

CITY OF WAYNESBORO, VIRGINIA

CITY COUNCIL BUSINESS MEETING AGENDA



BRUCE ALLEN, MAYOR, *WARD B*
TERRY SHORT, JR., VICE MAYOR, *AT LARGE*
ELZENA ANDERSON, COUNCILWOMAN, *WARD A*
JEFF FREEMAN, COUNCILMAN, *WARD C*
PETE MARKS, COUNCILMAN, *WARD D*

TO BE HELD IN THE COUNCIL CHAMBERS,
CHARLES T. YANCEY MUNICIPAL BUILDING
AT 503 WEST MAIN STREET, WAYNESBORO, VIRGINIA
ON MONDAY, JANUARY 8, 2018 AT 7:00 P.M.

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

2. CONSENT AGENDA

Any item placed on the consent agenda shall be removed and considered as a separate matter, if so requested by any member of Council, otherwise all items will be voted on with one (1) motion.

2.a. Approval Of Minutes:

Consider adopting the minutes for the December 11, 2017 Regular Business Meeting, and dispense with the reading of the minutes.

Documents:

[2017 1211.Minutes.Draft.pdf](#)

2.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.

Documents:

[2b 532 E Main CUP Final Ordinance.pdf](#)

2.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 241-lot residential subdivision on a 35.457 -acre residual tract at 200 Guilford Lane, Waynesboro, Virginia, Tax Map 24-3-1A.

Documents:

[2c Evershire Draft City Council Ordinance - MJR.pdf](#)

2.d. City Council Compensation:

Second consideration/adoption of an ordinance adjusting compensation for the City Council for the City of Waynesboro.

Documents:

[2d City Council Compensation 2017 1211.Pdf](#)

2.e. Second Consideration/Adoption Of The Following Appropriation Ordinances:

2.e.i. Fire Department – Roof Repair: \$19,075.

Appropriating \$19,075 of insurance proceeds to the General Fund, for transfer to the Facility Maintenance Reserve for the final payout of the roof damage claim for the Fire Department.

Documents:

[2EI FIRE DEPARTMENT ROOF REPAIR VML INSURANCE RECOVERY 19075.PDF](#)

2.e.ii. Schools – High School Renovation

Appropriating a portion of the School Renovation Committed Reserve, in the amount of \$750,000, for transfer to the School Funds, to be used for architectural and engineering services for the Waynesboro High School Renovation Project.

Documents:

[2EII SCHOOL RENOVATION RESERVE 750000.DOC](#)

3. MATTERS FROM COUNCIL MEMBERS.

4. PLANNING MATTERS - PUBLIC HEARING:

4.a. Basic City Bowman Lots – Right Of Way Vacation:

Receive 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.

Documents:

[4a-Viewer-Report.pdf](#)

4.b. Rezoning – Waynesboro Place:

Consider introducing an ordinance at the request of Balzer & Associates, Inc., agent for Waynesboro Place, LLC, 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. (Continued from December 11, 2017 Council Meeting.)

Documents:

[4b-Waynesboro-Place.pdf](#)

5. RESOLUTION AND COUNCIL ACTION:

6. ORDINANCES - Consider Introducing The Following:

6.a. Public Works – Rosser Avenue/Lucy Lane Sidewalk:

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.

Documents:

[6a-Rosser-Sidewalk.pdf](#)

6.b. Police Department – Used Vehicle Purchase:

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.

Documents:

[6b-Police-Vehicle.pdf](#)

7. CORRESPONDENCE, COMMUNICATION, AND CALENDAR

8. CITIZEN COMMENT PERIOD

9. CLOSED MEETING (IF NECESSARY)

10. ADJOURN

The Waynesboro City Council encourages the participation of all City citizens. For those with special needs, please notify the Clerk of Council (540-942-6669) of any accommodations required, including assisted listening device, at least five days prior to the meeting you wish to attend.

If you have access to the City's website, www.waynesboro.va.us, you may receive advance notifications for Council meeting agendas, minutes, and City department information. From the home page, click on "Notify Me", enter your email address and/or mobile phone number and select those items you want to receive advance notice. Then follow the instructions. You will receive email messages from listserv@civicplus.com.

WAYNESBORO, VIRGINIA

CITY COUNCIL BUSINESS MEETING MINUTES



Council for the City of Waynesboro, Virginia held a Regular Business Meeting on Monday, December 11, 2017, 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
Pete Marks, Councilman
Elzena Anderson, Councilwoman

City Staff: Mike Hamp, City Manager
James Shaw, Deputy City Manager
Julia Bortle, Clerk of Council
Michael Wilhelm, Police Chief
Greg Hitchin, Economic Development Director
Terri Marks, Finance Director
Trafford McRae, Stormwater Program Manager

Guests: Mr. David Didawick, Didawick & Co.
Ms. Kathryn Goebel, Didawick & Co.
Mr. Randy Huffman, Didawick & Co.

Outside Counsel: Mr. Jordan, Litten & Sipe, LLC.

ABSENT: Jeff Freeman, Councilman

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:

Councilwoman Anderson moved to adopt the Consent Agenda as presented. The motion was seconded and adopted with affirmative votes from Council members Allen, Short, Marks and Anderson, with Councilman Freeman being absent:

- a) **Approval of Minutes:** Consider adopting the minutes for the November 27, 2017 Regular Business Meeting, and dispense with the reading of the minutes.
- b) **Commissioner of the Revenue Tax Refund:** Consider approving a request from the Commissioner of the Revenue to refund \$73.87 plus interest to a taxpayer for 2017 business personal property paid in error.

Second consideration/adoption of the following ordinances:

Regular Business Meeting
Monday, December 11, 2017
Unapproved Draft

- c) Code Amendment – Service fee for Emergency Medical Services Vehicles (2017-66)
- d) Schools – Donation for Nutrition Funds for Student Meals (\$1,000) (2017-67)
- e) Schools – Staff Stipends and Development (\$27,636) (2017-68)
- f) Schools – Materials and Supplies (\$2,731) (2017-69)
- g) Schools – Materials and Supplies (\$865) (2017-70)

MATTERS FROM CITY COUNCIL MEMBERS:

Vice Mayor Short thanked staff for organizing a great event for the City with the Governor’s Office on Friday afternoon regarding the Natural Resource Damage Assessment settlement, and Council looks forward to the work that comes from the settlement. Councilwoman Anderson agreed, and she thanked staff and Council for the hard work put into making trips to Richmond to ensure the City was not left out of the settlement.

PUBLIC HEARING – CONDITIONAL USE PERMIT – 532 E MAIN STREET:

Council received a request from Mr. Fred Powell for a Conditional Use Permit (CUP 17-256) for Vehicle Service, limited use and vehicle sales, rental, or leasing use in the L-B (Local Business District) at 532 East Main Street (Tax Parcel 46-1-64-8A, 9 & 10). At their November 21 meeting, the Planning Commission recommended on a vote of 7:0 approval of the conditional use permit. Vice Mayor Short moved to receive the Planning Commission Resolution and Recommendation as follows:

**RESOLUTION AND RECOMMENDATION TO THE CITY COUNCIL
FROM THE WAYNESBORO PLANNING COMMISSION
REGULAR MEETING OF NOVEMBER 21, 2017 PER
CONDITIONAL USE PERMIT 17-256**

WHEREAS, upon a conditional use permit (17-256) application by Fred Powell, the Waynesboro Planning Commission finds that the Vehicle Service, Limited use and Vehicle Sales, Rental, or Leasing use are specifically permitted as a conditional use in an L-B (Local Business) District in which the subject property is located; and that the proposed use will have no more adverse effect on the health, safety, or comfort of persons living or working in the area and will be no more injurious, economically or otherwise, to property or improvements in the surrounding area than would any use generally permitted in such District; and, further, that the request is consistent with good planning and zoning practice; is justified by the public necessity, convenience, and general welfare; and is in accord with the comprehensive plan of this City;

NOW, THEREFORE, BE IT RESOLVED by the Waynesboro Planning Commission, by a vote of 7-0, that a recommendation be forwarded to City Council that the request of Fred Powell, for a conditional use permit to allow Vehicle Service, Limited use and Vehicle Sales, Rental, or Leasing use to be operated in an L-B Local Business District at 532 East Main Street (Tax Map number 46-1-64-8A, 9 & 10), be approved, in accordance with the application (#17-256), and staff report dated November 21, 2017, with the following conditions as recommended:

1. The use shall not include any auto services that generate noise, odor, or light impacts for neighboring properties beyond those reasonably expected from the majority of uses allowed in the L-B Local Business District.

2. No outdoor automobile repair or servicing of vehicles shall be allowed on the subject site.
3. No outdoor display shall be allowed in the area along East Main Street as shown on the sketch plan (Attachment 2).
4. A landscaped area is required at the northeast corner of the lot as shown on the sketch plan (Attachment 2) and shall be maintained by the owner. This condition may be satisfied with a built-up planting bed or planting boxes that provide a comparable visual impact.
5. Street trees shall be installed along South Bayard Avenue in accordance with City Code, Chapter 98, Section 5.4.6.
6. A landscaping buffer shall be installed at the perimeter of parking along South Bayard Avenue in accordance with City Code, Chapter 98, Section 5.4.7.
7. Outdoor storage shall be limited to the rear of the property and be screened from view from the public right-of-way, public vehicular use areas, and adjacent residential development, in accordance with City Code, Chapter 98, Section 5.4.8.F.
8. The area between the building and South Bayard Avenue as shown on the sketch plan shall be re-graded and the condition of the gravel improved.
9. The building façade and garage doors shall be cleaned and painted.
10. The pole sign shall be either repainted and reused or taken down.
11. A backflow preventer shall be installed according to the City Engineer's requirements.

Having been seconded and with no objections, the Planning Commission Resolution and Recommendation was received with affirmative votes from Council members Allen, Short, Marks, and Anderson, with Councilman Freeman being absent.

The Planning Director reviewed the application, including the previous uses for the location, the site condition, and recommended conditions for the site as noted above. The Mayor confirmed that staff will ensure that landscaping will not block the view for traffic on Bayard Avenue. Vice Mayor Short was concerned about the planter boxes being considered as an alternate for landscaping as they may not be maintained and difficult to enforce.

With no further comments from Council, the public hearing was opened at 7:12 p.m. With no one signed up to speak, the public hearing was closed. Vice Mayor Short moved to introduce the ordinance **GRANTING A CONDITIONAL USE PERMIT TO ALLOW VEHICLE SERVICE, LIMITED USE AND VEHICLE SALES, RENTAL, OR LEASING USE TO BE OPERATED IN AN L-B (LOCAL BUSINESS) DISTRICT AT 532 EAST MAIN STREET (TAX MAP NO. 46-1-64-8A, 9 AND 10), WAYNESBORO, VIRGINIA** with an amendment to point 4, deleting "This condition may be satisfied with a built-up planting bed or planting boxes that provide a comparable visual impact." Having been properly introduced, this amended ordinance will be considered again at the January 8, 2018 Regular Business Meeting.

PUBLIC HEARING - PRELIMINARY SUBDIVISION PLAT – EVERSHERE:

Council received a preliminary subdivision plat request from Mr. Steve Tomasi for Hopeman Land Co., owner, to amend a preliminary subdivision plat (known as Evershire) approved on January 24, 2005 for a 241-lot residential subdivision on a 35.457 -acre residual tract at 200 Guilford Lane, Waynesboro, Virginia, Tax Map 24-3-1A. At their November 21, 2017 meeting, the Planning Commission recommended approval 7:0 with one condition. Vice Mayor Short moved to receive the Planning Commission Resolution and Recommendation:

**RESOLUTION AND RECOMMENDATION TO THE CITY COUNCIL
FROM THE WAYNESBORO PLANNING COMMISSION
REGULAR MEETING OF NOVEMBER 21, 2017 PER
PRELIMINARY SUBDIVISION PLAT AMENDMENT 17-255 FOR**

EVERSHIRE SUBDIVISION

WHEREAS, upon application by Steve Tomasi, representative of Hopeman Land Company LC, owner, the Waynesboro Planning Commission finds that the preliminary subdivision plat will meet or exceed all the requirements of state and local law, and further, that the request is consistent with good planning and zoning practice, is justified by the public necessity, convenience, and general welfare; and in is accordance with the general goals and objectives of the comprehensive plan of this City.

NOW, THEREFORE, BE IT RESOLVED by the Waynesboro Planning Commission, by a vote of 7-0, that a recommendation be forwarded to City Council that the request of Steve Tomasi, representative of Hopeman Land Company LC, owner, for a preliminary subdivision plat, entitled "Preliminary Plat Amendment for Evershire Subdivision" produced by Countryside Service Company, subdivision plat approved on January 24, 2005 to subdivide a 35.457-acre tract into 241 residential lots for a property at 200 Guilford Lane, Waynesboro, Virginia (City Tax Map number 24-3-1A) be approved in accordance with the application MJR #17-255, the staff report dated November 21, 2017, and the following condition:

1. Final plats or associated deeds in a form acceptable to the City Attorney shall ensure the dedication of the greenway to the City and such deeds shall be recorded in the City of Waynesboro Circuit Court.

Having been seconded and with no objections, the Planning Commission Resolution and Recommendation was received with affirmative votes from Council members Allen, Short, Marks, and Anderson, with Councilman Freeman being absent.

The Planning Director reviewed the request, including the current subdivision plat, the proposed townhouse layout that will conform to the new zoning and subdivision ordinances, and parking accommodations. The Mayor confirmed that if parking congestion became an issue, Council could limit parking to one side of the street. The Vice Mayor clarified that the subdivision ordinance requires sidewalks, and developments in the path of the greenway must dedicate land to the City for the greenway; however, they are not required to build the greenway.

The public hearing was opened at 7:29 p.m.

John Reno, Countryside Service Co: put together the preliminary plat amendment, including relocation of the gas line and incorporating the City ordinance amendments. He favors the greenway easement that connects to the Claybrook Subdivision greenway.

Ellen Winter, 1101 Fairway Drive: disagreed with the proposed parking for Evershire Subdivision. Allowing parking on both sides of the streets equates to putting in half a street. Taxpayers will have to maintain the streets instead of the homeowner using the parking space. Waiting for traffic to pass is not traffic calming, but rather traffic enraging. If parking is cut to one side of the streets after the development is completed, it is then too late to have the developer include parking close to the homes. She stated that two-way free-flowing traffic must be included throughout the subdivision so that a second parking space can be had within three hundred feet of the home as required by City Code.

The public hearing was closed at 7:35 p.m. In response to Ms. Winter's comments, the City Planner stated that the proposed parking meets the City's ordinance, and the applicant and developer stated that the proposed parking will not inhibit people from buying in the area.

Vice Mayor Short moved to introduce an ordinance for a **PRELIMINARY SUBDIVISION PLAT AMENDMENT FOR A PROPERTY LOCATED AT 200 GUILFORD LANE (TAX MAP NO. 24-3-1A), WAYNESBORO, VIRGINIA**. Having been properly introduced, this ordinance will be considered again at the January 8, 2018 Regular Business Meeting.

PUBLIC HEARING - REZONING – WAYNESBORO PLACE:

Council received a request of Balzer & Associates, Inc., agent for Waynesboro Place, LLC, 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. At their November 21, 2017 meeting, the Planning Commission recommended approval of the request 7:0 with proffers. Councilwoman Anderson moved to receive the Planning Commission Resolution and Recommendation:

**RESOLUTION AND RECOMMENDATION TO THE CITY COUNCIL
FROM THE WAYNESBORO PLANNING COMMISSION
REGULAR MEETING OF NOVEMBER 21, 2017 for
REZONING 17-258 FOR WAYNESBORO PLACE LLC**

WHEREAS, upon application by Balzer & Associates, Inc., agent for Waynesboro Place LLC, the Waynesboro Planning Commission finds that the rezoning will meet or exceed all the requirements of state and local law, and further, that the request is consistent with good planning and zoning practice; is justified by the public necessity, convenience, and general welfare; and is in accord with the general goals and objectives of the comprehensive plan of this City;

NOW, THEREFORE, BE IT RESOLVED by the Waynesboro Planning Commission, by a vote of 7-0, that a recommendation be forwarded to City Council that the request of Balzer & Associates, Inc., agent for Waynesboro Place LLC, for a rezoning to amend an approved Planned Unit Development (known as Waynesboro Place) for a property on Windigrove Drive, Waynesboro, Virginia (City Tax Map numbers 51-20-1-1, 51-20-1-2, 51-20-2-1, 62-8-3-2 & 61-2-3-1), be approved with proffers, in accordance with the application ZMA #17-258 and the staff report dated November 21, 2017.

Having been seconded and with no objections, the Planning Commission Resolution and Recommendation was received with affirmative votes from Council members Allen, Short, Marks, and Anderson, with Councilman Freeman being absent.

The Planning Director reviewed the application that included the planned unit development approved in 2010, proffers, the improvements done as part of Phase 1, and proposed amendments based on the current commercial versus residential demand. The new area will tie in to the existing Windigrove area.

The public hearing was opened at 7:47 p.m.

Ray Burkholder, Balzer & Associates, 1561 Commerce Road: addressed the concerns raised at the Planning Commission meeting; parking is 20% above what is required by City Code not including garages; there will be sidewalks throughout the development and to the roundabout, and street trees will be planted on both sides of the street.

Ellen Winter, 1101 Fairway Drive: the developer should put a sidewalk on the I64 side of Windigrove Drive adjacent to the eight-acre rezoning to make a connection to the existing apartments. The City has received several grants paid for by taxpayers for sidewalks, and she understands the developer is responsible for this infrastructure in new developments.

The public hearing was closed at 7:51 p.m. Vice Mayor Short stated that Council was provided with a substantial packet for review, and he asked the introduction of the ordinance be tabled until the next meeting. It was the consensus of Council to consider the ordinance at the January 8, 2018 Regular Business Meeting.

AUDITOR’S ANNUAL FINANCIAL REPORT:

Council received the Comprehensive Annual Financial Report for fiscal year ending June 30, 2017. The Deputy City Manager explained the purpose of the CAFR is to assess that the City has fairly reported its financial position in accordance with accepted accounting principles. It also evaluates internal financial practices and controls. He stated that staff will meet with Council in the new year regarding maintaining the unassigned fund balance with recommendations for moving funds from the unassigned fund balance to committed reserves. Ms. Goebel reviewed the report, including the Statement of Net Position, Governmental Funds Balance Sheet, and Fund Financial Statements. Mr. Huffman reviewed the compliance section of the report. Didawick & Company provided an unmodified opinion, and Mr. Didawick thanked the City and School Board staffs for their cooperation and professionalism.

ANNUAL STORMWATER UPDATE:

The Stormwater Program Manager provided the annual stormwater update for MS4 compliance. He noted that the City is in the fifth year of a five-year permit cycle. He reviewed what was accomplished during the first cycle activities and the next cycle focus. He explained the importance of the stormwater program, and he thanked Council for their cooperation and for providing the tools needed to perform their duties.

APPOINT VIEWERS – RIGHT OF WAY VACATION:

Vice Mayor Short nominated Mr. Greg Bruno as Chairman, Ms. Doris Hulvey, and Ms. Ellen Winter as viewers, with Mr. Richard Browning as an alternate viewer, regarding 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. Having been seconded and with no objections, the appointments were adopted with affirmative votes from Council members Allen, Short, Marks, and Anderson, with Councilman Freeman being absent.

ORDINANCE - CITY COUNCIL COMPENSATION:

Presently members of City Council are paid \$5,100 annually; the mayor receives \$6,120 annually. In addition, City Council members are eligible to participate in the City’s group health insurance plan according to the contribution requirements applicable to employees; the City contributes \$6,699 to the annual premium expense for members electing to participate in the plan. To improve the equity among Council Members’ compensation and reducing expense to the City, the City Manager recommended eliminating eligibility for group health insurance and increasing annual monetary compensation for Council Members to \$9,100 annually, and \$10,020 for the Mayor annually, to take effect July 1, 2018. The proposed compensation is below the maximum established by the Code of Virginia.

Councilman Marks moved to introduce an ordinance **ADJUSTING SALARIES OF THE CITY COUNCIL FOR THE CITY OF WAYNESBORO**. Having been properly introduced, this ordinance will be considered again at the January 8, 2018 Regular Business Meeting.

APPROPRIATION ORDINANCES:

Fire Department – Roof Repair: Vice Mayor Short moved to introduce an ordinance **APPROPRIATING \$19,075 OF INSURANCE PROCEEDS TO THE GENERAL FUND, FOR TRANSFER TO THE FACILITY MAINTENANCE RESERVE FOR THE FINAL PAYOUT OF THE ROOF DAMAGE CLAIM FOR THE FIRE DEPARTMENT**. Having been properly introduced, this ordinance will be considered again at the January 8, 2018 Regular Business Meeting.

Schools – High School Renovation: Vice Mayor Short moved to introduce an ordinance **APPROPRIATING A PORTION OF THE SCHOOL RENOVATION COMMITTED RESERVE, IN THE AMOUNT OF \$750,000, FOR TRANSFER TO THE SCHOOL FUNDS, TO BE USED FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR THE WAYNESBORO HIGH SCHOOL RENOVATION PROJECT**. Having been properly introduced, this ordinance will be considered again at the January 8, 2018 Regular Business Meeting.

COMMUNICATION, CORRESPONDENCE, AND CALENDAR:

Augusta Health Luncheons: At the request of the Disability and Aging Board for Independence, the City Manager reminded the community that Augusta Health offers a monthly lunch-and-learn series where various health-related topics are addressed. Their next installment in the program is on Wednesday, December 20, 2017 from noon to 1:00 p.m. If there are any developments regarding the Augusta Health and Anthem negotiations, they are likely to be addressed at that session. Reservations are recommended.

CITIZEN COMMENT PERIOD:

Mr. George Reed: departed the meeting.

Ms. Linda Reves, 1112 Estaline Valley Road, Craigsville: she was followed by another car to the Department of Corrections. She recognized one of the men who is known to hate anyone not like him. When they entered the reception area, she said the white man stated to another man that he hadn't seen him "in a coon's age". She said the black man also present was visibly hurt. She apologized to her friends of color for not defending the man out of fear. She said the City of Waynesboro has to do something and if the City needs help, she said she is a member of the JMU facilitation network and peacebuilding from EMU.

CLOSED MEETING:

Vice Mayor Short moved to go into a closed meeting in accordance with Section 2.2-3711(A)(5) of the Code of Virginia for discussion concerning a prospective business or industry or the

expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community, namely, a business which has indicated an interest in relocating to the City or expanding its operations within the City. Having been seconded, the motion was adopted 4-0 on a roll call vote as follows: **Mayor Allen, Aye; Vice Mayor Short, Aye; Councilman Marks, Aye; Councilwoman Anderson, Aye; with Councilman Freeman being absent.**

Council came out of the closed meeting at 9:06 p.m. **Vice Mayor Short moved to adopt the following resolution as read in its entirety:**

RESOLUTION (R17-28)

WHEREAS, the Council has convened a Closed Meeting on this date pursuant to an affirmative recorded vote in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, §2.2-3711 of the Code of Virginia requires a certification by this Council that such Closed Meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Council hereby of Waynesboro hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia Law were discussed in the Closed Meeting to which this certification resolution applies, and (ii) only such business matters as were identified in the motion convening the Closed Meeting were heard, discussed or considered by the Council.

Having been seconded and with no objections, the resolution was adopted 4-0 on the unanimous affirmative roll call vote as follows: Mayor Allen, Aye; Vice Mayor Short, Aye; Councilman Marks, Aye; Councilwoman Anderson, Aye; with Councilman Freeman being absent.

With no further business to discuss, the meeting was adjourned at 9:08 p.m. on a motion by Vice Mayor Short.

Julia Bortle, MMC, Clerk of Council

Bruce Allen, Mayor

ORDINANCE NUMBER 2017-



**AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT
TO ALLOW VEHICLE SERVICE, LIMITED USE AND VEHICLE SALES, RENTAL, OR LEASING USE TO
BE OPERATED
IN AN L-B (LOCAL BUSINESS) DISTRICT AT 532 EAST MAIN STREET
(TAX MAP NUMBER 46-1-64-8A, 9 & 10),
WAYNESBORO, VIRGINIA**

WHEREAS, upon application of Fred Powell (CUP 17-256), public hearings were held, pursuant to notice thereof as required by § 98-577 of the Code of this City and § 15.2-2204 and 15.2-2205 of the Code of Virginia, both as amended; and

WHEREAS, the proposed use is specifically permitted as a conditional use in a L-B (Local Business) District in which subject property is located; and

WHEREAS, the proposed use, if conditioned as below, will have no more adverse effect on the health, safety, or comfort of persons living or working in the area and will be no more injurious, economically or otherwise, to property or improvements in the surrounding area than would any use generally permitted in the L-B (Local Business) District.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Waynesboro, Virginia, that the applicant, Fred Powell, be and hereby is granted a conditional use permit to allow Vehicle Service, Limited use and Vehicle Sales, Rental, or Leasing use to be operated in an L-B (Local Business) District at 532 East Main Street (Tax Map number 46-1-64-8A, 9 & 10) in Waynesboro, Virginia, in accordance with the application (#17-256), the staff report dated November 21, 2017, and further subject to the following conditions:

1. The use shall not include any auto services that generate noise, odor, or light impacts for neighboring properties beyond those reasonably expected from the majority of uses allowed in the L-B Local Business District.
2. No outdoor automobile repair or servicing of vehicles shall be allowed on the subject site.
3. No outdoor display shall be allowed in the area along East Main Street as shown on the sketch plan (Attachment 2).
4. A landscaped area is required at the northeast corner of the lot as shown on the sketch plan (Attachment 2) and shall be maintained by the owner. This condition may be satisfied with a built-up planting bed or planting boxes that provide a comparable visual impact.
5. Street trees shall be installed along South Bayard Avenue in accordance with City Code, Chapter 98, Section 5.4.6.
6. A landscaping buffer shall be installed at the perimeter of parking along South Bayard Avenue in accordance with City Code, Chapter 98, Section 5.4.7.

7. Outdoor storage shall be limited to the rear of the property and be screened from view from the public right-of-way, public vehicular use areas, and adjacent residential development, in accordance with City Code, Chapter 98, Section 5.4.8.F.
8. The area between the building and South Bayard Avenue as shown on the sketch plan shall be regraded and the condition of the gravel improved.
9. The building façade and garage doors shall be cleaned and painted.
10. The pole sign shall be either repainted and reused or taken down.
11. A backflow preventer shall be installed according to the City Engineer's requirements.

INTRODUCED: ON DECEMBER 11, 2017 BY VICE MAYOR TERRY SHORT, JR.

ADOPTED:

EFFECTIVE:

CLERK

MAYOR

ORDINANCE NUMBER 2017-



AN ORDINANCE FOR A PRELIMINARY SUBDIVISION PLAT AMENDMENT FOR A PROPERTY LOCATED AT 200 GUILFORD LANE (TAX MAP # 24-3-1A), WAYNESBORO, VIRGINIA

WHEREAS, upon application by Steve Tomasi, representative of Hopeman Land Company LC, public hearings were held by the Waynesboro Planning Commission and City Council pursuant to notice thereof as required by § 98-577 of the Code of this City and § 15.2-2204 and 15.2-2205 of the Code of Virginia, both as amended; and,

WHEREAS, the preliminary subdivision plat to subdivide the 35.457-acre tract into a 241-lot residential development, as shown on a plat entitled “Preliminary Plat Amendment for Evershire Subdivision” produced by Countryside Service Company L.C., dated September 29, 2017, revised November 8, 2017, will meet or exceed all the requirements of state and local law as to minimum standards of subdivision within the City, and, further, that the request is consistent with good planning and zoning practice; is justified by the public necessity, convenience, and general welfare; and is generally in accord with the goals and objectives of the comprehensive plan of this City;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Waynesboro, Virginia, that the requests of Steve Tomasi, representative of Hopeman Land Company LC, for a preliminary subdivision plat (known as Evershire) amendment for a property at 200 Guilford Lane, Waynesboro, Virginia, City Tax Map Parcel 24-3-1A, be approved, in accordance with the application (MJR #17-255), the staff report dated November 21, 2017 with the following condition:

1. Final plats or associated deeds in a form acceptable to the City Attorney shall ensure the dedication of the greenway to the City and such deeds shall be recorded in the City of Waynesboro Circuit Court.

INTRODUCED:
ADOPTED:
EFFECTIVE:

CLERK

MAYOR

ORDINANCE 2017 –



**ADJUSTING SALARIES OF THE
CITY COUNCIL FOR THE CITY OF WAYNESBORO**

WHEREAS, members of the City Council of the City of Waynesboro receive salaries as compensation for the performance of their official duties;

WHEREAS, such salaries have, to date, amounted to \$5,100 annually, with the exception of the mayor who receives a salary of \$6,120 annually;

WHEREAS, members of the City Council have also received access to the City of Waynesboro’s group health plan and the City has made certain contributions to the plan on behalf of participating members;

WHEREAS, not all members of the City Council have elected to participate in the City’s group health plan;

WHEREAS, the City Council desires that the overall compensation of the members of the City Council be equitable among the members; and

WHEREAS, the adjustments to the salaries and health benefits herein will generate savings by reducing the City’s overall expense for compensation of members of the City Council.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAYNESBORO, VIRGINIA THAT

1. Members of the City Council shall no longer be eligible to participate in the City’s group health plan.
2. Members of the City Council shall each receive an annual salary of \$9,100, with the exception of the mayor who shall receive an annual salary of \$10,120.
3. This Ordinance shall take effect July 1, 2018.

INTRODUCED: on December 11, 2017 by Councilman Pete Marks

ADOPTED:

EFFECTIVE:

ATTEST: _____
Clerk, City Council
City of Waynesboro, Virginia

Mayor, City Council
City of Waynesboro, Virginia

ORDINANCE NUMBER 2017-



AN ORDINANCE APPROPRIATING \$19,075 OF INSURANCE PROCEEDS TO THE GENERAL FUND, FOR TRANSFER TO THE FACILITY MAINTENANCE RESERVE, FOR THE FISCAL YEAR ENDING JUNE 30, 2018 AS HEREIN SPECIFIED

BE IT ORDAINED, by the Council of the City of Waynesboro, Virginia:

That the following sums of money be and the same are hereby appropriated as herein specified for the year ending June 30, 2018, totaling \$19,075,

Section I – General Fund

Paragraph 1. To the General Fund, for transfer to the Facility Maintenance Reserve, \$19,075 is appropriated to be apportioned as follows:

1109301	Transfer to	\$19,075
	793066 Fund Balance (110-445120)	

Paragraph 2. The above appropriation will be provided for by the following revenue:

1100518	Miscellaneous	\$19,075
	518911 Loss Paid by Insurance Company	

INTRODUCED: ON DECEMBER 11, 2017 BY VICE MAYOR TERRY SHORT, JR.

ADOPTED:

EFFECTIVE:

CLERK

MAYOR

ORDINANCE NUMBER 2017-



AN ORDINANCE APPROPRIATING A PORTION OF THE SCHOOL RENOVATION COMMITTED RESERVE, IN THE AMOUNT OF \$750,000, FOR TRANSFER TO THE SCHOOL FUNDS, TO BE USED FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR THE WAYNESBORO HIGH SCHOOL RENOVATION PROJECT, FOR THE FISCAL YEAR ENDING JUNE 30, 2018, AS HEREIN SPECIFIED

BE IT ORDAINED, by the Council of the City of Waynesboro, Virginia:

That the following sum of money be and the same is hereby appropriated as herein specified for the year ending June 30, 2018, totaling \$750,000

Section I – General Fund

Paragraph 1. To the General Fund, for transfer to the School Funds, \$750,000 is appropriated to be apportioned as follows:

1109300	Transfers to	\$750,000
	793081 School Fund	

Paragraph 2. The above appropriation will be provided for by the following revenue:

1100541	Intra-fund Transfers	
	541904 From Fund Balance (110-445130)	\$750,000

Section II – School Funds

Paragraph 1. To the School Funds, for architectural and engineering services for the Waynesboro High School renovation project, \$750,000 is appropriated to be apportioned as follows:

87200793	Fund Transfers	\$750,000
	893020 Transfer to Reserves	

Paragraph 2. The above appropriation will be provided for by the following revenue:

80000000	Inter-fund Transfers from	
	520210 General Fund	\$750,000

INTRODUCED: ON DECEMBER 11, 2017 BY VICE MAYOR TERRY SHORT, JR.
ADOPTED:
EFFECTIVE:

 CLERK

MAYOR



Waynesboro City Council Agenda Briefing

Meeting Date:	January 8, 2018	Staff/Council Member(s): City Manager
Agenda Item #	4a	
Ordinance#	2018-	
Department:	Planning	
Subject:	Viewers' Report on request by William G. Watkins, representative for Dr. Kenneth Bowman, to close and vacate unimproved alleys and streets at May Avenue	

Background: City Council will receive the report of the viewers and set a public hearing for Monday, January 22, 2018 on the request to close and vacate approximately two acres of unimproved streets and alleys in the vicinity of May Avenue.

City Manager's Recommendation:

N/A

Suggested Motion(s):

Move to receive the viewers' report and set a public hearing for Monday, January 22, 2018.

Attachments: Viewers' Reports

4 (a)

- To consider a request by Mr. G. William Watkins, representative of Dr. Kenneth Bowman, of the impact if any to close and vacate approximately two acres of unimproved alleys and streets at the end of May Avenue in Basic City..

VIEWER'S REPORT FORM

1(a). Will any inconvenience result to the public if the proposed vacation is approved?

[] Yes

[X] No *not at this point in time.*

(b). (Answer only if 1(a) was answered "yes"). Describe the inconvenience, if any, you feel will result to the public if the proposed vacation is approved.

Consideration should be given so that it does not impede plans for Sunset Park.

2(a). Will any landowner or landowners abutting on the proposed vacation suffer any special damage if the vacation is approved?

[] Yes

[X] No

(b). (Answer only if 2 (a) was answered "yes"). Describe the special damages that you feel such abutting land owner(s) will suffer if the street/alley is vacated, discontinued, or altered, in whole or in part, as proposed.

(Signed) *Doris Hulsey*

Date: *Dec. 19, 2017*

VIEWER'S REPORT FORM

1(a). Will any inconvenience result to the public if the proposed vacation is approved?

Yes

No

(b). (Answer only if 1(a) was answered "yes"). Describe the inconvenience, if any, you feel will result to the public if the proposed vacation is approved.

2(a). Will any landowner or landowners abutting on the proposed vacation suffer any special damage if the vacation is approved?

Yes

No

(b). (Answer only if 2 (a) was answered "yes"). Describe the special damages that you feel such abutting land owner(s) will suffer if the street/alley is vacated, discontinued, or altered, in whole or in part, as proposed.

(Signed)

Gary Bow

Ellen Winter

Date: Dec. 15, 2017



Waynesboro City Council Agenda Briefing

Meeting Date:	January 8, 2018 (Also: Dec 11, 2017)	Staff/Council Member(s): Luke Juday, Planning Director
Agenda Item #	4b	
Ordinance#	2018-	
Department:	Planning	
Subject:	A petition by Balzer & Associates, Inc., agent for Waynesboro Place LLC, to rezone the approved Waynesboro Place PUD (Planned Unit Development) with amended proffers and Code of Development for a property on Windigrove Drive, Waynesboro, Virginia, City Tax Map numbers 51-20-1-1, 51-20-1-2, 51-20-2-1, 62-8-3-2 & 61-2-3-1.	
Planning Commission Recommendation:	The Planning Commission recommends approval of the rezoning petition with amended code of development and proffers.	

Background:

Planning Commission held a public hearing on November 21, 2017 to consider a rezoning request by Balzer & Associates, Inc., agent for Waynesboro Place LLC, owner, for a property on Windigrove Drive, Tax Map Parcels 51-20-1-1, 51-20-1-2, 51-20-2-1, 62-8-3-2 & 61-2-3-1, to amend the approved Planned Unit Development with amended code of development and proffers.

The 2010 approval rezoned the 43.9-acre property from a mixture of RA-1 (Single Family Residential), RB-1 (General Dwelling District) and C-2 (General Business District) to a PUD (Planned Unit Development). The 2010 rezoning was approved with a series of proffers for the entire site and a Code of Development for the PUD. The current rezoning petition moves roughly 7.6 acres of land in the original Block 2 (designated for commercial use) to Block 3 (multi-family residential use), allowing for 120 new apartment units. Also, amendments were made to the approved Code of Development and proffers.

After the staff presentation, a public hearing was opened for the application. Comments were received from the public regarding the density of the development and the lack of sidewalks along both sides of Windigrove Drive.

The Commission voted 7-0 to recommend approval of the rezoning.

Planning Commission Recommendation:

The Planning Commission recommends **approval of the rezoning petition** with amended code of development and proffers.

City Manager's Recommendation:

The City Manager recommends approval the application as recommended by the Planning Commission.

Suggested Motion(s):

Introduce the draft Ordinance as provided in Attachment #2

ORDINANCE NUMBER 2018-



AN ORDINANCE FOR A REZONING FOR THE WAYNESBORO PLACE PLANNED UNIT DEVELOPMENT AMENDMENT

WHEREAS, upon application of Balzer & Associates, Inc., agent for Waynesboro Place LLC, public hearings were held by the Waynesboro Planning Commission and City Council pursuant to notice thereof as required by § 98-577 of the Code of this City and § 15.2-2204 and 15.2-2205 of the Code of Virginia, both as amended; and

WHEREAS, the request to amend the approved Waynesboro Place Planned Unit Development with amended proffers and Code of Development is consistent with good zoning practice, is justified by the public necessity, convenience, and general welfare, and is in general accord with the Comprehensive Plan of the City; and,

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Waynesboro, Virginia, that the request of Balzer & Associates, Inc., agent for Waynesboro Place LLC, to amend an approved Planning Unit Development (known as Waynesboro Place) for a property located on Windigrove Drive, Waynesboro, Virginia, City Tax Map Parcels 51-20-1-1, 51-20-1-2, 51-20-2-1, 62-8-3-2 & 61-2-3-1, be approved, in accordance with the application (ZMA #17-258), the staff report dated November 21, 2017, the Planned Unit Development's Code of Development and the proffers as attached in the Staff Report.

INTRODUCED: ON DECEMBER 11, 2017 BY VICE MAYOR TERRY SHORT, JR.

ADOPTED:

EFFECTIVE:

CLERK

MAYOR

ORDINANCE NUMBER 2017-



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, FOR THE FISCAL YEAR ENDING JUNE 30, 2018 AS HEREIN SPECIFIED

BE IT ORDAINED, by the Council of the City of Waynesboro, Virginia:

That the following sums of money be and the same are hereby appropriated as herein specified for the year ending June 30, 2018, totaling \$46,000,

Section I – Capital Projects Fund

Paragraph 1. To the Capital Projects Fund, for the City's match for the Rosser Ave./Lucy Lane sidewalk project, \$46,000 is appropriated to be apportioned as follows:

4109410	Purchased Services 731004 Engineering Architectural	\$19,000
4109410	Capital Outlay 784068 Streets & Sidewalks	\$27,000

Paragraph 2. The above appropriation will be provided for by the following revenue:

4100541	Intra-fund Transfer 541904 From Fund Balance (410-445108)	\$46,000
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INTRODUCED:

ADOPTED:

EFFECTIVE:

CLERK

MAYOR

APPROPRIATION ORDINANCE REQUEST FORM

Name of Requestor	James Powers	Date of Request	12/15/2017
Authorized Signature		Date of Authorization	

Purpose of Appropriation Request (Briefly describe what you plan to purchase and why)

This request is for the \$46,000 in local matching funds for the VDOT revenue sharing to install new sidewalk along Rosser Ave. – Lucy Lane to Tiffany Dr., and on Lucy Lane – Rosser Ave to Walmart entrance.

Line Item Description	Line Item Number	Project Code	Amount
PS/Engineering Architectural	4109410-731004		\$19,000
Cap-Streets & Sidewalks	4109410-784068		\$27,000

Source of Revenue

(Briefly describe source of funds including agency name and anticipated receipt)

Funding for this request is from the committed fund balance reserve account created by City Council for the purpose of matching grants. City Council has already agreed to match this revenue sharing project by resolution.

Is a local match required?	Yes	If so, indicate source of local match.

Line Item Description	Line Item Number	Project Code	Amount
Intrafund Transfer/From FB (410-445108)	4100541-541904		\$46,000

ORDINANCE NUMBER 2017-



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, FOR THE FISCAL YEAR ENDING JUNE 30, 2018 AS HEREIN SPECIFIED

BE IT ORDAINED, by the Council of the City of Waynesboro, Virginia:

That the following sums of money be and the same are hereby appropriated as herein specified for the year ending June 30, 2018, totaling \$17,000

Section I – State Asset Forfeiture Fund

Paragraph 1. To the State Asset Forfeiture Fund, for a transfer to the Equipment Fund, \$17,000 is appropriated to be apportioned as follows:

1229300	Transfers to 793051 Equipment Fund	\$17,000
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Paragraph 2. The above appropriation will be provided for by the following revenue:

1220541	Intra-fund Transfer 541904 From Fund Balance	\$17,000
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Section II – Equipment Fund

Paragraph 1. To the Equipment Fund, to provide funding for a Police Department vehicle, \$17,000 is appropriated to be apportioned as follows:

5101611	Capital Outlay 784007 Motor Vehicles	\$17,000
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Paragraph 2. The above appropriation will be provided for by the following revenue:

5100541	Inter-fund Transfer from 541255 State Asset Forfeiture Fund	\$17,000
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**INTRODUCED:
ADOPTED:
EFFECTIVE:**

CLERK

BRUCE ALLEN, MAYOR

APPROPRIATION ORDINANCE REQUEST FORM

Name of Requestor	Michael D. Wilhelm, Chief of Police	Date of Request	12-18-17
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Authorized Signature	/s/ Michael G. Hamp, II, City Mgr.	Date of Authorization	
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Purpose of Appropriation Request

(Briefly describe what you plan to purchase and why)

The purpose of this request is to transfer money from the state drug seizure fund to the Fleet fund in order to purchase an undercover vehicle for the newly designated Sergeant in the Special Operations Division. The amount of the transfer will cover the cost of purchasing a used vehicle and all of the equipment needed to outfit the vehicle.

Funds will be transferred from the State Seizure Fund to the Fleet fund to provide for this request.

Charges to Budget

Line Item Description	Line Item Number	Project Code	Amount
Capital Outlay-Motor Vehicles	5101611-784007		\$17,000
Transfers to/Fleet Fund	1229300-793051		\$17,000

Source of Revenue

(Briefly describe source of funds including agency name and anticipated receipt)

This transfer will be funded through the liquidation of a portion of the fund balance in the State Drug Seizure Fund; this Fund accumulates Waynesboro's share of forfeited assets remitted to the city, which can be used to supplement certain Police Department expenditures.

State Drug Seizure Fund Balance @ 12/18/17	\$27,337.56
Less this request:	<u>\$17,000.00</u>
Adjusted Balance:	\$10,337.56

	No	If so, indicate source of local match.
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Line Item Description	Line Item Number	Project Code	Amount
Intra-fund Transfer/From Fund Balance	1220541-541904		\$17,000
Inter-fund Transfer from/State Seizure Fund	5100541-541255		\$17,000