The applicant requested a waiver from a street width requirement of 36 feet in pavement width. VDOT requirements do allow a reduction to a 32 foot wide travel way for roads that carry up to 2,000 vehicle trips per day, which would qualify for this subdivision. The applicant has also requested a waiver from the City Code requirement to install street lights, which the City staff has recommended against based on the recommendation of the Waynesboro Police Chief. In all other regards the plat meets City Code requirements relative to stormwater management, zoning, and provision of utilities. The superintendent of schools has indicated that the Westwood Hills Elementary School is experiencing an increase in student enrollment and these proposed units fall within that district.

City staff recommends approval of the application with conditions, which are contained in the staff's report and reviewed by Mr. Shaw.

Mrs. Smith asked if sidewalks are included as part of the subdivision plat. Mr. Shaw stated that sidewalks and street trees would be installed.

Vice Mayor Lucente asked for clarification of which schools would be impacted by this subdivision and was informed those would be Westwood Hills Elementary, Kate Collins Middle, and Waynesboro High School. He then asked if the increase in student population at the Kate Collins Middle School was considered. Mr. Shaw stated that the school superintendent submitted his comments to staff which are included in the application and comments on Westwood Hills Elementary only.

Bill Moore, Balzer and Associates, Engineer for the Development, 1561 Commerce Road, Verona: commented on the waivers associated with this request. Mr. Moore stated that the adjoining Ana Marie Estates received a waiver from the street light requirement, and they would like to have continuity in the Tomasville subdivision extension. He also mentioned that the more narrow street width request was agreeable with the staff, and they would like to be granted that waiver as well.

Vice Mayor Lucente questioned why the Police Chief recommended street lighting for Tomasville but not for Ana Marie Estates. Mr. Shaw stated that Chief Davis was not employed by the City of Waynesboro when the Ana Marie Estates subdivision was approved, but he has held a consistent point of view that street lights are meant to illuminate the public streets and right-of-ways for safety purposes. Staff has maintained that citizens should be responsible for installing whatever lighting they deem appropriate on their property, but where City streets and right-of-ways are concerned, public street lights should be installed in those areas for safety concerns. Vice Mayor Lucente asked if installing lighting is at the discretion of the Police Chief or dictated by City Code. Mr. Shaw stated that the City Council has the discretion whether to require street lights. Mr. Shaw was not aware why the Police Chief or City Planner employed by the City at that time approved the waiver for Ana Marie Estates.

Harry Colman, Planning Commission, 105 Tiffany Drive: Mr. Bruno and he were on the Planning Commission at the time the Ana Marie Estates street lighting waiver was approved. He stated that the Planning Commission members at the time were inexperienced, and they yielded to the developer's two requests at the time, being sidewalks and lighting. He did not recollect any strong recommendation on the part of the Police Chief at that time.

Mr. Moore (revisited microphone): The developer has included in the preliminary plat installation of dusk-to-dawn lighting at street frontage for every lot, again, remaining consistent with the Ana Marie Estates. They are paid for by the homeowners.

Mrs. Smith asked why the developer is opposed to City street lights within the subdivision. Mr. Moore stated that some residents prefer not to have street lights glaring into their homes. They have seen an increase in requests to eliminate City street lights due to public preference. Mayor Williams stated that it may be worthwhile for Council to visit the Ana Marie Estate subdivision to see what their street lights look like.

Mr. Allen asked Mr. Hamp about the crime rate in the Ana Marie Estate subdivision during construction, specifically vandalism and break-ins. Mr. Hamp stated he was aware of only one or two problems.

With no further comments, the joint public hearing was closed at 7:35 p.m. The matter will be brought before the Planning Commission at their October 21, 2008 meeting.

AMEND THE FISCAL YEAR 2009 GENERAL FUND BUDGET AND AMEND THE ANNUAL APPROPRIATION ORDINANCE 2008-50:

Council was asked to consider setting a public hearing for Monday, October 27, 2008 to hear comments on amending the Fiscal Year 2009 General Fund Budget in an aggregate amount of \$528,000.00, and to amend the terms of the annual Appropriation Ordinance 2008-50 to allow intra-fund budget adjustments thereby reducing General Fund Expenditures in the amount of \$528,000 and reducing General Fund Revenues in the amount of \$528,000.

Vice Mayor Lucente moved, seconded by Mrs. Smith, to approve setting a public hearing for Monday, October 27, 2008 to hear comments on amending the FY09 General Fund Budget and amending the terms of the annual Appropriation Ordinance 2008-50. With no objections, the motion passed with the affirmative votes of Council members Williams, Lucente, Dowdy, Smith, and Allen.

AMEND AND RECODIFY SECTIONS OF CHAPTER 82, TRAFFIC AND VEHICLES, OF THE CODE OF THE CITY OF WAYNESBORO:

Council was asked to consider setting a public hearing for Monday, October 27, 2008 to amend and recodify sections of Chapter 82, Traffic and Vehicles, of the Code of the City of Waynesboro, regarding a City license fee that would eliminate the City's program of issuing City vehicle decals and City Code decal-related requirements.

Vice Mayor Lucente moved, seconded by Mrs. Smith, to approve setting a public hearing for Monday, October 27, 2008 to amend the City Code Chapter 82 relating to City decals for vehicles. With no objections, the motion passed with affirmative votes from Council members Williams, Lucente, Dowdy, Smith, and Allen.

WEST END FIRE DEPARTMENT SUBSTATION:

City Council wanted the opportunity to discuss the Request for Proposal (RFP) and aspects of the engineering, land acquisition and construction of a West End Fire Department Substation. The information in the RFP regarding the 8,000 square foot facility reflects a general estimate of the size and uses of the square footage. Typically included in the RFP are items for consideration only; the spaces or functions noted are not absolute.

Because Mrs. Dowdy was not present during some discussions, she asked the Mayor to brief Council on them. The Mayor stated that because the RFP contains details that some members of Council were questioning, it was suggested that Council take an active role in scaling down the project's scope, then borrow the money for the project with the other borrowings in the spring. There was also a suggestion to borrow the \$2.6 million and use \$800,000 for the immediate stormwater projects. The Mayor then asked the City Manager to brief Council on the earlier discussions.

Mr. Hamp stated that alternatives for the upcoming bond borrowing were reviewed. To accelerate the ability to construct stormwater projects, Council could increase the amount of the borrowing or postpone the construction of the fire station and divert that money to the engineering and design of capital improvement projects voted for in the bond referendum. Mrs. Smith recommended that Council reserve this time to discuss the fire station RFP, and if there is leftover money from that project, they can discuss spending it for the capital improvement projects. Mrs. Dowdy stated that the referendum supported constructing the fire station, and she had not heard about, and was concerned about, postponing it.

Mayor Williams stated that based on the current RFP, Council is concerned the fire station could not be built for \$2.6 million including the cost of the land. If a scaled-down version of the RFP could not be agreed upon by Council at this time, they could still borrow the \$2.6 million in the spring. Mrs. Dowdy stated that the community voted to approve construction of the west end fire station, and Council is obligated to do everything possible to make it a reality. She appreciates the concern for spending the money, but she does not want the project postponed or delayed.

Vice Mayor Lucente asked that the fire station RFP be discussed this evening so that Council could give staff direction and come to a consensus. He supports building the fire station because it is what the citizens voted for. However, as Council has not discussed the design of the fire station, he wanted to state what he does and does not support. His idea of the fire station would be a substation built on the west end of the City that is built around the current manpower and engine power. He does not want a full fire station built requiring an additional 13 people to run it because the operation of the fire station, not the construction, is what causes the added cost to the City. Vice Mayor Lucente questioned the space allocated in the RFP for an antique fire truck, an exercise room, administrative offices, public parking, an SCBA fill station, a police substation, and a training room, some of which are already available at the main fire station. He wants to scale the RFP back to include an engine company with a rescue squad and fire men. Also, a decision has not been made on a land purchase. Vice Mayor Lucente would like all of Council to come to a consensus and give direction to staff on what they expect for the substation. He is most concerned about hiring an additional 13 people and equipping the station. He does not know how that can be done without raising taxes.

Mrs. Dowdy stated that Council should meet with the Fire Chief to ensure that some amenities such as the exercise area and training room are not duplicated. Regarding the antique fire truck, she stated that if it is not going to be used or showcased, the City should not keep it. From the information provided, Mrs. Dowdy stated she cannot make a determination of what the substation's needs will be since she does not know if the current fire station's needs are being met.

Mayor Williams stated that he does not want to build another full fire station. He is concerned about the time element and does not want items cut from the RFP for the purpose of meeting the borrowing deadline of October 31, 2008 to submit documentation.

Mr. Hamp stated that Council could agree on items to be deleted from the RFP without having the exact costs associated with those cuts, knowing that the cuts would have an impact on the bottom line of the project. Mrs. Dowdy stated that she does not want to cut items from the RFP without knowing the value of those items to the fire department. Vice Mayor Lucente agreed, but stated that Council could decide if they want a full fire station or a substation and if they should hire additional 13 staff members.

Mrs. Smith asked Fire Chief Scott if a third engine company is required to meet the needs of the west end of the City. The Chief stated that the third engine company would follow standards presented to Council in his five-year staffing plan in 2007 which received the verbal endorsement of the Council at that time. Chief Scott reminded Council that the current fire department is understaffed according to all current standards and of Council's verbal agreement of the staffing plan. According to national standards, a city the size of Waynesboro should be staffing three engine companies and one truck company, which cannot be done with the current staff level. Mrs. Smith also questioned if there is training space in the current department and if it is used regularly. Chief Scott stated that there is space and it is used on a routine basis. He noted that he has attended training classes offered by architects and engineers who specialize in constructing fire houses, but he has never designed one. However, through the RFP process, he has selected one of the top A&E firms with experience in this field to negotiate with upon Council's approval. That firm has offered to meet with Council to answer their questions.

Mrs. Dowdy asked Chief Scott for clarification on the current fire station's square footage and staffing compared with the proposed substation. It was noted that there are currently two companies in the fire station at 16,000 square feet and there will be one company in the 8,000 square foot substation.

She confirmed that the 8,000 square foot substation is in line with the current manning and facility space.

Mrs. Smith supports a west end fire substation and stated that the City would be remiss if they did not fully staff their fire department. It is her understanding the City is not fully staffing the current department, and it is wrong to assume the City is going to build a substation and share staff when the fire department is already under staffed. There are recurring operational expenditures attached to that. There may be opportunities for savings in the future, but she recommended borrowing the amount discussed and reducing costs later, if necessary.

Mr. Allen asked if the EMS vehicle is a first aid vehicle. Chief Scott stated that opportunities to share in delivery of service were discussed with the first aid crew and the police, and although that would enhance the overall delivery of service, it is conceptual at this time. Mr. Allen then asked if other localities are at full staffing levels and how they compare to Waynesboro. Chief Scott stated that it is difficult to compare because Waynesboro is primarily staffed with career employees supplemented by volunteers and Rockingham County and Harrisonburg are staffed primarily with volunteers, therefore they fall under different national standards for deployment and staffing. Staunton is slightly higher staffed than Waynesboro.

Vice Mayor Lucente recalled that the fire department is in the top ten percent for the country. Also, a substation would not put the City into an ISO Class 3 from the current ISO Class 4. He stated again that the expense of constructing the fire substation is not his concern; it is the additional staff and equipment and the possible tax increase needed to accomplish that. He would like to get the fire department up to full staff and use part of that staff or one engine company to man the west end fire substation. He clarified that a west end fire station improves the response time for 18% of the City; the other 82% still would have the same response time. He does not agree with spending that amount of money to serve only 18% of the City. Vice Mayor Lucente compared it with Staunton's substation, being operated with existing staffing and equipment, but he wanted the matter openly discussed and welcomed comments from citizens.

Mrs. Dowdy clarified that Staunton's staffing level at the time their fire substation was built was higher than that of Waynesboro. She questioned if the 18% of the residents who would benefit from the substation included the residents of the Ana Marie Estates, the development along Hopeman Parkway, the proposed Tomasville subdivision residents and any other future growth. Regarding response time, she noted that it took the fire department an extended period of time to respond to a house fire on the west end at a time of night with little or no traffic. Mrs. Dowdy stated that this indicates the City is not being responsive to residents on the west end of Waynesboro. She said that safety to the citizens is Council's major concern. If it requires a .01 cent tax rate increase to save a life, she does not want to be questioned why the Council was not doing their job providing fire protection to the City.

Mrs. Smith stated that she appreciated Vice Mayor Lucente's comment that his concern is to get the fire department fully staffed where they are. Her understanding is that if the fire department gets fully staffed where they are, that will take care of the west end fire station to some extent. Chief Scott confirmed that, adding that he never proposed that the fire department add equipment over and above what is currently owned. Mrs. Smith asked Vice Mayor Lucente for verification that his suggestion to bringing staff up in the current facility will take care of the west end fire station. He stated that he does not know what that is as it has been two or three years since they last spoke about it.

Vice Mayor Lucente has heard about the doubled response time to respond to the house fire on the west end but is cautious about spending millions of dollars when there could be several reasons for the extended response time. He agreed with Mrs. Dowdy that one loss is too great, but he wants to use the resources to the best and most efficient way possible. He does not see a need to hire another engine company. He supports public safety as the highest priority, but it must be done efficiently and correctly. The consequence of the fire substation is the additional resources needed every year to support the substation. Vice Mayor Lucente stated that the voters voted for spending \$2.6 million for a fire substation; there was not any fine print that noted an additional \$1.5 million annually needed for the firemen to staff it. He stated that the Council should come together with an agreement, and he is willing to go with the consensus.

Chief Scott clarified the 18% who would benefit from the west end substation includes only those in the 1.5 mile radius of the substation. However, with current staffing, when firemen respond to a fire in that 18% radius, the remaining 82% of the City is experiencing less coverage. The Mayor asked about the antique fire truck, and he was told it was the first motorized fire apparatus that the City purchased. The Mayor also clarified the fire suppression employees are EMT's; therefore, if there was not an emergency services vehicle at the substation, the fire personnel would be equipped to assist on the west end. The Chief agreed with that statement.

Mayor Williams stated that if the \$2.6 million is borrowed, it does not mean it must all be spent. He agreed with Mr. Lucente that information from neighboring localities should be sought. The Mayor asked the City Manager what the City's position is for handling the debt service. Mr. Hamp stated that the additional debt does not conflict with the statutory guidelines under the Virginia State Code; also, the City would remain within the adopted fiscal policy guidelines. He reviewed the effects of the borrowing on the debt service. Mr. Hamp also noted that with the general obligation debt service estimated in fiscal year 2010, the City would incur an additional principal and interest amount of \$491,000, a portion of which would include the fire station, the library, and the bridge portion of the application.

Mayor Williams stated the citizens gave us their permission to spend \$2.6 million, but that does not mean the City has to spend the full amount, and he does not want to go over that amount. He stated that Council should proceed with the borrowing, and then work with the designers and builders to see if it can be built for less.

Mrs. Smith noted that an ordinance passed unanimously on January 28, 2008 that authorized the City to spend no more than \$10,076,352. She stated that anything done within the amount is under the discretion of Council. A work session should be conducted to answer questions about the scope of the fire station, understanding that Council has a not-to-exceed number. The Mayor clarified that Mrs. Smith is prepared to proceed with authorizing the borrowing.

Mrs. Dowdy stated that it is a responsible way of proceeding with this issue. Mr. Allen agreed to authorize borrowing that amount but it is not necessary to spend the full amount. Vice Mayor Lucente stated he is still not clear on the Council's opinion of hiring the 13 additional staff members and installing new equipment and the tax implications of doing that. Mrs. Smith stated that there is a mandate to get the project done and not to then leave it empty. It must be functional to improve response time on the west end of the City in the most cost efficient way possible. She stated that Council must devise an efficient way of doing that. Mrs. Dowdy stated that there is a minimum amount of equipment that will be necessary for the substation, and it is her understanding that this Council is committed to staffing the fire substation to the amount it needs to run efficiently using the adopted

staffing plan. Vice Mayor Lucente stated that he does not see a direction or plan from Council on staffing the fire substation. He reiterated that he is not opposed to borrowing the \$2.6 million for the substation, but he is concerned about expenses that may be brought before Council after its construction. Vice Mayor Lucente questioned if it is Council's intention to proceed with the borrowing, and then have a work session regarding the Request For Proposal.

Mayor Williams stated that he would like facts and figures before making a decision on the RFP. He suggested meeting with the engineers to get those facts. Mr. Hamp stated it would be difficult to have a discussion regarding the RFP with the engineers prior to the borrowing taking place. He clarified that Council wants to participate in the planning of the facility to ensure that what is built is consistent with responsible stewardship as Council views it, but it cannot be done before the borrowing deadline.

Vice Mayor Lucente asked if \$2.6 million is borrowed and the fire substation is built for \$1.5 million, can the balance be used for other projects. Mr. Hamp stated he would confirm with the bond council if that is possible. Ms. Nicosia stated that Council can make dual use of the borrowed funds provided they make that intent known and the lending agency lends money for the stated purposes.

GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS FOR BRIDGES:

Council was asked to consider setting a public hearing for Monday, October 27, 2008 on the proposed issuance of general obligation public improvement bonds of the City in the estimated maximum principal amount of \$1,988,200, the proceeds of which will be used to pay the costs of rehabilitating or replacing certain bridges, including without limitation the Delphine Avenue Railroad Bridge and the Broad Street Bridge, and to pay the financing costs related to such bridge projects and the other capital improvement projects being financed through the Virginia Resources Authority.

The Virginia Resource Authority (VRA) application includes approximately \$1.2 million for the Broad Street Bridge renovation and improvements and \$245,000 related to the Delphine Railroad Overpass Project, which is the City's share of a predominately Virginia Department of Transportation (VDOT) project. Council will be asked to approve an ordinance authorizing the City to borrow for these two projects and the VRA application after the public hearing on October 27. Revenue sharing funds may be available through VDOT.

Mrs. Smith stated that she cannot support spending \$535,000 to engineer and design projects that will not show any results for possibly five to six years. She stated that the citizens want to see work begin on stormwater projects, and understands that the Chatham and Tiffany projects are ready to begin and asked for Council's input.

Vice Mayor Lucente also questioned \$535,000 for engineering. He stated that Council is anticipating borrowing in the spring for the Capital Improvement Projects. Stormwater work is in progress on the infrastructure that has not been maintained. This may mitigate some of the work that is anticipated on Projects 1-8. Mrs. Smith stated that she understands maintenance will help those areas with infrastructure in place, but she is concerned about those areas that do not have stormwater protection at all. She stated that Council is authorized to borrow \$6.2 million for stormwater projects, and she expressed an interest in getting market guidance on when to enter the financial market. She recommends that Council ask staff what a reasonable time schedule is for engineering, design, and

construction of a project and borrowing for it, understanding that no more funds will be available until Council returns to the market.

The Mayor asked the City Manager to explain the reasoning behind borrowing for the engineering for five projects. Mr. Hamp stated that staff's approach was to borrow for the engineering for the projects and return to the market in the spring to borrow for construction, but this is just one approach that can be considered.

Mayor Williams agreed with staff's recommendation to borrow \$1,988,200. Mr. Hamp clarified that Council will be asked to set a public hearing date and to introduce an ordinance relative to the VRA application. Council will be asked to adopt a resolution on October 27, 2008 relative to the amount to be borrowed.

Vice Mayor Lucente moved, seconded by Mrs. Dowdy, to set a public hearing date of Monday, October 27, 2008 to receive public comments on a proposed issuance of general obligation public improvement bonds of the City in the estimated maximum principal amount of \$1,988,200. With no objections, the motion passed with affirmative votes from Council members Williams, Lucente, Dowdy, Smith, and Allen.

ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS IN THE AMOUNT OF \$1,988,200, FOR REHABILITATING OR REPLACING CERTAIN BRIDGES: Vice Mayor Lucente moved to introduce an ordinance authorizing the issuance of general obligation public improvement bonds in the estimated maximum principal amount of \$1,988,200, the proceeds of which will be used to pay the costs of rehabilitating or replacing certain bridges, including without limitation the Delphine Avenue Railroad Bridge and the Broad Street Bridge, and to pay the financing costs related to such bridge projects and the other capital improvement projects being financed through the Virginia Resource Authority.

**ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION
PUBLIC IMPROVEMENT BONDS OF THE CITY OF WAYNESBORO,
VIRGINIA, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$1,988,200**

WHEREAS, the City of Waynesboro, Virginia (the "City"), intends to finance the costs of rehabilitating or replacing certain bridges, including without limitation the Delphine Avenue Railroad bridge and the Broad Street bridge (collectively, the "Project");

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WAYNESBORO, VIRGINIA:

- 1. It is determined to be necessary and expedient for the City to finance the Project and to borrow money for such purpose and issue the City's general obligation public improvement bonds therefor.**
2. Pursuant to the provisions of the City Charter and the Constitution and statutes of the Commonwealth of Virginia, including the Public Finance Act of 1991, there are authorized to be issued general obligation public improvement bonds of the City in a principal amount not to exceed \$1,988,200, the proceeds of which will be used to the pay the costs of the Project and to pay the financing costs related to the Project and the other capital improvement projects being financed through the Virginia Resources Authority.
3. The bonds shall bear such date or dates, mature at such time or times not exceeding 40 years from their dates, bear interest at such rate or rates, be in such denominations and form, be executed in such manner

and be sold at such time or times and in such manner as the City Council may hereafter provide by appropriate resolution or resolutions.

4. The bonds shall be general obligations of the City, and its full faith and credit shall be irrevocably pledged to the payment of principal of and premium, if any, and interest on such bonds.

5. The Clerk of Council, in collaboration with the City Attorney, is authorized and directed to see to the immediate filing of a certified copy of this ordinance in the Circuit Court of the City of Waynesboro, Virginia, and to the posting or publication of this ordinance in accordance with the terms of the City Charter.

6. This ordinance shall take effect ten (10) days from the date hereof.

Having been properly introduced, the ordinance will be considered again at the October 27, 2008 Regular Business Meeting.

ORDINANCE APPROPRIATING \$90 RELATED TO REPAIRING DAMAGE AT RIDGEVIEW PARK: Vice Mayor Lucente moved to introduce an ORDINANCE APPROPRIATING \$90 FROM PARKS AND RECREATION MISCELLANEOUS DONATIONS TO PARKS & RECREATION REPAIRS AND MAINTENANCE SUPPLY FOR EXPENDITURES RELATED TO REPAIRING DAMAGE AT RIDGEVIEW PARK FOR THE FISCAL YEAR ENDING JUNE 30, 2009. Having been properly introduced, the ordinance will be considered again at the October 27, 2008 Regular Business Meeting.

ORDINANCE APPROPRIATING \$170 FOR EXPENDITURES RELATED TO MEDICAL ADMINISTRATION CLASSES FOR CHILD CARE STAFF: Vice Mayor Lucente moved to introduce an ordinance appropriating \$170 from Parks and Recreation Miscellaneous Donations to Parks and Recreation Certifications for Expenditures Related to Medical Administration Classes for Child Care Staff for the Fiscal Year Ending June 30, 2009. Having been properly introduced, this ordinance will be considered again at the October 27, 2008 Regular Business Meeting.

APPOINTMENT TO THE CULTURAL COMMISSION AND TO THE PARKS & RECREATION COMMISSION:

Cultural Commission: Council was asked to consider the appointment of Ms. Evelyn DeGolyer-Croft to serve the unexpired four-year term on the Cultural Commission, expiring August 31, 2009. Mrs. Smith moved, seconded by Mr. Allen, to approve the appointment of Ms. DeGolyer-Croft. With no objections, the motion passed with affirmative votes from Council members Williams, Lucente, Dowdy, Smith, and Allen.

Parks & Recreation Commission: Council was asked to consider appointing Ms. Dana Sue Moore to the Parks & Recreation Commission in Ward C for the unexpired four-year term ending August 31, 2009. Vice Mayor Lucente moved, seconded by Mrs. Smith, to approve the appointment. With no objections, the motion passed with affirmative votes from Council members Williams, Lucente, Dowdy, Smith, and Allen.

APPOINTMENT OF THE CITY MANAGER:

Mrs. Dowdy read the following resolution, brought before Council for their consideration:

RESOLUTION

WHEREAS, pursuant to Chapter 4 of the Charter of the City of Waynesboro and Chapter 2, Article IV of the Code of the City of Waynesboro, the City Council elects a City Manager, under the direction of the council, to be the executive officer for supervising all the business affairs of the City, including the building, maintenance and operation of all public works, necessary purchases for the various departments and the work of the heads of the various departments and City employees, as well as such other duties as may be required of him by the council, or otherwise prescribed or permitted by the City Code, City Charter and the General Laws of the Commonwealth of Virginia.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Waynesboro, Virginia, that Michael G. Hamp, II is hereby appointed City Manager for the City of Waynesboro, Virginia, effective October 1, 2008 and is authorized to perform all duties under the Code and Charter of the City of Waynesboro and as otherwise authorized under the General Laws of this Commonwealth.

Mrs. Dowdy offered the resolution for approval with Mrs. Smith seconding the motion. With no objections, the motion passed and the resolution was adopted by affirmative votes from Council members Williams, Lucente, Dowdy, Smith, and Allen.

CITIZEN COMMENT PERIOD:

No citizens signed up to speak.

COMMUNICATION, CORRESPONDENCE AND CALENDAR:

Ms. Showman, Finance Director, has been working with the Treasurer on a review and analysis of operating cash and reserve fund cash investment interest return. Ms. Showman has presented a program to move funds into Certificates of Deposit in the amount of \$5 million and their projected returns. This is being brought before Council at this time because of the October 15, 2008 deadline of the quote obtained. Per the City Code, this action requires Council approval, and a resolution is presented for Council's consideration.

RESOLUTION

WHEREAS, the Council of the City of Waynesboro finds that it is in the best interest of the City to increase the City's investment income to assist in addressing possible revenue shortfalls; and

WHEREAS, the Council has learned that traditional investment vehicles such as money markets and CD's are available to the City that will yield higher rates of interest than certain current City investment accounts are currently paying; and

***WHEREAS**, the Council has determined that BB&T will offer the City higher yields while still protecting City assets and meeting State Code requirements for depositing Public Funds;*

***NOW THEREFORE BE IT RESOLVED**, that the Council of the City of Waynesboro hereby authorizes the Mayor, Vice Mayor, City Treasurer and City Manager to withdraw and transfer Five Million Dollars (\$5,000,000.00) of City funds from the Local Government Investment Pool to certain BB&T City of Waynesboro certificates of deposit, pursuant to and in accordance with the attached Memorandum from the City Treasurer and Director of Finance, dated October 14, 2008, with said Memorandum attached hereto and incorporated herein.*

***AND BE IT FURTHER RESOLVED**, that this Resolution shall be contingent upon BB&T providing collateral securities in compliance with the Virginia Security for Public Deposits Act, § § 2.2-4400 et. seq. of the Code of Virginia (1950), as amended.*

This Resolution shall be effective immediately.

Vice Mayor Lucente thanked Ms. Showman for saving the City approximately \$250,000. He said it sets a good example for others to work toward saving the City and citizens money, and he appreciates her efforts. Council agreed with those comments.

Mrs. Dowdy moved, seconded by Vice Mayor Lucente, to adopt the resolution as presented. With no objections, the motion passed and the resolution was adopted with affirmative votes from Council members Williams, Lucente, Dowdy, Smith, and Allen.

Mr. Hamp confirmed that the Council and the Planning Commission will hold a joint work session on October 22, 2008 beginning at 6:00 p.m. to receive information regarding the zoning ordinance review.

With no further business to discuss, the meeting was adjourned on a motion by Mrs. Dowdy at 9:06 p.m.

Julia Bortle, Clerk of Council

Timothy Williams, Mayor