

# WAYNESBORO, VIRGINIA CITY COUNCIL BUSINESS MEETING MINUTES



Council for the City of Waynesboro, Virginia held a Regular Business Meeting on Monday, May 22, 2023 at 7:00 p.m. in the Council Chambers of the Charles T. Yancey Municipal Building, 503 West Main Street, Waynesboro, Virginia, with Mayor Williams presiding and calling the meeting to order.

PRESENT: Council Members: Lana Williams, Mayor  
Jim Wood, Vice Mayor  
Bruce Allen, Council member (via remote)  
Terry Short, Jr., Council member (arrived 7:08 p.m.)  
Kenny Lee, 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  
David Shaw, Police Chief  
Greg Hitchin, Economic Development Director  
Andrew Holloway, Fire Department Chief

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

ABSENT: None

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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 Vice Mayor Wood lead everyone in the Pledge of Allegiance to the Flag of the United States of America. The mayor then stated that for medical reasons, Council member Allen would be participating remotely. She reviewed the procedure for the citizen comment period.

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## MEETING AGENDA

Council member Lee moved to adopt the meeting agenda. Having been seconded and with no objections, the meeting agenda was adopted 4:0:

<b>Mayor Williams</b>	<b>Aye</b>	<b>Council member Allen</b>	<b>Aye</b>
<b>Vice Mayor Wood</b>	<b>Aye</b>	<b>Council member Short</b>	<b>Absent</b>
		<b>Council member Lee</b>	<b>Aye</b>

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## MATTERS FROM THE MAYOR

The mayor attended the Waynesboro High School graduation and congratulated the graduates, wishing them luck on their journey.

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**MATTERS FROM COUNCIL MEMBERS**

Council member Lee toured Public Works facilities and met with staff members. He found the information interesting and enlightening.

[Clerk’s Note: Vice Mayor Wood presented a proclamation naming May 14-20, 2023 as National Skilled Nursing Care Week in the City of Waynesboro at the River Edge Nursing Home on Monday, May 15, 2023.]

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**CONSENT AGENDA**

Vice Mayor Wood moved to adopt the Consent Agenda as presented. Having been seconded and with no objections, the consent agenda was adopted 4:0:

<b>Mayor Williams</b>	<b>Aye</b>	<b>Council member Allen</b>	<b>Aye</b>
<b>Vice Mayor Wood</b>	<b>Aye</b>	<b>Council member Short</b>	<b>Absent</b>
		<b>Council member Lee</b>	<b>Aye</b>

- a. Consider adopting the minutes from the May 8, 2023 Regular Business Meeting.
- b. Consider approving a request from the Commissioner of the Revenue to refund \$4,168.23 plus interest for 2022 personal property taxes in error.

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**PROCLAMATION – PUBLIC WORKS WEEK**

Vice Mayor Wood read a proclamation naming the week of May 22-26, 2023 as Public Works Week in the City of Waynesboro, and the Mayor and Vice Mayor presented the proclamation to Public Works Director Trafford McRae.

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**RECEIVE A PRESENTATION ON THE CITY’S PAVEMENT MANAGEMENT PROGRAM**

The Public Works Director made a presentation regarding the city’s pavement maintenance program (*attachment 47-65*). The presentation included an overview of the South River Waterline Crossing at Ridgeview Park, noting that the crossing project has an impact on paving schedules.

Council member Short asked for an understanding of the decay effect relative to the state and federal allocations the city receives; in comparison to the number of miles paved, he asked how many miles of road is the city falling behind. Mr. McRae responded that the use of micro-surfacing will be used as an additional practice to use limited resources more effectively. He noted that micro-surfacing will require re-striping.

Vice Mayor Wood asked for the approximate road mileage in the city and how many miles in 2023 will be crack-sealed, mill/paved and micro-surfaced. Mr. McRae will provide that information.

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**SECOND CONSIDERATION/ADOPTION OF AN ORDINANCE IMPOSING TAXES FOR CALENDAR YEAR 2023**

Vice Mayor Wood moved to adopt an ordinance **IMPOSING TAXES FOR THE CALENDAR YEAR 2023 ON PROPERTY AND PERSONS, FOR THE PAYMENT OF INTEREST ON THE CITY DEBT, FOR THE SUPPORT**

OF THE GOVERNMENT, FOR THE MAINTENANCE OF THE PUBLIC SCHOOLS, AND FOR OTHER EXPENSES, PROVIDING FOR THE ASSESSMENT OF PERSONS AND PROPERTY, FOR THE COLLECTION OF TAXES, REVENUES, ASSESSMENTS, AND IMPOSING PENALTIES FOR THE FAILURE TO COMPLY WITH THE PROVISIONS HEREOF. Having been seconded and with no further discussion, the ordinance was adopted 5:0:

<b>Mayor Williams</b>	<b>Aye</b>	<b>Council member Allen</b>	<b>Aye</b>
<b>Vice Mayor Wood</b>	<b>Aye</b>	<b>Council member Short</b>	<b>Aye</b>
		<b>Council member Lee</b>	<b>Aye</b>

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**SECOND CONSIDERATION/ADOPTION OF AN ORDINANCE - STORMWATER UTILITY, REFUSE, WATER, WASTEWATER**

Council member Lee moved to adopt an ordinance AMENDING SECTIONS 30-58(h)(3)(a) AND (b), 66-3(c)(f), 86-28(a), AND 86-139(a) OF THE CITY CODE OF THE CITY OF WAYNESBORO, VIRGINIA TO UPDATE STORMWATER UTILITY SERVICE CHARGES, REFUSE SERVICE CHARGES, WATER UTILITY SERVICES CHARGES, AND WASTEWATER UTILITY SERVICE CHARGES AND RATES AS HEREIN SPECIFIC (UTILITIES). Having been seconded and with no further discussion, the ordinance was adopted 5:0:

<b>Mayor Williams</b>	<b>Aye</b>	<b>Council member Allen</b>	<b>Aye</b>
<b>Vice Mayor Wood</b>	<b>Aye</b>	<b>Council member Short</b>	<b>Aye</b>
		<b>Council member Lee</b>	<b>Aye</b>

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**SECOND CONSIDERATION/ADOPTION OF AN ORDINANCE – ANNUAL APPROPRIATION ORDINANCE (FY24 BUDGET) FOR THE FISCAL YEAR ENDING JUNE 30, 2024**

Vice Mayor Wood moved to adopt an ordinance for the ANNUAL APPROPRIATION BILL FOR THE CITY OF WAYNESBORO, VIRGINIA FOR THE YEAR ENDING JUNE 30, 2024. Having been seconded and with no further discussion, the ordinance was adopted 5:0:

<b>Mayor Williams</b>	<b>Aye</b>	<b>Council member Allen</b>	<b>Aye</b>
<b>Vice Mayor Wood</b>	<b>Aye</b>	<b>Council member Short</b>	<b>Aye</b>
		<b>Council member Lee</b>	<b>Aye</b>

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**RESOLUTION - DEED RESTRICTIONS AND COVENANTS FOR NATURE’S CROSSING TECHNOLOGY CENTER AND WAYNESBORO COMMERCE AND INDUSTRY PARK**

When the southern corridor road is constructed in the spring of 2025, there will be access to 205 acres of city-owned industrial land. The covenants preserve the nature as indicated in the industrial park’s name “Nature’s Crossing” by, among others, restricting underground utilities, increased setbacks from the southern corridor road, additional screenings and location of outdoor screenings and restricted uses for the industrial parks, primarily for manufacturing.

Responding to Council member Short’s question, the attorney stated the declaration will be recorded and any language of the covenants will be recorded in the deed.

Council member Short moved to adopt a resolution authorizing the City Manager to execute and record a Declaration of Protective Covenant and Restrictions relating to Nature’s crossing Technology Center and Waynesboro Commerce and Industry Park. Having been seconded and with no further discussion, the ordinance was adopted 5:0:

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Unapproved Draft

<b>Mayor Williams</b>	<b>Aye</b>	<b>Council member Allen</b>	<b>Aye</b>
<b>Vice Mayor Wood</b>	<b>Aye</b>	<b>Council member Short</b>	<b>Aye</b>
		<b>Council member Lee</b>	<b>Aye</b>

**RESOLUTION (R23-19)**

**AUTHORIZING THE CITY MANAGER TO EXECUTE AND RECORD A DECLARATION OF PROTECTIVE COVENANTS AND RESTRICTIONS RELATING TO NATURE’S CROSSING TECHNOLOGY CENTER AND WAYNESBORO COMMERCE AND INDUSTRY PARK**

**WHEREAS**, City of Waynesboro, Virginia (the “City”) is the owner of certain real estate consisting of approximately 170 acres, more or less, tax map numbers 72-4-16A1 and 72-4-16A3, commonly known as Nature’s Crossing Technology Center (NCTC), and is also the owner of approximately 35 acres, more or less, tax map numbers 61-1-72A and 61-1-102, commonly known as Waynesboro Commerce and Industry Park (WCIP) (NCTC and WCIP are referred to collectively herein as the “Properties”);

**WHEREAS**, the Economic Development Authority for the City of Waynesboro (the “EDA”) has been awarded a Virginia Business Ready Site Program Grant (the “Business Ready Grant”) from the Virginia Economic Development Partnership Authority (“VEDP”), which will be used to construct site improvements on the Properties (the “Project”);

**WHEREAS**, in conjunction with the Business Ready Grant and in order to establish a general plan for the improvement and development of the Properties, the City and the EDA desire to record a Declaration of Protective Covenants and Restrictions (the “Protective Covenants”) on the Property, which is attached hereto and incorporated herein as Exhibit 1, in the Clerk’s Office of the Circuit Court for the City of Waynesboro, Virginia.

**WHEREAS**, the Protective Covenants are necessary in order to ensure the proper development and use of the Properties, protect the owners of the parcels within the Properties, prevent haphazard and inharmonious improvements, and provide adequately for the highest quality improvements and use within the Properties;

**WHEREAS**, by restricting certain uses and requiring objective standards of development, the Protective Covenants protect the owner of each parcel contained within the Properties against improper development and use thereof; and

**WHEREAS**, the City Council believes the Declaration to be in the best interest of the City, its residents, and business.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WAYNESBORO, VIRGINIA** that the City Manager is authorized execute the Declaration of Protective Covenants and Restrictions, in substantial form as is attached hereto and incorporated herein as Exhibit 1, to record the Protective Covenants, and to take any other actions that are reasonable and necessary to effectuate the purpose of this Resolution.

ATTEST: \_\_\_\_\_

Clerk, City Council

\_\_\_\_\_  
Mayor, City Council

*(Exhibit 1 attached the official transcript of these minutes).*

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**RESOLUTION – PERFORMANCE AGREEMENT RELATED TO NATURE’S CROSSING TECHNOLOGY CENTER ON-SITE UTILITY GRANT**

The city has applied for a grant to assist in the water and sewer infrastructure for Nature’s Crossing Technology Center in December 2022. Waynesboro was awarded \$3.9 million enabling the city to install the water line and the sewer line. The Performance Agreement for Council’s consideration is with Virginia Economic Development Partnership which outlines how and when the funds will be spent. The Assistant City Manager-Finance explained the financial ramifications and impact on future tax rates.

Vice Mayor Wood moved to adopt a resolution authorizing the City Manager to enter into a Performance Agreement with the Virginia Economic Development Partnership program grant. Having been seconded and with no further discussion, the resolution was adopted 5:0:

<b>Mayor Williams</b>	<b>Aye</b>	<b>Council member Allen</b>	<b>Aye</b>
<b>Vice Mayor Wood</b>	<b>Aye</b>	<b>Council member Short</b>	<b>Aye</b>
		<b>Council member Lee</b>	<b>Aye</b>

**RESOLUTION <sup>(R23-20)</sup>  
OF APPROVAL OF A VIRGINIA  
BUSINESS READY SITE PROGRAM GRANT**

**WHEREAS**, Virginia Economic Development Partnership Authority (“VEDP”) has created a Virginia Business Ready Site Program Grant (the “Business Ready Grant”), whereby VEDP provides grants to public bodies to advance and accelerate economic growth in industrial sites;

**WHEREAS**, these funds are designed to prepare industrial sites for sale and development;

**WHEREAS**, the Economic Development Authority for the City of Waynesboro (the “EDA”) has been awarded a Business Ready Grant of and expects to receive \$3,911,145 from the VEDP for the purpose of site development;

**WHEREAS**, the Business Ready Grant is targeted to be used for improvements to Nature’s Crossing Technology Center on South Delphine, Waynesboro, Virginia, which property is currently owned by the City of Waynesboro, Virginia (the “City”);

**WHEREAS**, the Business Ready Grant and the relationship between the EDA and VEDP is governed by a Performance Agreement, which is attached hereto and incorporated herein as Exhibit 1.

**WHEREAS**, under the terms and conditions of the Performance Agreement, the City is required to provide thirty-three percent of the amount of the Grant disbursed in local match funds, which, if the full Grant is funded, totals \$1,303,715; and

**WHEREAS**, the City supports the EDA in this award and agrees to provide the match as required by the Performance Agreement in order to revitalize the community.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WAYNESBORO, VIRGINIA** that the City supports the Economic Development Authority for the City of Waynesboro with respect to its award of a Business Ready Grant from the Virginia Economic Development Partnership Authority in the amount of \$3,911,145 to be used for improvements to and

site development of the property located on South Delphine known as the Nature’s Crossing Technology Center (the “Project”) and authorizes the City Manager to take such steps as may be necessary to move forward with the Project, including, without limitation, expenditure of the local match funds, transfer of the property to the EDA, execute deeds and documents, and to take any other actions that are reasonable and necessary to effectuate the purpose of this Resolution.

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

*(Performance Agreement draft attached to the official transcript of these minutes.)*

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**CODE AMENDMENT - SECTION 30-58 (STORMWATER)**

To update the City Code, Section 30-58(g) has been updated to improve the organization of the section and to show the rate schedule broken out by type of property as well as calling out the biannual billing. Council member Short moved to introduce an ordinance **AMENDING CHAPTER 30, ARTICLE III, STORMWATER MANAGEMENT, SECTION 30-58 OF THE CITY CODE OF WAYNESBORO, VIRGINIA**. Having been seconded and with no further discussion, the ordinance will be considered for adoption at the June 12, 2023 regular business meeting.

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**RECEIVE A STAFFING AND APPARATUS UPDATE FROM THE FIRE CHIEF**

To better inform the Council on the purpose for applying for the SAFER Grant, the Fire Chief made a presentation that included an overview focused on the service the Fire Department provides, staffing and the Fire Department fleet’s age and deployment (*attachment 47-66*).

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**FINANCE UPDATE FOR THE FISCAL YEAR 2023**

The Assistant City Manager-Finance provided an update on the Fiscal Year 2023 Third Quarter Financial Report, detailing expenditures and revenues, by department and category for the General Fund and Enterprise Funds. The report included the revised budget, actual expenditures or revenues, the remaining fiscal year balance and the percentage of funds spent or collected.

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**COMMUNICATION, CORRESPONDENCE, CALENDAR, CITY MANAGER COMMENTS**

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

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**CITIZEN COMMENT PERIOD**

*Mr. Craig Scott, Waynesboro:* spoke about benefits of free-market over government-centric utilities and projects.

*Sheryl Carey, Waynesboro:* asked that Council respond to questions during citizen comment period during the citizen’s four-minute allocation or address it at the next meeting.

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**ADJOURN**

Council member Short moved to adjourn the meeting. Having been seconded and with no objections, the meeting was adjourned at 8:27 p.m. on an affirmative 5:0 vote:

<b>Mayor Williams</b>	<b>Aye</b>	<b>Council member Allen</b>	<b>Aye</b>
<b>Vice Mayor Wood</b>	<b>Aye</b>	<b>Council member Short</b>	<b>Aye</b>
		<b>Council member Lee</b>	<b>Aye</b>

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Julia Bortle, MMC, Clerk of Council

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Lana Williams, Mayor