

CITY OF WAYNESBORO, VIRGINIA

CITY COUNCIL BUSINESS MEETING AGENDA



TERRY SHORT, JR., MAYOR, *AT LARGE*
BOBBY HENDERSON, VICE MAYOR, *WARD C*
BRUCE ALLEN, COUNCILMAN, *WARD B*
ELENA ANDERSON, COUNCILWOMAN, *WARD A*
SAM HOSTETTER, COUNCILMAN, *WARD D*

TO BE HELD IN THE COUNCIL CHAMBERS,
CHARLES T. YANCEY MUNICIPAL BUILDING
AT 503 WEST MAIN STREET, WAYNESBORO, VIRGINIA
ON MONDAY, FEBRUARY 25, 2019 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. Council Meeting Minutes:

Consider approving the February 11, 2019 Council Meeting minutes and the February 21, 2019 Budget Work Session minutes, and dispense with the reading of the minutes.

Documents:

[2a 2019 0211.Minutes.pdf](#)
[2019 0221.Minutes.BWS Draft.pdf](#)

2.b. Rezone 201 Short Street:

Second consideration/adoption of an ordinance to rezone 201 Short Street, City tax Map 45-1-2-30, 31, and 32, from Light Industrial to Central Business District.

Documents:

[2b 201 Short St Rezoning.pdf](#)

3. MATTERS FROM COUNCIL MEMBERS.

4. PUBLIC HEARING – DRAFT TRANSPORTATION PLAN:

Hold a second public hearing to receive public comments and consider adopting an

ordinance regarding a recommendation to approve the draft Transportation Plan, to serve as a supplement to the City's Comprehensive Plan.

Documents:

[4 Transportation Public Hearing.pdf](#)

5. APPLICATION – WAYNE THEATRE GRAND GALA:

Consider approving an application from the Wayne Theatre to serve alcohol on public property and for a partial Main Street closure from 5:00 p.m. until 1:00 a.m. on Friday, May 17, 2019 relating to the Grand Gala event.

Documents:

[Agenda Briefing Cover Grand Gala Wayne Theater.pdf](#)

[Grand Gala 2019 Application.pdf](#)

6. CITY CODE AMENDMENT ORDINANCES:

6.a. Electronic Summons System Assessment:

amending Chapter 1, Section 14, Assessment for Electronic Summons System, of the Code of the City of Waynesboro, Virginia.

Documents:

[6a Electronic Summons.pdf](#)

6.b. Precious Metals Dealers:

amending Chapter 22, Article III, Precious Metals Dealers, Section 22-122, and 22-124, of the Code of the City of Waynesboro, Virginia.

Documents:

[6b Precious Metals.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, February 11, 2019, at 7:00 p.m. in the Council Chambers of the Charles T. Yancey Municipal Building, 503 West Main Street, Waynesboro, Virginia, with Mayor Short presiding and calling the meeting to order:

PRESENT: Council Members: Terry Short, Jr., Mayor
Bobby Henderson, Vice Mayor
Bruce Allen, Councilman
Elzena Anderson, Councilwoman
Sam Hostetter, Councilman

City Staff: Mike Hamp, City Manager
Jim Shaw, Deputy City Manager
Julia Bortle, Clerk of Council
Cameron McCormick, Finance Director
Luke Juday, Planning Director
Michael Wilhelm, Police Chief
Greg Hitchin, Economic Development Director

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

ABSENT: None

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

Mayor Short opened the meeting and asked Councilwoman Anderson to lead everyone in the Pledge of Allegiance to the Flag of the United States of America.

CONSENT AGENDA:

Councilman Allen moved to adopt the consent agenda as presented. Having been seconded, the consent agenda was adopted 5:0 with affirmative votes from Council members Short, Henderson, Allen, Anderson, and Hostetter.

- a) Council Meeting Minutes: Consider approving the January 23, 2019 Budget Work Session minutes and the January 28, 2019 Council Meeting minutes, and dispense with the reading of the minutes.
- b) Rezone 588 North Bayard Avenue: Second consideration/adoption of an ordinance to rezone 588 North Bayard Avenue, City Tax Map No. 37-1-4-1 through 37-1-4-9 from L-I Light Industrial to RG-5 General Residential. **(2019-14)**

Second consideration/adoption of the following previously-introduced appropriation ordinances:

- b) Virginia Tourism Corporation Grant: (\$14,047) **(2019-15)**
- c) Schools – Unspent Appropriation Reserve: (\$507,768) **(2019-16)**

COMMENTS FROM COUNCIL MEMBERS:

Mayor Short thanked the Deputy City Manager, the Planning Director, and Council members Henderson and Hostetter for being part of the Neighborhood Meeting on January 30, 2019, held to have a conversation with citizens regarding future plans for Basic City and neighboring communities. He also attended the Central Shenandoah Planning District Commission Meeting on February 4, 2019. He met with the School Board Vice Chair to discuss mutual initiatives during the upcoming budget season.

PUBLIC HEARING – REZONE 201 SHORT STREET REQUEST:

The Planning Director reviewed an application by Jim Coate to change the zoning of 201 Short Street, the current location of Free Range Electric, City Tax Map number 45-1-2-30, 31, & 32 from L-I Light Industrial to C-B Central Business, as attached to the official transcript of these minutes (*attachment 46-45*). It included an aerial view, current zoning of the area, the proposed use and potential occupants, and a conceptual site plan. The Planning Commission recommended approval on a 7:0 vote.

**RESOLUTION AND RECOMMENDATION TO THE CITY COUNCIL
FROM THE WAYNESBORO PLANNING COMMISSION
REGULAR MEETING OF JANUARY 22, 2019 PER REZONING 18-323 FOR
JIM COATE**

WHEREAS, upon application of Jim Coate, owner, the Waynesboro Planning Commission finds that the aftermentioned 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 Jim Coate, owner, for rezoning from L-I (Light Industrial) District to C-B (Central Business) District a 0.258 acre site, located at 201 Short Street, Waynesboro, Virginia, Tax Map # 45-1-2-30, 31, & 32, be approved, in accordance with the application (#18-323), and the staff report dated January 22, 2019.

The public hearing was opened at 7:10 p.m. The applicant did not wish to address Council and with no one signed up to speak to the matter, the public hearing was closed. Councilman Hostetter moved to introduce an ordinance **REZONING A 0.258 ACRE SITE LOCATED AT 201 SHORT STREET, WAYNESBORO, VIRGINIA FROM L-I (LIGHT INDUSTRIAL) DISTRICT TO L-B (LOCAL BUSINESS) DISTRICT**. Having been properly introduced, this ordinance will be considered again at the February 25, 2019 Regular Business Meeting.

APPOINT VIEWERS –VALLEY COVENANT CHURCH REQUEST TO CLOSE AND VACATE ALLEYS:

Vice Mayor Henderson moved to appoint Mr. Mark Snyder as Chair, Mr. Jeff Mellott, and Ms. Ellen Winter as viewers with Ms. Doris Hulvey as an alternate to consider the impact of a request by Mr. David Kirby, representative of Valley Covenant Church, to close and vacate alleys adjacent to Tax Map #42-12-7 in the Walnut Grove Farm subdivision. **Having been seconded and with no objections, the viewers were appointed 5:0 with affirmative votes from Council members Short, Henderson, Allen, Anderson, and Hostetter.**

RESOLUTION OF SUPPORT:

The Economic Development Director reviewed the Industrial Revitalization Loan Fund grant, noting the applicant's plan to return the property to a revenue-generating mixed-use facility. The application deadline is March 1, and the grant requirements include the City applying on behalf of the applicant. There is no financial obligation on behalf of the City. Councilwoman Anderson moved to adopt a Resolution in Support of an application to the Industrial Revitalization Loan Fund by River City Collective LLC in the amount of \$600,000 to be applied to the redevelopment of the former Leggett Building, 320 W. Main Street, Waynesboro.

**RESOLUTION OF SUPPORT (R19-04)
BY THE CITY COUNCIL OF WAYNESBORO, VIRGINIA
FOR A JOINT CITY/ RIVER CITY COLLECTIVE LLC,
APPLICATION FOR AN INDUSTRIAL REVITALIZATION FUND LOAN**

WHEREAS, the Waynesboro City Council supports a joint application between the City and River City Collective LLC, for an Industrial Revitalization Fund loan in recognition of the desire and need to revitalize the highly visible and blighted former Leggett's Department Store at 320 West Main Street into a mixed use project which will spearhead the redevelopment of this and other properties in the central business district and will advance the City's overall economic revitalization goals; and,

WHEREAS, the Waynesboro City Council recognizes that market forces and the current banking finance environment creates certain fiscal barriers to redevelopment of this property which can be overcome more readily through a private/ public partnership and with the assistance of the Industrial Revitalization Fund in the form a loan that will be made to the developer, using matching funds which will be provided by the developer.

NOW, THEREFORE, BE IT RESOLVED that the Waynesboro City Council supports the redevelopment of the former Leggett's Department Store and the application for a \$600,000 Industrial Revitalization Fund loan; and,

BE IT FURTHER RESOLVED that the Waynesboro City Council acknowledges that the City's role is to act as the sponsor for the former Leggett's Department Store Redevelopment project and that matching funds will be provided by River City Collective, LLC, the developer of the former Leggett's Department Store Redevelopment project; and,

BE IT FURTHER RESOLVED that the Waynesboro City Council is in full support of the joint City/ River City Collective, LLC, application for an Industrial Revitalization Fund loan with the Virginia Department of Housing and Community Development this 11th day of February, 2019.

Signed: _____ Mayor,
Waynesboro City Council

After reaffirming that there is no financial cost to the City, the motion was seconded and with no objections, the resolution was adopted 5:0 with affirmative votes from Council members Short, Henderson, Allen, Anderson, and Hostetter.

RESOLUTION - COMMENDING THE CENTRAL SHENANDOAH PLANNING DISTRICT COMMISSION'S 50TH ANNIVERSARY:

Councilwoman Anderson moved to adopt a resolution commending the Central Shenandoah Planning District Commission on their 50th Anniversary. **Having been seconded, the resolution was adopted unanimously with affirmative votes from Council members Short, Henderson, Allen, Anderson, and Hostetter.** Mayor Short read the resolution as follows:

**RESOLUTION ^(R19-03)
COMMENDING THE
CENTRAL SHENANDOAH PLANNING DISTRICT COMMISSION
ON ITS 50TH ANNIVERSARY**

WHEREAS, in 1966, the General Assembly created the Metropolitan Areas Study Commission (the Hahn Commission), which found that a holistic approach to solving local and regional problems needed to be taken, and recommended a new concept, the creation of Planning District Commissions (PDCs); and

WHEREAS, the Virginia Area Development Act, passed in 1968, created the PDC framework “to encourage and facilitate local government cooperation and state-local cooperation in addressing on a regional basis problems of greater than local significance;” and

WHEREAS, following passage of this Act, the State undertook an aggressive effort to establish PDC boundaries, and by 1969, the final district boundaries were announced; and

WHEREAS, on October 1, 1969, the Central Shenandoah Planning District Commission (CSPDC) was established and includes the counties of Augusta, Bath, Highland, Rockbridge, and Rockingham, the cities of Buena Vista, Harrisonburg, Lexington, Staunton, and Waynesboro, and 11 incorporated towns; and

WHEREAS, in 2019, the CSPDC is celebrating 50 years of promoting and supporting regional collaboration; and

WHEREAS, the CSPDC serves to foster intergovernmental cooperation by bringing together elected and appointed officials and citizens to discuss common needs and develop solutions to regional issues; and

WHEREAS, over the years, the CSPDC has conducted studies and identified solutions in the areas of transportation, economic development, infrastructure, housing, the environment, disaster education and mitigation, and community development, among many others; and

WHEREAS, the CSPDC also implements services and provides technical assistance to its member local governments; and

WHEREAS, the CSPDC often serves as a liaison between local and state governments, partnering with the State to carry out state initiatives at the local and regional level; and

WHEREAS, most recently, the CSPDC has been instrumental in bringing in over \$66 million in new investments to the region. For every dollar the CSPDC receives in local dues, it has leveraged \$36 in average in state and federal funds; and

WHEREAS, the CSPDC is committed to promoting opportunities for regional collaboration and expanding the types of services they provide to their member governments; and

WHEREAS, the CSPDC takes great pride in their history and accomplishments, while recognizing the importance of looking ahead to the challenges of the future; and

NOW, THEREFORE, BE IT RESOLVED, the City of Waynesboro hereby commends the CSPDC on the occasion of their 50th Anniversary and the City Council of Waynesboro expresses its appreciation for the vital support provided by the CSPDC to each of its member jurisdictions and the region.

Signed this 11th day of February, 2019.

Signed: _____ Mayor,
Waynesboro City Council

APPLICATIONS:

Fund a Friend 5K Race: Councilman Hostetter moved to approve an application from Mental Health America for a partial street closure of Race Ave on Saturday, March 30, 2019 from 8:45-10:45am. Having been seconded and with no objections, the application was approved 5:0 with affirmative votes from Council members Short, Henderson, Allen, Anderson, and Hostetter.

South River Music Festival: Councilman Allen moved to approve an application approving the request from the Wayne Theater Alliance for the sale and consumption of alcohol on City property in association with the South River Music Festival on Saturday, June 1, 2019 from 3:00 p.m. until 9:00 p.m. Having been seconded and with no objections, the application was approved 5:0 with affirmative votes from Council members Short, Henderson, Allen, Anderson, and Hostetter.

Blue Ridge Soap Box Derby: Councilman Hostetter moved to approve an application from Mr. Joe Kaminski, Blue Ridge Soap Box Classic Derby President, to close a portion of Main Street and adjacent streets, place necessary barricading, and for amplified sound on Saturday, June 15, 2019 from 5:00 a.m. until 5:00 p.m., for the purpose of holding the annual Blue Ridge Soap Box Derby. Having been seconded and with no objections, the application was approved 5:0 with affirmative votes from Council members Short, Henderson, Allen, Anderson, and Hostetter. It was the consensus of Council that staff make efforts to take advantage of social media to further promote this event.

COMMUNICATION, CORRESPONDENCE, AND CALENDAR:

Budget Work Session: The next budget work session will be held on Thursday, February 21, 2019 at 6:00 p.m. in Council Chambers.

CITIZEN COMMENT PERIOD:

Mr. Tom McDonald, 1117 Club Road: as Waynesboro has been designated as the best city in Virginia to reside, he provided the City Manager with the application to nominate Waynesboro as an All American City.

Regular Business Meeting
Monday, February 11, 2019
Unapproved Draft

Mr. Mark Stevens, 2549 Belvue Road: requested that Council consider the proposed ordinance regarding banning roosters and limiting chickens within the City. There should be reasonable guidelines in place due to the sights, sounds, and smells from barnyard animals. Mr. Steven's full comments are attached to the official transcript of these minutes (*attachment 46-46*).

Ms. Sarah Leach, 700 Walnut Avenue: asked Council to consider adopting an ordinance regulating roosters and chickens being kept in the City. She remarked on the odor caused by them, the noise from the roosters, their roaming at large, and the sanitation issues, and she also asked they consider regulations on beehives kept in the City.

With no further business to discuss, the meeting was adjourned at 7:33 p.m. on a motion Councilwoman Anderson.

Julia Bortle, MMC, Clerk of Council

Terry Short, Jr., Mayor

WAYNESBORO, VIRGINIA

CITY COUNCIL BUDGET WORK SESSION MINUTES



Council for the City of Waynesboro, Virginia held a Budget Work Session on Thursday, February 21, 2019, at 6:00 p.m. in the Council Chambers of the Charles T. Yancey Municipal Building, 503 West Main Street, Waynesboro, Virginia, with Mayor Short presiding and calling the meeting to order:

PRESENT: Council Members: Terry Short, Jr., Mayor
Bobby Henderson, Vice Mayor
Bruce Allen, Councilman
Elzena Anderson, Councilwoman
Sam Hostetter, Councilman

City Staff: Mike Hamp, City Manager
Jim Shaw, Deputy City Manager
Julia Bortle, Clerk of Council
Cameron McCormick, Finance Director
Alisa King, Assistant Finance Director

ABSENT: None

DISCUSSION OF FISCAL YEAR 2020 BUDGET PREPARATION:

In response to Council's request to be more informed during the budget process, staff and Council met to further discuss development of the fiscal year 2020 budget in advance of Council receiving and considering the City Manager's Recommended Budget.

Council will receive a balanced budget on March 18, 2019 along with those elements that were included and excluded, at which time they will make their determination on any amendments to the budget. The discussion included the key assumptions that the budget is based on, the Council's priorities received by staff during the fall retreat, the current revenue estimates and expenditures, General Fund supplemental requests, the school funding formula, Enterprise Fund revenue assumptions, and the impact of maintaining the current tax rate.

The meeting concluded at 7:19 p.m.

Julia Bortle, MMC, Clerk of Council

Terry Short, Jr., Mayor

ORDINANCE NUMBER 2019-



AN ORDINANCE REZONING, A 0.258 ACRE SITE LOCATED AT 201 SHORT STREET, WAYNESBORO, VIRGINIA FROM L-I (LIGHT INDUSTRIAL) DISTRICT TO L-B (LOCAL BUSINESS) DISTRICT

WHEREAS, upon application of Jim Coate, owner, public hearings were held by the Waynesboro Planning Commission and City Council pursuant to notice thereof as required by Section 98-7.4 of the Code of this City and Sections 15.2-2204 and 15.2-2205 of the Code of Virginia, both as amended, and

WHEREAS, it appears that the proposed rezoning is consistent with good zoning practice, is justified by the public necessity, convenience, and general welfare, and is in accord with the comprehensive plan of the City;

NOW, THEREFORE BE IT ORDAINED by the Council of the City of Waynesboro, Virginia, that the request of Jim Coate to rezone a 0.258-acre site located 201 Short Street, Waynesboro, Virginia, City Tax Map numbers 45-1-2-30, 31, & 32, from L-I (Light Industrial) District to L-B (Local Business) District, be and the same hereby is approved as requested, all in accordance with the application (#18-323) and the attached staff report dated January 22, 2019.

INTRODUCED: ON FEBRUARY 11, 2019 BY COUNCILMAN SAM HOSTETTER

ADOPTED:

EFFECTIVE:

CLERK

MAYOR



Waynesboro City Council Agenda Briefing

Meeting Date:	February 25, 2019	Staff/Council Member(s): City Manager
Agenda Item #	4	
Resolution#		
Department:	City Manager	
Subject:	Public Hearing, Second Consideration: Transportation Plan, Supplement to City's Comprehensive Plan	

Background: At the January 22, meeting, City Council received a presentation of the proposed Transportation Plan for the City, which will be a supplement to the Comprehensive Plan. At the meeting, City Council directed staff to re-advertise the public hearing to allow additional opportunity for the public to review the plan and participate in public comment. City Council did introduce the ordinance on the 22nd.

At the February 25th meeting, Council will conduct a public hearing and vote on adoption of the ordinance.

City Manager's Recommendation: Hold the public hearing and vote to adopt the ordinance.

Suggested Motion(s): A second to the motion offered January 22 is required.

Attachments:

- 1/22/19 Agenda Briefing
- Ordinance



Waynesboro City Council Agenda Briefing

Meeting Date:	January 22, 2019	Staff/Council Member(s): Luke Juday, Planning Director Sunny Yang, Associate Planner
Agenda Item #	7b	
Ordinance#	2019-	
Department:	Planning	
Subject:	2018 City of Waynesboro Transportation Plan	
Attachments:	<ol style="list-style-type: none"> 1. Planning Commission Resolution 2. Draft Ordinance for the 2018 City of Waynesboro Transportation Plan 3. 2018 City of Waynesboro Transportation Plan 	
Planning Commission Recommendation:	The Planning Commission recommends to the City Council adoption of the 2018 City of Waynesboro Transportation Plan	

Background:

State Code Section 15.2-2223.B requires the City to adopt a transportation plan as part of the Comprehensive Plan. The City's adopted 2018 Comprehensive Plan does not contain a separate transportation chapter that meets state requirements, thus staff worked to develop a City Transportation Plan to serve as a supplement to the Comprehensive Plan. Staff completed the plan in house to avoid paying a consultant.

Citizens were able to get involved in the planning process via an online survey, a public workshop, and public feedback meetings. The Planning Commission worked through the document and commented on the drafted plan. According to state code, drafts must also be submitted to VDOT for review. VDOT comments were incorporated into the document to create the final draft. Planning Commission held a public hearing at their December 4, 2018 meeting and voted 7-0 to recommend that City Council approve this draft.

The purpose of the plan is to address current and future transportation needs in a multi-modal system. The Plan seeks to identify transportation needs for various types of users and to respond to those needs as growth occurs. The Plan contains six component sections: road network, sidewalks, bicycle network, greenways, and transit. It is largely a consolidation of a range of existing plans, setting goals and project lists for each component. Tonight, Council will hear a presentation of the plan and will be asked to hold a public hearing to consider adopting it.

Planning Commission Recommendation:

The Planning Commission recommends adoption of the 2018 City of Waynesboro Transportation Plan.

Suggested Motion(s):

Introduce the draft Ordinance as provided in Attachment #3.

ORDINANCE NUMBER 2019-



AN ORDINANCE ADOPTING THE 2018 CITY OF WAYNESBORO TRANSPORTATION PLAN

WHEREAS, Section 15.2-2223(B) of the Code of Virginia requires that a Transportation Plan be prepared and adopted as part of the Comprehensive Plan;

WHEREAS, the City has an adopted Comprehensive Plan in accordance with Section 15.2-2223 of the Code of Virginia and the City of Waynesboro Charter Section 2.6;

WHEREAS, the Waynesboro Planning Commission has recommended on December 4, 2018, that the City Council adopt the 2018 City of Waynesboro Transportation Plan;

WHEREAS, after due notice in accordance with Section 15.2-2204 of the Code of Virginia, a lawfully-convened public hearing was held on January 28, 2019, at which comments from the public were received on the 2018 City of Waynesboro Transportation Plan;

WHEREAS, the City Council now desires to adopt the 2018 City of Waynesboro Transportation Plan;

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

1. The Waynesboro City Council hereby adopts the 2018 City of Waynesboro Transportation Plan.
2. The City Manager is hereby authorized to take all actions reasonably necessary, including executing such documents as are reasonably necessary, to effectuate and carry out the purposes of this Ordinance.
3. This Ordinance shall take effect immediately upon adoption by the City Council.

INTRODUCED: ON JANUARY 28, 2019 BY COUNCILMAN SAM HOSTETTER

ADOPTED:

EFFECTIVE:

CLERK

MAYOR



Waynesboro City Council Agenda Briefing

Meeting Date:	February 25, 2019	Staff/Council Member(s): City Manager
Agenda Item #	5	
Resolution#		
Department:	City Manager's Office	
Subject:	Event Application, "The Grand Gala", Applicant Wayne Theatre	

The Wayne Theatre is scheduled to host a "Grand Gala" on Friday, March May 17, 2019, from 6:00 p.m. until midnight. City Council is asked to authorize the associated street closure, amplified sound, and the sale and consumption of alcoholic beverages on City property.

Sale and Service of Alcohol on public property:

Food and beverage concessions will be located in the parking lot across from the theatre. Concessions will include beer and wine. Sale and consumption of alcohol will be conducted according to Virginia ABC regulations and permitting.

Authorization for amplified sound:

The event will include live music in the vicinity of the concessions area during event hours.

Street Closures:

A portion of Main Street between Wayne Avenue and Church Street, in front of the Wayne Theatre.

Recommendation: The City Manager recommends that City Council approve the requests.

Suggested Motion(s): Move that City Council authorize the sale and consumption of alcohol on public property, amplified sound during event hours, and the street closure identified.

Attachments: Event Application.



SPECIAL EVENT PERMIT APPLICATION

Submit to:
Waynesboro Parks & Recreation, 413 Port Republic Road, Waynesboro, VA 22980
540-942-6735 events@ci.waynesboro.va.us

RECEIVED
OCT - 2 2018
BY: INC:1-518

Event Information	
Event Name: <u>The Grand Gala</u>	
Location: <u>Theatre / Parking lot across street</u>	Estimated Attendance: <u>385</u>
Event Date(s) mm/dd/yy: <u>5/17/19</u> M T W Th F Sat Sun (circle)	Event Time (s): <u>6-12pm</u>
Setup Begins (Date & Time): <u>5/17</u>	Teardown Ends (Date & Time): <u>5/18 12:30pm</u>
Provide a brief description of the event: <u>Evening begins across street w/ food + bev, entertainment - concert in theatre, followed by entertainment across street</u>	
Type of Event: <input type="checkbox"/> Carnival <input type="checkbox"/> Church <input checked="" type="checkbox"/> Fundraiser <input type="checkbox"/> Parade <input type="checkbox"/> Concert <input type="checkbox"/> Auto Show <input type="checkbox"/> Charity <input type="checkbox"/> Run/Walk <input type="checkbox"/> Festival <input type="checkbox"/> Company <input type="checkbox"/> Bike <input type="checkbox"/> Water Activity <input type="checkbox"/> Community/Cultural <input type="checkbox"/> Other:	
Event Admission/Entry Fee: <input type="checkbox"/> Free <input checked="" type="checkbox"/> Ticket/Entry Fee \$ <u>100</u> <input type="checkbox"/> Private <input type="checkbox"/> Open to public <input type="checkbox"/> Suggested Donation \$ _____	

Applicant Information - Applicant must be the contact person for the event submitted	
Organization Name: <u>The Wayne Theatre</u>	
Organization Address: <u>521 W Main St., Waynesboro</u>	
Contact Person: <u>Tracy Straight</u>	
Cell Phone #: <u>540 241 4670</u>	Email: <u>str8weaver@gmail.com</u>
Is this a non-profit organization with 501(c)(3) status? <input checked="" type="checkbox"/> yes <input type="checkbox"/> no	Identification #: <u>54-1993924</u>
Insurance Carrier: <u>BBIT Shannon</u> <u>Harriet McGriff Cross</u>	Phone: <u>946-6100</u>
<i>*You will need to submit a Certificate of Insurance (COI) prior to your event naming City of Waynesboro as additional insured.</i>	

Requiring Council Approval	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Event Requires Street Closures *Must submit map indicating event area and closures. After approval, contact Police Department 942-6686 and Public Works 942-6743 Closure Start Time: <u>5pm</u> Closure End Time: <u>1am</u>
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Event Requires Alcohol Use Permit *Must obtain ABC License and submit copy to P&R After approval, contact Police 942-6686 to determine what police coverage is necessary. Service Time: <u>6-12pm</u> # of Vendors: _____ <input type="checkbox"/> Sampled <input type="checkbox"/> Sold incl. w/ ticket
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Special Request- indicate any special resources or services you would like to request from the City: <u>trash cans / pickup</u>

mailed 9/28

Event Setup		
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Tents- A permit and inspection is required for any tent over 400 square feet http://www.waynesboro.va.us/322/Fire-Code-Permits	
	# of Commercial Tents: <u>1</u>	# of Cooking Tents: _____ # of Pop-up Tents: _____
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Inflatables/Mechanical Rides- A permit and inspection is required for inflatables (ie. bounce house, etc.) http://www.waynesboro.va.us/322/Fire-Code-Permits . Mechanical rides require a permit and fee http://www.waynesboro.va.us/DocumentCenter/Home/View/4588 . If staking is necessary, a Miss Utility ticket is required to ensure utilities are avoided.	
	# of Inflatables: _____	# of Mechanical Rides: _____ Provider: _____
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Food Vendors/Food Trucks- Food Vendors must be licensed to vend in Waynesboro and be permitted by the Health Department- Contact Commissioner of Revenue 942-6610 and Health Department 949-0137 to verify.	
	# of Food Vendors: _____ # of Food Trucks _____	<input checked="" type="checkbox"/> Catered
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Access to Power- Power may not be available at all locations contact Parks & Recreation to determine availability.	
	Power Requirements: <input type="checkbox"/> 110v # of outlets: <u>2</u> <input type="checkbox"/> 30 Amp # _____ <input type="checkbox"/> 50 Amp # _____	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Access to Water- Water may not be available at all locations. Contact Parks & Recreation 942-6735 to determine availability.	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Signs/Banners- Signs/banners should not be placed on right-of-ways. All signs and banners should be removed immediately after the event. Contact Parks & Recreation about hanging banners at park venues. Contact Tourism about advertisement space available on their building.	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Trash Disposal- Many venues have trash cans in place. Additional cans can be requested if needed.	
	# of Additional cans: <u>5</u>	Trash Service Requested: <input checked="" type="checkbox"/> yes <input type="checkbox"/> no
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Portable Restrooms- It is the event organizer's responsibility to provide restrooms, if public facilities are not available or not sufficient. Venues' facilities may not be available year round.	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Impact businesses/residences/parking- Tourism can assist with business notification in the Downtown Area. Contact Police Department for parking/access assistance.	
Emergency Support- Events with attendance over 500 may be required to have Emergency Support. Contact Em. Mgt 942-6698		
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Requesting Police Support- Required for road closures and when alcohol is being served. Contact the Police Department 942-6686 to discuss arrangements.	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Requesting Fire Department- Contact 942-6730 to make arrangements.	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Requesting EMS/Ambulance- Contact Emergency Management 942-6698	
Publicity		
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Requesting use of City Logo	Is this a grant requirement? <input type="checkbox"/> yes <input checked="" type="checkbox"/> no
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Requesting inclusion in Tourism's digital/print newsletter	

Liability Release: The undersigned applicant, in consideration of the City's approval of the event, on behalf of the Organizer, its agents, attorneys, successors and assigns, releases, forever discharges and promises to defend and wholly to indemnify the City, its officers, agents, attorneys, successors and assigns, from any and all claims, demands, obligations, liabilities, indebtedness, breaches of contract, debts, sums of money, accounts, compensations, contracts, controversies, promises, damages, costs, losses, expenses, attorneys' fees, and claims for sanctions of every type, kind, nature, description, or character, and irrespective of how, why and by reason of what fact, which could, might, or may be claimed to exist, of whatever kind or name, arising out of or in any way connected with this event or any prior or subsequent activity undertaken pursuant to and under the authority of this application. Further, I grant permission to all of the aforementioned to use any photographs, motion pictures, recordings, or any other record for any legitimate purpose.

By signing below the applicant certifies the above information is accurate. The applicant also acknowledges receipt, review, and understanding of the Liability Release.

Print Name: Tracy Straight Signature: [Signature] Date: 9/28/18

Facility Rental Fee: _____ Additional Services Fee: _____ Total Fee: _____ Receipt # _____ Date: _____

Approval of Parks & Recreation Staff: _____ Date: _____



Waynesboro City Council Agenda Briefing

Meeting Date:	February 25, 2019	Staff/Council Member(s): City Manager
Agenda Item #	6(a)	
Resolution#		
Department:	City Manager	
Subject:	Ordinance Establishing Electronic Summons Additional Assessment	

Background: Section 17.1-279.1 of the Code of Virginia provides authority to local governments to enact an additional assessment for electronic summons system. Specifically the Code provides that, “Any county, city, or town, through its governing body, may assess an additional sum not in excess of \$5 as part of the costs in each criminal or traffic case in the district or circuit courts located where such cases are brought in which the defendant is charged with a violation of any statute or ordinance, which violation in the case of towns arose within the town. The imposition of such assessment shall be by ordinance of the governing body, which may provide for different sums in circuit courts and district courts. The assessment shall be collected by the clerk of the court in which the action is filed, remitted to the treasurer of the appropriate county, city, or town, and held by such treasurer subject to disbursements by the governing body to a local law-enforcement agency solely to fund software, hardware, and associated equipment costs for the implementation and maintenance of an electronic summons system. The imposition of a town assessment shall replace any county fee that would otherwise apply.”

The City Council funded appropriated funds for the equipment and software in the current fiscal year. The system is implemented; the Police Department is working through some operational bugs. Over time, the software and hardware will require maintenance, repair, and eventually replacement. The funds collected through the additional assessment would be dedicated for the purpose of maintenance of the system.

The system of electronic summons is mandated by the Commonwealth. The authority to levy the assessment relieves localities (and tax-payers) from bearing the financial burden of the implementation and maintenance of the technology.

City Manager’s Recommendation: Introduce the Ordinance on February 25 and adopt at the March 11 regular meeting of city council.

Suggested Motion(s): Move to introduce the ordinance establishing the assessment for electronic summons systems.

Attachments: Proposed Ordinance

ORDINANCE NUMBER 2019-



**AN ORDINANCE ADOPTING CHAPTER 1, SECTION 14,
ASSESSMENT FOR ELECTRONIC SUMMONS SYSTEM,
OF THE CITY CODE OF THE CITY OF WAYNESBORO, VIRGINIA**

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

1. Chapter 1, General Provisions, Section 14, of the City Code of the City of Waynesboro, Virginia is adopted as follows:

Section 1.14. Assessment of court costs to implement and maintain an electronic summons system.

(a) A local fee of five dollars (\$5.00) to support the city's implementation and maintenance of an electronic summons system is hereby imposed in each criminal or traffic case in the district courts and circuit court of the City of Waynesboro pursuant to Section 17.1-279.1, Code of Virginia. The clerks of the district and circuit courts shall charge and collect this five dollar (\$5.00) assessment as a part of the fees taxed as costs.

(b) After collection by the clerk of the court in which the action is filed, the assessment shall be remitted to the city treasurer and held subject to appropriation by the city council to support the implementation and maintenance of an electronic summons system.

2. The City Manager is hereby authorized to take all actions reasonably necessary, including executing such documents as are reasonably necessary, to effectuate and carry out the purposes of this Ordinance.

3. This Ordinance shall take effect immediately upon adoption by the City Council.

INTRODUCED:

ADOPTED:

EFFECTIVE:

[SEAL]

ATTEST: _____

Clerk, City Council
City of Waynesboro, Virginia

Mayor, City Council
City of Waynesboro, Virginia



Waynesboro City Council Agenda Briefing

Meeting Date:	February 25, 2019	Staff/Council Member(s): City Manager
Agenda Item #	6(b)	
Resolution#		
Department:	City Manager	
Subject:	Consider Introducing an Ordinance Amending Chapter 22, Article III, Precious Metals Dealers, Sections 22-122 and 22-124 of the Code of the City of Waynesboro.	

Background: The City Code requires that the owner of a business verify the identity of any person selling precious metals or gems with a form of government issued “picture” ID. Further, the business owner is required to make a copy of the identification used to verify the seller’s identity for inclusion as part of the sales record. The U.S. Code, however, prohibits the duplication of a military identification (see below code section). In order to bring the City Code into conformity with the Code of Virginia and into compliance with the U.S. Code, the new language excluding military identification is recommended as an amendment to City Code.

18 U.S. Code § 701. Official badges, identification cards, other insignia

Whoever manufactures, sells, or possesses any badge, identification card, or other insignia, of the design prescribed by the head of any department or agency of the United States for use by any officer or employee thereof, or any colorable imitation thereof, or photographs, prints, or in any other manner makes or executes any engraving, photograph, print, or impression in the likeness of any such badge, identification card, or other insignia, or any colorable imitation thereof, except as authorized under regulations made pursuant to law, shall be fined under this title or imprisoned not more than six months, or both.

(June 25, 1948, Ch. 645, 62 Stat. 731; Pub. L. 103–322, title XXXIII, § 330016(1)(E), Sept. 13, 1994, 108 Stat. 2146.)

City Manager’s Recommendation: Introduce the ordinance bringing the City Code into conformity with the Code of Virginia and compliance with U.S. Code.

Suggested Motion(s): Move introduction of the ordinance.

Attachments:

Proposed Ordinance

ORDINANCE NUMBER 2019-



**AN ORDINANCE AMENDING CHAPTER 22, ARTICLE III,
PRECIOUS METALS DEALERS, SECTIONS 22-122 AND 22-124,
OF THE CITY CODE OF THE CITY OF WAYNESBORO, VIRGINIA**

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

1. Chapter 22, Article III, Precious Metals Dealers, Sec. 22-122, of the City Code of the City of Waynesboro, Virginia is amended and readopted in its entirety as follows:

Sec. 22-122. - Penalties; first and subsequent offenses.

- (a) Any person convicted of violating any of the provisions of this article shall be guilty of a Class 2 misdemeanor for the first offense. Upon conviction of any subsequent offense he shall be guilty of a Class 1 misdemeanor.
- (b) Upon the first conviction of a dealer for violation of any provision of this article, the chief of police may revoke the dealer's permit for one full year from the date the conviction becomes final. Such revocation shall be mandatory for two full years from the date the conviction becomes final upon a second conviction.

Code of Virginia, § 54.1-4110

2. Chapter 22, Article III, Precious Metals Dealers, Sec. 22-124, of the City Code of the City of Waynesboro, Virginia is amended and readopted in its entirety as follows:

Sec. 22-124. - Records to be kept; copy furnished to local authorities.

- (a) Every dealer shall keep at his place of business an accurate and legible record of each purchase of precious metals or gems. The record of each purchase shall be retained by the dealer for at least 24 months.
- (b) Every dealer shall also make an electronic entry into a database designated by the chief of police for the City of Waynesboro of each purchase of precious metals or gems. In the event that temporary technological problems prevent the daily electronic submission as required, a printed or typed report shall be delivered to the Waynesboro Police Department in lieu of the electronic submission. All transactions that occurred during the time that the electronic reporting system was temporarily out of service shall be resubmitted in electronic format as soon as possible after such problem has been resolved. The record of each purchase shall set forth the following:
 - (1) A complete description of all precious metals or gems purchased from each seller. The description shall include all names, initials, serial numbers or other identifying marks or monograms on each item purchased, the true weight or carat of any gem, and the price paid for each item;

- (2) A digital image of the precious metals or gems purchased from each seller. Groups of similar items purchased from the same seller during the same transaction may be captured in the same digital image as long as each item is clearly identifiable. Each digital image shall contain a date and time stamp of the image being captured.
 - (3) The date, time and place of receiving the items purchased;
 - (4) The full name, residence address, work place, home and work telephone numbers, date of birth, sex, race, height, weight, hair and eye color, and other identifying marks of the person selling the precious metals or gems;
 - (5) Verification of the identification by the exhibition of a government-issued identification card bearing a photograph of the person selling the precious metals or gems, such as a driver's license or identification card. The record shall contain the type of identification exhibited, the issuing agency, and the number thereon;
 - (6) A statement of ownership from the seller; and
 - (7) A digital image of the form of the identification used by the person involved in the transaction. A military identification card cannot be used for this purpose pursuant to 18 U.S.C. § 701.
- (c) The information required by subsections (b)(1) through (b)(4) and (b7) of this section shall appear on each bill of sale and electronic entry for all precious metals and gems purchased by a dealer. All electronic entries shall be made before the close of business on the day of the purchase unless temporary technical problems occur.
 - (d) Any violations of this section may result in the revocation of the dealer's license issued by the chief of police.
 - (e) Any violations of this section may also result in a revocation of the business license issued by the City of Waynesboro.

Code of Virginia, § 54.1-4101.

2. The City Manager is hereby authorized to take all actions reasonably necessary, including executing such documents as are reasonably necessary, to effectuate and carry out the purposes of this Ordinance.

3. This Ordinance shall take effect immediately upon adoption by the City Council.

Introduced:

Adopted:

Effective:

[SEAL]

ATTEST:

 Clerk, City Council
 City of Waynesboro, Virginia

 Mayor, City Council
 City of Waynesboro, Virginia