

# WAYNESBORO, VIRGINIA

## CITY COUNCIL BUSINESS MEETING MINUTES



Council for the City of Waynesboro, Virginia held a Regular Business Meeting on Monday, July 8, 2019, at 7:00 p.m. in the Council Chambers of the Charles T. Yancey Municipal Building, 503 West Main Street, Waynesboro, Virginia, with Mayor Short presiding and calling the meeting to order:

- PRESENT: Council Members: Terry Short, Jr., Mayor  
 Bobby Henderson, Vice Mayor  
 Bruce Allen, Councilman  
 Sam Hostetter, Councilman
- City Staff: Mike Hamp, City Manager  
 Jim Shaw, Deputy City Manager  
 Julia Bortle, Clerk of Council  
 Greg Hitchin, Economic Development Director  
 Cameron McCormick, Finance Director  
 Michael Wilhelm, Police Chief  
 Mary Garris, City Assessor
- Counsel: Melisa Michelsen, Esq., Litten & Sipe LLC
- Guests: Shenandoah Workforce Development Board:  
 Ms. Joan Hollen, Data and Communications Specialist  
 Ms. Sharon Johnson, Chief Executive Officer
- ABSENT: Elzena Anderson, Councilwoman

### PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA:

Mayor Short opened the meeting, and Councilman Allen lead everyone in the Pledge of Allegiance to the Flag of the United States of America.

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### ADOPTION OF BUSINESS MEETING AGENDA:

Councilman Hostetter moved to adopt the Business Meeting Agenda as presented. Having been seconded and with no objections, **the Business Meeting Agenda was adopted 4:0:**

<b>Mayor Short</b>	<b>Aye</b>	<b>Councilwoman Anderson</b>	<b>Absent</b>
<b>Vice Mayor Henderson</b>	<b>Aye</b>	<b>Councilman Hostetter</b>	<b>Aye</b>
<b>Councilman Allen</b>	<b>Aye</b>		

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### CONSENT AGENDA:

Councilman Allen moved to adopt the consent agenda as presented. Having been seconded and with no objections, **the consent agenda was adopted 4:0:**

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Monday, July 8, 2019  
Adopted August 12, 2019

<b>Mayor Short</b>	<b>Aye</b>	<b>Councilwoman Anderson</b>	<b>Absent</b>
<b>Vice Mayor Henderson</b>	<b>Aye</b>	<b>Councilman Hostetter</b>	<b>Aye</b>
<b>Councilman Allen</b>	<b>Aye</b>		

- a. Council Meeting Minutes: Consider approving the June 24, 2019 Regular Business Meeting minutes and dispense with the reading of the minutes.
- b. Conditional Use Permit 1734 B Street: Second consideration/adoption of an ordinance granting a conditional use permit to install a manufactured home at 1734 B Street, City Tax Map 48-1-187-6 through 8. **(2019-52)**
- c. Code Amendment – Procedure for Enacting Ordinances, Resolutions. **(2019-53)**
- d. Business Personal Property Tax Refund: Consider approving a request from the Commissioner of the Revenue to refund \$2,775.65 plus interest to a business for 2018 business personal property taxes paid in error.

Second consideration/adoption of the following appropriation ordinances:

- e. Basic Park Soccer Complex (\$41,800). **(2019-54)**
- f. Rosenwald Building Improvements (\$68,000). **(2019-55)**

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**MATTERS FROM COUNCIL MEMBERS:**

**Mayor Short** reminded everyone that the Summer Extravaganza event will take place on Friday evening and all day Saturday, July 12 and 13 in Ridgeview Park.

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**CHARTER APPOINTMENTS:**

Councilman Hostetter moved to reappoint the following Charter employees each for a one-year term ending June 30, 2020. **Having been seconded and with no objections, the motion was adopted 4:0:**

- City Manager – Michael G. Hamp II
- City Assessor – Mary Garris
- City Attorney – Melisa Michelsen, Litten & Sipe LLC
- Clerk of the Council – Julia Bortle

<b>Mayor Short</b>	<b>Aye</b>	<b>Councilwoman Anderson</b>	<b>Absent</b>
<b>Vice Mayor Henderson</b>	<b>Aye</b>	<b>Councilman Hostetter</b>	<b>Aye</b>
<b>Councilman Allen</b>	<b>Aye</b>		

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**ACTING CLERK OF COUNCIL APPOINTMENT.**

Councilman Henderson moved to appoint Michael G Hamp II as acting Clerk of the Council to serve as needed in the absence of the Clerk of the Council. **Having been seconded and with no objections, the motion was adopted 4:0:**

<b>Mayor Short</b>	<b>Aye</b>	<b>Councilwoman Anderson</b>	<b>Absent</b>
<b>Vice Mayor Henderson</b>	<b>Aye</b>	<b>Councilman Hostetter</b>	<b>Aye</b>
<b>Councilman Allen</b>	<b>Aye</b>		

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**SHENANDOAH VALLEY CHIEF ELECTED OFFICIALS CONSORTIUM AGREEMENT:**

Ms. Johnson and Ms. Hollen provided Council with an overview of the Shenandoah Valley Workforce Development Board, including funding sources, covered areas, programs, and the objective of the Chief Elected Officials Consortium Agreement. Councilman Hostetter moved to introduce an ordinance authorizing the Mayor to execute the Shenandoah Valley Chief Elected Officials Consortium Agreement. **Having been properly introduced, this ordinance will be considered again at the July 22, 2019 Regular Business Meeting.**

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**APPLICATION – TOTALLY 80’S 8K RACE:**

Councilman Allen moved to approve an application from the Parks and Recreation Department to serve alcoholic beverages on City property, in accordance with all relevant Alcohol Beverage Control (ABC) regulations, on Saturday, August 17, 2019 in relation to the Totally 80’s 8k race being introduced as part of the Run The Valley Race Series. **Having been seconded and with no objections, the application was approved 4:0:**

Mayor Short	Aye	Councilwoman Anderson	Absent
Vice Mayor Henderson	Aye	Councilman Hostetter	Aye
Councilman Allen	Aye		

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**APPOINTMENT – DISABILITY AND AGING BOARD FOR INDEPENDENCE:**

Vice Mayor Henderson moved to appoint Mr. David Socol to the Disability and Aging Board for Independence, to serve the Disabled community, for an unexpired four-year term ending June 30, 2021. **Having been seconded and with no objections, the appointment was adopted 4:0:**

Mayor Short	Aye	Councilwoman Anderson	Absent
Vice Mayor Henderson	Aye	Councilman Hostetter	Aye
Councilman Allen	Aye		

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**APPOINTMENT – HISTORICAL COMMISSION:**

Councilman Hostetter moved to appoint Ms. Chandra McGuffin to the Historical Commission for an unexpired four-year term ending August 31, 2021. **Having been seconded and with no objections, the appointment was adopted 4:0:**

Mayor Short	Aye	Councilwoman Anderson	Absent
Vice Mayor Henderson	Aye	Councilman Hostetter	Aye
Councilman Allen	Aye		

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**APPOINTMENT – PARKS AND RECREATION COMMISSION COUNCIL LIAISON:**

Vice Mayor Henderson moved to reappoint Councilman Sam Hostetter to the Parks and Recreation Commission as Council liaison for a one-year period ending June 30, 2020. **Having been seconded and with no objections, the appointment was adopted 4:0:**

Mayor Short	Aye	Councilwoman Anderson	Absent
Vice Mayor Henderson	Aye	Councilman Hostetter	Aye
Councilman Allen	Aye		

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Monday, July 8, 2019  
Adopted August 12, 2019

**COMMUNICATION, CORRESPONDENCE, AND CALENDAR:** With no matters from staff, the meeting continued.

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**CITIZEN COMMENT PERIOD.**

***Francine Johnson, 409 Beta Street:*** wanted to know what the law or citizens can do about the bears in the community. The Mayor and City Manager responded that communications have been distributed to the public providing “best practices” to safeguard against attracting bears and ways to eliminate sources of odors and food. Citizens can contact the Department of Game and Inland Fisheries to record a bear encounter. To clarify the law regarding shooting bears in the City, the City Manager clarified that it is against the law to shoot a firearm in the City.

***Chandra McGuffin, 644 Edwardian Lane:*** asked for a follow-up from Council regarding a plan to improve the Port Republic and Florence Avenue area, requesting that funds be appropriated correctly.

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**CLOSED MEETING:**

Vice Mayor Henderson moved to recess into a closed meeting in order to consult with legal counsel regarding specific legal matters requiring the provision of legal advice by the attorney and about probable litigation, where such consultation or briefing in open meeting would adversely affect the City’s negotiating or litigating posture as authorized by sections 2.2-3711(A)(7) and (8) of the Virginia State Code, subject: nuisance litigation and opioid litigation.

**The motion was adopted on a roll call vote as follows**

<b>Mayor Terry Short, Jr.,</b>	<b>Aye</b>
<b>Vice Mayor Robert Henderson</b>	<b>Aye</b>
<b>Councilman Bruce Allen</b>	<b>Aye</b>
<b>Councilwoman Elzena Anderson</b>	<b>Absent</b>
<b>Councilman Sam Hostetter</b>	<b>Aye</b>

Council recessed into Closed Meeting at 7:26 p.m.

Council came out of the closed meeting and convened into open meeting at 7:53 p.m.

**Vice Mayor Henderson moved to adopt the following resolution as read in its entirety:**

**CERTIFICATION RESOLUTION** (R19-09)

With respect to the just-concluded closed session, and to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements under The Virginia Freedom of Information Act and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the Council.

**The resolution was adopted on a roll call vote as follows**

<b>Mayor Terry Short, Jr.,</b>	<b>Aye</b>
<b>Vice Mayor Robert Henderson</b>	<b>Aye</b>
<b>Councilman Bruce Allen</b>	<b>Aye</b>
<b>Councilwoman Elzena Anderson</b>	<b>Absent</b>
<b>Councilman Sam Hostetter</b>	<b>Aye</b>

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**MOTION – SECOND PHASE OF LITIGATION RELATED TO OPIOID EPIDEMIC:**

Councilman Allen moved to enter into the second phase of litigation previously discussed relating to the opioid epidemic. **Having been seconded, the motion was adopted 3:0:**

<b>Mayor Short</b>	<b>Aye</b>	<b>Councilwoman Anderson</b>	<b>Absent</b>
<b>Vice Mayor Henderson</b>	<b>Aye</b>	<b>Councilman Hostetter</b>	<b>Recused</b>
<b>Councilman Allen</b>	<b>Aye</b>		

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With no further business to discuss, the meeting was adjourned at 7:54 p.m. on a motion by Councilman Allen.

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Julia Bortle, MMC, Clerk of Council

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Terry R. Short, Jr., Mayor



City Council of Waynesboro

DECLARATION OF PERSONAL INTEREST IN A TRANSACTION  
VIRGINIA CODE § 2.2-3115(E)

(To be filed with the clerk or administrative head of the City of Waynesboro  
and made available for public inspection for a period of five years)

I am an officer of the City of Waynesboro, Virginia, who is required to declare my interest pursuant to  
Virginia Code § 2.2-3115(E):

My office or position: Councilman

The transaction involved: Opioid Litigation

Nature of my personal interest affected by the transaction: \_\_\_\_\_

Business, profession, occupation or group, the members of which are affected by the transaction:  
I am a practicing physician.

CHECK APPROPRIATE BOX:

I will not participate in the transaction (*check this box if it is necessary to avoid the appearance  
of impropriety.*)

I am able to participate in the transaction fairly, objectively and in the public interests.

Signed: 

Dated: July 8, 2019