

# WAYNESBORO, VIRGINIA

## CITY COUNCIL REGULAR BUSINESS MEETING MINUTES



Council for the City of Waynesboro, Virginia held a Regular Business Meeting on Monday, December 13, 2021 at 7:00 p.m. in the auditorium of the Kate Collins Middle School, 1625 Ivy 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  
Terry Short, Jr., Council member  
Sam Hostetter, Council member

City Staff: Cameron McCormick, Assistant City Manager - Finance  
Todd Wood, Assistant City Manager - Operations  
Julia Bortle, Clerk of Council  
Michael Wilhelm, Police Chief  
Dwayne Jones, Parks and Recreation Director

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

Guest: Dustin Didawick, CPA, Didawick & Co.

ABSENT: Michael Hamp, City Manager

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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 Hostetter led everyone in the Pledge of Allegiance to the flag of the United States of America. He then explained that citizens must sign up to speak during the public hearing and/or the citizen comment period.

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### BUSINESS MEETING AGENDA AMENDMENT

Council member Allen 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 5:0:**

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

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**MATTERS FROM THE MAYOR**

**Additional Christmas Holiday Day Off:** As Christmas falls on Saturday in 2021, the city employees receive Friday, December 24, 2021 as the Christmas holiday. Council member Short moved that the city employees also receive Thursday, December 23, 2021 off. Council member Allen asked about the financial impact for the City was told it would be approximately \$35,000. Having been seconded and with no objections, the motion was adopted 5:0:

<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>Aye</b>
		<b>Council member Hostetter</b>	<b>Aye</b>

**Cancel December 27, 2021 Council Meeting:** Due to no time-sensitive matters to discuss, Council member Short moved to cancel the December 27 Council Regular Business Meeting. Having been seconded and with no objections, the motion was adopted 5:0:

<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>Aye</b>
		<b>Council member Hostetter</b>	<b>Aye</b>

Mayor Henderson congratulated Dr. Vermell Grant, Assistant School Superintendent, on her retirement after more than 40 years in the school system. He also congratulated Dr. Ryan Barber on his assuming that post. The mayor stated that the new Lieutenant Governor, Winsome Sears, will be in Waynesboro visiting RISE next week and he plans to meet with her. He then wished everyone a very merry Christmas and happy holiday.

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**MATTERS FROM COUNCIL MEMBERS**

Council member Hostetter provided his COVID-19 update, stating that locally the infection rate remains low but across Virginia there was an uptick after Thanksgiving. He noted that one year of data available shows the vaccine is safe and effective.

Council member Short stated that he and the mayor met with Delegate Avoli and they are excited about his leadership. He spoke about a shift in state legislators and potential for additional leadership responsibilities. Council member Hostetter also wished everyone happy holidays.

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**CONSENT AGENDA**

Council member Hostetter moved to adopt the November 22, 2021 Work Session and Business Meeting Minutes as presented. Having been seconded and with no objections, the minutes were adopted 5:0:

<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>Aye</b>
		<b>Council member Hostetter</b>	<b>Aye</b>

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**ANNUAL COMPREHENSIVE FINANCIAL REPORT**

Mr. Dustin Didawick made a presentation of the City's Annual Comprehensive Financial Report (CAFR) for the fiscal year ending June 30, 2021, noting that pages 3 and 4 contained an unmodified opinion, meaning it is a clean opinion, free of material misstatements and can be relied upon.

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**PUBLIC HEARING – RELOCATION OF HARMAN MONUMENT**

Assistant City Manager Wood reviewed the reason for the removal of the Harman Monument from Constitution Park was due to vandalism and it conflicted with the plans for the Virginia Museum of Natural History construction. He noted that several requests to assist with the relocation were received. The public hearing was opened at 7:14 p.m.

Mark Harman, Swoope: stated he is a direct descendent of William Harman, and they would like permission to place the monument on private land, accessible to the public, properly illuminated, so it would receive the honor and safety deserved.

Brandon Dorsey, Fairfield: represents the Stonewall Brigade, Sons of Confederate Veterans, and supports the Harman family to be the people who designate the monument location. As it was actually intended as a grave marker, he objects to its removal from its location.

Jeff Shifflett, Stuarts Draft: supports the Harman family to preserve history. His company will be able to remove the monument free of charge to the City and his company has the equipment and insurance to do so properly and safely.

Paul Harman: related to Adam Harman and supports the family to take the monument and put it in a proper location.

With no further comments from speakers, the public hearing was closed at 7:28 p.m. The mayor stated that staff will be in contact with the Harman family to get the monument issue resolved.

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**VACATION OF SANITARY SEWER EASEMENTS RELATED TO THE WAYNESBORO MARKET PLACE DEVELOPMENT (FORMER LADD SCHOOL SITE)**

Council member Allen moved to introduce an ordinance of vacation and deed of vacation for the sewer main that ran through the Ladd School property located along Rosser Avenue relinquishing any interest the City has in the sewer assets or the related easement. Having been seconded and with no objections, the ordinance will be considered again at the January 10, 2022 regular business meeting.

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**AMERICA RECOVERY PROGRAM ACT-UTILITY RELIEF FUNDS**

Assistant City Manager McCormick reviewed that the American Rescue Plan funds were awarded through the Commonwealth to the City in the amount of \$238,589 for direct assistance to residential municipal customers with arrearages greater than sixty (60) days for the time period between March 12, 2020 and August 31, 2021. The resolution presented to Council authorizes the City Manager and Assistant City Manager to sign the certification required by the Commonwealth to accept the funds. Council member Allen moved to adopt the resolution regarding state and local fiscal recovery funds. Having been seconded by Council member Short, he asked how these funds would be communicated to eligible customers. He was told it would be by a credit on their bill and a letter notifying the customers. **The resolution was then adopted 5:0:**

<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>Aye</b>
		<b>Council member Hostetter</b>	<b>Aye</b>

**A RESOLUTION (R21-25) REGARDING  
STATE AND LOCAL FISCAL RECOVERY FUNDS**

**WHEREAS**, the American Rescue Plan Act of 2021 (“ARPA”) made certain state and local fiscal recovery funds available; and

**WHEREAS**, as authorized by ARPA, the United States Department of the Treasury has promulgated certain regulations (the “Regulations”) with respect to the state and local fiscal recovery funds; and

**WHEREAS**, ARPA and the Regulations provide that the state and local fiscal recovery funds may be used only for certain purposes, which purposes include but are not limited to the provision of government services, such as utility services, to the extent of the reduction in revenue due to the COVID–19 public health emergency; and

**WHEREAS**, the state and local fiscal recovery funds are administered by the Commonwealth of Virginia, which requires the City to (i) request the funds and (ii) make certain certifications relating to the use of the funds, documentation, and reporting for the funds, and other similar certifications; and

**WHEREAS**, the City desires to request the funds and use them for eligible purposes.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Waynesboro, Virginia that:

1. The City Manager, or his designee, is authorized to request distribution to the City of the City’s allotment of state and local fiscal recovery funds, and to expend the funds for purposes that are eligible under ARPA and the Regulations.
2. The City Manager, or his designee, is authorized to make such certifications and to execute such documents as may be necessary to request, receive, and expend the funds.
3. The City Manager, or his designee, is authorized to take any and all other actions that are reasonable and necessary to effect the purpose of this Resolution.

Adopted this 13<sup>th</sup> day of December, 2021.

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Mayor, City of Waynesboro, Virginia

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**ORDINANCE-TRANSITION OF LOCAL GENERAL ELECTIONS WITHIN THE CITY OF WAYNESBORO, VIRGINIA FROM MAY TO NOVEMBER**

The City Attorney explained the State Board of Elections required Council adopt an ordinance mirroring the State language before January 1, 2022 to change the election from May to November. Council member Allen moved to adopt an emergency ordinance providing for the transition of elections within the City of Waynesboro from May to November. Having been seconded and with no objections, the ordinance was introduced and adopted 5:0:

<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>Aye</b>
		<b>Council member Hostetter</b>	<b>Aye</b>

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**COMMUNICATION, CORRESPONDENCE, CALENDAR**

Earlier in the meeting, the mayor stated that effective in January, 2022, Council meetings will return to the Council Chambers at the Yancey Municipal Building, 503 W. Main Street, Waynesboro. With no further comments from staff or council, the meeting continued.

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**CITIZEN COMMENT PERIOD**

Andrea Jackson, Waynesboro: stated she respects the Harman family history but removing civil war monuments is correcting history and promotes moving forward.

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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 5:0 at 7:41 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>Aye</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