

**Work Session Agenda
Staunton City Council
Rita S. Wilson Council Chambers
June 24, 2021
6:30 p.m.**

- | | | |
|------------------|-------------------|--|
| 6:30 p.m. | 1. | Consideration of Work Session and Regular Meeting Agendas |
| 6:35 p.m. | 2 & A. | Discussion of Ordinance to Amend the FY2022 Budget Ordinance for the City of Staunton by Adding Budget Amendment Number One |
| 6:55 p.m. | 3 & C. | Discussion of Municipal Elections in November |
| 7:05 p.m. | 4 & D. | Discussion of Resolution Ending the Local Emergency Declared March 16, 2020 |
| 7:15 p.m. | | Break |

**Regular Meeting Agenda
Staunton City Council
Rita S. Wilson Council Chambers
June 24, 2021
7:30 p.m.**

Call to Order

Pledge of Allegiance

Invocation/Moment of Silence—Claffey

Mayor's Report

**Proclamation—LGBTQ+ Pride Month & The Shenandoah LGBTQ
Center**

Proclamation—Juneteenth Independence Day, June 19, 1865

Additional Items by Members of Council

Approval of Minutes

Work Session and Regular Meeting of June 10, 2021

REGULAR MEETING

- A. Introduction and Public Hearing of Ordinance to Amend the FY2022 Budget Ordinance for the City of Staunton by Adding Budget Amendment Number One**
- B. Consideration City Council Procedure Memoranda and Amendment to Staunton City Code Section 2.10.120**
- C. Consideration of Municipal Elections in November**
- D. Consideration of Resolution Ending the Local Emergency Declared March 16, 2020**

Matters from the City Manager

Matters from the Public

Adjournment

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	June 24, 2021	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 Meeting, the addition/deletion of _____].

City Manager: Steven L. Rosenberg

**Work Session Agenda
Staunton City Council
Rita S. Wilson Council Chambers
June 24, 2021
6:30 p.m.**

- | | | |
|------------------|-------------------|--|
| 6:30 p.m. | 1. | Consideration of Work Session and Regular Meeting Agendas |
| 6:35 p.m. | 2 & A. | Discussion of Ordinance to Amend the FY2022 Budget Ordinance for the City of Staunton by Adding Budget Amendment Number One |
| 6:55 p.m. | 3 & C. | Discussion of Municipal Elections in November |
| 7:05 p.m. | 4 & D. | Discussion of Resolution Ending the Local Emergency Declared March 16, 2020 |
| 7:15 p.m. | | Break |

**Regular Meeting Agenda
Staunton City Council
Rita S. Wilson Council Chambers
June 24, 2021
7:30 p.m.**

Call to Order

Pledge of Allegiance

Invocation/Moment of Silence—Claffey

Mayor's Report

**Proclamation—LGBTQ+ Pride Month & The Shenandoah LGBTQ
Center**

Proclamation—Juneteenth Independence Day, June 19, 1865

Additional Items by Members of Council

Approval of Minutes

Work Session and Regular Meeting of June 10, 2021

REGULAR MEETING

- A. Introduction and Public Hearing of Ordinance to Amend the FY2022 Budget Ordinance for the City of Staunton by Adding Budget Amendment Number One**
- B. Consideration City Council Procedure Memoranda and Amendment to Staunton City Code Section 2.10.120**
- C. Consideration of Municipal Elections in November**
- D. Consideration of Resolution Ending the Local Emergency Declared March 16, 2020**

Matters from the City Manager

Matters from the Public

Adjournment

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	June 24, 2021	Staff Member: Phil Trayer
Item #	2 & A	
Ordinance #		
Department:	Finance	
Council Vision:	Responsive, Efficient Government	
Subject:	Ordinance to Amend the FY2022 Budget for the City of Staunton by Adding Budget Amendment Number One	

Background: The first budget amendment for fiscal year 2022 has been prepared for your review and discussion. The total budget amendment equals \$7,700,360. The introduction and public hearing of this ordinance is scheduled for this meeting, and consideration of the ordinance is scheduled for July 22, 2021.

City Budget Amendment—\$ 7,646,135

The amendment includes \$6,477,913 for appropriations associated with the receipt of American Rescue Plan Act (ARPA), funds from the federal government. This amount represents 50% of the funds the City expects to receive. The remaining 50% is scheduled to be received in May 2022. To date, the United States Treasury Department has issued "Interim Final Rules" which indicates the initial interpretations are expected to evolve as clarifications are provided in the coming months. As such, the initial appropriation of these funds is being coded to a contingency account in the General Fund as staff continues gather information in order to provide Council with allowable uses and recommendations for consideration.

The General Fund also includes an additional appropriation of \$41,864 for the Registrar's Office to recognize an increase in funding from the state in support of wages for election officials. The state portion equals \$33,926 and the City portion equals \$7,938. Finally, \$24,000 in additional telephone expenditures are recognized as the City's vendor will no longer apply a credit for the Reservoir Hill cellphone tower lease on its monthly invoice but will instead issue a separate check. The net effect to the City's statement is \$0. Water, Sewer, Stormwater, Environmental, and

Education funds also have offsetting revenue and expense appropriations associated with this accounting change.

Water Fund - \$1,101,640

This amendment appropriates \$1,100,000 for the repair of the clear well tank at Public Works. The funding for this project will come from Water Fund balance reserves. Budget Amendment Number One also appropriates \$1,640 of telephone expenses and offsetting credits as referenced above.

School Budget Amendment—\$54,226

The Education Fund amendment totaling \$54,226 appropriates \$50,000 for a school improvement grant for Shelburne Middle School as well as \$4,226 for telephone expenses and offsetting credits as referenced above.

Attachments:

Attachment 1—Budget Amendment Number One

Attachment 2—Notice of Public Hearing

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

Suggested Motion (to be made before the public hearing is conducted): I move to introduce an ordinance amending the fiscal year 2022 budget by adding Budget Amendment Number One, totaling \$7,700,360 and that Council conduct a public hearing of the ordinance.

City Manager: Steven L. Rosenberg

Ordinance No. 2021-
AN ORDINANCE TO AMEND
THE FY2022 BUDGET ORDINANCE
FOR THE CITY OF STAUNTON
BY ADDING BUDGET AMENDMENT NUMBER ONE

BE IT ORDAINED, by the City Council of the City of Staunton, Virginia, that the FY2022 Budget is amended as follows:

GENERAL FUND

Anticipated Revenue

Charges for Services	\$ 24,000
Recovered Costs	33,926
Fund Balance	7,938
Miscellaneous Revenue - ARPA Funding	\$ 6,477,913
Total Revenue	<u>\$ 6,543,777</u>

Appropriations

Judicial Administration	\$ 17,417
Public Safety	41,864
Nondepartmental (ARPA Funding)	6,477,913
Transfers to Other Funds	6,583
Total Appropriations	<u>\$ 6,543,777</u>

WATER FUND

Anticipated Revenue

General Revenues	\$ 1,101,640
Total Revenue	\$ 1,101,640

Appropriations

Operations	\$ 1,101,640
Total Appropriations	\$ 1,101,640

SEWER FUND

Anticipated Revenue

General Revenue	\$ 372
Total Revenue	\$ 372

Appropriations

Operations	\$ 372
Total Appropriations	\$ 372

ENVIRONMENTAL FUND

Anticipated Revenue

General Revenue	\$ 251
Total Revenue	\$ 251

Appropriations

Operations	\$ 251
Total Appropriations	\$ 251

STORMWATER FUND**Anticipated Revenue**

General Revenue	\$	94
Total Revenue	\$	94

Appropriations

Operations	\$	94
Total Appropriations	\$	94

EDUCATION FUND**Anticipated Revenue**

General Revenue	\$	4,226
Non-Capital Grants and Contributions		50,000
Total Revenue	\$	54,226

Appropriations

Operations	\$	54,226
Total Appropriations	\$	54,226

GRAND TOTAL BUDGET AMENDMENT NO 1.	\$	7,700,360
---	-----------	------------------

INTRODUCED: June 24, 2021

PUBLIC HEARING: June 24, 2021

Public Hearing Advertisement Date: June 16, 2021

Approved this _____ day of _____ 2021

Effective Date: _____

CERTIFIED: _____

ATTEST: _____

Rachael ML Zinni
Clerk of CouncilAndrea W. Oakes
Mayor of Council

FY 2022 BUDGET AMENDMENT NO. 1

GENERAL FUND		AMOUNT	
	LEDGER CODE	REVENUE	EXPENDITURE
GENERAL FUND			
GENERAL GOVERNMENTAL ADMINISTRATION			
<u>REGISTRAR</u>			
Electoral Board & Registrar	11013-45315	\$ 33,926	
Fund Balance	11001-41930	\$ 7,938	
Elected / Appointed Officials	11011410-51008		\$ 32,146
Electoral Board	11011410-51402		\$ 1,780
FICA	11011410-52010		\$ 2,595
Group Life Ins	11011410-52001		\$ 431
Retirement VRS	11011410-52020		\$ 4,912
To record State Electoral Board compensation adjustments			
<u>To appropriate ARPA Funding</u>			
Miscellaneous federal revenue	11001-46250-ARPA	\$ 6,477,913	
Contingency - ARPA	11099800-56997-ARPA		\$ 6,477,913
Record receipt of ARPA Funding			
<u>Information Technology</u>			
Rental of Real Property	11001-41520	\$ 17,417	
Special Expenses	11011110-55205		\$ 189
Telephone	11011210-55001		\$ 283
Telephone	11011240-55001		\$ 94
Telephone	11011310-55001		\$ 182
Telephone	11011330-55001		\$ 62
Telephone	11011510-55001		\$ 278
Telephone	11011510-55001		\$ 566
Telephone	11022160-55001		\$ 125
Telephone	11022170-55001		\$ 628
Telephone	11022210-55001		\$ 94
Telephone	11033110-55001		\$ 8,841
Telephone	11033210-55001		\$ 1,374
Telephone	11033410-55001		\$ 377
Telephone	11044110-55001		\$ 472
Telephone	11044120-55001		\$ 94
Telephone	11044130-55001		\$ 406
Telephone	11044150-55001		\$ 219
Telephone	11044210-55001		\$ 312
Telephone	11044220-55001		\$ 472
Telephone	11077110-55001		\$ 847
Telephone	11077120-55001		\$ 157
Telephone	11077130-55001		\$ 62
Telephone	11077210-55001		\$ 438
Telephone	11088110-55001		\$ 283
Telephone	11088150-55001		\$ 372
Telephone	11088210-55001		\$ 189

To appropriate the breakout of Reservoir Hill cell tower rent from telephone billing

FY 2022 BUDGET AMENDMENT NO. 1

GENERAL FUND		AMOUNT	
	LEDGER CODE	REVENUE	EXPENDITURE
TRANSFERS TO OTHER FUNDS			
<u>WATER FUND</u>			
Rental of Real Property	11001-41520	\$ 1,640	
Transfer to Water Fund	11099600-59353		\$ 1,640
To appropriate the breakout of Reservoir Hill cell tower rent from telephone billing			
<u>Sewer Fund</u>			
Rental of Real Property	11001-41520	\$ 372	
Transfer to Sewer Fund	11099600-55354		\$ 372
To appropriate the breakout of Reservoir Hill cell tower rent from telephone billing			
<u>Stormwater</u>			
Rental of Real Property	11001-41520	\$ 94	
Transfer to Stormwater Fund	11099600-55357		\$ 94
To appropriate the breakout of Reservoir Hill cell tower rent from telephone billing			
<u>Environmental Fund</u>			
Rental of Real Property	11001-41520	\$ 251	
Transfer to Environmental Fund	11099600-55358	.	\$ 251
To appropriate the breakout of Reservoir Hill cell tower rent from telephone billing			
<u>Education Fund</u>			
Rental of Real Property	11001-41520	\$ 4,226	
Transfer to Education Fund	11099600-59390	.	\$ 4,226
To appropriate the breakout of Reservoir Hill cell tower rent from telephone billing			
TOTAL GENERAL FUND		\$ 6,543,777	\$ 6,543,777

BUDGET AMENDMENT NO. 1 GENERAL FUND SUMMARY

GENERAL FUND REVENUE SUMMARY

General Revenues		\$ 7,938
<u>Appropriation of Prior Year Fund Balance</u>		
Registrar	7,938	
Recovered Costs		\$ 33,926
State Registrar Reimbursement	33,926	
Charges for Services		\$ 24,000
Rental Income	24,000	
Federal Revenue		\$ 6,477,913
Federal ARPA Funding	6,477,913	
Total General Fund Revenues		\$ 6,543,777

GENERAL FUND EXPENDITURE SUMMARY

Information Technology		\$ 17,417
Registrar		\$ 41,864
Nondepartmental		\$ 6,477,913
Transfer to Other Funds		\$ 6,583
Total General Fund Expenditures		\$ 6,543,777

FY 2022 BUDGET AMENDMENT NO. 1

	LEDGER CODE	REVENUE	EXPENDITURE
WATER FUND			
Transfer from General Fund	53001-49211	\$ 1,640	
Telephone	53004320-55001		\$ 157
Telephone	53004321-55001		\$ 566
Telephone	53004322-55001		\$ 917
Appropriate additional telephone expenditures			
Prior Year Reserve	53001-41932	\$ 1,100,000	
Site Improvements	53004320-58399		\$ 1,100,000
Appropriate Clear Well Tank Repairs			
TOTAL WATER FUND		\$ 1,101,640	\$ 1,101,640
SEWER FUND			
Transfer from General Fund	54001-49211	\$ 372	
Telephone	54004420-55001		\$ 372
Appropriate additional telephone expenditures			
TOTAL SEWER FUND		\$ 372	\$ 372
ENVIRONMENTAL FUND			
Transfer from General Fund	58001-49211	\$ 251	\$ -
Telephone	58004818-55001		\$ 94
Telephone	58004820-55001		\$ 157
Appropriate additional telephone expenditures			
TOTAL ENVIRONMENTAL FUND		\$ 251	\$ 251
STORMWATER FUND			
<u>STORMWATER PROJECTS</u>			
Transfer from General Fund	57001-49211	\$ 94	
Telephone	57004710-55001		\$ 94
Appropriate additional telephone expenditures			
TOTAL STORMWATER FUND		\$ 94	\$ 94

FY 2022 BUDGET AMENDMENT NO. 1

CITY GOVERNMENT FUNDS

GENERAL FUND	\$ 6,543,777
WATER FUND	\$ 1,101,640
SEWER FUND	\$ 372
ENVIRONMENTAL FUND	\$ 251
STORMWATER FUND	\$ 94
TOTAL CITY GOVERNMENT FUNDS	\$ 7,646,135

EDUCATION FUNDS

EDUCATION FUND	\$ 54,226
TOTAL EDUCATION FUNDS	\$ 54,226

FY 2022 BUDGET AMENDMENT NO. 1

\$ 7,700,360

**STAUNTON CITY SCHOOLS
FY 2022 BUDGET
AMENDMENT NO. 1**

EDUCATION FUND		REVENUES	EXPENDITURES
STATE AND FEDERAL GRANT REVENUE/PROGRAMS			
SCHOOL IMPROVEMENT GRANT	900300-43040-SIG00	\$ 50,000	
Other Purchased Services	91312195-53569-SIG00		\$ 50,000
To appropriate additional grant funds for the Shelburne Middle School (School Improvement Grant)			
TOTAL STATE AND FEDERAL GRANT PROGRAMS		\$ 50,000	\$ 50,000
LOCAL GENERAL REVENUE/PROGRAMS			
To appropriate Telephone Expense Breakout			
Transfer from General Fund	900100-49211	\$ 4,226	
Telephone	94209099-55001		\$ 4,226
To appropriate Telephone Expense Breakout			
TOTAL LOCAL GENERAL REVENUE/PROGRAMS		\$ 4,226	\$ 4,226
TOTAL EDUCATION FUND		\$ 54,226	\$ 54,226
GRAND TOTAL BUDGET AMENDMENT NO. 1		\$ 54,226	\$ 54,226

NOTICE OF PUBLIC HEARING

TO THE CITIZENS OF THE CITY OF STAUNTON, VIRGINIA

TAKE NOTICE that on Thursday, June 24, 2021, at the regular meeting of City Council at 7:30 p.m., to be held in the Rita S. Wilson Council Chambers, First Floor, City Hall, 116 West Beverley Street, Staunton, Virginia, the City Council intends to amend the Fiscal Year 2022 budget and will consider the adoption of the following:

An Ordinance to amend the FY 2022 Budget Ordinance for the City of Staunton, by adding Budget Amendment Number 1

A brief synopsis of the proposed budget amendment is stated below:

General Fund - American Rescue Plan Act Funding	\$6,477,913
General Fund	\$65,864
Water Fund	\$1,101,640
Education Fund	\$54,226
Sewer Fund	\$372
Environmental Fund	\$251
Stormwater Fund	\$94
Total FY2022 Budget Amendment No. 1	\$7,700,360

The public hearing shall be open to the public. The City Council shall permit persons desiring to be heard an opportunity to present oral testimony within such reasonable time limits as shall be determined by the Mayor. Hearing impaired persons desiring to attend the public hearing should contact the Clerk of Council at ZinniRM@ci.staunton.va.us to request an interpreter.

Rachael M. Zinni
Clerk of Council

Please run this advertisement on Wednesday, June 16, 2021

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	June 24, 2021	City Council John Blair, II City Attorney
Item #	3 & C	
Ordinance #		
Department:	City Council	
Council Vision:	Responsive, Efficient Government	
Subject:	Municipal Elections in November	

Background: The most recent session of the General Assembly adopted Senate Bill 1157 (SB1157), and Governor Northam signed the legislation on March 12, 2021.

SB 1157 requires that all city or town elections be conducted in November beginning with elections held after January 1, 2022. The legislation overrides the provisions of Virginia Code Sections 24.2-222 and 24.2-222.1 and the Staunton City Charter which permitted the City to conduct its Council and School Board elections in May.

SB 1157 mandates that the Staunton City Council enact an ordinance moving its city council elections from May to November beginning in 2022.

The legislation states that councilmembers elected in a May election shall have their terms extended until January 1 of the following year when the councilmembers elected in November will commence their terms. Therefore, Councilmembers Dull, Holmes, and Mead will see their current terms in office extended until December 31, 2022 rather than concluding on June 30, 2022. Mayor Oakes, Vice Mayor Robertson and Councilmembers Claffey and Darby will see their current terms in office extended until December 31, 2024 rather than concluding on June 30, 2024.

SB 1157 also affects the Staunton City School Board. Virginia Code Section 24.2-223 requires that school board elections be conducted to coincide with city council elections. Additionally, the Staunton City Council enacted an uncodified ordinance on April 27, 1995, which established a May election date for the school board. The recently enacted legislation will require the

Staunton City School Board elections to occur in November.

The Council received information about SB 1157 at its April 22, 2021 work session. The City Attorney has prepared the required ordinance to move City Council and School Board elections to November beginning in 2022.

Attachments:

Attachment 1—Acts of Assembly, Chapter 103 (SB 1157)

Attachment 2—Proposed Ordinance

City Manager's Recommendation: Recommend that City Council adopt the ordinance.

Suggested Motion: I move that Council adopt an ordinance amending Staunton City Code Chapter 2.10, City Council, to add a new Section 2.10.010, City Council and School Board Elections, and to recodify the subsequent sections within Chapter 2.10, of Title 2, Administration.

City Manager: Steven L. Rosenberg

VIRGINIA ACTS OF ASSEMBLY -- 2021 SPECIAL SESSION I

CHAPTER 103

An Act to amend and reenact § 15.2-1400 of the Code of Virginia, relating to time of certain local elections.

[S 1157]

Approved March 12, 2021

Be it enacted by the General Assembly of Virginia:

1. That § 15.2-1400 of the Code of Virginia is amended and reenacted as follows:

§ 15.2-1400. Governing bodies.

A. The qualified voters of every locality shall elect a governing body for such locality. The date, place, number, term, and other details of the election shall be as specified by law, general or special. Qualification for office is provided in *Article 4* (§ 15.2-1522 et seq.) of *Chapter 15*.

B. The governing body of every locality shall be composed of not fewer than three nor more than ~~eleven~~ 11 members.

C. Chairmen, mayors, supervisors, and councilmen are subject to the prohibitions set forth in §§ 15.2-1534 and 15.2-1535.

D. A governing body may punish or fine a member of the governing body for disorderly behavior.

E. *Notwithstanding the provisions of §§ 24.2-222 and 24.2-222.1, any city or town charter, or any other provision of law, general or special, beginning with any election held after January 1, 2022, elections for mayor, members of a local governing body, or members of an elected school board shall be held at the time of the November general election for terms to commence January 1.*

2. That any city or town currently providing for the election of its mayor, governing body, or school board at a May election shall, by ordinance, provide for the transition of such elections to the November general election date. No term of a mayor, a member of council, or a member of a school board shall be shortened in implementing the change to the November election date. Mayors and members of a council or school board who were elected at a May general election and whose terms are to expire as of June 30 shall continue in office until their successors have been elected at the November general election and have been qualified to serve.

Ordinance No. 2021 - __

**AN ORDINANCE AMENDING CHAPTER 2.10, CITY COUNCIL,
TO ADD A NEW SECTION 2.10.010, CITY COUNCIL AND SCHOOL BOARD
ELECTIONS; AND TO RECODIFY THE SUBSEQUENT SECTIONS WITHIN
CHAPTER 2.10, OF TITLE 2, ADMINISTRATION, OF THE STAUNTON CITY
CODE**

Recitals

A. The Virginia General Assembly approved Senate Bill 1157 on March 12, 2021, Chapter 103 of the Virginia Acts of Assembly - 2021 Special Session I.

B. The bill amends and reenacts § 15.2-1400 of the Code of Virginia, 1950, as amended, to provide that, notwithstanding the provisions of Virginia Code §§ 24.2-222 and 24.2-222.1, any city or town charter, or any other provision of law, general or special, beginning with any election held after January 1, 2022, elections for mayor, members of a local governing body, or members of an elected school board shall be held at the time of the November general election for terms to commence January 1.

C. The legislation requires that any city currently providing for the election of its mayor, city council, or school board at a May election shall, by ordinance provide for the transition of elections to the November general election date.

D. Staunton City Council finds it necessary to enact an ordinance to conform the language of the Staunton City Code with the Code of Virginia given that city council and school board elections are currently held in May.

E. This matter has been properly heard and considered.

F. 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 Chapter 2.10, City Council, of Title 2, Administration, of the Staunton City Code is hereby amended as follows:

**Chapter 2.10
CITY COUNCIL**

Sections:

Article I. Generally

2.10.010 City Council and School Board Elections.

2.10.020 Election and duties of president and vice-president.

2.10.030 Filling of vacancies.

2.10.040 Members ineligible to certain offices.

- 47 **2.10.05040** Disorderly behavior of members – Malfeasance or misfeasance in
48 office.
49 **2.10.06050** Removal of officers.
50 **2.10.07060** Authority as to extension of water and sewer lines and improvement of
51 streets to promote industrial development.
52

53 Article II. Meetings
54

- 55 **2.10.08070** When regular meetings held – Adjourned or postponed meetings.
56 **2.10.09080** Quorum.
57 **2.10.10090** Rules of procedure generally.
58 **2.10.11040** Suspension of rules of procedure.
59 **2.10.12010** Form of petitions and communications.
60 **2.10.13010** Members required to vote – Exceptions.
61 **2.10.14010** Reconsideration of vote.
62 **2.10.15010** Viva-voce vote in elections by council.
63

64 Article III. Ordinances and Resolutions
65

- 66 **2.10.16010** Passage, amendment and repeal generally – Signature of presiding
67 officer.
68 **2.10.17010** Style.
69 **2.10.18010** Special requirements for appropriations, tax levies, etc.
70 **2.10.19010** Required vote on ordinance disposing of property or franchise.
71 **2.10.20010** Effect of new ordinance on prior offenses, penalties, rights, etc.
72 **2.10.21010** Repeal not to revive former ordinance.
73

74 Article 1. Generally
75

76 **2.10.010 City Council and School Board Elections.**
77

78 (a) Notwithstanding the provisions of Virginia Code §§ 24.2-222 and 24.2-222.1, section
79 3.02 of the city charter, or any other provision of law, general or special, beginning with
80 any election held after January 1, 2022, elections for city council members and school
81 board members shall be held at the time of the November general election for terms to
82 commence January 1.
83

84 (c) On and after January 1, 2022, three (3) council members shall be elected at the
85 general election in November 2022 to serve for terms of four (4) years, and four (4)
86 council members shall be elected at the general election in November 2024 to serve for
87 terms of four (4) years, and successors shall be elected each fourth year, respectively.
88 thereafter. All terms for council members shall commence on January 1 next
89 following the date of the November election and continue until their successors have
90 been duly elected and qualified.
91

(d) On and after January 1, 2022, three (3) school board members shall be elected at the general election in November 2022 to serve for terms of four (4) years, and three (3) school board members shall be elected at the general election in November 2024 to serve for terms of four (4) years, and successors shall be elected each fourth year. respectively, thereafter. All terms for school board members shall commence on January 1 next following the date of the November election and continue until their successors have been duly elected and qualified.

(e) No term of a member of city council or member of the school board shall be shortened in implementing the change to the November election date. The members of the city council and school board who were elected at a May general election and whose terms are to expire as of June 30 shall continue in office until their successors have been elected at the November general election in even numbered years and have been qualified to serve.

(f) Except for the changes to the date of elections and corresponding changes in the terms of office established in this section, all other provisions of the city charter relating to the election of council members and school board members shall remain in effect.

2.10.0~~2010~~ Election and duties of president and vice-president.

...

2.10.0~~3020~~ Filling of vacancies.

...

2.10.0~~4030~~ Members ineligible to certain offices.

...

2.10.0~~5040~~ Disorderly behavior of members – Malfeasance or misfeasance in office.

...

2.10.0~~6050~~ Removal of officers.

...

2.10.0~~7060~~ Authority as to extension of water and sewer lines and improvement of streets to promote industrial development.

...

Article II. Meetings

2.10.0~~8070~~ When regular meetings held – Adjourned or postponed meetings.

...

2.10.0~~9080~~ Quorum.

138 ...

139

140 **2.10.100090 Rules of procedure generally.**

141 ...

142

143 **2.10.110100 Suspension of rules of procedure.**

144 ...

145

146 **2.10.120110 Form of petitions and communications.**

147 ...

148

149 **2.10.130120 Members required to vote – Exceptions.**

150 ...

151

152 **2.10.140130 Reconsideration of vote.**

153 ...

154

155 **2.10.150140 Viva-voce vote in elections by council.**

156 ...

157

158 Article III. Ordinances and Resolutions

159

160 **2.10.160150 Passage, amendment and repeal generally – Signature of presiding officer.**

161 ...

162

163 **2.10.170160 Style.**

164 ...

165

166 **2.10.180170 Special requirements for appropriations, tax levies, etc.**

167 ...

168

169 **2.10.190180 Required vote on ordinance disposing of property or franchise.**

170 ...

171

172 **2.10.200190 Effect of new ordinance on prior offenses, penalties, rights, etc.**

173 ...

174

175 **2.10.210200 Repeal not to revive former ordinance.**

176 ...

177

178 In all other respects, the provisions of Title 2, Administration, of the Staunton

179 City Code remain the same and are hereby restated, confirmed and reordained.

180

181 Introduced:

182 Adopted:

183 Effective Date:

184
185
186
187
188
189
190
191
192

Andrea W. Oakes, Mayor

ATTEST: _____
Rachael Zinni, Clerk of Council

DRAFT

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	June 24, 2021	Steven L. Rosenberg City Manager
Item #	4 & D	
Ordinance #		
Department:	City Manager	
Council Vision:	Responsive, Efficient Government	
Subject:	Resolution Ending the Local Emergency Declared March 16, 2020	

Background: On March 12, 2020, the Commonwealth of Virginia declared a statewide state of emergency to coordinate Virginia's response to the potential spread of novel coronavirus (COVID-19). On March 16, 2020, the City Manager declared a local emergency due to the outbreak and potential spread of novel coronavirus (COVID-19). The Council ratified the City Manager's declaration of emergency on March 18, 2020.

The introduction of vaccines and the coordination of vaccine distribution has resulted in a substantial decrease in COVID-19 cases, hospitalization, and deaths in both the City of Staunton and the Commonwealth of Virginia. The Commonwealth of Virginia's state of emergency will conclude on June 30, 2021.

The proposed resolution for your consideration will end the local declaration of emergency on June 30, 2021.

Council is requested to consider and adopt the attached proposed resolution to end the locally declared emergency.

Attachments:

Attachment 1— Declaration of Local Emergency by the City of Staunton Local Director of Emergency Management

Attachment 2—Adopted Resolution of the Council of the City of Staunton, Virginia Consenting to and Confirming Declaration of a Local Emergency Beginning March 16, 2020

Attachment 3—Proposed Resolution of the Council of the City of Staunton, Virginia Ending the Local Emergency Declared March 16, 2020

City Manager's Recommendation: Recommend adoption of the proposed resolution, as presented.

Suggested Motion: I move to adopt the proposed resolution to end the local emergency declared March 16, 2020, in the City of Staunton on June 30, 2021.

City Manager: Steven L. Rosenberg

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46

**RESOLUTION
OF THE
COUNCIL OF THE CITY OF STAUNTON, VIRGINIA
ENDING THE LOCAL EMERGENCY
DECLARED AUGUST 8, 2020**

Recitals

A. Virginia Code § 44-146.21 authorizes the declaration of a local emergency;

B. Section 11 of Chapter II of the Charter of the City of Staunton also grants broad powers to City Council, including the power to pass all laws for the health and protection of the citizens and their property, under the provisions of Paragraph TWENTY-FIRST of such Charter;

C. On March 12, 2020, the Commonwealth of Virginia declared a state of emergency, to prepare and coordinate Virginia's response to the potential spread of novel coronavirus (COVID-19);

C. On March 16, 2020, Steven L. Rosenberg, City Manager and Emergency Management Director of the City of Staunton, Virginia did find and declare the occurrence and threat of COVID-19's outbreak and potential spread a local emergency pursuant to Virginia Code §44-146.21;

D. At its March 18, 2020 regular meeting, City Council adopted a resolution consenting to and confirming the declaration of a local emergency retroactive to and including March 16, 2020;

E. The outbreak and potential spread of COVID-19 which warranted the declaration of a local emergency has subsided and no longer constitutes a threat to substantial damage to property or injury or harm to the population;

F. The Commonwealth's state of emergency will conclude on June 30, 2021;

G. According to the City Manager, it is believed that all emergency actions have been taken and it is now appropriate for City Council to end the declared emergency, as contemplated under Virginia Code § 44-146.21; and

H. 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 local emergency declared March 16, 2020, be, and is hereby, declared **ENDED** on June 30, 2021.

Introduced:

Adopted:

Effective:

Andrea W. Oakes, Mayor

Attest: _____
Rachael M. Zinni, Clerk of Council

DRAFT



CITY OF STAUNTON, VIRGINIA

Proclamation

LGBTQ+ Pride Month & The Shenandoah LGBTQ Center

- WHEREAS,** our nation was founded on the principle of equal rights for all people, but the fulfillment of this promise has been long in coming for many Americans; and
- WHEREAS,** the historical riot at Stonewall in New York City on June 28, 1969 is recognized as the beginning of the modern-day LGBTQ+ civil rights movement and, as a result, for more than 50 years, June has been celebrated as LGBTQ+ Pride Month nationwide; and
- WHEREAS,** everyone should be able to live without fear of prejudice, discrimination, violence, and hatred based on race, ethnicity, religion, class, gender identity, sexual orientation, age, mental or physical disability and to be supported by their peers, educators, and community leaders; and
- WHEREAS,** the fabric of our community is strengthened by the values of inclusion, justice, diversity, acceptance, love, and kindness, not only during this month of remembrance, patronage and recognition, but throughout the year; and
- WHEREAS,** Staunton has a diverse LGBTQ+ community and is committed to supporting visibility, dignity, and equity for all people in the community; and
- WHEREAS,** The Shenandoah LGBTQ Center of Staunton, Virginia was established in July 2018, by Christopher Wood to address the unique challenges faced by the rural LGBTQ+ community and is a community-based organization that strengthens this community through advocacy, education, programs and safe spaces; and
- WHEREAS,** the Center has served more than 200 members of the community since its inception, and continues to offer programs and support for individuals aged 14 through 65+ on a confidential basis, through all phases of their journey as LGBTQ+ people; and
- WHEREAS,** consistent with the efforts of the Center, the City of Staunton strives to be a community where everyone is celebrated for our differences, rather than being limited by what might divide us.

NOW, THEREFORE, BE IT PROCLAIMED by Staunton City Council that the entire month of June 2021, is hereby designated as

LGBTQ+ Pride Month

in the City of Staunton, and Council honors The Shenandoah LGBTQ Center and its work to serve the LGBTQ+ community, encourages the citizens of Staunton to celebrate their diverse community, and joins our LGBTQ+ community in celebrating the resiliency of LGBTQ+ people of all ages.

Adopted this 24th day of June, 2021.

ANDREA OAKES, MAYOR

ATTEST: _____
CLERK OF COUNCIL



CITY OF STAUNTON, VIRGINIA

Proclamation

Juneteenth Independence Day June 19, 1865

- WHEREAS,** President Abraham Lincoln's Emancipation Proclamation was issued January 1, 1863; and
- WHEREAS,** news of the end of slavery did not reach the frontier areas of the United States, and in particular the Southwestern States, for over two and a half years; and
- WHEREAS,** on June 19, 1865, Union soldiers, led by Major General Gordon Granger, arrived in Galveston, Texas, with news that the Civil War had ended and that 250,000 enslaved African Americans were free; and
- WHEREAS,** African Americans who had been slaves in the Southwest celebrated June 19, commonly known as "Juneteenth Independence Day," as inspiration and encouragement for future generations; and
- WHEREAS,** Juneteenth also serves as a reminder of the work yet to come that will be necessary in order to ensure a more equitable world for future generations; and
- WHEREAS,** Juneteenth became a Virginia state holiday effective June 2021 under Governor Ralph Northam and it was made a federal holiday on June 17, 2021, by President Joe Biden; and
- WHEREAS,** Staunton City Council recognizes that the observance of the end of slavery is a part of the history and heritage of the United States and acknowledges the historical significance of Juneteenth Independence Day.

NOW, THEREFORE, BE IT PROCLAIMED by Staunton City Council that June 19, 2021, is hereby recognized as

Juneteenth Independence Day

in the City of Staunton, and Council encourages all residents to join this year and in subsequent years in celebration and solidarity and urges all residents to actively raise their own awareness of

the significance of this celebration in African American History and in the heritage of our nation and City.

Adopted this 24th day of June, 2021.

ANDREA OAKES, MAYOR

ATTEST: _____
CLERK OF COUNCIL

City Council
WORK SESSION
June 10, 2021
5:00 p.m.

Council Members Present: Mayor Oakes, Vice Mayor Robertson, Council Members Claffey, Darby, Holmes and Mead. Participating by Zoom platform was Council Member Dull.

Mayor Oakes called the meeting to order: Mayor Oakes called the meeting of Staunton City Council to order.

Mayor Oakes stated “On May 6, 2021, I received a request from Councilor Dull to participate remotely in the May 27, 2021 Staunton City Council meeting due to a temporary disability/medical condition that prevents her physical attendance at the meeting. I will now entertain a motion to allow Councilor Dull’s remote participation in this meeting pursuant to Staunton City Council Procedural Memorandum Number Three.”

Ms. Mead said, “Pursuant to Staunton City Council Procedural Memorandum Number Three, I move to allow Councilor Dull to remotely participate in the May 27, 2021 Staunton City Council meeting due to a temporary disability/medical condition.”

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

Mayor Oakes	aye	Mr. Holmes	aye
Vice Mayor Robertson	aye	Ms. Mead	aye
Mr. Claffey	aye		
Ms. Darby	aye		

Mayor Oakes asked Councilor Dull to state the location from which she was participating. Ms. Dull responded that she was at 1003 East Beverley Street, Staunton, Virginia. Mayor Oakes asked Council and the audience if they could hear Councilor Dull. The response was affirmative.

1. Consideration of Work Session and Regular Meeting Agendas

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

Vice Mayor Robertson moved to amend the Regular Meeting agenda with an addition of Item E for a discussion the Staunton Crossing property.

Ms. Mead inquired about any available information to consult on Item E and inquired if it was a discussion versus a consideration in which to vote.

Vice Mayor Robertson clarified that there will be a presentation only during the regular agenda and that no voting would take place on this issue of the Staunton Crossing property. That it would not be considered in the work session for the evening, so that those previously slated items could be considered and worked through.

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

50				
51	Mayor Oakes	aye	Ms. Dull	no
52	Ms. Mead	no	Mr. Claffey	aye
53	Mr. Holmes	aye	Ms. Darby	aye
54	Vice Mayor Robertson	aye		
55				

56 Vice Mayor Robertson moved to approve the Work Session agenda and Regular Meeting agenda
57 as amended.

58
59 The motion was seconded by Mr. Holmes and carried as follows:

60				
61				
62	Ms. Darby	aye	Mr. Holmes	aye
63	Mr. Claffey	aye	Ms. Mead	no
64	Ms. Dull	no	Mayor Oakes	aye
65	Vice Mayor Robertson	aye		
66				

67 **2. Presentation on Potential for Safety Improvement for 10 City Intersections (8 –**
68 **Downtown and 2 – West Beverley St.)**

69
70 City Planner Rodney Rhodes stated, “Under the Strategically Targeted and Affordable Roadway
71 Solutions Program, ATCS, a professional engineering consulting firm, was assigned to study the
72 intersections identified on West Beverley Street and in downtown Staunton as having Potential for
73 Safety Improvement (PSI). The goal of the study is to generate short and long-term solutions for
74 mitigating crashes and improving conditions for vehicles and pedestrians. The study performed a
75 detailed, safety-focused analysis of eight PSI-ranked intersections on various roadways in the City
76 of Staunton and two downtown locations noted as priority intersections in the Staunton Bicycle
77 and Pedestrian Plan.

78
79 Representatives of ATCS and the Virginia Department of Transportation will provide Council a
80 summary of potential solutions for the 10 intersections. The complete study will be available to
81 the public later this month for their review and comment.”

82
83 Adam Campbell, Assistant District Planner with the Virginia Department of Transportation,
84 Nathan Umberger, Project Manager with ATCS, and Anne Cundy, a representative of the
85 Staunton/Augusta/Waynesboro NPO, were representatives in presenting data compiled from the
86 STARS Program.

87
88 Mr. Campbell presented opening remarks and basic parameters of the STARS project.

89
90 Mr. Umberger gave a brief, finer detailed overview of each portion of what the STARS project
91 found through their data collection. This included potential increase in signage; change in lane
92 markings; plans for accommodating trucks loading, pedestrian safety, and growth of businesses on
93 a wider sidewalk; along with removing some traffic signals that are counterproductive to the flow
94 of traffic. A rough timeline of the process in which the study would continue on was also provided.

95
96 Mayor Oakes asked if Council had any questions or comments.

97

Mr. Holmes voiced concern about the lack of signage, especially around New Street, in that the “One Way” street sign is not easily visible when driving. He also voiced that the one way street might have been from a prior transportation plan, but that the space is vital to keep for parking in that area for businesses. Mr. Umberger stated that this is an area in which the project is evaluating to allow for proper visual signage.

Mr. Holmes further inquired about potential signal changes, changes in markings of lanes, and clarification of the potential proposals of both, including if any turns would be manipulated to negatively impact flow of traffic or have a great negative impact to local businesses. Mr. Umberger reaffirmed that there was data showing timing of turn lights could be adjusted, but that there would not be a removal of turn lanes, along with being cognizant of the tightness in turning for pedestrian safety. He also stated that there would be minimal impact to traffic in adjusting signal timing.

Vice Mayor Robertson spoke to receive further clarification for the bike lanes being proposed and the safety of bicyclists and motor vehicle operators when it comes to space for safety. Mr. Umberger stated that Virginia Department of Transportation standards were being met and another benefit would be that slower speeds could be a product of the bike lanes.

Mr. Holmes asked about median islands for larger lanes, in which Mr. Umberger confirmed that there would be no restrictions in movement of vehicles in the lanes, but provide a safe space for pedestrians to wait in crossing the street. Mr. Holmes also asked for clarification on the two-lane to one lane concept proposed for certain streets. Mr. Umberger responded that this was a finding to where businesses could benefit (i.e. more parking, room for large trucks to unload/load products) and being more mindful of public safety concerning citizens to make those streets a one-way street.

Mr. Claffey questioned the sidewalk bump outs referred to in parts of the presentation, if parking would be utilized between them, and if they would be utilized in other streets evaluated. Mr. Umberger stated this was one way to have them be parking zones, busing route stops, but that this is just one example of how the layout could look.

Ms. Mead inquired if the study accounted for the hearing-impaired population and how they could be affected by the changes. Mr. Umberger stated that not only did they have assistive devices for the visually impaired with auditory cues, but that the signals would include the mandates provided by Americans with Disabilities Act.

Mr. Holmes wanted clarification on the roundabouts and if they would impede on existing sidewalk usage, if any. Mr. Umberger answered that no new space would be taken from any businesses or sidewalks to allow for the roundabout.

Vice Mayor Robertson asked for a basic monetary figure for the implementation of the results of the STARS project. Mr. Campbell and Mr. Umberger gave an example of a recent project in which two million dollars was funded by the State of Virginia, but no dollar figure was provided at this time.

Council members did not have any further questions.

3. City Council Procedure Memoranda

City Attorney John Blair continued in reviewing council procedures from the previous meeting, including reviewing input received by council members throughout the week on potential changes to the procedures being discussed. He also informed the Council that a supermajority vote, as previously inquired by members of Council, could not legally require a supermajority vote per State Code.

Mr. Blair summarized Memorandum Four, stating that the applicant in a land use matter can make a presentation prior to a public hearing about their matter, so that Council could speak with the applicant and address any questions Council might have in the matter. The incorporation of Zoom participation, which is worded in Memorandum 18, would also be added to Memorandum Four to allow for Zoom participation for public hearings.

Discussion ensued in that there was a preference to explicitly state that the Zoom participation would be allowed in Memorandum Four and not removed due to Memorandum 18.

Vice Mayor Robertson's suggestions for Matters from the Public in Memorandum Four were discussed.

Discussion ensued on potential shortened time limits, limiting the number of speakers, allowing Zoom participation, changing the position of Matters from the Public to another point in the Regular Agenda, and various other points to exhaust discussion and options for this portion of Memorandum Four.

At one point during discussion, Mr. Blair clarified the difference in public hearings and Matters from the Public. Public hearings cannot have a restriction on participants, but can have a restriction on time to present, unlike Matters from the Public, where time and participant numbers can be restricted.

Break at 6:05 p.m.

Reconvened at 6:20 p.m.

Further discussion on Memorandum Four continued. Comparative discussion in how the School Board runs their Matters of the Public filtered in with previous guidelines being discussed for potential changes. Other jurisdiction procedures were brought up to assist in evaluating more input on this memorandum from members of Council.

Each council member gave their input on what they envision for Memorandum Four. Mr. Blair summarized the feedback from the major of Council. Memorandum Four will state that public hearings will be at five minutes for speaking per participant and that the participants are unlimited. For Matters from the Public, that portion of the City Council Meeting will remain at the end, three-minute time limit per participant, no participant limit, and alternating between in person and Zoom participants during that time.

Discussion on Memorandum Five, which pertains to the role of the City Manager approving and submitting grant applications, commenced. City Manager Steve Rosenberg stated that he would share the past wording with Mr. Blair on the memorandum from the previous starting point last July.

Memorandum Six currently states that a member of council could be overturned by a majority vote in voicing their want of abstaining from an issue, excluding the issues covered under the Conflict of Interest Act. After discussion and clarification on current procedure and the Code of Virginia, it was decided that a member of council could abstain their vote without a vote by City Council to allow the abstention. The council member requesting to abstain from a vote would also have to state on record the reason to why the abstention is taking place, to further clarify that it could be seen as having an appearance of a conflict of interest, as opposed to refraining from voting on a contentious issue. A council member could also abstain from voting on minutes in which they were not present for in the originating meeting.

Memorandums Seven through 11 were not discussed, as no comments or questions were presented from Council to Mr. Blair.

Memorandum 12 changes were discussed at this time. This particular section deals with the spending of public funds for Council outside of the annual financial budget, including the Mayor's ability to spend an emergency \$250 fund. Reporting of any of the funds spent should be reported at the next meeting was also conferred.

Memorandum 14 gives guidelines on how public facilities are named after living or deceased individuals, including a period of waiting for naming after a person has been deceased. After conference on this matter, Council agreed that there would not need to be a wait in naming a public facility after a deceased person.

Memorandum 15 provides insight more on grant applications and funding, more specifically when it comes to matching tax dollars, and the transparency as an agenda item during City Council meetings. It was decided by Council, after dialog, that the agenda item will not be in consent format, but as a separate agenda item, as has been past practice.

Memorandum 16 deals with the Freedom of Information Act (FOIA). Topics discussed included that the FOIA Officer for the City of Staunton will handle FOIA requests for City provided email; Council members can charge, per salary guidelines, to handle a FOIA request themselves; and that a thumb drive would be provided for three years' worth of emails after a member of Council is no longer actively seated.

As time was expiring for this Work Session, it was discussed that the rest of the items still pending on the agenda would be discussed during the Regular Agenda session, to allow all items to be discussed and not further pending into the next Council Work Session Agenda.

The work session adjourned at 7:25 p.m.

Rachael ML Zinni
Clerk of Council

REGULAR MEETING OF STAUNTON CITY COUNCIL**Thursday, June 10, 2021****7:30 p.m.****Rita S. Wilson Council Chambers**

PRESENT: **Mayor Andrea Oakes**
 Mark Robertson, Vice Mayor
 Stephen W. Claffey
 Amy G. Darby
 Carolyn W. Dull (remote participant)
 R. Terry Holmes
 Brenda O. Mead

ALSO PRESENT: **Steven Rosenberg, City Manager**
 Leslie Beauregard, Assistant City Manager
 John Blair, City Attorney
 Rachael ML Zinni, Clerk of Council

Mayor Oakes called the meeting to order: Mayor Oakes called this meeting of Staunton City Council to order. Mayor Oakes stated that mask wearing is encouraged for non-vaccinated individuals, not required for vaccinated individuals, and that hand sanitizing stations are placed inside and outside chambers for use.

Rachael Zinni was welcomed as the new Clerk of Council. Morgan Smith was thanked for her service as Interim Clerk of Council.

The Pledge of Allegiance was recited in unison.

The invocation/moment of silence was given by Vice Mayor Robertson.

MAYOR'S REPORT

Mayor Oakes had the honor of throwing out the first pitch prior to the June 5, 2021, Staunton Braves baseball game.

Mayor Oakes also attended a luncheon that was given by the Colonel Thomas Huber Chapter of the Daughters of the Revolution (DAR), where Vietnam War Veterans were honored.

Mayor Oakes read the following:

Woodrow Wilson and his 1919 Pierce Arrow Presidential Limousine to visit the Staunton Braves game on Friday, June 11, 2021

Staunton, Virginia- The 28th President and Staunton native, Woodrow Wilson, and his beloved 1919 Pierce Arrow Presidential Limousine will visit the Staunton Braves Home Game on Friday, June 11, 2021 at 7:00 pm at John Moxie Memorial Stadium in Gypsy Hill Park.

A huge fan of baseball throughout this life, the former president, portrayed by local historian Judd Bankert, will throw out the first pitch. The 1919 Pierce Arrow is the oldest still-operational

50 presidential limousine in the country and is permanently on display at the museum at 20 North
51 Coalter Street in downtown Staunton.

52
53 Before the game, Woodrow Wilson will be available for photos and autographs. Game attendees
54 will receive \$2 off admission to the Woodrow Wilson Presidential Library and Museum as well as
55 a 20% off coupon at the President's Gift Shop.

56
57 The Staunton Braves are one of 11 teams in the Valley Baseball League – one of the oldest and
58 most prestigious summer collegiate leagues in the country. Founded in 1923, the Valley Baseball
59 League provides a place in the beautiful Shenandoah Valley for top college players to play pure
60 wood bat baseball against top-level competition in a festive community atmosphere. The Valley
61 League is one of 11 leagues supported and partially funded by Major League Baseball and is one
62 of 11 leagues affiliated with the NACSB – an alliance of college summer wooden bat leagues that
63 follow NCAA rules. The VBL has been named one of the top leagues in the country by Baseball
64 America. To find locations for FREE game tickets, please visit:
65 <https://www.stauntonbravesbaseball.com/about-3>.

66
67 The Woodrow Wilson Presidential Library and Museum is an educational institution dedicated to
68 the study of the life of President Wilson and times in which he lived. In addition to welcoming
69 museum visitors from around the world, the Presidential Library produces online educational
70 programming for people of all ages. The Museum is located at 20 N. Coalter Street and is currently
71 open from 10 a.m. to 4 p.m., Monday – Saturday, and 12 – 4 p.m. on Sundays. For additional
72 information, call 540-885-0897 x 113 or visit www.woodrowwilson.org.

73
74 Information on the 5th Annual Shenandoah Valley Juneteenth Celebration, which will happen on
75 June 19, 2021, at 5:00pm, was given by Mayor Oakes. It is a free event and all are welcome to
76 attend this event at the Frontier Cultural Museum.

77
78 Mayor Oakes voiced her well wishes and continued prayers for Tyler Zombro, a local baseball
79 pitcher who was hit in the head while pitching for the Durham Bulls minor league baseball team
80 in the previous week, and his family.

81 82 **ADDITIONAL ITEMS BY MEMBERS OF COUNCIL**

83
84 Mr. Claffey notified Council of the Nominations Committee appointments and reappointments
85 from the June 1, 2021, meeting. Appointments included: Bicycle and Pedestrian Advisory
86 Committee – Meneta Deaton to replace the unexpired term of Benjamin Brewer beginning July 1,
87 2021 and expiring January 31, 2022; Blue Ridge Community College Board – Janet Ewing for a
88 four-year term beginning July 1, 2021 and expiring June 30, 2025; Landscape Advisory Board –
89 Marnie Sheets for a three-year term beginning July 1, 2021 and expiring June 30, 2024; Lewis
90 Creek Watershed Advisory Committee – Jim Kivlighan and Nicholas Palacio for three-year terms
91 beginning July 1, 2021 and expiring June 30, 2024; Valley Community Services Board – Ross
92 Parker for a three-year term beginning July 1, 2021 and expiring June 30, 2024; Shenandoah
93 Valley Partnership – Amanda DiMeo for a two-year term beginning July 1, 2021 and expiring June
94 30, 2023. Reappointments included: Captain Brian Brown, Dan Wright and Trafford McRae to
95 the Bicycle and Pedestrian Advisory Committee for two-year terms beginning July 1, 2021 and
96 expiring June 30, 2023; Sharon Angle to the Central Shenandoah Planning District Commission
97 for a three-year term beginning July 1, 2021 and expiring June 30, 2024; Carter Lively to the
98 Historic Preservation Commission for a three-year term beginning July 1, 2021 and expiring June

30, 2024; Zachary Long to the Joint IDA of the County of Stafford and the City of Staunton for a four-year term beginning July 1, 2021 and expiring June 30, 2025; Matthew Shreckhise to the Landscape Advisory Board for three-year terms beginning July 1, 2021 and expiring June 30, 2024; Tom Yeago and Doug Wolfe to the Lewis Creek Watershed Advisory Committee for three-year terms beginning July 1, 2021 and expiring June 30, 2024; Bruce Rupert to the Recreational Advisory Committee for a three-year term beginning July 1, 2021 and expiring June 30, 2024.

As the Nominations Committee made a motion to appoint and reappoint members to various boards and committees, a second was not necessary. The motion carried as follows:

Ms. Darby	aye	Mr. Holmes	aye
Mayor Oakes	aye	Mr. Claffey	aye
Vice Mayor Robertson	aye	Ms. Dull	aye
Ms. Mead	aye		

Ms. Mead attended "Clean the Bay Day" on June 5, 2021, with members of the Friends of the Middle River in the Lewis Creek Watershed near the Virginia School for the Deaf and Blind. She stated that while there were fewer plastic straws, there were more plastic bags that were in extremely small pieces. She hopes that the community and beyond will be more aware of the harm from plastic bags, just as they have improved on plastic straw waste awareness.

Ms. Darby and other members attended the Veterans of Foreign Wars program on Memorial Day, thanking them for such a wonderful service.

Mayor Oakes recognized the School Board members that were in attendance.

APPROVAL OF MINUTES

Ms. Mead moved to approve the Work Session and Regular Meeting Minutes of May 27, 2021 presented.

The motion was seconded by Vice Mayor Robertson and carried as follows:

Ms. Dull	aye	Vice Mayor Robertson	aye
Mr. Claffey	aye	Mayor Oakes	aye
Mr. Holmes	aye	Ms. Darby	aye
Ms. Mead	aye		

REGULAR MEETING

A. Staff Recognition

Mark Holland, retired Public Works' Traffic Engineering and Equipment Maintenance Superintendent, attended Council's regular meeting to receive recognition on the occasion of his recent retirement from City service.

City Manager Steve Rosenberg made remarks about Mr. Holland's tenure at the City of Staunton. Mr. Holland received his Certificate of Appreciation from Mayor Oakes, then made a short statement of thanks.

B. Public Hearing and Consideration of a Request by Billy and Peggy Vaughn for a Special Use Permit for 320 N. Central Avenue and 321 N. Lewis Street for a Child Daycare Facility

Billy and Peggy Vaughn, owners of Bears and Blankets Academy of Early Learning, have submitted an application for a Special Use Permit to convert an existing building located at 320 N. Central Avenue to a child daycare facility and also to utilize two vacant lots located at 321 N. Lewis Street as a playground for the child daycare. Both of the referenced addresses are owned by Three Twenty Associates, of which Bears and Blankets Academy of Early Learning has entered into a contract to purchase. Both Properties are zoned B-2, General Business District. In the B-2, General Business District, "Day Nurseries, Private" (child Daycare) is permitted only by Special Use Permit.

Since 1984, Bears and Blankets Academy of Early Learning has been a child daycare located at 315 N. Lewis Street. The owners now wish to expand the daycare and utilize the two additional properties.

Rodney Rhodes, Senior City Planner, stated that Mr. Vaughn, even though employed with the City as Director of Community Development, has not discussed this permit outside of official capacity of applications or during the Planning Commission meeting. Mr. Rhodes presented the history and facts on the building, as well as communicated the details from the application and evaluation made from the Planning Commission on this Special Use Permit. He stated that the Planning Commission approved the request for this permit with conditions. He remarked that no objections were made either during public hearings from citizens or in the days following to this City Council meeting.

Mayor Oakes asked Council members if they had any questions.

Ms. Darby inquired about how many jobs would be created from this expansion. Mr. Rhodes stated he was informed that 18 jobs would be created per the information on the application, but that Mr. and Mrs. Vaughn would be able to speak to that better.

Vice Mayor Robertson wanted to confirm that there were three properties and two buildings total in this proposal. Mr. Rhodes confirmed that was correct.

Mr. Claffey voiced his concern over the bridge that the children would have to cross from Central Avenue to Lewis Street to be able to access the playground, and if there were any safety requirements. Mr. Rhodes stated that there is no requirement for the bridge in terms of official capacity and that the staff did not indicate any safety issues with the bridge.

Mr. Vaughn stated that the bridge is in use by parents to pick up their children currently from where the parking lot sits in conjunction with the current daycare. He continued to explain that no railings were put on bridge so that the children enrolled at the daycare could not climb on the structure. He indicated that the bridge is also designed that way to allow for the flow of water, as the property is in the flood plain, and the current structure allows for the bridge to easily rise and fall with the ebb and flow of flood water. There are no safety issues with the bridge.

Mr. Vaughn made remarks that Mrs. Vaughn has an extensive waiting list currently, and that by approving the Special Use Permit, more quality childcare could be given to the community, along with new employment opportunities.

Mrs. Vaughn emphasized that early childhood education is provided, not just a daycare for children. She reported that she has to follow State of Virginia licensing requirements for the teachers she employs, and that by doubling her attendance from 64 children, she essentially would have to double the number of people employed.

Ms. Dull agreed that quality childcare is essential to the City of Staunton.

Council members did not have any further questions.

The public hearing was opened.

With there being no one wishing to speak, the public hearing was closed.

Ms. Darby moved that Council approve the Special Use Permit for 320 N. Central Ave and 321 N. Lewis Street, with the conditions as recommended by the Planning Commission.

The motion was seconded by Vice Mayor Robertson and carried as follows.

Ms. Mead	aye	Ms. Darby	aye
Mr. Holmes	aye	Mayor Oakes	aye
Mr. Claffey	aye	Vice Mayor Robertson	aye
Ms. Dull	aye		

C. Procedural Ordinance Amendments

On May 27, 2021, the Staunton City Council began its discussion of its procedures. As part of that discussion, the City Attorney presented three proposed amendments to the Staunton City Code.

The proposed amendment to Staunton City Code Section 2.10.070 provides that the Council may cancel one of its regular meetings by a majority vote. This is a current practice of Council, and the ordinance codifies the practice.

The proposed amendment to Staunton City Code Section 2.10.080 conforms the Staunton City Code to the Virginia State and Local Government Conflict of Interests Act (COIA) for purposes of establishing a quorum. 2007 amendments to COIA state that if a majority of Council members are disqualified from a transaction due to potential conflicts of interests, the remainder of Council members shall constitute a quorum. The amendment states that if a majority of Council members are disqualified from a transaction pursuant to COIA, the remaining members of Council constitute a quorum.

The proposed Staunton City Code Section 2.10.095 establishes that the Council's procedures are found in Council Procedure Memoranda which are reviewed at least once every two years when new Council members are inducted. Additionally, the language within the proposed ordinance permits the Council to review and amend the Memoranda at any time it desires.

Mayor Oakes asked Council members if they had any questions.

Council members did not have any questions.

Ms. Mead stated to the citizens that memoranda can always be reviewed and amended at any time by Council for any reason.

Vice Mayor Robertson moved to adopt amended ordinances for the following Staunton City Code sections: 2.10.070 and 2.10.080, and to enact Staunton City Code section 2.10.095.

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

Mr. Claffey	aye	Vice Mayor Robertson	aye
Ms. Dull	aye	Ms. Mead	aye
Ms. Darby	aye	Mr. Holmes	aye
Mayor Oakes	aye		

Ordinance No. 2021 - 15

AN ORDINANCE AMENDING, RESTATING AND REORDAINING CHAPTER 2.10, CITY COUNCIL, OF TITLE 2, ADMINISTRATION, OF THE STAUNTON CITY CODE TO ESTABLISH WHEN CITY COUNCIL MAY CANCEL A REGULAR MEETING

Recitals

A. Section 15.2-1416 of the Code of Virginia provides that at its organizational meeting, a governing body shall establish the days, times and places of regular meetings to be held during the ensuing months;

B. Staunton City Council conducts its organizational meeting biennially at the first meeting during which new Council members are inducted, and at that time, Council adopts a resolution establishing its regular meeting dates for the next two years;

C. The resolution adopted by Council typically provides for the cancellation of the second regularly scheduled meeting of Council during the months of November and December, however it does not provide for the scheduled cancellation of any other meetings throughout the biennial;

D. The City Attorney has determined that the Staunton City Code merits amendment to codify the process by which City Council may cancel a regular meeting not previously contemplated in the adopted resolution;

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

F. 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 Chapter 2.10, City Council, of Title 2, Administration, of the Staunton City Code is **HEREBY AMENDED, RESTATED, AND REORDAINED** as follows:

2.10.070 When regular meetings held – Adjourned or postponed meetings.

The Council shall hold regular meetings on the second and fourth Thursdays of each month, at such hour, as it may designate, and shall meet at any other time to which it may be regularly adjourned or postponed. If a quorum fails to attend, those attending may adjourn to such other time prior to the next regular meeting as they may 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.

The Council may, by a majority vote, cancel a regular meeting provided that the Council conducts at least one regular meeting each month in a calendar year.

In all other respects, the provisions of Section of Chapter 2.10, City Council, of Title 2, Administration, of the Staunton City Code remain the same and are hereby restated, confirmed and reordained.

Introduced: May 27, 2021
Adopted: June 10, 2021
Effective Date: June 10, 2021

/s/Andrea W. Oakes
Andrea W. Oakes, Mayor

ATTEST: /s/Rachael ML Zinni
Rachael Zinni, Clerk of Council

Ordinance No. 2021 - 16

**AN ORDINANCE AMENDING, RESTATING AND REORDAINING
SECTION 2.10.080, QUORUM, OF CHAPTER 2.10, CITY COUNCIL,
OF TITLE 2, ADMINISTRATION, OF THE STAUNTON CITY CODE
TO ALIGN WITH THE CODE OF VIRGINIA**

Recitals

A. It has been ascertained that Section 2.10.080, Quorum, of the Staunton City Code (SCC) merits amendment to align with the Code of Virginia;

B. Sections 2.2-3112 and 15.2-1415 of the Code of Virginia have been amended to provide that notwithstanding any other provision of law, if the disqualification of a local government officer who has a personal interest in a transaction leaves fewer than the number required by law to act, the remaining member or members shall constitute a quorum for the conduct of business and have authority to act for the public body by majority vote;

C. The City Attorney has determined that the Staunton City Code merits updating to align with the Code of Virginia;

D. This matter has been properly heard, and considered; and

E. 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 2.10.080, Quorum, of Chapter 2.10, City Council, of Title 2, Administration, of the Staunton City Code is **HEREBY AMENDED, RESTATED, AND REORDAINED** as follows:

2.10.080 Quorum

A majority of the members of the Council shall constitute a quorum for the transaction of all business that does not require more than a majority vote of those present to determine. For the transaction of business requiring more than a majority vote of those present to determine, a quorum shall consist of such number of members as are required by law for the determination of such business.

If the Virginia State and Local Government Conflict of Interests Act prohibits a majority of the members of Council from participating in a transaction, the remainder of Council members shall constitute a quorum pursuant to Virginia Code Sections 2.2-3112 and 15.2-1415 as may be amended from time to time.

In all other respects, the provisions of Section 2.10.080, Quorum, of Chapter 2.10, City Council, of Title 2, Administration, of the Staunton City Code remain the same and are hereby restated, confirmed and reordained.

Introduced: May 27, 2021
Adopted: June 10, 2021
Effective Date: June 10, 2021

/s/Andrea W. Oakes
Andrea W. Oakes, Mayor

ATTEST: /s/Rachael ML Zinni
Rachael Zinni, Clerk of Council

Ordinance No. 2021 - 17

**AN ORDINANCE AMENDING, RESTATING AND REORDAINING
CHAPTER 2.10, CITY COUNCIL,
OF TITLE 2, ADMINISTRATION, OF THE STAUNTON CITY CODE
TO ADD NEW SECTION 2.10.095, MEMORANDA REGARDING COUNCIL
ADMINISTRATIVE PROCEDURE**

Recitals

A. Section 15.2-1416 of the Code of Virginia provides that governing bodies shall have an organizational meeting;

B. Staunton City Council conducts its organizational meeting biennially at the first meeting during which new Council members are inducted;

C. City Council has established the practice of reviewing its procedure memoranda biennially at its organizational meeting;

D. The City Attorney has determined that the Staunton City Code merits amendment by addition of a new section to formally codify the process by which City Council will review its procedure memoranda;

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

F. 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 Chapter 2.10, City Council, of Title 2, Administration, of the Staunton City Code is **HEREBY AMENDED, RESTATED, AND REORDAINED** to add Section 2.10.095, Memoranda regarding council administrative procedures, as follows:

2.10.090 Rules of procedure generally

2.10.095 Memoranda regarding council administrative procedures

At each meeting at which newly elected members are inducted, as prescribed in Section 5 of the Charter of the city, and more often as seen fit, the Council shall review previously approved memoranda of Council administrative procedures and shall reapprove such memoranda, with any amendments, deletions or additions agreed to by a majority of the Council.

In all other respects, the provisions of Section of Chapter 2.10, City Council, of Title 2, Administration, of the Staunton City Code remain the same and are hereby restated, confirmed and reordained.

Introduced: May 27, 2021

Adopted: June 10, 2021

Effective Date: June 10, 2021

/s/Andrea W. Oakes

Andrea W. Oakes, Mayor

ATTEST: /s/Rachael ML Zinni

Rachael Zinni, Clerk of Council

D. **Ordinance Increasing the Number of Commissioners of the Staunton Redevelopment and Housing Authority**

In 1961, the Staunton City Council created the Staunton Redevelopment and Housing Authority (SRHA) and appointed five members to the authority. Consistent with that action, the SRHA currently comprises of five members.

Virginia Code Section 36-11 provides that the Staunton City Council determines the number of SRHA commissioners. The City Council may appoint between five and nine commissioners pursuant to the statute.

On May 27, 2021, the Council considered a proposed ordinance that would expand the number of commissioners from five to seven. After receiving feedback from current commissioners, the Council requested the City Attorney to determine if it would be possible for the proposed ordinance to authorize the appointment of nine commissioners, but not require the immediate appointment of nine commissioners.

A 2010 Opinion of the Virginia Attorney General found that while a certain number of School Board members are authorized for election or appointment, only those members holding office are counted for purposes of establishing a quorum. Additionally, Virginia Code Section 36-12 states that a quorum is determined from commissioners "in office from time to time." The City Attorney is comfortable that the ordinance may permit the appointment of up to nine commissioners without affecting the number of commissioners needed to establish a quorum.

The attached ordinance provides that the Council may appoint up to nine commissioners. As discussed at the May 27th Council Work Session, the Council may begin by appointing two additional commissioners to the current five commissioners who constitute the SRHA board. After giving a seven-commissioner board an opportunity to operate, the Council and SRHA may then determine if two additional commissioners need to be appointed to the SRHA board.

Mayor Oakes asked Council members if they had any questions.

Council members did not have any questions.

Mayor Oakes inquired about clarification on the appointment numbers and the procedure to appoint two more members to nine. Mr. Blair commented that the appointment of two more, to make nine total members, would have to be voted on by Council, but that the ordinance does not need to be amended for this change, as it already encompasses that item with this amendment.

Vice Mayor Robertson moved to adopt the proposed ordinance increasing the number of commissioners of the Staunton Redevelopment and Housing Authority from five to nine, and to appoint two more commissioners at this time for a total of seven.

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

Ms. Dull	aye	Ms. Mead	aye
Ms. Darby	aye	Mr. Holmes	aye
Mayor Oakes	aye	Mr. Claffey	aye
Vice Mayor Robertson	aye		

AN ORDINANCE TO ADD A NEW CHAPTER 2.63, REDEVELOPMENT AND HOUSING AUTHORITY, OF TITLE 2, ADMINISTRATION, OF THE STAUNTON CITY CODE, SPECIFICALLY NEW SECTIONS 2.63.010, EXISTENCE AND POWERS OF REDEVELOPMENT AND HOUSING AUTHORITY; 2.63.020, NUMBER OF COMMISSIONERS; 2.63.030, ELECTION OF CHAIR AND VICE CHAIR; AND 2.63.040, ANNUAL REPORT TO CODIFY PROVISIONS RELATED TO THE STAUNTON REDEVELOPMENT AND HOUSING AUTHORITY.

Recitals

A. Virginia law authorizes the existence of local housing authorities, providing in Section 36-4 as follows:

“In each locality there is hereby enacted a political subdivision of the Commonwealth, with such public and corporate powers are as set forth in this chapter, to be known respectively as the ‘ (insert name of locality) Redevelopment and Housing Authority’ (hereafter referred to as ‘authority’); provided, however, that any authority not now activated shall not transact any business or exercise any powers authorized under this chapter until or unless the qualified voters of such locality shall by a majority vote of such qualified votes voting in a referendum . . . ‘

“When the need for [a housing] authority in a city or county has been determined in the manner prescribed by law, the governing body of the city or county shall appoint not more than nine or less than five persons as commissioners of the authority. The governing body of the city or county may subsequently increase the number of commissioners of the authority to a maximum of nine.”

B. In 1961, the City of Staunton established a redevelopment and housing authority, and its membership has included five commissioners appointed by the City Council.

C. The Staunton City Code does not reflect the existence of the Staunton Redevelopment and Housing Authority, and, in a continuing commitment to clarity and transparency as reflected in the Staunton City Code as a resource for citizens and others, City Council has determined that the Staunton City Code should reflect provisions that explicitly reiterate the existence and function of the Staunton Redevelopment and Housing Authority.

D. The Staunton Redevelopment and Housing Authority is requesting that the number of commissioners appointed by the City Council increase to seven.

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

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

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Staunton, Virginia (Council) that a new Chapter 2.63, Redevelopment and Housing Authority, of Title 2, Administration, of the Staunton City Code is added as follows:

Chapter 2.63 Redevelopment and Housing Authority

Sections:

2.63.010 Existence and Powers of Redevelopment and Housing Authority.

2.63.020 Number of Commissioners.

2.63.030 Election of Chair and Vice Chair.

2.63.040 Annual Report.

2.63.010 Existence and Powers of Redevelopment and Housing Authority.

There exists and shall continue to be the Staunton Redevelopment and Housing Authority, a political subdivision of the Commonwealth of Virginia, which shall have all the powers as provided by general law of the Commonwealth of Virginia, including the power to operate housing projects, and be governed by commissioners.

2.63.020 Number of Commissioners.

The number of commissioners, to be appointed by the City Council, shall be up to nine, with terms of office as provided by general law of the Commonwealth of Virginia.

2.63.030 Election of Chair and Vice Chair.

The commissioners shall elect a chair and vice-chair as provided by general law and any bylaws adopted by the commissioners.

2.63.040 Annual Report.

The Staunton Redevelopment and Housing Authority shall prepare and file at least annually, on a fiscal year basis, a report with the Clerk of Council, who will transmit a copy of the report to members of Council and to the City Manager. The report shall have been approved by vote of the commissioners of the Staunton Redevelopment and Housing Authority and provide a description of the activities for the preceding year, including a financial statement and other information consistent with the requirements of general law of the Commonwealth of Virginia.

In all other respects, the provisions of Title 2, Administration, of the Staunton City Code remain the same and are hereby restated, confirmed and reordained.

Adopted: June 10, 2021

Effective Date: June 10, 2021

Expiration Date: No Expiration

/s/Andrea W. Oakes

Andrea W. Oakes, Mayor

ATTEST: /s/Rachael ML Zinni

Rachael Zinni, Clerk of Council

E. Discussion of the Staunton Crossing Property – amend request from Vice Mayor Robertson during Work Session on June 10, 2021

Kenneth Venable, Chair on the School Board for Staunton City Schools, expressed his frustration over the circumstances surrounding the Staunton Crossing Property and the proposal from the School Board to purchase the land there to allow the updates of Shelburne Middle School to commence.

Dr. Garrett Smith, Division Superintendent for Staunton City Schools, expanded on the issues Mr. Venable mentioned in his speech, including exasperation towards the lack of information by the Economic Development Authority in the proposal from the School Board to repurpose Building #126 for temporary use by the school to allow the necessary upgrades to take place for Shelburne Middle School. That this proposal also assists in housing government vehicles long-term.

Mayor Oakes asked Council members if they had any questions.

Ms. Mead asked if there was a member of the Economic Development Authority present. There was not a member from that group present at this meeting.

Vice Mayor Robertson inquired if all entities, Council members, Economic Development Authority members, and School Board members, would be able to come together to discuss this topic at hand.

Ms. Darby added that she was in favor of facilitating a meeting between the three groups to discuss this topic.

Mr. Claffey brought up that there is a deadline of July 3, 2021, in the demolition of the Staunton Crossing Property buildings and voiced that the timeline would be tight to schedule a meeting, but would like to see it also happen.

Mr. Rosenberg stated that, by direction from the Council, he would coordinate the facilitation of a meeting between all three groups to discuss the matter at hand.

Mr. Holmes asked how much money would it take to prepare Building #126 for use by the school. Dr. Smith did not give an exact figure, but that federal funding would assist in rehabilitating that build at Staunton Crossing, along with Shelburne Middle School's dire need for upgrades.

Ms. Dull voiced concern over the original purchase of Staunton Crossing, in that the property was originally purchased to sustain employment for the citizens of the City of Staunton.

Mayor Oakes, after a quick poll of Council members, instructed Mr. Rosenberg to initiate the facilitation of a meeting between City Council, the Economic Development Authority, and School Board members.

Mayor Oakes added that she would like to encourage more joint City Council and School Board partnered meetings, to allow manage priorities of not only the City, but the School System.

Mayor Oakes reinforced that the Economic Development Authority is appointed by City Council, but they are separate entities. The Economic Development Authority owns the Staunton Crossing Property, and will make the final decision on this issue.

City Council Procedure Memoranda (continued from Work Session)

Mr. Blair requested to Mayor Oakes that Council make a motion to amend the agenda to discuss Memoranda 16 and 17 at this time.

Vice Mayor Robertson moved to amend the agenda to discuss Memoranda 16 and 17 from the Work Session.

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

Ms. Mead	aye	Mr. Holmes	aye
Vice Mayor Robertson	aye	Mr. Claffey	aye
Mayor Oakes	aye	Ms. Dull	aye
Ms. Darby	aye		

Mr. Blair continued discussion from Ms. Mead's question about "reasonable charges" in how Council could charge for preparing their own FOIA requests. Ms. Mead stated that she had a better understanding from the explanation prior to the end of the Work Session.

Ms. Mead then inquired about the thumb drive provided to a member of Council for their emails for the last three years. Mr. Blair clarified that the current Public Records Act retention period for emails is three years and that the City's FOIA Officer would hold on to those emails for that time period of retention.

Further questioning from Ms. Mead ensued on what public business would entail. Mr. Blair stated that he would look up the formal definition to provide to Council in the next meeting, but that it is anything within the purview as a member of City Council.

Mr. Holmes inquired if a Zoom meeting invite was subject to this retention schedule. Mr. Blair confirmed that this would have to be retained.

Mr. Rosenberg interjected that this thumb drive would be used for emails of a personal account, with anything that was discussed for matters of the City Council position being held by each member.

Ms. Mead asked for clarification on the responsibility for retaining emails on a personal account. It was answered that the members of Council were directly responsible for keeping emails on their personal account when it involves City matters.

Ms. Dull questioned if social media platforms and personal cellphone records and texts should also be retained when it pertains to City matters. Mr. Blair gave information that, due to being in the Federal Fourth Circuit Court, those could be considered public record, per information he has read.

Memorandum 16 was supported by Council in adding the specific wording of FOIA requirements of retention after a member of Council leaves. The definition of public business would also be added to this memorandum.

Memorandum 17 pertains to the definitive descriptions and processes of different types of meetings that Council engages in, along with the hazardous conditions procedure to cancel a meeting.

Ms. Mead voiced her want for a provision for Town Hall meetings, where no more than two members of Council could conduct a meeting with citizens to voice their concerns over one or multiple topics, including in-person and Zoom participation. There would be two weeks advance public notice of this meeting and to obtain use of a city space from the City Manager.

Discussion commenced on this issue, including how staff and resources would be used from the City to accomplish the addition of this portion in the Memorandum.

Mr. Rosenberg gave an example of town hall meeting on a topic, to allow further clarification of differentiation between Special Meetings and Town Hall meetings.

After further debate, Council did not include Town Hall meetings in Memorandum 17, but the rest of the Memorandum was approved.

MATTERS FROM THE CITY MANAGER

Mr. Rosenberg presented an administrative matter to Council. In-person citizen participation has resumed recently at City Council Meetings. He also encouraged that Work Sessions still be conducted in Chambers, not in the smaller Caucus Room, to combat overcrowding. A seating arrangement was presented on returning to previous seating behind the dais to move away from prior restrictions due to pandemic-induced protocols.

Each member of Council gave their opinion on the seating arrangements and that the seating at the dais is an evolving process to be evaluated by all parties involved. Work Sessions will still be conducted in Chambers.

For the next session, with hopes that Ms. Dull is physically present, would take Mr. Holmes' current seat and he would be moved to the table in front of the dais, opposite Ms. Mead. Plexiglass sections could also be available to be put in place for Ms. Dull's return.

Council took a five minute break, then returned for Matters from the Public.

MATTERS FROM THE PUBLIC

Mayor Oakes read the following statement:

"This part of City Council's agenda is entitled 'matters from the public.' It is a time that Council sets aside to hear from citizens and others about a wide variety of subjects. Before we begin, I'd like to share five basic ground rules that we ask you to respect as you make your remarks:

1. Please come to the podium, identify yourself, and complete your remarks within 5 minutes. I will let you know when you've reached your 5 minutes. We ask that you please give your name, your address, and then keep your remarks at 5 minutes or less. When you reach the 5-minute time, I will let you know that your time limit has expired. If you continue to

729 speak, I will ask you to step away from the podium. If you continue to speak after I inform
730 you that you have exceeded your time limit, I will again ask you to please stop speaking
731 and step away from the podium. If you still continue to speak, you may be charged with
732 disorderly conduct under Virginia Code Section 18.2-415(A)(2).
733

- 734 2. This is a time for us as a Council simply to listen to your remarks. In an effort to encourage
735 and maintain orderly conduct, we will not engage in give and take debate. If you seek
736 information, you may mention it during your remarks and the City Manager or his staff
737 may get in touch with you in the days ahead.
738
- 739 3. We ask that you direct your comments to Council as a whole and not to identify members
740 of Council or to identify employees of the City. If you want to take up an issue with an
741 individual member of Council or an employee, please speak with us before or after the
742 meeting. We are also accessible by phone, email or mail. Again, we ask that you direct
743 your comments to the Council as a whole.
744
- 745 4. We expect every speaker to be civil and courteous. Using profanity, making personal
746 attacks on an individual unrelated to the performance of their duties on behalf of the City
747 of Staunton and doing anything that is disruptive to the orderly conduct of this meeting
748 will not be tolerated.
749
- 750 5. Finally, as the presiding officer, it is my duty to remind you that if you choose not to abide
751 by these ground rules, I may find that you are out of order and will ask you to withdraw
752 from the podium. We certainly do not want to reach that point and even beyond, so we
753 respectfully ask for your full cooperation in observing these guidelines.
754

755 If you wish, you may obtain a copy of the ground rules from our Clerk of Council, Ms. Zinni. And
756 now, we welcome all speakers. The podium is now available for matters from the public.”
757

758 Joanne Tigert, North Augusta Street, expressed her concern in how Council is restricting voices at
759 Matters of the Public during City Council Meetings.
760

761 Carter Hopkins, West Frederick Street, voiced two concerns which included the current lack of
762 utilizing all Zoom functions during meetings and the current recycling issues.
763

764 Dr. Anne Hunter, psychologist and founding member of “Reclaim Augusta,” discussed her
765 position on the silencing of citizens in Staunton City Council Meetings. She stated that from the
766 last meeting there was a personal feeling of intimidation from her last experience at Matters from
767 the Public. She was in favor of having more Town Hall Meetings. She appreciated the discussion
768 on including Zoom in Matters of the Public.
769

770 Albino Fossa, Bowling Street, stated his issues with the Assessor’s Office and his personal
771 residence value.

772

773 There was no one else wishing to speak.

774

775 **ADJOURNMENT**

776

777 There being no further business to come before Council, the meeting adjourned at 9:59 p.m.

778

779

780

781

782

Rachael ML Zinni
Clerk of Council

DRAFT

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	June 24, 2021	City Council _____ John Blair, II City Attorney
Item #	B	
Ordinance #		
Department:	City Council	
Council Vision:	Responsive, Efficient Government	
Subject:	City Council Procedure Memoranda and Amendment to Staunton City Code Section 2.10.120	

Background: City Council discussed amendments to its current Council Procedure Memoranda at its May 27, 2021 and June 10, 2021 meetings. The following amendments to the Memoranda, as well as an amendment to the Staunton City Code, are being proposed based on the Council's discussions:

Council Procedure Memorandum 2: The Community Resource Leadership Bank reference is deleted. The Clerk of Council will contact all board and commission applicants to confirm receipt of their applications. The Clerk of Council will provide copies of all applications to a board or commission to each Council member. Finally, the roles and responsibilities of Council Liaisons are clarified.

Council Procedure Memorandum 3: A Council member may defer their opportunity to provide the invocation or moment of silence to any Council member rather than the Council member who is next in the rotation. A proposed amendment clarifies that a Council member's request to add an item to the agenda shall be placed on the next work session agenda.

Council Procedure Memorandum 4: The amendments permit citizen remote participation in both public hearings and Matters from the Public by use of the Zoom platform. The time limit for speakers during public hearings is 5 minutes while the time limit for speakers during Matters from the Public is 3 minutes. The amendments clarify that an applicant's presentation during a land use matter is not part of a public hearing. There are now separate sections that address both public hearings and Matters from the Public.

Council Procedure Memoranda 5 and 15: The amendments require the City Manager to present to Council grant proposals which require Council authorization or that require the use of City funds or property as a matching or percentage share of the grant. The City Manager will present all other grants and grant applications to the City Council no later than the second City Council meeting following the City Manager's submittal of the grant proposal. The amendment to Memorandum 15 would strike grant applications as appropriate subjects of Consent Agendas since, if the proposed amendments to Memorandum 5 are adopted, all grant proposals will be presented to Council during the business portion of its meetings.

Council Procedure Memorandum 6: These amendments would allow a Council member, without a vote from the remainder of Council, to abstain from voting on a matter for which the Council member perceives there is a conflict of interest. The Council member must state the perceived conflict of interest for the record. Additionally, without a vote from the remainder of Council, a Council member may abstain from voting on the approval of meeting minutes of a meeting the Council member did not attend.

Council Procedure Memorandum 12: This amendment would require the Mayor to report to Council any expenditure authorized by Council Procedure Memorandum 12 at the Council's next regular meeting.

Council Procedure Memorandum 14: This amendment would remove a requirement that an individual be deceased for two years before the Council can name a public facility after the individual.

Council Procedure Memorandum 16: This new proposed Memorandum would establish a Freedom of Information Act (FOIA) policy for the City Council. The proposed policy would clarify that the City of Staunton, rather than individual Council members, is the custodian of Council public records for purposes of fulfilling FOIA requests. It also states that Council will immediately forward all FOIA requests to the City's FOIA Officer. Additionally, it establishes a procedure for Council members to provide copies of all public records to the City upon expiration of a member's term. Finally, it provides that Council members shall maintain all public records in accordance with the Virginia Public Records Act.

Council Procedure Memorandum 17: This new proposed Memorandum is a housekeeping matter that describes the various Council meetings (organizational, regular, special) and provides how these meetings are called. Additionally, it restates the Mayor's authority (which is adopted at each organizational meeting) to cancel a meeting due to hazardous conditions.

Staunton City Code Amendment: The proposed amendment to Staunton City Code Section 2.10.120 would make the City Code consistent with the proposed amendments for Council Procedure Memorandum 6, concerning abstention.

Freedom of Information Act Amendments: The 2021 General Assembly amended the Freedom of Information Act's remote participation provisions. The amendments would permit the Council to amend its Member Remote Participation Policy to allow Council members to participate remotely due to "a family member's medical condition that requires the member to provide care for such family member, thereby preventing the member's physical attendance." If adopted, this provision would apply to an unlimited number of meetings. The amendments also permit the Council to increase the number of meetings that a Council member may remotely participate in due to personal reasons from 2 meetings per calendar year to 25% of the Council's meetings per calendar year.

At the June 24, 2021 meeting, staff will ask Council to provide their opinions on whether the Council wishes to amend its Member Remote Participation Policy.

Attachments:

Attachment 1— Proposed Amendment to Staunton City Code Section 2.10.120

Attachment 2— Proposed Amendments to Staunton City Council Procedure Memoranda 2, 3, 4, 5, 6, 12, 14, and 15

Attachment 3— Proposed Staunton City Council Procedure Memoranda 16 and 17

Attachment 4---Virginia Code Section 2.2-3708.2 as amended by the 2021 Virginia General Assembly

City Manager's Recommendation: Consider adoption of amended and new Staunton City Council Procedure Memoranda and the amendment to the ordinance.

Suggested Motion: I move to adopt amendments to Staunton City Council Procedure Memoranda 2, 3, 4, 5, 6, 12, 14, and 15; new Staunton City Council Procedure Memoranda 16 and 17; and an ordinance amending Staunton City Code Section 2.10.120.

City Manager: Steven L. Rosenberg

DRAFT 6.1.21

Ordinance No. 2021 - _____

**AN ORDINANCE AMENDING, RESTATING AND REORDAINING
SECTION 2.10.120, MEMBERS REQUIRED TO VOTE – EXCEPTIONS,
OF CHAPTER 2.10, CITY COUNCIL,
OF TITLE 2, ADMINISTRATION, OF THE STAUNTON CITY CODE
TO FURTHER NOTE WHEN A COUNCIL MEMBER IS PERMITTED TO
ABSTAIN FROM VOTING**

Recitals

A. It has been ascertained that Section 2.10.120, Members required to vote - Exceptions, of the Staunton City Code (SCC) merits amendment to note that a Council member may abstain from voting on the adoption of Council meeting meetings if the Council member was not present at that meeting;

B. The City Attorney has determined that the Staunton City Code merits amendment to include this exception;

C. This matter has been properly 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 2.10.120, Members required to vote - Exceptions, of Chapter 2.10, City Council, of Title 2, Administration, of the Staunton City Code is **HEREBY AMENDED, RESTATED, AND REORDAINED** as follows:

...

2.10.120 Members required to vote - Exceptions

Every member of the Council present shall vote upon all questions upon which a vote may be taken, unless excused from voting by the Council. No member, however, shall be permitted to vote upon any matter in which he shall have an immediate personal or financial interest.

Notwithstanding the foregoing, any member of Council absent from a meeting shall be excused from voting upon the adoption of that meeting's minutes. A member of Council may also abstain from voting on a question if the member believes that they have the appearance of a conflict of interest and state the perceived appearance of the conflict of interest to the Council before the vote. The Clerk of the Council shall record the member's perceived appearance of the conflict of interest in the minutes of the Council meeting.

Formatted: No underline

Formatted: No underline

Formatted: No underline

DRAFT 6.1.21

In all other respects, the provisions of Section 2.10.120, Members required to vote
- Exceptions, of Chapter 2.10, City Council, of Title 2, Administration, of the Staunton
City Code remain the same and are hereby restated, confirmed and reordained.

Introduced:

Adopted:

Effective Date:

Andrea W. Oakes, Mayor

ATTEST: _____

Rachael Zinni, Clerk of Council

DRAFT

COUNCIL PROCEDURE MEMORANDUM NO. 2

SUBJECT: Boards and Commissions — Applications and Appointments

~~The Nominations Committee will review periodically the Community Leadership Resource Bank form for the purpose of adding areas of interest and deleting those no longer applicable.~~

~~2.1.~~ Application forms will be available in the Clerk of Council's office and on the City's website to any resident who wishes to be considered for appointment to a City board, commission or committee. Applications will be filed with and maintained in the Clerk of Council's office. Upon receipt of an application form, the Clerk of Council will contact each applicant to inform them that their application has been received.

~~3.2.~~ When an appointment is forthcoming on a board, commission, or committee, the Clerk's office will post a description of responsibilities approximately 60 days prior to the date of appointment on the City's website to encourage the submission of ~~additional~~ applications.

~~4.3.~~ The Nominations Committee will review all applications as part of its deliberations in the process of selection of appointees. A report from the Nominations Committee will be sent to Council, with the agenda materials, prior to the Council meeting. Additionally, the Clerk of Council will separately send a copy of all applications considered by the Nominations Committee to Council. These applications will be marked as confidential pursuant to the Virginia Freedom of Information Act.

~~5.4.~~ When possible, appointments will be made approximately 30 days prior to the expiration of the term of current members to permit orientation of new appointees and continuity of responsibilities.

5. The Nominations Committee may appoint a Council liaison to boards and commissions. The Council liaison shall communicate with the chair of the board or commission that they are appointed to serve. The liaison shall ensure that the board or commission's needs are being met. If a board or commission does not have a Council liaison, the chair of the board or commission shall communicate with Council about any board or commission needs that may require Council attention.

~~REAFFIRMED AS MODIFIED: July 1, 2020~~

Formatted: Numbering: Continuous

Formatted: Indent: Left: 0.36"

Formatted: Font: 12 pt

COUNCIL PROCEDURE MEMORANDUM NO. 3

Formatted: Font: 16 pt

SUBJECT: Agendas for City Council Meetings; Council Member Remote Participation for City Council Meetings

Formatted: Numbering: Continuous

Agendas:

Anyone wishing to appear before City Council at a regularly scheduled meeting shall contact the City Manager to determine whether or not the item shall be placed on the agenda. If the Clerk of Council is contacted for this purpose, the Clerk shall relay the inquiry to the City Manager. The Manager will review all requests before deciding which items will be placed on the agenda. Each person shall be informed of the opportunity to appear before Council during "Matters from the Public."

At each work session, the first agenda item will be "Approval of Agendas" for both the work session and the regular session meetings of Council. The Mayor or other presiding officer will entertain a motion for Council to approve the proposed work session and regular session agendas, with or without modification as identified in the motion. The Clerk of Council will poll each Council member on such vote and, if necessary, successive votes will be taken until there is Council approval of both agendas. With a vote for approval of modification, Council may amend its regular session agenda at the beginning of the regular session, again with the Clerk of Council conducting an individual poll on the vote of each member of Council.

At each regular meeting of Council, the first agenda item will be an "Invocation/Moment of Silence." Such an invocation or moment of silence will be on a rotating basis, with each Council member electing which to observe and whether to defer to the next Council member in the rotation or another Council member. Any invocation will be directed to Council and may be offered consistent with applicable controlling law. Any moment of silence may be introduced by the Council member with reference to a remembrance or thought of current or historic events.

Formatted: Tab stops: 3.84", Left

There will be an agenda for each and every Council meeting, including work sessions, and no matters which are not on the approved agendas will be discussed unless deemed an emergency. Notwithstanding any prior action of Council to the contrary, Council members may contact the City Manager with any items desired to be on the agenda, if necessary. The proposed agenda items cut-off time will be at noon on the Friday two weeks preceding the Thursday City Council meeting. Agenda items proposed by Council members shall be placed on the following meeting's work session agenda; and the proposed agendas and back-up materials will be transmitted to Council members by Friday afternoon prior to the meeting, absent special circumstances.

Agenda materials shall be compiled and delivered to the Clerk of Council by 12 noon on the Friday preceding the scheduled Council meeting for duplication and distribution, by whatever means as determined by Council (i.e., paper copies, electronically, etc.).

Member Remote Participation for City Council Meetings:

1. **Purpose and Applicability.** It is the policy of the City Council under this memorandum that individual members of the Council may participate remotely in Council meetings by electronic means as permitted by Virginia Code Section 2.2-3708.2, even in the absence of the Governor having declared a state of emergency, when there is a quorum physically assembled at one primary or central meeting location. For circumstances when the Governor has declared a state of emergency, such as has existed with COVID-19, the requirements of Virginia Code Section 2.2-3708.2(A)(3) must be satisfied. The purpose of this policy is to comply with the requirements of Section 2.2-3708.2 of the Code of Virginia to allow for and govern remote participation by one or more Council members in Council meetings by electronic communication means in general, outside of an extraordinary situation involving a Governor-declared state of emergency. All City Council proceedings pursuant to this policy shall be conducted in accordance with Virginia Code Section 2.2-3708.2 as that statute, a part of the Virginia Freedom of Information Act, may hereafter be amended. This policy shall apply to the entire City Council membership without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.
2. **Quorum and Setting Required.** The City Council may consider a member's individual request for remote participation by electronic communication means only if a quorum of the Council is physically assembled at one primary or central meeting location, and there is an arrangement for the voice of the remotely participating Council member to be heard by all persons at such primary or central meeting location.
3. **Notice and Permissible Reasons for Electronic Participation.** Council member participation remotely under this policy shall only be allowed if: on or before the day of the meeting, the Council member notifies the Mayor or other presiding officer that the member's inability to attend is due to a temporary or permanent disability or other medical condition that prevents the member's physical attendance, or due to a personal matter and the Council member identifies with specificity the nature of the personal matter; the Council member has not exceeded the limitation of remote participation of two meetings each calendar year; and the remotely participating Council member identifies the remote location.
4. **Approval.** Individual participation from a remote location shall be approved unless such participation would violate this policy or applicable law. City Council shall vote whether to allow such participation and, if approved, the Council's meeting minutes shall reflect the following: the remote location from which the member participated, even though the remote location need not be open to the public; if the basis for the remote participation is disability or medical condition, the fact of such; and, if the basis for the remote participation is a personal matter, the specific nature of the personal matter. Upon adoption of a motion to approve the Council member's participation by electronic communication means, the Council member shall be allowed to fully participate in the meeting by electronic communication means.
5. **Disapproval.** If the City Council votes to disapprove the Council member's remote participation because such participation would violate this policy or applicable law, such

disapproval shall be recorded in the Council's minutes with specific reasons cited under this policy and/or under applicable law for the disapproval.

~~REAFFIRMED AS MODIFIED: July 1, 2020~~

COUNCIL PROCEDURE MEMORANDUM NO. 4

SUBJECT: Speakers Appearing Before Council ~~During Regular Meetings and Public Hearings~~

City Council meetings offer two types of forums for the public to address the Council. Public hearings, when scheduled for a Council regular meeting agenda, provide the public with an opportunity to address a specific issue before the Council for its consideration.

The City Council also has an item on its regular meeting agenda entitled "Matters from the Public" which occurs after "Matters from the City Manager" portion of the regular meeting.

The Council will provide an opportunity for both in-person public participation as well as remote public participation for both public hearings and "Matters from the Public."

The Staunton City Council permits the use of the City's Zoom platform to enable community members to remotely participate in public hearings and "Matters from the Public."

During a public hearing and "Matters from the Public", the Mayor will ask the City Manager to determine if anyone is on the Zoom platform before beginning the public hearing or "Matters from the Public." If individuals are on the Zoom platform, the Mayor shall proceed with the public hearing or "Matters from the Public" by alternating between individuals who are physically present for the meeting and individuals participating through the Zoom platform.

Individuals participating through the Zoom platform shall adhere to all rules and time limits applicable to physically present individuals participating in the public hearing or "Matters from the Public."

The City Manager or designee is authorized to end the call of an individual participating through the Zoom platform when the individual's time period for the call expires.

The following are the Council's rules for public participation in public hearings as well as Matters from the Public.

Public Hearing Rules.

It shall be the policy of the City Council to require all speakers from the floor to come forward and speak into the microphone and give their names and addresses. Individuals participating through the Zoom platform are required to provide their names and addresses. Each speaker will be limited to 5 minutes. This announcement shall be made

at the beginning of each Council ~~public hearing~~meeting, when necessary.

Also, in a public hearing, the following procedure will be followed:

1. The business item will begin with a presentation by a staff member. The Council may ask the staff member any questions that it has about the item.

24. In a land use public hearing, the applicant will be asked if they wish to make a presentation to Council. If the applicant chooses to make a presentation, itA~~n~~ applicant's presentation shall be limited to 5 minutes. After the applicant concludes their presentation, the Council may ask the applicant any questions that it has about the presentation.

32. The Mayor shall then open the public hearing. All persons speaking for or against shall be limited to 5 minutes and allowed to speak only if the point has not previously been made. Speakers at a public hearing may only speak about the subject of the public hearing. The Mayor shall close the public hearing after all persons wishing to speak for or against the item have been provided an opportunity to address the Council. No individual may speak more than once at the public hearing. After the public hearing is closed, no person in the audience may speak on the item.

43. In a land use matter, the applicant will then be offered an opportunity to rebut or address any comments made during the public hearing. There shall only be one rebuttal by the applicant shall be, limited to 5 minutes.

5. At the conclusion of the applicant's rebuttal, the Council may ask the applicant or staff members any questions that it has about the item.

4. After the public hearing is closed, no person in the audience may speak again on the item.

A majority vote of Council may waive any of the limits set for the speakers or the applicant.

Matters from the Public Rules.

1. Before the beginning of "Matters from the Public", the Mayor shall read the "Introductory Remarks for Matters from the Public" adopted at Council's April 8, 2021 meeting.

2. Each individual speaking at "Matters from the Public" shall be limited to 3 minutes.

3. No individual shall speak more than once at "Matters from the Public" at each regular Council meeting.

Formatted: Font: Italic

| 92 ~~REAFFIRMED: July 2, 2018~~
93
94

DRAFT

1 **COUNCIL PROCEDURE MEMORANDUM NO. 5**

2

3 **SUBJECT: Grant Applications**

4

5 The City Manager or designee shall review all applications on behalf of the City for state,
6 federal, or private grants. The City Manager shall have the authority to approve and submit the
7 grant application on behalf of the City, ~~subject to~~ without submitting the same for review and
8 approval of City Council, except in the following cases:

9

10 1. Grants that require City funds or property to be contributed as a matching or percentage share,
11 or

12

13 2. Grants that require a resolution, ordinance, or other authorization from City Council.

14

15 The City Manager shall report to City Council all grants approved and submitted by the City
16 Manager without submittal for review and approval to City Council, in accordance with this
17 procedural memorandum, no later than the second meeting of City Council following the City
18 Manager's approval and submittal. ▲

19

Formatted: Font: Times New Roman, 12 pt, Not Bold

COUNCIL PROCEDURE MEMORANDUM NO. 6

SUBJECT: Abstention from Casting Vote

Section 2.10.120 of the Code of Staunton provides that every member of Council present shall vote upon all questions that a vote must be taken, unless excused by the Council (unless the member has an immediate personal or financial interest in the matter). Requests by a member to abstain from voting or to announce the intention not to vote because of personal or other financial interest shall be made to the presiding officer of Council prior to the placing of the matter before Council for vote. Council need take no further action to allow the abstention in the case of a member's personal or other financial interest in the matter, consistent with the requirements of the Virginia State and Local Government Conflict of Interests Act, ~~but Council shall consider the request for abstention for other reasons and may grant the request if a majority of the members present (excluding the member requesting) vote in favor of granting the request.~~

A Council member may also abstain from a vote without further Council action if the Council member believes that voting upon a matter may create the appearance of a conflict of interest. The Council member shall state the specific reason that the member believes the appearance of a conflict of interest exists.

Additionally, a Council member may abstain from a vote to approve meeting minutes without further Council action if the Council member did not attend the meeting for which minutes approval is being considered.

Council shall consider a request to abstain from a vote for other reasons and may grant the request if a majority of the members present (excluding the member requesting the abstention) votes in favor of granting the request.

Formatted: Font: 18 pt

Formatted

Formatted: Font: 18 pt

Formatted: Font: Bold

Formatted: Centered

COUNCIL PROCEDURE MEMORANDUM NO. 12

Formatted

SUBJECT: Spending Generally; Spending Authority for the Mayor

1. No dues or fees of civic organizations shall be paid for a membership of the City, City Council or individual members of City Council.
2. It shall be the policy of City Council to authorize the Mayor to incur expenses up to \$250.00 per transaction on behalf of the City when in the Mayor's judgment the expense is in the City's best interest. Such expenses shall be incurred and contracted within the parameters of any applicable procurement laws and policies of the City. All such expenses will be charged to the operating budget of City Council. If the Mayor expends any funds pursuant to this section, the Mayor will report the expenses to the City Council at the Council's next regular meeting.
3. Any expenses exceeding the \$250.00 limit established by Council shall require the approval of the majority of a quorum of Council prior to being incurred.

~~REAFFIRMED AS MODIFIED: July 1, 2020~~

COUNCIL PROCEDURE MEMORANDUM NO. 14

SUBJECT: Naming of Public Facilities

It shall be the policy of City Council to receive and approve requests to name public facilities as hereafter specified:

1. The naming of a public facility shall be in 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 Nation. This would include:
 - A. Individuals, groups, businesses or organizations that have made a major donation of land or funds for the facility equal to at least 50% of the total cost of the project.
 - B. Individuals, still living, who have, through dedicated and unpaid service, made a significant contribution to the quality of life of Staunton residents.
 - C. Deceased Individuals ~~who have been deceased at least two years and~~ who have made significant contributions to the quality of life of Staunton residents, or significant contribution to the Commonwealth of Virginia or the Nation.
2. A public facility shall include any building, park, place, street, trail, etc.
3. Generally, a facility shall be named in a manner that describes its function. (e.g. Landes Park, Booker T. Washington Community Center)
4. Any individual, group, business or organization may petition the City Council to name a public facility.
5. A petition made to the City Council to name a public facility shall include the following information:
 - A. The full name of the individual, group, business or organization making the nomination.
 - B. The full name of the individual, group, business or organization being nominated.
 - C. If the nomination is for a deceased individual, the date of birth and death.
 - D. The association, if appropriate, with the public facility or place to be named.
 - E. A brief biography of the individual or a description of the group business or organization, including all other information relevant to the nomination.
 - F. Any recommendation for the installation of a permanent memorial or plaque may be included with the above information.

- 47 6. The City Council may, at its discretion, designate or change a name for a new or
48 existing public facility, consistent with the requirements of this policy and may
49 withdraw the name or rename a facility at any time.
50
51 7. Official names of facilities, places, parks, etc. shall be used in all City
52 communications, maps, plans, documents, signs and other means of identification.
53
54
55
56
57
58
59

DRAFT

COUNCIL PROCEDURE MEMORANDUM NO. 15

SUBJECT: Consent Agendas

It shall be the policy of City Council to have the City Manager place routine, non-controversial items on a Consent Agenda. A briefing for the Consent Agenda shall be prepared in the manner and format of regular business items on the agenda. All matters listed under the consent agenda are considered to be routine and will be enacted by one motion. There will be no separate discussion of the items. If discussion is desired, the item may be removed from the Consent Agenda at the request of a member of City Council and considered separately.

The Consent Agenda shall be adopted by a motion "to approve the consent agenda and listing each individual item included therein," and shall be considered by the Council as a single item. Any business item so included on the consent agenda shall be described in sufficient detail in the Consent Agenda Briefing to provide the public with an appropriate understanding of such item. Upon objection by any member of Council to including an item, that item shall be removed from the consent agenda and placed on the regular agenda for Council's consideration.

Consent agenda items may include, but are not limited to:

- Minutes
- Nominations Committee Reports
- Resolutions
- Proclamations
- Financial Reports
- ~~Application and acceptance of grant~~

~~funds~~ REAFFIRMED: July 1, 2020

➤

Formatted: Numbering: Continuous

Formatted: List Paragraph, Indent: First line: 0.75", Right: 2.51", Line spacing: Multiple 3 li, Bulleted + Level: 1 + Aligned at: 0.14" + Indent at: 0.39", Tab stops: 1.39", Left

COUNCIL PROCEDURE MEMORANDUM NO. 16

SUBJECT: Freedom of Information Act (FOIA) Requests

1. For the purposes of complying with FOIA requests for Council member public records, the City shall be considered the custodian for all Council member public record transmissions including those sent and received through the City's email network.
2. It shall be the policy of City Council that any and all FOIA requests made to a Council member shall be immediately directed to the City's FOIA Officer who will respond to the request and ensure compliance with FOIA.
3. A City Council member may waive reasonable charges related to their time accessing or searching for public records. No City Council member shall have the authority to waive other charges related to FOIA requests. Fees are calculated based on the amount of staff time required to search, access, redact, duplicate, and supply the requested records.
4. Upon the expiration of their term in office, a Council member shall provide electronically copies of all of their public records other than those sent and received through the City network and related to the transaction of public business on a thumb drive provided by the City's Information Technology Department. This thumb drive will be provided to the City's FOIA Officer. The City's FOIA Officer will use the copies to fulfill all further FOIA requests for Council member emails, and will maintain the copies in accordance with the Virginia Public Records Act. For purposes of this Memorandum, "public business" encompasses those matters over which the Staunton City Council has supervision, control, jurisdiction, or advisory power.
5. Council members shall comply with the Library of Virginia's Records Retention Schedule pursuant to the Virginia Public Records Act.

COUNCIL PROCEDURE MEMORANDUM NO. 17

SUBJECT: Meetings

The Staunton City Council shall conduct three types of meetings: an organizational meeting, regular meetings, and special meetings.

Organizational Meeting: Beginning in January 2023, the Council shall conduct an organizational meeting every two years. The City Attorney shall call the meeting to order and conduct the election for a new Mayor to serve a two year term. The Mayor shall then preside over the remainder of the meeting which shall consist of the election of a Vice-Mayor, the adoption of a meeting schedule, a review and consideration of Council Procedure Memoranda, establishment of the Council Nominations Committee, and appointment of the Council Nominations Committee members.

Regular Meetings: Pursuant to Section 6 of the Staunton City Charter and Staunton City Code Section 2.10.70, the Staunton City Council shall hold its regular meetings on the second and fourth Thursday of each month at an hour and place designated by the City Council. The Council may, by a majority vote, cancel a regular meeting.

Special Meetings: Pursuant to Section 7 of the Staunton City Charter, the Mayor or any two members of the Staunton City Council may call a special meeting. At least 12 hours notice of the special meeting must be provided to each Council member of the special meeting. The notice shall contain the business to be transacted at the special meeting as well as the date, time, and place of the meeting. The notice must be personally served or left at the Council member's usual place of residence or business. The 12 hour notice requirement may be waived if all Council members attend the meeting or waive the notice requirement. No business shall be transacted at a special meeting except that for which the meeting is called unless all Council members attend the special meeting or give their written consent to transact business not contained in the notice.

Hazardous Conditions: In the event the Mayor, or the Vice-Mayor, if the Mayor is unable to act, finds and declares that weather or other conditions are such that it is hazardous for Council members to attend a regular meeting, such regular meeting shall be continued to the next Monday. Such finding and declaration shall be communicated to the Council members and the media as promptly as possible. And, to the fullest extent permitted by law, all hearings and other matters previously advertised shall be conducted at the continued meeting and no further advertisement is required.

VIRGINIA ACTS OF ASSEMBLY -- 2021 SPECIAL SESSION I

CHAPTER 33

An Act to amend and reenact § 2.2-3708.2 of the Code of Virginia, relating to the Virginia Freedom of Information Act; electronic meetings.

[H 1931]

Approved February 25, 2021

Be it enacted by the General Assembly of Virginia:

1. That § 2.2-3708.2 of the Code of Virginia is amended and reenacted as follows:

§ 2.2-3708.2. Meetings held through electronic communication means.

A. The following provisions apply to all public bodies:

1. Subject to the requirements of subsection C, all public bodies may conduct any meeting wherein the public business is discussed or transacted through electronic communication means if, on or before the day of a meeting, a member of the public body holding the meeting notifies the chair of the public body that:

a. Such member is unable to attend the meeting due to (i) a temporary or permanent disability or other medical condition that prevents the member's physical attendance or (ii) a family member's medical condition that requires the member to provide care for such family member, thereby preventing the member's physical attendance; or

b. Such member is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter. Participation by a member pursuant to this subdivision b is limited each calendar year to two meetings or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater.

2. If participation by a member through electronic communication means is approved pursuant to subdivision 1, the public body holding the meeting shall record in its minutes the remote location from which the member participated; however, the remote location need not be open to the public. If participation is approved pursuant to subdivision 1 a, the public body shall also include in its minutes the fact that the member participated through electronic communication means due to (i) a temporary or permanent disability or other medical condition that prevented the member's physical attendance or (ii) a family member's medical condition that required the member to provide care for such family member, thereby preventing the member's physical attendance. If participation is approved pursuant to subdivision 1 b, the public body shall also include in its minutes the specific nature of the personal matter cited by the member.

If a member's participation from a remote location pursuant to subdivision 1 b is disapproved because such participation would violate the policy adopted pursuant to subsection C, such disapproval shall be recorded in the minutes with specificity.

3. Any public body may meet by electronic communication means without a quorum of the public body physically assembled at one location when the Governor has declared a state of emergency in accordance with § 44-146.17, provided that (i) the catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location and (ii) the purpose of the meeting is to address the emergency. The public body convening a meeting in accordance with this subdivision shall:

a. Give public notice using the best available method given the nature of the emergency, which notice shall be given contemporaneously with the notice provided to members of the public body conducting the meeting;

b. Make arrangements for public access to such meeting; and

c. Otherwise comply with the provisions of this section.

The nature of the emergency, the fact that the meeting was held by electronic communication means, and the type of electronic communication means by which the meeting was held shall be stated in the minutes.

B. The following provisions apply to regional public bodies:

1. Subject to the requirements in subsection C, regional public bodies may also conduct any meeting wherein the public business is discussed or transacted through electronic communication means if, on the day of a meeting, a member of a regional public body notifies the chair of the public body that such member's principal residence is more than 60 miles from the meeting location identified in the required notice for such meeting.

2. If participation by a member through electronic communication means is approved pursuant to this subsection, the public body holding the meeting shall record in its minutes the remote location from which the member participated; however, the remote location need not be open to the public.

If a member's participation from a remote location is disapproved because such participation would

violate the policy adopted pursuant to subsection C, such disapproval shall be recorded in the minutes with specificity.

C. Participation by a member of a public body in a meeting through electronic communication means pursuant to subdivisions A 1 and 2 and subsection B shall be authorized only if the following conditions are met:

1. The public body has adopted a written policy allowing for and governing participation of its members by electronic communication means, including an approval process for such participation, subject to the express limitations imposed by this section. Once adopted, the policy shall be applied strictly and uniformly, without exception, to the entire membership and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting;

2. A quorum of the public body is physically assembled at one primary or central meeting location; and

3. The public body makes arrangements for the voice of the remote participant to be heard by all persons at the primary or central meeting location.

D. The following provisions apply to state public bodies:

1. Except as provided in subsection D of § 2.2-3707.01, state public bodies may also conduct any meeting wherein the public business is discussed or transacted through electronic communication means, provided that (i) a quorum of the public body is physically assembled at one primary or central meeting location, (ii) notice of the meeting has been given in accordance with subdivision 2, and (iii) members of the public are provided a substantially equivalent electronic communication means through which to witness the meeting. For the purposes of this subsection, "witness" means observe or listen.

If a state public body holds a meeting through electronic communication means pursuant to this subsection, it shall also hold at least one meeting annually where members in attendance at the meeting are physically assembled at one location and where no members participate by electronic communication means.

2. Notice of any regular meeting held pursuant to this subsection shall be provided at least three working days in advance of the date scheduled for the meeting. Notice, reasonable under the circumstance, of special, emergency, or continued meetings held pursuant to this section shall be given contemporaneously with the notice provided to members of the public body conducting the meeting. For the purposes of this subsection, "continued meeting" means a meeting that is continued to address an emergency or to conclude the agenda of a meeting for which proper notice was given.

The notice shall include the date, time, place, and purpose for the meeting; shall identify the primary or central meeting location and any remote locations that are open to the public pursuant to subdivision 4; shall include notice as to the electronic communication means by which members of the public may witness the meeting; and shall include a telephone number that may be used to notify the primary or central meeting location of any interruption in the telephonic or video broadcast of the meeting. Any interruption in the telephonic or video broadcast of the meeting shall result in the suspension of action at the meeting until repairs are made and public access is restored.

3. A copy of the proposed agenda and agenda packets and, unless exempt, all materials that will be distributed to members of a public body for a meeting shall be made available for public inspection at the same time such documents are furnished to the members of the public body conducting the meeting.

4. Public access to the remote locations from which additional members of the public body participate through electronic communication means shall be encouraged but not required. However, if three or more members are gathered at the same remote location, then such remote location shall be open to the public.

5. If access to remote locations is afforded, (i) all persons attending the meeting at any of the remote locations shall be afforded the same opportunity to address the public body as persons attending at the primary or central location and (ii) a copy of the proposed agenda and agenda packets and, unless exempt, all materials that will be distributed to members of the public body for the meeting shall be made available for inspection by members of the public attending the meeting at any of the remote locations at the time of the meeting.

6. The public body shall make available to the public at any meeting conducted in accordance with this subsection a public comment form prepared by the Virginia Freedom of Information Advisory Council in accordance with § 30-179.

7. Minutes of all meetings held by electronic communication means shall be recorded as required by § 2.2-3707. Votes taken during any meeting conducted through electronic communication means shall be recorded by name in roll-call fashion and included in the minutes. For emergency meetings held by electronic communication means, the nature of the emergency shall be stated in the minutes.

8. Any authorized state public body that meets by electronic communication means pursuant to this subsection shall make a written report of the following to the Virginia Freedom of Information Advisory Council by December 15 of each year:

- a. The total number of meetings held that year in which there was participation through electronic communication means;

- b. The dates and purposes of each such meeting;
 - c. A copy of the agenda for each such meeting;
 - d. The primary or central meeting location of each such meeting;
 - e. The types of electronic communication means by which each meeting was held;
 - f. If possible, the number of members of the public who witnessed each meeting through electronic communication means;
 - g. The identity of the members of the public body recorded as present at each meeting, and whether each member was present at the primary or central meeting location or participated through electronic communication means;
 - h. The identity of any members of the public body who were recorded as absent at each meeting and any members who were recorded as absent at a meeting but who monitored the meeting through electronic communication means;
 - i. If members of the public were granted access to a remote location from which a member participated in a meeting through electronic communication means, the number of members of the public at each such remote location;
 - j. A summary of any public comment received about the process of conducting a meeting through electronic communication means; and
 - k. A written summary of the public body's experience conducting meetings through electronic communication means, including its logistical and technical experience.
- E. Nothing in this section shall be construed to prohibit the use of interactive audio or video means to expand public participation.