

**Work Session Agenda
Staunton City Council
Rita S. Wilson Council Chambers
July 22, 2021
5:30 p.m.**

- | | | |
|------------------|-----------|---|
| 5:30 p.m. | 1. | Consideration of Work Session and Regular Meeting Agendas |
| 5:35 p.m. | 2. | Discussion of Homestay Properties/Short-Term Rentals in the City of Staunton |
| 5:50 p.m. | 3. | Discussion of a Revised Master Plan for the Villages of Staunton |
| 6:00 p.m. | 4. | Discussion of an Ordinance to Amend Section 6.15.040, Notice Required at Place of Sale, of Chapter 6.15, Wild and Exotic Animals, of Title 6, Animals and Fowl, of the Staunton City Code to Conform with Section 6.15.010 |
| 6:10 p.m. | | Break |
| 6:30 p.m. | 5. | Discussion of City Council Procedure Memorandum No. 3 Amendments |
| 6:35 p.m. | 6. | Update on the Staunton Crossing Economic Development Business Plan |
| 6:50 p.m. | 7. | Discussion of City Council Retreat |
| 7:15 p.m. | | Break |

**Regular Meeting Agenda
Staunton City Council
Rita S. Wilson Council Chambers
July 22, 2021
7:30 p.m.**

Call to Order

Pledge of Allegiance

Invocation/Moment of Silence—Darby

Mayor's Report

State of the City

Additional Items by Members of Council

Approval of Minutes

Special Meeting of June 17, 2021

Work Session and Regular Meeting of June 24, 2021

REGULAR MEETING

- A. Public Hearing and Consideration of a Request by the City of Staunton to Amend Chapter 18.120, Yard, Building Setback, and Open Space Exceptions, Subsection 18.120.010(4)(f) of Title 18, Zoning, of the Staunton City Code***
- B. Public Hearing and Consideration of an Ordinance to Amend Section 18.215.020, Application, of Chapter 18.215, Amendments, of Title 18, Zoning, of the Staunton City Code to Align with the Code of Virginia***
- C. Consideration of Ordinance to Amend the FY2022 Budget Ordinance for the City of Staunton by Adding Budget Amendment Number One**
- D. Consideration of a Revised Master Plan for the Villages of Staunton**
- E. Consideration of an Ordinance to Amend Section 6.15.040, Notice Required at Place of Sale, of Chapter 6.15, Wild and Exotic Animals, of Title 6, Animals and Fowl, of the Staunton City Code to Conform with Section 6.15.010**

F. Consideration of City Council Procedure Memorandum No. 3 Amendments

Matters from the City Manager

Matters from the Public*

Adjournment

Public Participation*

For instructions on how to participate in a Public Hearing and Matters from the Public portions of the City Council meeting visit www.staunton.va.us/council.

City Grants Update

Per **Council Procedure Memorandum No. 5, Grant Applications**, grants that do not require City funds or property to be contributed as a matching share do not require City Council approval. However, Council's procedure requires that the City Manager report all such grants to Council no later than the second meeting of City Council following their approval and submittal by the City Manager. Recently approved and submitted grants include:

- 1. Information Technology Department:** Virginia Department of Emergency Management NG911 Funding and PSAP Grant (FY2023)
Grant Amount: \$150,000
- 2. Staunton Public Library:** Library of Virginia American Rescue Plan Act Allocation
Grant Amount: \$21,309
- 3. Blue Ridge Court Services:** Virginia Specialty Docket Grant for Drug Court Program
Grant Amount: \$110,000

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	July 22, 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

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CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	July 22, 2021	Councilmember Brenda Mead Councilmember Carolyn Dull
Item #	2	
Ordinance #		
Department:	City Council	
Council Vision:	Responsive, Efficient Government Built Environment	
Subject:	Homestay Properties/Short-Term Rentals in the City of Staunton	

Background: At the request of Councilmembers Mead and Dull, this item has been added to Council's work session agenda for July 22, 2021, for discussion.

The Staunton City Code uses the terms "homestay" and "short-term rental" to describe the short-term use of residential properties for lodging purposes, commonly listed on online platforms such as Airbnb and VRBO.

For background purposes, provisions of the City Code, attached to this briefing as Attachments 1 and 2, establish the City's framework for the regulation of homestay properties. They include zoning restrictions and registration requirements, respectively. City Council has the full authority of its land use and zoning powers to regulate this type of land use. If so desired, for example, Council could impose a special use permit requirement for homestay properties.

Attachment 3 presents data regarding homestay properties in the City and Attachment 4 is a map identifying the location of each registered property in the City. A review of the data for CY 2021 shows that there were five properties added in the City as homestay properties (one of which is Hotel 24 South, an existing multiunit hotel), and that there was one property deleted. Commissioner of the Revenue Maggie Ragon advises that her office regularly monitors homestay platforms to identify newly listed properties and, if necessary, contacts owners of those properties to ensure proper registration with the City.

Attachments:

Attachment 1—Staunton City Code Chapter 18.152 Homestay

Attachment 2—Staunton City Code Chapter 3.37 Registration for Short-Term Rental

Attachment 3—City of Staunton Homestay Data

Attachment 4—City of Staunton Homestay Locations

City Manager's Recommendation: Not applicable.

Suggested Motion: Not applicable.

City Manager: Steven L. Rosenberg

Chapter 18.152 HOMESTAY

Sections:

18.152.010 Purpose.

18.152.020 Definitions.

18.152.030 General requirements.

18.152.010 Purpose.

This chapter defines a “homestay” and other terms and prescribes the conditions under which such use is allowed. (Ord. 2017-19).

18.152.020 Definitions.

The following words and phrases, as used in this chapter, shall have the following meanings:

“Guest” means a person who occupies a homestay unit.

“Homestay” means the use of a residential dwelling unit or a portion thereof for occupancy for lodging purposes in exchange for charge for occupancy. The duration of any period of occupancy may not exceed 30 days; however, there shall be no limit to the frequency in which rentals to occupants may occur.

“Operator” means the proprietor of a homestay, whether in the capacity of the owner, lessee, sublessee, mortgagee in possession, licensee, or any other possessory capacity. (Ord. 2017-19).

18.152.030 General requirements.

Any operator utilizing a dwelling as a homestay shall be in violation unless the operator complies with the following requirements:

(1) Shall only be rented on a daily or weekly basis. The duration of any period of occupancy may not exceed 30 days; however, there shall be no limit to the frequency in which rentals to occupants may occur.

(2) No meals shall be prepared for or served to guests, and the guest for which the property is authorized for use shall be at least 18 years of age.

(3) The homestay shall accommodate no more than two adult guests per bedroom.

- (4) No signs, advertising, or any other display on the property indicating the use as homestay shall be allowed.
- (5) At the request of the city of Staunton zoning administrator, operators shall grant the authority to enter the subject property, upon reasonable notice, at least one time during the calendar year to verify compliance at that time with the provisions of this section.
- (6) A homestay shall be exempt from providing additional off-street parking required under the provisions of Chapter [18.125](#) SCC.
- (7) Notwithstanding compliance with the provisions of this chapter, an operator shall comply with all other provisions of the Staunton City Code and other applicable law, including but not limited to the provisions of Chapter [3.37](#) SCC. (Ord. 2017-19).

The Staunton City Code is current through Ordinance 2021-21, passed June 24, 2021.

Disclaimer: The City Clerk's office has the official version of the Staunton City Code. Users should contact the City Clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: <https://www.ci.staunton.va.us/>

City Telephone: (540) 332-3810

[Code Publishing Company](#)

Chapter 3.37

REGISTRATION FOR SHORT-TERM RENTAL

Sections:

3.37.010 Purpose.

3.37.020 Definitions.

3.37.030 Registration.

3.37.040 Fee.

3.37.050 Penalty.

3.37.060 Prohibitions and restrictions – Miscellaneous.

3.37.010 Purpose.

This chapter prescribes the conditions for the registration for short-term rental. (Ord. 2017-19).

3.37.020 Definitions.

As used in this chapter:

“Operator” means the proprietor of any dwelling, lodging, or sleeping accommodations offered as a short-term rental, whether in the capacity of the owner, lessee, sublessee, mortgagee in possession, licensee, or any other possessory capacity.

“Short-term rental” means the provision of a room or space that is suitable or intended for occupancy for dwelling, sleeping, or lodging purposes, for a period of fewer than 30 consecutive days, in exchange for charge for the occupancy. (Ord. 2017-19).

3.37.030 Registration.

(1) A short-term rental operator shall, within 30 days of holding or continuing to hold itself out as offering lodging, register with the commissioner of the revenue to allow for the assessment and remittance of business license as required under SCC [5.05.100](#) and transient occupancy taxes as provided in Chapter [3.35](#) SCC.

(2) After initial registration under the provisions of this chapter, a short-term rental operator shall register by not later than March 1st each year with the commissioner of revenue, providing the complete name of the operator and the legal and street address (and parcel identification number) of

each property in the city of Staunton offered for short-term rental by the operator. (Ord. 2018-04; Ord. 2017-19).

3.37.040 Fee.

The annual registration fee shall be \$50.00 for each property for which the operator is engaged in short-term rental and shall be paid to the city of Staunton. (Ord. 2017-19).

3.37.050 Penalty.

There is imposed a penalty of \$500.00 for each violation for any failure to register as required under the provisions of this chapter. (Ord. 2017-19).

3.37.060 Prohibitions and restrictions – Miscellaneous.

(1) Until an operator pays the penalty and registers such property as required under the provisions of this chapter, the operator shall not offer or rent such property for short-term rental.

(2) For any repeated violations of the provisions of this chapter as it relates to a specific property, the operator is prohibited from registering and offering that property for short-term rental.

(3) An operator required to register under the provisions of this chapter is prohibited from offering a specific property for short-term rental in the city of Staunton upon multiple violations on more than three occasions of applicable state and local laws, ordinances, and regulations, as they relate to the short-term rental of such property.

(4) Notwithstanding compliance with the provisions of this chapter, an operator shall comply with all other provisions of the Staunton City Code and other applicable law, including but not limited to those related to land use under Chapter [18.152](#) SCC. (Ord. 2017-19).

The Staunton City Code is current through Ordinance 2021-21, passed June 24, 2021.

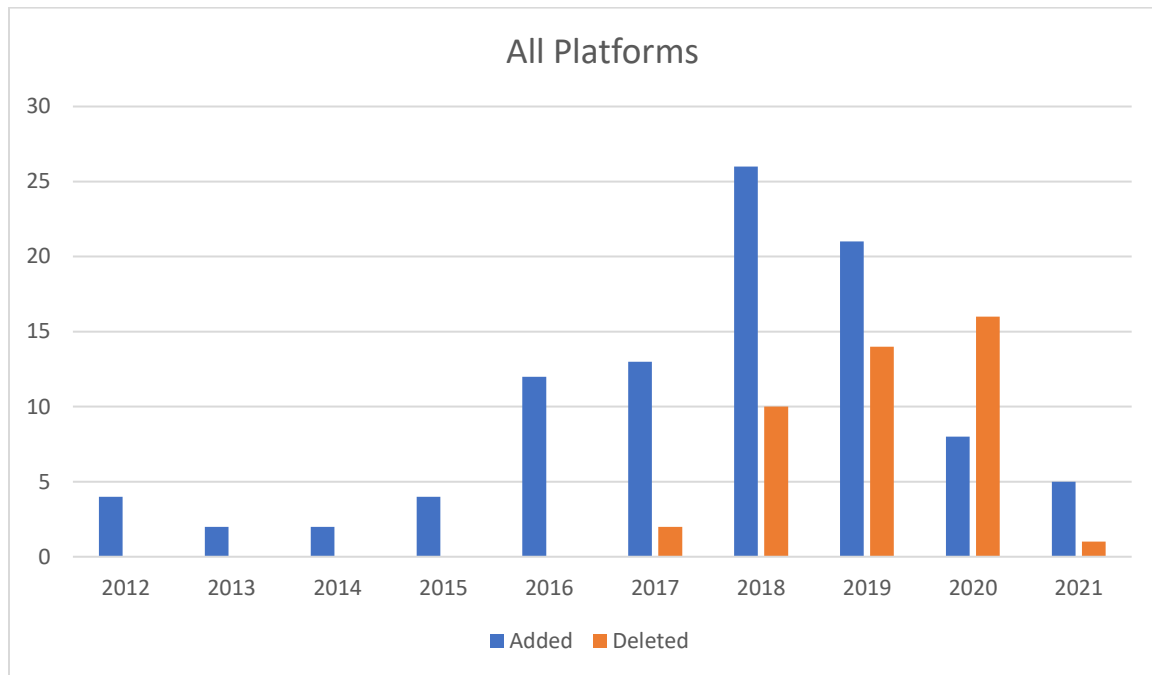
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Homestay Data



OCCUPANCY TAX – Lodges 4 or more persons

Collecting 35

Not Collecting 22

VRBO - Whole house rentals only.

AirBnB - Can be whole house (37) or partial (29), owner occupied (35) or absentee (31).

Most traditional bed & breakfasts are on platform.

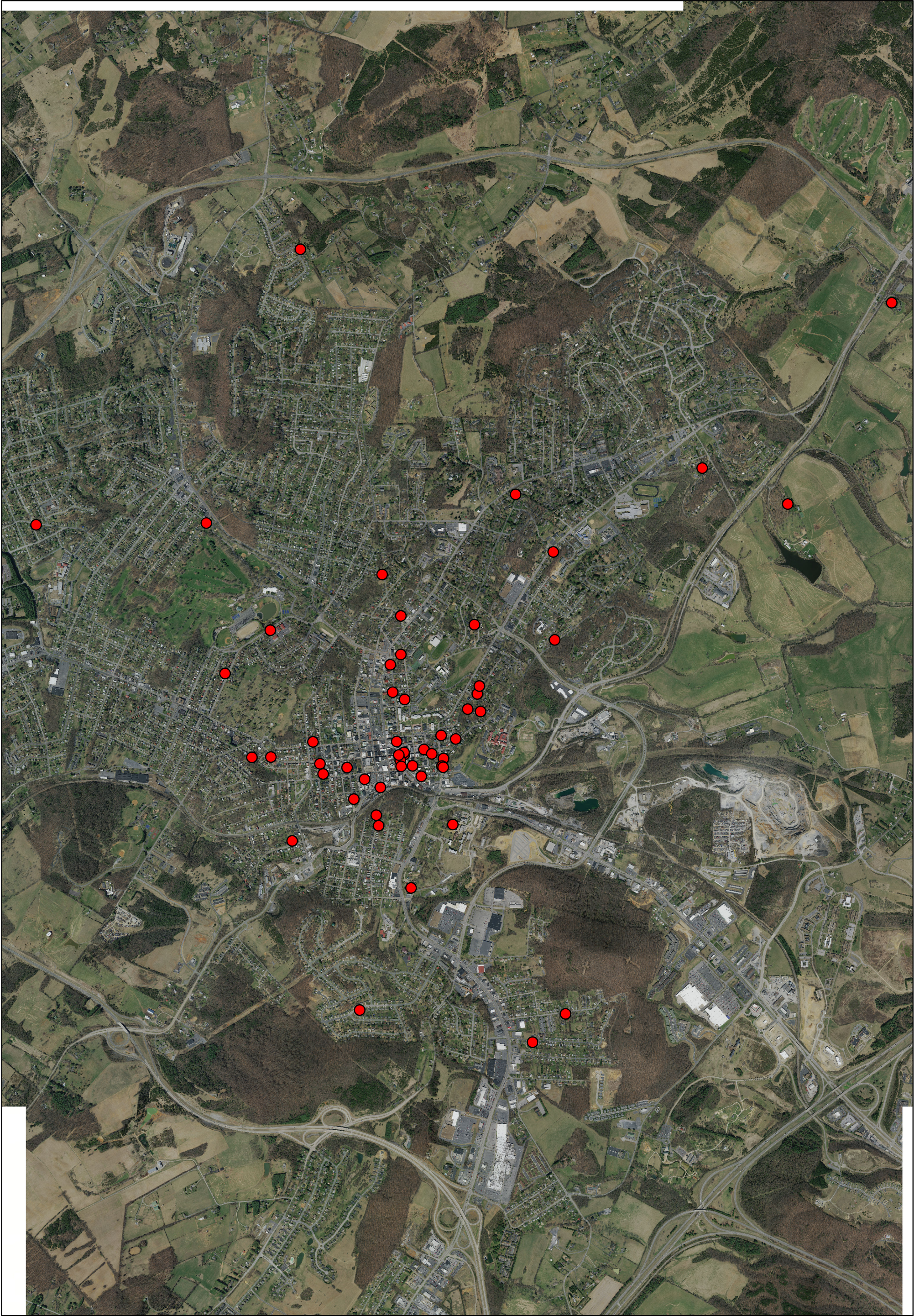
Some hotels are on platform.

Prices range from \$35 - \$348 per night. Average is \$117.

Downtown/Newtown have more multi-unit listings.

Four listings are multi-unit within one dwelling that are not owner occupied.

City of Staunton Homestay Locations



CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	July 22, 2021	Staff Members: Rodney Rhodes Tim Hartless
Item #	3 & D	
Ordinance #		
Department:	Community Development — Planning and Zoning	
Council Vision:	Built Environment	
Subject:	Revised Master Plan for the Villages of Staunton	

Background: In 2006, the City of Staunton and the City's Industrial Development Authority (now known as the Economic Development Authority) finalized an agreement with the Commonwealth of Virginia and Village Associates for the redevelopment of the former Western State Hospital property located at the intersection of Richmond and Greenville avenues. The property was transferred to Village Development Associates LLC in April 2006. Prior to the transfer, the City rezoned the property in December 2005 to a "Traditional Neighborhood Development Infill District (TND-1)" which is designed to allow the developer considerable flexibility on this specific site. Permitted uses are both residential and commercial. The regulations allow for clustering of homes on the site. Development must adhere to the adopted Master Plan for the site. The Master Plan for the site was approved in 2005, and revised in 2015. The developer is now requesting approval of a second revision for the addition of more residential buildings.

Analysis: The proposed revision to the Master Plan includes assigning uses to two existing buildings which were previously not addressed on the Master Plan as well as the construction of five new buildings. All buildings which are the subject of the revision will be used for residential purposes. As depicted on the attached Vicinity Map (Attachment 5), the affected area is located on the easternmost portion of the property near the adjacent Statler Boulevard Self Storage development.

The table below shows the proposed changes.

Villages Revised Master Plan			
Building #	New or Existing Building	Future Use	Square Feet
Building #70	New Building	Apartments	16,500
Building #71	Existing Utility Building	Apartments	16,500
Building #72	New Building	Residential	40,000
Building #73	New Building	Residential	40,000
Building #74	New Building	Residential	40,000
Building #75	New Building	Residential	40,000
Building #76	Existing Water Tank	Residential	3,600
TOTAL			196,600

A copy of the revised Master Plan is attached (Attachment 2). These proposed changes will provide flexibility for residential development without reducing commercial space. Robin Miller of Village Development Associates LLC will provide an update on the development and a summary of the proposed changes during Council's work session.

Planning Commission Recommendation: At its meeting of June 15, 2021, the Planning Commission considered the request. On a 4-0 vote, the Commission unanimously voted to recommend approval of the proposed revision.

Economic Development Authority Recommendation: At its meeting of June 22, 2021, the Economic Development Authority reviewed the request. On a 6-0 vote, the Authority unanimously voted to recommend approval of the proposed revision.

Attachments:

Attachment 1—Memo dated June 8, 2021 from Village Development Associates LLC
Attachment 2—Proposed Western State Redevelopment Master Plan dated August 4, 2005, amended March 4, 2015, and further amended May 18, 2021
Attachment 3—Villages at Staunton—Phase 5
Attachment 4—VAS Tax Assessments (2020)
Attachment 5—Vicinity Map—Villages Revised Master Plan

Suggested Motion: I move that City Council approve the Western State Redevelopment Master Plan dated August 4, 2005, amended March 4, 2015, and further amended May 18, 2021, as recommended by the Planning Commission and the Economic Development Authority.

City Manager: Steven L. Rosenberg



MEMO

To: Mr. Rodney S. Rhodes
Senior Planner/Zoning Administrator
Community Development Department
Division of Planning & Zoning
Staunton, VA

From: Robin Miller
Co-Owner
Village Development Associates LLC

Date: June 8, 2021

Subject: Revision to Western State Redevelopment Master Plan

Dear Mr. Rhodes,

Village Development Associates LLC, owned by Robin Miller and Dan Gecker, is requesting a second revision to the Western State Redevelopment Master Plan for The Villages at Staunton. The original approved Master Plan was dated August 4, 2005, with the first approved revision dated March 4, 2015.

As shown on the revised Master Plan prepared by Balzer & Associates and dated May 18, 2021, this revision adds the concept for Stage 5, which will be a phased residential development consisting of at least three phases. Due to the steepness of the site, the road will be a private road built and maintained by the developer. The water and sewer lines, which will be built to city standards, will be installed by the developer, and given to the city.

The first phase of Stage 5 will consist of two buildings, for a total of 40 apartments. One of these buildings will be the adaptive reuse of a utility building into 20 residential apartments. The other building will be new construction and will also consist of 20 apartments. Most of the apartments will be one bedrooms with a few efficiencies and two bedrooms. The designs are still a work in progress. We hope to start construction in the Fall of 2021.

The second and third phase of Stage 5 will consist of extending the road and utilities to the top of the hill. Our current conceptual plan shows four buildings, which will likely be built one at a time. The specific design and type of residential housing will be determined later based on market demand, but we hope to have more owner-occupied condos or townhomes as part of the mix.

Since 2005 Village Development Associates LLC has used adaptive reuse to create 32 high end condos, 38 top quality apartments, and four single family homes at the Western State Site. In addition, we developed the 49-room boutique Blackburn Inn in 2018, and the Blackburn Inn Conference Center in 2020. Based on the 2020 real estate tax assessments, the total value of properties we have developed in Staunton, including the Old Y and The Beverley Hotel Apartments, is \$29,990,400. This resulted in real estate taxes to Staunton of \$285,000 in 2020.

Please let me know if you have any questions.

Thank you.

A handwritten signature in blue ink that reads "Robin Miller". The signature is written in a cursive style. To the right of the signature is a horizontal line, likely a placeholder for a printed name or title.

Attachment 2

WESTERN STATE REDEVELOPMENT

MASTER PLAN

AUGUST 4 2005
AMENDED MARCH 4 2015
AMENDED MAY 18 2021

LANDSCAPE CONCEPTS

- Preserve historic front park area and the cemetery
- Preserve and enhance the historic courtyard spaces defined by the historic buildings
- Create a series of new small scale plazas, courtyards and open spaces in the new development areas
- Connect spaces and buildings with a series of pedestrian walkways
- Add sidewalks to road network as needed
- Add trees along road network and pedestrian paths to define edges and provide shade
- Use native indigenous plantings and trees

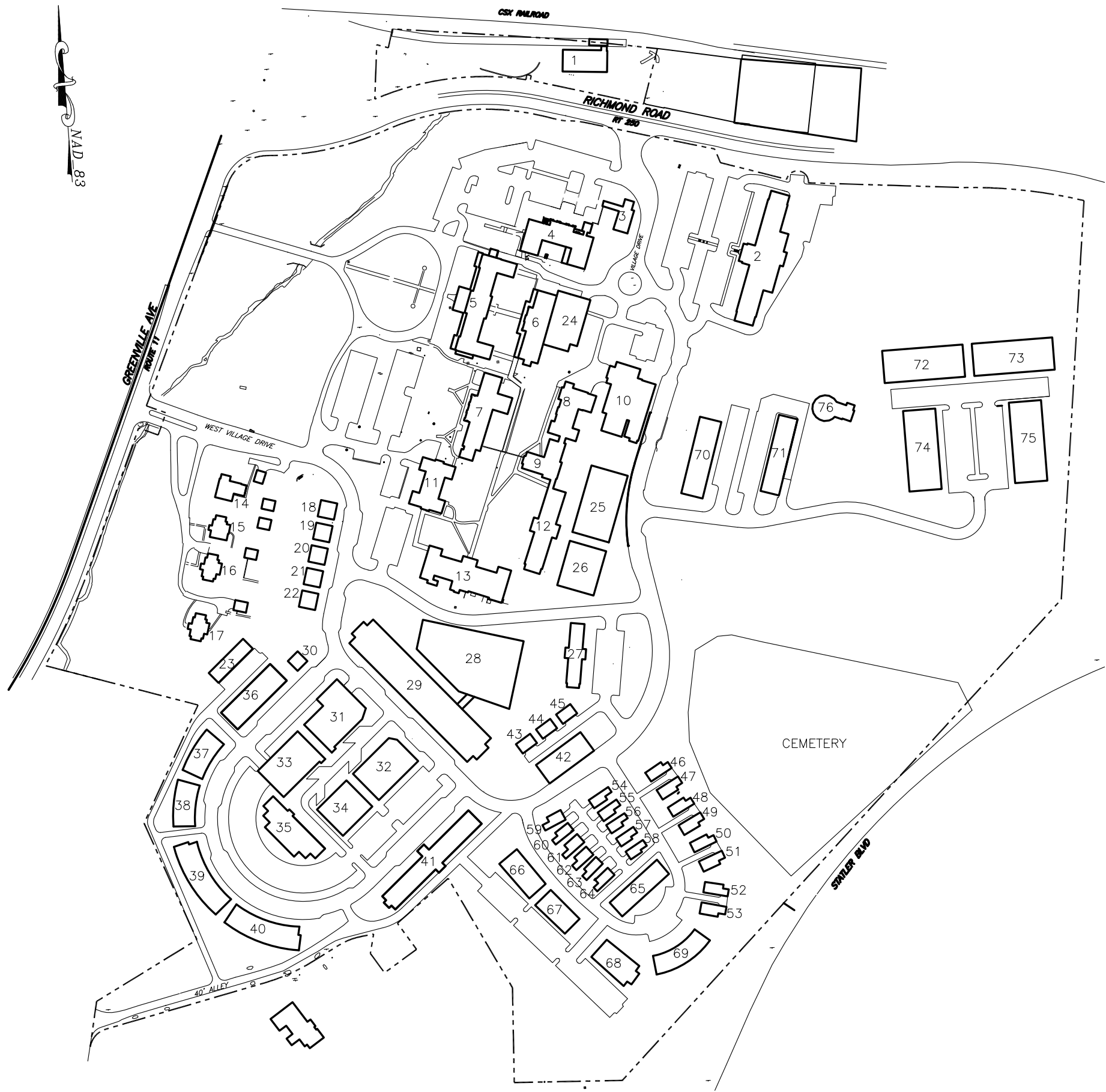
BUILDING MATERIALS

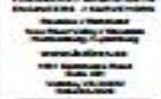
Walls: brick, wood, cementious siding
Trim: wood, cast stone, stone, cementious products
Roofs: standing-seam metal, slate, artificial slate, architectural asphalt shingles

Bldg#	Sq.Ft. /FL.	Max Floors	Square Feet	Proposed Use
Historic Buildings				
1			4,806	Restaurant /Commercial
2			41,878	Office / Commercial / Residential
3			4,720	Commercial / Residential
4			44,716	Residential Condominiums
5			30,890	Hospitality / Commercial
6			22,346	Hospitality / Commercial
7			27,618	Commercial / Hospitality
8			24,018	Residential / Commercial
9			18,208	Residential / Commercial
10			22,885	Residential / Commercial / Hospitality
11			23,544	Residential / Commercial
12			21,582	Residential / Commercial
13			43,703	Residential / Commercial
14			3,908	Residential / Commercial
15			4,476	Residential / Commercial
16			1,070	Residential / Commercial
17			4,065	Residential / Commercial
New Buildings				
18	1,350	3	4,050	Residential / Commercial
19	1,350	3	4,050	Residential / Commercial
20	1,350	3	4,050	Residential / Commercial
21	1,350	3	4,050	Residential / Commercial
22	1,350	3	4,050	Residential / Commercial
23	8,062	3	24,186	Residential / Commercial
24	7,200	3	21,600	Commercial / Hospitality
25	21,600	4	86,400	Parking Garage
26	21,600	4	86,400	Parking Garage
27	4,200	2	8,400	Community Building
28	19,880	4	79,520	Parking Garage
29	9,000	5	45,000	Mixed Use
30	1,200	1	1,200	Commercial
31	7,000	4	28,000	Residential / Mixed Use
32	7,000	4	28,000	Residential / Mixed Use
33	6,000	3	18,000	Mixed Use
34	6,000	3	18,000	Mixed Use
35	6,400	3	19,200	Mixed Use
36	5,000	3	15,000	Residential Townhouses
37	3,000	3	9,000	Residential Townhouses
38	3,000	3	9,000	Residential Townhouses
39	3,000	3	9,000	Residential Townhouses
40	3,000	3	9,000	Residential Townhouses
41	9,680	1	9,680	Commercial
42	4,500	3	13,500	Residential Townhouses
43	1,000	1	1,000	Garage
44	1,000	1	1,000	Garage
45	1,000	1	1,000	Garage
46	1,500	3	4,500	Residential
47	1,500	3	4,500	Residential
48	1,500	3	4,500	Residential
49	1,500	3	4,500	Residential
50	1,500	3	4,500	Residential
51	1,500	3	4,500	Residential
52	1,500	3	4,500	Residential
53	1,500	3	4,500	Residential
54	1,225	3	3,675	Residential
55	1,225	3	3,675	Residential
56	1,225	3	3,675	Residential
57	1,225	3	3,675	Residential
58	1,225	3	3,675	Residential
59	1,225	3	3,675	Residential
60	1,225	3	3,675	Residential
61	1,225	3	3,675	Residential
62	1,225	3	3,675	Residential
63	1,225	3	3,675	Residential
64	1,225	3	3,675	Residential
65	5,625	4	22,500	Residential Townhouses
66	5,000	3	15,000	Residential Lofts
67	5,000	3	15,000	Residential Lofts
68	5,000	3	15,000	Residential Lofts
69	5,625	4	22,500	Residential Townhouses
70	8,250	2	16,500	Residential
71	8,250	2	16,500	Residential
72	12,500	3	40,000	Residential
73	12,500	3	40,000	Residential
74	12,500	3	40,000	Residential
75	12,500	3	40,000	Residential
76	3,600	1	3,600	Residential



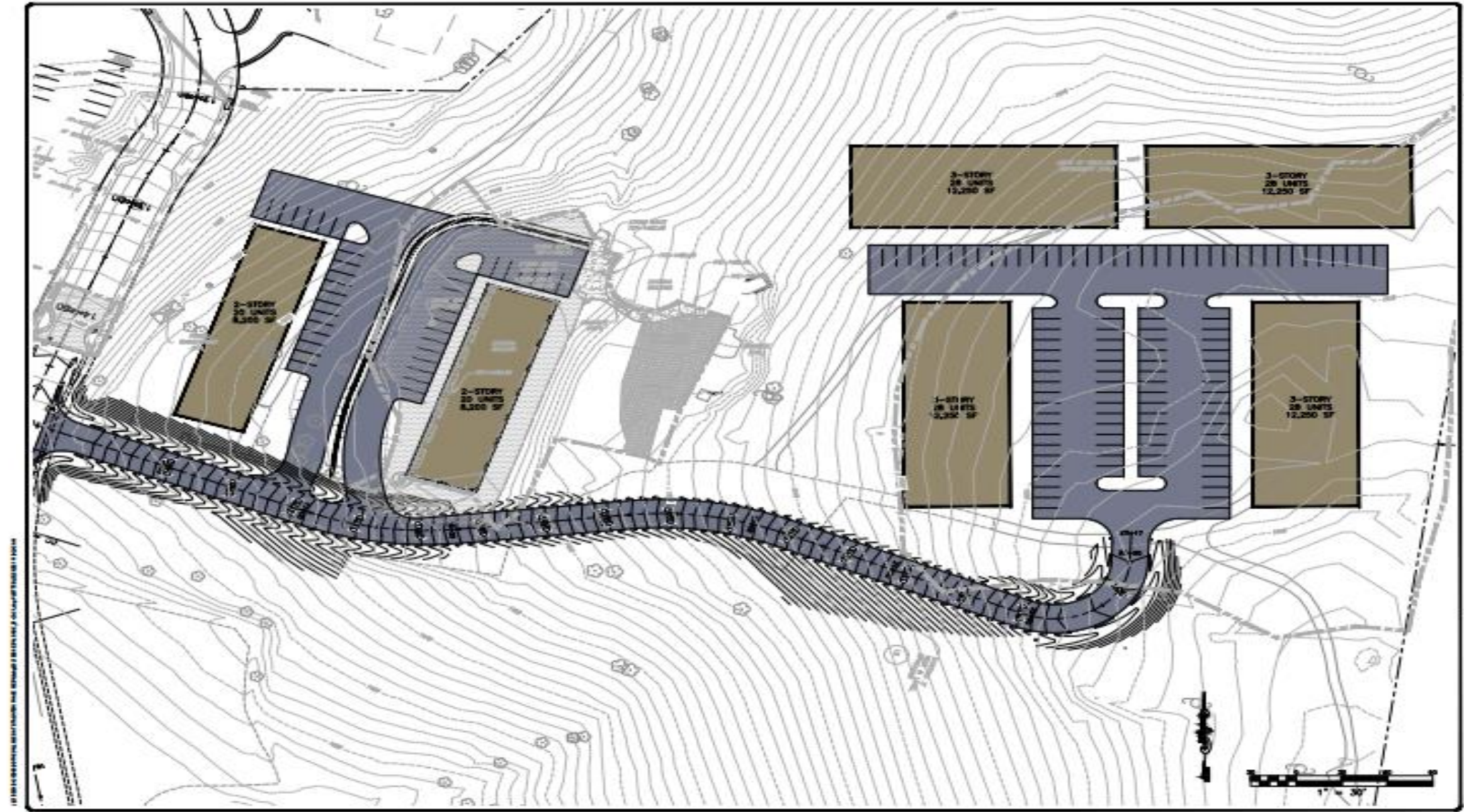
SCALE: 1" = 250'





CONCEPT PLAN

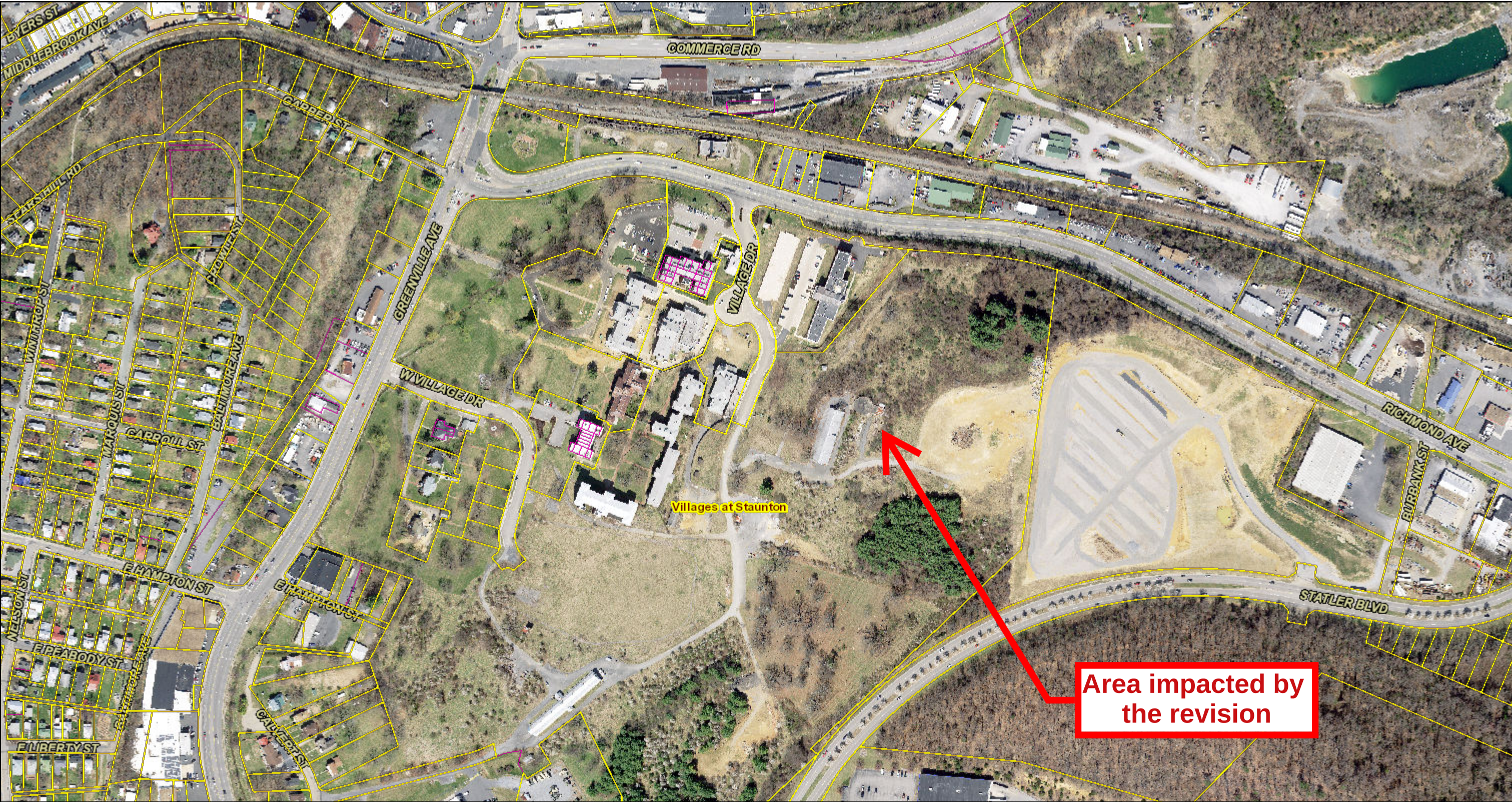
C1.0



VAS - Tax Assessments (2020)

PROPERTY	UNIT	TOTAL ASSESSMENT	TAX	NOTES
100 Village Drive	101	\$ 299,345.00	\$ 2,843.78	
100 Village Drive	102	\$ 333,445.00	\$ 3,167.73	
100 Village Drive	103	\$ 361,035.00	\$ 3,429.83	
100 Village Drive	104	\$ 270,785.00	\$ 2,572.46	
100 Village Drive	201	\$ 280,280.00	\$ 2,662.66	
100 Village Drive	202	\$ 403,805.00	\$ 3,836.15	
100 Village Drive	203	\$ 395,840.00	\$ 3,760.48	
100 Village Drive	204	\$ 248,305.00	\$ 2,358.90	
100 Village Drive	205	\$ 368,710.00	\$ 3,502.75	
100 Village Drive	301	\$ 281,480.00	\$ 2,674.06	
100 Village Drive	302	\$ 402,700.00	\$ 3,825.65	
100 Village Drive	303	\$ 396,040.00	\$ 3,762.38	
100 Village Drive	304	\$ 248,805.00	\$ 2,363.65	
100 Village Drive	305	\$ 370,420.00	\$ 3,518.99	
100 Village Drive	401	\$ 382,970.00	\$ 3,638.22	
100 Village Drive	402	\$ 489,960.00	\$ 4,654.62	
100 Village Drive	403	\$ 497,730.00	\$ 4,728.44	
100 Village Drive	404	\$ 348,510.00	\$ 3,310.85	
100 Village Drive	405	\$ 507,985.00	\$ 4,825.86	
100 Village Drive	NA	\$ -	\$ -	PARKING LOT/ASSESSMENT NA
101 Village Drive	All	\$ 4,251,190.00	\$ 40,386.31	
101 W Village Drive	101	\$ 172,788.00	\$ 1,641.49	
101 W Village Drive	102	\$ 160,964.00	\$ 1,529.16	
101 W Village Drive	103	\$ 163,613.00	\$ 1,554.32	
101 W Village Drive	104	\$ 194,395.00	\$ 1,846.75	
101 W Village Drive	201	\$ 175,988.00	\$ 1,671.89	
101 W Village Drive	202	\$ 160,964.00	\$ 1,529.16	
101 W Village Drive	203	\$ 166,513.00	\$ 1,581.87	
101 W Village Drive	204	\$ 197,995.00	\$ 1,880.95	
101 W Village Drive	301	\$ 183,788.00	\$ 1,745.99	
101 W Village Drive	302	\$ 171,164.00	\$ 1,626.06	

101 W Village Drive	303	\$	173,913.00	\$	1,652.17	
101 W Village Drive	304	\$	206,795.00	\$	1,964.55	
101 W Village Drive	G01	\$	131,290.00	\$	1,247.26	
102 Village Drive	NA	\$	493,200.00	\$	4,685.40	
102 W Village Drive	NA	\$	25,450.00	\$	241.78	
103 W Village Drive	NA	\$	190,940.00	\$	1,813.93	
104 Village Drive	NA	\$	111,070.00	\$	1,055.17	
104 W Village Drive	NA	\$	25,340.00	\$	240.73	
106 Village Drive	NA	\$	144,670.00	\$	1,374.37	
106 W Village Drive	NA	\$	25,460.00	\$	241.87	
108 W Village Drive	NA	\$	25,350.00	\$	240.83	
110 W Village Drive	NA	\$	26,500.00	\$	251.75	
301 Greenville Ave	NA	\$	3,987,300.00	\$	37,879.35	
355 Greenville Ave	A	\$	350,950.00	\$	3,334.03	
355 Greenville Ave	B	\$	360,850.00	\$	3,428.08	
357 Greenville Ave	NA	\$	448,710.00	\$	4,262.75	
359 Greenville Avenue	NA	\$	467,100.00	\$	4,437.45	
361 Greenville Drive	NA	\$	412,070.00	\$	3,914.67	
900 W Village Drive	NA	\$	1,252,060.00	\$	11,894.57	
TOTAL (VAS)		\$	21,746,530.00	\$	206,592.04	
TOTAL (STAUNTON)		\$	29,990,390.00	\$	284,908.71	



6/10/2021, 12:33:45 PM

— Lot_Lines

□ City Limits

□ Parcels

Point_of_Interests

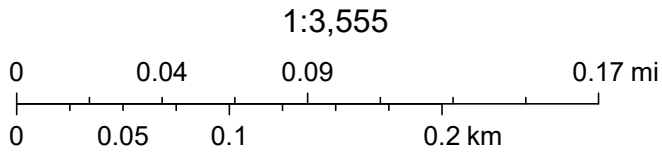
Road Centerline

2018Image.tif

■ Green: Band_2

■ Blue: Band_3

■ Red: Band_1



CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	July 22, 2021	John Blair, II City Attorney
Item #	4 & E	
Ordinance #		
Department:	City Attorney	
Council Vision:	Responsive, Efficient Government	
Subject:	An Ordinance to Amend Section 6.15.040, Notice Required at Place of Sale, of Chapter 6.15, Wild and Exotic Animals, of Title 6, Animals and Fowl, of the Staunton City Code to Conform with Section 6.15.010	

Background: The City Attorney's office continues its ongoing effort to address Staunton City Code updates and to propose amendments as necessary or appropriate. While reviewing Staunton City Code Section 6.15.040, it was noted that the language does not conform with Section 6.15.010. The attached ordinance reflects the corrected language to align the City's code with the Administrative Code of Virginia and Staunton City Code Section 6.15.010.

Attachment: Proposed Ordinance Amending Staunton City Code Section 6.15.040

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

Suggested Motion: I move that City Council adopt an ordinance amending Section 6.15.040, Notice Required at Place of Sale, of Chapter 6.15, Wild and Exotic Animals, of Title 6, Animals and Fowl, of the Staunton City Code, as proposed, to conform with the language with Staunton City Code Section 6.15.010.

City Manager: Steven L. Rosenberg

Ordinance No. 2021 - __

**AN ORDINANCE AMENDING, RESTATING AND REORDAINING
SECTION 6.15.040, NOTICE REQUIRED AT PLACE OF SALE, OF CHAPTER
6.15, WILD AND EXOTIC ANIMALS, OF TITLE 6, ANIMALS AND FOWL, OF
THE STAUNTON CITY CODE TO CONFORM WITH CHANGES MADE
PREVIOUSLY TO SECTION 6.15.010 REGARDING THE DEFINITION OF
“WILD OR EXOTIC ANIMAL”**

Recitals

A. Pursuant to Staunton City Charter Section 11, Thirteenth, and Section 3.2-6543 of the Code of Virginia, the City Council has the authority to amend provisions of Title 6, Animals and Fowl, of the Staunton City Code (SCC);

B. At its December 10, 2020 regular meeting, City Council amended the definition of “wild or exotic animal” in Section 6.15.010 of the SCC;

C. City Council finds that it is in the interest of the City and its citizens to amend Section 6.15.040 of the SCC to conform with the amendments made previously to Section 6.15.010;

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 6.15.040, Notice required at place of sale, of Chapter 6.15, Wild and Exotic Animals, of Title 6, Animals and Fowl, of the Staunton City Code be and hereby is amended as follows:

6.15.040 Notice required at place of sale.

Any person who offers for sale a wild or exotic animal as defined by SCC 6.15.010 shall post conspicuously at the place of sale or display the following notice:

No person may lawfully keep or permit to be kept in the city of Staunton any live monkey (nonhuman primate), raccoon, skunk, wolf, squirrel, fox, leopard, panther, tiger, lion, lynx, or any other warm-blooded animal, poisonous snake or tarantula; ~~crocodile or alligator~~, which can normally be found in the wild state or any other member of the crocodilian order, including but not limited to alligators, crocodiles, caimans, and gavials. Animals which have been bred in captivity and which have never known the wild and are lawfully made available for sale or otherwise by a pet shop located and lawfully operating in the corporate limits of the city of Staunton shall be excluded from this restriction.

DRAFT 06.30.21

In all other respects, the provisions of Chapter 6.15, Wild and exotic animals, of Title 6, Animals and Fowl, 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 M. Zinni, Clerk of Council

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	July 22, 2021	City Council John Blair, II City Attorney
Item #	5 & F	
Ordinance #		
Department:	City Council	
Council Vision:	Responsive, Efficient Government	
Subject:	City Council Procedure Memorandum No. 3 Amendments	

Background: The Virginia Freedom of Information Act (FOIA) permits each public body in the Commonwealth of Virginia to adopt a remote participation policy for its membership consistent with the limits imposed by FOIA.

During its 2021 session, the General Assembly enacted two amendments to FOIA's remote participation statute (Virginia Code Section 2.2-3708.2). The first allows public body members to participate remotely due to a family member's medical condition that requires the member to provide care for the family member and precludes the member's physical attendance at the meeting. The FOIA amendments do not set a calendar year limit to the number of meetings a Council member may remotely participate in due to a family member's medical condition which requires the Council member to provide care.

The second amendment permits public body members to participate remotely for up to 25% of the public body's meetings due to a personal matter.

At its June 24, 2021 meeting, the Council indicated that it was in favor of amending its remote participation policy to incorporate both of these changes. While the exact number of Council meetings in a calendar year can fluctuate, there are typically twenty-one regular Council meetings in a calendar year. The Council agreed to increase the number of meetings a member may remotely participate in due to a personal matter to six meetings per year which is approximately 25% of the Council's regular meetings in a calendar year.

Attachments:

Attachment 1—Virginia Code Section 2.2-3708.2

Attachment 2—Proposed Revisions to Council Procedure Memorandum No. 3

City Manager's Recommendation: Consider adoption of amended Staunton City Council Procedure Memorandum No. 3.

Suggested Motion: I move to adopt the proposed amendments to Staunton City Council Procedure Memorandum No. 3.

City Manager: Steven L. Rosenberg

§ 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 a temporary or permanent disability or other medical condition that prevents 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 is limited each calendar year to two meetings.

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 a temporary or permanent disability or other medical condition that prevented 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.

2018, cc. [55](#), [56](#);2019, c. [359](#).

The chapters of the acts of assembly referenced in the historical citation at the end of this section(s) may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

COUNCIL PROCEDURE MEMORANDUM NO. 3

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

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.

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. 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 family member's medical condition that requires the Council member to provide care for the family member which prevents the Council member's physical attendance at the meeting, or due to a personal matter and the Council member identifies with specificity the nature of the personal matter. A Council member may remotely participate in up to ~~six~~^{two} meetings each calendar year due to personal matters. A Council member's remote participation due to a temporary or permanent disability or other medical condition shall not be subject to a meeting limitation per calendar year. A Council member's remote participation due to a family member's medical condition that requires the Council member to provide care for the family member thereby preventing the Council member's physical attendance shall not be subject to a meeting limitation per calendar year. The Council member requesting to remotely participate in the meeting must state the remote location from which they will participate.
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 a Council member's or a family member's 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. Before proceeding with the remainder of the Council

meeting, the Mayor shall ask the Council member to state their name. The Mayor shall then ask the other Council members and members of the public in attendance if they can hear the remotely participating Council member. The meeting shall not proceed until the remotely participating Council member's voice can be heard by all Council members and members of the public physically assembled at the meeting location.

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: June 24, 2021

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	July 22, 2021	Staff Members: Billy Vaughn Amanda DiMeo
Item #	6	
Ordinance #		
Department:	Economic Development	
Council Vision:	Economic Development	
Subject:	Update on the Staunton Crossing Economic Development Business Plan	

Background: During Council's work session on July 22, 2021, an update will be provided on the more recent efforts to implement the recommendations in the Staunton Crossing Economic Development Business Plan. Staff will focus on site preparation and marketing efforts in furtherance of the plan.

City Manager's Recommendation: Not applicable.

Suggested Motion: Not applicable.

City Manager: Steven L. Rosenberg

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	July 22, 2021	City Council
Item #	7	
Ordinance #		
Department:	City Council	
Council Vision:	Responsive, Efficient Government	
Subject:	City Council Retreat	

Background: City Council has expressed a desire to hold a retreat in order to review and revisit, among other items, their vision, goals and priorities. The purpose of this work session item is to discuss possible dates for the retreat and to address any other questions concerning the retreat. The results of the Doodle Poll will be provided to City Council at the meeting.

City Manager's Recommendation: City Council review and discuss options concerning the date and content of the retreat and provide guidance and direction to staff.

Suggested Motion: Not applicable.

City Manager: Steven L. Rosenberg

SPECIAL MEETING OF STAUNTON CITY COUNCIL
Thursday, June 17, 2021
5:30 p.m.

PRESENT: **Mayor Andrea Oakes**
 Mark Robertson, Vice Mayor
 Stephen W. Claffey
 Carolyn W. Dull
 R. Terry Holmes
 Brenda O. Mead

ABSENT: **Amy G. Darby**

ALSO PRESENT: **Steven L. Rosenberg, City Manager**
 Leslie Beauregard, Assistant City Manager
 Morgan C. Smith, Acting Clerk of Council
 John Blair, City Attorney

Mayor Oakes called the joint meeting to order. Ophie Kier, chair of the Economic Development Authority (EDA) called the joint meeting to order. All members of the EDA were in attendance, with Allison Denbigh participating remotely. Kenneth Venable, chair of the Staunton City School Board, called the joint meeting to order. All members of the School Board were in attendance.

Vice Mayor Robertson moved that Morgan Smith be appointed as Acting Clerk of Council for the recordation of the proceedings of Council in its special meeting of June 17, 2021, and that she be authorized and directed to sign and execute such documents as are necessary and proper regarding the presence of Council members, a quorum, consideration and voting.

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

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

City Manager Steve Rosenberg stated that Dr. Garrett Smith, Superintendent of Staunton City Schools would share a presentation regarding the leasing of Building 126 at Staunton Crossing by the Staunton City Schools, followed by a question-and-answer period. The meeting was to engage in an open discussion with all three boards present.

Dr. Smith stated that the school system works on three principles: (1) that they are responsible stewards of taxpayer money; (2) that they promote equity whenever possible; and that (3) solutions should be a win/win for all of those involved. He shared other ways in which the schools had helped the City and that they will continue to do so. Dr. Smith detailed, along with City Schools Budget Director Brad Wegner, how a lease of Building 126, to be feasible would have to be for at least 15 years.

Mr. Kier asked for an explanation of the expenses for refurbishing Building 126 so that it could last another 50 years. Dr. Smith stated that repairing the roof was the first priority and that the other locations the School Board had looked at would be almost double the cost. Mr. Kier asked if working with the City to purchase property that would meet many needs would be a better solution. Dr. Smith stated that ultimately money is the issue and that the schools do not have the luxury of time. Mr. Kier reiterated that the city and the schools need a large facility that they can share and that there is no one on any of the boards that thinks the school's maintenance department should stay in the basement of Shelburne Middle School.

EDA Board Member Joseph Leigh asked where else the School Board had looked for property. Dr. Smith replied that they had not looked outside of City limits.

Vice Mayor Robertson asked if it were still a possibility that once Building 126 had been renovated to fit their needs that the School System would have space to rent to Augusta County and the City of Waynesboro for their cold storage needs. Dr. Smith said that would be a possibility and that Building 126 would be a distribution center for the City and Schools as well. The Vice Mayor asked what kind of income would come from renting space. Dr. Smith stated that he would have to obtain that figure. Vice Mayor Robertson then asked Earl McCray, Director of Operations, Maintenance and Transportation for Staunton City Schools, what kind of shape the equipment in Building 126 was in. Mr. McCray said that the system would need to have updated freon, but the box itself if in good shape and but that work would need to be done on the outside of the equipment. Dr. Smith stated that the architects said that it was okay. Vice Chair of the School Board Amy Wratchford stated that Building 126 fit the needs of the Schools, Parks and Recreation and the Police Department.

Ms. Mead asked where the fueling depot would be located for the buses. Dr. Smith responded that it would stay at Public Works. Mr. McCray clarified that there are two fueling stations, one at Parks and Recreation and one at Public Works. The bus drivers usually fuel after their morning runs and that lasts through their afternoon run and the next morning.

Ms. Dull stated that urgency is needed to get the maintenance department out of Shelburne Middle School and that there would be a benefit to work together. She was concerned that the 114 buses would add significant traffic to that section of town.

Mr. Claffey asked for clarification on the location on the new VDOT road and how it impacted the entrance where Building 126 is located. Billy Vaughn, Director of Economic and Community Development, stated that the new VDOT road is a spine road through the property that will connect with Valley Center Drive. This entrance off North Frontier Drive will be the primary access point for trucks as they will not be able to access the site off of Richmond Road entrance using the roundabout. Discussion ensued regarding traffic on North Frontier Drive and what may or may not occur.

To demonstrate why Building 126 should be demolished with the other buildings remaining from Western State Hospital, Mr. Vaughn gave a brief history of Staunton Crossing. He first noted that interest in the property has increased significantly from national companies since the demolition began. The city needs to invest in site preparation to make it accessible for investors. The State allocated money for the new road to be developed and for remediation of the old buildings. The State has also begun to push the property to developers and brokers and soon Staunton Crossing

96 will have a high ranking for developers. Mayor Oakes asked why the site is interesting now but
97 had not been in the past. Mr. Vaughn replied that it was because of the site preparation. Developers
98 want to come in to property ready for them to build, not have to demolish what is existing.
99

100 Ms. Wratchford stated the school is asking for only 2% of the Staunton Crossing property and she
101 is certain that the site can still get to Tier 4. Mr. Vaughn stated that Building 126 is in a prime
102 location at the rear of the site.
103

104 Ms. Mead asked how long it took for the high school property to be fully usable. Dr. Smith stated
105 18 months, but that the COVID-19 pandemic helped speed up the timeline. Ms. Mead stated that
106 the schools have 27 months to get the funds engaged, and 39 to have them fully spent. She said
107 the City's needs are equally important and that the EDA has done their job by supporting the long-
108 term vision of the Staunton Crossing property. City Council needs to focus on the big picture and
109 one of their priorities is the West End. She does not support taking any employees out of the West
110 End. Mr. Venable stated that moving the maintenance department should have been done years
111 ago and that the improvements to Shelburne will help children in the short- and long-term.
112 Discussion continued regarding the need to get the maintenance department to a better location
113 and for it to happen quickly so that the federal money allotted for the schools could be used for
114 renovation.
115

116 Mr. Holmes shared that he had visited property owned by Guy Eavers in the West End that would
117 at least allow the maintenance department to move. He stated that he had originally thought that
118 Building 126 was the right answer, but after further research, he does not want to inhibit growth
119 in Staunton Crossing. Discussion continued regarding the possibility of the schools leasing various
120 properties around the City and Augusta County.
121

122 Dr. Smith reiterated that even Building 126 would require work before maintenance could move,
123 but there was a possibility that the space that Mr. Holmes mentioned would be closer to move-in
124 ready. Discussion ensued regarding funding after Phil Trayer, the City's Chief Financial Officer,
125 stated that the City could make funds available, but that would result in more debt. School Board
126 Member Natasha McCurdy asked if the Council would consider using American Rescue Plan Act
127 funds if allowed. Mr. Rosenberg stated that the city had not had an opportunity to determine what
128 the parameters were regarding that funding.
129

130 Vice Mayor Robertson recommended that Mr. Holmes reach out to Mr. Eavers to see about
131 possibilities of leasing or renting the property. Mayor Oakes asked for input from the Economic
132 Development Authority. It was a unanimous decision that leasing Building 126 to the School
133 Board for 15 years was not an option.
134

135 Mayor Oakes stated that the School Board needs to continue to work with City Council. Dr. Smith
136 stated that he would like the development of a working group to explore this option. Mayor Oakes
137 tasked Dr. Smith and Mr. Rosenberg to form the group.
138

139 City Attorney John Blair reminded the group that the City Manager had until July 3 to stop
140 Building 126 from being demolished. Mr. Vaughn stated that the EDA will continue to let the
141 Schools, Parks and Recreation and the Police Department store their items until the last possible
142 moment.
143

144 All council members present agreed to the working group.

145

146 **ADJOURNMENT**

147

148 There being no further business, the meeting adjourned at 7:20 p.m.

149

150

151

152

153

154

155

Morgan C. Smith
Acting Clerk of Council

DRAFT

REGULAR MEETING OF STAUNTON CITY COUNCIL**Thursday, June 24, 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
 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.

The Pledge of Allegiance was recited in unison.

The invocation/moment of silence was given by Mr. Stephen Claffey. He introduced Father Joseph Wamala of Saint Francis of Assisi Catholic Church, who gave prayer.

MAYOR'S REPORT

Mayor Oakes acknowledged it was Mr. Claffey's birthday.

Mayor Oakes read the following proclamation honoring 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.

/s/Andrea W. Oakes

ANDREA W. OAKES, MAYOR

ATTEST: /s/Rachael ML Zinni

CLERK OF COUNCIL

Executive Director of the Shenandoah LGBTQ Center, Emily Sproul, along with member of the board, Art Lewis, Phil Floyd, and founder Christopher Wood, accepted the Proclamation and gave thanks in acknowledging their hard work and dedication to the community.

Mayor Oakes read the following proclamation honoring Juneteenth:

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.

/s/Andrea W. Oakes

ANDREA W. OAKES, MAYOR

ATTEST: /s/Rachael ML Zinni

CLERK OF COUNCIL

Sheila Ahmadi, Shenandoah Valley Juneteenth Celebration Committee member, remarked that while she was thankful for the acknowledgement of Juneteenth, there were some matters in need of clarification in the proclamation. She remarked that observance should have been properly referenced as “Freedom Day” rather than “Independence Day,” as the term “Independence” is not associated with Juneteenth. She also took issue with the geographical breadth of the reference to the States where the end of enslavement occurred, discrepancies in number of enslaved Americans, and the failure to reflect the gross inequities suffered by African-Americans in the years subsequent to Emancipation.

Ms. Ahmadi concluded her remarks by refusing to accept the proclamation as issued.

Mayor Oakes responded that City staff would reach out to Ms. Ahmadi concerning corrections.

Mayor Oakes stated the July Fourth Celebration by Happy Birthday America would be a virtual celebration.

Mayor Oakes provided information on Alphonso Hamilton Day, June 26, 2021, in which a celebration of his life would take place from 12:00pm to 2:00pm at Gypsy Hill Park.

Mayor Oakes mentioned that she and Ms. Dull attended a virtual session from Virginia First Cities where the America Rescue Plan through the American Recovery Act was detailed.

Mayor Oakes stated that the first pitch by Woodrow Wilson did not take place at the Staunton Braves game on June 11, 2021, due to inclement weather. He will be at the July 1, 2021, game to throw out the first pitch, which starts at 7:30pm.

Mayor Oakes recognized that Fire and Rescue from the City of Staunton was recognized as recipients of the 2020 Governor's Fire Service Awards. Chief Scott Garber, Fire and Rescue Chief, was acknowledged as receiving the Chief Glenn A. Gaines Leadership Legacy Award from the Virginia Fire Chiefs Association.

ADDITIONAL ITEMS BY MEMBERS OF COUNCIL

Ms. Dull stated that after participating in the Virginia First Cities virtual session, there will be great opportunity for growth and advancement for the City of Staunton. She also stated that she enjoyed the Juneteenth Celebration on June 19, 2021.

Ms. Mead mentioned that she has been meeting with citizens over the last month and have interacted with upward of thirty citizens. She cited that she held a Town Hall Meeting on June 15, 2021, about the School Board and Staunton Crossing issue.

APPROVAL OF MINUTES

Mr. Claffey moved to approve the Work Session and Regular Meeting Minutes of June 10, 2021 presented.

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

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

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

The first budget amendment for fiscal year 2022 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. 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.

City Manager Steve Rosenberg made Council members aware that during the procedural motion, they would be asking to open a public hearing after introducing the amendment to the fiscal year 2022 budget.

Phil Trayer, Chief Financial Officer, gave a brief presentation of the FY2022 Budget Ordinance Amendment.

Mayor Oakes asked if Council had any questions or comments.

Council members did not have any further questions.

Vice Mayor Robertson moved 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.

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

244	Mr. Holmes	aye	Mr. Claffey	aye
245	Ms. Darby	aye	Mayor Oakes	aye
246	Vice Mayor Robertson	aye	Ms. Mead	aye
247	Ms. Dull	aye		

248

249 The public hearing was opened.

250

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

252

253 Mayor Oakes asked if Council had any questions or comments.

254

255 Council members did not have any further questions.

256

257 **(SEE ATTACHMENT A – BUDGET ORDINANCE 2021-19)**

258

259 **B. Consideration City Council Procedure Memoranda and Amendment to Staunton**
260 **City Code Section 2.10.120**

261

262 City Council discussed amendments to its current Council Procedure Memoranda at its May 27,
263 2021 and June 10, 2021 meetings.

264

265 City Attorney John Blair reviewed some clarification points on the memoranda at hand. He
266 clarified that the City Charter does not have any guidelines for Council members abstaining from
267 voting on an issue.

268

269 Mr. Blair continued to Memorandum Sixteen, citing changes that were made, which included the
270 definition of public business and clarification of FOIA-related records on a personal account or
271 device.

272

273 Mr. Blair pointed out further changes made in the Memoranda from the June 10, 2021, Work
274 Session discussion.

275

276 In Memorandum Six, a Council member can abstain from a vote if there is an appearance of a
277 conflict of interest which must be stated in the minutes for the reason of the abstention.

278

279 Memoranda Five and Fifteen state that the City Manager will come before the Council to discuss
280 all grants.

281

282 Memorandum Two was amended that for the purpose of Nominations Committee, the Clerk will
283 state the reception of an applicant's application, those applications will be given to all members of
284 Council, and clarifies the role of Council liaisons.

285

286 Memorandum Three gives guidance on the deferral of invocation/moment of silence to another
287 Council member and that a proposal of an agenda item will be slated on the next available Work
288 Session Agenda by the City Manager.

289

290 Memorandum Four allows one forum public participation via Zoom. Mr. Blair stated that the
291 definition of Matters From the Public would be clarified in Memorandum Four. Public hearings
292 would be limited to five minutes per participant with no maximum number of speakers during this

time. Matters From the Public would be limited to three minutes per participant with no maximum number of speakers during this time. This Memorandum also outlines that a land use applicant is separate from the Public Hearings, so that Council could address questions to said applicant.

Memorandum Twelve states that the Mayor would report any spending to Council under the \$250 spending authority.

In Memorandum Fourteen, the two-year time period in naming a city facility in honor of a deceased individual would be removed.

Memorandum Seventeen is an outline of Council meeting procedures in general.

Mr. Blair then informed the Council about a change to State Law. State Law limits the remote participation by Council members for meetings, allowing each governing body to set the limits in how many meetings a Council member can participate via remote participation. Mr. Blair stated that State Law now permits 25% of the scheduled Council meetings, totaling five in a calendar year, could be eligible for remote participation. State Law is also allowing for Council members to be able to participate remotely due to a family member's medical condition.

Mayor Oakes asked if Council had any questions or comments.

Mr. Holmes stated that he would like the Council to consider the remote participation of 25% of regular meetings.

Council members were in favor of the 25% remote participation for the regular meetings and honoring a family member's medical condition for remote participation.

Mayor Oakes made a statement about the importance of Matters From the Public, indicating that she was in favor of five minutes per participant, no limit on speakers, remote participation, and that Matters From the Public also be extended to after the invocation/moment of silence at the beginning of Council meetings.

Discussion ensued on this topic.

Council members did not have any further questions.

Mr. Blair requested a short recess to amend Memorandum Four to honor the changes discussed by Mayor Oakes and Council members.

Upon return from a short recess, Mr. Blair distributed the revised Memorandum Four to Council for their review. He covered that the amendment states that City Council will have two items in its Regular Agenda meetings for Matters from the Public. The first would be after the invocation/moment of silence and the second after Matters from the City Manager. Furthermore, no person should speak more than two times at Matters of the Public, one at the first session and one at the second session. Mr. Blair advised that Mr. Rodney Rhodes, Senior Planner, commented that Public Hearing times should be adjusted to accommodate the Matters from the Public at the beginning of the Regular Agenda meeting.

Ms. Dull moved to amend Staunton City Council Procedure Memoranda 4, changing the speaking time from three minutes to five minutes, along with having one Matters from the Public after the Matters from the City Manager.

Further discussion ensued from Council members, with clarification of Mr. Blair, on the amendment on Memorandum Four.

Ms. Dull's motion was entertained.

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

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

Ms. Dull moved to adopt amendments to Staunton City Council Procedure Memoranda 2, 3, amended 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.

The motion was seconded by Ms. Darby and carried as follows.

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

Ms. Mead acknowledged the citizens in being patient in finalizing these Memoranda. Mayor Oakes echoed her appreciation on these matters.

Ordinance No. 2021 - 20

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.

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: June 24, 2021
Adopted: June 24, 2021
Effective Date: June 24, 2021

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

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

(SEE ATTACHMENT B – MEMORANDUM 2, 3, 4, 5, 6, 12, 14, 15, 16, 17)

C. Consideration of Municipal Elections in November

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 and 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.

Mr. Blair briefly summarized this issue that was presented previously in the Work Session meeting.

Mayor Oakes asked if Council had any questions or comments.

Council members did not have any further questions.

Vice Mayor Robertson moved to approve 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.

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

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

Ordinance No. 2021 - 21

**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.

2.10.050 Disorderly behavior of members – Malfeasance or misfeasance in office.

2.10.060 Removal of officers.

2.10.070 Authority as to extension of water and sewer lines and improvement of streets to promote industrial development.

Article II. Meetings

2.10.080 When regular meetings held – Adjourned or postponed meetings.

2.10.090 Quorum.

2.10.100 Rules of procedure generally.

2.10.110 Suspension of rules of procedure.

2.10.120 Form of petitions and communications.

2.10.130 Members required to vote – Exceptions.

2.10.140 Reconsideration of vote.

2.10.150 Viva-voce vote in elections by council.

Article III. Ordinances and Resolutions

2.10.160 Passage, amendment and repeal generally – Signature of presiding officer.

2.10.170 Style.

2.10.180 Special requirements for appropriations, tax levies, etc.

2.10.190 Required vote on ordinance disposing of property or franchise.

2.10.200 Effect of new ordinance on prior offenses, penalties, rights, etc.

2.10.210 Repeal not to revive former ordinance.

Article 1. Generally

2.10.010 City Council and School Board Elections.

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

(c) On and after January 1, 2022, three (3) council members shall be elected at the general election in November 2022 to serve for terms of four (4) years, and four (4) council 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 council 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.

(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.

2.10.020 Election and duties of president and vice-president.

...

2.10.030 Filling of vacancies.

...

2.10.040 Members ineligible to certain offices.

...

2.10.050 Disorderly behavior of members – Malfeasance or misfeasance in office.

...

2.10.060 Removal of officers.

...

2.10.070 Authority as to extension of water and sewer lines and improvement of streets to promote industrial development.

...

Article II. Meetings

2.10.080 When regular meetings held – Adjourned or postponed meetings.

...

2.10.090 Quorum.

...

2.10.100 Rules of procedure generally.

...

2.10.110 Suspension of rules of procedure.

...

2.10.120 Form of petitions and communications.

...

2.10.130 Members required to vote – Exceptions.

...

2.10.140 Reconsideration of vote.

...

2.10.150 Viva-voce vote in elections by council.

Article III. Ordinances and Resolutions

2.10.160 Passage, amendment and repeal generally – Signature of presiding officer.

2.10.170 Style.

2.10.180 Special requirements for appropriations, tax levies, etc.

2.10.190 Required vote on ordinance disposing of property or franchise.

2.10.200 Effect of new ordinance on prior offenses, penalties, rights, etc.

2.10.210 Repeal not to revive former ordinance.

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.

Introduced: June 24, 2021

Adopted: June 24, 2021

Effective Date: June 24, 2021

/s/Andrea W. Oakes

Andrea W. Oakes, Mayor

ATTEST: /s/Rachael ML Zinni

Rachael ML Zinni, Clerk of Council

D. Consideration of Resolution Ending the Local Emergency Declared March 16, 2020

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.

Mr. Rosenberg stated the history of the reason behind the presentation of this resolution.

Mayor Oakes asked if Council had any questions or comments.

Ms. Dull inquired about mask wearing after the state of emergency ends. Mr. Rosenberg stated that he will discuss with the Commonwealth Attorney and Chief of Police to clarify if wearing a mask will present a legal issue in being charged and/or prosecuted.

Council members did not have any further questions.

Mr. Claffey moved to adopt the proposed resolution to end the local emergency declared March 16, 2020, in the City of Staunton on June 30, 2021.

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

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

**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: June 24, 2021

Adopted: June 24, 2021

Effective: June 24, 2021

/s/Andrea W. Oakes

Andrea W. Oakes, Mayor

ATTEST: /s/Rachael ML Zinni

Rachael ML Zinni, Clerk of Council

MATTERS FROM THE CITY MANAGER

Mr. Rosenberg reminded the Council and the public that the July 8, 2021, meeting has been cancelled. The next meeting will occur July 22, 2021.

Mr. Rosenberg also clarified that Memorandum Four is immediately in effect for Zoom participants to call in for participation on tonight's Matters from the Public. All information could be found on the City's website for connecting through Zoom to speak.

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 speak, I will ask you to step away from the podium. If you continue to speak after I inform you that you have exceeded your time limit, I will again ask you to please stop speaking and step away from the podium. If you still continue to speak, you may be charged with disorderly conduct under Virginia Code Section 18.2-415(A)(2).
2. This is a time for us as a Council simply to listen to your remarks. In an effort to encourage and maintain orderly conduct, we will not engage in give and take debate. If you seek information, you may mention it during your remarks and the City Manager or his staff may get in touch with you in the days ahead.
3. We ask that you direct your comments to Council as a whole and not to identify members of Council or to identify employees of the City. If you want to take up an issue with an individual member of Council or an employee, please speak with us before or after the meeting. We are also accessible by phone, email or mail. Again, we ask that you direct your comments to the Council as a whole.
4. We expect every speaker to be civil and courteous. Using profanity, making personal attacks on an individual unrelated to the performance of their duties on behalf of the City of Staunton and doing anything that is disruptive to the orderly conduct of this meeting will not be tolerated.
5. Finally, as the presiding officer, it is my duty to remind you that if you choose not to abide by these ground rules, I may find that you are out of order and will ask you to withdraw from the podium (or in the call will be added to the new draft). We certainly do not want to reach that point and even beyond, so we respectfully ask for your full cooperation in observing these guidelines.

If you wish, you may obtain a copy of the ground rules from our Clerk of Council, Ms. Zinni. And now, we welcome all speakers. The podium (not needed here, as it's referenced earlier) is now available for matters from the public."

Nitch Narduzzi, South Jefferson Street, thanked Ms. Mead for her initiation on both Proclamations from tonight. She stated her appreciation for the approval of the issues pertaining to Matters from the Public.

Joanne Tigert, 913 North Augusta Street, commented her surprise in the approval of Matters from the Public. She stated she was pleased with the overall outcome and that participation would ensue.

Allison Profeta, Farrier Court, voiced her opinion on multiple issues of current community events.

Judy Sorrell, no address given, thanked Council members in being receptive to listening to her concerns over the last fifteen months. She praised Council for working together.

Yvonne Wilson, First Street, recalled her experience at the protest for the Augusta County Sheriff's Office on June 23, 2021. She stated the importance of First Amendments rights and thanked the Council for keeping the Matters of the Public at five minutes.

Brad Slocum, West Johnson Street, is a new citizen to the City of Staunton who wanted to say thank you for allowing citizens to be heard.

There was no one else wishing to speak.

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 9:21 p.m.

Rachael ML Zinni
Clerk of Council

City Council
WORK SESSION
June 24, 2021
6:30 p.m.

Council Members Present: Mayor Oakes, Vice Mayor Robertson, Council Members Claffey, Darby, Holmes, Mead, and Dull.

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

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 approve the Work Session agenda and Regular Meeting agenda as presented.

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

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

2. Discussion of Ordinance to Amend the FY2022 Budget Ordinance for the City of Staunton by Adding Budget Amendment Number One

The first budget amendment for FY2022 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. 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.

Mr. Phil Trayer, Chief Financial Officer, presented high level information for the amendment to the FY2022 Budget Ordinance, including information on ARPA and ESSER III Funds.

Mayor Oakes asked if Council had any questions or comments.

Vice Mayor Robertson asked for clarification on the Reservoir Hill Tower breakdowns. Mr. Trayer responded in showing the itemization of cost for that project.

Mr. Claffey inquired about CIP projects and their funding, which was stopped at the pandemic started. Mr. Trayer stated that he would have to verify which projects would qualify for funding.

Mr. Claffey questioned on the broadband project and the money set aside for that. Mr. Trayer stated that Mr. Kurt Plowman, Chief Technology Officer, has started the process on design work in this project. Mr. Trayer added that he believes the ARPA funds could be used for this.

Mr. Claffey continued in asking about budget capacity from the federal level funding. Mr. Trayer stated that after further discussion by Council at a later date, could give a prioritized list on what projects would receive preference in funding initially.

Mr. Holmes asked about being able to fund the deficit in the FY2021 (Rachael note: Holmes was talking about the current year, not 2022 if I understand correctly) budget. Mr. Trayer confirmed that this would be possible.

Ms. Dull stated there was a point of clarification in revenue laws, utility tax can be counted in loss, but not the revenue itself.

Ms. Mead requested further information on services for the Qualified Census Tract (QCT) and other disproportionately impacted communities. Mr. Trayer stated that Mr. Billy Vaughn, Director of Economic Development, stated that one of two communities in the City of Staunton would qualify under these guidelines for QCT.

Mr. Claffey asked about the rehiring of government employees. Mr. Trayer advised that the hiring freeze was halted.

City Manager Steve Rosenberg interjected that the hiring freeze would cease on July 1, 2021, after the Council members took action on the Resolution Ending the Local Emergency dated March 16, 2020. He added that many part-time positions that were involuntarily terminated due to the pandemic have been filled by employees once employed in those positions.

Mayor Oakes stated that she and Ms. Dull attended the Virginia First Cities presentation through Zoom. She stated that public hearings were encouraged to have input on how to spend ARPA funds.

Council members did not have any further questions.

3. Discussion of Municipal Elections in November

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 and 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.

City Attorney John Blair summarized the SB 1157 and how it affects City Council and School Board member terms and elections.

Mayor Oakes asked if Council had any questions or comments.

Mr. Holmes asked when the filing deadline would be to run for office. Mr. Blair answered the filing date would be the third Tuesday in June of 2022 for the primary election.

Council members did not have any further questions.

4. Discussion of Resolution Ending the Local Emergency Declared March 16, 2020

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.

Mr. Rosenberg informed Council members this is the remaining action associated with the COVID-19 pandemic.

Mayor Oakes asked if Council had any questions or comments.

Council members did not have any further questions.

The work session adjourned at 7:10p.m.

Rachael ML Zinni
Clerk of Council

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	\$	6,543,777

Appropriations

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

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
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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	
<u>Recovered Costs</u>		\$ 33,926
State Registrar Reimbursement	33,926	
<u>Charges for Services</u>		\$ 24,000
Rental Income	24,000	
<u>Federal Revenue</u>		\$ 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

COUNCIL PROCEDURE MEMORANDUM NO. 2

SUBJECT: Boards and Commissions — Applications and Appointments

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.
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 applications.
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.
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 needs the board or commission that may require Council attention.

COUNCIL PROCEDURE MEMORANDUM NO. 3

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

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.

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. 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.

COUNCIL PROCEDURE MEMORANDUM NO. 4

SUBJECT: Speakers Appearing Before Council

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, 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.
2. 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, it 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.
3. 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.
4. In a land use matter, the applicant will then be offered an opportunity to rebut or address any comments made during the public hearing. The 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.

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

COUNCIL PROCEDURE MEMORANDUM NO. 5

SUBJECT: Grant Applications

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

1. Grants that require City funds or property to be contributed as a matching or percentage share, or
2. Grants that require a resolution, ordinance, or other authorization from City Council.

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

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.

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.

COUNCIL PROCEDURE MEMORANDUM NO. 12

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.

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 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.

6. The City Council may, at its discretion, designate or change a name for a new or existing public facility, consistent with the requirements of this policy and may withdraw the name or rename a facility at any time.
7. Official names of facilities, places, parks, etc. shall be used in all City communications, maps, plans, documents, signs and other means of identification.

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

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.

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	July 22, 2021	Staff Members: Rodney Rhodes Tim Hartless
Item #	A	
Ordinance #		
Department:	Community Development — Planning and Zoning	
Council Vision:	Built Environment	
Subject:	Public Hearing and Consideration of a Request by the City of Staunton to Amend Chapter 18.120, Yard, Building Setback, and Open Space Exceptions, Subsection 18.120.010(4)(f) of Title 18, Zoning, of the Staunton City Code	

Background: At the direction of Planning Commission, staff has drafted an amendment to Section 18.120(4)(f) of the Zoning Code of Staunton to help facilitate the development of existing nonconforming residentially zoned lots which have been platted without the required 30 feet of street frontage.

Staunton City Code Section 18.120(4)(f) provides:

No dwelling shall be erected on a lot which does not abut at least one street for at least 30 feet. A street shall form the direct and primary means of ingress and egress for all dwelling units. Alleys, where they exist, shall form only a secondary means of ingress and egress.

The current provision precludes any development on existing nonconforming lots that do not have the necessary street frontage. Individual property owners may apply for variances; however, due to the recurring nature of the situation, the formulation of a general regulation to be adopted as an amendment to the zoning code is the proper method to address the matter. Staff estimates that there are dozens of lots that are unbuildable under the current provision. Most, if not all, of these lots were platted in the county (without right-of-way requirements) prior to annexation.

Analysis: The draft amendment would allow one single-family dwelling to be constructed on any existing lot zoned residential which does not have the required street frontage if certain requirements are met. The requirements include: proof of an easement for access to the property; access easement must be at least 10 feet in width; easement giving access to the property must come from a developed City street; and access from undeveloped streets and alleys will not be permitted.

Planning Commission Recommendation: At its meeting of May 20, 2021, Planning Commission conducted a public hearing. During the public hearing several people spoke in opposition to the amendment because it would allow development on several lots in their neighborhood (Powhatan Street). After the public hearing was closed, discussion ensued and some concerns were raised with the proposed language in the draft. Minor revisions were made to the draft ordinance to address those concerns. Planning Commission considered the request again at its meeting of June 15, 2021. On a 4-0 vote, the Commission unanimously voted to recommend approval of the proposed amendment.

Attachment: Draft Ordinance Chapter 18.120

Suggested Motion (to be made after the public hearing is conducted): I move that Council adopt the ordinance and approve the amendment, as recommended by the Planning Commission.

City Manager: Steven L. Rosenberg

Ordinance No. 2021-____

**AN ORDINANCE AMENDING SECTION 18.120.010,
SETBACK EXCEPTIONS, OF CHAPTER 18.120, YARD, BUILDING SETBACK,
AND OPEN SPACE EXCEPTIONS,
OF TITLE 18, ZONING, OF THE STAUNTON CITY CODE
TO ADD AN EXCEPTION FOR EXISTING LOTS WITHOUT THE REQUIRED
STREET FRONTAGE**

Recitals

A. City Staff have ascertained that there are a number of lots in the City of Staunton that were platted on subdivision plats without frontage on a public street;

B. Staunton City Code prohibits dwellings from being constructed on a lot that does not front on a public street for at least 30 feet;

C. The Planning Commission of the City of Staunton has authorized staff to draft an amendment to the Staunton City Code that would allow one single-family dwelling to be constructed on each existing lot that was platted without the 30 feet of required street frontage;

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

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

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

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Staunton, Virginia, that Section 18.120.010, Setback exceptions, of Chapter 18.120, Yard, Building Setback, and Open Space Exceptions, of Title 18, Zoning, of the Staunton City Code, is **HEREBY AMENDED, RESTATED, AND REORDAINED** as follows:

18.120.010 Setback exceptions.

The following requirements provide exceptions or qualify and supplement, as the case may be, the specific district regulations set forth except in Division II of this title:

(1)

(2)

(3)

(4) The following provisions also apply to certain conditions with respect to the use of lots and access points:

(a)

(b)

(c)

(d)

(e)

(f)

(g) For any existing lot zoned residential which was displayed on a recorded subdivision plat without the required 30 feet of street frontage required in subsection (f), one single-family dwelling may be approved pursuant to the following conditions:

(i) In cases where frontage on a public street is less than 10 feet:

(a) The applicant must show evidence of the existence of an easement to the lot for ingress and egress from a public street.

(b) The easement shall be a minimum of 10 feet in width.

(c) Undeveloped streets, or undeveloped portions of streets, may not be used for access to the lot. Access must come from a street accepted by City Council pursuant to Staunton City Code Section 12.05.03.

(d) The lot must have been originally platted prior to annexation from Augusta County or have been platted in the City of Staunton prior to November 1, 1969 regardless of subsequent revisions.

(ii) In cases where the frontage on a public street is less than 30 feet but more than 10 feet, the lot may obtain approval for one single-family dwelling without an easement.

~~(g)~~ (h) An attached or detached private garage which faces on a street shall not be located closer than 25 feet to the street right-of-way line.

~~(h)~~ (i) Accessory buildings shall not be located in any required front yard with the exception of through lots in residential districts. On a lot in a residential district (R-1, R-2, R-3, R-4 and P-1) with frontage on two parallel streets, the front yard shall be designated by the orientation of the front or main door of the principal structure, as determined by the address assigned by the city unless the front yard is designated otherwise on the recorded plat. The yard abutting the other, parallel street shall be considered the secondary front yard, and an accessory building thereon is permitted solely for a single-family use that satisfies the front yard setback requirements of such district. (Ord. 2021-02; Ord. 2019-09; Ord. 2011-07; Ord. 2009-22; Ord. 2009-20; Ord. 2004-06. Zoning ordinance Art. 5, § 4).

In all other respects, the provisions of Chapter 18.120, Yard, Building Setback, and Open Space Exceptions, of the Staunton City Code remain the same and are hereby restated, confirmed and reordained.

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Introduced:
Adopted:
Effective Date:

Andrea W. Oakes, Mayor

ATTEST: _____
Rachael M. Zinni, Clerk of Council

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CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	July 22, 2021	Staff Members: Rodney Rhodes Tim Hartless
Item #	B	
Ordinance #		
Department:	Community Development — Planning and Zoning	
Council Vision:	Built Environment	
Subject:	Public Hearing and Consideration of an Ordinance to Amend Section 18.215.020, Application, of Chapter 18.215, Amendments, of Title 18, Zoning, of the Staunton City Code to Align with the Code of Virginia	

Background: The City Attorney's office continues its ongoing effort to address City Code updates and to propose amendments as necessary or appropriate. While reviewing Section 18.215.020, it was noted that the language does not conform with the Code of Virginia. The attached ordinance reflects the corrected language to align with the Code of Virginia regarding the initiation of zoning ordinance amendments and rezonings.

Planning Commission Recommendation: At its meeting of June 15, 2021, the Planning Commission conducted a public hearing and considered the request. During the public hearing no one spoke in opposition. On a 4-0 vote, the Commission unanimously voted to recommend approval of the proposed amendment.

Attachment: Draft Ordinance Chapter 18.215

Suggested Motion (to be made after the public hearing is conducted): I move that Council adopt the ordinance and approve the amendment, as recommended by the Planning Commission.

City Manager: Steven L. Rosenberg

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Ordinance No. 2021 - _____

**AN ORDINANCE AMENDING, RESTATING AND REORDAINING
SECTION 18.215.020, APPLICATION, OF CHAPTER 18.215, AMENDMENTS,
OF TITLE 18, ZONING, OF THE STAUNTON CITY CODE
TO ALIGN WITH THE CODE OF VIRGINIA**

Recitals

A. Pursuant to Section 15.2-2286 of the Code of Virginia and provisions of Title 18.215 of the Staunton City Code, proposed amendments of zoning regulations or district maps, or for their repeal can be initiated whenever the public necessity, convenience, general welfare, or good zoning practice requires;

B. Section 15.2-2286 of the Code of Virginia permits amendments to be initiated by resolution of the governing body; by motion of the local planning commission; or by petition of the owner, contract purchaser with the owner's written consent, or the owner's agent therefor, of the property which is the subject of the proposed zoning map amendment;

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

D. The Planning Commission of the City of Staunton, after study and review, has properly heard the matter and recommended approval of the proposed code amendment on the basis that it would serve the interests of public necessity, convenience, general welfare, and good zoning practice, which City Council affirms based upon its own review;

E. This matter has been properly advertised, 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 Section 18.215.020, Application, of Chapter 18.215, Amendments, of Title 18, Zoning, of the Staunton City Code is **HEREBY AMENDED, RESTATED, AND REORDAINED** as follows:

...

18.215.020 Application.

(1) An application for a proposed amendment or rezoning shall be filed with the planning commission.

(2) An application, except as provided in subsection (3) of this section, may be instituted initiated by resolution of the governing body; by motion of the local planning

DRAFT 06.08.21

commission; or by petition of the owner, contract purchaser with the owner's written consent, or the owner's agent therefor, of the property which is the subject of the proposed zoning map amendment, addressed to the governing body or the local planning commission, who shall forward such petition to the governing body; a property owner or his designated representative or by the planning commission or other appropriate governmental agency other than the council.

(3) An application for conditional zoning may be made by a property owner(s) or his designated representative. Said application shall be in writing, signed by the property owner(s) placing certain conditions and restrictions on the use and development of the property of that property owner(s) in addition to the regulations provided for in the zoning district.

...

In all other respects, the provisions of Section 18.215.020, Application, of Chapter 18.215, Amendments, of Title 18, Zoning, 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 M. Zinni, Clerk of Council

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	July 22, 2021	Leslie Beauregard Assistant City Manager
Item #	C	
Ordinance #		
Department:	Finance City Manager	
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. At Council's regular meeting on June 24, 2021, Council introduced the ordinance and conducted a public hearing. 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.

Attachment: Budget Amendment Number One

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

Suggested Motion: I move to adopt an ordinance amending the fiscal year 2022 budget by adding Budget Amendment Number One, totaling \$7,700,360, as presented.

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
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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 M. Zinni
Clerk of Council

Andrea 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	
<u>Recovered Costs</u>		
State Registrar Reimbursement	33,926	\$ 33,926
<u>Charges for Services</u>		
Rental Income	24,000	\$ 24,000
<u>Federal Revenue</u>		
Federal ARPA Funding	6,477,913	\$ 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