

WAYNESBORO, VIRGINIA

CITY COUNCIL REGULAR BUSINESS MEETING MINUTES



Council for the City of Waynesboro, Virginia held a Regular Business Meeting on Wednesday, October 14, 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 Henderson presiding and calling the meeting to order:

- PRESENT: Council Members: Bobby Henderson, Mayor
Bruce Allen, Council member
Terry Short, Jr., Council member
Sam Hostetter, Council member
- City Staff: Mike Hamp, City Manager
Jim Shaw, Deputy City Manager
Julia Bortle, Clerk of Council
Cameron McCormick, Finance Director
Luke Juday, Planning Director
Greg Hitchin, Economic Development Director
- Counsel: Mark Bowman, Esq., Litten & Sipe LLC
- ABSENT: Lana Williams, Vice Mayor

CALL TO ORDER AND PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA:

The Mayor opened the meeting and the City Manager lead in the Pledge of Allegiance to the Flag of the United States of America. Mayor Henderson then reviewed the process for citizens to comment in person or via telephone during the citizen comment period.

BUSINESS MEETING AGENDA:

Council member Short 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 Henderson	Aye	Council member Allen	Aye
Vice Mayor Williams	Absent	Council member Short	Aye
		Council member Hostetter	Aye

CONSENT AGENDA:

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

Mayor Henderson	Aye	Council member Allen	Aye
Vice Mayor Williams	Absent	Council member Short	Aye
		Council member Hostetter	Aye

- a. Council Meeting Minutes: Minutes from the September 14, 2020 Work Session and Regular Business Meeting.
- b. Safe Routes to School Mini Grant (Office on Youth): Donations and grants to support safe routes to school (\$1,450). (2020-66)
- c. Cares Act Funding: Funding to Social Services to help mitigate the impact of COVID-19 (\$100,000). (2020-67)

MATTERS FROM THE MAYOR

The Mayor and Council acknowledged the accomplishments of the following employees:

Dwayne Schwartz received the Herbert W. Evans Distinguished Service Award from the VA Chapter of the American Water Works Association;

George Fitzgerald was promoted from the position of Deputy Fire Marshall to Deputy Fire Chief for the Waynesboro Fire Department;

Captain Kelly Walker retired from the Waynesboro Police Department with 35 years of service.

MATTERS FROM COUNCIL MEMBERS:

With no additional comments from Council members, the meeting continued.

PUBLIC HEARING – VACATE AT GRADE RAILROAD CROSSING AT 7TH STREET

Closure of the 7th Street at-grade railroad crossing is a condition for installing an at-grade crossing at the Southern Corridor Road Project. The Planning Director and the Economic Development Director reviewed the application and the benefits for the project. Based on the Viewers' Report, staff acknowledged the inconveniences that will be caused to area residents by the closing.

Council member Short asked about the up-front costs associated with preparing the industrial park and the anticipated return on investment, and he was told that information will be provided to Council. He also asked what the Railroad's designating it as a priority liability crossing actually means. Council member Hostetter asked about the timeframe of the closure, and he was told it is dependent on the Southern Corridor road project and may be several years in the future.

The Planning Director clarified that the Railroad owns the crossing and the land under it, not the City, therefore, no eminent domain will occur.

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

Lewis Price, Waynesboro, VA: objected to the lack of notice for the closure of the 7th Street railroad crossing.

Tonya Kidd, Waynesboro, VA: owns the 300 block of Commerce Avenue and objects to the closure of the railroad crossing due to a negative impact on the community, and since it is a financial trade-off, Basic City should receive the financial benefit.

With no further speakers and no one called in to speak, the public hearing was closed at 7:36 p.m. Council member Allen moved to introduce an ordinance **PERMANENTLY CLOSING THE RAILROAD CROSSING ON SEVENTH STREET**. Having been seconded and with no further discussion, the ordinance will be considered again at the October 26, 2020 Regular Business Meeting.

BASIC CITY LAND USE PLAN

Luke Juday, Planning Director, made a presentation regarding the Basic City Land Use Plan (*attachment 46-66*), focused on land use in the Commerce Avenue corridor. The review included the broad mix of zoning and uses in the area, known as spot zoning, that make it difficult for residents, businesses, and potential development. A key issue is that much of the development for the area is based on Commerce Avenue becoming a main street and that would be difficult with the current zoning configuration. Area property owner survey results show most being in favor of uses that would bring increased activity to the area. The Planning Commission stated there is not currently a zone that fits the area. The idea is to form a zone that has under-utilized industrial and commercial buildings, that are in close proximity to residences, and that are in an established urban subdivision pattern. The proposed list of uses would include industrial/use event space, non-polluting industrial uses, and prohibit any business that interferes with quiet residential properties.

RESOLUTION – E.I. DUPONT DE NEMOURS AND COMPANY

Council member Allen moved to adopt a resolution authorizing the City to accept donated property from and enter into a donation agreement with E.I. duPont de Nemours and Company. Having been seconded and with no objections, the resolution was adopted 4:0:

Mayor Henderson	Aye	Council member Allen	Aye
Vice Mayor Williams	Absent	Council member Short	Aye
		Council member Hostetter	Aye

RESOLUTION (R20-19)

**AUTHORIZING THE CITY TO ACCEPT DONATED
REAL PROPERTY FROM AND ENTER INTO A DONATION AGREEMENT
WITH E. I. DUPONT DE NEMOURS AND COMPANY**

WHEREAS, E.I. DuPont De Nemours and Company (“DuPont”) owns certain real property in Waynesboro, Virginia adjacent to former DuPont industrial operations, but where no industrial uses occurred (the “Property”), as set forth on that plat titled Boundary Plat, E. I. DuPont De Nemours and Company, “Mountain Land”, Waynesboro, Virginia, prepared by Tom Shumate and dated April 6, 2012, revised October 2, 2012 (the “Plat”);

WHEREAS, DuPont wishes that the Property be donated to City on the terms and conditions provided for in the Donation Agreement, which is attached hereto and incorporated herein as Exhibit 1, less 10 acres described on the Plat as the Reserved Property Plat, which is being reserved for and will remain owned by DuPont;

WHEREAS, DuPont is transferring the Property to the City by a quitclaim deed, and the City accepts the Property “AS IS, WHERE IS” with all faults;

WHEREAS, the City wishes to accept the Property under the terms and conditions of the Donation Agreement.

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

1. The City Manager is authorized to enter into the Donation Agreement in substantially such form as attached hereto as Exhibit 1.

2. The City Manager is hereby authorized to take any other actions that are reasonable and necessary to effectuate the terms of the Donation Agreement, including without limitation the authority to sign all necessary documents and deeds.

Resolved this 14th day of October 2020.

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

Mayor, City Council
City of Waynesboro, Virginia

APPROPRIATION ORDINANCE – GENERAL FUND

Council member Short moved to introduce an ordinance transferring \$39,000 from the Fleet Fund to the General Fund to purchase a replacement street roller for the Public Works Department. Having been seconded and with no objections, the ordinance will be considered again at the October 26, 2020 Regular Business Meeting.

APPROPRIATION ORDINANCE – CDBG STORMWATER PROJECTS

Council member Short moved to introduce an ordinance appropriating funds received from Waynesboro Redevelopment and Housing Authority (WRHA) in the amount of \$6,300 to the Stormwater Fund, to reimburse for CDBG stormwater projects. Having been seconded and with no objections, the ordinance will be considered again at the October 26, 2020 Regular Business Meeting.

ECONOMIC DEVELOPMENT BOARD APPOINTMENT

Council member Allen moved to appoint Ms. Brenda Awkard to the Economic Development Board of Directors for an unexpired four-year term ending August 31, 2021. Having been seconded and with no objections, Ms. Awkard was appointed 4:0:

Mayor Henderson	Aye	Council member Allen	Aye
Vice Mayor Williams	Absent	Council member Short	Aye
		Council member Hostetter	Aye

LIBRARY BOARD APPOINTMENT

Council member Hostetter moved to appoint Ms. Brenci Patino to the Library Board of Trustees for an unexpired four-year term ending August 31, 2023. Having been seconded and with no objections, Ms. Patino was appointed 4:0:

Mayor Henderson	Aye	Council member Allen	Aye
Vice Mayor Williams	Absent	Council member Short	Aye
		Council member Hostetter	Aye

COMMUNICATION, CORRESPONDENCE, AND CALENDAR

With no comments from staff, the meeting continued.

CITIZEN COMMENT PERIOD

Nicholas Salzman, Waynesboro VA: objected to the method used to appoint a member to the Economic Development Authority Board, and spoke about the need for economic development in the City.

Terry Kent, Waynesboro VA: spoke about the need for everyone to be involved in politics, especially locally.

ADJOURN

Having no further business to discuss, Council member Allen moved to adjourn the meeting. Having been seconded and with no objections, the meeting was adjourned 4:0 at 8:15 p.m.:

Mayor Henderson	Aye	Council member Allen	Aye
Vice Mayor Williams	Absent	Council member Short	Aye
		Council member Hostetter	Aye

Julia Bortle, MMC, Clerk of Council

Bobby Henderson, Mayor