

# WAYNESBORO, VIRGINIA

## CITY COUNCIL REGULAR BUSINESS MEETING MINUTES



Council for the City of Waynesboro, Virginia held a Regular Business Meeting on Monday, August 23, 2021 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. This meeting was also viewable by accessing the City’s YouTube Channel.

PRESENT: Council Members: Bobby Henderson, Mayor  
Lana Williams, Vice Mayor  
Bruce Allen, Council member  
Sam Hostetter, Council member

City Staff: Michael Hamp, City Manager  
Jim Shaw, Deputy City Manager  
Julia Bortle, Clerk of Council  
Luke Juday, Planning Director  
Cameron McCormick, Finance Director  
Jim Wood, City Engineer  
Laura Martin, Zoning Administrator  
David Shaw, Captain, Police Department

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

ABSENT: Terry Short, Jr., Council member

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

The mayor opened the meeting and Council member Allen led everyone in the Pledge of Allegiance to the flag of the United States of America. The City Manager reviewed the process for citizens to comment via telephone during the citizen comment period.

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### BUSINESS MEETING AGENDA

Council member Allen moved to adopt the Business Meeting Agenda as presented. Having been seconded and with no objection, **the Business Meeting Agenda was adopted 4:0:**

<b>Mayor Henderson</b>	<b>Aye</b>	<b>Council member Allen</b>	<b>Aye</b>
<b>Vice Mayor Williams</b>	<b>Aye</b>	<b>Council member Short</b>	<b>Absent</b>
		<b>Council member Hostetter</b>	<b>Aye</b>

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### MATTERS FROM THE MAYOR

Mayor Henderson clarified that the Council will not be voting on the proposed City Code amendment regarding animals. They will listen to people’s comments and will work on any adjustments before considering it at the September 27 meeting.

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**MATTERS FROM COUNCIL MEMBERS**

Vice Mayor Williams thanked people for their emails and calls regarding the proposed animal ordinance revisions.

Council member Hostetter provided his bi-weekly COVID update, noting incidents are trending upward as a region. He stressed wearing masks is important and encouraged vaccinations.

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**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**

- a. August 9, 2021 Business Meeting Minutes Adoption
- b. Ordinance to Rezone 1504 13<sup>th</sup> Street **(2021-58)**
- c. Ordinance to Rezone 901 Fairfax Avenue **(2021-59)**
- d. Appropriation Ordinance for Fiscal Year 2022 Budget **(2021-60)**

<b>Mayor Henderson</b>	<b>Aye</b>	<b>Council member Allen</b>	<b>Aye</b>
<b>Vice Mayor Williams</b>	<b>Aye</b>	<b>Council member Short</b>	<b>Absent</b>
		<b>Council member Hostetter</b>	<b>Aye</b>

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**CONSTITUTION WEEK PROCLAMATION**

The mayor presented a proclamation to Ms. Helen Willard, Regent of the Hughart Chapter of NSDAR Daughters of the Revolution, naming the week of September 17-23, 2021 as Constitution Week in the City of Waynesboro, Virginia. Ms. Willard accepted the proclamation, thanking Council and explained the school events and other events that will occur in commemoration of the week. She also announced an event, “Bells Across America”, asking all citizens and businesses to ring their bells on September 17, 2021 at 4:00 p.m., to commemorate the signing of the Constitution on September 17.

**PROCLAMATION <sup>(P21-09)</sup>  
CONSTITUTION WEEK**

**WHEREAS:** It is the privilege and duty of the American people to commemorate the two hundred and thirty-fourth anniversary of the drafting of the Constitution of the United States of America with appropriate ceremonies and activities; and

**WHEREAS:** Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week,

**NOW, THEREFORE I,** Robert W. Henderson by virtue of the authority vested in me as Mayor of the City of Waynesboro, do hereby proclaim the week of September 17 through 23, 2021 as **CONSTITUTION WEEK** and urge all citizens to study the Constitution and reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of the City of Waynesboro, Virginia to be affixed this 23<sup>rd</sup> day of August of the year of our Lord two thousand twenty-one.

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**CODE AMENDMENT “ANIMALS”**

The City Manager explained the purpose of the proposed amendments to City Code Chapter 14, “Animals”, noting that since adoption in 1964, updates occurred in 1996 and 2007. The updates were prompted by the following conditions:

1. Compliance with the State Code;
2. Respond to complaints regarding animals; and
3. Need to inform Council of ways to modernize the Code and communicate those updates to citizens.

These amendments and the ordinance in full will be discussed by Council and staff after receiving public input, and the ordinance will come back before Council at the September 27, 2021 meeting for consideration.

Some updates include:

- Previously codified conditions regarding dangerous or vicious dogs are removed and Code of Virginia revisions are inserted;
- Recommendation for prohibition of roosters;
- Limiting the number of chickens to ten per household and free-roaming chickens is prohibited.
- No grandfathering of existing fowl and owners will have 90 days from enactment to come into compliance. Violations would be investigated by complaint.
- Goats are permitted temporarily for brush clearing; goats not permitted as pets.
- Dogs would be limited four dogs and five cats over 4 months in age; not to exceed seven animals in total.
- Presently pigs are prohibited under the current code and would remain that way.

The Planning Director made a presentation regarding neighborhood chickens (*attachment 47-16*). Council member Allen asked if there is currently any enforcement available for citizens who complain about the smell or noise associated with chickens, and he was told that unless it rose to the level of a public nuisance, there is no enforcement at this time. Council member Hostetter questioned the licensing of cats as noted in the proposed ordinance. The City Manager will provide Council with the number of animal-related complaints logged through the “911” Center and citations issued. Council member Allen stated that Council has to review the number of dogs and cats allowed and Vice Mayor Williams questioned the mixture of poultry (chickens vs. ducks, i.e.) under the proposed ordinance. Council member Hostetter also noted that the tethering animals is included in the proposed ordinance where it was not mentioned in the existing ordinance.

The City Manager reminded Council that this proposed ordinance is a starting point for discussion and Council will discern what the public wants and what should be community standards for an updated Animals Code.

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**BUDGET ORDINANCE – STATE ASSET FORFEITURE FUNDS**

Council member Allen moved to introduce an ordinance transferring funds from the Forfeited Asset Sharing Program to the General Fund to purchase an additional vehicle for the Detective Division of the Police Department. Having been seconded, this ordinance will be considered for adoption at the September 13, 2021 Regular Business Meeting.

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**BOARDS AND COMMISSIONS**

Council member Allen moved to approve the following appointments. **Having been seconded and with no objections, the following appointments were unanimously adopted on a 4:0 vote:**

<b>Mayor Henderson</b>	<b>Aye</b>	<b>Council member Allen</b>	<b>Aye</b>
<b>Vice Mayor Williams</b>	<b>Aye</b>	<b>Council member Short</b>	<b>Absent</b>
		<b>Council member Hostetter</b>	<b>Aye</b>

a. Cultural Commission

Mr. Jabriel Tyler to a four-year term ending August 31, 2025.

b. Parks and Recreation Commission

Mr. Jabriel Tyler to a four-year term ending August 31, 2025.

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**COMMUNICATION, CORRESPONDENCE, AND CALENDAR**

With no comments from staff or Council, the meeting continued.

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**CITIZEN COMMENT PERIOD**

The following citizens spoke in opposition to the proposed code amendment, “Animals”, in whole or in part:

*Leah Cave, Waynesboro*  
*Crystal Graham, Waynesboro*  
*Chris Graham, Waynesboro*  
*Sunny Goulder, Waynesboro*  
*Jean Fraser, Stuarts Draft, VA*  
*Rachel Hamel, Waynesboro*  
*Anastasia Martin, Waynesboro*  
*Sheila Lilly, Waynesboro*  
*Barbara Susan, Waynesboro*

*Laurie Grabinski, Waynesboro*  
*Amber Lipscomb, Waynesboro*  
*Amy Hamme, McDowell, VA*  
*Renee Clark, Staunton, VA*  
*Evelyn Cotton, Waynesboro*  
*B. Painter, Waynesboro*  
*Casey Eldridge, Waynesboro*  
*Curt Lilly, Waynesboro*

The following citizens spoke in favor of the proposed code amendment, “Animals”, in whole or in part:

*Dr. Bob Partridge, Waynesboro*  
*Peter Van Acker, Waynesboro (provided Council with flyer regarding proper care of bees)*  
*Sarah Leech, Waynesboro*  
*Ed Clark, Waynesboro (President, Wildlife Center of VA)*

*Bruce Pell, Waynesboro:* spoke about the noise issue in the City, asking that the time the ordinance becomes effective be extended to before 10:00 p.m.

**Phone Caller:**

*There were no phone callers.*

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**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 9:05 p.m.:**

<b>Mayor Henderson</b>	<b>Aye</b>	<b>Council member Allen</b>	<b>Aye</b>
<b>Vice Mayor Williams</b>	<b>Aye</b>	<b>Council member Short</b>	<b>Absent</b>
		<b>Council member Hostetter</b>	<b>Aye</b>

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Julia Bortle, MMC, Clerk of Council

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Bobby Henderson, Mayor