

# WAYNESBORO, VIRGINIA

## CITY COUNCIL BUSINESS MEETING MINUTES



Council for the City of Waynesboro, Virginia held a Regular Business Meeting and Special Public Hearing on Monday, January 13, 2020 at 7:00 p.m. in the auditorium of Kate Collins Middle School, 1635 Ivy 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  
 Michael Wilhelm, Police Chief  
 Cameron McCormick, Finance Director  
 Luke Juday, Planning Director  
 Greg Hitchin, Economic Development 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 Vice Mayor Henderson lead everyone in the Pledge of Allegiance to the Flag of the United States of America. The mayor stated the purpose for the special public hearing.

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**ADOPTION OF BUSINESS MEETING AGENDA:**

Vice Mayor Henderson moved to adopt the Business Meeting Agenda as amended moving item 5 to item 4. Having been seconded and with no objections, **the amended Business Meeting Agenda was adopted 5:0:**

<b>Mayor Short</b>	<b>Aye</b>	<b>Councilwoman Anderson</b>	<b>Aye</b>
<b>Vice Mayor Henderson</b>	<b>Aye</b>	<b>Councilman Hostetter</b>	<b>Aye</b>
<b>Councilman Allen</b>	<b>Aye</b>		

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**CONSENT AGENDA:**

Councilwoman Anderson moved to adopt the consent agenda as presented. Having been seconded and with no objections, **the consent agenda was adopted 5:0:**

<b>Mayor Short</b>	<b>Aye</b>	<b>Councilwoman Anderson</b>	<b>Aye</b>
<b>Vice Mayor Henderson</b>	<b>Aye</b>	<b>Councilman Hostetter</b>	<b>Aye</b>
<b>Councilman Allen</b>	<b>Aye</b>		

- a) Council Meeting Minutes: Consider approving the minutes from the November 1-2, 2019 Council Retreat and the December 9, 2019 Regular Business Meeting.
- b) 2020 Budget Amendment No. 1: Second consideration/adoption of an ordinance amending the Fiscal Year 2020 Budget Ordinance for the city of Waynesboro by adding Budget Amendment No. 1. **(2020-01)**
- c) Zoning Code Amendment: Second consideration/adoption of an ordinance amending Zoning Code Article 4, Section 6 allowing short-term rentals in accessory apartments. **(2020-02)**
- d) Zoning Code Amendment: Second consideration/adoption of an ordinance amending Zoning Code Article 5, Section 5.5.3 allowing LED lighting. **(2020-03)**
- e) Rezoning 308 N. Charlotte Avenue: Second consideration/adoption of an ordinance approving a request from Mr. Walter Aguilera to change the zoning of 308 N. Charlotte Avenue, City Tax Map 46-1-21-24A from RG-5 General Residential to LB-Local Business District. **(2020-04)**
- f) Valley Community Services Board Appointment: Consider appointing a candidate to the Valley Community Services Board for an unexpired three-year term ending June 30, 2022.
- g) Chicurel Lane Closure: Receive the viewer's report and consider setting a public hearing for Monday, January 27, 2020 to receive public comment regarding the impact of a request by Waynesboro Hotel, LLC to dissolve lot lines and vacate a portion of the undeveloped Chicurel Lane right of way at City tax map 51-18-3 and 51-18-4, to allow for construction of Chicurel Lane and a new hotel.
- h) Resolution – Authorization to Receive Real Property: Consider adopting a resolution authorizing the City Manager and/or Mayor to receive real property interests on behalf of the City of Waynesboro for the calendar year 2020. **(R20-01)**

**RESOLUTION <sup>(R20-01)</sup>**  
**AUTHORIZING ACQUISITION OF REAL PROPERTY**

**WHEREAS**, City Council prefer that the City Mayor and/or the City Manager have the authority to acquire real property when it is in the best interest of the City.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WAYNESBORO, VIRGINIA, AS FOLLOWS:**

- 1. Pursuant to and in accordance with City of Waynesboro Charter, the City Mayor and/or the City Manager, either of whom may act, have the authority to acquire real property when it is in the best interest of the City for the calendar year starting January 1, 2020 and ending December 31, 2020; and
- 2. The City Manager is hereby authorized to take any other actions that are reasonable and necessary to effectuate the acquisition of real property.

ATTEST: \_\_\_\_\_  
Clerk, City Council  
City of Waynesboro, Virginia

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Mayor, City Council  
City of Waynesboro

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**MATTERS FROM COUNCIL MEMBERS:**

**Vice Mayor Henderson** thanked everyone for attending and announced that Senate Bill 16 was pulled from the Legislative Session and not proceeding in the General Assembly.

**Councilman Allen** asked everyone to be respectful for all points of view to be presented during the public hearing comment period, and the City Manager explained the public speaking guidelines.

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**2<sup>ND</sup> AMENDMENT SANCTUARY CITY PUBLIC HEARING:**

The special public hearing was opened at 7:08 p.m.:

The following spoke in favor of 2<sup>nd</sup> Amendment rights, and/or declaring Waynesboro a 2<sup>nd</sup> Amendment Sanctuary City:

Jennifer Brown, Singer's Glen, VA  
Terry Gates, Harrisonburg, VA  
John Kimmell, Waynesboro VA  
Amber Lipscomb (against Red Flag Laws)  
Nicholas Holt, Waynesboro, VA (opposed to Red Flag Laws)  
Bob Hudlow, Waynesboro, VA  
Herman Wells, Waynesboro, VA  
Clark Lester, Waynesboro, VA  
Jim Wood, Waynesboro, VA  
Sheryl Carey, Waynesboro, VA  
Dave Carey, Waynesboro, VA  
James Derrane, Waynesboro, VA  
Kenneth Amiss, Waynesboro, VA  
Christopher Leavel, Waynesboro, VA  
Roger Mathias, Waynesboro, VA  
Jason Chambers, Waynesboro, VA  
Will Strickland, Waynesboro, VA  
Eleanor Pugliese, Waynesboro, VA  
Neil Wood, Jr., Waynesboro, VA

A 15-minute break taken at 8:35 p.m.  
Richard Ammons, Waynesboro, VA  
Amber Siron, Waynesboro, VA  
Benjamin Siron, Waynesboro, VA  
Bob Donaldson, Waynesboro, VA  
John Kimmell, Waynesboro, VA  
Michael Schoeller, Waynesboro, VA  
Tom Shumate, Waynesboro, VA  
Tyler Adams, with statement on behalf of Ben Cline  
Charles Culbertson, Waynesboro  
Phil Klann, Waynesboro, VA  
Will Curcio, Waynesboro, VA  
Ken Adams, Waynesboro, VA  
Toby Cobb, Waynesboro, VA  
Jacob Lipscomb, Waynesboro, VA  
Bob Quinn, Waynesboro, VA  
Benji Smith, Waynesboro, VA  
Greg Gay, Waynesboro, VA  
Tim Williams, Waynesboro, VA

The following spoke opposed to declaring Waynesboro a 2<sup>nd</sup> Amendment Sanctuary City and/or in favor of gun control regulations:

Josh Rubinstein, Waynesboro, VA  
Steve Kasdan, Waynesboro, VA  
Elaine Goss, Waynesboro, VA  
Katrina Crawford, Waynesboro, VA

The following spoke regarding the subject:

Mike Jones, Waynesboro, VA

The public hearing concluded at 9:49 p.m.

Vice Mayor Henderson explained that the City Council supports the 2<sup>nd</sup> Amendment and based on legal counsel input, the resolution was drafted declaring Waynesboro as a Constitutional City opposed to a Second Amendment Sanctuary City. After the legal counsel explained the difference between

Constitutional City and Sanctuary City, there was much discussion and disruptions between citizens and the City Council members. Vice Mayor Henderson withdrew the proposed resolution declaring Waynesboro a Constitutional City. Council will consider the matter further.

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A recess was called at 9:57 p.m. Meeting reconvened at 10:03 p.m.

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**EXTEND REGULAR BUSINESS MEETING BEYOND 10:00 P.M.:**

Vice Mayor Henderson moved to authorize the City Council to extend the regular business meeting beyond 10:00 p.m. **Having been seconded and with no objections, the motion was adopted 5:0 on a roll call vote:**

<b>Mayor Short</b>	<b>Aye</b>	<b>Councilwoman Anderson</b>	<b>Aye</b>
<b>Vice Mayor Henderson</b>	<b>Aye</b>	<b>Councilman Hostetter</b>	<b>Aye</b>
<b>Councilman Allen</b>	<b>Aye</b>		

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**RESOLUTION – MEMORANDUM OF UNDERSTANDING WITH RAVEN ENGINEERED FILMS, INC.:**

The Economic Development Director reviewed the manufacturing facility’s intention to expand their fabrication operations to Waynesboro, Virginia. He explained the Memorandum of Understanding between Raven Engineered Films, Inc. and the City of Waynesboro, including the incentives offered:

- Reimbursement of 50% of M&T tax paid over five years.
- Reimbursement of 75% of building permit fees paid for the first 12 months.
- Reimbursement of 100% of the incremental increase to the real estate tax paid above the current real estate tax of \$13,047 should the company purchase the building within five years.
- First year membership in the Greater Augusta Regional Chamber of Commerce.

The Economic Development Authority Board reviewed the Memorandum of Understanding and passed it unanimously.

After answering Councilman Allen’s question regarding the cost of the incentives, Councilman Hostetter moved to adopt a resolution authorizing the City Manager to approve a Memorandum of Understanding between Raven Engineered Films, Inc. and the City of Waynesboro. **Having been seconded and with no objections, the resolution was adopted 5:0:**

<b>Mayor Short</b>	<b>Aye</b>	<b>Councilwoman Anderson</b>	<b>Aye</b>
<b>Vice Mayor Henderson</b>	<b>Aye</b>	<b>Councilman Hostetter</b>	<b>Aye</b>
<b>Councilman Allen</b>	<b>Aye</b>		

**RESOLUTION <sup>(R20-03)</sup>  
AUTHORIZING EXECUTION BY THE CITY  
OF A MEMORANDUM OF UNDERSTANDING WITH  
RAVEN ENGINEERED FILMS, INC.**

**WHEREAS**, the City of Waynesboro desires to encourage businesses to open and expand in the City;

**WHEREAS**, Raven Engineered Films, Inc., a wholly-owned subsidiary of Raven Industries, Inc. (“Raven”), a publicly traded corporation headquartered in Sioux Falls, South Dakota, manufactures

high-quality flexible films and sheeting for the agricultural, energy, and construction markets throughout the United States and abroad;

**WHEREAS**, Raven is expanding its fabrication operations to the East Coast of the United States, with Waynesboro being one of the places considered;

**WHEREAS**, to encourage the selection of the Waynesboro location, the economic development office, after consultation with City Administration and the EDA, offered a slate of incentives to Raven;

**WHEREAS**, Raven has committed to making both financial and employment investments (the “Project”) in its operations in Waynesboro;

**WHEREAS**, following the City’s incentive protocol, the incentives offered are primarily reimbursements of taxes or fees paid (“Tax Incentives”), and are based on the total capital investment and quantity and quality of jobs projected for the Project;

**WHEREAS**, Raven has entered a lease and plans on opening the facility in Waynesboro shortly;

**WHEREAS**, the City and Raven desire to enter a Memorandum of Understanding (the “MOU”), which is attached as Exhibit 1 hereto, setting forth the terms of the Project and Tax Incentives;

**WHEREAS**, the City Council desires to enter into the MOU with Raven for the Project Tax Incentives.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WAYNESBORO, VIRGINIA AS FOLLOWS:**

1. The City Manager is hereby authorized to enter into a Memorandum of Understanding in substantially such form as attached hereto as Exhibit 1; and
2. The City Manager is hereby authorized to take any other actions that are reasonable and necessary to effectuate the terms of the Memorandum of Understanding.

Resolved this 13<sup>th</sup> day of January 2020.

ATTEST: \_\_\_\_\_  
Clerk, City Council  
City of Waynesboro, Virginia

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Mayor, City Council  
City of Waynesboro, Virginia

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With no further business to discuss, the meeting was adjourned at 10:09 p.m. on a motion by Councilman Allen.

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Julia Bortle, MMC, Clerk of Council

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Terry R. Short, Jr., Mayor