

WAYNESBORO, VIRGINIA CITY COUNCIL BUSINESS MEETING MINUTES



Council for the City of Waynesboro, Virginia held a Regular Business Meeting on Monday, July 24, 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
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
Leslie Tate, Community Development Director
- Counsel: Michele Michelsen, Esq., Litten & Sipe LLC
- Guests: Dr. Kimberly McClanahan, Executive Director, Valley Community Services Board
Mr. Brian Edwards, Acting Director and Board Chair for Waynesboro Area Refuge Ministry (WARM)
Mr. Hunter McMillan, Cold Weather Director, WARM

ABSENT: Terry Short, Jr., Council member

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

The mayor opened the meeting and Council member Lee lead everyone in the Pledge of Allegiance to the Flag of the United States of America. She then reviewed the procedure for the citizen comment period.

MEETING AGENDA

Vice Mayor Wood moved to adopt the meeting agenda. Having been seconded and with no objections, the meeting agenda was adopted 4:0:

Mayor Williams	Aye	Council member Allen	Aye
Vice Mayor Wood	Aye	Council member Short	Absent
		Council member Lee	Aye

MATTERS FROM THE VICE MAYOR

With no comments from the mayor, the meeting continued.

MATTERS FROM COUNCIL MEMBERS

Vice Mayor Wood attended the ribbon cutting for the renovated T-Mobile retail store on West Main Street, wishing them luck in the newly decorated and equipped location.

CONSENT AGENDA

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

Mayor Williams	Aye	Council member Allen	Aye
Vice Mayor Wood	Aye	Council member Short	Absent
		Council member Lee	Aye

- a. Consider adopting the minutes from the July 10, 2023 Regular Business Meeting.
- b. Second consideration/adoption of an ordinance amending Waynesboro City Code Chapter 94, Vehicles for Hire. **(2023-35)**
- c. Consider approving a request from the Commissioner of the Revenue to refund \$6,592.95 plus interest for 2022 business personal property taxes paid in error.

PRESENTATION - VALLEY COMMUNITY SERVICES BOARD CRISIS RECEIVING CENTER

Dr. Kimberly McClanahan, Executive Director for the Valley Community Services Board, made a presentation to Council regarding the Board’s future plans to operate a Crisis Receiving Center (*attachment 47-69*). She thanked Council for the city’s contribution toward their budget that will help make this happen.

Vice Mayor Wood asked about the location, costs and stats for Waynesboro’s share of patient care. Dr. McClanahan said she would pursue that answer and respond. In response to Council member Lee’s question, he was told that the number of beds is based on need and upon examining how other localities provide them based on their needs.

REPORT - WAYNESBORO AREA REFUGE MINISTRY (WARM)

Mr. Brian Edwards, Acting Director for the Waynesboro Area Refuge Ministry and Board Chair, made a presentation on the current operations of the Waynesboro Area Refuge Ministry’s Anderson House expansion for unsheltered mothers and their children and the cold weather ministry to house people who are in crisis or need short-term shelter.

PUBLIC HEARING AND SECOND CONSIDERATION OF ORDINANCE - CONDITIONAL USE PERMIT AT 1169 SHERWOOD AVENUE, WAYNESBORO, VA.

The Community Development Director reviewed the application for a conditional use permit for 1169 Sherwood Avenue, Waynesboro, to allow for temporary special events in the RG-5 (General Residential) District as presented at the July 10, 2023 meeting. The revised ordinance includes the conditions noted in the July 10, 2023 meeting, including that the permit is not transferrable to future property owners and events are limited to 100 guests excluding staff and volunteers.

The public hearing was opened at 7:43 p.m. With no one signed up to speak, the public hearing was closed. The applicant was present to answer any questions but there were none. The ordinance was introduced and seconded at the July 10 meeting, and with no further discussion, the ordinance **GRANTING A CONDITIONAL USE PERMIT TO ALLOW TEMPORARY SPECIAL EVENTS IN THE RG-5 (GENERAL RESIDENTIAL) DISTRICT AT 1169 SHERWOOD AVENUE (TAX MAP NOS. 16-1-45D, 16-1-A1, AND 16-1-B1), WAYNESBORO, VIRGINIA** was adopted 4:0: (2023-36)

Mayor Williams	Aye	Council member Allen	Aye
Vice Mayor Wood	Aye	Council member Short	Absent
		Council member Lee	Aye

CLOSE AND VACATE APPROXIMATELY 0.677 ACRES OF UNIMPROVED STREETS AND ALLEYS DESCRIBED AS OHIO STREET AND NORTH AUGUSTA AVENUE

The Community Development Director made a presentation regarding the application to close and vacate approximately 0.677 acres of unimproved streets and alleys described as Ohio Street along block 40 Lot 1 and Ohio Street along Block 42 Lot 12 and North Augusta Avenue between Block 40 Lots 1 and 2 and Block 42 Lots 12-16 and 4 foot of Lot 17. Three viewers submitted their reports agreeing that there would be no detrimental harm to neighboring property owners. Staff recommends approval of the ordinance.

Council member Allen moved to introduce the ordinance **CLOSING AND VACATING APPROXIMATELY 0.677 ACRES OF UNIMPROVED STREETS AND ALLEYS DESCRIBED AS OHIO STREET ALONG BLOCK 40, LOT 1 AND OHIO STREET ALONG BLOCK 42, LOT 12, AND NORTH AUGUSTA AVENUE BETWEEN BLOCK 40, LOTS 1 AND 2, AND BLOCK 42, LOTS 12-16 AND 4 FOOT OF LOT 17, WAYNESBORO, VIRGINIA**. Having been seconded and with no further discussion, this ordinance will be subject to a public hearing and considered for adoption at the August 28, 2023 regular business meeting.

RESOLUTION OF SUPPORT FOR AN APPLICATION TO THE VIRGINIA CLEAN WATER REVOLVING LOAN FUND

Council was asked to consider adopting a resolution approving the city's Virginia Clean Water Revolving Loan application which may involve forgiveness from the state agency that provides the loan. If the forgiveness provision exists, the city will undertake approximately \$9 million worth of repair and improvement at the wastewater treatment plant. If the forgiveness provision does not materialize, the projects will be undertaken individually with operating revenue and fund balance.

Council member Allen moved to approve the city’s application to the **VIRGINIA CLEAN WATER REVOLVING LOAN FUND**. Having been seconded and with no further discussion, the resolution was adopted 4:0:

RESOLUTION (R23-21)
**AUTHORIZING THE VIRGINIA CLEAN
WATER REVOLVING FUND APPLICATION**

WHEREAS, the Virginia Clean Water Revolving Loan Fund (“VCWRLF”) was established to provide financial assistance in the form of low-interest loans to local governments for a variety of projects including improvements to publicly-owned wastewater treatment facilities and collection systems, remediation of contaminated brownfield properties, land conservation, living shorelines, and storm-water and agricultural best management practices;

WHEREAS, the Department of Environmental Quality, on behalf of the State Water Control Board, manages the VCWRLF, administers the policy aspects of the program, receives applications, develops funding recommendations, and provides assistance and oversight for funded projects;

WHEREAS, The FY 2024 annual solicitation of applications for financial assistance through the VCWRLF is currently open, and the City of Waynesboro would like to apply for a loan not to exceed \$9,040,000.

WHEREAS, the VCWRLF loan program provides potential forgiveness of all or a portion of the loan amount;

WHEREAS, the City would use the VCWRLF loan funds for wastewater treatment plant capital projects; and

WHEREAS, the City Council supports the application for the VCWRLF loan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WAYNESBORO, VIRGINIA that the City Manager, or his designees, is authorized to submit the Virginia Clean Water Revolving Loan Fund application to the Department of Environmental Quality for a loan not to exceed \$9,040,000 and to perform any task necessary to effectuate the purpose of this Resolution.

Clerk of the Council

Lana Williams, Mayor

RESOLUTION SETTING TAXICAB RATES OF FARE

The resolution is the companion document to the code amendment ordinance adopted by Council at this meeting. The Assistant City Manager-Public Safety reiterated the information presented at the previous Council meeting regarding the rate update development. The resolution was adopted 4:0:

Mayor Williams
Vice Mayor Wood

Aye
Aye

Council member Allen
Council member Short
Council member Lee

Aye
Absent
Aye

RESOLUTION (R23-22)
SETTING TAXICAB RATES OF FARE

WHEREAS, Sec. 94-7 of the City Code of the City of Waynesboro authorizes City Council to set the rates of fare charged, if any charge is made, by a taxicab or other motor vehicle performing a taxicab service within the City by resolution;

WHEREAS, the City of Waynesboro last set the current rates of fare in March 2008;

WHEREAS, the 2008 rates are no longer market rate and need to be updated; and

WHEREAS, the City Council desires to increase the rates of fare to reflect reasonable, market rates.

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

1. The rates of fare charged by a taxicab or other motor vehicle performing a taxicab service within the City shall be no greater than as follows:

- | | | |
|----|---|-------------------|
| a. | Charge for the first one-fifth mile | \$ 3.25 |
| b. | Charge for each additional one-fifth mile | \$ 0.40 |
| c. | Charge for waiting time per minute | \$ 0.35 |
| d. | Charge for waiting time per hour | \$21.00 |
| e. | Charge for pets, excluding service animals | \$ 2.00 |
| f. | Chare for each package or suitcase over two (2) | \$ 0.50 each; and |

2. The City Manager is hereby authorized to take any other actions that are deemed reasonable and necessary for the establishment of the rates of fare charged by a taxicab or other motor vehicle performing a taxicab service within the City and to effectuate the terms of this Resolution.

RESOLUTION - FISCAL YEAR 2023 COMMUNITY DEVELOPMENT BLOCK GRANT ANNUAL ACTION PLAN

The Community Development Director reviewed the briefing and short presentation on the Community Development Block Grant 2023 Annual Action Plan that was presented at a previous council meeting. A 30-day public comment period was made available and no comments were received, but two favorable comments regarding award recipients were received at a council public comment period.

Council member Lee moved to adopt the Fiscal Year 2023 CDBG Annual Action Plan. Having been seconded and with no further discussion, the resolution was adopted 4:0:

Mayor Williams	Aye	Council member Allen	Aye
Vice Mayor Wood	Aye	Council member Short	Absent
		Council member Lee	Aye

RESOLUTION (R23-23)

APPROVING THE FY 2023 ANNUAL ACTION PLAN AND SUBSTANTIAL AMENDMENT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.

WHEREAS, under Title I of the Housing and Community Development Act of 1974, as Amended, the Secretary of the U.S. Department of Housing and Urban Development is authorized to extend financial assistance to communities in the elimination or prevention of slums or urban blight, or activities which will benefit low and moderate income persons, or other urgent community development needs; and

WHEREAS, the U.S. Department of Housing and Urban Development has advised the City that the FY 2023 Entitlement amount for CDBG funds will be \$172,162. In addition, a Substantial Amendment has been prepared and will reallocate a total of \$147,917.26 and \$10,842 in Program Income to CDBG activities included in the FY 2023 Annual Action Plan; and

WHEREAS, the City of Waynesboro has prepared a CDBG Annual Action Plan for the FY 2023 funding year and Substantial Amendment to the FY 2018, 2020, 2021 and 2022 Program Years, which assesses the housing and community development needs in Waynesboro; and

WHEREAS, the draft Annual Action Plan for FY 2023 and Substantial Amendment was on public display and the City held two Community Needs Meetings and one Public Hearing on CDBG eligible activities and said Annual Action Plan, and the comments of various agencies, groups and citizens were taken into consideration in the preparation of the final documents.

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

- SECTION 1. That the FY 2023 Annual Action Plan and Substantial Amendment for the CDBG Program is approved upon certification by the City Manager that all Citizen Participation Plan requirements have been met.
- SECTION 2. That the City Council is cognizant of the conditions that are imposed in the undertaking and carrying out of community development, affordable housing and emergency homeless activities with federal financial assistance, including those relating to (a) the relocation of site occupants, (b) the prohibition of discrimination because of race, color, age, religion, sex, disability, familial status, or national origin and other assurances as set forth under the certifications.
- SECTION 3. That the City Manager, on behalf of the City of Waynesboro, is authorized to file the Annual Action Plan for FY 2023 and Substantial Amendment, and any amendments thereof with the U.S. Department of Housing and Urban Development, which has indicated its willingness to make available a grant to carry out the CDBG Program in the amount of \$172,162, and is further authorized to act as an authorized representative of the City to sign any and all documents in regard to these programs.
- SECTION 4. That the City Manager, on behalf of the City of Waynesboro, is hereby authorized to provide assurances and/or certifications as required by the Housing and Community Development Act of 1974, as Amended, the

National Affordable Housing Act of 1990, as Amended, and the Stewart B. McKinney Homeless Assistance Act, as Amended, and also any supplemental or revised data which the U.S. Department of Housing and Urban Development may request in connection with the review of this Application.

Resolved this 24th day of July, 2023.

Clerk of the Council

Lana Williams, Mayor

CORRESPONDENCE, CALENDAR, COMMENTS FROM THE CITY MANAGER

The City Manager recommended cancelling the August 14, 2023 regular business meeting as has been Council’s standard practice to allow for a summer break when no time-sensitive matters are scheduled. Vice Mayor Wood moved to cancel the August 14, 2023 regular business meeting. Having been seconded and with no further discussion, the motion was adopted 4:0:

Mayor Williams	Aye	Council member Allen	Aye
Vice Mayor Wood	Aye	Council member Short	Absent
		Council member Lee	Aye

CITIZEN COMMENT PERIOD

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

CLOSED MEETING

Vice Mayor Wood moved to reconvene in closed meeting as authorized by section 2.2-3711(3) of the Virginia Code. The subject matter of the meeting is as follows:

to discuss or consider the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of a public body, specifically Nature’s crossing Technology Center.

Having been seconded and with no objections, the closed meeting was convened at 7:56 p.m. on a roll call vote:

Mayor Williams	Aye	Council member Allen	Aye
Vice Mayor Wood	Aye	Council member Short	Absent
		Council member Lee	Aye

At 8:08 p.m., Vice Mayor Wood moved to come out of closed meeting and reconvene in open meeting and adopt the following resolution:

RESOLUTION (R23-24)

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;

Regular Business Meeting
Monday, July 24, 2023
Unapproved Draft

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.

Having been seconded and with no further discussion, the resolution was adopted 4:0 on a roll call vote:

Mayor Williams	Aye	Council member Allen	Aye
Vice Mayor Wood	Aye	Council member Short	Absent
		Council member Lee	Aye

ADJOURN

Council member Allen moved to adjourn the meeting. Having been seconded and with no objections, the meeting was adjourned at 8:09 p.m. on an affirmative 4:0 vote:

Mayor Williams	Aye	Council member Allen	Aye
Vice Mayor Wood	Aye	Council member Short	Absent
		Council member Lee	Aye

Julia Bortle, MMC, Clerk of Council

Lana Williams, Mayor