

# WAYNESBORO, VIRGINIA CITY COUNCIL BUSINESS MEETING MINUTES



Council for the City of Waynesboro, Virginia held a Regular Business Meeting on Wednesday, October 11, 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  
Terry Short, Jr., 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  
Greg Hitchin, Economic Development Director

Counsel: Michele 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 Council member Allen 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.

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## MEETING AGENDA

Council member Allen moved to adopt the meeting agenda. Having been seconded and with no objections, the meeting agenda 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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## MATTERS FROM THE MAYOR

With no matters form the mayor, the meeting continued.

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**MATTERS FROM COUNCIL MEMBERS**

Council member Short attended the River City Bread Basket ribbon cutting located at 505 North Winchester, and expressed gratitude to everyone who made the opening a success. He spent the weekend in Norfolk at the VML Conference serving as the vice chair of the Legislative Committee, considering a variety of legislative priorities across the Commonwealth. He provided council with the packet for their consideration. He and Council member Lee and the city manager attended the Housing Summit in Staunton regarding homelessness and affordable housing in the region.

Vice Mayor Wood and the mayor attended the re-opening ribbon cutting for the Russell Museum, noting most of the work is crafted from Waynesboro artisans, and he encouraged everyone to visit the museum.

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**CONSENT AGENDA**

Council member Allen moved to adopt the consent agenda as presented. Having been seconded and with no objections, the consent agenda 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>

- a. Consider adopting the minutes from the September 25, 2023 Regular Business Meeting.
- b. Second consideration/adoption of an ordinance amending Chapter 86, Backflow Prevention, of the City Code of Waynesboro, Virginia. **(2023-43)**

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**PROCLAMATION FOR THE ROSSER AVENUE HOLIDAY HOUSE**

The mayor and the city council presented a proclamation and recognition to the Circelli family who decorate their home at 219 Rosser Avenue every holiday, with the mayor asking Mr. Greg Bruno from Waynesboro.com to speak on their behalf.

PROCLAMATION (P23-14)

WHEREAS, It is true that the world would be a better place if individuals performed small acts of kindness every day; and,

WHEREAS, community spirit is an integral part of the personality of Waynesboro; and,

WHEREAS, Mr. Jose Circelli and family have brought color, brightness and joy to the City of Waynesboro by making his residence a beacon of celebration for holidays and seasonal changes; and,

WHEREAS, Residents and visitors get treated to a surprise creation whenever they pass by Mr. Circelli's home on Rosser Avenue.

NOW, THEREFORE, I, Lana Williams, Mayor for the City of Waynesboro, Virginia, on behalf of the City Council of Waynesboro, thank Mr. Jose Circelli and his family for contributing to the spirit of joy and celebration by making his home a

magnet for smiles and wonderment and ask that he accept the Council's token of appreciation.

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LANA WILLIAMS, MAYOR

After the mayor read the proclamation, the family took photos, accepted the statue, and thanked City Council for acknowledging their efforts.

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**ORDINANCE CITY CODE AMENDMENT - CHAPTER 14, ANIMALS**

The city manager presented an amendment to the Animal Ordinance that was previously presented for council's consideration. Initially the amendment was to include charging owners a \$15 fee if the animal was redeemed within 24 hours or a \$35 fee if the animal was redeemed after 24 hours. Upon further review, the general language would state the shelter may charge reasonable costs associated with the care of the animals, reviewing what constitutes that amount. The attorney noted where those amendments are located in the code.

Although the ordinance was introduced and seconded at the previous meeting, Council member Short noted that due to the amendments, the amended ordinance must be introduced. Vice Mayor Wood introduced the ordinance **AMENDING CHAPTER 14, ANIMALS, ARTICLE II, DOGS AND CATS, OF THE CITY CODE OF THE CITY OF WAYNESBORO, VIRGINIA**. Having been seconded and with no further discussion, the ordinance will be considered for adoption at the October 23 regular business meeting.

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**PUBLIC HEARING - ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET IN THE AMOUNT OF \$5,069,887**

The Assistant City Manager-Finance reviewed the ordinance that was introduced and seconded at the previous council meeting.

The public hearing was opened at 7:24 p.m. With no one signed up to speak, the public hearing was closed. With no further discussion, the ordinance to **AMEND THE FISCAL YEAR 2024 BUDGET ORDINANCE FOR THE CITY OF WAYNESBORO** was adopted Waynesboro 5:0: (2023-45)

<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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**ORDINANCE – CODE AMENDMENT TO ALLOW FOR ADMINISTRATIVE REFUNDS TO BE ISSUED TO A CITY TAXPAYER FOR ERRONEOUSLY ASSESSED TAXES UP TO A MAXIMUM OF \$10,000**

Changes in the state code describe the way certain refunds are administered for taxpayers that apply only to those refunds necessary through erroneous assessments. Council is asked to consider amending the City Code Section 78-8 to align with Virginia Code Section 58.1-3981 allowing the Commissioner of Revenue to issue a refund to a taxpayer up to \$10,000.

Vice Mayor Wood moved to introduce an ordinance **AMENDING CHAPTER 78, TAXATION, ARTICLE I, IN GENERAL, SECTION 78-8, ADMINISTRATIVE REFUNDS, OF THE CITY CODE OF THE CITY OF WAYNESBORO, VIRGINIA**. Having been seconded and with no further discussion, the ordinance will be considered for adoption at the October 23, 2023 regular business meeting.

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**ORDINANCE - ZONING MAP AMENDMENT TO AMEND THE PROFFERS FOR 0 LEW DEWITT BLVD, WAYNESBORO**

The Community Development Director reviewed the ordinance for an amendment to proffers included as part of the approved rezoning application R-01-2 and Ordinance 2001-53 for a property on Lew DeWitt Blvd, Waynesboro, tax map no. 40-3-115C and 40-3-115A (*attachment 47-73*). Staff and the Planning Commission recommend approval with the proffers as amended:

- Fifteen feet of existing vegetation shall be maintained along the property line abutting the residentially zoned area.
- No gas stations, fast food, convenience stores, or 24/7 retail businesses will be allowed.

Vice Mayor Wood asked about prospective businesses to be located there but was told none have been identified at this time. Council member Short moved to introduce an ordinance to **AMEND THE PROFFERS OF 0 LEW DEWITT BOULEVARD, TAX MAP NUMBERS 40-3-115A AND 40-3-115C, INCLUDED AS PART OF THE APPROVED REZONING APPLICATION NO. R-01-2 AND ORDINANCE 2001-53**. Having been seconded and with no further discussion, the ordinance will be subject to a public hearing and considered for adoption at the October 23, 2023 regular business meeting.

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**ORDINANCE - CONDITIONAL USE PERMIT REQUEST TO MODIFY EXISTING CONDITIONAL USE PERMIT AT 1035 FAIRFAX AVENUE, WAYNESBORO, VIRGINIA**

The Community Development Director reviewed the request by the Waynesboro Area Refuse Ministry to amend the conditional use permit at their 1035 Fairfax Avenue property (*attachment 47-74*). The amendments would increase the maximum number of persons permitted in the building from 30 to 35 and reduce the number of required staff from 3 to 1. Staff and the Planning Commission recommend approval of the changes.

Council member Allen asked for confirmation that the one staff member would be at the location at all times and was told that there are three staff members and one would be in the office at all times, working shifts 24/7.

Council member Short moved to introduce the ordinance **GRANTING A CONDITIONAL USE PERMIT TO MODIFY THE CONDITIONS OF AN EXISTING CONDITIONAL USE PERMIT (CUP 13-091 AND 18-312) IN AN RG-5 (GENERAL RESIDENTIAL) DISTRICT AT 1035 FAIRFAX AVENUE, TAX MAP NO. 26-9-1A), WAYNESBORO, VIRGINIA**. Having been seconded and with no objections, a public hearing and second consideration will be done at the October 23, 2023 regular business meeting.

The Community Development Director noted that the at a future meeting, Council will be asked to consider WARM's request for amendments to their cold weather shelter program operational guidelines.

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**RESOLUTION OF SUPPORT - WAYNESBORO ECONOMIC DEVELOPMENT AUTHORITY INDUSTRIAL REVITALIZATION FUND LOAN RELATING TO 531 WEST MAIN STREET**

The Economic Development Director updated Council and asked for their support on an amendment to the Virginia Museum of Natural History (*attachment 47-75*). Council is asked to adopt a resolution of support as previous councils have done in 2015 and 2011 indicating support of \$1 million in real property and services.

Two additional updates included painting the outline of the building on the parking lot in a color that will not be confused with parking stalls, and the Virginia Museum of Fine Art has donated their used mobile display trailer to the Museum of Natural History. It is anticipated to be parked on-site to build excitement for the museum.

Council member Allen moved to adopt the resolution as presented. Having been seconded and with no objections, 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>(R23-31)</sup>  
**AUTHORIZING A FINANCIAL INCENTIVE PACKAGE  
FOR THE CONSTRUCTION OF THE VIRGINIA MUSEUM OF  
NATURAL HISTORY IN WAYNESBORO, VIRGINIA**

**WHEREAS**, the City Council of the City of Waynesboro is committed to Downtown Development and the growth and expansion of the community's economy, and is specifically committed to creating a rich and inviting central business district characterized by a range of cultural events and resources;

**WHEREAS**, the City Council is equally committed to establishing Waynesboro as a regional tourist destination taking full advantage of the natural and historic resources of the Shenandoah Valley;

**WHEREAS**, the Virginia Museum of Natural History (the "Museum") is deemed an institute of higher learning and one of its purposes is to coordinate a network in Virginia where researchers and the public can readily use the natural history material of the Museum;

**WHEREAS**, the Board of Trustees of the Museum is exploring the opportunity to establish a museum in Waynesboro to further its mission of interpreting Virginia's natural heritage within a global context in ways relevant to all citizens of the Commonwealth;

**WHEREAS**, the Virginia meets its mission by conducting novel research on Virginia's natural and cultural resources, maintaining an encyclopedic collection of specimens and artifacts representing the Commonwealth, and engaging the public via educational experiences and world- class exhibits that enhance science literacy;

**WHEREAS**, conducted studies conclude that a Waynesboro Campus Museum would attract between 45,000 and 85,000 visitors annually and, once established, the Museum would provide resources supporting elementary, secondary, and post-secondary education and research, with an estimated annual economic impact of \$4,200,000;

**WHEREAS**, the Commonwealth of Virginia General Assembly has appropriated \$1,400,000 for engineering, architecture, and detailed design work for the Waynesboro Campus Museum in fiscal year 2019 and fiscal year 2023; and

**WHEREAS**, the City Council desires to financially support the Museum through an incentive package.

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

1. The City Manager, or his designee, is authorized to prepare an incentive package, to be provided in annual installments reasonably associated with the Museum construction schedule, totaling

\$1,000,000 in combined direct financial contribution, in-kind support, and real property, with such incentive package contingent on: i) the “new build” construction of a Virginia Museum of Natural History Campus in Downtown Waynesboro; ii) continued financial support provided by the Commonwealth of Virginia for the construction of the Museum; and iii) successful private fundraising for the Museum.

2. The City Council expresses its continued support for the Board of Trustees of the Virginia Museum of Natural History and their interest in establishing a campus in Waynesboro and encourages members of the General Assembly to appropriate state funds for the construction of the Waynesboro Museum.

3. This Resolution shall take immediate effect upon adoption.

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

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Mayor, City Council

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**RESOLUTION SUPPORTING THE VIRGINIA 250 PROJECT**

The Economic Development Director asked for Council’s adoption of a Resolution of Support relating to the Virginia America 250 Commission Recitals. 2026 marks the semi-quincentennial of the Nation’s Independence. The Virginian American 250 Commission (VA250) was established by the General Assembly to commemorate the 250<sup>th</sup> anniversary. It was requested that localities establish commissions to tell the local story. To take part, the locality must show support by adopting a resolution. Vice Mayor Wood confirmed that the Waynesboro Historical Commission would be involved with the VA250 Commission.

Vice Mayor Wood moved to adopt the resolution as presented. Having been seconded and with no objections, 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>(R23-32)</sup>  
OF SUPPORT RELATING TO  
THE VIRGINIA AMERICA 250 COMMISSION RECITALS**

**WHEREAS**, the City of Waynesboro (the “City”) is dedicated to the furtherance of economic development and tourism in the City; and

**WHEREAS**, The Virginia America 250 Commission (VA250) was created in 2020 by the General Assembly for the purpose of preparing for and commemorating the 250th anniversary of Virginia’s participation in American independence; and

**WHEREAS**, VA250 has requested that each locality form a committee to aid in planning for the commemoration period; and

**WHEREAS**, the City of Waynesboro intends to form a regional VA250 committee with the City of Staunton, and County of Augusta, (Greater Augusta Regional Tourism); and

**WHEREAS**, the committee will plan and coordinate programs occurring within the region and communicate regularly with VA250; and

**WHEREAS**, the Waynesboro City Council wishes to undertake this endeavor with VA250 to promote and commemorate this important historic milestone.

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

1. The City Council hereby desires to support the Virginia America 250 Commission and their efforts to commemorate the 250th anniversary of Virginia’s participation in American independence.
2. The Economic Development and Tourism Department will form a committee with the City of Staunton and Augusta County, under the Greater Augusta Regional Tourism Board to aid in the planning for the commemoration period.

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Mayor, City of Waynesboro

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**PLANNING COMMISSION APPOINTMENT**

Council member Short moved to appoint Mr. Nigel Stewart to the Planning Commission for an unexpired four-year term ending August 31, 2027. Having been seconded and with no objections, the motion 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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**VALLEY ALCOHOL SAFETY ACTION PROGRAM (VASAP) APPOINTMENT**

Council member Allen moved to appoint City Manager Michael Hamp II to the Valley Alcohol Safety Action Program for a three-year term. Having been seconded and with no objections, the motion 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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**COMMUNICATION, CORRESPONDENCE, CALENDAR, CITY MANAGER COMMENTS**

The city manager informed Council that the resolution of support for a DHCD competitive grant that Council adopted in April 2023, was successful and the city was awarded the grant in the amount of \$100,000 in grant funds. The grant will fund components of façade design and façade improvement and also business assistance focused on improving e-commerce and web presence, marketing, finance control and HR and accounting systems for small businesses. The city manager asked for council’s consensus to proceed with the grant and set up the program. With no questions from council, they approved.

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**CITIZEN COMMENTS**

The following speakers expressed their displeasure with the city manager for advising council against implementing the rental inspection program proposed by Virginia Organizing:

- Savannah Fersner, Waynesboro*
- Andrea Jackson, Waynesboro*
- Donna Yobs, Waynesboro*
- Nora Scott, Lovingson, Nelson County*

**CLOSED MEETING**

Vice Mayor Wood moved to reconvene in a closed meeting per Code of Virginia 2.2-3711(3) 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 acquisition of real property for city offices.

Having been seconded and with no objections, the closed meeting was convened at 8:22 p.m. on a roll call 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>

At 9:12 p.m., Vice Mayor Wood moved to come out of closed meeting and reconvene in open meeting and adopt the following resolution:

**RESOLUTION** <sup>(R23-33)</sup>

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.

Having been seconded and with no further discussion, the resolution was adopted 5:0 on a roll call 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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**ADJOURN**

Council member Allen moved to adjourn the meeting. Having been seconded and with no objections, the meeting was adjourned at 9:12 p.m. on an affirmative 5:0 vote:



**Mayor Williams**            **Aye**  
**Vice Mayor Wood**        **Aye**

**Council member Allen**        **Aye**  
**Council member Short**        **Aye**  
**Council member Lee**            **Aye**

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Julia Bortle, MMC, Clerk of Council

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Lana Williams, Mayor