

# WAYNESBORO, VIRGINIA CITY COUNCIL REGULAR BUSINESS MEETING MINUTES



Council for the City of Waynesboro, Virginia held a Regular Business Meeting on Wednesday, October 12, 2022 beginning at 7:00 p.m. in the Council Chambers, 503 W. Main Street, Waynesboro, Virginia, Mayor Henderson presiding and calling the meeting to order. This meeting was also viewable by accessing the City’s YouTube Channel and Government Access Channel.

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

City Staff: Michael Hamp, City Manager  
Todd Wood, Assistant City Manager - Operations  
Michael Wilhelm Assistant City Manager – Public Safety  
Cameron McCormick, Assistant City Manager – Finance  
Julia Bortle, Clerk of the Council  
Leslie Tate, Community Development Director  
David Shaw, Police Chief  
Sabrina von Schilling, Commissioner of the Revenue

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

ABSENT: None

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

Mayor Henderson called the meeting to order and asked Council member Allen to lead everyone in the Pledge of Allegiance to the Flag of the United States of America. The procedure for the public hearings and citizen comment period was explained.

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Vice Mayor Williams moved to adopt the meeting agenda. Having been seconded and with no objections, the meeting agenda 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 Hostetter</b>	<b>Aye</b>
		<b>Council member Short</b>	<b>Aye</b>

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**MATTERS FROM THE MAYOR**

The mayor congratulated Mr. Mark Graver, former building inspector, for being promoted to Building Official. He thanked the former Official, Mr. Joe Honbarrier, on his retirement. He then reviewed a media release outlining visitor spending in the city reaching \$66.9 million in 2021, a 41.6% increase over 2020, and a 10.4% increase over 2019, making 2021 a significant year in recovery from COVID for the city.

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**MATTERS FROM COUNCIL MEMBERS**

The vice mayor, mayor, and city manager hosted the Wenonah Elementary School third-grade class at City Hall, holding a mock public hearing for children to experience a council meeting.

[Clerk’s Note: Vice Mayor Williams presented the Alpha Delta Kappa proclamation as requested by Ms. Lillie Walters, to the group at the home of Mrs. Andy Shifflett on Tuesday, October 4, 2022.]

Council member Hostetter congratulated the Parks and Recreation Department and the Shenandoah Valley Art Center for holding the annual Fall Foliage Art Show. It was well organized and attended. He also thanked the Parks and Rec Department for holding a successful 5K and 10K race that included using a portion of the new South River Greenway. He also noted that he has removed his mask as the city is now appearing in the VDH site in green. The COVID booster shots are available and encouraged.

Council member Short also congratulated the city staff for the grand opening of the new portion of the Greenway. Also, last week he was in Richmond with the Virginia Municipal League adopting the Legislative Program for the year, advocating for educational capital investment. He noted that currently Virginia does not contribute any funds toward K-12 capital investments directly; however, he is hopeful that the city will be able to take advantage of grant opportunities.

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**CONSENT AGENDA MEETING MINUTES**

Council member Hostetter moved to adopt the Consent Agenda as presented. Having been seconded and with no objections, the consent agenda 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 Hostetter</b>	<b>Aye</b>
		<b>Council member Short</b>	<b>Aye</b>

Consider adopting the minutes from the September 26, 2022 Regular Business Meeting and the September 28, 2022 Special Called Meeting.

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**PUBLIC HEARING – MOTOR VEHICLE TAX RATE FOR CALENDAR YEAR 2022**

The adopted Fiscal Year 2023 Budget included a Personal Property Tax rate of \$2.75 per \$100 of assessed value. On September 28, the Council held a special called meeting and after further review of the motor vehicle tax reassessment, the Council introduced an ordinance that, if adopted, would establish the personal property rate at \$2.65. The city manager recommended Council adopt a rate of \$2.65 that would ease the increase on taxpayers due to the increased vehicle assessments while providing the organization funds that would provide additional steps to improve employee compensation.

The mayor asked what the revised rate would mean for city salaries. The city manager outlined the compensation study and pay steps and the proposed increases compared to market rate.

Council member Hostetter asked about the re-coupling of the personal property and machinery and tools taxes being in fiscal year or calendar year 2025. He was told it would begin in calendar year 2025 or using the fiscal year it would be in March 2024.

Council member Allen stated that an equalized tax rate would mean a rate of \$2.52, meaning the city would receive the same revenue as last year but show growth due to an upcoming increase of housing and vehicles in the city due to the pending developments. Council member Hostetter questioned future car values and numbers of cars increasing or decreasing and the impact on revenue.

The public hearing was opened at 7:29 p.m. With no one signed up to speak, the public hearing was closed. Council member Allen asked about amending the ordinance to a rate of \$2.60. The attorney noted Council may adopt a friendly amendment or vote on the current motion.

Council member Hostetter introduced a friendly amendment to amend the ordinance to a rate of \$2.62 per \$100 of assessed value. Council member Short seconded the friendly amendment. The friendly amendment was adopted on a 5:0 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 Hostetter</b>	<b>Aye</b>
		<b>Council member Short</b>	<b>Aye</b>

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**PUBLIC HEARING – REQUEST TO CLOSE AND VACATE APPROXIMATELY 1.06 ACRES AT ELKIN CIRCLE AND 11<sup>TH</sup> STREET (GUN AVENUE)**

The Community Development Director made a presentation reviewing the application by Mr. William T. Elder to close and vacate approximately 1.06 acres of unimproved streets and alleys to the east of the intersection of Elkin Circle and 11<sup>th</sup> Street in Winchester Heights, between block 9 and 10 (*attachment 47-49*). Because Gun Street and the alley are in between property owned by the applicant and adjoining property owned by Trader LLC, 50% of Hunter Street right of way (30') will be conveyed to Mr. Elder with the remaining being conveyed to Trader LLC at their option.

Because the land value is assessed at \$10,385 as determined by the City Assessor, staff does not recommend waiving of the purchase fee for the conveyed property as it is being sold to a private owner for development.

The public hearing was opened at 7:37 p.m. The only person to speak was the applicant:

**Mr. William Elder, applicant:** provided his reasons why the value of the land being sold to him should be discounted from the assessed value; namely, the neighboring property plat was provided free of charge so he asked for a \$1,000 discount, the land is not flat as described, and it benefits the city to have the land developed.

The public hearing was closed at 7:40 p.m. Mayor Henderson moved to reduce the sale price of the land to \$9,385. Having been seconded and with no further discussion, 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 Hostetter</b>	<b>Aye</b>
		<b>Council member Short</b>	<b>Aye</b>

Council member Short moved to introduce the ordinance **CLOSING AND VACATING APPROXIMATELY 1.06 ACRES OF UNIMPROVED STREETS AND ALLEYS TO THE EAST OF THE INTERSECTION OF ELKIN CIRCLE**

**AND 11<sup>TH</sup> STREET IN WINCHESTER HEIGHTS BETWEEN BLOCK 9 AND 10.** Having been seconded and with further discussion, the ordinance will be considered for adoption at the October 24, 2022 regular business meeting.

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**RESOLUTION SUPPORTING THE CITY'S APPLICATION TO THE GROWTH AND ACCESSIBILITY PLANNING (GAP) TECHNICAL ASSISTANCE PROGRAM FOR A CITYWIDE BICYCLE AND PEDESTRIAN PLAN**

The Community Development Department would like to request funding from the GAP Technical Assistance program under Component 1 for a comprehensive city-wide bicycle and pedestrian plan. If funded, the plan would provide the city with its first dedicated bicycle and pedestrian plan. The plan would be used to prioritize future projects and grant applications and serve as a resource in discussions with the development community. No local match is required for the grant funding. A resolution of support from City Council is required as part of the application.

Council member Hostetter moved to adopt a resolution of support. Having been seconded and with no further discussion, the resolution was adopted 4:0 with Council member Short abstaining as an employee of the Virginia Department of Transportation.

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

**RESOLUTION <sup>(R22-26)</sup>**  
**SUPPORTING AN APPLICATION TO THE GROWTH & ACCESSIBILITY PLANNING (GAP) TECHNICAL ASSISTANCE PROGRAM FOR A CITYWIDE BICYCLE AND PEDESTRIAN PLAN**

**WHEREAS**, the Growth & Accessibility Technical Assistance Program (GAP-TA) supports Virginia localities while advancing the goals of the Office of Intermodal Planning and Investment (OIPI); and

**WHEREAS**, The GAP-TA program provides funds to conduct multimodal planning within existing or planned Urban Development Areas or Growth Areas (per Virginia Code Section 15.2-2223.1); and

**WHEREAS**, the City of Waynesboro is desirous of applying for funding through the GAP-TA program to create a comprehensive city-wide pedestrian and bicycle plan.

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

1. Council supports the GAP-TA application to create a comprehensive city-wide pedestrian and bicycle plan.
2. Council understands that if the City of Waynesboro is awarded technical assistance towards a city-wide pedestrian and bicycle plan, the creation of such plan will involve data collection, public and stakeholder input, Planning Commission review, and City Council adoption.
3. Council acknowledges that the plan will be used as a resource during the review of applications including rezoning, major subdivision, and site plan as well as a guide for future Virginia

Department of Transportation (VDOT) grant applications.

ATTEST: \_\_\_\_\_  
Clerk, City Council

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Mayor, City Council

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**CONSIDER INTRODUCING THE FOLLOWING APPROPRIATION ORDINANCES  
TOTALING \$16,387**

Vice Mayor Williams moved to introduce the following appropriation ordinances:

- a. Appropriating \$9,300 of donations to the Victim Witness Program, to the General Fund, for victim witness program expenses.
- b. Appropriating a \$3,912 reimbursement received by the Police Department to the General Fund, for SOVA-ICAC Conference travel expenses.
- c. Appropriating \$3,175 from Restricted Fund balance, to the General Fund, for additional operating supplies for the Sheriff’s Office.

Having been seconded and with no discussions, these ordinances will be considered for adoption at the October 24, 2022 regular business meeting.

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**CONSIDER ADOPTING THE FOLLOWING APPROPRIATION ORDINANCES TOTALING  
\$622,000**

Council member Hostetter moved to introduce and adopt the following appropriation ordinances:

- a. Appropriating \$582,000 of American Rescue Plan Act (ARPA) funds, to the Water Fund, for the purchase and installation of a raw water tank.
- b. Appropriating a 440,000 ARPA Tourism Recovery Program allocation from the Virginia Tourism Corporation, to the General Fund, to fund a digital marketing campaign.

Having been seconded and with no discussion, the ordinances were adopted on a 5:0 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 Hostetter</b>	<b>Aye</b>
		<b>Council member Short</b>	<b>Aye</b>

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**RESOLUTION ESTABLISHING PERSONAL PROPERTY TAX RELIEF RATE**

The council meeting packet contained a resolution that provided for a rate of \$2.65; however, the Commissioner of the Revenue calculated a revised rate of \$2.62 or 38% relief. Council member Short moved to adopt the PPTRA tax relief of 38%. Having been seconded and with no discussion, the resolution was adopted on a 5:0 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 Hostetter</b>	<b>Aye</b>
		<b>Council member Short</b>	<b>Aye</b>

**RESOLUTION <sup>(R22-27)</sup>  
RESOLUTION SETTING PPTRA RATE OF RELIEF  
FOR TAX YEAR 2022**

**WHEREAS** the Personal Property Tax Relief Act of 1998, Va. Code §§ 58.1-3523 *et seq.* (“PPTRA”), provides for the appropriation to the City a fixed sum to be used exclusively for the provision of tax relief to owners of qualifying personal use vehicles that are subject to the personal property tax (“PPT”) on such vehicles, and provide the opportunity for the City to fashion a program of tax relief that serves the best interests of its citizenry; and

**WHEREAS** these legislative enactments require the City of Waynesboro to take affirmative steps to implement and to provide for the computation and allocation of relief provided pursuant to the PPTRA as revised;

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Waynesboro, Virginia in accordance with the requirements set forth in Section 58.1-3524(C) (2) and Section 58.1-3912(E) of the Code of Virginia, as amended by Chapter 1 of the Acts of the General Assembly (2004 Special Session 1) and as set forth in item 503.E (Personal Property Tax Relief Program) of Chapter 951 of the 2005 Acts of the General Assembly, any qualifying vehicle that has situs within the City of Waynesboro commencing January 1, 2022 shall receive personal property tax relief in the following manner:

- (1) Personal use vehicles valued at \$1,000 or less will be eligible for 100% tax relief;
- (2) Personal vehicles valued at \$1,001 to \$20,000 will be eligible for 38% tax relief;
- (3) Personal vehicles valued at \$20,001 or more shall only receive 38% tax relief on the first \$20,000 of value; and
- (4) All other vehicles which do not meet the definition of qualifying vehicle (business use vehicles, farm use vehicles, motor homes, etc.) shall not be eligible for any form of tax relief under this program.

ATTEST:

CITY OF WAYNESBORO

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Clerk of Council

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Mayor

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**COMMUNICATION, CORRESPONDENCE, CALENDAR**

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

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**CITIZEN COMMENT PERIOD**

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

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**ADJOURN**

Council member Allen moved to adjourn the meeting. Having been seconded and with no objections, the meeting was adjourned at 7:55 p.m. on an affirmative 5:0 vote:

**Mayor Henderson**      **Aye**  
**Vice Mayor Williams**      **Aye**

**Council member Allen**      **Aye**  
**Council member Hostetter**      **Aye**  
**Council member Short**      **Aye**

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Julia Bortle, MMC, Clerk of Council

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Bobby Henderson, Mayor