

REVISED

Work Session Agenda Staunton City Council Rita S. Wilson Council Chambers July 9, 2020 5:00 p.m.

- | | | |
|------------------|-------------------|---|
| 5:00 p.m. | | Mayor's Introductory Remarks |
| 5:05 p.m. | 1. | Consideration of Work Session and Regular Meeting Agendas |
| 5:10 p.m. | 2. & A | Discussion of an Ordinance Amending Section 3.05.080 of the Staunton City Code to Increase Courthouse Security Fee from \$10 to \$20 |
| 5:20 p.m. | 3. | COVID-19 Response—Discussion of Extension of Relief Concerning Utility Payments and Disconnection Suspensions and Parking Fees |
| 5:30 p.m. | 4. | Update on CARES Act Relief Funds for Local Government and Public Safety (Fire and Police) Furloughs |
| 5:45 p.m. | 5. | Discussion Concerning Gypsy Hill Golf Course |
| 6:00 p.m. | 6. | Closed Meeting for: (i) Discussion of Possible Disposition of Publicly Held Real Property at Staunton Crossing, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiating Strategy of the Public Body; (ii) Discussion of One or More Prospective Businesses or Industries Where No Previous Announcement has Been Made of the Business' or Industry's Interest in Locating or Expanding its Facilities at Staunton Crossing; and (iii) Consultation and Discussion with Legal Counsel Requiring the Provision of Legal Advice by Such |

Counsel Pertaining to Legal Considerations and Discussion Involving Possible Vacation of City Public Right of Way, Application of the Provisions of Chapter 18.85 of the Staunton City Code, Specific Pending Litigation, and a Pending Request from Village Development Associates, LLC.

7:15 p.m.

Break

REVISED

Regular Meeting Agenda Staunton City Council Rita S. Wilson Council Chambers July 9, 2020 7:30 p.m.

Call to Order

Mayor's Introductory Remarks

Pledge of Allegiance

Invocation/Moment of Silence—Darby

Mayor's Report

Additional Items by Members of Council

Approval of Minutes

Work Session and Regular Meeting of June 25, 2020

REGULAR MEETING

- A. Introduction and Public Hearing of an Ordinance Amending Section 3.05.080 of the Staunton City Code to Increase Courthouse Security Fee from \$10 to \$20***
- B. Public Hearing and Consideration of a Request by Mary Baldwin University for Special Use Permits for 245 Sycamore Street (PID# 1913)***
- C. Public Hearing and Consideration of a Request by Mary Baldwin University for Special Use Permits for 249 Sycamore Street (PID# 8552)***
- D. Public Hearing and Consideration of a Request by Mary Baldwin University for Special Use Permits for 146 N Coalter Street (PID# 3597)—WITHDRAWN**
- E. Discussion and Consideration of Supreme Court of Virginia Grant**

Application for Virginia Specialty Docket Grants/Drug Court and Therapeutic Docket

Matters from the City Manager

Matters from the Public

***All persons wishing to be heard at the public hearings and Matters from the Public are invited to participate in person or by using the following procedure:**

- Dial toll free number: **(844) 854-2222**
- When prompted, enter the access code for the meeting: **619358#**
- You will hear the automated word "Muted"
- At that point, you will have been added to the queue to share your comments with Council
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Adjournment

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	July 9, 2020	City Council
Item #	1	
Ordinance #		
Department:	City Council	
Council Vision:	Responsive, Efficient Government	
Subject:	Work Session and Regular Meeting Agendas	

Background: Consistent with Procedural Memorandum No. 3, attached are draft meeting agendas for City Council's consideration and for approval as Council prefers.

Suggested Motion: I move to approve the Work Session agenda and the Regular Meeting agenda [as presented] [with the following changes: as to the Work Session, the addition/deletion of _____; as to the Regular Session, the addition/deletion of _____].

City Manager: Steven L. Rosenberg

REVISED

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Adjournment

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	July 9, 2020	Staff Member: Phil Trayer
Item #	2 & A	
Ordinance #		
Department:	Finance	
Council Vision:	Responsive, Efficient Government	
Subject:	Ordinance Amending Section 3.05.080 of the Staunton City Code to Increase Courthouse Security Fee from \$10 to \$20	

Background: Legislation enacted by the General Assembly during the 2020 session and approved by the Governor of Virginia (attached) authorizes the increase of the courthouse security fee from \$10.00 to \$20.00, assessable as a court cost against a convicted defendant. The assessment is collected by the clerk of the court in which the case is heard, remitted to the City Treasurer and held by the treasurer to be appropriated by City Council to the Sheriff's Office. The assessment must be used solely for the funding of courthouse security personnel and, if requested by the Sheriff, equipment and other personal property used in connection with courthouse security.

To effect such an increase, Council must adopt an ordinance to amend Section 3.05.080 of the Staunton City Code. A proposed ordinance is attached. Sheriff Matt Robertson has expressed his support for the ordinance.

Introduction of the proposed ordinance and a public hearing, properly noticed, are scheduled for Council's regular meeting on July 9, 2020. Consideration of the ordinance is scheduled for the meeting on July 23, 2020.

Attachments:

1. Chapter 602, Virginia Acts of Assembly
2. Proposed Ordinance

3. Notice of Public Hearing

City Manager's Recommendation: Recommend the ordinance be introduced as presented and that City Council conduct the public hearing.

Suggested Motions: I move to introduce an ordinance to increase the courthouse security fee, effective August 1, 2020, and to conduct a public hearing on the proposed ordinance.

City Manager: Steven L. Rosenberg

VIRGINIA ACTS OF ASSEMBLY -- 2020 SESSION

CHAPTER 602

An Act to amend and reenact § 53.1-120 of the Code of Virginia, relating to courthouse and courtroom security; assessment.

[S 149]

Approved April 2, 2020

Be it enacted by the General Assembly of Virginia:

1. That § 53.1-120 of the Code of Virginia is amended and reenacted as follows:

§ 53.1-120. Sheriff to provide for courthouse and courtroom security; designation of deputies for such purpose; assessment.

A. Each sheriff shall ensure that the courthouses and courtrooms within his jurisdiction are secure from violence and disruption and shall designate deputies for this purpose. A list of such designations shall be forwarded to the Director of the Department of Criminal Justice Services.

B. The chief circuit court judge, the chief general district court judge and the chief juvenile and domestic relations district court judge shall be responsible by agreement with the sheriff of the jurisdiction for the designation of courtroom security deputies for their respective courts. If the respective chief judges and sheriff are unable to agree on the number, type and working schedules of courtroom security deputies for the court, the matter shall be referred to the Compensation Board for resolution in accordance with existing budgeted funds and personnel.

C. The sheriff shall have the sole responsibility for the identity of the deputies designated for courtroom security.

D. Any county or city, through its governing body, may assess a sum not in excess of ~~\$10~~ \$20 as part of the costs in each criminal or traffic case in its district or circuit court in which the defendant is convicted of a violation of any statute or ordinance. If a town provides court facilities for a county, the governing body of the county shall return to the town a portion of the assessments collected based on the number of criminal and traffic cases originating and heard in the town. The imposition of such assessment shall be by ordinance of the governing body that may provide for different sums in the circuit courts and district courts. The assessment shall be collected by the clerk of the court in which the case is heard, remitted to the treasurer of the appropriate county or city and held by such treasurer to be appropriated by the governing body to the sheriff's office. The assessment shall be used solely for the funding of courthouse security personnel, and, if requested by the sheriff, equipment and other personal property used in connection with courthouse security.

Ordinance No. 2020-

AN ORDINANCE AMENDING, RESTATING AND REORDAINING
SECTION 3.05.080, ASSESSMENT OF SPECIAL COURT COSTS, OF CHAPTER 3.05,
IN GENERAL, OF TITLE 3, REVENUE AND FINANCE,
OF THE STAUNTON CITY CODE
TO INCREASE FROM TEN DOLLARS TO TWENTY DOLLARS
THE FEE ASSESSED AGAINST CONVICTED DEFENDANTS IN CRIMINAL OR
TRAFFIC CASES IN DISTRICT OR CIRCUIT COURT

Recitals

A. Virginia Code § 53.1-120(D) authorizes localities to assess a fee as part of the costs of each criminal or traffic case in which the defendant is convicted of a violation of any statute or ordinance, to be used for the funding of courthouse security personnel, and, if requested by the sheriff, equipment and other personal property used in connection with courthouse security;

B. The City currently assesses a fee of ten dollars (\$10.00) consistent with the prior provisions of Virginia Code § 53.1-120(D);

C. With the enactment of Senate Bill 149, the provisions of Virginia Code § 53.1-120(D) are amended now to authorize localities to assess such sum not in excess of twenty dollars (\$20.00) as of July 1, 2020;

D. The expense for providing courthouse security has continued to increase significantly for the City, and the City Sheriff recommends approval of the fee increase from ten dollars (\$10.00) to twenty dollars (\$20.00);

E. This matter has been properly advertised, heard, and considered; and

F. These recitals are an integral part of this ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Staunton, Virginia, that Section 3.05.080(2) of the Staunton City Code be, and the same is hereby amended, restated and reordained to read as follows:

Sec. 3.05.080 Assessment of special court costs.

...

(2) There is hereby assessed the sum of ~~ten~~twenty dollars (~~\$10~~\$20.00) as part of the costs in each criminal or traffic case in the district and circuit courts of the City in which the defendant is convicted of a violation of any statute or ordinance. The assessment shall be collected by the clerk of the court in which the case is heard, remitted to the treasurer of the City and held by the

46 treasurer subject to appropriation by the City Council to the Sheriff's Office for the funding of
47 courthouse security personnel and, if requested by the sheriff, equipment and other personal
48 property used in connection with courthouse security.

49 ...
50
51

52 In all other respects, the provisions of Section 3.05.080(2), of Chapter 3.05, of Title 3 of
53 the Staunton City Code remain the same and are hereby restated, confirmed and reordained.

54 The Clerk of Council is **DIRECTED** to forward a copy of this ordinance immediately to
55 the Clerk of the Staunton General District Court and the Clerk of the Staunton Circuit Court as
56 well as to the Sheriff of the City of Staunton.
57

58 Introduced: July 9, 2020

59 Adopted:

60 Effective:
61
62
63

Andrea Oakes, Mayor

64 ATTEST: _____
65 Suzanne F. Simmons
66 Clerk of Council
67

**NOTICE OF INTENT AND PUBLIC HEARING
OF THE CITY OF STAUNTON
TO CONSIDER ADOPTION OF AN ORDINANCE
INCREASING COURTHOUSE SECURITY FEE**

A public hearing will be held during the regular meeting of Staunton City Council in City Council Chambers, 116 W, Beverley St., at 7:30 p.m. on **Thursday, July 9, 2020**, on whether or not to adopt an ordinance amending Section 3.05.080 of the Staunton City Code, increasing the courthouse security fee from \$10.00 to \$20.00.

The proposed ordinance is authorized by, among other considerations, Virginia Code Section 53.1-120(D) and recently enacted Virginia Senate Bill 149.

A copy of the full text of the proposed ordinance is available by (i) emailing the Clerk of Council at simmonssf@ci.staunton.va.us, (ii) calling the Clerk of Council at 540.332.3180 to request a copy, or (iii) viewing the meeting agenda packet available online at <https://www.ci.staunton.va.us/agendas-minutes>.

All persons wishing to be heard at the public hearing are invited to participate in person or by using the following procedure:

- Dial toll free number: (844) 854-2222
- When prompted, enter the access code for the meeting: 619358#
- You will hear the automated word “Muted”
- At that point, you will have been added to the queue to share your comments with Council
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- Participants are reminded that the Public Hearing portion of the meeting is a time for Council simply to listen to your comments

Suzanne F. Simmons
Clerk of Council

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	July 9, 2020	Staff Member: Phil Trayer
Item #	3	
Ordinance #		
Department:	Finance	
Council Vision:	Responsive, Efficient Government	
Subject:	COVID-19 Response—Discussion of Extension of Relief Concerning Utility Payments and Disconnection Suspensions and Parking Fees	

Background: On March 26, 2020, City Council adopted an emergency ordinance providing temporary relief to businesses and residents. Among others, the relief included the following measures:

As it relates to utility payments and disconnection suspensions:

- Adjustment of interest rate to 0% and penalty to \$0.00 for charges incurred during the billing periods of March 10, 2020, through June 10, 2020, provided payment is made in full on or before July 10, 2020.
- Suspension of disconnections of water service for failure to pay water service bills for the period of March 18, 2020, through July 10, 2020.

Council's action did not waive or forgive charges for water actually used. Charges unpaid as of July 11, 2020, remain subject to interest and penalty.

Currently, there are 547 delinquent accounts with past due payments in the aggregate amount of \$105,027. For comparison purposes, in June 2019, 91 customers, with an aggregate amount due of \$11,744, were disconnected.

City of Waynesboro recently extended its suspension of utility disconnections and corresponding waiver of interest and penalties until July 31, 2020, with interest and penalties to be applied to unpaid balances on August 1, 2020.

As it relates to parking fees:

- Suspension of fees for the New Street parking garage, Johnson Street parking garage, Wharf parking lot, and Augusta Street parking lot during the period of March 18, 2020 through April 23, 2020.

Though the period of suspension expired on April 23, 2020, collection of parking fees has not resumed.

City staff seeks guidance from City Council whether to extend these two measures of temporary relief. If Council so desires, an ordinance can be prepared for Council's consideration at the meeting on July 23, 2020.

Attachment:

Ordinance 2020-05

City Manager's Recommendation: Receive the briefing and provide guidance and direction to staff.

Suggested Motion: Not applicable

City Manager: Steven L. Rosenberg

Ordinance No. 2020 - 05

**AN UNCODIFIED EMERGENCY ORDINANCE AMENDING, RESTATING
AND REORDAINING CERTAIN CODE SECTIONS
OF THE STAUNTON CITY CODE
TO PROVIDE IMMEDIATE TEMPORARY RELIEF BY:**

**SETTING TEMPORARILY ANY APPLICABLE INTEREST RATE AT 0% AND
ANY APPLICABLE PENALTY AT \$0.00 AS TO LATE PAYMENTS FOR
REMITTANCE OF EXCISE TAXES COLLECTED FROM CUSTOMERS
DURING THE PERIOD OF FEBRUARY 1, 2020 THROUGH MAY 31, 2020,
UNDER THE PROVISIONS OF SECTION 3.35.060, INTEREST AND
PENALTIES, OF CHAPTER 3.35, TRANSIENT AND OCCUPANCY TAX, OF
TITLE 3, REVENUE AND FINANCE;**

**SETTING TEMPORARILY ANY APPLICABLE INTEREST RATE AT 0% AND
ANY APPLICABLE PENALTY AT \$0.00 AS TO LATE PAYMENTS FOR
REMITTANCE OF EXCISE TAXES COLLECTED FROM CUSTOMERS
DURING THE PERIOD OF FEBRUARY 1, 2020 THROUGH MAY 31, 2020,
UNDER THE PROVISIONS OF SECTIONS OF 3.40.010 – 3.40.080, OF
CHAPTER 3.40, TAX ON MEALS SERVED IN RESTAURANTS OR BY
CATERERS, OF TITLE 3, REVENUE AND FINANCE;**

**SETTING TEMPORARILY ANY APPLICABLE INTEREST RATE AT 0% AND
ANY APPLIABLE PENALTY AT \$0.00 AS TO ANY DELINQUENT PAYMENT
OF WATER UTILITY BILLS DUE DURING THE PERIOD OF MARCH 10, 2020
THROUGH JUNE 10, 2020, UNDER THE PROVISIONS OF SECTION 13.20.080,
PENALTY ON AND NOTICE AND COLLECTION OF DELINQUENCIES, OF
CHAPTER 13.20, USE CHARGES, OF TITLE 13, ENVIRONMENT;**

**SUSPENDING ANY DISCONTINUANCE OF WATER SERVICE FOR THE
TEMPORARY PERIOD OF MARCH 18, 2020 THROUGH JULY 10, 2020,
UNDER THE PROVISIONS OF SECTION 13.20.090, DISCONTINUANCE OF
SERVICE FOR FAILURE TO PAY, OF CHAPTER 13.20, USE CHARGES, OF
TITLE 13, ENVIRONMENT;**

**SUSPENDING CERTAIN PARKING FEES FOR THE PERIOD OF MARCH 18,
2020, THROUGH APRIL 23, 2020, UNDER THE PROVISIONS OF SECTION
10.25.180, CHARGE FOR PARKING IN CITY-OWNED ATTENDANT-
OPERATED PARKING LOT, OF CHAPTER 10.25, STOPPING, STANDING
AND PARKING, OF TITLE 10, VEHICLES AND TRAFFIC; AND**

**PROVIDING ADDED FLEXIBILITY FOR THOSE QUALIFYING UNDER
REAL ESTATE EXEMPTION FOR ELDERLY AND DISABLED PERSONS,
UNDER THE PROVISIONS OF SECTION 3.15.050, CLAIMANT'S AFFIDAVIT
AND CERTIFICATE OF DISABILITY – COMMISSIONER'S CERTIFICATION,**

**OF CHAPTER 3.15, REAL ESTATE TAX EXEMPTION FOR ELDERLY AND
DISABLED PERSONS, OF TITLE 3, REVENUE AND FINANCE**

Recitals

A. On January 30, 2020, the World Health Organization (WHO) declared novel coronavirus (COVID-19) a public health emergency of international concern and on March 11, 2020, the WHO characterized COVID-19 as a pandemic;

B. On March 12, 2020, the Governor of Virginia declared a state of emergency, to prepare and coordinate Virginia's response to the potential spread of COVID-19;

C. On March 13, 2020, the President of the United States issued a proclamation declaring a national emergency concerning the COVID-19 outbreak;

D. On March 16, 2020, the City Manager and Emergency Management Director, Steven L. Rosenberg, declared a local emergency in light of COVID-19;

E. At its special-emergency meeting on March 18, 2020, by resolution the Staunton City Council confirmed City Manager and Emergency Management Director, Steven L. Rosenberg's declaration of a local emergency and declared a disaster;

F. On March 23, 2020, the Governor of Virginia issued an executive order that, in essence, further recognizes the emergency and disaster COVID-19 outbreak, closing the public schools for the entire remainder of the school year and closing recreational and other non-essential establishments;

G. At its special-emergency meeting on March 24, 2020, Staunton City Council adopted an ordinance reratifying and reaffirming the declaration of a local emergency and disaster due to COVID-19; implementing emergency procedures to ensure continuity of government; ratifying and affirming the City Manager's authority and exercise of authority and discretion in taking actions in the best interest of the City; and authorizing the City Manager to take actions to implement the provisions of the ordinance;

H. City Council recognizes that exigent circumstances under emergency and disaster conditions continue to exist and the occurrence and/or threat of COVID-19 merits and even necessitates action by City Council to help provide some immediate temporary relief for Staunton citizens and Staunton businesses and other payers;

I. This matter has been properly heard and considered; and

J. These recitals are deemed an integral part of this ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Staunton, Virginia, that:

1. To the fullest extent permitted by law, effective retroactively, any applicable interest rate shall be 0% and any applicable penalty shall be \$0.00 as to those excise taxes collected from customers, which are held in trust for the City, solely during the period of February 1, 2020 through May 31, 2020, and remitted to the City in full between March 1, 2020 and not later than June 30, 2020, under the provisions of SCC Section 3.35.060, Interest and Penalties, of Chapter 3.35, Transient Occupancy Tax, and Sections 3.40.010 through 3.40.080, of Chapter 3.40, Tax on Meals Served in Restaurants or by Caterers, of Title 3, Revenue and Finance, with interest and penalties to resume thereafter at normal rates under applicable law; however, all other provisions of Chapter 3.35 and Chapter 3.40 shall remain in force, including but not limited to the requirements for recordkeeping and for timely filing of reports of such taxes collected. Absent payment in full of such excise taxes not later than June 30, 2020, interest and penalty shall apply, retroactively, as provided under the provisions of SCC Sections 3.35.050 and 3.40.010 through 3.40.080;

2. **AND BE IT FURTHER ORDAINED** that, to the fullest extent permitted by law, effective retroactively, as to any delinquent payment of water utility bills under SCC Section 13.20.080, any applicable interest rate shall be 0% and any applicable penalty \$0.00 for charges incurred solely during the billing periods of March 10, 2020 through June 10, 2020; and absent payment in full of such water utility bills not later than July 10, 2020, interest and penalty shall apply, retroactively, as provided under the provisions of SCC Section 13.20.080;

3. **AND BE IT FURTHER ORDAINED** that, to the fullest extent permitted by law, discontinuances of water service, under the provisions of SCC Section 13.20.090, Discontinuance of Service for Failure to Pay, of Chapter 13.20, of Title 13, Environment, are **HEREBY SUSPENDED FROM OPERATION OF LAW**, effective retroactively, solely for the period of March 18, 2020 through July 10, 2020;

4. **AND BE IT FURTHER ORDAINED** that, to the extent required or necessary by law for Council to take action, the parking fees for the City-owned New Street parking garage, Johnson Street parking garage, Wharf parking lot, and the Augusta Street parking lot are **HEREBY SUSPENDED** solely during the period of March 18, 2020 through April 23, 2020, under the provisions of Section 10.25.180, Charge for Parking in City-Owned Attendant-Operated Parking Lot, of Chapter 10.25, Stopping, Standing and Parking, of Title 10, Vehicles and Traffic;

5. **AND BE IT FURTHER ORDAINED** that, to the extent required or necessary by law for Council to take action, the Commissioner of the Revenue is **AUTHORIZED** and **REQUESTED** respectfully to enlarge the time for filing of the annual affidavit required under the provisions of SCC Section 3.15.050, Claimant's Affidavit and Certificate of Disability – Commissioner's Certification, of Chapter 3.15,

Real Estate Tax Exemption for Elderly and Disabled Persons, of Title 3, Revenue and Finance;

6. **AND BE IT FURTHER ORDAINED** that, to the extent required or necessary by law for Council to take action, the Treasurer of the City of Staunton is **AUTHORIZED** and **REQUESTED** respectfully not to undertake collection action upon any person failing to pay any of the excise taxes for which this ordinance specifically provides relief in Section 1 of this ordinance;

7. The City Manager is **AUTHORIZED** to take all reasonable and necessary actions, as determined in the exercise of the City Manager's discretion, to implement the provisions of this ordinance; and the prior actions of the City Manager as to any of the subjects of this Ordinance are **RATIFIED** and **AFFIRMED**;

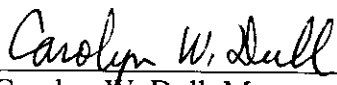
8. In all other respects, the provisions of Title 3, Revenue and Finance, and Title 13, Environment, and all other provisions of the Staunton City Code remain the same and are hereby restated, confirmed and reordained;

9. To the extent that any provision of this ordinance is found or determined to be invalid or void, the other provisions of this ordinance shall remain in effect without further action of this Council; and

10. This Ordinance is effective retroactively as specifically provided in this Ordinance.

Adopted: March 26, 2020

Effective Date: March 26, 2020 and retroactive as provided



Carolyn W. Dull, Mayor

ATTEST: 

Suzanne F. Simmons, Clerk of Council

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	July 9, 2020	Staff: Leslie Beauregard Assistant City Manager Phil Trayer Chief Finance Officer
Item #	4	
Ordinance #		
Department:	City Manager's Office Finance	
Council Vision:	Responsive, Efficient Government	
Subject:	Update on CARES Act Relief Funds for Local Government and Public Safety (Fire-Rescue and Police) Furloughs	

Background: On May 12, 2020, the City received notice that it would receive \$2,175,221 in CARES Act relief funds. Very generally, these funds may be used for qualifying expenses of state and local governments that:

1. are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
2. were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the state or local government; and
3. were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

The City received the funds on June 1, 2020.

City staff quickly formed a CARES Act working group that has been working to determine how the City may spend these funds within the guidelines provided, and is reviewing new information on use of the funds as it is released. And as this is a fluid process, staff anticipates that decisions regarding the funds will continue to be made throughout the next several months.

The purpose of this briefing is to provide an update to Council on allowable expenses to which CARES Act funding could be allocated for FY2020 and, to date, those expenses staff has determined to be allowable for FY2021.

FY2020

Approximately \$158,000 has been expended during FY2020 in COVID-related costs for both the City and Staunton City Schools. Some of these included personal protective equipment (PPE), disinfectant, hand sanitizer, cleaning supplies, Zoom platform subscriptions for virtual meetings, serology testing for employees, floor markings for physical distancing for elections and other city departments, custodial services, glass and plexiglass partitions for customer service areas, business assistance in the form of PPE kits, the match requirement for the Emergency Disaster Relief Loan Program for businesses administered by the Staunton Creative Community Fund, and communications related to COVID. CARES Act guidelines allow the City to reimburse itself for these expenses.

FY2021

For FY2021, the working group has discussed and determined, so far, that the following uses of the funds are permitted under the guidelines:

All Departments and Common Areas/General Facilities

- PPE, including mask dispensers for the public, disinfectant, hand sanitizer, and cleaning supplies for all public buildings
- Physical distancing markings in all customer service areas
- Signage informing the public and employees of recommended safety practices
- Custodial services (not already budgeted or overtime costs are applicable) substantially dedicated to COVID-related activities, such as cleaning restrooms and other public areas on a more frequent basis
- Touchless technology for bathrooms, such as touchless sinks, soap dispensers, toilets and foot-operated trashcans
- HVAC system improvements/maintenance to help improve air quality in public buildings

Human Resources/Employees

- Serology testing for any City employee who desires to obtain such a test
- Employer paid leave per the Families First Coronavirus Response Act

Marketing/Tourism

- Marketing to publicize the resumption of activities and steps taken to ensure a safe experience when welcoming visitors back to the City

Business Recovery/Assistance

City staff continue to explore several options to assist businesses which have suffered interruptions due to COVID-related closures. After engaging with many local business owners and reviewing various options, staff recommends an allocation of \$250,000 from the CARES Act funding for a recovery initiative to be administered by the Staunton Economic Development Authority. This effort will be very similar to what we have seen undertaken by other localities in the region, as businesses will be awarded funds on a first come, first served basis after applications have been reviewed to ensure they meet all qualifying criteria.

The City is also collaborating with United Way of Greater Augusta, Augusta County and the City of Waynesboro to provide PPE kits to local businesses. The City's share was \$3,000. So far, the City has received 27 requests from local small businesses for PPE kits. Recipients have been most appreciative of this successful campaign.

City Schools

To date, Staunton City Schools has requested \$427,158 for technology to assist with distance learning and virtual classrooms, to provide a mobile school meal program, and for additional cleaning to accommodate a planned rotating student schedule. Another request is expected to assist the Schools with the cost of providing child care to teachers with children ages 5 to 11, so they can resume their teaching duties without having to worry about how to care for their own families. Details of the Schools' request follow:

- *Computer Infrastructure* - \$90,000: These funds will be used to replace the 8-year-old computing infrastructure in the School's server room. This centralized equipment currently operates virtualized servers on the VMWare platform that serves all staff and students in Staunton. All vendors and equipment are on state contracts for procurement.
- *Cloud Capability* - \$75,000: This necessary project facilitates the establishment of cloud capability to remotely deliver specific software applications necessary for Career and Technical Education-based instruction to students.
- *Internet Access* - \$72,000: This will cover the cost associated with providing approximately 300 low-income students with Internet access to continue remote learning.
- *School Nutrition Department* - \$90,158: This will cover purchase of PPE, carts, shelving, tray sealing systems, warming cabinets, totes and coolers for transportation of school meals; and compliance with new food packing requirements.
- *Cleaning Supplies* - \$150,000: The Schools will be rotating students and will require deeper cleaning between student groups.

Public Safety Payroll/Furloughs

There has been much confusion around public safety personnel and what is allowably charged to CARES Act funding. Here is an example of guidance communicated recently to localities:

The U.S. Treasury Department guidance on the CARES Act states that "funding can be used to meet payroll expenses for public safety, public health, health care, human services, and similar employees whose services are **substantially dedicated** to mitigating or responding to the COVID-19 public health emergency." **The first and most important element in determining payroll eligibility for meeting CARES Act guidelines is to carefully track and describe employee time actually spent on COVID-related activities.** Only then can each activity be examined to determine whether federal guidelines for reimbursement have been met.

The main issue is whether all of the duties of public safety personnel can be said to be "substantially dedicated" to "mitigating or responding to the COVID-19 public health emergency."

The original guidelines include the following language:

The Fund is designed to provide ready funding to address unforeseen financial needs and risks created by the COVID-19 public health emergency. For this reason, and as a matter of administrative convenience in light of the emergency nature of this program, a State, territorial, local, or Tribal government may

presume that payroll costs for public health and public safety employees are payments for services substantially dedicated to mitigating or responding to the COVID-19 public health emergency, unless the chief executive (or equivalent) of the relevant government determines that specific circumstances indicate otherwise.

Given this ambiguity, the City and other localities have been hoping to receive further guidance from the Office of Management and Budget concerning use of CARES Act funds. As recently reported by the City's external auditor, no additional guidance—which had been expected by the end of June—has been released, and none is expected soon. However, in a recent telephone conversation with the auditor—one of many—staff and the auditor reexamined whether CARES Act funds can be used to eliminate furlough days for public safety employees. The auditor has now opined that given the timing of the City's decisions concerning furloughs (i.e., prior to notice of receipt of CARES Act funds), and the City's desire to avoid furloughs of public safety employees during the COVID-19 pandemic and its aftermath, CARES Act funds, in the approximate amount of \$108,000, may be used to eliminate the furlough days for public safety employees only.

The auditor further noted that when additional compliance documents are released by the federal government this fall, the issue may need to be revisited. If, at that time, further guidance indicates the funds may not be used for this purpose, staff will need to identify another funding source for the elimination of the public safety furloughs.

On the same basis, Council may also wish to consider an allocation of \$60,000 of CARES Act funds to restore funding for part-time firefighters, reduced in the adopted FY2021 budget. The reduction in funding necessitated a decrease in the number of personnel per shift from 11 to 10. The restoration of such funding would allow shifts of 11 personnel per shift.

City Manager's Recommendation: Receive the briefing and provide guidance and direction to staff.

Suggested Motion: Not applicable.

City Manager: Steven L. Rosenberg

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	July 9, 2020	Mayor Andrea Oakes
Item #	5	
Ordinance #		
Department:	Parks and Recreation Finance	
Council Vision:	Culture Responsive, Efficient Government	
Subject:	Discussion Concerning Gypsy Hill Golf Course	

Background: At the request of Mayor Andrea Oakes, this item has been added to Council's work session agenda for July 9, 2020, for further discussion.

City Manager's Recommendation: Not applicable.

Suggested Motion: Not applicable.

City Manager: Steven L. Rosenberg

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	July 9, 2020	Doug Guynn City Attorney Billy Vaughn Director of Community Development
Item #	6	
Ordinance #		
Department:	City Attorney and Economic Development	
Subject:	Closed Meeting for: (i) Discussion of Possible Disposition of Publicly Held Real Property at Staunton Crossing, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiating Strategy of the Public Body; (ii) Discussion of One or More Prospective Businesses or Industries Where No Previous Announcement has Been Made of the Business' or Industry's Interest in Locating or Expanding its Facilities at Staunton Crossing; and (iii) Consultation and Discussion with Legal Counsel Requiring the Provision of Legal Advice by Such Counsel Pertaining to Legal Considerations and Discussion Involving Possible Vacation of City Public Right of Way, Application of the Provisions of Chapter 18.85 of the Staunton City Code, Specific Pending Litigation, and a Pending Request from Village Development Associates, LLC.	

Suggested Motion(s):**Before the closed meeting:** I move to enter a closed meeting for: (i) discussion of possible disposition of publicly held real property at Staunton Crossing, where discussion in an open meeting would adversely affect the public body bargaining position or negotiating strategy, pursuant to Virginia Code Section 2.2-3711(A)(3); (ii) discussion of one or more prospective businesses or industries where no previous announcement has been made of the business' or industry's interest in locating its facilities at Staunton Crossing, pursuant to Virginia Code Section 2.2-3711(A)(5); and (iii) consultation and discussion with legal counsel requiring the provision of legal advice by such counsel pertaining to legal considerations and

discussion involving possible vacation of city public right of way, application of the provisions of Chapter 18.85 of the Staunton City Code, various specific pending litigation, and a pending request from Village Development Associates, LLC, pursuant to Virginia Code Section 2.2-3711(A)(8).

Second. Discussion. Vote – Clerk of Council to poll members of Council.

After the closed meeting: I move that Council reconvene in an open meeting and certify to the best of each member's knowledge that only lawfully exempted public business matters were discussed and that only public business matters as identified in the closed meeting motion were heard, discussed or considered in the meeting.

Second. Discussion. Vote –Clerk of Council to poll members of Council.

City Council
WORK SESSION
Electronic Communications Meeting
June 25, 2020
5:15 p.m.

Clerk indicates that she believes all available members of Council have announced their audio presence.

1. Annual Visit to Betsy Bell

Mayor Dull called the meeting to order: As Mayor, I call this electronic communications meeting of the Staunton City Council to order. I note that this meeting is being convened with City Council members using the Zoom platform, broadcast over the City's cable channel, and streamed live on the City's website so that members of the public may hear our meeting. The meeting is also being recorded.

Mayor Dull asked the Clerk of Council to call the roll for confirmation of those Council members present for today's meeting.

Clerk of Council Call the Roll of Council Members Present:

Mayor Dull	aye	Dr. Harrington	aye
Vice Mayor Kier	aye	Ms. Mead	absent
Ms. Oakes	aye	Dr. Curren	aye
Mr. Holmes	aye		

City Manager Identifies City Officials Present:

Mayor Dull asked Steve Rosenberg, City Manager, to identify his location and those City officials or colleagues, if any, present with him at that location and the participation of anyone else during today's meeting by Zoom or telephone.

Mr. Rosenberg stated he was participating in the meeting on the Zoom platform from his office in City Hall. He noted there was no one else present with him at that location. Additional City participants on the Zoom platform during the Work Session and Regular meeting included:

Suzanne F. Simmons, Clerk of Council
Douglas L. Guynn, City Attorney
Phil Trayer, Chief Finance Officer
Rodney Rhodes, Senior Planner
Tim Hartless, City Planner
Charley Haney, City Assessor
Perry Weller, Deputy Fire Chief

Mr. Rosenberg noted the following would be joining on the Zoom platform:

Adam Campbell, Virginia Department of Transportation (VDOT),
Bonnie Riedesel, Central Shenandoah Planning District Commission
(CSPDC)

Nancy Gourley, CSPDC
Zach Beach, CSPDC.

Mr. Rosenberg stated he anticipated during the Regular meeting that Craig Peterson, an applicant for a land use approval would participate on the Zoom platform.

Also joining on the Zoom platform as attendees three Council members-elect whose terms will begin on July 1, 2020:

Steve Claffey
Amy Darby
Mark Robertson

Background Statement:

Mayor Dull stated “Please let me mention that notice, reasonable under the circumstances, of the electronic communications nature of this meeting has been given to the public contemporaneously with the notice provided to members of City Council. This meeting has also been publicized over the course of the past week on the City’s website and Facebook page. Access to this meeting has been provided to the public by audio feed on the City’s cable channel and the City’s website. During this work session, as in the past, there will be no opportunity for public comment. Public comment will be received during Council’s regular meeting, which will begin at 7:30 p.m. Instructions for public comment can be found on the agenda for the regular meeting and on Council’s website at: www.ci.staunton.va.us/government/city-council .

Also, let me highlight and have reflected in the meeting minutes that this meeting is being conducted by Zoom, given the catastrophic nature of the declared emergency and disaster related to the Covid-19 outbreak, which as part of the total circumstances, makes it impracticable or unsafe to assemble a quorum in a single location. The meeting is being held consistent with City Council Ordinance 2020-04 regarding continuity of government, a copy of which can be found online at : www.staunton.va.us/cogord2020-04.”

Nature of the Electronic Meeting:

Mayor Dull stated “Given that we are conducting this meeting by Zoom – with the meeting being live streamed on the City’s website and broadcast over the cable system as it occurs – I believe it merits reminder of a few special requests as we undertake this meeting in this unique format. First, I emphasize the request that each speaker speak loudly and slowly and self-identify each and every time when speaking, so that it will be clear who is speaking before your remarks are made. Second, please pause after each speaker to allow a brief interval between that speaker and another speaker. Third, if for any reason a participant cannot clearly hear the speaker or must leave the meeting before it is adjourned, please let us know. Fourth, all votes will be taken by roll call and recorded in the minutes. Fifth, I ask that if any member of City Council has to leave the meeting for any period of time, to please interject and make an announcement so that the Clerk may take note of attendance in the minutes; I ask that you also announce your return so it also may be reflected in the meeting minutes. Finally, I ask everyone’s patience, because without being in the same room, it is likely that a speaker may not realize that another speaker is continuing. Again, we may unintentionally step on each other’s words, so it’s fine if we need to have the speaker repeat or clarify. We’ll take whatever time is necessary so that everyone is clear about what is being said

and by whom. I will now take questions from Council members and participants if you have any questions about the process.

Council members or participants did not have any questions.

The invocation/moment of silence was given by Dr. Curren.

2. Consideration of Work Session and Regular Meeting Agendas

Consistent with Procedural Memorandum No. 3, the agendas were presented for Council consideration.

Vice Mayor Kier moved to approve the Work Session agenda and the Regular Meeting agenda as presented with the addition of Item H to the regular meeting agenda which would be a discussion of the naming of City Council chambers in honor of ex-Vice Mayor Rita S. Wilson.

The motion was seconded by Dr. Harrington and carried unanimously as follows:

Dr. Harrington	aye	Mr. Holmes	aye
Dr. Curren	aye	Vice Mayor Kier	aye
Mayor Dull	aye	Ms. Oakes	aye

Mayor Dull asked Council members if they had any questions.

Council members did not have any further questions.

3. Discussion of Renewal of Agricultural-Forestral Districts

Rodney Rhodes, Senior Planner, stated at the June 11, 2020 Work Session meeting, the City's A-1, Agricultural-Forestral Districts were set to expire on December 31, 2020. He noted those districts were as follows:

- **Bell's Lane District:** includes the Moore family property along Bells Lane, consisting of approximately 1,688 acres.
- **Merrifield District:** consists of three parcels including the Merrifield (Hereford) farm located on Route 11 bordered by Route 262; the Bonfoey property; and the Cobble Hill Farm owned by Harriet Hanger, and consisting of approximately 561.773 acres.
- **M.O. Carr District:** initially consisted of three parcels including the Carr property, the John Hardy land, and the Johnson land, consisting of approximately 76 acres total. With the removal of the Carr property in 2004, all of the Carr land was excluded from the District, and there remain in the District the 40.67 acres in the Hardy tract, the 35.167 acres in the Johnson tract, and 10.54 acres in two tracts known as the "Thompson" property, for a current total of approximately 86.377 acres.
- **Middlebrook District:** includes lands along Middlebrook Road, consisting of approximately 221.266 acres.

Mr. Rhodes stated the Planning Commission took a rather in-depth and formal review of the Districts earlier in the year. This included some review of the underlying zoning as well as the recommendations from the Comprehensive Plan. The City Assessor provided input to the Commissioners on the real estate assessment process, and the City Attorney provided some historical perspective on the Districts and briefed the Commission on the technical review process under the controlling Virginia statute.

Mr. Rhodes stated the “Generalized Land Use and Development Guide, Future Land Use Map” *Staunton, Virginia, Comprehensive Plan 2018 – 2040*, designates the majority of these areas as Planned Farm Development. The Comprehensive Plan notes the following for such designated areas:

Planned Farm Development - These areas of the City include farms and working farmland. Planned Farm Development is intended to support the growth of active farm, forestal, nursery, and related enterprise.

Mr. Rhodes stated there were approximately a dozen policies in the Comprehensive Plan that related to those districts. During this recent update of the Comprehensive Plan the four Agricultural and Forestal Districts were removed from the designated Future Growth Area of the “City of Staunton Phased Growth Plan” and placed under a new Agricultural and Forestal District designation in the *Staunton, Virginia, Comprehensive Plan 2018-2040*:

Priority 5 - Agricultural and Forestal Districts: The intent of this priority area is to protect designated agricultural and forestal districts, which currently includes the Bell’s Lane Agricultural District, the Merrifield Agricultural District, the M.O. Carr Agricultural District and the Middlebrook Agricultural and Forestal District.

Mr. Rhodes stated the intent of this priority is to protect those designated areas from development. He noted the Planning Commission and then City Council conducted public hearings with eventual adoption.

At its meeting of May 21, 2020, the Planning Commission continued to welcome public input and actually conducted a public hearing to invite and receive further input on the matter. Approximately 300 notices were mailed to adjoining property owners of the four Districts to inform and welcome any comments. Staff did not receive any concerns from the public on the potential renewal of the Districts. During the public hearing three people spoke in favor of renewing the four Districts for the maximum period permitted of 10 years. On a 4-1 vote, the Commission voted to recommend approval of a renewal of the existing A-1 districts for a period of 10 years, as recommended by staff. Mr. Rhodes stated the one dissenting vote stated that they were in support of renewing the districts, but had some concerns about renewing it for 10 years.

Mr. Rhodes stated this item was presented at Council’s June 11, 2020 work session meeting. Since that time, staff had reached out to the property owners in the Middlebrook District to inform them that they were also in the Opportunity Zone. He noted there are only 3 property owners in that district. Mr. Rhodes noted one owner informed him that they wanted to continue in the Agricultural-Forestal District as is for 10 years. He stated he had not heard from the other two property owners.

Mr. Rhodes stated he and Tim Hartless, City Planner would answer any questions.

Mayor Dull asked Council members if they had any questions.

Ms. Oakes asked if it was correct that if a property owner had a house on the property that one acreage was not included in the tax relief that they receive was taken out of the tax reduction.

Mr. Rhodes deferred that question to Charley Haney, City Assessor.

Mr. Haney stated the code states that if an owner is not using it for farm use then fair market value would have to be paid on the property. He noted at a minimum it would be for an acre or sometimes it was two acres.

Ms. Oakes asked if a barn would be fair market value, but the property would receive the tax reduction.

Mr. Haney stated that was correct. He noted the land underneath a farm building was still at use value and the barn itself would be fair market approach.

Mr. Holmes asked if property owners decided to develop the land during the 10-year period could they withdraw from the district at any time.

Mr. Rhodes stated an owner could petition Council to remove their property from the district if they had grounds for doing so. He noted they would have to pay the back taxes for 5 years at that point.

Vice Mayor Kier stated he did not have any questions.

Dr. Curren asked if there were any disadvantages to the property owners if they came out of the district and had to pay the back taxes. He questioned if they would end up paying more than they would have otherwise paid.

Mr. Haney stated there was a provision for interest on the deferred amount for the 5 years. He noted the owner would pay the back taxes plus the interest.

Dr. Harrington asked if a property owner decided to take his property out of the district for development or other reason, could they remove a portion of that property or did all of it have to be removed.

Mr. Rhodes stated a portion of the property could be taken out and did not require the entire property be removed.

Mayor Dull stated she did not have any questions.

Mr. Rhodes stated this item was on tonight's regular agenda. He noted an ordinance had been drafted by the City Attorney, per Council's direction, that would renew the districts for 10 years.

This will be Item D on the Regular meeting agenda.

4. Discussion of Resolutions of Support for Three SMART SCALE Applications Submitted By the Central Shenandoah Planning District Commission and the Staunton-Augusta-Waynesboro Metropolitan Planning Organization on behalf of the City of Staunton

Mr. Rhodes thanked Zach Beard, Central Shenandoah Planning District Commission (CSPDC), and Adam Campbell, Virginia Department of Transportation (VDOT), for their help on the three grant applications.

Mr. Beard provided an overview of the three SMART Scale applications being submitted by the CSPDC and SAWMPO on behalf of the city for pedestrian improvement projects. He noted those projects addressed pedestrian safety, mobility, and to expand the pedestrian options in the city.

Mr. Beard stated SMART Scale was a state-wide transportation grant funding program and was administered by VDOT. He noted it covered all major costs associated with programs. He noted the program accepted applications every two years. He stated the deadline for the final application was due on August 3, 2020. During the last application cycle, he noted the City was awarded funding for all three of their SMART Scale submissions with each one focusing on pedestrian improvements.

These projects address pedestrian access and safety enhancements at key segments and intersections. Preliminary cost estimates have been prepared for each project based on preliminary engineering, rights-of-way, and construction costs, and are subject to adjustment based upon VDOT cost estimates to be submitted with the final applications. The preliminary estimated project cost for the three projects is \$5,529,928.

The proposed projects include:

- Richmond Road and Crossing Way Shared Use Path. This project includes construction of a shared use path along the south side of Richmond Road from Frontier Drive to Crossing Way and along Crossing Way to the existing roundabout, installing a concrete barrier and fencing on the right shoulder of the eastbound bridge, and pedestrian crossing improvements. The preliminary estimated cost is \$1,719,000.
- Commerce Road and Lewis Creek Greenway. This project converts one travel lane to a buffered shared use path on Commerce Road between Greenville Avenue and Statler Boulevard. The preliminary estimated cost is \$2,332,428.
- Greenville Avenue Road Diet. This project replaces the existing five-lane section with a three-lane section, intermittent median closures, and bike lanes on both sides of the road between Richie Boulevard and Richmond Road. The preliminary estimated cost is \$1,478,500.

Mayor Dull asked Council members if they had any questions for Mr. Beard or Mr. Campbell.

Dr. Harrington asked the representatives to speak on the safety that would be added in terms of the medians that were proposed for the Greenville Avenue project.

Mr. Campbell explained that there would be targeted medians placed in small segments at strategic locations along the corridor. He noted it would provide an opportunity for pedestrian refuge areas.

Dr. Harrington asked if there would be a parking area for the Commerce Road project.

Mr. Campbell stated this was an initial phase of one of the identified Greenways plan with a future opportunity to keep extending it further north along Commerce Road. He noted there had been preliminary discussions to potentially approach the owners of the professional office building at the corner of Statler Boulevard and Commerce Road.

Dr. Curren asked what the proposed timeline was for both projects.

Mr. Rhodes stated if the projects were accepted, they would be designed in 2025-2026.

Vice Mayor Kier stated he did not have any questions.

Mr. Holmes asked if there was enough room at the underpass for the proposed roundabout to function properly.

Mr. Campbell was disconnected from the Zoom platform.

Mr. Rhodes stated the proposed roundabout at the intersection of Greenville Avenue and Richmond Road was a previously approved project that would be initiated in a couple of years.

Mr. Holmes noted there another roundabout had been discussed on the other side of the intersection.

Mr. Rhodes stated that had been discussed; however, it was not part of the three applications.

Ms. Oakes stated she did not have any questions.

Council members did not have any further questions.

This will be Item E on the Regular meeting agenda.

5. Discussion of Purchase and Sales Agreement by and between American Shakespeare Center and City of Staunton, Virginia / 240 North Lewis Street

Mr. Rosenberg stated a proposed purchase and sale agreement was attached in Council's agenda materials, providing for the city's acquisition of an approximately 2.24-acre parcel of land located at 240 North Lewis Street. He noted the property was presently owned by American Shakespeare Center (ASC) and leased by ASC to the city at rent of \$5,500 annually. He noted that lot had been leased by the city for approximately twenty years. The city uses the property for the operation of a municipal parking lot, one of two in the city at which unlimited free parking is offered. Mr. Rosenberg stated the lot contained approximately thirty spaces.

Mr. Rosenberg stated the parcel also permits the use of the lot as a transit hub by Central Shenandoah Planning District Commission (CSPDC), which operates the regional BRITE transit service. In the City, BRITE service using the hub includes the 250 Connector, the North and West Loops, the Downtown Trolley and the Blue Ridge Community College Shuttle. Transit vehicles

on these routes arrive and depart the hub on a well-choreographed schedule, allowing riders to transfer between routes at the hub, much like making connections between flights at an airport.

Mr. Rosenberg stated the city was approached by ASC in the last year or so and was advised by ASC representatives that they desired to divest itself of the property. He noted they no longer had a use for the property and at that time was preparing to place the property on the market for sale. Before doing so, ASC approached the city and inquired about the city's interest in purchasing the property.

Mr. Rosenberg stated the city then reached out to the CSPDC. He noted Bonnie Riedesel, Executive Director, and Nancy Gourley, recently retired Transit Manager for the CSPDC who continues to handle special projects, conducted an analysis of the existing hub operation at the Lewis Street parking lot and also analyzed alternative locations. Mr. Rosenberg stated their analyses was also included in the materials in Council's agenda package. He noted their recommendation was that the Lewis Street parking lot remained the best solution in terms of continued operation of a transit hub in the city conveniently located to downtown and supporting the multimodal transit approach that was desirable in an urban environment.

Mr. Rosenberg stated in discussions with American Shakespeare Center, the city invited them to propose a purchase price. He noted the following proposal:

- purchase price of \$185,000 (below the current tax assessed value of \$195,140); ASC had the property appraised in 2018 at \$215,000;
- settlement on July 2, 2021, deferring the city's obligation to the next fiscal year, taking into account fiscal constraints resulting from the pandemic and the recession;
- an increase in the city's rent under the current lease from \$5,500 annually to \$15,000 annually, in lieu of a deposit from the city securing its obligations under the agreement, with the \$9,500 difference in rent to be credited to the purchase price at settlement;
- an investigations period of 120 days, during which the city may perform due diligence concerning the property;
- a parking license to ASC, which permits ASC and its employees to park certain vehicles on the property, at no cost and during certain periods of each year, for a minimum of three years after settlement; and
- other customary terms of a real estate purchase and sale transaction.

Mr. Rosenberg stated:

- As noted in the CSPDC analyses, the parking lot is in need of repairs, estimated by the city to cost between \$60,000 and \$120,000. The current state of disrepair is due, in part, to its heavy use over the years by transit vehicles, though the lot was not constructed originally for that purpose. The license fee to be paid monthly by CSPDC over a 10-year term would provide an ongoing source of revenue to support repairs to the parking lot.
- The property is presently exempt from real property taxation, such that its acquisition by the city will not result in a change of the property's tax status.
- Council, if it so desires, may defer action on the agreement, leaving it for consideration by the newly organized Council subsequent to July 1, 2020.

Mr. Rosenberg stated Ms. Riedesel and Ms. Gourley were available to answer questions from Council as well as Phil Trayer, Chief Finance Officer.

Mayor Dull asked Council members if they had any questions.

Vice Mayor Kier clarified if the rent increase would be for 2021. Mr. Rosenberg stated the rent to ASC would commence as of July 1, 2020 and was \$1,500 per month.

Vice Mayor Kier asked Ms. Riedesel or Ms. Gourley to explain the social impact on the residents of Staunton.

Ms. Riedesel explained how the HUB was very well utilized by the community and was in a very convenient location.

Ms. Gourley stated the last time counts were conducted at the Staunton HUB, there were almost 2,300 residents per week who either boarded or disembarked at that location. She noted that location was optimal in that it was easy to get to, it had sidewalk connections, there was also free and safe parking on that lot for riders. During the pandemic, the ridership on the BRTE service had maintained at approximately 50% ridership. She noted the most popular destination for riders was employment followed by shopping and doctor's appointments.

Mr. Holmes clarified if that location was moved to another spot, the city would still need to construct the land to accommodate the weight of the buses. Mr. Rosenberg stated it would depend on which alternative was selected. He noted several locations analyzed by the CSPDC involved curbside locations and may be suitable as constructed. He noted other surface lot locations would likely require some reconstruction.

Mr. Holmes noted if the lot were moved, it would create hardships for citizens who walked to that location being that it was centrally located. He felt it was logical to leave it at that location.

Dr. Curren stated it seemed that in that situation if the city wanted to continue to have a transportation HUB, there was really no option on the table that would keep the costs the same as they'd been. He noted if the city did not purchase the lot now, ASC would try to sell it; therefore, requiring the city to find other property and develop it. He stated it seemed like there didn't seem to be any other options that were much cheaper than purchasing the lot from the American Shakespeare Center.

Mr. Rosenberg stated there were options available that would not bring with them the costs that would be seen with an acquisition and repair of the Lewis Street parking lot. He invited Ms. Gourley to address the deficiencies of some of those alternatives. He noted the basis for staff's recommendation was that the Lewis Street parking lot was the preferred option among those available in part because it allowed the city to sustain the current arrangements as a transit hub as well as a location of thirty-two parking spaces without cost to residents and visitors.

Dr. Harrington stated he was mindful of the development and was happy about the development on Central Avenue and Lewis Street. He asked Ms. Gourley if riders at the Lewis Street lot were patronizing any businesses in that area.

Ms. Gourley stated she believed some of the riders were especially patronizing restaurants in that area as they were easily walkable from the bus stop. She also addressed the ability to load mobility devices, specifically wheelchairs and scooters. She noted those riders were safely out of traffic and the lot was a fairly level area to board.

Dr. Harrington asked if riders on the BRITE transit system would be able to connect with the Afton Express service in the future. Ms. Gourley stated that was correct and could also access the Virginia Breeze bus.

Ms. Oakes asked Mr. Rosenberg the reason for American Shakespeare Center wanting to sell their property. Mr. Rosenberg stated originally it was contemplated by ASC as the site for another theater facility, but made the determination several years ago not to use the site for that purpose.

Ms. Oakes clarified that it was property that ASC considered developing and then chose not to. Mr. Rosenberg stated that was his understanding.

Ms. Oakes asked if there were any studies done by the CSPDC on the West End of the city as a potential hub.

Mr. Rosenberg asked Ms. Gourley to address alternative locations considered.

Ms. Gourley explained criteria that the CSPDC used to look at other possible locations. She noted they wanted to have minimal disruption to the current routing and to the timings of the schedules. She noted they wanted the location to remain proximate to the downtown area as the downtown trolley anchors the system. Ms. Gourley explained that 170 linear feet to queue up the four buses was needed as well as space to install bus shelters for rider's protection and safety. Lighting was also needed for safety. Whether the ownership of the site was public or private. She noted two points of ingress/egress were needed as well as pavement issues which were already addressed. Ms. Gourley stated the Howard Johnson's parking lot, the firehouse parking lot, two curbside areas on N. Augusta and Central Avenue, the Market Street parking lot were considered and that the Staunton Mall was a suggestion. She stated the Lewis Street location always scored the highest on that criteria.

Ms. Oakes pointed out that the West End was not looked into, but that the Staunton Mall was located in Augusta County.

Ms. Oakes noted it had been suggested that the city would need to spend between \$60,000-\$120,000 on repairs to the Lewis Street parking lot. She asked Mr. Rosenberg if that cost would cover being able to handle the weight of the transit vehicles. Mr. Rosenberg stated it would and explained that there would be different treatments of the parking lot for different uses and areas of that lot.

Council members did not have any further questions.

This will be Item F on the Regular meeting agenda.

6. Discussion of Resolution of the Council of the City of Staunton, Virginia Giving Notice and Establishing Time and Place of Council's July 1, 2020, Organizational Meeting as 12:00 Noon at A.R. Ware Elementary School

Mr. Rosenberg stated the proposed resolution was to set the date and location of Council's Organizational Meeting on July 1, 2020 at noon. He noted there were enough issues in moving parts, especially given the pandemic and public health considerations, that staff recommended Council consider and adopt the resolution, noting particularly that the location was being changed. Mr. Rosenberg stated the meeting would normally be held in council chambers, but under the circumstances, staff was recommending to Council that the meeting location be established at A.R. Ware Elementary School on Grubert Avenue.

Mr. Rosenberg stated that meeting had been noticed at that location, listed both on the City's website as well as a notice being published in *The News Leader* in anticipation of Council's adoption of the resolution.

Mayor Dull asked Council members if they had any questions.

Ms. Oakes asked Mr. Rosenberg asked if A.R. Ware Elementary School was considered a governmental building.

Mr. Rosenberg asked Mr. Guynn if he wanted to address that question.

Mr. Guynn stated it was, but was also considered a public school facility and was owned by the School Board. He noted it was a particular kind of governmental facility.

Ms. Oakes asked if the restrictions for A.R. Ware Elementary School fall under the Governor's orders when it came to governmental buildings.

Mr. Guynn stated he had not addressed that issue at all, but would be glad to look into it. He commented that this was a different approach than was used two years ago. He noted this extensive resolution was being offered that made all of the legal references and would be easier in the future. He noted it was a better vehicle and that he recommended it.

Mr. Rosenberg stated that there was a revised version that superseded what was included in Council's agenda materials. He noted the revised version was emailed to Council members that afternoon that contained slightly different language to account for the fact that as of July 1st, the date of the Organizational Meeting, the state would move from phase 2 to phase 3 of its reopening plan. He noted that progression was reflected in the revised version.

Mr. Holmes clarified that in phase 3 the 6-foot distancing was still required. He noted he did not see a lot of difference in what would be available for Council to do on that date.

Council members did not have any further questions.

This will be Item G on the Regular meeting agenda.

The work session adjourned at 7:08 p.m.

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Suzanne F. Simmons
Clerk of Council

DRAFT

REGULAR MEETING OF STAUNTON CITY COUNCIL
Thursday, June 25, 2020
7:30 p.m.
Electronic Communications Meeting

PRESENT: Mayor Carolyn W. Dull
Ophie A. Kier, Vice Mayor
James L. Harrington
R. Terry Holmes
Erik D. Curren
Andrea Oakes

ABSENT: Brenda O. Mead

ALSO PRESENT: Steven Rosenberg, City Manager
Douglas Guynn, City Attorney
Suzanne F. Simmons, Clerk of Council

Mayor Dull called the meeting to order: As Mayor, I call this electronic communications meeting of the Staunton City Council to order. I note that this meeting is being convened with City Council members using the Zoom platform, broadcast over the City's cable channel, and streamed live on the City's website so that members of the public may hear our meeting. The meeting is also being recorded.

Mayor Dull asked the Clerk of Council to call the roll for confirmation of those Council members present for today's meeting.

Clerk of Council Call the Roll of Council Members Present:

Mayor Dull	aye	Ms. Oakes	aye
Vice Mayor Kier	aye	Dr. Harrington	aye
Mr. Holmes	aye	Dr. Curren	aye

Mayor Dull asked that City Manager Steve Rosenberg now identify his location and those City officials or colleagues, if any, present with him at that location and the participation of anyone else during today's meeting by Zoom or telephone.

Mr. Rosenberg stated he was participating from his office in City Hall. Other City employees and officials participating on the Zoom platform in the meeting were:

Faith Simmons, Clerk of Council
Doug Guynn, City Attorney
Phil Trayer, Chief Finance Officer
Rodney Rhodes, Senior Planner
Tim Hartless, City Planner
Charley Haney, City Assessor
Perry Weller, Deputy Fire Chief

Mr. Rosenberg stated also joining the meeting on the Zoom platform were Craig Peterson, applicant for Item A on the Regular meeting agenda.

Mr. Rosenberg stated he also shared with Council members and the public that on the Zoom platform as attendees were three Council members-elect including Steve Claffey, Amy Darby, and Mark Robertson all of whom had access to the video and audio feed, but would otherwise not be participating in the meeting.

Background Statement:

Mayor Dull stated "Please let me mention that notice, reasonable under the circumstances, of the electronic communications nature this meeting has been given to the public contemporaneously with the notice provided to members of City Council. This meeting has also been publicized over the course of the past week on the City's website and Facebook page. Access to this meeting has been provided to the public by audio feed on the City's cable channel and the City's website. During the one public hearing, toward the beginning of the meeting, and Matters from the Public on Council's agenda, toward the end of the meeting, public comments will be taken. Members of the public who wish to participate in such matters, at the appropriate time, may call (844) 854-2222 and when prompted enter the access code 619358 with the # sign. Callers will be recognized in order. The public is reminded that public hearings and Matters from the Public are times for Council simply to listen to your comments. Each speaker will be limited to five minutes. Detailed instructions for public participation have been publicized over the course of the past week on the City's website and Facebook page and can be found now on the agenda for this meeting and on Council's website at www.ci.staunton.va.us/government/city-council.

Also, let me highlight and have reflected in the meeting minutes that this meeting is being conducted by Zoom, given the catastrophic nature of the declared emergency and disaster related to the Covid-19 outbreak, which as part of the total circumstances makes it impracticable or unsafe to assemble a quorum in a single location. The meeting is being held consistent with City Council Ordinance 2020-04 regarding continuity of government, a copy of which can be found online at: www.staunton.va.us/cogord2020-04.

Nature of the Electronic Meeting:

Mayor Dull stated "Given that we are conducting this meeting by Zoom - with the meeting being live streamed on the City's website and broadcast over the cable system as it occurs - I believe it merits reminder of a few special requests as we undertake this meeting in this unique format. First, I emphasize the request that each speaker speak loudly and slowly and self-identify each and every time when speaking, so that it will be clear who is speaking before your remarks are made. Second, please pause after each speaker to allow a brief interval between that speaker and another speaker. Third, if for any reason a participant cannot clearly hear the speaker or must leave the meeting before it is adjourned, please let us know. Fourth, all votes will be taken by roll call and recorded in the minutes. Fifth, I ask that if any member of City Council has to leave the meeting for any period of time, to please interject and make an announcement so that the Clerk may take note of attendance in the minutes; I ask that you also announce your return so that it also may be reflected in the meeting minutes. Finally, I ask everyone's patience, because without being in the same room, it is likely that a speaker may not realize that another speaker is continuing. Again, we may unintentionally step on each other's words, so it's fine if we need to have the speaker repeat or

clarify. We'll take whatever time is necessary so that everyone is clear about what is being said and by whom. I will now take questions from Council members and participants if you have any questions about the process.

Council members did not have any questions.

The Pledge of Allegiance was then conducted.

MAYOR'S REPORT

Mayor Dull read a letter that she received from elementary school student Abel Bergland.

Mayor Dull noted Council would be losing three Council members. She acknowledged that each of them during the course of their terms had contributed so much to the city and extended her appreciation. She noted the City had certificates acknowledging the lengths of service for Vice Mayor Kier, Dr. Harrington, and Dr. Curren.

Steve Rosenberg, City Manager, displayed and read the certificates as well as presented gifts of local artwork to the three outgoing Council members.

Mr. Holmes, Ms. Oakes, and Mayor Dull each made personal comments to the three Council members.

Dr. Harrington thanked everyone for the gifts and thoughtful remarks. He stated serving on Council for the last 10 years had been one of the chief privileges of his life.

Dr. Curren thanked everyone for the gifts and kind thoughts. He stated it had been his privilege and honor to serve on City Council.

Vice Mayor Kier stated he'd thoroughly enjoyed his service with the city and was proud of the accomplishments that Council had made over the years.

ADDITIONAL ITEMS BY MEMBERS OF COUNCIL

Vice Mayor Kier stated the Nominations Committee moved to make the following appointment:

Staunton Augusta Waynesboro Metropolitan Planning Organization (SAWMPO) – To appoint Carolyn Dull to fill the unlimited term of James Harrington beginning July 1, 2020.

The motion was seconded by Dr. Harrington

Mayor Dull stated she would abstain from the vote.

The motion carried as follows:

Dr. Curren	aye	Mr. Holmes	aye
Mayor Dull	abstain	Dr. Harrington	aye

148 Vice Mayor Kier aye Ms. Oakes aye

149

150 **APPROVAL OF MINUTES**

151

152 Ms. Oakes moved to approve the minutes of the work session and regular meeting minutes of June
153 11, 2020.

154

155 The motion was seconded by Dr. Harrington and carried as follows:

156

157 Vice Mayor Kier aye Ms. Oakes aye

158 Mr. Holmes aye Mayor Dull aye

159 Dr. Harrington aye Dr. Curren aye

160

161 **REGULAR MEETING**

162

163 **A. Public Hearing and Consideration of a Request by Craig Peterson to Rezone 9 North**
164 **Jefferson Street and 701 and 703 West Beverley Street From B-1, Local Business**
165 **District, to R-4, High Density Residential District**

166

167 Rodney Rhodes, Senior Planner, stated Craig Peterson is requesting a rezoning of two properties,
168 a single-family dwelling located at 9 North Jefferson Street and a two-family dwelling located at
169 701 and 703 West Beverley Street, from B-1, Local Business District, to R-4, High Density
170 Residential District. He noted this was to bring the uses and proposed use into conformance with
171 the zoning ordinance.

172

173 Mr. Rhodes stated the house at 9 North Jefferson Street had been vacant since 2005 and that Mr.
174 Peterson was in the process of restoring that dwelling. He noted he would like to restore the
175 previous use which was residential. Mr. Rhodes stated since the structure had been vacant for so
176 long it had lost its legal nonconforming status.

177

178 Mr. Rhodes stated the properties at 701 and 703 West Beverley Street consisted of a two-family
179 dwelling which Mr. Peterson had occupied as his residence. Mr. Peterson was also requesting a
180 staff recommendation of down-zoning of that property to provide continuity in zoning in that area.

181

182 Mr. Rhodes stated both of those properties were located in an area of the City that staff and the
183 Planning Commission had identified for potential rezoning from business to residential. This is
184 part of the City's ongoing effort to identify existing nonconforming residences in areas zoned for
185 business use. These two properties would have been included in the study area for 2021.

186

187 Zoning to the north and west is R-4, High Density Residential District, and to the south and east
188 is B-1, Local Business District.

189

190 The "Generalized Land Use and Development Guide, Future Land Use Map" *Staunton, Virginia,*
191 *Comprehensive Plan 2018 – 2040*, designates this area as Neighborhood Residential. Neighborhood Residential is characterized as older neighborhoods with large housing units on
192 small lots. The proposed rezonings were consistent with this designation.

193

194 Mr. Rhodes stated, due to their historic and longstanding use and the consistency with the
195 Comprehensive Plan, staff recommended in favor of those two rezonings.

196

At the Planning Commission meeting and public hearing on May 21, 2020, the Planning Commission considered the request. During the public hearing, no one spoke in opposition to the request. On a 5-0 vote, the Commission voted unanimously to recommend approval of the rezoning, concurring with staff's recommendation.

Mr. Rosenberg stated the applicant, Mr. Peterson, was on the Zoom platform to participate in the public hearing. He gave instructions for members of the public on how to call in and be placed in the queue.

Mayor Dull asked Council members if they had any questions.

Council members did not have any questions.

The public hearing was opened.

Craig Peterson, 703 W. Beverley Street, stated he'd lived in the house for 19 years and had restored both sides. He noted he'd inherited the N. Jefferson Street property when Michael Organ passed away. He stated that property was currently under renovation and needed to get it rezoned in order to make it as a residence.

Mr. Rosenberg noted other callers in the queue may be waiting to speak at Matters from the Public.

Joshua Rhodes, 1500 N. Coalter Street, Apt. B-11, stated he was asking City Council to support My Brother's Keeper alliance. He also asked that Council support the name change of the Stonewall Jackson Hotel.

There being no one else wishing to speak, the public hearing was closed.

Mr. Holmes moved that Council approve the rezoning and adopt the ordinance, as presented, rezoning 9 North Jefferson Street and 701 and 703 West Beverley Street from B-1, Local Business District, to R-4, High Density Residential District, as recommended by the Planning Commission.

The motion was seconded by Dr. Curren and carried as follows:

Mr. Holmes	aye	Mayor Dull	aye
Dr. Harrington	aye	Dr. Curren	aye
Ms. Oakes	aye	Vice Mayor Kier	aye

Ordinance No. 2020-13

**AN ORDINANCE REZONING
FROM B-1, LOCAL BUSINESS, TO R-4, HIGH DENSITY RESIDENTIAL,
THOSE CERTAIN TRACTS OR PARCELS OF LAND
LOCATED AT 9 N. JEFFERSON STREET (PID 772) AND**

701 AND 703 W BEVERLEY STREET (PID 8160), STAUNTON, VIRGINIA**Recitals**

A. It appears by deed dated May 23, 2017, recorded in the Clerk's Office of the Circuit Court of the City of Staunton, Virginia, as instrument number 170001484, that Craig M. Peterson and Shirley H. Peterson acquired 9 N. Jefferson Street (PID 772), and by deed dated June 10, 2001, recorded in the Clerk's Office of the Circuit Court of the City of Staunton, Virginia, as instrument number 010000155, that Craig M. Peterson and Shirley H. Peterson acquired 701 and 703 W Beverley Street (PID 8160), with further description provided in the deeds, copies of which are annexed and incorporated by reference (**Exhibit A and Exhibit B**);

B. Craig Peterson has applied for a zoning classification change for both properties from B-1, Local Business to R-4, High Density Residential;

C. The *City of Staunton, Virginia, Comprehensive Plan 2018-2040*, "Generalized Land Use and Development Guide," designates this area as Neighborhood Residential and the proposed rezoning is consistent with this designation;

D. The Planning Commission of the City of Staunton, after study and review, has properly heard the matter and recommended approval of the proposed rezoning on the basis that the rezoning would serve the interests of public necessity, convenience, general welfare, and good zoning practice;

E. This matter has been properly advertised, heard, and considered; and

F. These recitals are an integral part of this ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Staunton, Virginia, that the properties known as 9 N. Jefferson Street (PID 772) and 701 and 703 W Beverley Street (PID 8160), in the City of Staunton, Virginia, are **HEREBY REZONED** from B-1, Local Business to R-4, High Density Residential that on the basis that the rezonings would serve the interests of public necessity, convenience, general welfare, and good zoning practice.

Introduced: June 25, 2020

Adopted: June 25, 2020

Effective Date: June 25, 2020

/s/ Carolyn W. Dull

Carolyn W. Dull,

Mayor

ATTEST: /s/ Suzanne F. Simmons

Suzanne F. Simmons

Clerk of Council

B. Consideration of an Ordinance to Amend the FY2020 Budget Ordinance for the City of Staunton by Adding Budget Amendment Number Three

Phil Trayer, Chief Finance Officer, stated this item was to consider Budget Amendment Number Three for FY 2020.

Mr. Trayer stated Budget Amendment Number 3 totaled \$2,363,582 and required a Public Hearing which was properly advertised and conducted on June 11, 2020.

The City portion of this Budget Amendment equaled \$2,320,846.

The School portion of this Budget Amendment equaled \$42,736.

Mr. Trayer stated details had been provided in Council members packets and were reviewed during the June 11, 2020 work session.

General Fund Details Include:

\$1,400,000 in transfers from the CIP fund to the General Fund to covered projected revenue shortfalls associated with the COVID 19 Virus shutdown. This is consistent with the plan presented to Council on April 9, 2020.

\$2,175,221 - in CARES Act funding received by the City on June 1, 2020. These funds are currently being coded to a COVID Contingency Account and will be used to reimburse the City for allowable costs. Unspent funds at the end of FY2020 will roll into the City's Fund Balance and would require an additional appropriation from Council in FY21 in order to be spent.

Finally, there was \$145K of additional funding for task force funding, insurance recoveries and multiple grant awards.

CIP Fund

In the CIP Fund, there was a \$1.4 million adjustment to transfer monies back to the General Fund to cover revenue shortfalls associated with the COVID 19 Virus.

Education Fund

In the education Fund, there was a \$42K adjustment for Equity Fund contributions and Grant True Ups for the schools in FY2020.

Mr. Trayer stated the City Manager had reviewed the Budget Amendment and recommended approval of the amendment as presented.

Mayor Dull asked Council members if they had any questions or comments.

City Council members did not have any questions.

Dr. Curren moved to adopt an ordinance amending the fiscal year 2020 budget by adding Budget Amendment Number Three, totaling \$2,363,582.

The motion was seconded by Mr. Holmes and carried as follows:

Mr. Holmes	aye	Dr. Curren	aye
Ms. Oakes	aye	Vice Mayor Kier	aye
Mayor Dull	aye	Dr. Harrington	aye

(SEE ATTACHMENT 1)

C. Consideration of Amendments to Fire Prevention Code

Perry Weller, Deputy Fire Chief, stated this item was for a continuation from the June 11, 2020 Council meeting. He this involved recommending proposed changes to the set fees to be comparable with other localities and the State Fire Marshal's Office's fee schedule.

Mr. Weller stated the last time there were any fee updates was in 2015. He noted the demand for services from the Fire Marshal had steadily increased. Therefore, the Fire Chief and the Deputy Fire Marshal propose an increase in certain fees set forth in the City's permit fee schedule. Most of the fee increases that were proposed are to account for the increased amount of time required to review permit applications and conduct site inspections, and to attend events (such as fairs, special events, fireworks displays and underground tank removals) in a standby capacity.

Mayor Dull asked Council members if they had any questions.

City Council members did not have any questions.

Vice Mayor Kier moved that Council adopt an ordinance amending, restating and reordaining Section 15.25.055, Permit Fees, and Section 15.25.057, Miscellaneous Fire Prevention Inspection and Review Schedule, of Staunton City Code, to increase and establish certain fees, effective July 1, 2020, as presented.

The motion was seconded by Mr. Holmes and carried as follows:

Dr. Harrington	aye	Dr. Curren	aye
Ms. Oakes	aye	Vice Mayor Kier	aye
Mayor Dull	aye	Mr. Holmes	aye

(SEE ATTACHMENT 2)

D. Consideration of Renewal of Agricultural-Forestal Districts

Rodney Rhodes, Senior Planner, stated as was noted during the work session earlier, a draft ordinance had been prepared amending, restating, and renewing the four Agricultural and Forestal Districts in the City of Staunton. These include:

- **Bell's Lane District:** includes the Moore family property along Bells Lane, consisting of approximately 1,688 acres.
- **Merrifield District:** consists of three parcels including the Merrifield (Hereford) farm located on Route 11 bordered by Route 262; the Bonfoey property; and the Cobble Hill

Farm owned by Harriet Hanger, and consisting of approximately 561.773 acres.

- **M.O. Carr District:** initially consisted of three parcels including the Carr property, the John Hardy land, and the Johnson land, consisting of approximately 76 acres total. With the removal of the Carr property in 2004, all of the Carr land was excluded from the District, and there remain in the District the 40.67 acres in the Hardy tract, the 35.167 acres in the Johnson tract, and 10.54 acres in two tracts known as the “Thompson” property, for a current total of approximately 86.377 acres.
- **Middlebrook District:** includes lands along Middlebrook Road, consisting of approximately 221.266 acres.

Mr. Rhodes stated this renewal would be for a period of 10 years.

Mayor Dull asked Council members if they had any questions.

City Council members did not have any questions.

Dr. Harrington moved that Council adopt the proposed ordinance determining that review of the four agricultural and forestal districts is unnecessary and setting 2030 as the year in which any next review may occur, as presented.

The motion was seconded by Dr. Curren.

Ms. Oakes stated she supported the Agricultural-Forestal Districts, but felt 10 years was too long to lock the City into the districts without a review. She noted she could not support the motion due to the 10-year period.

The motion carried as follows:

Ms. Oakes	no	Vice Mayor Kier	aye
Mayor Dull	aye	Mr. Holmes	aye
Dr. Curren	aye	Dr. Harrington	aye

Ordinance No. 2020-16

**AN ORDINANCE
AMENDING, RESTATING AND REORDAINING
SECTION 18.95.070, TERM REVIEW,
OF CHAPTER 18.95, A-1 AGRICULTURAL-FORESTAL DISTRICT
OF TITLE 18, ZONING, OF THE STAUNTON CITY CODE,
MAKING CERTAIN NON-SUBSTANTIVE EDITORIAL CHANGES,
AND
DETERMINING THAT REVIEW OF CERTAIN AGRICULTURAL AND FORESTAL
DISTRICTS IS UNNECESSARY AND SETTING THE YEAR IN WHICH ANY NEXT
REVIEW MAY OCCUR**

Recitals

432

433 **A.** Since 1997, although it also appears that land use valuation previously was utilized for
434 annexed properties following the last annexation, the City of Staunton formally recognized
435 agricultural and forestal districts which require less public services and are treated favorably with
436 reduced assessments that collectively now represent approximately \$171,606 per year in foregone
437 real estate tax revenues that otherwise would be paid to the City of Staunton as to properties located
438 in such districts;

439 **B.** There exist four agricultural and forestal districts established by the Council of the City
440 of Staunton, Virginia, as codified in Chapter 18.95 of the Staunton City Code: the Bell's Lane
441 Agricultural and Forestal District (Bell's Lane); the Merrifield Agricultural and Forestal District
442 (Merrifield), the M.O. Carr Agricultural and Forestal District (M.O. Carr) and the Middlebrook
443 Agricultural and Forestal District (Middlebrook);

444 **C.** On March 26, 2015, Staunton City Council adopted Ordinance 2015-03, determining
445 that review of the Bell's Lane, Merrifield, and M.O Carr districts was unnecessary and set a new
446 five-year period (2016-2021) so that the next review, if any, for these three districts would begin
447 in 2020;

448 **D.** The Middlebrook district was established by Council March 12, 2009, by adoption of
449 Ordinance 2009-05, with a term review of four years from the effective date of the creation of the
450 district;

451 **E.** Under the provisions of Virginia Code § 15.2-4311, Council need not review any such
452 district and may determine that a review is unnecessary, setting the year in which the next review
453 shall occur;

454 **F.** Council has not taken affirmative action to review or renew the Middlebrook district
455 since its establishment and, consistent with Virginia Code § 15.2-4311, because the district has not
456 been modified or terminated by the local governing body, the district has continued as originally
457 constituted, with the same conditions and period before the next review as that established when
458 the district was created, making any next review to begin in 2020;

459 **G.** All four districts, therefore, are subject to review this year;

460 **H.** During the recent update to the *Staunton, Virginia, Comprehensive Plan 2018-2040*,
461 all four agricultural and forestal districts were removed from the designated *Future Growth Area*
462 of the *City of Staunton Phased Growth Plan* with the intent to protect these areas from
463 development;

464 **I.** Prior to City Council determining as a threshold matter whether a review of the districts
465 was necessary under the provisions of Virginia Code § 15.2-4311, the Planning Commission of
466 the City of Staunton, after City staff issued notification to the owners of over 250 properties
467 adjacent to the properties in the districts, undertook informal but extensive discussions about the
468 districts and conducted a public hearing to invite and receive further input on review of the districts
469 at its regularly scheduled meeting May 21, 2020. The Planning Commission, according to its
470 meeting minutes, voted 4-1 that "on the basis that it would serve the interests of public necessity,
471 convenience, general welfare, and good zoning practice, to recommend renewal of the current A-
472 1, Agricultural-Forestal Districts, for a period of 10 years;"

J. It appears to the Council of the City of Staunton, Virginia, that it is unlikely there has been any substantial changes in usage of the property in the districts of Bell's Lane, Merrifield, M.O. Carr, and Middlebrook since the prior review period;

K. In light of the notification and public input process at the Planning Commission's May 21, 2020 meeting and its informal recommendation, and the recent update to the *Staunton, Virginia, Comprehensive Plan 2018-2040*, the Council now determines, as to the districts of Bell's Lane, Merrifield, M.O. Carr and Middlebrook that a review is unnecessary and a new ten-year period (2021-2031) should be set, so that the next review, if any, for these four districts would begin in the year 2030;

L. In taking this approach, during the next ten years, several years before any concurrent review year for all four districts in the year 2030, it is requested and expected that the Planning Commission would undertake an underlying zoning-related study and review of the districts, resulting in a recommendation to the Council whether some or all of the property within these four districts should have modified underlying zoning treatment that may advance the intentions reflected in the City's latest *Comprehensive Plan* as of that time as to such included property; and

M. The Council desires to exercise its discretion to determine that an agricultural and forestal district review is unnecessary as to any of the four districts, also saving time and expense for the Planning Commission and advisory committee and volunteer members and City staff that would be involved in such a full review under Virginia Code § 15.2-4311 and the Staunton City Code.

N. This matter has been properly advertised, heard, and considered; and

O. These recitals are an integral part of this ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Staunton, Virginia, that Section 18.95.070(1) of the Staunton City Code be, and the same is hereby amended, restated and reordained to read as follows:

Chapter 18.95

A-1 AGRICULTURAL-FORESTAL DISTRICT

...

18.95.020 Districts designated and described – Additions to districts.

(1) Districts. The agricultural, or sometimes referred to as agricultural and forestal or agricultural-forestal, districts designated and the land included within the districts are the following:

(a) The Bell's Lane Agricultural and Forestal District shall consist of the following land, to wit:

...

(b) The Merrifield Agricultural and Forestal District shall consist of the following land, to wit:

...

(c) The M.O. Carr Agricultural and Forestal District shall consist of the following land, to wit:

...

18.95.070 Term review.

(1) A review of the Bell's Lane Agricultural and Forestal District, the Merrifield Agricultural and Forestal District, ~~and~~ the M. O. Carr Agricultural and Forestal District, and the Middlebrook Agricultural and Forestal District as identified in SCC 18.95.020, including any additions to any district, may be made by the council of the city of Staunton on the date ~~five-ten~~ years measured from the effective date of the continuation of those districts as provided by, and in accordance with, Section 15.2-4311 of the Code of Virginia, as amended; except, however, a review is and shall be unnecessary prior to a new five ~~ten~~(10)-year period which shall commence January 1, ~~2016-2021~~ and expire December 31, ~~2020~~2030, with the next review, therefore, to occur in the year ~~2030~~20 consistent with Section 15.2-4311 of the Code of Virginia.

~~(2) A review of the Middlebrook Agricultural and Forestal District, including any additions, may be made by the council of the city of Staunton on the date four years measured from the effective date of the creation of the district as provided by and in accordance with Section 15.2-4311 of the Code of Virginia, as amended.~~

In all other respects, the provisions of Section 18.95.070, of Chapter 18.95, of Title 18 of the Staunton City Code remain the same and are hereby restated, confirmed and reordained.

Introduced: June 25, 2020
Adopted: June 25, 2020
Effective: June 25, 2020

/s/ Carolyn W. Dull
Mayor

ATTEST: /s/ Suzanne F. Simmons
Clerk of Council

E. Consideration of Resolutions of Support for Three SMART SCALE Applications Submitted by the Central Shenandoah Planning District Commission and the Staunton-Augusta-Waynesboro Metropolitan Planning Organization on behalf of the City of Staunton

Mr. Rhodes stated during the work session meeting earlier Zach Beard of SAWMPO gave a summary of the three grant applications. He noted in Council members packets there were three resolutions of support for the grant applications for their consideration.

Mayor Dull asked Council members if they had any questions.

City Council members did not have any questions.

Vice Mayor Kier moved that Council adopt the following resolutions:

1. A resolution supporting the Staunton-Augusta-Waynesboro Metropolitan Planning Organization's application to the Virginia Department of Transportation for a grant from the SMART SCALE Grant Program for funding for a shared use path on Richmond Road and Crossing Way, and surrounding areas, as proposed.
2. A resolution supporting the Central Shenandoah Planning District Commission's application to the Virginia Department of Transportation for a grant from the SMART SCALE Grant Program for funding for a buffered shared use path along Commerce Road and Lewis Creek, as proposed.
3. A resolution supporting the Central Shenandoah Planning District Commission's application to the Virginia Department of Transportation for a grant from the SMART SCALE Grant Program for funding for bike lanes on Greenville Avenue, as proposed.

The motion was seconded by Dr. Harrington and carried as follows:

Ms. Oakes	aye	Vice Mayor Kier	aye
Mayor Dull	aye	Mr. Holmes	aye
Dr. Curren	aye	Dr. Harrington	aye

SMART SCALE 2020 GRANT PROGRAM RESOLUTION

WHEREAS, the City desires to support an application as submitted by the Central Shenandoah Planning District Commission (CSPDC) for a grant of funds from the Virginia Department of Transportation (the "Department") SMART SCALE Grant Program to fund the cost of the City's Commerce Road and Lewis Creek Greenway Improvement Project as presented to City Council on June 25, 2020.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STAUNTON, VIRGINIA, THAT:

1. The City requests the Commonwealth Transportation Board to establish a project for the Commerce Road and Lewis Creek Greenway Improvement Project as presented to City Council on June 25, 2020.

2. The City will be responsible for maintenance and operating costs of any improvement/facility constructed with SMART SCALE funds unless other arrangements have been made with the Department.

3. If the City subsequently elects to cancel this project, the City agrees to reimburse the Department for the total amount of costs expended by the Department through the date the Department is notified of such cancellation. The City also agrees to repay any funds previously reimbursed that are later deemed ineligible by the Federal Highway Administration.

Adopted this June 25, 2020.

/s/ Carolyn W. Dull
Carolyn W. Dull, Mayor

ATTEST: /s/ Suzanne F. Simmons
Suzanne F. Simmons, Clerk of Council

SMART SCALE 2020 GRANT PROGRAM RESOLUTION

WHEREAS, the City desires to support an application as submitted by the Central Shenandoah Planning District Commission (CSPDC) for a grant of funds from the Virginia Department of Transportation (the "Department") SMART SCALE Grant Program to fund the cost of the City's Greenville Avenue Road Diet Improvement Project as presented to City Council on June 25, 2020.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STAUNTON, VIRGINIA, THAT:

1. The City requests the Commonwealth Transportation Board to establish a project for the Greenville Avenue Road Diet Improvement Project as presented to City Council on June 25, 2020.
2. The City will be responsible for maintenance and operating costs of any improvement/facility constructed with SMART SCALE funds unless other arrangements have been made with the Department.
3. If the City subsequently elects to cancel this project, the City agrees to reimburse the Department for the total amount of costs expended by the Department through the date the Department is notified of such cancellation. The City also agrees to repay any funds previously reimbursed that are later deemed ineligible by the Federal Highway Administration.

Adopted this June 25, 2020.

/s/ Carolyn W. Dull
Carolyn W. Dull, Mayor

ATTEST: /s/ Suzanne F. Simmons
Suzanne F. Simmons, Clerk of Council

SMART SCALE 2020 GRANT PROGRAM RESOLUTION

WHEREAS, the City desires to support an application as submitted by the Staunton Augusta Waynesboro Metropolitan Planning Organization (SAWMPO) for a grant of funds from the Virginia Department of Transportation (the “Department”) SMART SCALE Grant Program to fund the cost of the City’s Richmond Road and Crossing Way Shared Use Path Improvement Project as presented to City Council on June 25, 2020.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STAUNTON, VIRGINIA, THAT:

1. The City requests the Commonwealth Transportation Board to establish a project for the Richmond Road and Crossing Way Shared Use Path Improvement Project as presented to City Council on June 25, 2020.
2. The City will be responsible for maintenance and operating costs of any improvement/facility constructed with SMART SCALE funds unless other arrangements have been made with the Department.
3. If the City subsequently elects to cancel this project, the City agrees to reimburse the Department for the total amount of costs expended by the Department through the date the Department is notified of such cancellation. The City also agrees to repay any funds previously reimbursed that are later deemed ineligible by the Federal Highway Administration.

Adopted this June 25, 2020.

/s/ Carolyn W. Dull
Carolyn W. Dull, Mayor

ATTEST: /s/ Suzanne F. Simmons
Suzanne F. Simmons, Clerk of Council

F. Consideration of Purchase and Sale Agreement by and between American Shakespeare Center and City of Staunton, Virginia / 24 North Lewis Street

Mr. Rosenberg stated this item was for Council’s consideration a proposed purchase and sale agreement, providing for the city’s acquisition of an approximately 2.24-acre parcel of land located at 240 North Lewis Street. He noted the property was presently owned by American Shakespeare Center (ASC) and leased by ASC to the city for years for use as a municipal parking lot and as a transit hub for the transit service operated by the Central Shenandoah Planning District Commission (CSPDC) in which the city participates. Mr. Rosenberg stated the city’s acquisition of the property would permit the continued use in the face of the American Shakespeare Center’s decision to sell the property.

Mr. Rosenberg stated the terms of the contract, as included in Council’s packet, included the following:

- purchase price of \$185,000 (below the current tax assessed value of \$195,140);

- 705 • settlement on July 2, 2021, deferring the city's obligation to the next fiscal year, taking into
706 account fiscal constraints resulting from the pandemic and the recession;
- 707 • an increase in the city's rent under the current lease from \$5,500 annually to \$15,000 annually,
708 in lieu of a deposit from the city securing its obligations under the agreement, with the \$9,500
709 difference in rent to be credited to the purchase price at settlement;
- 710 • an investigations period of 120 days, during which the city may perform due diligence
711 concerning the property including an environmental audit, a title examination, and a survey
712 among others;
- 713 • a parking license to ASC, which permits ASC and its employees to park certain vehicles on
714 the property, at no cost and during certain periods of each year, for a minimum of three years
715 after settlement; and
- 716 • other customary terms of a real estate purchase and sale transaction.
717

718 Mr. Rosenberg stated subsequent to the publication of the agenda materials, he noted he had
719 followed up in an email to members of Council concerning movement of the closing date from
720 July 2, 2021, which would be in FY 2022, to a date that would be in FY 2021, to be determined.
721 He noted if it was Council's desire to proceed in that matter utilizing funds which had been
722 identified as Undesignated CIP Funds. He noted he had also provided a motion as an alternative
723 to that which was included in the agenda briefing. Mr. Rosenberg stated it could be that Council
724 chose to proceed with the contract as included in their agenda materials in which case they would
725 use the motion in the agenda briefing or alternatively if Council would like to move the closing
726 date up so that it occurred in the coming fiscal year, then it would be appropriate to consider the
727 motion that was included in the email that was sent to Council members earlier that afternoon.
728

729 Mayor Dull asked Council members if they had any questions.
730

731 Mayor Dull asked for clarification in the newest information sent to Council. She clarified if the
732 closing were to occur on or before June 30, 2021. Mr. Rosenberg stated that was correct. He
733 stated the change would be moved from FY 2022 to FY 2021.
734

735 There were no further questions from Council members.
736

737 Dr. Harrington moved that to the fullest extent permitted by law (i) the proposed purchase and
738 sale agreement is approved with closing to occur on or before June 30, 2021, (ii) the City
739 Manager is authorized and directed to execute the agreement and such other agreements
740 and documents as may be required in connection with the City's acquisition of the property
741 located at 240 North Lewis Street, including a license agreement with Central Shenandoah
742 Planning District Commission for its use of a portion of the property as a transit hub,
743 with modifications of such agreements and other documents in final form as may be approved by
744 the City Manager and the City Attorney, and (iii) the City Manager is authorized and directed to
745 take such other reasonable and necessary actions to advance and complete the transaction(s).

746
747 The motion was seconded by Mr. Holmes.
748

749 Ms. Oakes stated the City of Staunton was currently in a pandemic and it would be years before it
750 would recover. She noted, right now as it stood, the City was looking at over a \$4 million shortfall
751 in the FY 2021 budget and would carry over into the FY 2022 budget. Ms. Oakes stated it was

suggested that Council purchase a nonessential piece of property – a parking lot that needed much repair. She noted the City would be spending \$185,000 and in addition would be spending between \$60,000 - \$120,000 to do the repairs. She noted that was the most expensive route with the maximum future expenditures that could be chosen. She noted she understood that ASC approached the city with the offer of buying the property as they no longer needed the property for their original use. Ms. Oakes stated the city was in a pandemic and in uncertain times, was facing furloughs that still had not been resolved, but yet the city wanted to buy a parking lot that needed much repair. She stated as far as the transit hub was concerned, through the CSPDC's own report, they stated that a viable option would be option #3 and #6. She noted this was also based on the 2017 Staunton Parking Study – use of either of these locations for a transit hub would not negatively impact the availability of parking in the downtown area. She stated the West End was not even considered and the transit did service the entire city. Ms. Oakes stated this was not needed for the city, was nonessential, and that she could not in good conscience support the purchase of that parking lot.

Mr. Holmes stated that lot was centrally located and that a lot of people use it from the downtown area. He noted it was close to a lot of different places and did not make sense to move it to the west end of town or to the Staunton Mall. He stated it was a good decision.

Ms. Oakes asked for a point of clarification. She stated she never suggested that the transit hub be put in the county at the Staunton Mall. She stated she would like to add, that if anything, for an essential use, the City needed to be looking for a new location for the Police Department.

There were no further comments or discussion.

The motion carried as follows:

Dr. Curren	aye	Dr. Harrington	aye
Vice Mayor Kier	aye	Ms. Oakes	no
Mr. Holmes	aye	Mayor Dull	aye

G. Consideration of Resolution of the Council of the City of Staunton, Virginia, Giving Notice and Establishing Time and Place of Council's July 1, 2020, Organizational Meeting as 12:00 Noon at A.R. Ware Elementary School

Doug Guynn, City Attorney, stated this item was largely a formality. He noted the proposed resolution which contained recitals of various provisions of the law and some history. He stated the resolution formally gives notice and memorializes that Council's Organizational Meeting would be held on July 1, 2020 at A.R. Ware Elementary School.

Mr. Guynn stated, since the agenda materials were published to Council members and the public, he'd recommended to the City Manager that in line 105 several words be struck. He noted the reason that he made that recommendation, and actually had the modified version of the draft resolution forwarded, was because the city continued to get a series of orders from the Governor. Not knowing what the Governor may issue between now and July 1, 2020, Mr. Guynn stated he simply removed the language of limited to 50 persons – not to suggest that that would not be an appropriate or an applicable limit under any Governor's orders, but simply so there would be

flexibility and it would be understood that there would be flexibility.

Mr. Guynn stated he believed that an abbreviated version of notice had been run in *The News Leader* to give everyone notice especially given that the meeting would be held at A.R. Ware Elementary School and not in City Council chambers. He stated the notice was to also be posted at the Cochran Judicial Center.

Mayor Dull asked Council members if they had any questions.

There were no questions from Council members.

Ms. Oakes moved that City Council adopt the proposed resolution giving formal notice and establishing the time and place of Council's July 1, 2020, Organizational Meeting as 12:00 Noon at A.R. Ware Elementary School.

The motion was seconded by Mr. Holmes.

Mayor Dull stated there would be several Council members that would be meeting remotely due to the pandemic.

The motion carried as follows:

Mayor Dull	aye	Mr. Holmes	aye
Vice Mayor Kier	aye	Ms. Oakes	aye
Dr. Harrington	aye	Ms. Mead	aye
Dr. Curren	aye		

**RESOLUTION
OF THE
COUNCIL OF THE CITY OF STAUNTON, VIRGINIA,
GIVING NOTICE AND ESTABLISHING TIME AND PLACE OF COUNCIL'S
JULY 1, 2020, ORGANIZATIONAL MEETING
AS
12:00 NOON
AT
A.R. WARE ELEMENTARY SCHOOL
OR
SUCH OTHER LOCATION
AS MAY BE DETERMINED BY THE CITY MANAGER**

Recitals

A. Section 4.1 of the City of Staunton's Charter contemplates that Council shall consist of seven members elected at large to four-year terms from the first day of July until their successors shall have been duly elected and qualified.

B. The City of Staunton has just held a biennial election which, in this year, provided for the election of four Council positions for which the terms of office expire June 30, 2020.

847
848 **C.** Section 5 of the City of Staunton's Charter provides:
849

850 The council shall elect one of its members to preside over its
851 meetings, who shall be entitled president and who shall be ex officio
852 mayor of the city, and shall also elect another member to be vice-
853 president of the council, to act in the place of the president in his
854 absence or incapacity. The president and vice-president of the
855 council shall be elected for a term of two years, and any vacancy in
856 the offices shall be filled by the election by the council for the
857 unexpired term. The mayor shall have the same powers and duties
858 as other members of the council with a vote, but no veto, and shall
859 be the official head of the city. With the exception of those officers
860 required by the Constitution of the state to be elected by popular
861 vote, the members of the council shall be the only elective city
862 officials.
863

864 **D.** Section 2.10.10 of the Staunton City Code provides:
865

866 The council shall, at its first meeting in September, 1950, and
867 biennially thereafter on July 1st, elect one of its members as
868 president, who shall be, ex officio, mayor of the city who shall be
869 the presiding officer of the council and official head of the city, and
870 who shall perform such duties as shall be prescribed by the laws of
871 the state or may be imposed by the council not inconsistent
872 therewith. The council shall, at the same time, elect a vice-president,
873 who shall perform the duties of the president or mayor in his absence
874 or incapacity.
875

876 **E.** Section 6 of the City of Staunton's Charter provides:
877

878 The council shall meet at such times as may be prescribed by
879 ordinance or resolution, provided, however, that it shall hold at least
880 one regular meeting each month. No business shall be transacted at
881 a special meeting except that for which it shall have been called,
882 unless all members of the council attend such special meeting or
883 give their written consent thereto. For lack of quorum, any regular
884 meeting may be postponed to such time as the council may
885 determine.
886

887 **F.** Section 2.10.070 of the Staunton City Code provides:
888

889 The council shall hold regular meetings on the second and fourth
890 Thursdays of each month, at such hour, as it may designate, and shall
891 meet at any other time to which it may be regularly adjourned or
892 postponed. If a quorum fails to attend, those attending may adjourn
893 to such other time prior to the next regular meeting as they may
894 determine and the clerk shall enter such adjournment in the journal

of the council and shall notify absent members thereof, in the same manner as is required for special meetings.

G. Virginia Section 15.2-1416 provides that “[t]he governing body shall assemble at a public place as the governing body may prescribe . . . in July for cities . . . Future meetings shall be held on such days as may be prescribed by resolution of the governing body but in no event shall less than six meetings be held in each fiscal year.” It also specifies that:

The days, times and places of regular meetings to be held during the ensuing months shall be established at the first meeting which meeting may be referred to as the organizational meeting; however, if the governing body subsequently prescribes any place other than the initial established public meeting place, or any day or time other than that initially established, as a meeting day, place or time, the governing body shall pass a resolution as to such future meeting day, place or time. The governing body shall cause a copy of the resolution to be posted on the door of the courthouse or the initial public meeting place and inserted in a newspaper having a general circulation in the . . . municipality at least seven days prior to the first such meeting at such other day, place or time. . . .

...

Notwithstanding the provisions of this section, any city . . . that holds an organizational meeting in compliance with its charter or code shall be deemed to be in compliance.

H. Council’s Ordinance 2020-04, which, in part, implemented emergency procedures to conduct electronic meetings to ensure continuity of government, remains in full force and effect until it expires.

I. These recitals are an integral part of this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Staunton, Virginia, that the organizational meeting of Council shall be held at A.R. Ware Elementary School, 330 Grubert Avenue, Staunton, Virginia at 12:00 noon on July 1, 2020, or at such other location as may be determined and noticed by the City Manager, based upon logistical-related considerations, to be live streamed and broadcast, with attendance and participation of Council members permitted under provisions of Council Ordinance 2020-04 and with attendance by the general public at this time expected to be limited consistent with provisions of the Governor’s Executive Order(s) regarding public safety and health at this time and in accordance with other applicable law; and the Clerk of Council is directed to post and have published an abbreviated form of notice of Council’s organizational meeting in a newspaper of general circulation and have such notice also posted at the door of the Cochran Judicial Center, posted on the City’s website, and transmitted to all incumbent and to all Council Members-Elect and to the media.

/s/ Carolyn W. Dull
Carolyn W. Dull, Mayor

Attest: /s/ Suzanne F. Simmons
Suzanne F. Simmons, Clerk of Council

H. Naming Facility, Specifically Council Chambers, in memory of Rita Wilson

Vice Mayor Kier stated he reviewed Council Procedure Memorandum Number 14 and it stated that “it shall be the policy of City Council to receive and approve requests to name public facilities as hereafter specified. The naming of public facilities shall be an honor of an individual, group, business or organization that has made an exceptional contribution to the City of Staunton, the Commonwealth of Virginia or the United States”. He noted this would include several, but he noted he would go to Item C which stated “individuals who have been deceased, at least two years, who have made significant contributions to the quality of life of Staunton residents or a significant contribution to the Commonwealth of Virginia or the United States”. Vice Mayor Kier stated Rita Wilson fit all of that criteria.

Vice Mayor Kier stated Ms. Wilson was born in 1940 and passed away in 2016. He noted Ms. Wilson worked as a maid in her early years where she later became the Vice Mayor of the City of Staunton. He noted she went back to college and worked as a Social Worker in this area for 27 years. Ms. Wilson served on City Council for 16 years, being Vice Mayor for part of that period of time. She was also a member of the Staunton Rotary Club, the Shenandoah Valley Kiwanis, the NAACP, the Virginia Foundation of Colored Women’s Club, the Staunton School Board, and the Frontier Culture Museum Board. Vice Mayor Kier stated Ms. Wilson took great pride in the Johnson Street neighborhood and was one of the founders of the Community Involvement Awareness Committee. Her involvement in the community led to Habitat for Humanity building houses. Vice Mayor Kier stated that was what a community leader was and that Ms. Wilson fit every one of the examples required to have this honor.

Vice Mayor Kier moved to have City Council name the Staunton City Council chambers the Rita S. Wilson Council Chambers in honor of Rita Wilson.

The motion was seconded by Dr. Curren.

Ms. Oakes stated she was glad to see that this item was moved up from the July 9, 2020 agenda. She noted Ms. Wilson deserved this honor tonight and was very appropriate.

Mayor Dull stated she served with Ms. Wilson for a few years.

Dr. Harrington shared an anecdote regarding Ms. Wilson and when Dr. Harrington served on the School Board. He stated he was very much in favor of naming Council Chambers after her.

Mayor Dull stated she felt this was entirely appropriate and that it was appropriate that Vice Mayor Kier made the motion because Ms. Wilson was probably his mentor in terms of him getting into City Council work.

Vice Mayor Kier stated Ms. Wilson was the reason why he served on the School Board, the Economic Development Authority, and City Council. He noted he had a conference call with most of her family and was very honored to make the motion at tonight’s meeting.

Mr. Guynn clarified that Vice Mayor Kier stated it was the large Council Chambers to be named as Ms. Wilson. Vice Mayor Kier stated that was correct.

The motion carried as follows:

Vice Mayor Kier	aye	Dr. Harrington	aye
Ms. Oakes	aye	Dr. Curren	aye
Mr. Holmes	aye	Mayor Dull	aye

MATTERS FROM THE CITY MANAGER

Mr. Rosenberg repeated instructions for callers to be placed in the queue.

Mr. Rosenberg shared continued recovery efforts related to the pandemic. He noted the “Dine Out in Downtown” initiative continued to be a large success. He stated there would be two more additions coming in the weeks ahead and that permits had been issued to The By & By and Zynodoa. He noted all reports were very positive and that the City continued to support that effort for the foreseeable future.

Mr. Rosenberg stated the State had announced effective July 1, 2020, phase 3 of the recovery plan would begin. He noted announcements would be made in the days ahead about the reopening of City facilities and the resumption of certain City programs and services. On July 1, 2020, public bathrooms in Montgomery Hall Park and Gypsy Hill Park would reopen.

MATTERS FROM THE PUBLIC

Baldwin Jennings, 332 Sharon Lane, thanked the three outgoing Council members for their service. He noted Council was doing an outstanding thing by naming Council Chambers after Rita Wilson.

Joamarie Garcia, 411 Austin Avenue, stated she was urging Council members to work with the School Board to support Staunton in becoming a My Brothers Keeper community.

John Hutchinson, 118 Madison Place, Executive Director of Valley Conservation Counsel, expressed appreciation for City Council’s renewal of the Agricultural-Forestral Districts. He noted it would allow those property owners to make investments in their agricultural enterprises. He thanked outgoing Council members for their service.

Nitch Narduzzi, 130 S. Jefferson Street, stated she wanted to express her gratitude for the service of the three outgoing Council members to the community. She noted she wanted to also express concern with the new Council members and hoped that they would represent the community in the same way. Ms. Narduzzi asked that it go on public record that she would remember Ms. Oakes’ actions during the campaign and that her comments on the purchase of the Lewis Street parking lot showed she was tone deaf to the needs of the low-income community.

Joshua Rhodes, 1500 N. Coalter Street, Apt. B-11, noted he had called in earlier during the public hearing. He noted he would support City Council pledging to the My Brothers Keeper alliance and would like Council to release a public statement of support for the name change of the

Stonewall Jackson Hotel and Conference Center. He asked that Council help in any way possible in expediting the removal of the hotel's sign.

Richard Bolstein, 113 Oak Terrace, stated the current makeup of City Council was a factor in why he decided to move to the city. He noted he was disappointed with the recent election. Mr. Bolstein thanked the three outgoing Council members for their service. He noted it was a proud moment when Mayor Dull and with the support of Council members made a strong statement against the white supremacists in Charlottesville in 2017. He suggested that it would be a wonderful measure of solidarity in working together with the incoming Council in reelecting Mayor Dull for the remainder of her two-year term.

Lia Wallace, 16 Fayette Street, expressed gratitude to City Council for their statements made after events in Charlottesville as well as after the June 11, 2020 meeting. She noted she was requesting City Council affirm their support for the name change of Stonewall Jackson Hotel. She also asked Council to support the My Brothers Keeper alliance.

Carter Walker, 16 S. Madison Street, thanked the three outgoing Council members for their years of support. She asked Council to affirm support for the Stonewall Jackson Hotel name change in a public statement. She noted she supported City Council pledging to the My Brothers Keeper alliance.

Sheila Davenport, of Richmond, stated she was the daughter of Rita Wilson. She thanked City Council for considering renaming Council Chambers in honor Ms. Wilson. She also thanked Vice Mayor Kier for the suggestion.

Barbara Lee, 904 Rockway Street, stated she did not support Ms. Oakes' actions during the election.

There was no one else wishing to speak.

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 9:02 p.m.

Suzanne F. Simmons
Clerk of Council

**AN ORDINANCE TO AMEND
THE FY 2020 BUDGET ORDINANCE
FOR THE CITY OF STAUNTON
BY ADDING BUDGET AMENDMENT NUMBER THREE**

BE IT ORDAINED, by the City Council of the City of Staunton, Virginia, that the FY2020 Budget is amended as follows:

GENERAL FUND

Anticipated Revenue

General Revenue	\$ 3,575,221
Recovered Costs	2,708
Miscellaneous Revenue	14,750
Non-Capital Grants and Contributions	42,000
Total Revenue	<u>\$ 3,634,679</u>

Appropriations

Public Safety	49,458
Parks, Recreation, Cultural	10,000
Nondepartmental	2,175,221
Transfers to Other Funds	1,400,000
Total Appropriations	<u>\$ 3,634,679</u>

GRANTS FUND

Anticipated Revenue

Non-Capital Grants and Contributions	\$ 26,167
Capital Grants and Contributions	60,000
Total Revenue	<u>\$ 86,167</u>

Appropriations

Public Safety	\$ 82,917
Parks and Recreation	3,250
Total Appropriations	<u>\$ 86,167</u>

CITY CAPITAL IMPROVEMENTS FUND

Anticipated Revenue

Partial return of previous transfer from the General Fund	\$ (1,400,000)
Total Revenue	<u>\$ (1,400,000)</u>

Appropriations

Capital Projects	\$ (1,400,000)
Total Appropriations	<u>\$ (1,400,000)</u>

EDUCATION FUND

Anticipated Revenue

General Revenue	\$ 34,886
Non-Capital Grants and Contributions	7,850
ec619	<u>\$ 42,736</u>

Appropriations

Operations	\$ 42,736
Total Appropriations	<u>\$ 42,736</u>

GRAND TOTAL BUDGET AMENDMENT NO 3.	\$ 2,363,582
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INTRODUCED: June 11, 2020

PUBLIC HEARING: June 11, 2020

Public Hearing Advertisement Date: June 04, 2020

Approved this _____ day of _____ 2020

Effective Date: _____

ATTEST: _____

Suzanne F. Simmons

Clerk of Council

CERTIFIED: _____

Carolyn W. Dull

Mayor of Council

FY 2020 BUDGET AMENDMENT NO. 3

GENERAL FUND		AMOUNT	
	LEDGER CODE	REVENUE	EXPENDITURE
JUDICIAL ADMINISTRATION			
PUBLIC SAFETY			
<u>POLICE DEPARTMENT</u>			
To appropriate US Marshal Services Joint Law Enforcement Operations Task Force Funding			
US Marshall Forfeited Asset	11033-46207-53300	\$ 22,000	
Overtime	11033110-51530-53300		\$ 22,000
To appropriate Virginia 911 Services Board NG-911/PSAP Implementation Funding			
Miscellaneous State Aid	11033-45560	\$ 20,000	
Non Capital Equipment	11033140-55486		\$ 20,000
To appropriate insurance recovery - Deer strike damage			
Insurance Recovery	11031-41928	\$ 2,708	
Maintenance Repairs Vehicles	11033110-53105		\$ 2,708
<u>FIRE DEPARTMENT</u>			
To appropriate VRSA safety grant- Gas detection system			
Insurance Recovery	11031-41928	\$ 4,750	
Materials and Supplies	11033210-55415		\$ 4,750
<u>RECREATION</u>			
<u>To Appropriate Blackley Horticulture Intern Donation</u>			
Donations Parks / Recreation - Blackley Grant	11073-41730-33200	\$ 10,000	
Materials and Supplies	11077120-55415-33200		\$ 800
Tree / Plant Purchases	11077120-55455-33200		\$ 3,200
Part Time Help	11077120-51510-33200		\$ 5,574
FICA	11077120-52010-33200		\$ 426

FY 2020 BUDGET AMENDMENT NO. 3

GENERAL FUND		AMOUNT	
	LEDGER CODE	REVENUE	EXPENDITURE
NONDEPARTMENTAL			
<u>To appropriate CARES Act Funding</u>			
Miscellaneous federal revenue	11001-46250-COVID	\$ 2,175,221	
Nondepartmental materials and supplies	11099800-55415-COVID		\$ 2,175,221
TRANSFERS TO OTHER FUNDS			
<u>CAPITAL IMPROVEMENTS</u>			
Appropriation of Prior Year Unassigned Fund Balance	11001-41930	\$ 1,400,000	
Transfer to the City Capital Improvements Fund	11099600-59339		\$ 1,400,000
TOTAL GENERAL FUND		\$ 3,634,679	\$ 3,634,679

GENERAL FUND REVENUE SUMMARY

General Revenues		\$ 3,575,221
Transfer from the Capital Improvements Fund	1,400,000	
Nondepartmental-CARES Act Funds	2,175,221	
Recovered Costs		2,708
Public Safety- Insurance Proceeds	2,708	
Miscellaneous Revenue		14,750
Public Safety-VRSA Safety grant	4,750	
Recreation-Donations- Susan Blackley Estate	10,000	
Non-Capital Grants and Contributions		42,000
Police Department	22,000	
E-911 Center	20,000	
Total General Fund Revenues		\$ 3,634,679

GENERAL FUND EXPENDITURE SUMMARY

Public Safety	\$ 49,458
Parks, Recreation, Cultural	10,000
Nondepartmental	2,175,221
Transfer from Other Funds	1,400,000
Total General Fund Expenditures	\$ 3,634,679

FY 2020 BUDGET AMENDMENT NO. 3

	LEDGER CODE	REVENUE	EXPENDITURE
CITY CAPITAL IMPROVEMENTS FUND			
Appropriation for funds transferred from the General Fund CIP Funds - Undesignated	39001-49211 3909980-58400	\$ (1,400,000)	\$ (1,400,000)
TOTAL CAPITAL IMPROVEMENTS FUND		\$ (1,400,000)	\$ (1,400,000)
GRANTS FUND			
To appropriate Office of Emergency Management Rescue Squad Assistance Fund Grant OEMS RSAF Grant Funds OEMS Grant Funds Expenditures	21534-45558-40232 21533210-54109-40232	\$ 52,500	\$ 52,500
To appropriate Byrne Local Law Enforcement Grant #2U- A4883AD16 Miscellaneous Federal Aid - BYNRE/JAG Federal Grant Non Capital Equipment	21523-46250-40245 21522170-55486-40245	\$ 22,917	\$ 22,917
To appropriate Local Emergency Management Performance Grant - Fire / EMS Miscellaneous Federal Aid - VDEM Special Equipment - VDEM Grant	21534-46250-40104 21533210-58341-40104	\$ 7,500	\$ 7,500
To appropriate Department of Forestry Street Tree Planting & Replacement - Richmond Rd and Central Avenue Federal Forestry Grant Tree / Plant Purchases	21573-46250-33100 21577120-55456-33100	\$ 3,250	\$ 3,250
TOTAL GRANTS FUND		\$ 86,167	\$ 86,167

FY 2020 BUDGET AMENDMENT NUMBER THREE SUMMARY

CITY GOVERNMENT FUNDS

GENERAL FUND	\$ 3,634,679
CAPITAL IMPROVEMENTS FUND	\$ (1,400,000)
GRANTS FUND	\$ 86,167

TOTAL CITY GOVERNMENT FUNDS **\$ 2,320,846**

EDUCATION FUNDS

EDUCATION FUND	\$ 42,736
TOTAL EDUCATION FUNDS	<u>\$ 42,736</u>

TOTAL FY2020 BUDGET AMENDMENT NO. 3 **\$ 2,363,582**

**STAUNTON CITY SCHOOLS
FY 2020 BUDGET
AMENDMENT NO. 2**

EDUCATION FUND		REVENUES	EXPENDITURES
STATE AND FEDERAL GRANT REVENUE/PROGRAMS			
<u>EARLY CHILDHOOD QUALITY</u>			
To appropriate additional federal grants for the Pre School Expansion Grant	900300-43173-EC619	\$ 7,850	
Purchased Services Grant	91109884-53570-EC619		\$ 7,850
TOTAL STATE AND FEDERAL GRANT PROGRAMS		\$ 7,850	\$ 7,850
LOCAL GENERAL REVENUE/PROGRAMS			
<u>To appropriate donations to Equity Fund</u>			
Donations for Equity Initiatives Within Staunton City Schools	900300-40580-EQUIT	\$ 4,644	
Contingency	91101100-59100-EQUIT		\$ 4,644
To appropriate T Mobile to the Equity Fund			
Donations for Equity Initiatives Within Staunton City Schools	900300-40580-EQUIT	\$ 25,600	
Contingency	91101100-59100-EQUIT		\$ 25,600
To appropriate Valley Alliance for Education Grant			
Other Grants VAE	900384-40587-VAE	\$ 1,250	
Other Grant Expenses - VAE	91109884-55679-VAE		\$ 1,250
To appropriate VRSA Safety Grant			
General Education Fund Grants	900100-40587	\$ 3,392	
Building Services - Other Operating Supplies	91102587-58108		\$ 3,392
TOTAL LOCAL GENERAL REVENUE/PROGRAMS		\$ 34,886	\$ 34,886
TOTAL EDUCATION FUND		\$ 42,736	\$ 42,736
GRAND TOTAL BUDGET AMENDMENT NO. 2		\$ 42,736	\$ 42,736

Ordinance No. 2020-15

**AN ORDINANCE AMENDING, RESTATING AND REORDAINING
SECTION 15.25.055, PERMIT FEES,
AND
SECTION 15.25.057, MISCELLANEOUS FIRE PREVENTION INSPECTION AND
REVIEW SCHEDULE,
OF CHAPTER 15.25, FIRE PREVENTION CODE,
OF TITLE 15, BUILDINGS AND BUILDING REGULATIONS,
OF THE STAUNTON CITY CODE**

Recitals

- A.** Fire prevention and compliance efforts are important in the City of Staunton;
- B.** Provisions of the Staunton City Code related to fire prevention merit updates;
- C.** This matter has been properly advertised, heard and considered; and
- D.** These recitals are deemed an integral part of this ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Staunton, Virginia, that Section 15.25.055, and Section 15.25.057 of Chapter 15.25, Fire Prevention Code, of Title 15, Buildings and Building Regulations, of the Staunton City Code be, and the same is hereby amended, restated and ordained or reordained, as applicable to read as follows:

**Chapter 15.25
FIRE PREVENTION CODE***

...

15.25.055 Permit fees.

(1) Payment Prerequisite to Issuance or Amendment of Permit. No permit required by the Virginia Statewide Fire Prevention Code to begin work shall be issued until the fees prescribed in this section have been paid to the department of building inspection or other authorized municipal agency, nor shall an amendment be made to such a permit necessitating an additional fee, because of an increase in the estimated cost of the work involved, be approved until the additional fee has been paid.

(2) Fees. The fees for fire code permits shall be as follows:

Description	Permit Required	Fee	Time
Amusement buildings. An operational permit is required to operate a special amusement building.	Yes	\$25.00	Event
Carnivals and Fairs. An operational permit is required to conduct a carnival or fair.	Yes	\$50.00 <u>\$100.00</u>	Event
Explosives. An operational permit is required:			
To store explosives, fireworks or pyrotechnic special effects – per site.	Yes	\$125.00 <u>\$200.00</u>	Annual
To use explosives – per site.	Yes	\$75.00 <u>\$150.00</u>	90 days
To conduct a fireworks display (public or private).	Yes	\$100.00 <u>\$200.00</u>	Event
Sale of fireworks – per site. (Allowed June 1st through July 15th per calendar year.)	Yes	\$75.00 <u>\$100.00</u>	45 Days
Flammable and Combustible Liquids. An operational permit is required:			
To remove Class I or Class II liquids from an underground storage tank used for fueling motor vehicles by any means other than the approved, stationary on-site pumps normally used for dispensing purposes – per site.	Yes	\$50.00	90 Days
To remove, abandon, place temporarily out of service (for more than 90 days) or otherwise dispose of an underground, protected above-ground or above-ground flammable or combustible liquid tank – per site.	Yes	\$50.00 <u>\$100.00</u>	90 Days
To change the type of contents stored in a flammable or combustible liquid tank to a material which poses greater hazard than that for which the tank was designed and constructed – per site.	Yes	\$50.00	90 Days
<u>To operate tank vehicles, equipment, tanks, plants, terminals, wells, fuel-dispensing stations, refineries, distilleries and similar facilities where flammable and combustible liquids are produced, processed, transported, stored, dispensed or used.</u>	<u>Yes</u>	<u>\$50.00</u>	<u>Annual</u>
<u>To store, handle or use Class II or Class IIIA liquids in excess of 25 gallons (95 L) in a building or in excess of 60 gallons (227 L) outside a building, except for</u>	<u>Yes</u>	<u>\$50.00</u>	<u>Annual</u>

<u>fuel oil used in connection with oil-burning equipment.</u>				
Hazardous materials. An operational permit is required to store, transport on site, dispense, use or handle hazardous materials in excess of the amounts listed below.		Yes	\$50.00	Annual
PERMIT AMOUNTS FOR HAZARDOUS MATERIALS				
TYPE OF MATERIAL		AMOUNT		
Combustible Liquids		See flammable and combustible liquids		
Corrosive materials				
Gases		200 cubic ft (at NTP)		
Liquids		55 gallons		
Solids		100 pounds		
Explosive materials		See explosives		
Flammable materials				
Gases		200 cubic ft (at NTP)		
Liquids		See flammable and combustible liquids		
Solids		100 pounds		
Highly toxic materials				
Gases		Any Amount		
Liquids		Any Amount		
Solids		Any Amount		
Oxidizing materials				
Gases (including oxygen)		504 cubic ft. (at NTP)		
Liquids				
Class 4		Any Amount		
Class 3		1 gallon		
Class 2		10 gallons		
Class 1		55 gallons		
Solids				
Class 4		Any Amount		
Class 3		10 pounds		
Class 2		100 pounds		
Class 1		500 pounds		
Organic Peroxides				
Liquids				

Class I	Any Amount			
Class II	Any Amount			
Class III	1 gallon			
Class IV	2 gallons			
Class V	No permit required			
Solids				
Class I	Any Amount			
Class II	Any Amount			
Class III	10 pounds			
Class IV	20 pounds			
Class V	No permit required			
Pyrophoric materials				
Gases	200 cubic ft (at NTP)			
Liquids	Any Amount			
Solids	Any Amount			
Toxic materials				
Gases	Any Amount			
Liquids	10 gallons			
Solids	100 pounds			
Unstable (reactive) materials				
Liquids				
Class 4	Any Amount			
Class 3	Any Amount			
Class 2	5 gallons			
Class 1	10 gallons			
Solids				
Class 4	Any Amount			
Class 3	Any Amount			
Class 2	50 pounds			
Class 1	100 pounds			
Water-reactive materials				
Liquids				
Class 3	Any Amount			
Class 2	5 gallons			
Class 1	55 gallons			
Solids				
Class 3	Any Amount			
Class 2	50 pounds			

Class 1 For SI: 1 gallon=3.785L, 1 pound=0.454kg	500 pounds			
LP-gas. An operational permit is required for: - Storage and use of LP-gas. Exception: An operational permit is not required for individual containers with a 500-gallon (1893 L) water capacity or less serving occupancies in Group R-3; and - Operation of cargo tankers that transport LP-gas.		Yes	\$50.00	Annual
Pyrotechnic Special Effects Material or Flame Effects Material. An operational permit is required for the use and handling of pyrotechnic special effects material or flame effect material.		Yes	\$50.00 <u>\$100.00</u>	Event
Storage of scrap tires and tire byproducts. An operational permit is required to establish, conduct or maintain storage of scrap tires and tire byproducts that exceed 2,500 cubic feet (71 m ³) of total volume of scrap tires and for indoor storage of tires and tire byproducts.		Yes	\$50.00	Annual
Temporary membrane structures, tents and canopies. An operational permit is required to operate an air-supported temporary structure or a tent that covers an area in excess 400 square feet (37m ²) and less than 900 square feet (84m ²). Exceptions: Tents used exclusively for recreational camping purposes; Tents and air-supported structures that cover an area of 400 square feet or less, including all connecting areas or spaces with a common means of egress or entrance and with an occupant load of 50 or less persons; Fabric canopies and awnings open on all sides which comply with the following: Individual canopies shall have a maximum size of 700 square feet (65m ²); The aggregate area of multiple canopies placed side by side without a fire break clearance of 12 feet (3658 mm) shall not exceed 700 square feet (65m ²) total; and A minimum clearance of 12 feet (3658 mm) to structures and other tents shall be provided.		Yes	\$25.00	Event

(3) Refunds. Refunds shall be issued at the discretion of the fire code official or their designee. Refunds shall be based on the amount of staff work completed at the time of the request for permit withdrawal, with the refund not to exceed 50 percent of the permit cost.

15.25.057 Miscellaneous Fire Prevention Inspection and Review Schedule

The fee schedule for inspections and/or reviews is as follows for the indicated purposes:

PURPOSE	DESCRIPTION	FEE
Required Fire Inspection for Social Service Licensure (Ex.: Day Care/Adult Care, etc.) <u>or Behavioral Health Licensure</u>	1-8 persons	\$50
	9-20 persons	\$75
	21-50 persons	\$100
	51-100 persons	\$200
	101-150 persons	\$300
	151-200 persons	\$400
	201 or more persons	\$500
Re-inspection Fees	Initial inspection and first re-inspection, if all violations are corrected, no charge. Upon 3 rd inspection and each subsequent inspection incurs an increased fee until remediation is reached or all violations are corrected.	\$0 (violations corrected) \$50 (3 rd inspection) \$100 (per inspection for 4 or more)
Staunton Fire and Rescue Plan Review Fee	Special Event Permit	\$50 (per application)
	All Other	\$50

In all other respects, the provisions of Chapter 15.25, Fire Prevention Code, of Title 15, Buildings and Building Regulations, of the Staunton City Code remain the same and are hereby restated, confirmed and reordained.

Introduced: June 11, 2020
Adopted: June 25, 2020
Effective Date: July 1, 2020

Carolyn W. Dull, Mayor

ATTEST: _____
Suzanne F. Simmons,
Clerk of Council

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	July 9, 2020	Staff Members: Rodney Rhodes Tim Hartless
Item #	B, C & D	
Ordinance #		
Department:	Community Development — Planning and Zoning	
Council Vision:	Built Environment	
Subject:	Public Hearing and Consideration of a Request by Mary Baldwin University for Special Use Permits for 245 Sycamore Street (PID# 1913) and 249 Sycamore Street (PID# 8552) (The application for 146 N. Coalter Street has been withdrawn.)	

Background: Mary Baldwin University has submitted applications for three Special Use Permits. Two of the applications are for continuation of existing uses that were approved provisionally in 2019, concerning properties located at 245 and 249 Sycamore Street. Both properties are owned by Mary Baldwin University and are zoned HE-1, Higher Education District. In the HE-1 district, a Special Use Permit is required for conversion of existing buildings to student housing in cases where the building is located within 75 feet of a public street or a residential district.

Review: On June 13, 2019, and after receiving Planning Commission's favorable recommendation, City Council approved two Special Use Permits for the conversion of 245 and 249 Sycamore Street to student housing. The approval was given for a period of one year and the university was advised of the need to reapply at that time. The table below shows the size of each building, the number of bedrooms, and the number of students housed:

Address	Living Area (according to the City real estate records)	# of Bedrooms (according to the applicant)	Proposed Occupancy
245 Sycamore St	1,728 square feet	4 bedrooms	6 persons (2 singles and 2 doubles)
249 Sycamore St	1,448 square feet	5 bedrooms	7 (3 singles and 2 doubles)

The Zoning Code states the General Purpose of the Higher Education Districts:

Higher education districts are intended to provide appropriate areas for the development and operation of colleges and universities, including teaching facilities, academic and administrative support facilities, student, faculty and staff housing, athletic and recreation facilities, and other amenities and services related to the operation of institutions of higher education. The regulations for the district are designated to provide flexibility for uses which are harmonious within a college or university environment and result in minimal impact on the character of adjoining districts.

The approval in 2019 included the following conditions:

245 Sycamore Street

1. The number of students permitted to be housed at 245 Sycamore Street shall not exceed six.
2. All residents of the property shall have a Mary Baldwin University parking permit and must be required by the University to park on campus. This parking restriction shall be monitored and enforced by Mary Baldwin University.
3. Pedestrian access points should be encouraged from campus rather than Sycamore Street. A sealed surface walkway must be installed connecting 245 Sycamore to campus such as the ones already installed for 249 Sycamore.
4. The applicant must obtain all necessary building permits and comply with the Virginia Uniform Statewide Building Code for the change of use.
5. Failure to comply with any of these conditions will result in immediate revocation of the Special Use Permit.
6. The Special Use Permit shall expire on May 31, 2020.

249 Sycamore Street

1. The number of students permitted to be housed at 249 Sycamore Street shall not exceed seven.
2. All residents of the property shall have a Mary Baldwin University parking permit and must be required by the University to park on campus. This parking restriction shall be monitored and enforced by Mary Baldwin University.
3. The applicant must obtain all necessary building permits and comply with the Virginia Uniform Statewide Building Code for the change of use.
4. Failure to comply with any of these conditions will result in immediate revocation of the Special Use Permit.
5. The Special Use Permit shall expire on May 31, 2020.

Staff has inquired of the Police Department about calls specific to these two properties. According to the Police Department, between May 2019 and May 2020, there were no calls for service at 245 Sycamore Street and two calls at 249 Sycamore. One call was for a fire alarm, and the second call concerned a parking violation. Staff did not receive any complaints regarding potential violations of the conditions of the Special Use Permit.

Review: Staff conducted a review of the proposal and identified no issues. The properties are located on the edge of the current university campus, and the zoning is HE-1. Student housing is a reasonable use of the properties. Staff recommended to the Planning Commission continuation of the same conditions that were imposed on the previous approval with a few minor changes to reflect changes to the university's original request. These conditions will help reduce any conflicts and promote compatibility with the single-family residential uses on Sycamore Street.

Planning Commission Recommendation: At its meeting of June 18, 2020, the Planning Commission conducted a public hearing and considered the requests. University representatives announced that they wished to reduce the number of students housed in 245 and 249 Sycamore Street to five in each building. During the public hearing, five people expressed concerns with the applications. (Two of the speakers expressed specific concerns regarding the application for 146 North Coalter Street, which has been withdrawn.) On a 5-0 vote, the Commission unanimously voted to recommend approval of the Special Use Permits for 245 and 249 Sycamore Street with the following conditions, concurring with staff's recommendation:

245 Sycamore Street

1. The number of students permitted to be housed at 245 Sycamore Street shall not exceed five.
2. All residents of the property shall have a Mary Baldwin University parking permit and must be required by the University to park on campus. This parking restriction shall be monitored and enforced by Mary Baldwin University.
3. Pedestrian access points should be encouraged from campus rather than Sycamore Street. The existing sealed surface walkways must be maintained connecting 245 Sycamore Street to campus.
4. Failure to comply with any of these conditions will result in immediate revocation of the Special Use Permit.

249 Sycamore Street

1. The number of students permitted to be housed at 249 Sycamore Street shall not exceed five.
2. All residents of the property shall have a Mary Baldwin University parking permit and must be required by the University to park on campus. This parking restriction shall be monitored and enforced by Mary Baldwin University.
3. Pedestrian access points should be encouraged from campus rather than Sycamore Street. The existing sealed surface walkways must be maintained connecting 249 Sycamore Street to campus.
4. Failure to comply with any of these conditions will result in immediate revocation of the Special Use Permit.

Attachments:

- Attachment 1— Application for Special Use Permit and Documents Provided by the Applicant for 245 Sycamore Street
- Attachment 2— Application for Special Use Permit and Documents Provided Supplied by the Applicant for 249 Sycamore Street

Attachment 3— Vicinity Map - 245 and 249 Sycamore Street
Attachment 4— Current Zoning - 245 and 249 Sycamore Street
Attachment 5— Email dated June 9, 2020, from Alexandra Pitts communicating Mary Baldwin University's agreement to an additional condition
Attachment 6— Electronic mail from surrounding property owners
Attachment 7— Statement of Mary Baldwin University to Staunton City Council dated July 9, 2020

Suggested Motions (to be made after the public hearing is conducted):

First Motion: I move that Council approve the Special Use Permit for 245 Sycamore Street with the conditions, as recommended by the Planning Commission.

Second Motion: I move that Council approve the Special Use Permit for 249 Sycamore Street with the conditions, as recommended by the Planning Commission.

City Manager: Steven L. Rosenberg



DEPARTMENT OF PLANNING &
INSPECTIONS
116 W. BEVERLEY STREET | P.O. BOX
58 | STAUNTON, VA 24402
540.332.3862 (OFFICE)
540.332.3807 (FAX)

APPLICATION FOR SPECIAL USE PERMIT

DATE: 6 May 2020

NAME OF APPLICANT: Mary Baldwin University / Jeff Ferguson

ADDRESS OF APPLICANT: 101 East Frederick Street

PHONE #: 434 409-7624

E-MAIL ADDRESS: JAFerguson@marybaldwin.edu

IF APPLICANT IS **NOT** THE OWNER OF THE PROPERTY IN QUESTION, EXPLAIN. A COPY OF A PENDING CONTRACT OR OPTION AGREEMENT MUST BE ATTACHED HERETO AND MADE A PART OF THIS APPLICATION.

LOCATION OF PROPERTY: 245 Sycamore Street

MAP PROVIDED: YES ☒ NO ☐ SITE PLAN PROVIDED: YES ☐ NO ☒

FEE PAID: YES ☐ NO ☒ *check or cash only

PRESENT ZONING OF THE PROPERTY: HE-1

APPLICABLE SECTION OF ZONING CODE STATING USE IS PERMITTED ON REVIEW:
18.90.020

ARE PUBLIC UTILITIES AVAILABLE AND ADEQUATE FOR PROPOSED USE? IF **NO**, EXPLAIN HOW UTILITIES WILL BE PROVIDED:

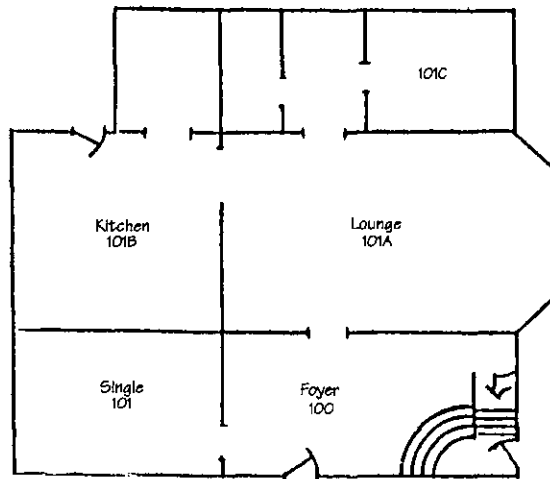
yes

LEGAL DESCRIPTION OF PROPERTY: Lots 11 Parcel 10 1913

DETAILED DESCRIPTION OF PROPOSED USE (DRAWINGS MUST BE INCLUDED IF NEW CONSTRUCTION, ADDITIONS, OR CHANGES TO THE EXTERIOR OF THE PROPERTY ARE PROPOSED).

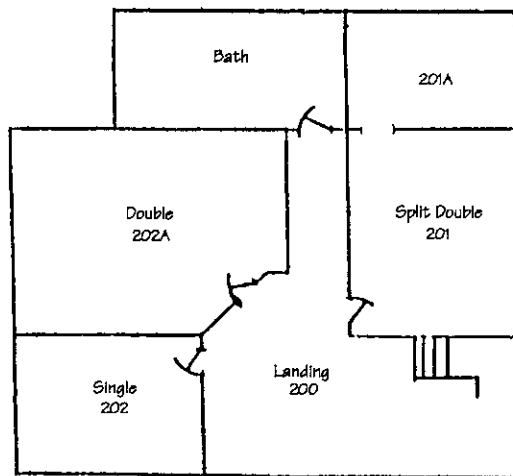
Change From Single Family To Student housing

SIGNATURE: [Signature]



FIRST LEVEL

PROJECT		CRONE 100 LEVELS FIRST FLOORS
SCALE	none	Mary Baldwin College
DATE	1/20/87	MBC-CS
DRAWN BY	BETLE	
DOC. NO.	QIS 00010	
SHEET NO.	1 of 5	



SECOND LEVEL

PROJECT		CRONE 200 LEVEL SECOND FLOOR
SCALE	none	Mary Baldwin College
DATE	1/20/97	MBC-CIS
Drawn by	BETLE	
FILE NO.	CIS 000110	
SHEET NO.	4 of 6	



DEPARTMENT OF PLANNING &
INSPECTIONS
116 W. BEVERLEY STREET | P.O. Box
58 | STAUNTON, VA 24402
540.332.3862 (OFFICE)
540.332.3807 (FAX)

APPLICATION FOR SPECIAL USE PERMIT

DATE: 6 May 2020

NAME OF APPLICANT: Mary Baldwin University / Jeff Ferguson

ADDRESS OF APPLICANT: 318 Prospect St Staunton VA 24401

PHONE #: 434-409-7624

E-MAIL ADDRESS: JAFerguson@MaryBaldwin.edu

IF APPLICANT IS **NOT** THE OWNER OF THE PROPERTY IN QUESTION, EXPLAIN. A COPY OF A PENDING CONTRACT OR OPTION AGREEMENT MUST BE ATTACHED HERETO AND MADE A PART OF THIS APPLICATION.

LOCATION OF PROPERTY: 249 Sycamore St Staunton VA 24401

MAP PROVIDED: YES ☒ NO ☐ SITE PLAN PROVIDED: YES ☐ NO ☐

FEE PAID: YES ☐ NO ☒ *check or cash only

PRESENT ZONING OF THE PROPERTY: HE-1

APPLICABLE SECTION OF ZONING CODE STATING USE IS PERMITTED ON REVIEW:
18.90.020

ARE PUBLIC UTILITIES AVAILABLE AND ADEQUATE FOR PROPOSED USE? IF **NO**, EXPLAIN HOW UTILITIES WILL BE PROVIDED:

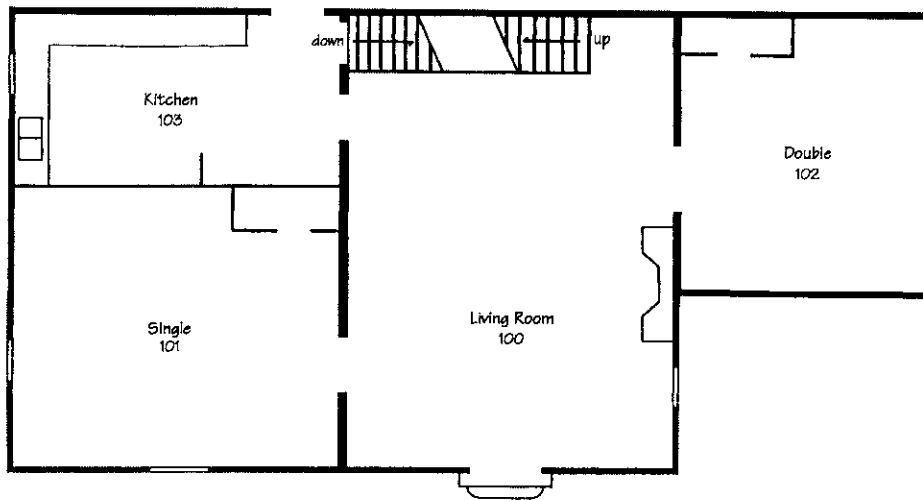
yes

LEGAL DESCRIPTION OF PROPERTY: Lot 12+13 Parcel 8552

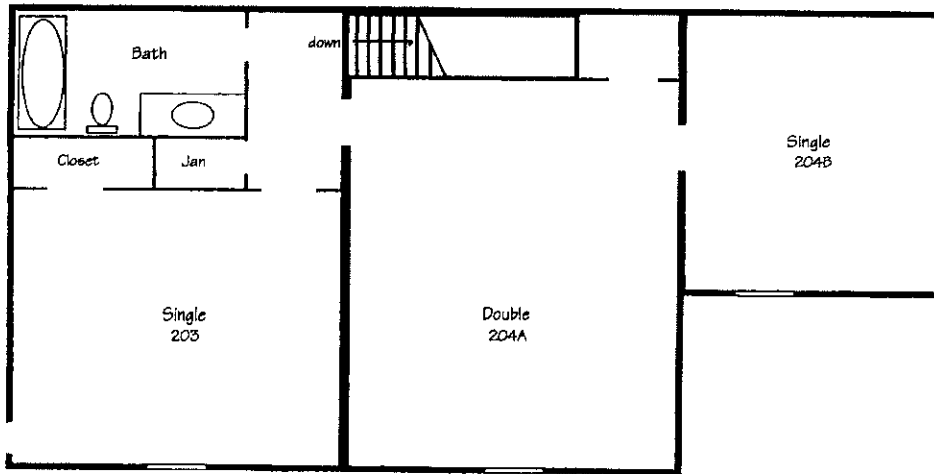
DETAILED DESCRIPTION OF PROPOSED USE (DRAWINGS MUST BE INCLUDED IF NEW CONSTRUCTION, ADDITIONS, OR CHANGES TO THE EXTERIOR OF THE PROPERTY ARE PROPOSED).

Change From Single Family To Student Housing

SIGNATURE: _____

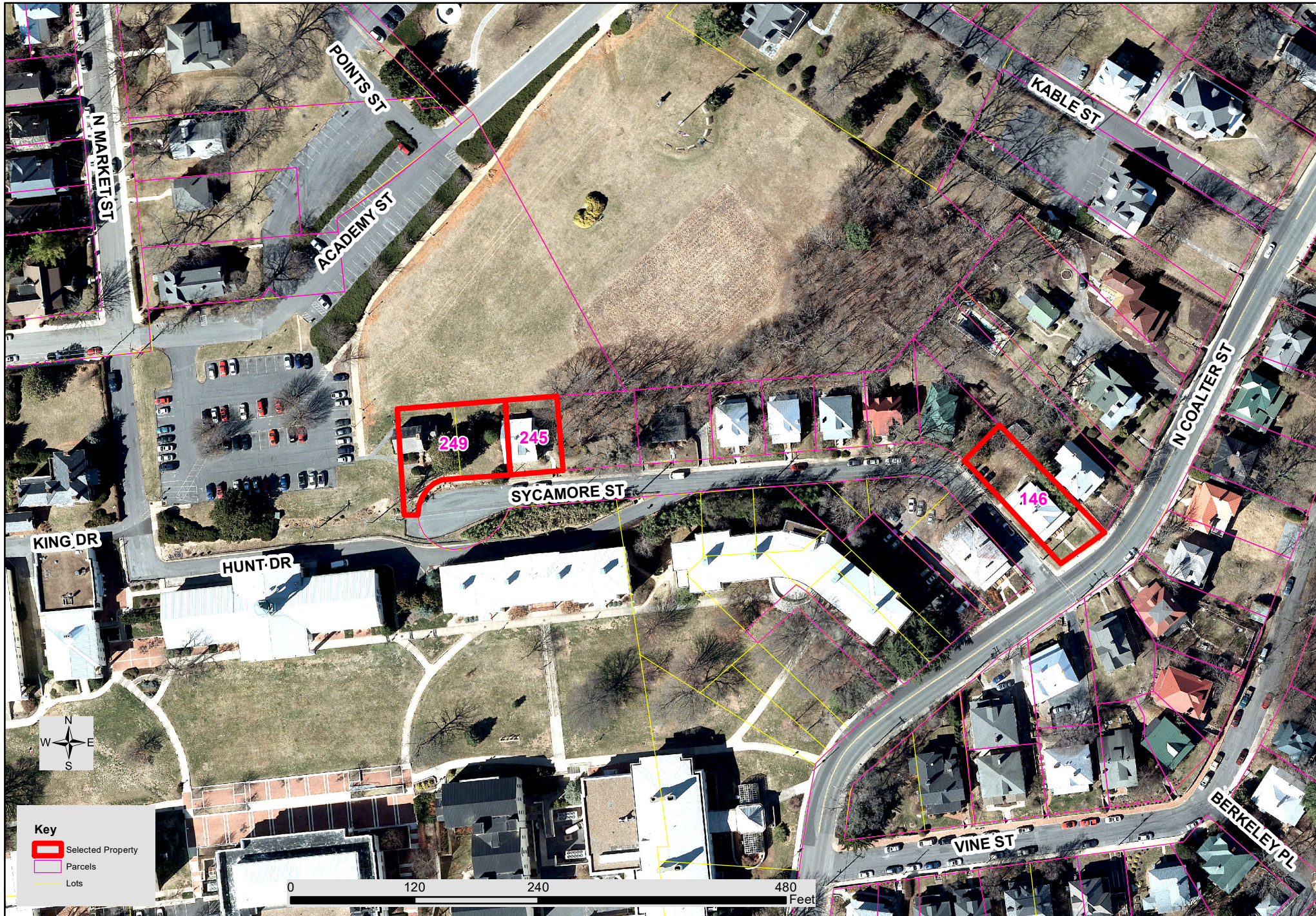


PROJECT		SCOTT 100 LEVELS FIRST FLOORS
SCALE	1/4" = 1'-0"	Mary Baldwin College
DATE	12/1/97 SCOTT 100 7/25/97	MBC-CIS
OWN BY	E. A. NELSON	
DOC NO.	100-00102	
SHT NO.	1 of 2	



PROJECT		SCOTT 200 LEVELS SECOND FLOOR
SCALE	none	Mary Baldwin College
DATE	12/2/77 updated 12/10/77	MBC-CIS
DRAWN BY	SCOTT, C. H.	
DOC NO.	12/2/77	
SHT NO.	5.4 -	

Vicinity Map – 245 and 249 Sycamore St and 146 N Coalter St



Current Zoning – 245 and 249 Sycamore St and 146 N Coalter St



0 75 150 300 ft

Zoning

 B-1
 B-1(conditional)
 B-2
 B-2(conditional)

 B-3
 HE-1
 I-1
 I-1(conditional)
 I-2

 I-2(conditional)
 I-3(conditional)
 P-1
 P-1(conditional)
 R-1

 R-2
 R-2(conditional)
 R-3
 R-3(conditional)
 R-4

Additional Layers

 Selected Property
 Parcels

Timothy A. Hartless

From: Rodney S. Rhodes
Sent: Tuesday, June 9, 2020 5:27 PM
To: Timothy A. Hartless
Subject: FW: [FWD: Re: An update from Mary Baldwin University]

FYI – another condition on the SUP.

Rodney S. Rhodes, CZA, CTM
Senior Planner/Zoning Administrator
City of Staunton
Community Development
Division of Planning & Zoning
540-332-3862 office
540-332-3807 fax
rhodesrs@ci.staunton.va.us
www.staunton.va.us



TO THE FULLEST EXTENT PERMITTED BY LAW, THIS COMMUNICATION AND ITS CONTENTS ARE CONSIDERED STRICTLY CONFIDENTIAL AND EXEMPT FROM DISCLOSURE PURSUANT TO VIRGINIA CODE § 2.2-3705.6 (2), (3) & (11), AS MAY BE APPLICABLE.

From: Steve Rosenberg
Sent: Tuesday, June 9, 2020 5:24 PM
To: alexandra@haleyshope.net
Cc: Rodney S. Rhodes
Subject: RE: [FWD: Re: An update from Mary Baldwin University]

Ms. Pitts:

I have copied Rodney Rhodes, the city's senior planner, on this reply, to share with him the information you have provided.

Regards,

Steve

Steve Rosenberg
City Manager
City of Staunton, VA

Office: 540.332.3812
Web: www.staunton.va.us
Facebook: [City of Staunton](#)
Twitter: [@StauntonCityVA](#)

From: alexandra@haleyshope.net <alexandra@haleyshope.net>
Sent: Tuesday, June 9, 2020 4:56 PM
To: Steve Rosenberg <rosenbergsl@ci.staunton.va.us>
Subject: [FWD: Re: An update from Mary Baldwin University]

Hi Mr Rosenberg

I hope you and yours are doing well during these trying times. I am attaching the correspondence that I've had with Mary Baldwin University about the houses on Sycamore Street. We have requested that Residential use for junior and senior females ONLY be attached to the special use permit for Crone and Scott House. As you can see this has been agreed to. Other than yourself, who else should I send this to so it can be made part of the special use permit at the upcoming Planning Commissions meeting.

I have requested a letter from Mary Baldwin of their intent to make this designation. However it took them 18 days to respond to my original email so I am not overly confident. Last year Mary Baldwin made promises to the homeowners and to City Council about these houses that they did not keep. Which is why we are asking for this designation.

With the Planning Commission meeting being virtual it leaves a very small margin of error. This is why I am looking to you for guidance.

With kindest regards,
Alexandra Pitts
239 Sycamore St
Staunton VA
434 466 9246

----- Original Message -----

Subject: Re: An update from Mary Baldwin University
From: "alx@hhe" <alexandra@haleyshope.net>
Date: Wed, June 03, 2020 7:33 am
To: Liesel Crosier <lcrosier@marybaldwin.edu>

Thanks that is great.

Sent from Murray the iPhone

| On Jun 3, 2020, at 7:05 AM, Liesel Crosier <lcrosier@marybaldwin.edu> wrote:

I apologize my response wasn't clearer. Yes, MBU is willing to designate Crone and Scott for women who are juniors and seniors only and agree to that as a condition of the special use permit.

Thanks,

Liesel

Sent from my iPhone

On Jun 3, 2020, at 6:12 AM, alx@hhe <alexandra@haleyshope.net> wrote:

Liesel,

I appreciate your response. However the question still has not been answered. Will MBU attach to the special use permit that the sycamore houses will be female upperclass students? McClung is female only & the request is that Scott & Crone be as well.

The 3 men who lived in the houses, we assume, were boyfriends. The concern is that MBU had absolutely no oversight on those houses. Which is why the neighbors feel safer with women in the houses with no oversight versus young men in the houses with no oversight.

It's a pretty reasonable request & frankly I'm surprised there is reluctance. If MBU is willing to make this stipulation then the neighbors won't oppose the extension of the special use permit. Otherwise there will be opposition at the planning commission & city council for extending the special use permits.

I hope all is well as you move forward to a safe return of students.

With kindest regard,
Alexandra

Sent from Murray the iPhone

On Jun 2, 2020, at 9:46 PM, Liesel Crosier <lcrosier@marybaldwin.edu> wrote:

Hi, Alexandra,

Thanks for your patience as I worked to find answers to some of your questions and we have been working to close out the academic year with several virtual events.

I learned from VP of Student Engagement Ernest Jeffries that there were no men assigned to any of the houses on Sycamore Street. I wonder if there were instances of boyfriends spending the night in these residences. That is likely. Dr. Jeffries' office was also able to confirm that a sophomore transfer student was among the residents living on Sycamore Street, but that she was older, and only classified as a sophomore because of the transfer. We will certainly be willing to maintain/reserve the housing in those Sycamore Street residences for upperclassmen (juniors and seniors) moving forward.

I'm sorry to hear that you continued to have unpleasant encounters with students this year. We will continue to work to foster good relations between the campus and the community, and I hope that with this continued effort, things will improve. I hope that our ongoing communication will help with those efforts. So please feel free to reach out any time.

Take care,

Liesel

On Tue, Jun 2, 2020 at 9:40 AM <alexandra@haleyshope.net> wrote:

Hi Liesel.

I am still waiting for a response to my 15 May email.

I hope you and yours are well in these trying times.

Alexandra

Hi Liesel.

I hope all is going well during these trying times. I appreciate the update.

I was wondering MBU was willing to attach to the Special Use permit for Scott and Crone that the houses would be for Junior and Senior Girls ONLY. The street is still very much against the houses being used as residence halls. The armed robbery in Woodson and the time that lapsed between the robbery and reporting by the student caused alarm. As did the fact the 3 men lived in the houses. 1 in Scott and 2 in Crone. 1 in Crone was identified as an MBU student and we were never sure of the other 2. We also learned that sophmores lived in both houses which was not how MBU presented it to us or City Counsel.

I think if this concession was made it might prevent the homeowners from fighting the special use permit. We still have issues with students behaving rude and offensive to those who live on the street. However, not from the residents of either house. Who, for the most part, were fairly quite and pleasant.

I know this must be a trying time for all. To make all the arrangements for the return of students and the efforts that must be made to keep the campus and surrounding areas from becoming a Covid19 hotspot must be extremely daunting.

I hope you are well and I look forward to hearing from you about this request. Keep safe.

With kindest regards,
Alexandra Pitts
239 Sycamore street

----- Original Message -----

Subject: An update from Mary Baldwin University

From: Liesel Crosier <lcrosier@marybaldwin.edu>

Date: Fri, May 15, 2020 11:03 am

To: Louise Cissel <oscarsmoms1982@gmail.com>, Linda Hill

<lindahill24401@gmail.com>, mark@haleyshope.net,

"alx@hhe"

<alexandra@haleyshope.net>, Joshua Kerton

<kertonj@hotmail.com>,

Kristina Eisele <kristina.eisele1@gmail.com>, Elizabeth Eisner
<thelibrary1950@gmail.com>
Cc: Ginny Clemenko <vclemenko@marybaldwin.edu>, "Steven
L. Rosenberg"
<rosenbergsl@ci.staunton.va.us>, Teresa Djuric
<tdjuric@marybaldwin.edu>

Dear Sycamore Street neighbors:

I hope this update finds each of you healthy and doing well. As you know, things are unusually quiet on campus right now, especially this time of year when we would normally welcome hundreds of family members and friends to campus to celebrate our graduates.

I write today first to let you know that the university plans to open campus back up to residential students on schedule this fall. A planning committee has been hard at work for several weeks reviewing the university's daily routines, policies, and procedures to determine what adaptations are necessary to ensure a safe return for students while also making sure we are complying with all federal, state, and local public health orders.

Please see the news story on our website for more information:
<https://marybaldwin.edu/news/2020/05/06/mary-baldwin-university-announces-intent-open-residential-campus-fall-20/>

Secondly, students will begin returning to campus May 18 through June 19 in small groups to retrieve their personal belongings from residence halls, left behind in March. Students will be arriving by scheduled times during that time frame, so every day up to 10 residents could return to Spencer Residence Hall from 9 to 11 a.m. and every day up to 10 residents from Woodson Residence Hall could return from 11 a.m. to 1 p.m. I will be sure to let you all know if these plans change at any point.

Finally, I wanted to reach out to let you know that MBU has reapplied for the special permits from the City of Staunton to continue to allow students to live in Scott and Crone houses, and we also plan to restore Hawpe House from staff offices to student housing this fall as well. We hope that you all have experienced positive results from the university's good faith efforts to increase communication, address the major issues some of you have described in the past, and reduce traffic with the significant investment of a gated system that has closed Hunt Drive to public through traffic. We know this is just the beginning, and we plan to continue to foster goodwill between the university and local residents.

As always, please reach out to me with any questions or concerns.

Sincerely,

Liesel Crosier

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Liesel Crosier
Associate Vice President for External Affairs
Mary Baldwin University
(540) 887-7098 (office)
(540) 280-8702 (mobile)

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Timothy A. Hartless

From: Margaret Wood <takefive1952@gmail.com>
Sent: Monday, June 8, 2020 8:14 AM
To: Timothy A. Hartless
Subject: Special Use Permit by Mary Baldwin University for 146 N. Coalter
Attachments: Distance between 146 and 150 North Coalter Street A (1).jpg

Dear Mr. Hartless,

Thank you so much for your letter informing us of the request by Mary Baldwin to use 146 North Coalter, Hawpe House, for student housing.

We strongly oppose this action.

Only 18 feet separates our house from 146 North Coalter, Hawpe House. Please see attached photo.

We have lived at 150 North Coalter St. for 32 years and are intimately familiar with what it means to have Hawpe House used as student housing. The average student behaviors of socializing on the front and back porches, playing music (windows shut or open), and having parties - inside and out – and occurring day and night, often until the wee hours of the morning - were greatly amplified by the closeness of the houses. The noise was intrusive and very stressful.

The noise from average student behaviors would be intolerable at 100 feet. We're at 18 feet.

The current use of Hawpe House as an administrative building has been very satisfactory, Its current use fits in well with this older, quiet residential neighborhood.

There are other MBU buildings that would be much more suitable for student housing: the current MBU Online building on the corner of Tullidge and Prospect, 204 North Coalter Street, and the MAT building on Market Street, to name a few.

Because of these significant concerns, the Planning Commission should deny Mary Baldwin University's special use permit request for 146 North Coalter Street.

Sincerely,

Thomas and Margaret Stanley Wood
150 North Coalter Street
Staunton, VA

Timothy A. Hartless

From: Brian and Pam Dettelbach <bpdettelbach@gmail.com>
Sent: Wednesday, June 10, 2020 2:44 PM
To: Timothy A. Hartless
Subject: Re: June 18th Planning Commission Hearing- Request for more information

Mr. Hartless, we very much appreciated the receipt of information concerning the Commission's June 18th meeting regarding the application from MBU to convert 2 buildings on Sycamore street currently under a Special Use Permit and the Hawpe House on 146 North Coalter, currently used as an administrative building, into permanent student housing.

While we certainly are supportive of MBU and appreciative of its mission, for the following reasons we are opposed to the permanent conversion of 146 N. Coalter Street into student dorms.

- 1) Having **11** college students directly across the street from our home will be disruptive to the peace and quietude of our neighborhood. We are concerned with the likelihood of loud music and parties that could adversely affect the tranquility of our street, not to mention a constant stream of students entering and exiting the dorm.
- 2) The Hawpe House has been used as an administrative building generally on weekdays during regular business hours. Closeby residents have grown accustomed to that schedule and do not have to worry over large gatherings weeknights or weekends. We would urge that this administrative use be continued as it has worked well for the neighbors on this street.
- 3) During the academic year parking on our street can be congested. This is because free and unrestricted parking begins in front of our house. We have found that the MBU employees working in the Hawpe House, as well as students- including those with MBU parking permits- often park up and down our block, making it hard to find spots near our home. Adding an additional 11 students to the mix, no matter what agreement they are supposed to follow regarding parking, is of deep concern to us.

We moved to Staunton in part because of its charm, quaintness, and the tranquility of living in an historic neighborhood. We want to be excellent neighbors to MBU, as it is an asset for Staunton overall. However, we are very troubled and concerned over the prospect of suddenly having 11 college students living directly across from us 9 months out of 12.

We appreciate the opportunity to express our thoughts and would be appreciative if they could be shared with the Planning Commission. We hope to virtually attend the June 18th meeting and speak to these concerns as well.

Sincerely, Brian and Pam Dettelbach



Statement to Staunton City Council

7.9.20

Thank you for considering the renewal to our special use permit that allows students to live in university-owned houses located at 245 and 249 Sycamore Street. It has been a little more than a year since the City Council granted us the initial permits, good for 12 months.

In that time, Mary Baldwin University has gone to considerable lengths to improve the relationship between the university and its neighbors, particularly the residents of Sycamore Street. It has been our goal to balance the sometimes inconvenient realities of living next to a college campus -- with elevated activity from the density of students, faculty, and staff who live and work in the area -- with the vibrant energy and opportunities for intellectual, cultural, and civic engagement that living next to an institution of higher learning present.

Communication has been key to this effort. We started by meeting with the residents of Sycamore Street and followed up with regular letters and emails to keep them informed about any activities in the area that might affect them, as well as improvements to the area, and to hear any concerns that they might have throughout the year. We also made it a priority to improve communication with students to stress the importance of being mindful of and courteous toward their neighbors as well as the rules of student conduct that govern their behavior on and off campus. We also shared that student code of conduct with our neighbors, along with our commitment to holding students to these standards. We remain committed to proactive communication and upholding and enforcing our student code of conduct.

I personally have made myself available to the residents of Sycamore Street as a liaison between them and the university to ensure that their concerns are heard and that they receive answers to their questions in a timely manner. Most of the residents have been patient and appreciative of this streamlined process that alleviates the difficulty of navigating a large, unfamiliar organization in search of assistance or information.

To help foster positive relationships between students and neighbors, we started the 2019–20 school year by hosting a block party and picnic on Sycamore Street in September. MBU students and staff joined Sycamore Street residents in a festive and family-friendly atmosphere that allowed them to get to know one another as neighbors. Several members of the council,

both past and present, were also kind enough to attend the block party and experience these interactions first hand.

Importantly, MBU has invested significantly in the area around Sycamore Street to address concerns shared with neighbors and the university community about traffic, litter, and pedestrian safety. This investment includes:

- Increasing the presence of MBU safety and security during high-traffic times such as move in
- Installing a trash receptacle at end of SKY I parking lot to help alleviate litter on Sycamore Street
- Constructing a speed bump at the intersection of Hunt Drive and Sycamore to slow traffic at this intersection
- Clearing brush and trimming overgrowth and adding lighting to the area between SKY I and the top of Sycamore Street for improved safety
- Installing a sidewalk between 245 and 249 Sycamore St.
- Fulfilling a requirement set forth by the city's planning staff in 2019 to build a sidewalk connecting MBU houses on Sycamore to the SKY I parking lot.

Perhaps most significantly, MBU worked with city police, public works, and administration to better understand traffic patterns and volume on Sycamore Street. This collaborative effort resulted in the installation of a \$40,000 electronic gate system -- funded by MBU -- to close Hunt Drive to through traffic. The gate has significantly reduced daily vehicle traffic on Sycamore Street, making the street safer for students and private residents alike.

The special permits we are requesting today are essential for maintaining adequate housing for our growing population of undergraduate, residential students.

After a decade-long downturn in undergraduate residential enrollment, MBU has enjoyed several years in a row of record-breaking first-year classes.

This recent enrollment growth is outlined in MBU's strategic plan, which calls for thoughtful, modest growth of the residential campus, aiming to increase our current residential population of nearly 800 students to 900-1,000 residential students by 2025.

We continue to make progress toward this goal: for the upcoming academic year, we have received deposits from 429 first-year students to date, which is in line with the past two years of increased freshmen enrollment. We are anticipating the safe reopening of our campus to new and returning students in August. While we anticipate some decline in returning students

due to the pandemic, we nonetheless expect a significant number of students returning to live on campus. As an economic driver and cultural hub for the broader Staunton community, we believe MBU's strategic growth is good news for everyone.

For the coming year, MBU will house fewer students than in previous years in its Sycamore Street residences, and only junior and senior women will be assigned to these dwellings, fulfilling a special request from neighbors. We plan to house five students in 245, and five students in 249 Sycamore St. As we arranged last year, the students living in this special housing will have designated parking on campus and will be assigned an area housing coordinator based in nearby Spencer Residence Hall to monitor the homes. The MBU Office of Residence Life is also located on Sycamore Street, as is the Office of Safety and Security and the Office of Integrated Communications, which is where my office is located (please refer to campus map).

Building on the success of last year, we will reach out to prospective Sycamore Street student-residents to emphasize the vital importance of being a good neighbor. We will remind them that they have been assigned on-campus parking in a lot adjacent to the private residences and we will remind them that they are accountable to the MBU code of conduct, which identifies the rules governing student conduct and the procedures used to investigate and resolve alleged violations. Fostering a campus culture of mutual respect is part of our mission, and we are committed to extending that to our neighbors.

Thank you again for your time and consideration.

Liesel Crosier

Associate Vice President of External Affairs

Mary Baldwin University

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	July 9, 2020	Staff Member: Megan Roane
Item #	E	
Ordinance #		
Department:	Blue Ridge Court Services	
Council Vision:	Responsive, Efficient Government Inclusiveness	
Subject:	Supreme Court of Virginia Grant Application for Virginia Specialty Docket Grants/Drug Court and Therapeutic Docket	

Background: Blue Ridge Court Services is a public non-profit organization established under the Comprehensive Community Corrections Act. The City of Staunton serves as the fiscal agent for the organization, which provides services in the cities of Staunton, Waynesboro, Lexington and Buena Vista and the counties of Augusta, Rockbridge and Highland. The mission of Blue Ridge Court Services is to provide research proven sentencing alternatives for the local criminal justice system in an effort to reduce jail overcrowding, enhance public safety and to offer rehabilitative opportunities to local offender and pretrial populations. The agency relies on grants to provide these services. Blue Ridge Court Services proposes to apply for two grants from the Supreme Court of Virginia, for its Drug Court and Therapeutic Docket, respectively, with applications due on July 17, 2020.

Drug Court: The mission of the Staunton, Augusta and Waynesboro Drug Court Program is to reduce recidivism and drug use within the community by implementing a court-based program that includes supervision, evaluation, treatment, and monitoring for its participants with the goal of promoting a safe and healthy community. This program targets individuals who have been involved in criminal activity arising from their addiction to alcohol or illegal substances.

Therapeutic Docket: The mission of the Staunton-Augusta Therapeutic Docket is to increase public safety and reduce the costs of mental illness-related crime to society. This is accomplished by identifying and treating non-violent mentally ill defendants through an

innovative, multi-disciplinary approach enabling these defendants to make positive lifestyle changes in order to save lives, preserve families and reduce recidivism. The Therapeutic Docket targets those individuals whose crimes are influenced by their mental illness.

Based on the proposed grant amounts, costs would be shared as follows:

	City Share	Total	Approximate Due Dates	
Supreme Court (Drug Court)	\$0	\$67,500.00	July 17, 2020	Match funds from BRCS derived from participant fees: \$90,000 X 25% = \$22,500
Supreme Court (Therapeutic Docket)	\$0	\$33,750.00	July 17, 2020	Match funds from BRCS derived from participant fees: \$45,000 X 25% = \$11,250

Fiscal Impact: None.

City Manager's Recommendation: Recommend that Council authorize staff to apply for grants from the Supreme Court of Virginia for the Drug Court and Therapeutic Docket.

Suggested Motion: I move that City Council authorize staff to apply to the Supreme Court of Virginia for Specialty Docket Grants to fund the Drug Court and Therapeutic Docket, as proposed.

City Manager: Steven L. Rosenberg