

WAYNESBORO, VIRGINIA

CITY COUNCIL REGULAR BUSINESS MEETING MINUTES



Council for the City of Waynesboro, Virginia held a Regular Business Meeting on Wednesday, October 14, 2020 at 7:00 p.m. in the Council Chambers of the Charles T. Yancey Municipal Building, 503 West Main Street, Waynesboro, Virginia, with Mayor Henderson presiding and calling the meeting to order:

- PRESENT:** Council Members: Bobby Henderson, Mayor
Bruce Allen, Council member
Terry Short, Jr., Council member
Sam Hostetter, Council member
- City Staff: Mike Hamp, City Manager
Jim Shaw, Deputy City Manager
Julia Bortle, Clerk of Council
Cameron McCormick, Finance Director
Luke Juday, Planning Director
Greg Hitchin, Economic Development Director
- Counsel: Mark Bowman, Esq., Litten & Sipe LLC
- ABSENT:** Lana Williams, Vice Mayor

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

The Mayor opened the meeting and the City Manager lead in the Pledge of Allegiance to the Flag of the United States of America. Mayor Henderson then reviewed the process for citizens to comment in person or via telephone during the citizen comment period.

BUSINESS MEETING AGENDA:

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

Mayor Henderson	Aye	Council member Allen	Aye
Vice Mayor Williams	Absent	Council member Short	Aye
		Council member Hostetter	Aye

CONSENT AGENDA:

Council member Hostetter moved to adopt the Consent Agenda as presented. Having been seconded and with no objections, **the Consent Agenda was adopted 4:0:**

Mayor Henderson	Aye	Council member Allen	Aye
Vice Mayor Williams	Absent	Council member Short	Aye
		Council member Hostetter	Aye

Regular Business Meeting
Wednesday, October 14, 2020
Adopted October 26, 2020

- a. Council Meeting Minutes: Minutes from the September 14, 2020 Work Session and Regular Business Meeting.
- b. Safe Routes to School Mini Grant (Office on Youth): Donations and grants to support safe routes to school (\$1,450). (2020-66)
- c. Cares Act Funding: Funding to Social Services to help mitigate the impact of COVID-19 (\$100,000). (2020-67)

MATTERS FROM THE MAYOR

The Mayor and Council acknowledged the accomplishments of the following employees:

Dwayne Schwartz received the Herbert W. Evans Distinguished Service Award from the VA Chapter of the American Water Works Association;

George Fitzgerald was promoted from the position of Deputy Fire Marshall to Deputy Fire Chief for the Waynesboro Fire Department;

Captain Kelly Walker retired from the Waynesboro Police Department with 35 years of service.

MATTERS FROM COUNCIL MEMBERS:

With no additional comments from Council members, the meeting continued.

PUBLIC HEARING – VACATE AT GRADE RAILROAD CROSSING AT 7TH STREET

Closure of the 7th Street at-grade railroad crossing is a condition for installing an at-grade crossing at the Southern Corridor Road Project. The Planning Director and the Economic Development Director reviewed the application and the benefits for the project. Based on the Viewers' Report, staff acknowledged the inconveniences that will be caused to area residents by the closing.

Council member Short asked about the up-front costs associated with preparing the industrial park and the anticipated return on investment, and he was told that information will be provided to Council. He also asked what the Railroad's designating it as a priority liability crossing actually means. Council member Hostetter asked about the timeframe of the closure, and he was told it is dependent on the Southern Corridor road project and may be several years in the future.

The Planning Director clarified that the Railroad owns the crossing and the land under it, not the City, therefore, no imminent domain will occur.

The public hearing was opened at 7:29 p.m.:

Lewis Price, Waynesboro, VA: objected to the lack of notice for the closure of the 7th Street railroad crossing.

Tonya Kidd, Waynesboro, VA: owns the 300 block of Commerce Avenue and objects to the closure of the railroad crossing due to a negative impact on the community, and since it is a financial trade-off, Basic City should receive the financial benefit.

With no further speakers and no one called in to speak, the public hearing was closed at 7:36 p.m. Council member Allen moved to introduce an ordinance **PERMANENTLY CLOSING THE RAILROAD CROSSING ON SEVENTH STREET**. Having been seconded and with no further discussion, the ordinance will be considered again at the October 26, 2020 Regular Business Meeting.

BASIC CITY LAND USE PLAN

Luke Juday, Planning Director, made a presentation regarding the Basic City Land Use Plan (*attachment 46-66*), focused on land use in the Commerce Avenue corridor. The review included the broad mix of zoning and uses in the area, known as spot zoning, that make it difficult for residents, businesses, and potential development. A key issue is that much of the development for the area is based on Commerce Avenue becoming a main street and that would be difficult with the current zoning configuration. Area property owner survey results show most being in favor of uses that would bring increased activity to the area. The Planning Commission stated there is not currently a zone that fits the area. The idea is to form a zone that has under-utilized industrial and commercial buildings, that are in close proximity to residences, and that are in an established urban subdivision pattern. The proposed list of uses would include industrial/use event space, non-polluting industrial uses, and prohibit any business that interferes with quiet residential properties.

RESOLUTION – E.I. DUPONT DE NEMOURS AND COMPANY

Council member Allen moved to adopt a resolution authorizing the City to accept donated property from and enter into a donation agreement with E.I. duPont de Nemours and Company. Having been seconded and with no objections, the resolution was adopted 4:0:

Mayor Henderson	Aye	Council member Allen	Aye
Vice Mayor Williams	Absent	Council member Short	Aye
		Council member Hostetter	Aye

RESOLUTION ^(R20-19)

**AUTHORIZING THE CITY TO ACCEPT DONATED
REAL PROPERTY FROM AND ENTER INTO A DONATION AGREEMENT
WITH E. I. DUPONT DE NEMOURS AND COMPANY**

WHEREAS, E.I. DuPont De Nemours and Company (“DuPont”) owns certain real property in Waynesboro, Virginia adjacent to former DuPont industrial operations, but where no industrial uses occurred (the “Property”), as set forth on that plat titled Boundary Plat, E. I. DuPont De Nemours and Company, “Mountain Land”, Waynesboro, Virginia, prepared by Tom Shumate and dated April 6, 2012, revised October 2, 2012 (the “Plat”);

WHEREAS, DuPont wishes that the Property be donated to City on the terms and conditions provided for in the Donation Agreement, which is attached hereto and incorporated herein as Exhibit 1, less 10 acres described on the Plat as the Reserved Property Plat, which is being reserved for and will remain owned by DuPont;

WHEREAS, DuPont is transferring the Property to the City by a quitclaim deed, and the City accepts the Property “AS IS, WHERE IS” with all faults;

WHEREAS, the City wishes to accept the Property under the terms and conditions of the Donation Agreement.

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

