

WAYNESBORO, VIRGINIA CITY COUNCIL REGULAR BUSINESS MEETING MINUTES



Council for the City of Waynesboro, Virginia held a Regular Business Meeting on Monday, January 10, 2022 at 7:00 p.m. in the Council Chambers, 503 W. 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
Bruce Allen, Council member
Terry Short, Jr., Council member
Sam Hostetter, Council member

City Staff: Michael Hamp, City Manager
Cameron McCormick, Assistant City Manager - Finance
Todd Wood, Assistant City Manager - Operations
Michael Wilhelm, Assistant City Manager – Public Safety
Julia Bortle, Clerk of the Council (remotely)
Luke Juday, Community Development Director
David Shaw, Police Chief

Counsel: Melisa Michelsen, 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 Council member Short led everyone in the Pledge of Allegiance to the flag of the United States of America.

BUSINESS MEETING AGENDA AMENDMENT

Council member Short moved that the Business Meeting Agenda be adopted as presented. **Having been seconded and with no objections, the motion to adopt 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

MATTERS FROM THE MAYOR

The mayor explained that citizens must sign up to speak during the public hearings and/or the citizen comment period and that it is not a time when Council responds to comments; however, they are welcome to meet with Council members at a convenient time to discuss them. He then acknowledged and thanked the Public Works crews, public safety personnel and dispatchers for keeping the main city

streets clear and getting out to help folks during the recent snow event. He then announced the following Police Department staff promotions:

- Cpt. David Shaw, promoted to Police Chief
- Sgt. Alyssa Zullig, promoted to Captain of Support Services Division
- Cpl. Jessie Feazell, promoted to Sergeant in Patrol Division
- Cpl. Micah Holmes, promoted to Sergeant in Patrol Division
- Officer Brandon Mawyer, promoted to Corporal in Patrol Division
- Officer Rebecca Shouey, promoted to Corporal in Patrol Division
- Auxiliary Police Sgt. Benjamin Kontaxes, promoted to Lieutenant Colonel, Assistant Commander of Police Auxiliary

MATTERS FROM COUNCIL MEMBERS

Council member Short expressed his appreciation to the Public Works crews for the jobs they did repairing the recent water main break on the west end of the city. He also provided an update on the recent announcement and development for the Virginia Museum of Natural History.

Council member Hostetter also acknowledged the Public Works crews for restoring water at the west end and also thanked the Fishin’ Pig Restaurant for providing warm food to the crews during that time. He provided his COVID update, announcing there is an increase in positive cases during the holidays. Hospital admissions are increasing but local numbers are not increasing as quickly as state numbers. He continued to encourage vaccines and to speak with family practitioners.

CONSENT AGENDA

Council member Allen moved to adopt the December 13, 2021 Business Meeting Minutes as presented. **Having been seconded and with no objections, the minutes were adopted 4:0:**

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

PUBLIC HEARING – CONDITIONAL USE PERMIT – S. MAGNOLIA AVE TOWNHOUSES

The Community Development Director provided background on an application by Mr. Zakary Draego for a conditional use permit to allow townhouses in the R-O (Residential Office) District at unimproved properties at 401, 403, 405, and 407 S. Magnolia Avenue, at the corner of 12th Street, Waynesboro VA. (*attachment 47-21*). Staff recommends approval of the application with the condition that townhouses will be built according to the area and dimensional standards of the RG-5 (General Residential) District.

The public hearing was opened at 7:15 p.m. The applicant was present to answer any questions. With no other comments, the public hearing was closed at 7:18 p.m. Council member Short moved to introduce an ordinance **GRANTING A CONDITIONAL USE PERMIT TO ALLOW TOWNHOUSES IN THE R-O, RESIDENTIAL OFFICE, DISTRICT AT 401, 403, 405, AND 407 SOUTH MAGNOLIA AVENUE, TAX MAP NO.’s: 44-4-17-1, 44-4-17-2, 44-4-17-3, AND 44-4-17-4, WAYNESBORO, VIRGINIA.** Having been seconded and with no further comments, the ordinance will be considered again at the January 24, 2022 regular business meeting.

PUBLIC HEARING – REZONE 1001 SHENANDOAH VILLAGE DRIVE

The Community Development Director provided background on an application by The Waynesboro Economic Development Department on behalf of Richard T. Spurzem, manager of Waynesboro Village, LLC, and owner of the subject parcel, to rezone a 83.097-acre parcel located at 1001 Shenandoah village Drive from H-B (Highway Business) to L-I (Light Industrial) to improve its marketability (*attachment 47-22*). Staff recommends approval of the application.

Council member Hostetter asked about a buffer with the Coyner Spring Park and was told a planned buffer would try to be provided at both the park and the county boundary. Council member Short asked about industrial traffic impacts on exit 96 versus 94, and Mr. Juday stated the rezoning may actually reduce traffic from the current zoning possibilities.

The public hearing was opened at 7:35 p.m. With no one signed up to speak, the public hearing was closed. Council member Hostetter moved to introduce an ordinance **REZONING 1001 SHENANDOAH VILLAGE DRIVE, TAX MAP NO. 60-1-56, FROM H-B HIGHWAY BUSINESS TO L-I LIGHT INDUSTRIAL**. Having been seconded and with no further discussion, the ordinance will be considered again at the January 24, 2022 regular business meeting.

PUBLIC HEARING - REZONING – PARCELS AT CORNER OF 11TH STREET AND CHESTNUT AVENUE AND 11TH STREET AND WALNUT AVENUE

The Community Development Director provided background on an application initiated by the Planning Department to rezone several parcels located at the corners of 11th Street and Walnut Avenue and 11th Street and Chestnut Avenue from RS-5 (Traditional Residential) to RG-5 (General Residential) (*attachment 47-23*). The subject parcels are located immediately adjacent to several parcels rezoned from RS-5 to RG-5 early in 2021 as part of the rezoning request for 312 and 316 Walnut Avenue and 325 Chestnut Avenue, ZMA 21-006. This rezoning disrupted the continuity of the district, and the Planning Commission voted to direct the Planning Department to initiate a rezoning of the subject parcels from RS-5 to RG-5 to fix these inconsistencies.

The public hearing was opened at 7:40 p.m. With no one signed up to speak, the public hearing was closed. Council member Short asked about the homes that were gerrymandered out of the Historic District being brought back in. Mr. Juday stated he would speak with Council member Short on the matter.

Council member Short moved to introduce an ordinance **REZONING NUMEROUS PROPERTIES LOCATED AT THE CORNERS OF 11TH STREET AND WALNUT AVENUE AND 11TH STREET AND CHESTNUT AVENUE FROM RS-5, TRADITIONAL RESIDENTIAL, TO RG-5, GENERAL RESIDENTIAL**. Having been seconded and with no further discussion, the ordinance will be considered again at the January 24, 2022 regular business meeting.

PUBLIC HEARING – ZONING CODE AMENDMENT – MX-B DISTRICT

The Community Development Director provided background on the ordinance that will correct Zoning Ordinance Section 2.4 allowing certain uses in the MX-B (Mixed Business) District by-right, including Brew Pubs, Micro-Breweries, Solar Farm, and light industrial services not listed. It also amends language referring to “service bay doors” to ensure consistency throughout the Zoning Ordinance.

The public hearing was opened at 7:45 p.m. With no one signed up to speak, the public hearing was closed. Council member Hostetter moved to introduce an ordinance **AMENDING CHAPTER 98, ARTICLE 2, SECTION 2.4.4, USE CATEGORIES, OF THE CITY CODE, ZONING ORDINANCE, OF THE CITY OF**

WAYNESBORO, VIRGINIA. Having been seconded, the ordinance will be considered again at the January 24, 2022 regular business meeting.

PUBLIC HEARING – ZONING CODE AMENDMENT – SERVICE BAY DOOR LANGUAGE

This public hearing is to receive public comment regarding an amendment to the Zoning Ordinance Section 4.4.10.A, vehicle Sales and Service, to include all service bay door (openings) shall face away from residential uses and from corridors designated in Section 3.3.2.B.

The public hearing was opened at 7:46 p.m. With no one signed up to speak, the public hearing was closed. Council member Short moved to introduce an ordinance AMENDING CHAPTER 98, ARTICLE 4, SECTION 4.4.10, VEHICLE SALES AND SERVICES OF THE CITY CODE, ZONING ORDINANCE, OF THE CITY OF WAYNESBORO, VIRGINIA. Having been seconded and with no further discussion, the ordinance will be considered again at the January 24, 2022 regular business meeting.

RESOLUTION - CONSIDER ADOPTING A RESOLUTION DESIGNATING CITY HOLIDAYS

Council emphasized the importance of improving employee retention, benefits and compensation. Staff is recommending Council consider adopting a resolution increasing employee holidays from ten (10) holidays to fourteen (14) annually. This would bring the city holiday schedule more in conformity with the state holiday schedule. He emphasized the city is not adopting the state holiday schedule as that can change based on the Governor’s direction and those changes would not be inherent in the local holiday schedule. Council member Hostetter confirmed that his relates only to the city holiday schedule and does not impact the school holiday schedule.

Council member Allen moved to adopt a resolution designating city holidays:

**RESOLUTION (R22-01)
DESIGNATING CITY HOLIDAYS**

WHEREAS, City employees currently enjoy a total of 10 City holidays per year;

WHEREAS, the City Council recognizes that the Commonwealth of Virginia and other localities offer more than 10 holidays per year;

WHEREAS, the City Council wishes to provide competitive benefits to City employees;

WHEREAS, the City Council wishes to increase the number of holidays for City employees.

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

1. Effective January 1, 2022, and in each subsequent year, the following days are designated as legal holidays for the City of Waynesboro, Virginia:

1. January 1 - New Year's Day.
2. The third Monday in January - Martin Luther King, Jr.
3. The third Monday in February - Presidents’ Day.
4. The last Monday in May - Memorial Day.

On this day all flags, national, state, and local, shall be flown at half-staff or half-mast to honor and acknowledge respect for those who made the supreme sacrifice.

- 5. June 19 - Juneteenth.
- 6. July 4 - Independence Day.
- 7. The first Monday in September - Labor Day.
- 8. The second Monday in October – Columbus/Indigenous People Day.
- 9. The Tuesday following the first Monday in November - Election Day.
- 10. November 11 - Veterans Day.
- 11. The fourth Thursday in November and the Friday next following - Thanksgiving Day.
- 12. December 24 - Christmas Eve.
- 13. December 25 - Christmas Day.

2. Whenever any of such days falls on Saturday, the Friday next preceding such day, or whenever any of such days falls on Sunday, the Monday next following such day, shall be the legal holiday as to the transaction of all business.

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

Resolved this 10th day of January 2022.

ATTEST:

Clerk, City Council
City of Waynesboro, Virginia

Mayor, City Council
City of Waynesboro, Virginia

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

COMMUNICATION, CORRESPONDENCE, CALENDAR

Christmas Tree Disposal: Christmas trees can be disposed of at the former Advance Parking Lot in downtown Waynesboro for recycling through the month of January, 2022. Curbside pickup will be done but a timeframe will be depending on staffing availability.

Middle River Regional Jail: Crowding continues at the Middle River Regional Jail. The City Manager will ask Council to consider adopting a resolution at the next business meeting asking the General Assembly representative that the state take more timely action for their state prisoners.

Budget Amendment: At the next business meeting staff will present Council with a budget amendment that will require a public hearing regarding encumbrance rollover, mid-year compensation adjustments for public safety personnel, and two ARPA investments that include premium pay for employees and an Enterprise budget adjustment.

CITIZEN COMMENT PERIOD

With no one signed up to speak, the meeting continued.

CLOSED MEETING

Council member Hostetter moved that Council go into Closed Meeting to discuss the award of a public contract involving the expenditure of public funds, including discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the City pursuant to Va. Code section 2.2-3711(A)(29). The subject matter is the Shenandoah Animal Services Center. **Having been seconded and with no objections, the motion was adopted on a roll-call vote 4:0 at 7:59 p.m.:**

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

Council came out of the closed meeting at 8:17 p.m. **Council member Hostetter moved to adopt the following certification resolution as read in its entirety:**

CERTIFICATION RESOLUTION (R22-02)

WHEREAS, the City Council of Waynesboro has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by this City Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Waynesboro hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the City Council of Waynesboro, namely the subject of the Shenandoah Animal Services Center.

Having been seconded and with no objections, the certification resolution was adopted 4-0 on the unanimous affirmative roll call vote as follows:

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

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 8:18 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