

CITY OF WAYNESBORO, VIRGINIA

CITY COUNCIL BUSINESS MEETING AGENDA



TERRY SHORT, JR., MAYOR, *AT LARGE*
BOBBY HENDERSON, VICE MAYOR, *WARD C*
BRUCE ALLEN, COUNCIL MEMBER, *WARD B*
SAM HOSTETTER, COUNCIL MEMBER, *WARD D*
JEANIE McCUTCHEON, COUNCIL MEMBER, *WARD A*

TO BE HELD IN THE COUNCIL CHAMBERS,
CHARLES T. YANCEY MUNICIPAL BUILDING
AT 503 WEST MAIN STREET, WAYNESBORO, VIRGINIA
ON FRIDAY, MARCH 20, 2020 AT 8:30 A.M.

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA
2. ADOPT THE AGENDA FOR THE CALLED EMERGENCY MEETING.
3. 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.

 - 3.a. Council Meeting Minutes:

Consider approving the minutes from the March 9, 2020 Regular Business Meeting.

Documents:

[2020 0309.Minutes Draft.pdf](#)
 - 3.b. Conditional Use Permit 1300 Hopeman Parkway:

Second consideration/adoption of an ordinance granting a conditional use permit for 1300 Hopeman Parkway, Waynesboro, Virginia, for an adult daycare use in the H-1 Heavy Industrial Zone.

Documents:

[2b Vector Pathways CUP Ordinance.pdf](#)
 - 3.c. Appropriation Ordinance Information Technology:

Second consideration/adoption of an ordinance appropriating \$15,000 to the General Fund for migration of public safety servers to a virtualized platform.

Documents:

4. Adopt An Ordinance Declaring A State Of Emergency.

Documents:

[2020-21 Emergency Ordinance Re COVID19 Declaration And Continuity 3.19.10.Pdf](#)

5. Adopt An Ordinance Forgiving Penalty And Interest On Unpaid Meals And Lodging Taxes.

Documents:

[2020-22 Penalty And Interest During COVID19 Meals And Lodging.pdf](#)

6. Receive An Update On Various Items Related To The City's Response To The Coronavirus And COVID-19.

7. Receive The Waynesboro Public Schools' Adopted Fiscal Year 2021 Budget.

8. Take Any Necessary Action Relating To The Declaration Of Emergency Or COVID-19.

9. Cancel The March 23, 2020 Regular Business Meeting And The March 30 Called Work Session.

10. ADJOURN

The City will broadcast the meeting on the government access channel and provide a live stream on Facebook at the City Hall page. We will seek to observe the ten (10) person assembly limit and encourage citizens to watch the meeting live stream.

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, March 9, 2020 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
 Sam Hostetter, Councilman
- City Staff: Mike Hamp, City Manager
 Jim Shaw, Deputy City Manager
 Julia Bortle, Clerk of Council
 Michael Wilhelm, Police Chief
 Cameron McCormick, Finance Director
 Luke Juday, Planning Director
 Kira Johnson, Associate Planner
 Gary Critzer, Emergency Operations Director
 Dwayne Jones, Parks and Recreation Director
 Alisa King, Assistant Finance Director
 Kevin Osborne, Library Director
- Guests: Mr. Dana Pitman, Vertex
 Ms. Anna Leavitt, CAPSAW Director
- 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 Councilman Hostetter lead everyone in the Pledge of Allegiance to the Flag of the United States of America.

BUSINESS MEETING AGENDA:

Councilman Hostetter moved to adopt the Business Meeting Agenda as presented. Having been seconded and with no objections, **the Business Meeting Agenda was adopted 4:0:**

Mayor Short	Aye	Councilman Allen	Aye
Vice Mayor Henderson	Aye	Councilman Hostetter	Aye

APPOINTMENT OF INTERIM WARD A COUNCIL PERSON:

Vice Mayor Henderson moved to appoint Ms. Jeanie McCutcheon as the Interim Ward A Council person, completing the term of Ms. Elzena Anderson, for an unexpired four-year term ending June 30, 2020. Having been seconded and with no objections, **the appointment was adopted 4:0:**

Regular Business Meeting
Monday, March 9, 2020
Adopted March 20, 2020

Mayor Short	Aye	Councilman Allen	Aye
Vice Mayor Henderson	Aye	Councilman Hostetter	Aye

Council thanked all applicants for their desire to serve the community.

CONSENT AGENDA:

Councilman Allen moved to adopt the Consent Agenda as presented. Having been seconded and with no objections, **the Consent Agenda was adopted 4:0:**

Mayor Short	Aye	Councilman Allen	Aye
Vice Mayor Henderson	Aye	Councilman Hostetter	Aye

a. Council Meeting Minutes: Consider approving the minutes from the following:

- February 24, 2020 Regular Business Meeting;
- March 4, 2020 Budget Work Session;
- March 5, 2020 Special Called Meeting.

Second consideration/adoption of the following appropriation ordinances:

- b. Miscellaneous Revenues: Appropriating various miscellaneous revenues received in the amount of \$26,702, to multiple funds. **(2020-16)**
- c. Police Special Operations Undercover Vehicle: \$22,256. **(2020-17)**
- d. Sheriff's Safety Glass Installation: \$4,650. **(2020-18)**

MATTERS FROM COUNCIL MEMBERS: With no comments from Council members, the meeting continued.

BUSINESS APPRECIATION AWARD:

The City wanted area businesses to know that the community appreciates their business, the products and services they produce and their employees. To publicly show the City's appreciation to members throughout the business community, the *Made In Waynesboro Business Appreciation Award* was developed. The first in a series of awards was presented to Vertex Corporation. Mr. Dana Pitman accepted the award and thanked Council for their acknowledgement.

PUBLIC HEARING – CONDITIONAL USE PERMIT – VECTOR INDUSTRIES – 1300 HOPEMAN PARKWAY:

The Associate Planner reviewed a request by Vector Industries for a conditional use permit for 1300 Hopeman Parkway, Waynesboro, Virginia, tax map 16-1-2, for an adult daycare use in the H-I Heavy Industrial Zone. It included an aerial view of the property, the current zoning, the reason for the adult day support services, labeled Vector Pathways, and their facilities. The Planning Commission voted 6-0 that a recommendation be forwarded to City Council to approve the request in accordance with the application and staff report dated March 2, 2020. Planning Commission recommends the following conditions:

1. All requirements of the Virginia Statewide Fire Prevention Code and the Virginia Construction Code shall be continually maintained during the operation of the proposed adult day support services.
2. No heavy truck traffic shall be allowed within the parking lot or the loading/unloading area situated between the proposed adult day support services and Hopeman Parkway.
3. The Condition Use Permit is issued exclusively to Vector Industries Foundation and is non-transferable to another entity without further amending the Condition Use Permit.

The public hearing was opened at 7:13 p.m. The applicants did not wish to address Council, and with no comments from the public, the public hearing was closed. Councilman Allen moved to introduce the ordinance **GRANTING A CONDITIONAL USE PERMIT TO ALLOW AN ADULT DAY SUPPORT SERVICE IN THE HEAVY-INDUSTRIAL DISTRICT (TAX MAP 16-1-2), WAYNESBORO VIRGINIA.** Having been seconded and with no objections, the ordinance will be considered again at the March 23, 2020 Regular Business Meeting.

PRESENTATION – CAPSAW ANNUAL REPORT:

Ms. Anna Leavitt, Director of Community Action Partnership of Staunton, Augusta and Waynesboro, presented an update to Council regarding their 2019 Annual Report. The presentation included their purpose, the funding sources, their clients and needs, programs, services, and associate agencies.

PRESENTATION AND RESOLUTION – UPDATE TO REGIONAL HAZARDOUS MATERIALS EMERGENCY RESPONSE PLAN:

As required every five years, the Director of Emergency Management provided an update to the Regional Hazardous Materials Emergency Response Plan as required by federal law. An executive summary was provided to Council. Councilman Hostetter moved to adopt a resolution **FOR THE CITY OF WAYNESBORO HAZARDOUS MATERIALS EMERGENCY RESPONSE PLAN.** Having been seconded and with no objections, the resolution was adopted 4:0:

Mayor Short	Aye	Councilman Allen	Aye
Vice Mayor Henderson	Aye	Councilman Hostetter	Aye

**RESOLUTION ^(R20-05)
FOR THE CITY OF WAYNESBORO
HAZARDOUS MATERIALS EMERGENCY RESPONSE PLAN**

WHEREAS, the City Council of Waynesboro, Virginia recognizes the need to prepare for, respond to hazardous materials incidents;

WHEREAS, the City of Waynesboro has updated its Staunton-Augusta-Waynesboro Hazardous Materials Emergency Response Plan that:

- Identifies affected facilities and transportation routes
- Describes emergency notification and response procedures
- Designates community and facility emergency coordinators
- Establishes procedures to warn, and if necessary, to evacuate the public in case of an emergency
- Identifies available response equipment and personnel

Regular Business Meeting
Monday, March 9, 2020
Adopted March 20, 2020

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WAYNESBORO, VIRGINIA that the 2020 Staunton-Augusta-Waynesboro Hazardous Materials Emergency Response Plan is officially adopted.

The City Manager then provided an update regarding the City's planning for COVID-19 (Coronavirus). The City has plans and measures in place to deliver on-going service and partnering with the Health Department in the event the community is severely impacted by the virus. Citizens and employees should exercise the same practices in personal hygiene and interpersonal contact for the flu and cold season. Citizens were advised to refer to the City's website for more information as it becomes available.

PRESENTATION – PARKS AND RECREATION:

The Director of Parks and Recreation provided an update on the department including their mission statement, current and future public programs, staff, facilities, parks, pool, cemetery, horticulture, and the Parks Master Plan.

PRESENTATION – WAYNESBORO PUBLIC LIBRARY:

The Director of the Waynesboro Public Library provided a presentation regarding the number of visitors, programs, available physical and on-line materials including books, magazines, and dvds, facility use, free and low-cost services and equipment use, and collaborative agencies.

REPORT AND UPDATE – CITY CODE INOPERABLE VEHICLES:

The Deputy City Manager provided an update regarding the enforcement of City Code Chapter 38 pertaining to reducing the number of inoperable vehicles found on private properties throughout the City. The update included the number of cases opened to date, the procedure for identifying offenders, compliance, notices of violation, and procedure for non-compliance. Councilman Hostetter asked that staff provide a quarterly update.

APPROPRIATION ORDINANCE – INFORMATION TECHNOLOGY:

Councilman Hostetter moved to introduce an ordinance appropriating a portion of Unassigned Fund balance in the General Fund, in the amount of \$15,000, to the General Fund, for migration of public safety servers to a virtualized platform. Having been seconded and with no discussion, the ordinance will be considered again at the March 23, 2020 Regular Business Meeting.

APPROPRIATION ORDINANCE – SCHOOLS – ADULT EDUCATION AND FAMILY LITERACY ACT FEDERAL GRANT FUNDS:

Councilman Hostetter moved to adopt an ordinance appropriating Adult Education and Family Literacy Act Federal Grant Funds, in the amount of \$13,584, to the School Funds to be used to operate the Regional Adult Basic Education, High School Equivalency, English Language Acquisition, and Citizenship Classes. **Having been seconded and with no objections, the ordinance was adopted 4:0:**

Mayor Short	Aye	Councilman Allen	Aye
Vice Mayor Henderson	Aye	Councilman Hostetter	Aye

APPROPRIATION ORDINANCE – SCHOOLS – ADULT EDUCATION AND FAMILY LITERACY ACT FEDERAL GRANT FUNDS:

Councilman Allen moved to adopt an ordinance appropriating Adult Education and Family Literacy Act Federal Grant Funds, in the amount of \$4,239, to the School Funds to be used to operate the Regional Adult ESL and Citizenship Classes. **Having been seconded and with no objections, the ordinance was adopted 4:0:**

Mayor Short	Aye	Councilman Allen	Aye
Vice Mayor Henderson	Aye	Councilman Hostetter	Aye

APPOINT VIEWERS – RIGHT OF WAY REQUEST:

Councilman Allen moved to appoint Ms. Doris Hulvey as chair, Mr. Garnett Weatherholtz and Mr. Mark Stephens and viewers, and Ms. Ellen Winter as an alternate to consider the impact of a request by Secretary of Housing and Urban Development to dissolve lot lines and vacate 151 square feet of undeveloped alley right of way behind 1604 Fir Street, City Tax Map 25-8-147-1, to resolve an encroachment issue and allow a vacant property to be sold. **Having been seconded and with no objections, the motion was adopted 4:0:**

Mayor Short	Aye	Councilman Allen	Aye
Vice Mayor Henderson	Aye	Councilman Hostetter	Aye

COMMUNICATION, CORRESPONDENCE, AND CALENDAR: With no comments from Council or staff, the meeting continued.

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

ADJOURNMENT:

With no further business to discuss, Councilman Allen moved to adjourn the meeting. **Having been seconded and with no objection, the meeting was adjourned at 8:04 p.m.**

Mayor Short	Aye	Councilman Allen	Aye
Vice Mayor Henderson	Aye	Councilman Hostetter	Aye

[Clerk’s Note: Ms. McCutcheon took her Oath of Office, administered by the City Manager, following the meeting.]

Julia Bortle, MMC, Clerk of Council

Terry R. Short, Jr., Mayor

ORDINANCE NUMBER 2020-



**AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT
TO ALLOW AN ADULT DAY SUPPORT SERVICE IN THE HEAVY-INDUSTRIAL DISTRICT (TAX MAP
#16-1-2), WAYNESBORO, VIRGINIA**

WHEREAS, upon application of Vector Industries Foundation (CUP 20-002), 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 the H-I District in which subject property is located; and

WHEREAS, 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 the H-I (Heavy-Industrial) District.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Waynesboro, Virginia, that the applicant, Vector Industries Foundation, be hereby granted a conditional use permit to allow adult day support services in accordance with the application (#20-002) and the staff report dated March 2, 2020 with the following conditions [amend as necessary]:

1. *All requirements of the Virginia Statewide Fire Prevention Code and the Virginia Construction Code shall be continually maintained during the operation of the proposed adult day support services.*
2. *No heavy truck traffic shall be allowed within the parking lot or the loading/unloading area situated between the proposed adult day support services and Hopeman Parkway.*
3. *The Condition Use Permit is issued exclusively to Vector Industries Foundation and is non-transferable to another entity without further amending the Condition Use Permit.*

INTRODUCED:

ADOPTED:

EFFECTIVE:

CLERK

MAYOR

ORDINANCE NUMBER 2020-



AN ORDINANCE APPROPRIATING A PORTION OF UNASSIGNED FUND BALANCE IN THE GENERAL FUND, IN THE AMOUNT OF \$15,000, TO THE GENERAL FUND, FOR MIGRATION OF PUBLIC SAFETY SERVERS TO A VIRTUALIZED PLATFORM, FOR THE FISCAL YEAR ENDING JUNE 30, 2020, 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, 2020, totaling \$15,000

Section I – General Fund

Paragraph 1. To the General Fund, for migration of Public Safety servers to a virtualized platform, \$15,000 is appropriated to be apportioned as follows:

1101655	Purchased Services	\$15,000
	731012 Technical Services	

Paragraph 2. The above appropriation will be provided for from unassigned fund balance in the General Fund:

5100541	Intra-fund Transfers	\$15,000
	541904 From Fund Balance	

INTRODUCED:

ADOPTED:

EFFECTIVE:

CLERK

MAYOR

ORDINANCE NUMBER 2020-21



**AN EMERGENCY ORDINANCE DECLARING
A LOCAL STATE OF EMERGENCY
AND CONTINUITY OF GOVERNMENT FOR
THE CITY OF WAYNESBORO, VIRGINIA
AS A RESULT OF THE SPREAD OF CORONAVIRUS, COVID-19**

WHEREAS, the City Council of the City of Waynesboro, Virginia considers the safety and welfare of the residents of the City to be of utmost importance;

WHEREAS, the President of the United States has declared a national state of emergency to exist throughout the country as a result of the spread of the COVID-19 disease;

WHEREAS, the Governor of Virginia has declared a state of emergency to exist throughout the Commonwealth of Virginia as a result of the spread of the COVID-19 disease;

WHEREAS, the Governor of Virginia and the State Health Commissioner have jointly declared a public health emergency to exist throughout the Commonwealth of Virginia as a result of the spread of the COVID-19 disease;

WHEREAS, on March 15, 2020, Governor Northam announced a ban on all gatherings of one hundred or more people statewide, and the CDC recommends a ban on gatherings of fifty people or more;

WHEREAS, on March 11, 2020, the World Health Organization declared the COVID-19 outbreak a pandemic; and

WHEREAS, due to the spread of the COVID-19 disease, the City of Waynesboro is facing a disaster and a condition of extreme peril to the lives and safety of the residents and visitors of the City;

WHEREAS, as a result of this disaster and extreme peril, the declaration of the existence of an emergency is necessary to permit the full powers of the government to deal effectively with the condition of the disaster and peril;

WHEREAS, allowing the City to limit in-person attendance will allow our constituents to protect themselves and one another, while maintaining informed and active citizenship and will let the City operate in an efficient and safe manner while the City mitigates the effects of this public health crisis and disaster;

WHEREAS, the City Manager, Michael G. Hamp, II, is authorized under the laws of the Commonwealth of Virginia to make a local declaration of emergency with the consent of the governing body; and

WHEREAS, Mr. Hamp has declared that a local state of emergency exists in the City of Waynesboro as a result of the spread of the COVID-19 disease, effective on March 16, 2020 at 1800 hours and subsequently requests the consent of the City Council to proceed with the ratification of the declaration of emergency.

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

1. The City Council for the City of Waynesboro, Virginia hereby consents to and ratifies the City Manager declaring a local state of emergency within the City of Waynesboro.

2. During the existence of this emergency, the powers, functions and duties of the City Manager, the Director of Emergency Management, and the organization and functions of the City of Waynesboro shall be those prescribed the laws of the Commonwealth of Virginia and the ordinances, resolutions, approval plans of the City of Waynesboro, and other measures necessary to mitigate the impact of the public health emergency and to protect life and safety endangered by the event;

3. The infectious nature of COVID-19 makes it unsafe to assemble a quorum of this Council in a single location, or to assemble members of the public in a single location, making it difficult or impossible for this Council and the city's boards and commissions to conduct meetings in accordance with normal practices and procedures. In accordance with Section 15.2- 1413 of the Code of Virginia, 1950, as amended, notwithstanding any contrary provision of law, general or special, the following emergency procedures are adopted to ensure continuity of government during the pendency of the emergency and disaster created by COVID-19:

a. That any process, procedure, or matter which requires the physical presence of the public in a city building that the City Manager has declared or in the future declares to be closed to the public is hereby suspended.

b. Meetings of the Council and other city boards and commissions may be held through electronic communication means without a quorum of members physically present in a single location, provided that notice of such meetings is still given in accordance with applicable laws.

c. Such meetings may be held without permitting members of the public to be physically present in a central location or in the same physical location as any of the Council, board, or commission members, so long as alternative arrangements for public access to such meetings are made. Such alternative public access may be electronic, including but not limited to audio, telephonic, or video broadcast.

d. For any matter requiring a public hearing by law, public comment will be solicited and received via written means prior to the vote on such matter. Public comments may also be solicited and, if so solicited, received, via electronic and/or telephonic means if possible and practical. All such comments will be provided to the members of the body and made a part of the record of such meeting.

4. The City Manager is hereby authorized to take any other actions that are reasonable and necessary to effectuate the terms of the Policy or this Ordinance.

Adopted this 20th day of March 2020.

CERTIFICATE

The undersigned Chairman and Clerk of the City Council of City of Waynesboro, Virginia hereby certify that the foregoing constitutes a true and correct copy of an Ordinance entitled An Emergency Ordinance Declaring a Local State of Emergency for the City of Waynesboro, Virginia Resulting from the Spread of Coronavirus, COVID-019, adopted by the City Council at a meeting held on March 20, 2020.

INTRODUCED: ON MARCH 20, 2020 BY COUNCILMAN BRUCE ALLEN
ADOPTED: ON MARCH 20, 2020
EFFECTIVE: MARCH 20, 2020

/s/ Julia Bortle
CLERK

/s/ Terry R. Short, Jr.
MAYOR

ORDINANCE 2020-22



**AN EMERGENCY ORDINANCE REGARDING
PENALTIES AND INTEREST UPON CERTAIN LOCAL
TAXES DURING THE COVID-19 PANDEMIC**

WHEREAS, the City Manager has declared a local emergency during the current COVID-19 Pandemic (the "Emergency");

WHEREAS, widespread closures, social distancing, and recommendations to avoid public gatherings have created excess burdens upon the businesses of the City;

WHEREAS, the City Council desires to provide additional time for businesses to pay certain taxes without penalty, interest, and collection activities during the Emergency;

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

1. Notwithstanding any other provisions in the City Code, the penalty shall be \$0.00 and the interest rate shall be 0% upon the late filing or late payment of meals taxes, transient lodging and occupancy taxes, and admissions taxes from date of adoption by the City Council through May 31, 2020. On June 1, 2020, penalties and interest shall resume at normal rates as set forth in the City Code.
2. The City Council strongly recommends the City Treasurer not undertake collection action upon any business that fails to pay any of the taxes subject to the relief provided in #1, from date of adoption by the City Council through May 31, 2020.
3. The passage of this Ordinance is an emergency measure and this Ordinance shall be effective immediately.
4. 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.

Adopted by the City Council of the City of Waynesboro, Virginia, on this 20th day of March, 2020.

CERTIFICATE

The undersigned Mayor and Clerk of the City Council of the City of Waynesboro, Virginia hereby certify that the foregoing constitutes a true and correct copy of an ordinance entitled Emergency Ordinance Regarding Penalties and Interest upon Certain Local Taxes During the COVID-19 Pandemic, adopted by the City Council at a meeting held on March 20, 2020.

[SEAL]

ATTEST:

Clerk, City Council
City of Waynesboro, Virginia

Mayor, City Council
City of Waynesboro, Virginia