

**Work Session Agenda
Staunton City Council
Rita S. Wilson Council Chambers
September 23, 2021
5:00 p.m.**

- | | | |
|------------------|-----------|---|
| 5:00 p.m. | 1. | Consideration of Work Session and Regular Meeting Agendas |
| 5:05 p.m. | 2. | Report on Disposition of Surplus Property |
| 5:15 p.m. | 3. | Discussion of Resolution of the Council of the City of Staunton Appointing an Interim Clerk of Council and Authorizing the City Manager to Designate Such Person in Certain Circumstances |
| 5:20 p.m. | 4. | Discussion of Ordinance Amending Section 2.30.010, Appointment-General Duties, of Chapter 2.30, City Clerk, of Title 2, Administration, of the Staunton City Code Authorizing the City Manager, Upon Consultation with the Mayor, to Designate an Acting Clerk |
| 5:25 p.m. | 5. | Discussion of Establishment of Equity and Diversity Commission |
| 5:40 p.m. | 6. | Discussion of Staunton City Council Retreat Report |
| 6:00 p.m. | | Break |
| 6:20 p.m. | 7. | Roll Call |
| 6:35 p.m. | 8. | Closed Meeting for (i) Consultation with Legal Counsel for Necessary Legal-Related Advice and Discussion Regarding the Order to Show Cause Concerning the Staunton Juvenile and Domestic Relations District Courts Facilities and (ii) Discussion of Possible Acquisition of Real Property Within the City |

7:15 p.m.

Break

**Regular Meeting Agenda
Staunton City Council
Rita S. Wilson Council Chambers
September 23, 2021
7:30 p.m.**

Call to Order

Pledge of Allegiance

Invocation/Moment of Silence—Oakes

Mayor's Report

Proclamation—Trinity Episcopal Church 275th Anniversary

Additional Items by Members of Council

Approval of Minutes

Work Session and Regular Meeting of September 9, 2021

REGULAR MEETING

- A. **Public Hearing and Consideration of a Request by Kevin Pollard, KP's Cars, LLC, to Rezone 1906 W. Beverley Street from R-2, Low Density Residential District, to B-2, General Business District***

- B. **Consideration of Resolution of the Council of the City of Staunton Appointing an Interim Clerk of Council and Authorizing the City Manager to Designate Such Person in Certain Circumstances**

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. **Public Works:** Non-Competitive Litter Prevention and Recycling Grant, through the Virginia Department of Environmental Quality, for local litter prevention and recycling program implementation.
Grant Amount: This is a non-competitive grant based on population and road miles. Staff does not yet know what the final award will be for FY2022 but the range will be between \$5,500 and \$5,800.

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	September 23, 2021	City Council
Item #	1	
Ordinance #		
Department:	City Council	
Council Vision:	Responsive, Efficient Government	
Subject:	Work Session and Regular Meeting Agendas	

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

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

City Manager: Steven L. Rosenberg

**Work Session Agenda
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CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	September 23, 2021	Staff Members: Phil Trayer Chad Horvat
Item #	2	
Ordinance #		
Department:	Finance	
Council Vision:	Responsive, Efficient Government	
Subject:	Annual Report on Disposition of Surplus Property	

Background: In April 2015, City Council adopted an ordinance changing the City's procedures for the disposition of surplus property. Consistent with the ordinance, on the basis of a determination made by the Director of Finance or designee and endorsed in writing by the City Manager or his deputy or assistant, staff may dispose of personal property of the City without further action of Council. The ordinance further requires that the Director of Finance, or designee, report annually to Council about categories of property for which there has been disposition pursuant to the ordinance.

The City utilizes GovDeals, a web-based marketplace that allows government agencies to sell surplus items via the internet, to dispose of surplus and outdated items. The following items were sold and/or transferred in FY2021:

Fiscal Year	# of Items Sold as Surplus	Revenue Generated	# of Items Transferred Between Departments
FY2021	7	\$13,561.00	3

Attached are several reports detailing these transactions and a copy of the surplus approval form being used to fulfill the requirements set forth in the ordinance.

Attachments:

Attachment 1—Sales Detail Listing by Fund and Category

Attachment 2—Transfer Detail Listing

Attachment 3—Sales by Fund

Attachment 4—Sample Surplus Approval/Request Form

City Manager's Recommendation: Not applicable.

Suggested Motion: Not applicable.

City Manager: Steven L. Rosenberg

FY2021 Gov Deals
Sales Detail by Fund and Category

Asset POC	(Multiple Items)
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Sum of Net Results		Column Labels	
Row Labels		2021	Grand Total
Streets & Traffic Equipment	\$	636.00	\$ 636.00
11001-41712 General Government	\$	636.00	\$ 636.00
GROUNDMASTER SWEEPER	\$	226.00	\$ 226.00
WP155 WHACKER / TAMPER	\$	410.00	\$ 410.00
Vehicle	\$	12,925.00	\$ 12,925.00
11001-41712 General Government	\$	7,415.00	\$ 7,415.00
1999 Chevrolet Silverado 1500 Regular Cab Short Bed 4WD	\$	635.00	\$ 635.00
2008 Ford Explorer XLT 4.0L 4WD	\$	1,480.00	\$ 1,480.00
2009 GMC Sierra 3500HD Work Truck DRW 4WD	\$	5,300.00	\$ 5,300.00
53001-41712 Water Fund	\$	1,510.00	\$ 1,510.00
2000 Jeep Cherokee Sport 4-Door 4WD	\$	1,510.00	\$ 1,510.00
58001-41712 Refuse & Recycling Fund	\$	4,000.00	\$ 4,000.00
2010 International 4400	\$	4,000.00	\$ 4,000.00
Grand Total	\$	13,561.00	\$ 13,561.00

FY2021 Gov Deals
Transfer Detail Listing

FY	2021
Row Labels	Count of Item
4130 - Streets	1
Staunton City Schools	1
Office on Youth	1
Public Works	1
Booker T Washington	1
Valley ASAP	1
Grand Total	3

FY2021 Gov Deals
Sales by Fund

FY	2021
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Row Labels	Sum of Sold Amount	Sum of Net Results
53001-41712 Water Fund	\$ 1,510.00	\$ 1,510.00
11001-41712 General Government	\$ 8,051.00	\$ 8,051.00
58001-41712 Refuse & Recycling Fund	\$ 4,000.00	\$ 4,000.00
Grand Total	\$ 13,561.00	\$ 13,561.00

SURPLUS ITEM INFORMATION SHEET
NON-VEHICLE
(fill in all that applies)

Item General Description:	
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Department #:		Asset #:	
Year:		S/N:	
Make:		Model:	
Hours Meter:		Date Out of Service:	
Did It Function When Taken Out of Service?	YES NO Unk	Does It Function Now?	YES NO Unk

Reason for Taking Out of Service:

Overall General Condition:

List Any Functional Issues:

List Any Cosmetic Damages:

Other Information:

Xfer Offered:	YES		NO		Date Emailed:		Deadline:	
Transferred?:	YES		NO		To Department:			
Pictures Taken:	YES		NO					

Department Director Approval for Sale or Transfer	Date
Finance Director Approval for Sale or Transfer	Date
City Manager Approval for Sale or Transfer	Date

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	September 23, 2021	City Council
Item #	3 & B	
Ordinance #		
Department:	City Council	
Council Vision:	Responsive, Efficient Government	
Subject:	Resolution of the Council of the City of Staunton Appointing an Interim Clerk of Council and Authorizing the City Manager to Designate Such Person in Certain Circumstances	

Background: Under provisions of the City Charter and Chapter 2.30 of the City Code, City Council appoints a City Clerk who serves as Clerk of Council and clerk of such other boards and commissions as Council may designate. Rachael M. Zinni has submitted her resignation as City Clerk. Her last day will be October 8, 2021.

Accordingly, it is necessary that an interim clerk be appointed to fulfill the duties of Clerk of Council beginning on October 9, 2021.

City Manager's Recommendation: Recommend that Council adopt the resolution, as presented.

Suggested Motion: I move that Council adopt the proposed resolution appointing Morgan C. Smith interim Clerk of Council, for the period stated in the resolution, and authorizing the City Manager to designate a Clerk of Council in certain circumstances, to serve as clerk to bodies other than Council.

City Manager: Steven L. Rosenberg

(iii) on a continuing basis, without further action of City Council and until such time as a new City Clerk is appointed by Council, the City Manager be, and hereby is, authorized to designate a person other than Morgan C. Smith to serve as clerk to bodies other than City Council, including the Historic Preservation Commission, Planning Commission, the Board of Zoning Appeals, and other boards and commissions.

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AND, BE IT FURTHER RESOLVED that the individual designated as Clerk of Council, whether by Council or the City Manager, shall be vested with all the authority of the Clerk of Council and may perform all acts which are required to be performed by the Clerk of Council.

Adopted this 23rd day of September, 2021.

Attest: _____
Rachael ML Zinni
Clerk of Council

Andrea W. Oakes, Mayor

DRAFT

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	September 23, 2021	City Council John C. Blair, II City Attorney
Item #	4	
Ordinance #		
Department:	City Council	
Council Vision:	Responsive, Efficient Government	
Subject:	Ordinance Amending Section 2.30.010, Appointment-General Duties, of Chapter 2.30, City Clerk, of Title 2, Administration, of the Staunton City Code Authorizing the City Manager, Upon Consultation with the Mayor, to Designate an Acting Clerk	

Background: Staunton City Code Section 2.30.010 provides that the Staunton City Council appoints a City Clerk to serve as clerk to the City Council, Planning Commission, Board of Zoning Appeals, and such other boards and commissions as the City Council may designate.

The Code does not provide for any other appointment method for an acting clerk to serve a City board or commission. For example, if the Clerk became ill on the day of a board or commission meeting, the Staunton City Code, as currently worded, would require a special City Council meeting to appoint an acting clerk for that evening's meeting.

A proposed ordinance is attached which, if adopted, would authorize the City Manager, in consultation with the Mayor, to appoint an acting clerk for the Planning Commission, Board of Zoning Appeals, and other city boards and commissions if the Clerk is unavailable to clerk a meeting. The Council would continue to appoint an acting clerk for its own meetings if the Clerk is unable to attend a Council meeting.

Attachment:

Proposed Ordinance

City Manager's Recommendation: Recommend that Council adopt the proposed ordinance, as presented.

Suggested Motion: I move that City Council adopt the proposed ordinance amending Section 2.30.010 of the Staunton City Code to authorize the City Manager, upon consultation with the Mayor, to designate an acting clerk.

City Manager: Steven L. Rosenberg

1 **AN ORDINANCE AMENDING SECTION 2.30.010,**
2 **APPOINTMENT – GENERAL DUTIES, OF CHAPTER 2.30, CITY**
3 **CLERK, OF TITLE 2, ADMINISTRATION, OF THE STAUNTON CITY CODE**
4 **AUTHORIZING THE CITY MANAGER**
5 **UPON CONSULTATION WITH THE MAYOR**
6 **TO DESIGNATE AN ACTING CLERK**

7
8 **Recitals**
9

10 A. Pursuant to Chapter 2.30 of the Staunton City Code, City Council appoints
11 a City Clerk who serves as Clerk of Council;
12

13 B. The Clerk of Council attends all meetings and maintains records of the
14 proceedings of City Council, the Historic Preservation Commission, Planning
15 Commission, the Board of Zoning Appeals, and other such boards and commissions as
16 Council may designate;
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18 C. Occasions arise in which the Clerk of Council is unavailable to attend
19 meetings, necessitating the designation of a temporary acting City Clerk;
20

21 D. It would serve the City's and City Council's interests for City Council to
22 authorize the City Manager to designate an acting clerk, in consultation with the Mayor,
23 in the anticipated or unanticipated absence of the Clerk of Council; and
24

25 E. These recitals are an integral part of this ordinance.
26

27 **NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of
28 Staunton, Virginia, that Section 2.30.010, Appointment – General duties, of Chapter 2.30,
29 City Clerk, of Title 2, Administration, of the Staunton City Code be and hereby is
30 amended as follows:
31

32 **2.30.010 Appointment – General duties.**
33

34 (1) The council shall appoint a city clerk, who shall serve as clerk of the council, clerk of
35 the planning commission, clerk of the board of zoning appeals and clerk to such other
36 boards and commissions as the council may designate.
37

38 (2) If the clerk is unavailable for any reason, the city manager, in consultation with the
39 mayor, shall designate an acting clerk to serve as clerk of the planning commission, clerk
40 of the board of zoning appeals and clerk to such other boards and commissions as the
41 council may designate. The individual designated as acting clerk shall be vested with all
42 the authority of the city clerk and may perform all acts which are required or permitted to
43 be performed by the city clerk.
44

45 ~~(2)~~ (3) The city clerk shall maintain an accurate record of the proceedings of the council
46 and of the boards and commissions which he has been designated by the council to serve.
47 The clerk shall attend all such meetings, unless excused by the mayor or the chairman of

48 the respective board or commission. It shall be the duty of the clerk to index all such
49 proceedings for easy reference, to maintain a record of the proceedings in permanent
50 record form, to file and maintain, in a secure manner, copies of franchise agreements,
51 long-term contracts, contracts having major significance involving the city, written
52 opinions of the city attorney for the benefit of the council, petitions, judicial decisions
53 involving the city and other documents which may normally be considered long-term or
54 permanent records of the city. He shall perform such other duties as properly appertain to
55 the office or as are prescribed by the council.
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In all other respects, the provisions of Chapter 2.30 of the Staunton City Code
remain the same and are hereby restated, confirmed and reordained.

Andrea W. Oakes, Mayor

Morgan C. Smith,
Interim Clerk of Council

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	September 23, 2021	City Council Steven L. Rosenberg City Manager
Item #	5	
Ordinance #		
Department:	City Council City Manager’s Office	
Council Vision:	Responsive, Efficient Government Inclusion	
Subject:	Establishment of Equity and Diversity Commission	

Background: At City Council's meeting on August 12, 2021, after discussion, Council voted to proceed with establishment of a council-appointed commission for equity and diversity. The attached draft resolution provides for the establishment of the commission to be staffed by the Assistant City Manager and to report directly to Council, consistent with the prior Council action.

Elements of the Commission's work will require development of a budget and appropriation of funds by Council. A recommendation will be made at Council's next meeting regarding a proposed budget and a funding source. Items to be budgeted could include, for example, memberships in organizations that focus on equity and diversity, training and development, materials, communications and marketing, and community outreach.

The item is included on Council's work session agenda for discussion. Among items to be addressed are the number of members of the commission and the deadline for completion of the commission's initial work.

The resolution will be included for consideration on a subsequent regular meeting agenda. After adoption of the resolution, Council may commence recruitment of members of the commission.

City Manager's Recommendation: Discuss the draft resolution and provide guidance and direction to staff.

Suggested Motion: Not applicable.

City Manager: Steven L. Rosenberg

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**RESOLUTION
OF THE
COUNCIL OF THE CITY OF STAUNTON, VIRGINIA,
TO ESTABLISH AN EQUITY AND DIVERSITY COMMISSION**

6

Recitals

7 A. The provisions of Virginia Code Section 15.2-1411 and Staunton City Charter,
8 Chapter II, Section 11, Paragraph Twenty-First, authorize the Staunton City Council (“Council”)
9 to establish advisory boards and commissions.

10
11 B. The Council received a report from the Staunton Branch of the National
12 Association for the Advancement of Colored People at its August 26, 2021 meeting requesting the
13 establishment of an equity and diversity commission.

14
15 C. The Council unanimously adopted a motion at its August 26, 2021 meeting to
16 establish the City of Staunton Equity and Diversity Commission (“Commission”).

17
18 D. This resolution memorializes the establishment of the Commission, as a public
19 body, and outlines the parameters for its membership, function, and expected work product that
20 will benefit Council and the City of Staunton as the City seeks to understand and implement
21 policies, programs, and procedures to address social and racial equity within the City.

22
23 E. These recitals are an integral part of this Resolution.

24
25 **NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Staunton,
26 Virginia, as follows:

27
28 1. The Commission is established and will be composed of __ members, one of whom
29 will be named by the constituent members as the Chair and another of whom as the Vice Chair to
30 help lead the Commission. The Commission will be a public body subject to the applicable
31 requirements of the Virginia Freedom of Information Act and members of the Commission should
32 be aware of those requirements.

33
34 2. Council, upon recommendation of its Nominations Committee and in consultation
35 with the Assistant City Manager will appoint the initial members of the Commission by not later
36 than _____. Members of the Commission will be selected such that the members will
37 bring a diversity of backgrounds and perspectives to the Commission. Members of the
38 Commission shall serve terms of two years commencing upon the date of their appointment by
39 Council. Council Member Mead shall serve initially as the Council’s Liaison to the Commission.

40
41 3. The Commission is initially charged with objectively evaluating existing data,
42 studies, and reports from available sources concerning social and racial equity in the City of
43 Staunton that evaluate social determinants and inequitable outcomes within the City of Staunton.
44 The Commission’s initial charge shall also include data collection and research that evaluate the

DISCUSSION DRAFT 9.16.2021

45 same outcomes. The Council will appropriate funds to establish a budget for the Commission to
46 conduct its data collection and research.

47 4. The Commission will be supported by the Assistant City Manager as well as other
48 City staff to the extent that information is needed, with access to City financial and other records
49 and reports.

50 5. The Commission shall conduct at least one public hearing to receive input from
51 City residents concerning racial and social equity.

52 6. The Commission shall compile a report for the Council consisting of its analysis of
53 existing data, studies, and reports concerning racial and social equity as well as its own research
54 and data collection efforts on the topic. The report shall also contain a summary of all public
55 comments received by the Commission at its public hearing(s) as well as any other
56 communications it receives from Staunton residents concerning racial and social equity. The
57 report shall include recommendations to the Council (a) about specific inequitable social and racial
58 outcomes within the City of Staunton, and (b) for a proposed framework for the Commission to
59 pursue in the next 12 to 18 months to address specific factors that may contribute to inequitable
60 racial and social outcomes.

61 6. The Commission will be expected to complete its initial work and submit its report
62 to Council not later than _____, 2022. Council then will schedule and hold a
63 public hearing on the report.

64 7. Subsequent to receiving the Commission's report and its public hearing on the
65 report, the Council will assign further duties to the Commission.

66 Attest: _____
67 Morgan C. Smith, Interim Clerk of Council
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73 _____
74 Andrea W. Oakes, Mayor
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CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	September 23, 2021	City Council Steven L. Rosenberg City Manager Leslie Beauregard Assistant City Manager
Item #	6	
Ordinance #		
Department:	City Council City Manager	
Council Vision:	Responsive, Efficient Government	
Subject:	Staunton City Council Retreat Report	

Background: On August 10 and 11, 2021, City Council conducted a retreat, facilitated by Kimball Payne and Michael Gillette. Council received and approved the minutes of the retreat at its September 9, 2021 regular meeting. Staff has now synthesized the elements of the retreat as reported in the minutes into a summary document, a City Council Retreat Report, included as Attachment 1 to this briefing. The report is scheduled for Council's discussion at its work session on September 23, 2021. Consideration of the retreat report will be scheduled for a subsequent meeting.

One specific action item arising from the retreat and included in the report under the strategic area, "Infrastructure," concerns the expenditure of American Rescue Plan Act (ARPA) funds.

Federal guidelines for ARPA funds state:

Treasury urges State, territorial, Tribal, and local governments to engage their constituents and communities in developing plans to use these payments, given the scale of funding and its potential to catalyze broader economic recovery and rebuilding.

Given this Treasury Department guidance, City staff have been in discussion with Polco (<https://info.polco.us/about-polco>), developer of an online community engagement polling

platform that provides tools for engagement purposes to local governments. (Polco is affiliated with the International City/County Management Association and the National League of Cities). The company has available a unique ARPA Engagement Package that connects leaders with residents, businesses, and each other with standardized surveys, an engagement platform and online reporting dashboards that will be useful to Council and staff in the development of uses and administration of the City's allocation of ARPA funds. (See informational video at <https://info.polco.us/arpa-engagement-package> and Attachments 2 and 3.)

The cost of access is approximately \$13,500 for the ARPA-specific tools for years one (2021-2022) and three (2023-2024) and \$15,500 for year two (2022-2023). Year two of the Polco contract would include a general community survey (the City's first since 2019). Staff intends to incorporate a biennial general community survey using the Polco platform in subsequent fiscal years and may also consider Polco tools for employee surveys, business surveys and custom surveys in future years.

Staff proposes the use of ARPA funds for the ARPA Engagement Package, which is an allowable expenditure under federal guidance, in years one and three.

Attachments:

Attachment 1—City Council Retreat Report

Attachment 2—ARPA Engagement Package Summary

Attachment 3—ARPA Engagement Package Report of Results (sample)

City Manager's Recommendation: Provide guidance and direction to staff concerning the City Council Retreat Report, including modifications desired by Council, and discuss utilization of Polco in ARPA-related public engagement efforts.

Suggested Motion: Not applicable.

City Manager: Steven L. Rosenberg

City Council Retreat Report

Strategic Areas

Actions

Infrastructure	1. Use of ARPA funds and other federal/state assistance	Accountability	Measure
	Through the American Rescue Plan Act (ARPA), the City will receive \$12.9M in federal funds to address the negative impacts of the COVID-19 health pandemic.	City Manager's Office Finance	Quarterly reports; other measures of impact TBD
		Est. Cost	Est. Timeline
		Total ARPA funds received = \$12.9M; % of this to be dedicated to city infrastructure will be determined	Funds obligated by end of 2024
	2. Stormwater Management	Accountability	Measure
	In response to the devastating flooding in August of 2020 that resulted in 166 reports of damage estimated at \$3.1 million, City staff has since been working on a flood mitigation strategy. The first step was the study by Wiley Wilson on which Council was briefed at its meeting on May 27, 2021. City Council was again briefed on August 26, 2021, were presented with several recommendations by staff, and provided feedback and approval to move forward with those recommendations.	Public Works Community Development	TBD
		Est. Cost	Est. Timeline
		For all recommendations approximately \$8M to implement; ongoing costs TBD	TBD and depending on recommendation
Economic Development	1. Review Corridor Overlay	Accountability	Measure
	City Council to provide input concerning corridor overlay regulations.	Community Development	TBD
		Est. Cost	Est. Timeline
		TBD	December 2021
	2. Economic Development Incentive Philosophy and Program	Accountability	Measure
	Review the existing information on the city's incentive programs and whether these can be improved and adjusted based on other best practices.	Economic Development	TBD
		Est. Cost	Est. Timeline
		TBD	September 2022

Strategic Areas**Actions****Responsive, Efficient Government****1. Staff training and development**

Ongoing training and development is critical to a well informed and prepared city workforce, City Council and community.

Accountability

All departments

Measure

TBD

Est. Cost

Varies on training and development opportunities

Est. Timeline

Ongoing

2. Employees reflecting the community they serve

The City should strive to utilize recruitment processes and grow a workplace culture that attracts a diverse applicant pool and reflects the community that is being served.

Accountability

All departments

Measure

Census data of general population and demographics; demographic data of City of Staunton employees and job candidates

Est. Cost

TBD

Est. Timeline

Ongoing

West End**1. Small Area Plan for the West End**

A Small Area Plan would help to define the vision of the West End.

Accountability

Community Development
Finance

Measure

TBD

Est. Cost

\$50,000 to \$100,000

Est. Timeline

FY2023

2. Marketing

Targeted marketing for the West End businesses would be beneficial for that area of the city.

Accountability

TBD

Measure

TBD

Est. Cost

TBD

Est. Timeline

Ongoing

3. Wayfinding signs

Targeted wayfinding for the West End businesses would be beneficial for that area of the city.

Accountability

TBD

Measure

TBD

Est. Cost

TBD

Est. Timeline

Ongoing

Strategic Areas**Actions****Built Environment****1. New police department space needs analysis**

Staff will conduct, through an RFP, a space needs analysis that will then inform decisions about department facilities.

Accountability

Police
City Manager's Office
Public Works

Measure

Finance TBD

Est. Cost

TBD

Est. Timeline

FY2023

2. Fire department facilities

Staff will conduct, through an RFP, a space needs analysis that will then inform decisions about department facilities.

Accountability

Fire and Rescue
Finance
City Manager's Office
Public Works

Measure

TBD

Est. Cost

TBD

Est. Timeline

FY2023

3. Streetscape plan

Staff will update City Council on the elements of the plan not yet completed; those elements included in the current capital improvement plan (CIP); the cost of each element included in the CIP; and a rough cost estimate for each element not included in the CIP.

Accountability

Community Development
Public Works
Finance

Measure

TBD

Est. Cost

TBD

Est. Timeline

TBD but for FY2023
potentially

4. Schools and public works facilities

The joint workgroup of City Council, School Board and city and school staff have been meeting and working through this issue to arrive at possible approaches to the immediate needs of the schools to vacate space at Shelburne Middle School and to address space needs of the city and schools.

Accountability

Public Works
City Manager's Office

Measure

TBD

Est. Cost

TBD

Est. Timeline

March 2022

5. Citywide space needs analysis and plan

Public Works is currently leading an assessment of present and future space needs of city departments. Once that is completed staff will develop a plan to address those needs with the possibility of expansion of space in partnership with the schools.

Accountability

Public Works
Impacted departments

Measure

TBD

Est. Cost

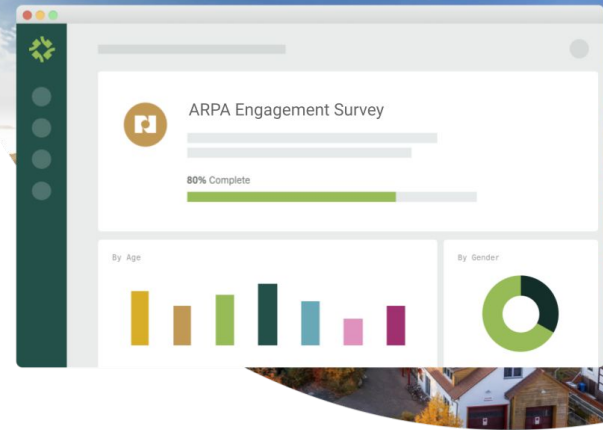
TBD

Est. Timeline

March 2022

Other Actions Not Aligned with a Strategic Area

1. Provide City Council with a briefing for a potential regional public safety answering point (PSAP) by early 2022.
2. Conduct a pre-budget work session with City Council in January to review financials, budget projections, and budget priorities for FY2023.
3. Consideration of the separation of the Director of Economic Development and Director of Community Development positions as part of the FY2023 budget.
4. Include specific references to the West End redevelopment in City planning documents.
5. Continue to participate in regional public transit initiatives.
6. Consider the development and adoption of comprehensive rules of procedure for Council meetings.
8. Review the organizational structure and revise as appropriate to better achieve Council's goals.
9. Develop a process and dashboard of important benchmarks for City projects.
10. Provide semi-annual reports on the progress related to Council initiatives and other City projects and programs.



THE ARPA ENGAGEMENT PACKAGE

Maximize Local Government Recovery Success

Measure – Recover – Document

The American Rescue Plan Act (ARPA) is here to fund local government community recovery efforts. Now begins a critical time to measure, rebuild, and document progress.

The ARPA Engagement Package by Polco connects leaders with residents, local businesses, and each other. With high-quality standardized surveys, the Polco engagement platform, and online reporting dashboards – this comprehensive package uncovers community needs and helps align funds with economic priorities.

RECOVER AND GET AHEAD OF THE ISSUES



Assess community needs



Guide spending & decision-making



Produce documentation



Engage residents around ARPA funds



Measure effectiveness of programs and initiatives



Align and track progress on strategic goals

The ARPA Engagement Package is available with a Polco Premium or Performance Subscription Plan.

**Subscription for this engagement package is an ARPA-eligible expense.*

SIGN UP OR REQUEST A QUOTE
polco.us/arpa-engagement-package

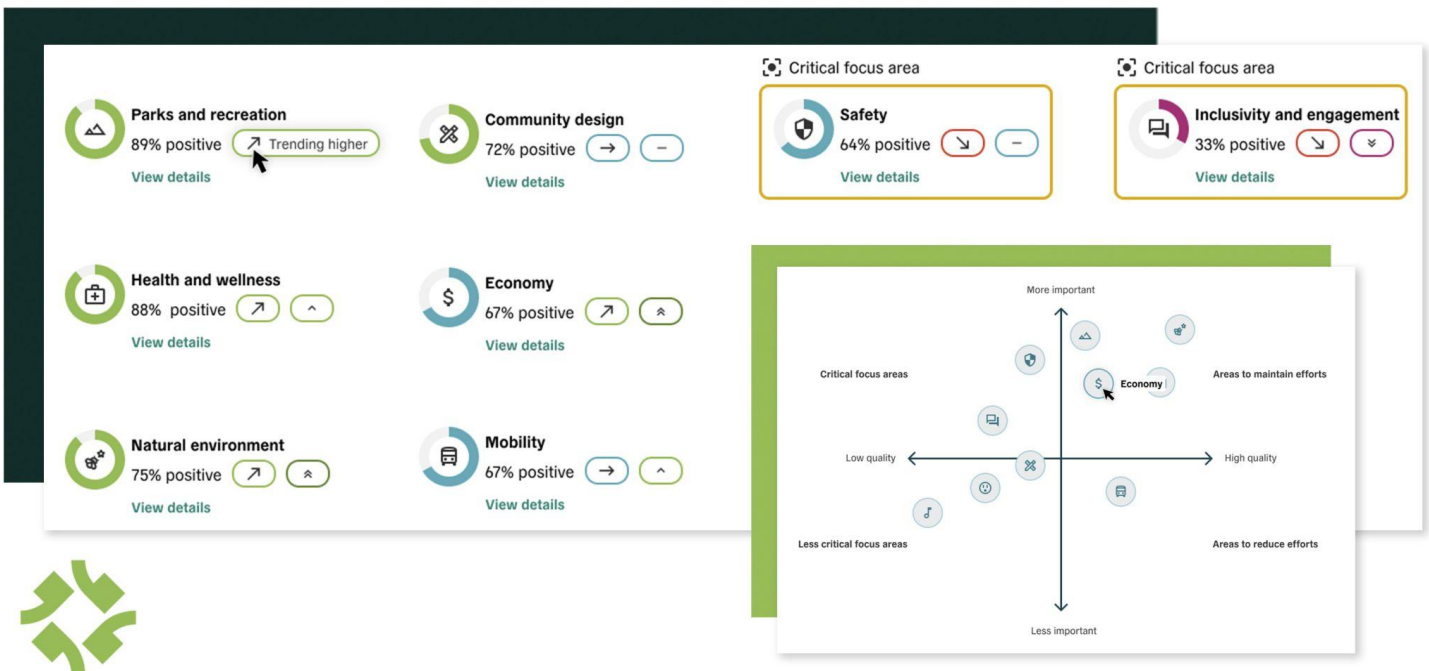
Polco is a proud partner of:

ICMA

NLC NATIONAL
LEAGUE
OF CITIES

THE ARPA ENGAGEMENT PACKAGE INCLUDES

- **ARPA Engagement Survey.** This ready-to-publish benchmarking survey gives you real-time input from your community. You can compare results with other governments across the nation.
- **Building a Panel Following.** Once published, your survey is easy to share online with your community. When residents respond, they also register with Polco, so they will be notified whenever you publish a new survey. Polco's system verifies respondents based on voter records while *always* maintaining individual privacy and cybersecurity.
- **Accurate Representation.** You'll get expert help to promote your survey in multiple ways. Our methods ensure all residents can have a voice and that your results will accurately reflect your whole community.
- **Online Reporting.** As responses come in, you'll see online dashboards fill with key findings, benchmark comparisons, national indices, and demographic reports. Results will also be available in PDF form to fulfill ARPA documentation requirements.
- **Access to an Exclusive Local Government Network.** You'll join a network of other local government leaders engaging their communities around ARPA. Get exclusive access to the Polco Connect forum, where you can share resources, discuss solutions, and benchmark survey results.
- **Through ARPA and Beyond!** The ARPA Engagement Package will carry local governments beyond the span of the American Rescue Plan Act. The program helps ensure continued access to federal funds over the next four years and sets your community up for a more sustainable future.



SIGN UP OR REQUEST A QUOTE
polco.us/arpa-engagement-package



[Example]

The ARPA Engagement Survey

Report of Results
2021

- This PDF is meant to demonstrate the capabilities of our ARPA Engagement Survey online reporting.
- These reports will be interactive online, so the PDF is meant to showcase the high level functionality without showing data for each question.
- Participants in the ARPA Engagement Package will also receive a full PDF of results.

Report by:



POWERED BY POLCO



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www.polco.us

Overview

This is a summary of resident sentiment broken into broad areas of community livability and the most pressing ARPA questions. Use this as a guide to dig deeper into your results.

Summary by area

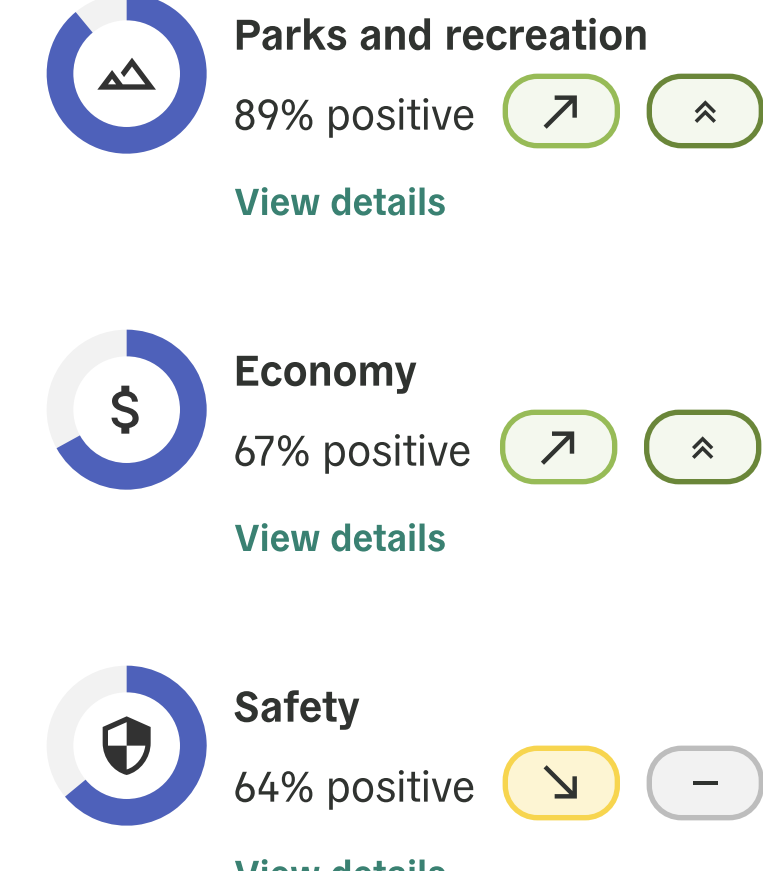
This section identifies changes from a higher level. While viewing these findings, reflect on how fund allocation, the pandemic, or department plans could have affected resident satisfaction in these areas.

To compare areas, the visuals use percent positive: the percentage of residents that rated the area as Excellent or Good.

[View legend and statistical significance details](#)

Highest quality topics

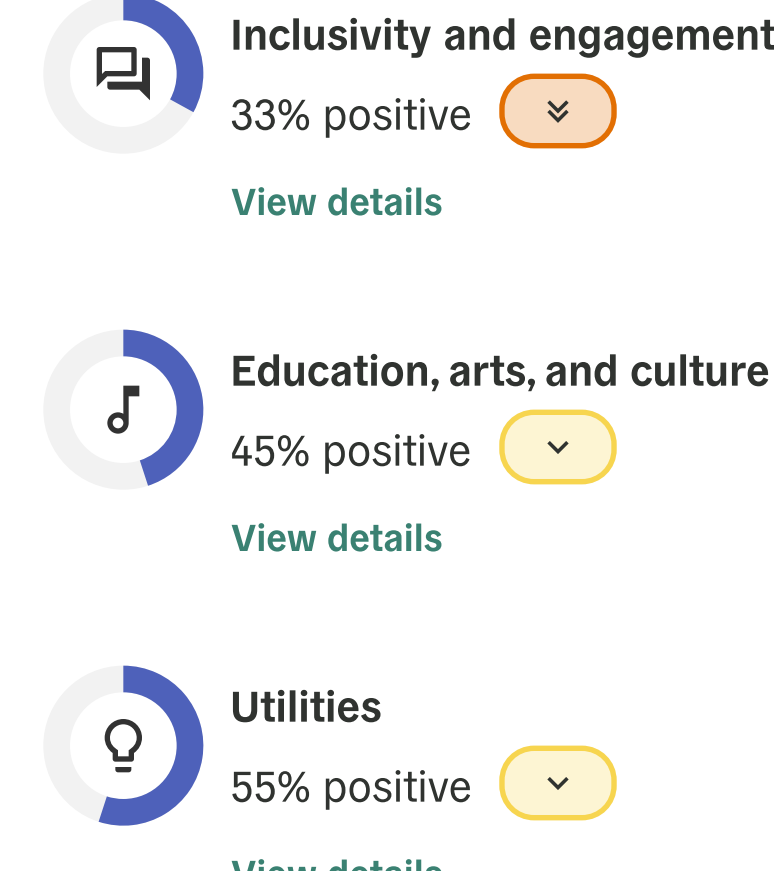
Residents rated these topics as highest in quality.



[View ratings on quality table](#)

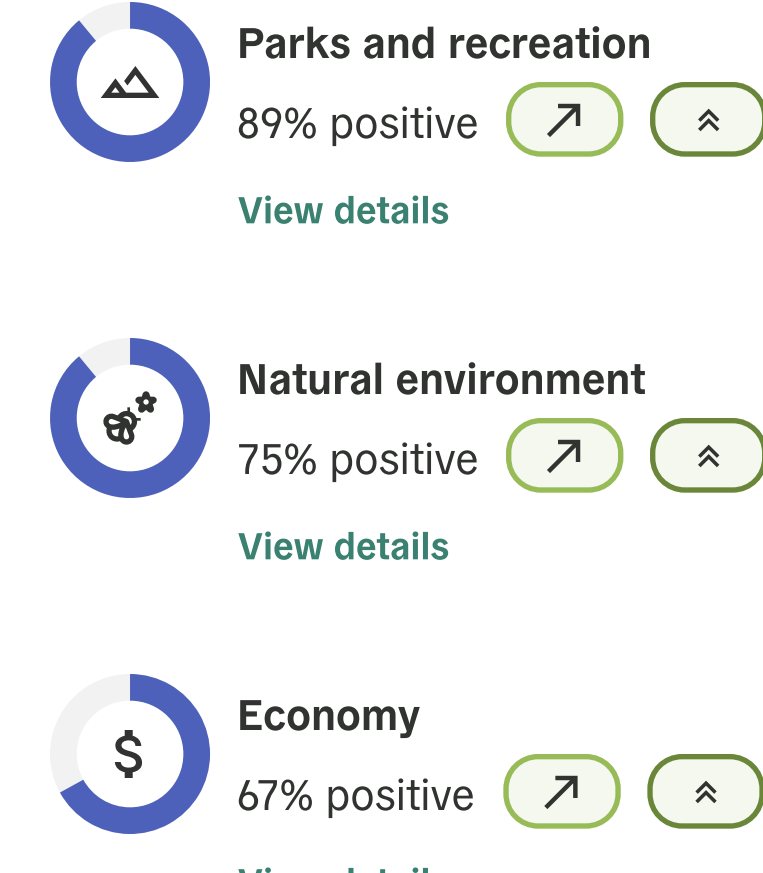
Lowest quality topics

Residents rated these topics as the lowest in quality.



Topics with most improved quality

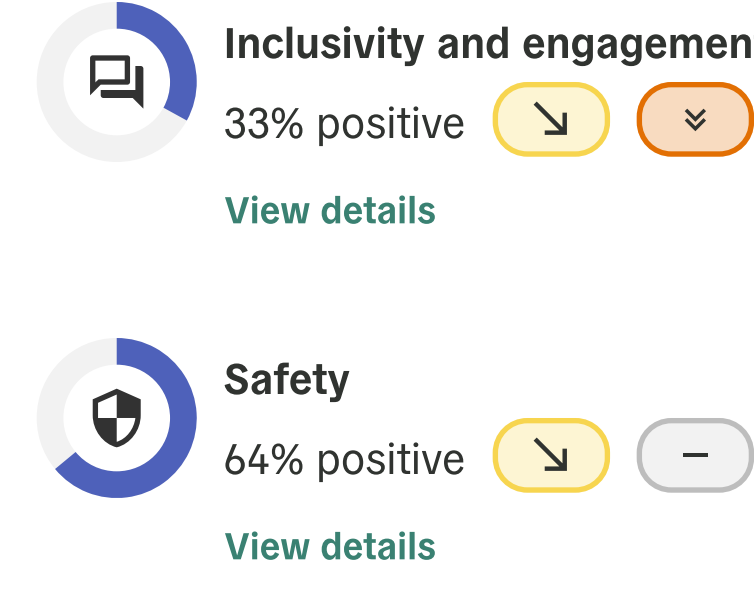
These topics had the highest increase in quality ratings compared to 2018. These increases are statistically significant.



[View all topic trends on Results by topic](#)

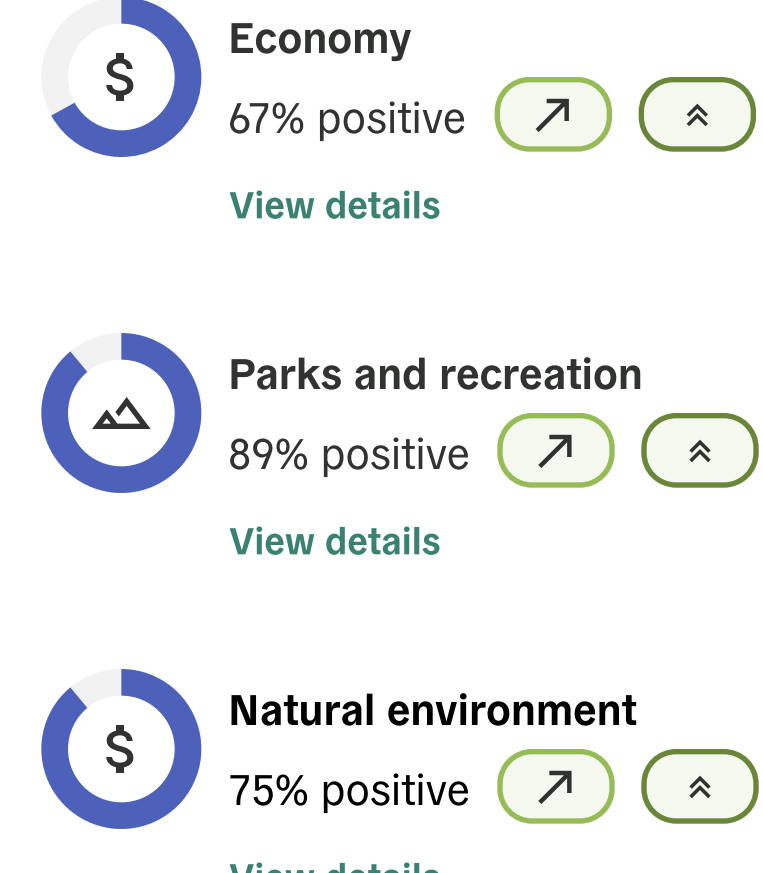
Topics with most declined quality

These topics had the highest decrease in quality ratings compared to 2018. These decreases are statistically significant.



Highest-performing topics compared to benchmark

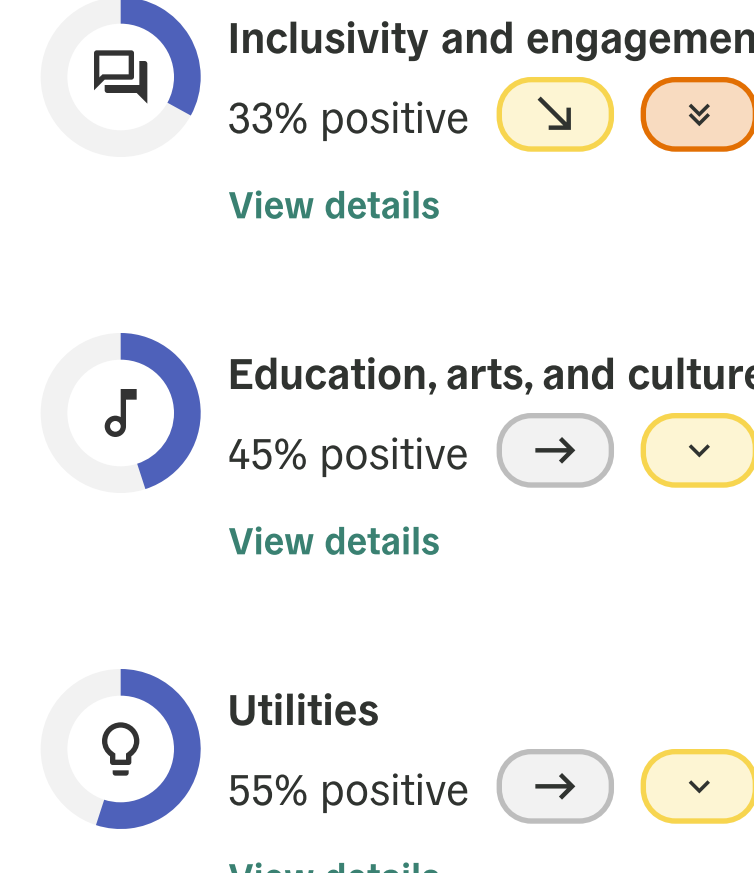
These topics have performed the best against benchmark. Performing above benchmark is not a requisite for these topics.



[View all area benchmarks on Results by area](#)

Lowest-performing topics compared to benchmark

These topics have performed the worst against benchmark. Performing below benchmark is not a requisite for these topics.



Intersection of quality and importance

To prioritize your efforts and funding, look at the intersection of each topic's importance and quality ratings. Topics that are more important but lower quality are considered **critical focus topics**. Ballena Point's critical focus topics are



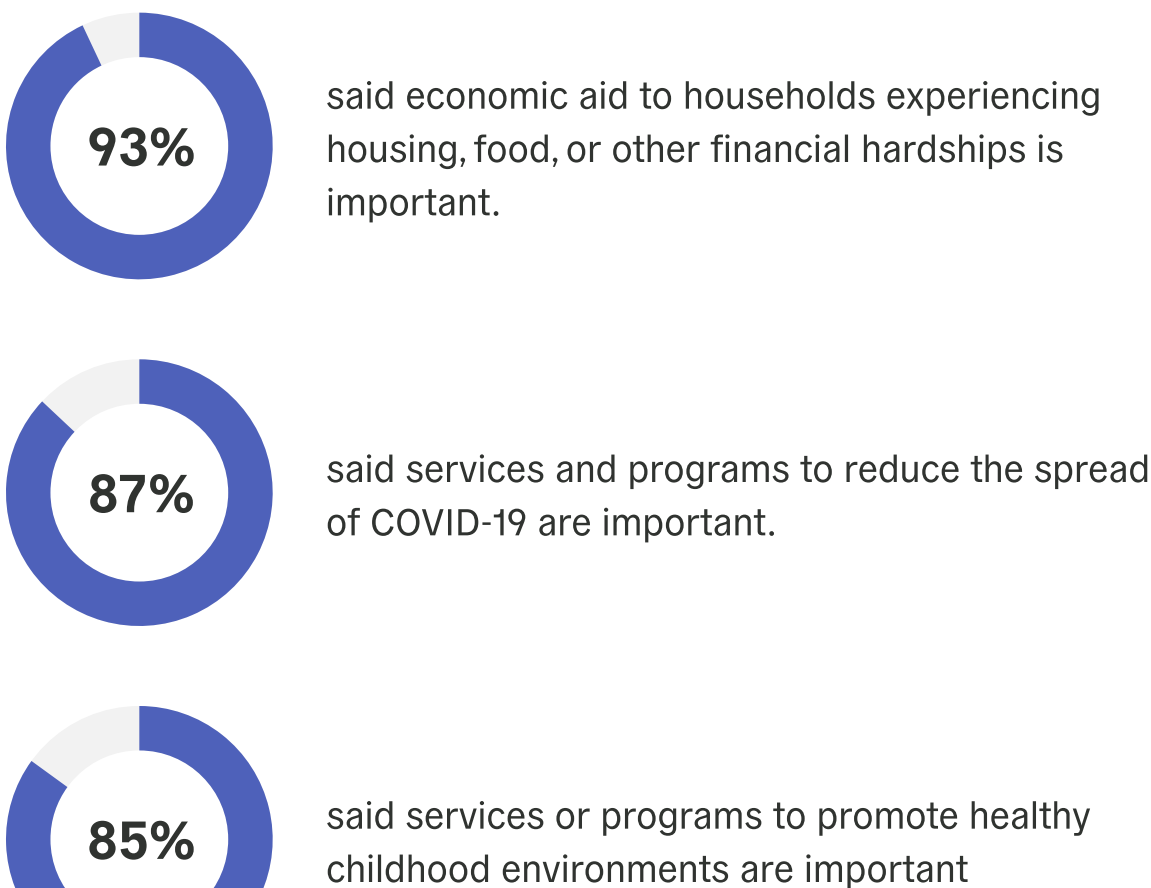
[View quality-importance bubble chart](#)

Summary of ARPA-related questions

This section looks closer at the most pressing ARPA-related questions. Use this to determine which characteristics need more ARPA funding.

Residents: most important areas for spending ARPA funds

Residents rated these areas as the most important for spending ARPA funds. The percentage shown is the percentage of residents that rated the area as Essential or Very important.



Quality-importance relations

This chart shows how your residents rated each area of community livability’s quality and importance. The cross is based on the median respond to all ratings of importance and quality. Use this as a prioritization guide for funding and efforts.

View ☐ Table ☒ Bubble chart

Legend

- \$ Economy
- + Health and wellness
- ✂ Community design
- 💡 Utilities
- 🛡 Safety
- 🎵 Education, arts, and culture
- ⬆ Parks and recreation
- 🌿 Natural environment
- 🗣 Inclusivity and engagement
- 🚗 Mobility

Quality is based on the median percentage of Excellent and Good responses.

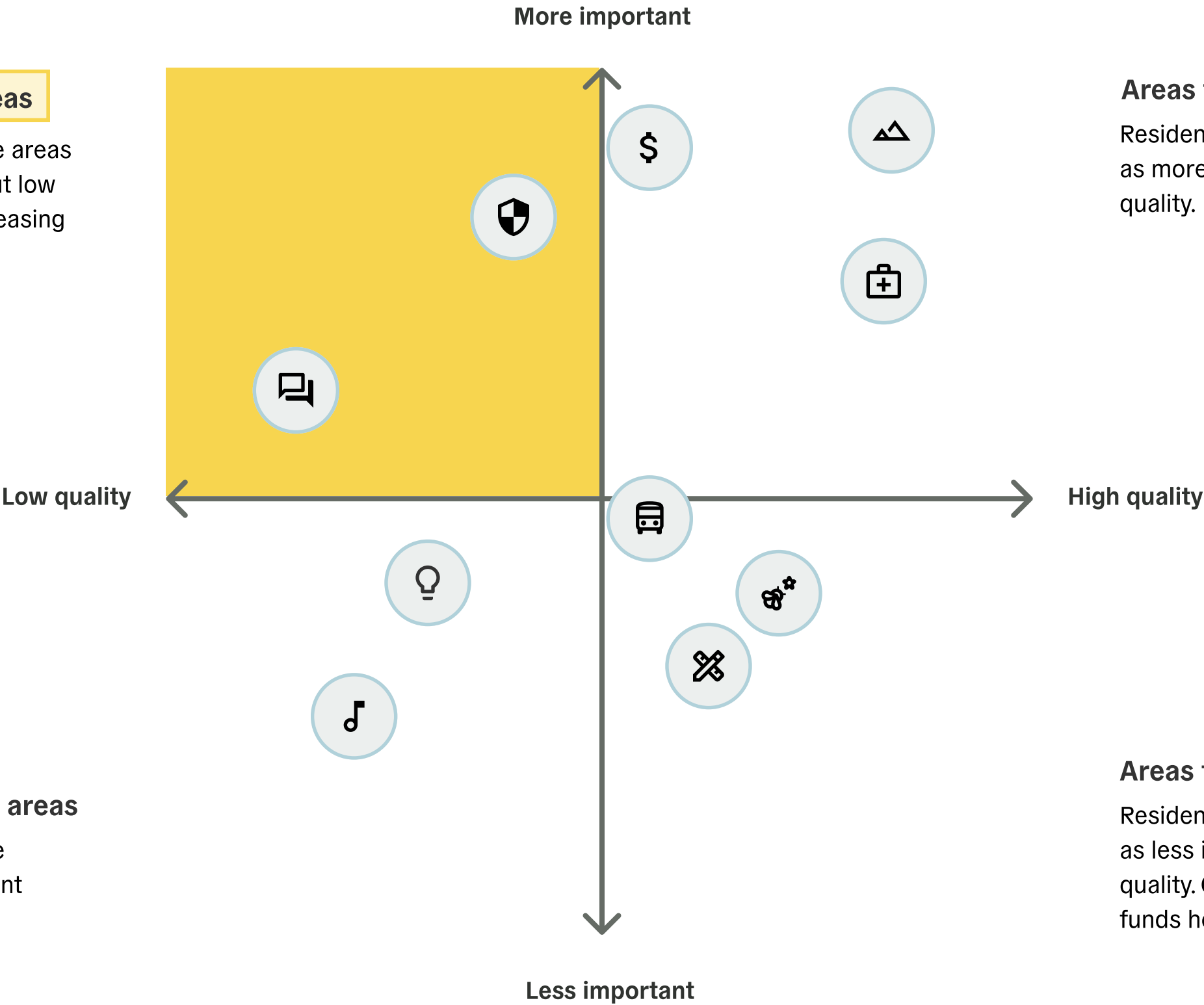
Importance is based on the median percentage of Very Important and Important responses.

Critical focus areas

Residents rated these areas as more important but low quality. Consider increasing funds here.

Less critical focus areas

Residents rated these areas as less important and low quality.



Areas to maintain efforts

Residents rated these areas as more important and high quality.

Areas to reduce focus

Residents rated these areas as less important but high quality. Consider decreasing funds here.

Quality-importance relations

These tables show how your residents rated each area of community livability’s quality and importance. After viewing these tables, it’s recommended to look at the [quality-importance bubble chart](#) for a more detailed look at each area and how it should be prioritized.

- View
- ☒ Table

☐ Bubble chart

Quality	
% Positive is the percentage of residents that said the overall quality as it relates to Ballena Point was Excellent or Good.	
Area of community livability	% Positive (Number) ⓘ ▼
Parks and recreation	89% (89)
Health and wellness	88% (88)
Natural environment	75% (75)
Community design	72% (72)
Economy	67% (67)
Mobility	67% (67)
Safety	64% (64)
Utilities	55% (55)
Education, arts, and culture	45% (45)
Inclusivity and engagement	33% (33)

Importance	
% Important is the percentage of residents that said the overall quality was Essential or Very Important to focus on in the next 12 months.	
Area of community livability	% Important (Number) ⓘ ▼
Parks and recreation	95% (95)
Economy	94% (94)
Safety	90% (90)
Health and wellness	85% (85)
Inclusivity and engagement	67% (67)
Mobility	49% (49)
Natural environment	45% (45)
Utilities	45% (45)
Community design	40% (40)
Education, arts, and culture	38% (38)

Results by area

This is a high-level summary of each area’s performance. **Critical focus areas**, which are highlighted, were areas rated as **more important and lower quality** by residents. For a difference to be statistically significant, it must be at least a 7% difference for trends and 10 points for benchmark.

[View legend and statistical significance details](#)



Parks and recreation

89% positive

↗

⧗

[View details](#)



Community design

72% positive

→

—

[View details](#)

 Critical focus area



Safety

64% positive

↘

—

[View details](#)

 Critical focus area



Inclusivity and engagement

33% positive

↘

⬇

[View details](#)



Health and wellness

88% positive

↗

⧗

[View details](#)



Economy

67% positive

↗

⧗

[View details](#)



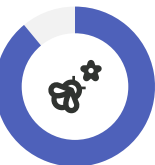
Utilities

55% positive

→

⬇

[View details](#)



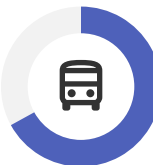
Natural environment

75% positive

↗

⧗

[View details](#)



Mobility

67% positive

→

⧗

[View details](#)



Education, arts, and culture

45% positive

→

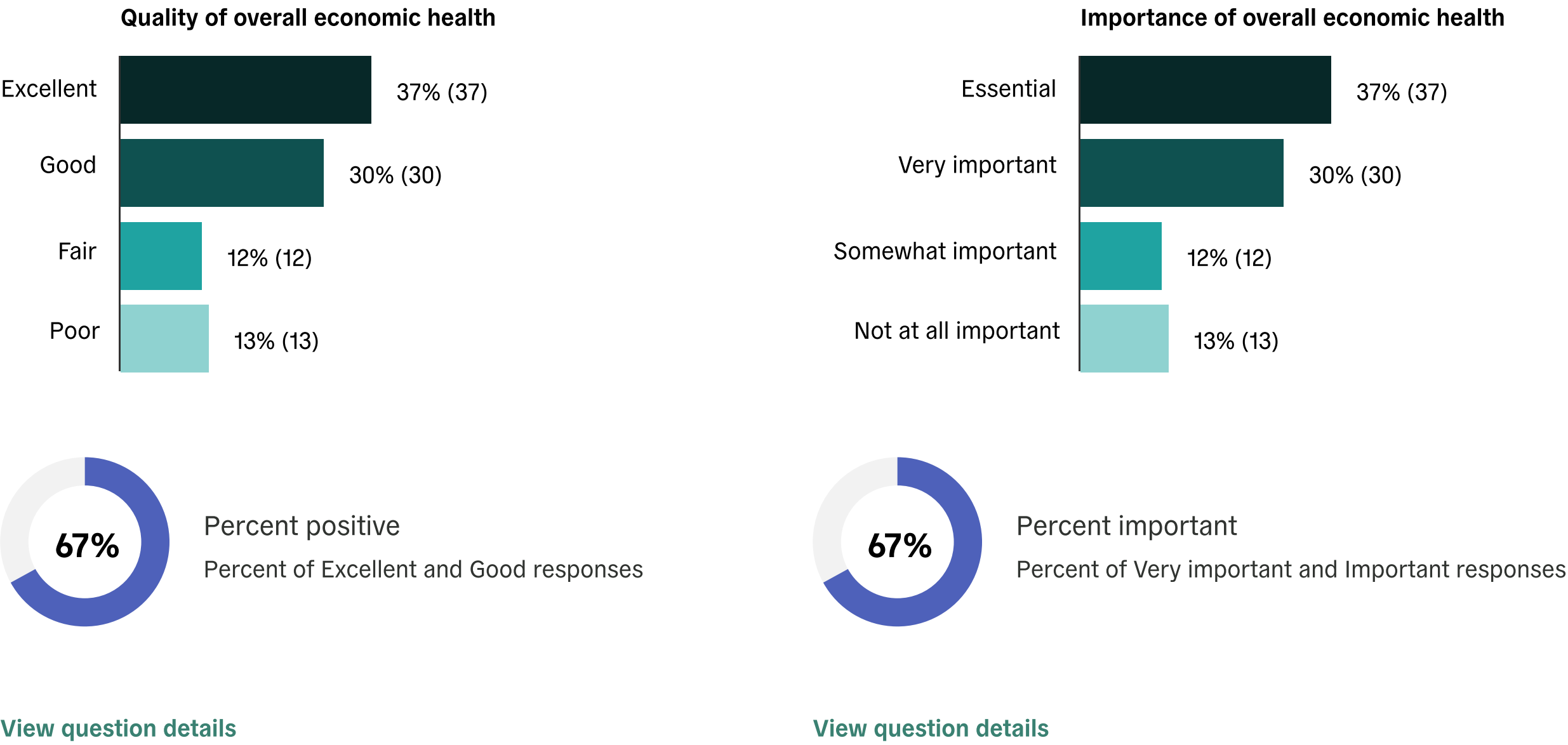
⬇

[View details](#)

Percent positive is based on the percentage of Excellent and Good responses.

Economy

Local governments work together with private and nonprofit businesses, and with the community at large, to foster sustainable growth, create jobs, and promote a thriving local economy.



Related survey results

The characteristics below are associated with the economy area of community livability.

Choose how you'd like to see the results.

Visual

☐ Table

☒ Graph

Comparison

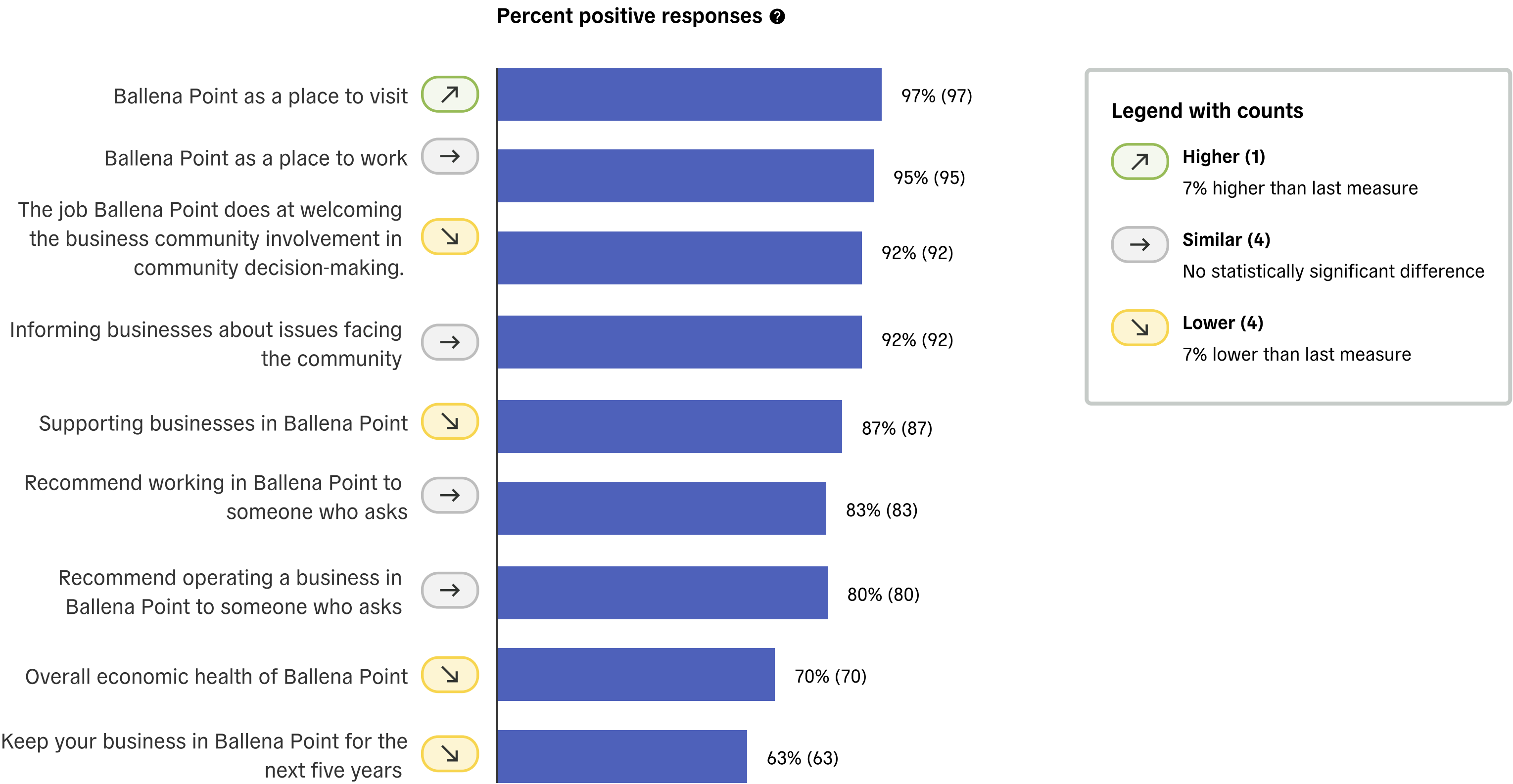
☒ Trends

☐ National benchmarks

☐ Custom benchmarks

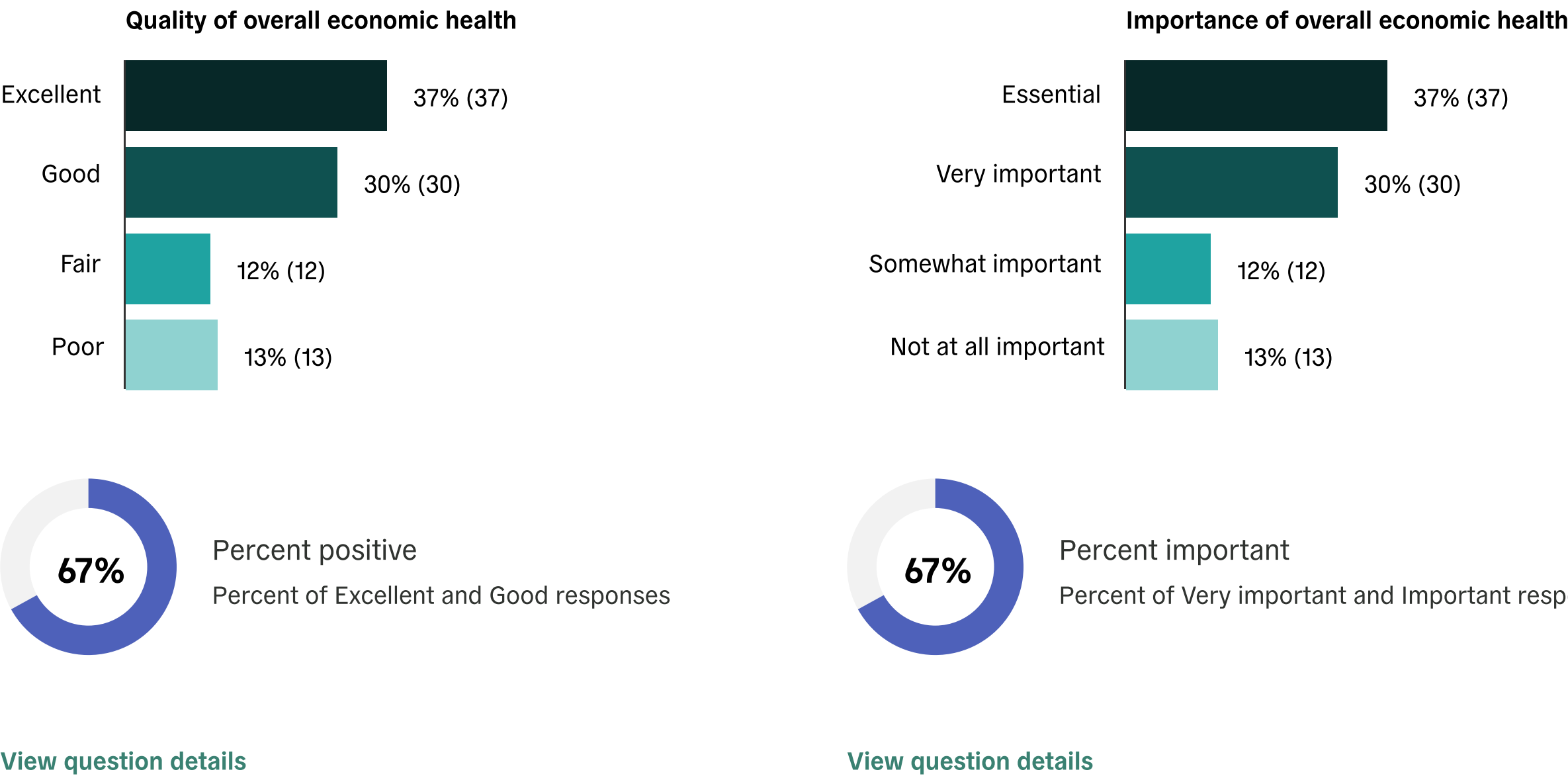
Sort

Percentage: high to low



Economy

Local governments work together with private and nonprofit businesses, and with the community at large, to foster sustainable growth, create jobs, and promote a thriving local economy.



Related survey results

The characteristics below are associated with the economy area of community livability.

Choose how you'd like to see the results.

- Visual
- ☒ Table

☐ Graph

Economy overall

Characteristic	% Positive ? ▼	Trend ?	Benchmark ?
Ballena Point as a place to work	95%	→	—
Ballena Point as a place to visit	97%	↗	^
Overall economic health of Ballena Point	70%	↘	▼

Economic participation

Characteristic	% Positive ? ▼	Trend ?	Benchmark ?
The job Ballena Point does at welcoming the business community involvement in community decision-making.	92%	↘	⇓
Informing businesses about issues facing the community	92%	→	⤴
Supporting businesses in Ballena Point	87%	↘	—

Recommend Ballena Point

Characteristic	% Positive ? ▼	Trend ?	Benchmark ?
Recommend working in Ballena Point to someone who asks	83%	→	—
Recommend operating a business in Ballena Point to someone who asks	80%	→	—
Keep your business in Ballena Point for the next five years	63%	↘	▼

Legend with counts

- Benchmarks
- ⤴

Much higher (1)

At least 20 points higher than benchmark

^

Higher (1)

10-20 points higher than benchmark

—

Similar (4)

No statistically significant difference

▼

Lower (2)

10-20 points lower than benchmark

⇓

Much lower (1)

At least 20 points lower than benchmark
- Trends
- ↗

Higher (1)

At least 7% higher than last measure

→

Similar (4)

No statistically significant difference

↘

Lower (4)

At least 7% lower than last measure

Questions (20)

Sort

Question order

▼

Filter by

☐

 Significant differences amongst common demographic(s) 

☐

 Show “Don’t know” responses 

Sample

☒ All

☐ Science

☐ Opt-in

Language

☒ All

☐ English

☐ Spanish

Trend

☐ Higher

☐ Similar

☐ Lower

National benchmark

☐ Much higher

☐ Higher

☐ Similar

☐ Lower

☐ Much lower

Areas of community livability

☐ Economy

☐ Health and wellness

☐ Areas of focus

☐ Community design

☐ Utilities

☐ Safety

☐ Education, arts, and culture

☐ Parks and recreation

☐ Natural environment

☐ Inclusivity and engagement

☐ Mobility

1. Ballena point as a place to live as a place to work



2. Please rate how important, if at all, you think it is for Ballena Point to focus on each of the following areas of the community in the next 12 months

[Expand all](#) / [Collapse all](#)

Overall economic health of Ballena Point



Overall quality of the transportation system (auto, bicycle, foot, bus) in Ballena Point



Overall design or layout of ABC’s residential and commercial areas (e.g., homes, buildings, streets, parks, etc.)



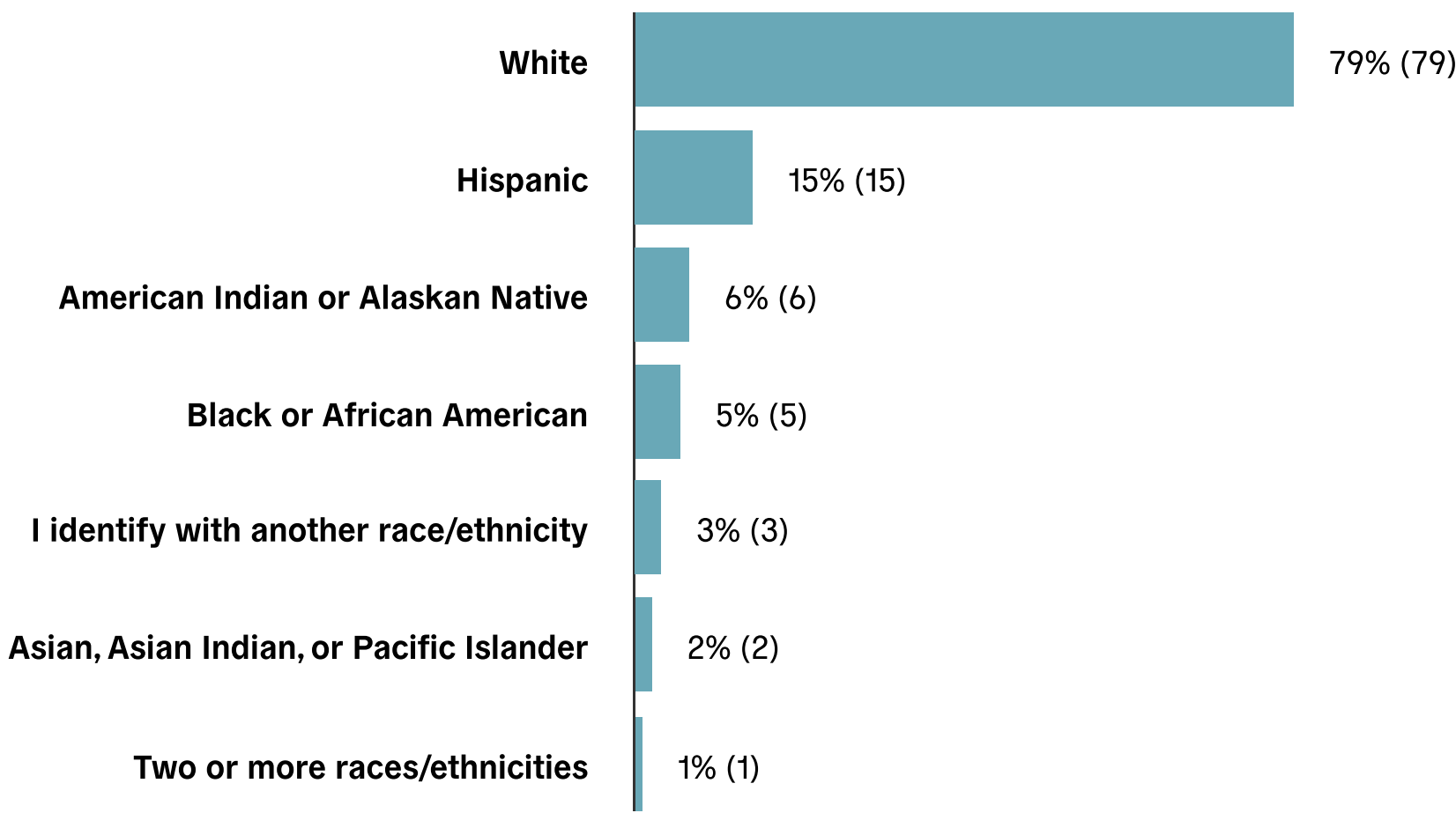
3. Overall quality of Ballena Point’s parks and playgrounds



4. What impact, if any, do you think the economy will have on you/your family in the next 6 months?



5. Which of the categories below best describes your racial/ethnic identity?



14. Which of the categories below best describes your racial/ethnic identity?

Overall economic health of Ballena Point



Overall quality of the transportation system (auto, bicycle, foot, bus) in Ballena Point



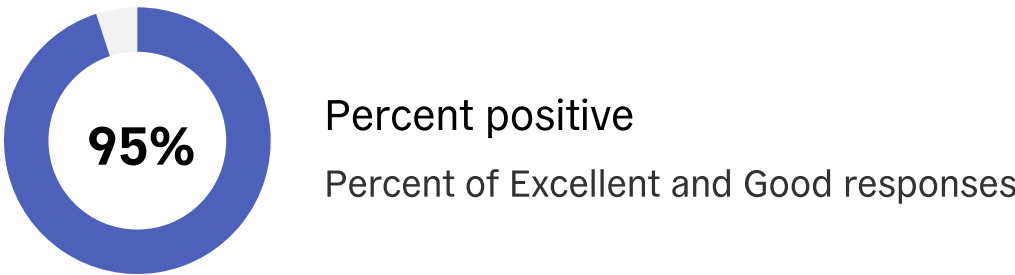
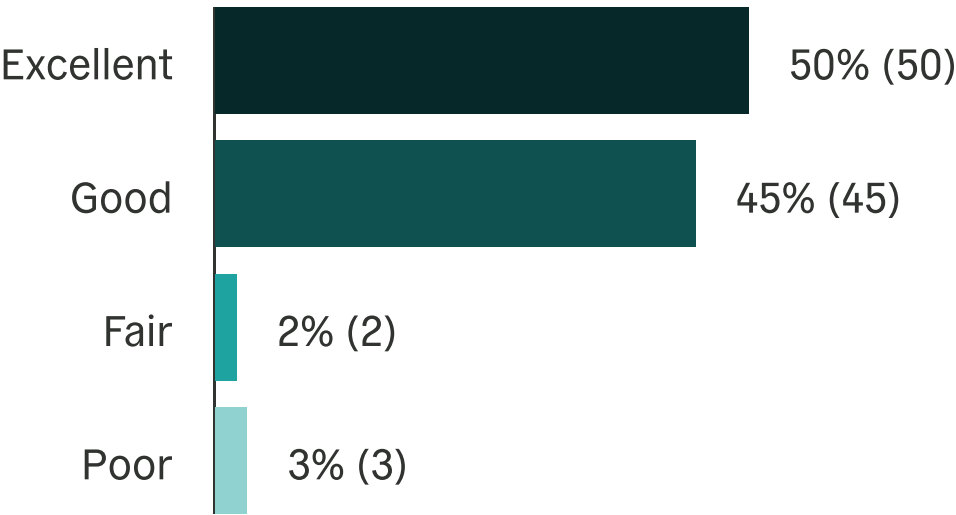
Overall design or layout of ABC’s residential and commercial areas (e.g., homes, buildings, streets, parks, etc.)



Use in a crosstab

[Learn about crosstabs](#)

Ballena Point as a place to work



Trends

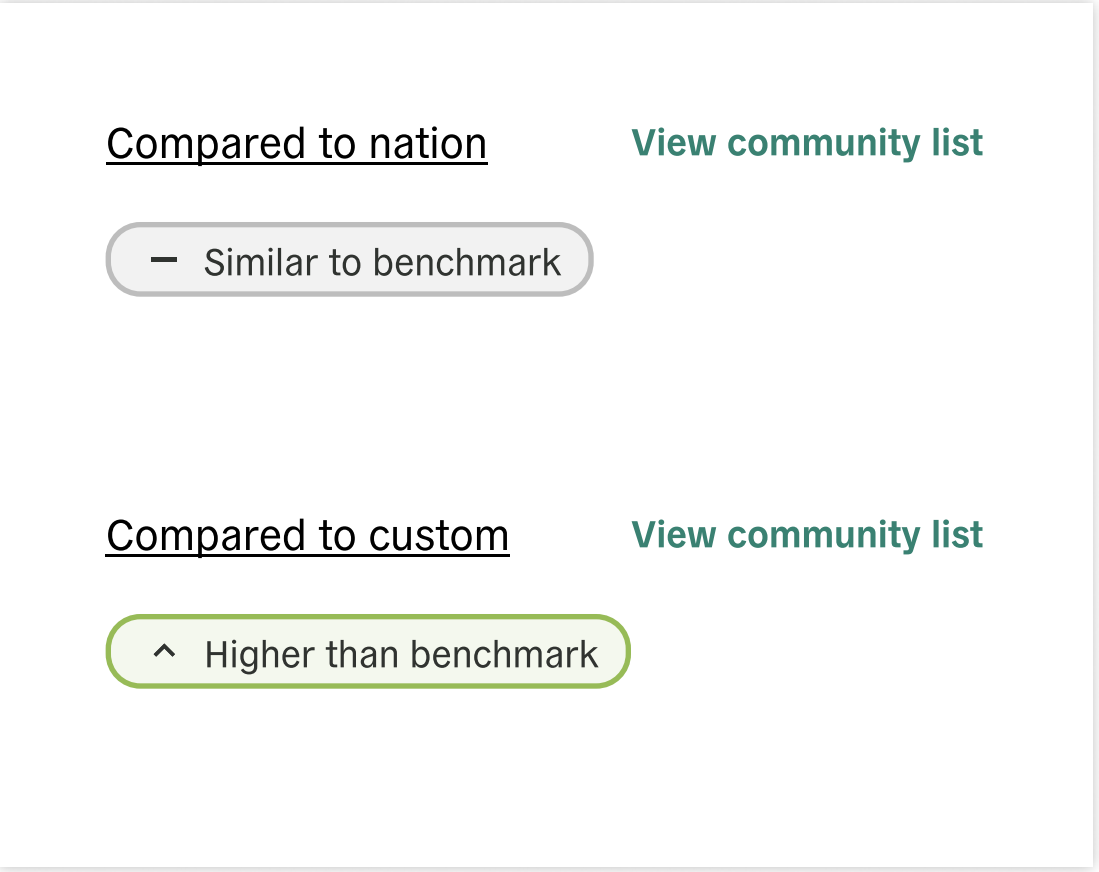
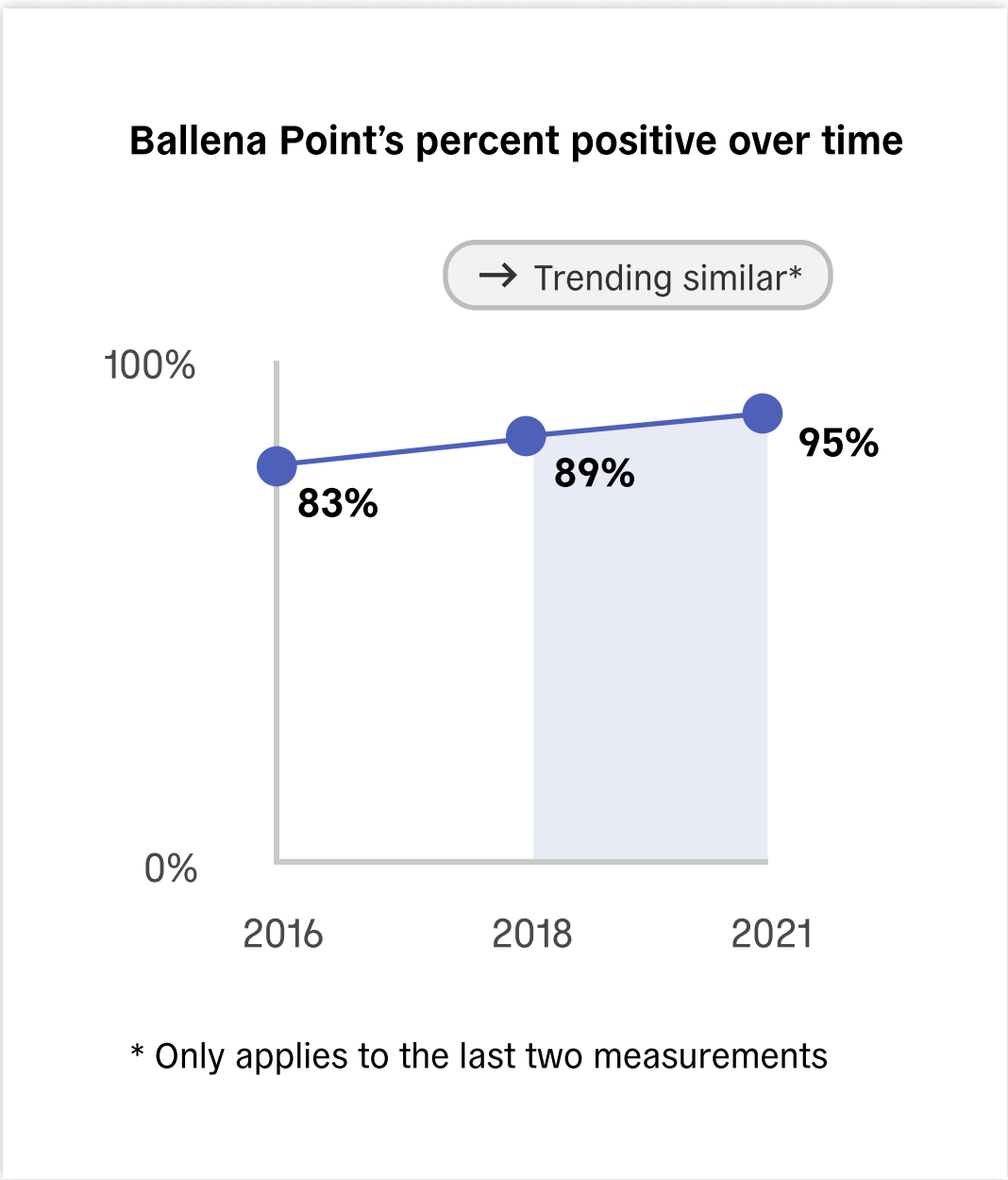
Ballena Point's performance for this characteristic over time.

A **7% difference is minimum** for statistical significance.

Benchmarks

Ballena Point's performance against the national and similar community averages.

A **10-point difference is minimum** for statistical significance.



Crosstab

Crosstabulating is a powerful way to understand how a question’s reponses may correlate with another question’s. Use it to find insightful differences amongst question responses.

Survey question

2. We know the COVID-19 pandemic has affected many of us. Please rate how much of a problem, if at all, the following are for your household CURRENTLY.

Change selection

Demographic

14. Which of the categories below best describes your racial/ethnic identity?

Change selection

Percent positive values

Positive values are Major or Moderate problem responses on a scale of Major problem, Moderate problem, Minor problem, Not a problem, and Not applicable.

View

Table

Graph

☐

 Statistically significant differences only

☐

 Verified responses only

How to interpret this table

Characteristic	Overall	American Indian or Alaskan Native (A)	Asian, Asian Indian, or Pacific Islander (B)	Black or African American (C)	Hispanic (D)	White (E)	I identify with another race/ ethnicity (F)	Two or more races/ethnicities (G)
The emotional health of household members	7%	10% E	5%	5%	15% E	1%	10% E	8%
Loss of job(s)	50%	82%	55%	74%	43%	33%	65%	47%
Reduced household income	52%	86%	58%	76%	47%	33%	67%	50%
Paying for food	70%	70% B E	40%	60% B E	82% B E F	20%	52%	63% B E

Crosstab

Crosstabulating is a powerful way to understand how a question’s reponses may correlate with another question’s. Use it to find insightful differences amongst question responses.

Survey question

1. Which of the following apply to you:

[Change selection](#)

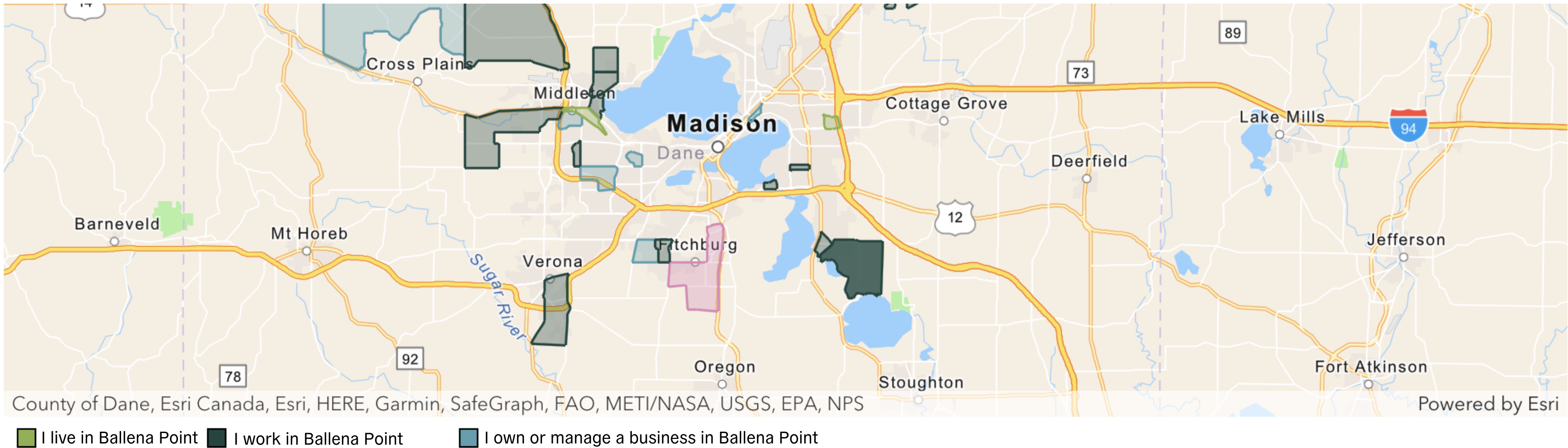
Demographic

Census block group map

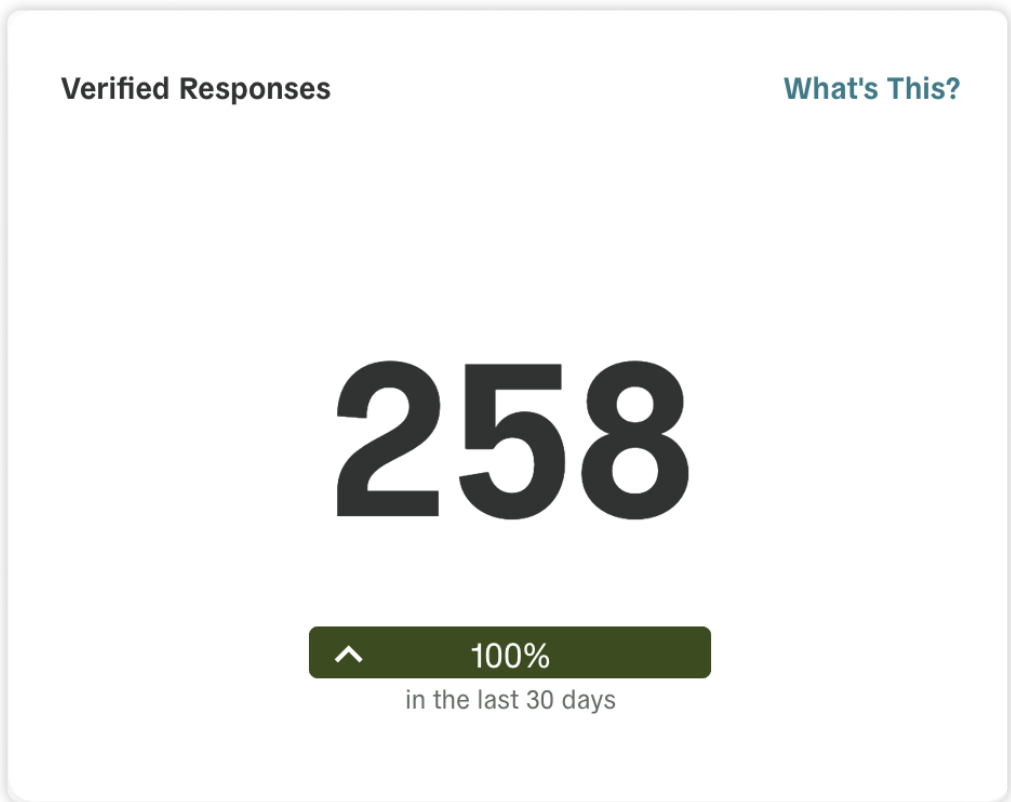
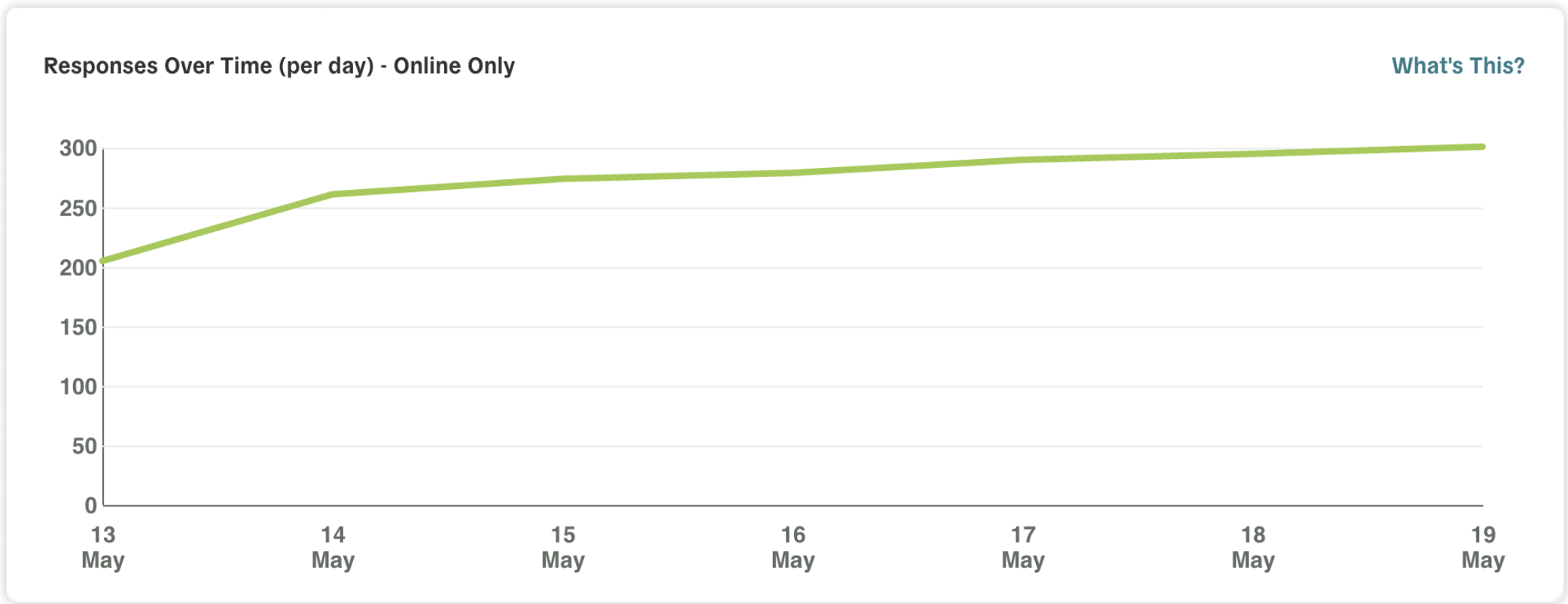
[Change selection](#)

Predominant response by census block group

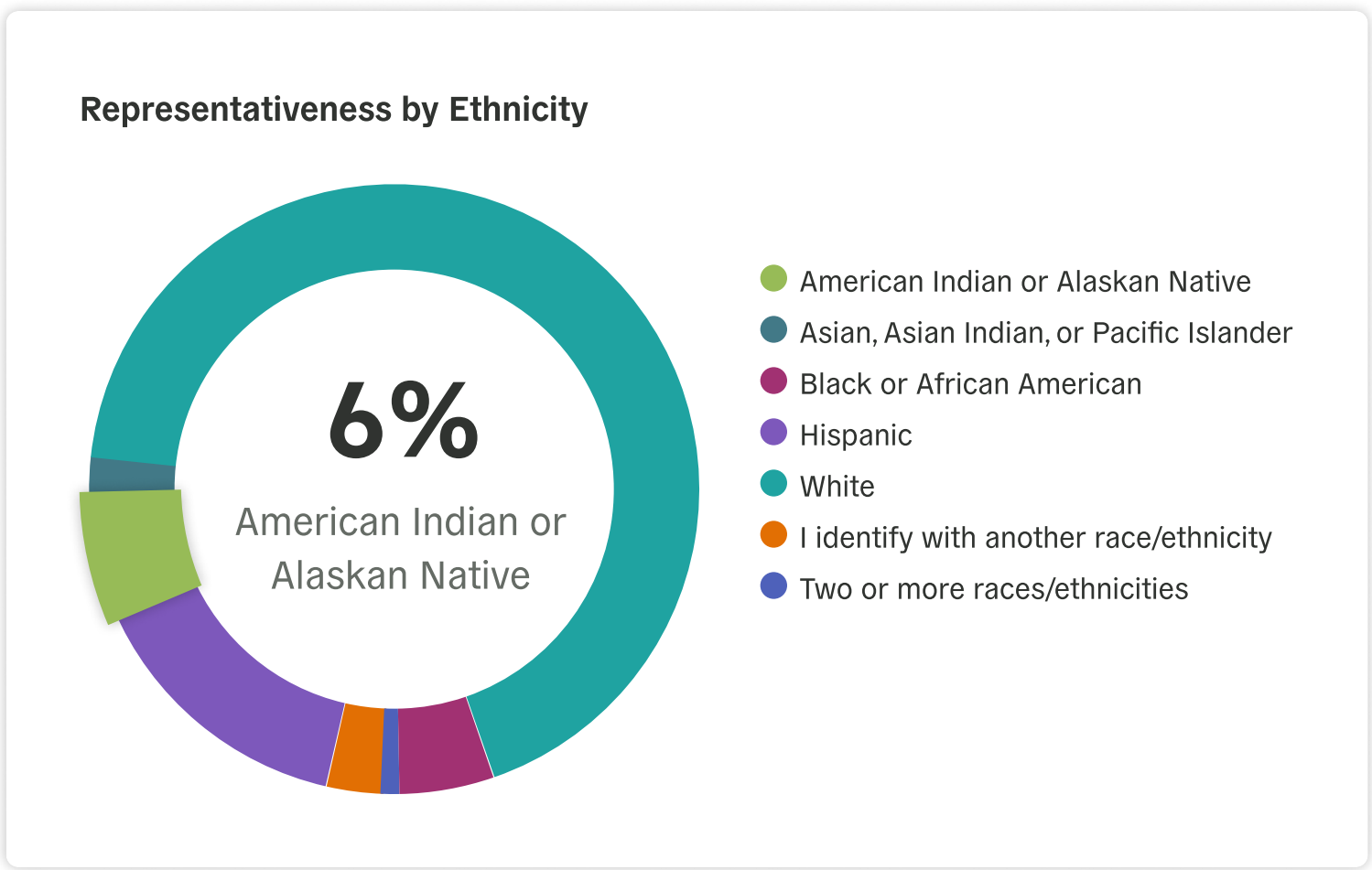
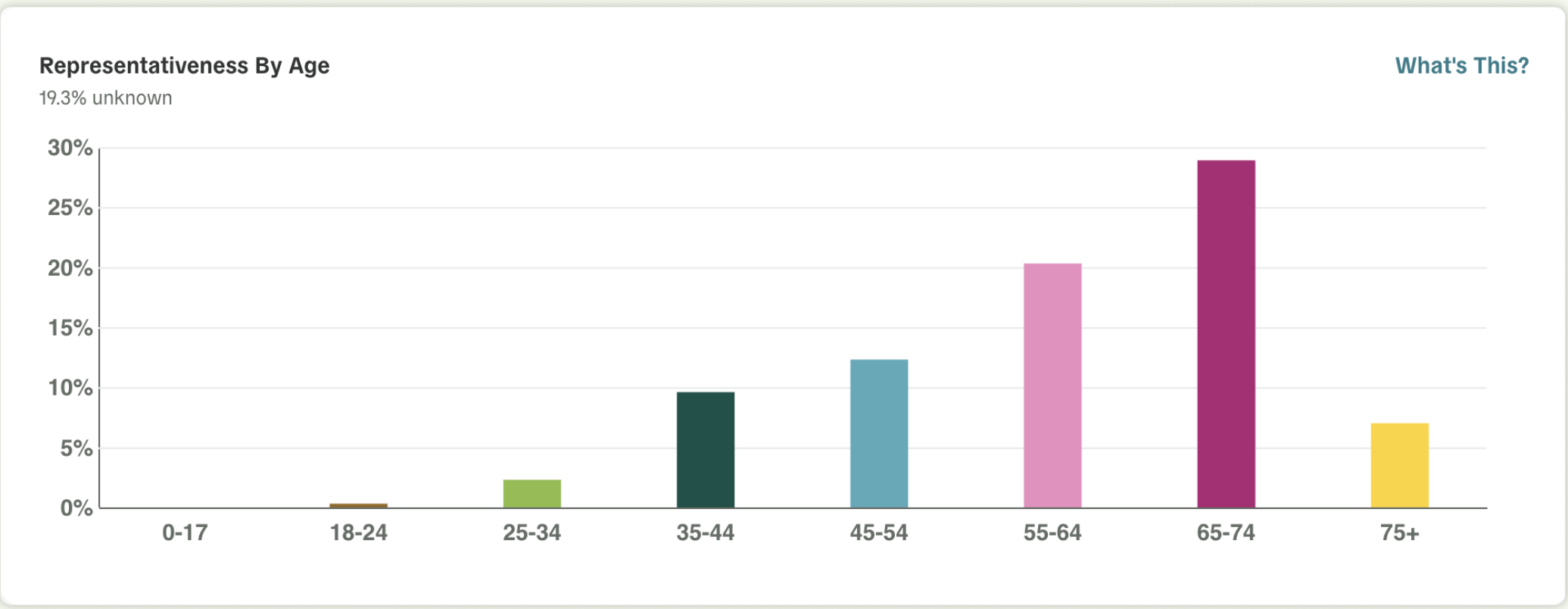
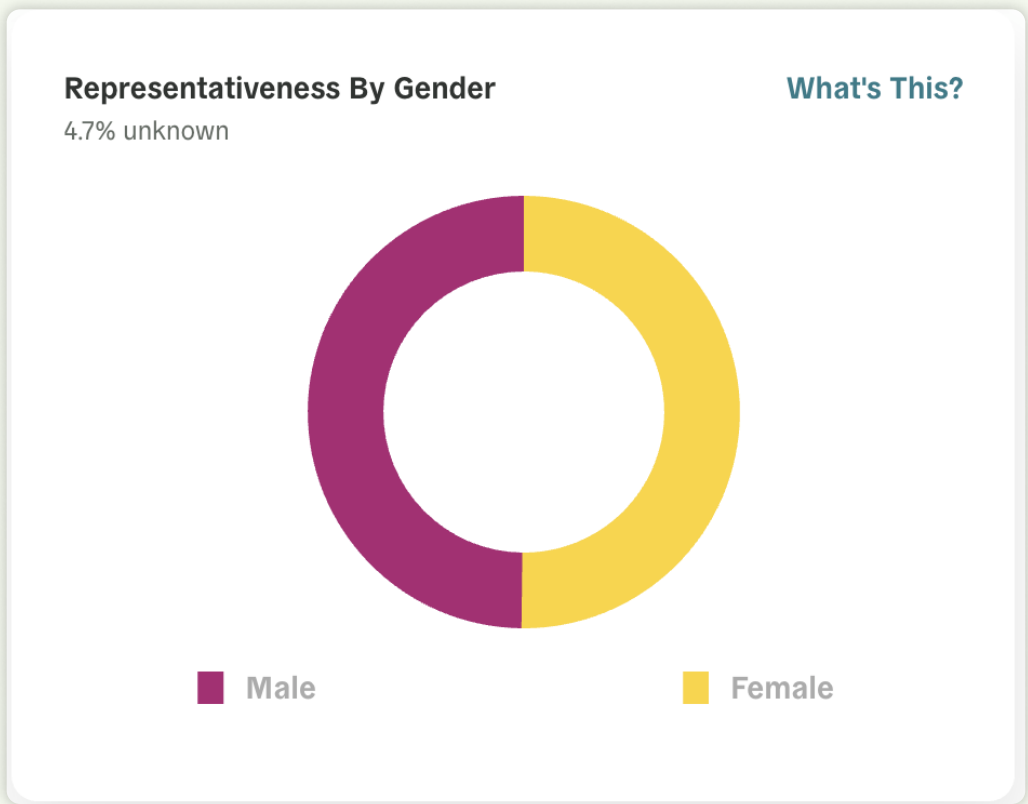
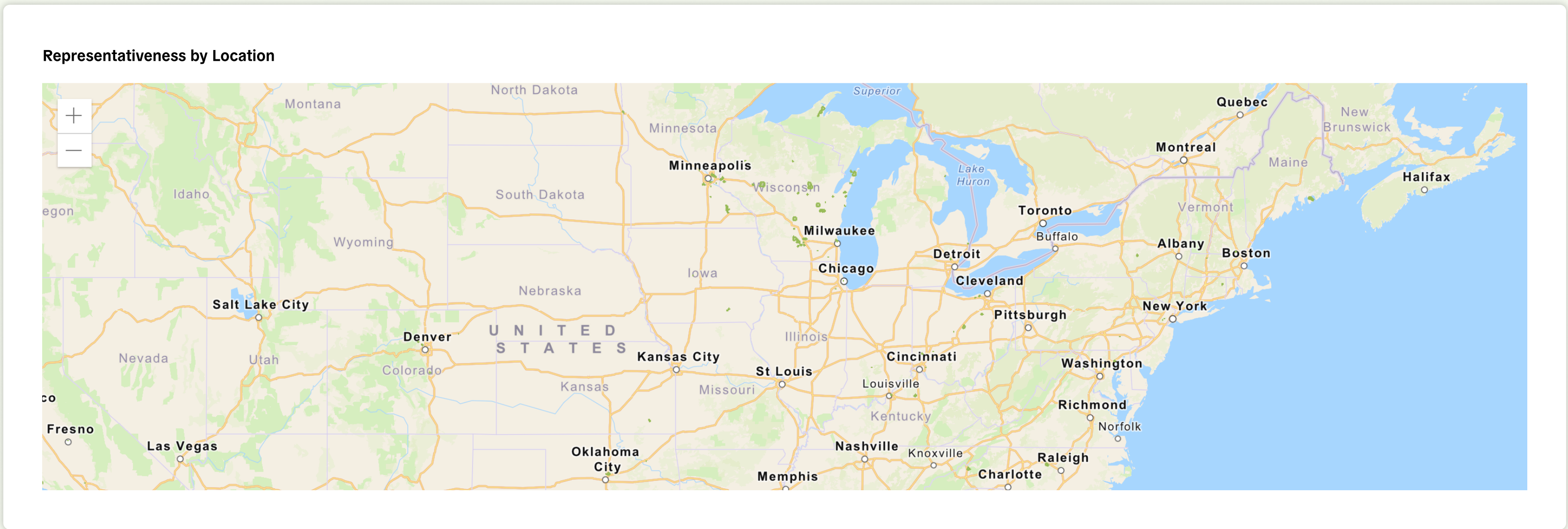
Census block groups are color-coded by the predominant response. Click on a block to see the complete response breakdown. Only [verified responses](#)  are included.



Participants



User reported ☒ Verified with voter registration



CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	September 23, 2021	City Attorney John Blair City Council
Item #	8	
Ordinance #		
Department:		
Council Vision:	Responsive, Efficient Government	
Subject:	Closed Meeting for (i) Consultation with Legal Counsel for Necessary Legal-Related Advice and Discussion Regarding the Order to Show Cause Concerning the Staunton Juvenile and Domestic Relations District Courts Facilities and (ii) Discussion of Possible Acquisition of Real Property Within the City	

Suggested Motion:

Before the closed meeting: I move to enter a closed meeting for: (i) consultation with legal counsel for necessary legal-related advice and discussion regarding the Order to Show Cause that was served on each Council member concerning the Staunton Juvenile & Domestic Relations District Court Facility located in the District Courts Building at 6 East Johnson St., Staunton, pursuant to Virginia Code Section 2.2-3711(A)(8); and (ii) discussion of possible acquisition of real property for a public purpose located within the City limits of Staunton, Virginia, where discussion in an open meeting would adversely affect the public body's bargaining position or negotiating strategy pursuant to Virginia Code Section 2.2-3711(A)(3).

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

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



CITY OF STAUNTON, VIRGINIA

Proclamation

Trinity Episcopal Church 275th Anniversary

- WHEREAS,** Trinity Episcopal Church on West Beverley Street, Staunton, Virginia, was established in 1746, when it was known as Augusta Parish, and is one year older than the City of Staunton; and
- WHEREAS,** three buildings have been built on the current site of the church, including the current sanctuary constructed in 1855, with many additions and renovations throughout the years; and
- WHEREAS,** the parish has been consistently involved with community of which it is an integral part, and has hosted community meetings, civic assemblies and concerts, including the annual Staunton Music Festival; and
- WHEREAS,** over the years, Staunton Mayors, Council members and other community members all have been parishioners; and
- WHEREAS,** 2021 is the year of Trinity Episcopal Church's 275th anniversary, and there will be celebrations held with the entire community.

NOW, THEREFORE, BE IT PROCLAIMED, by Staunton City Council that, in recognition of the 275th anniversary of Trinity Episcopal Church, it does hereby acknowledge and celebrate the parish as well as its historic contributions and continuing service to the community.

Adopted this 23rd day of September, 2021.

ANDREA W. OAKES, MAYOR

ATTEST: _____
RACHAEL ML ZINNI,
CLERK OF COUNCIL

REGULAR MEETING OF STAUNTON CITY COUNCIL
Thursday, September 9, 2021
7:30 p.m.
Rita S. Wilson Council Chambers

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

ABSENT: R. Terry Holmes

ALSO PRESENT: Steven Rosenberg, City Manager
Leslie Beauregard, Assistant City Manager
John Blair, City Attorney
Morgan C. Smith, Acting 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 Council member Mead.

MAYOR'S REPORT

Mayor Oakes read the following proclamation honoring Constitution Week:

WHEREAS, September 17, 2021 marks the two hundred and thirty-fourth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to officially recognize the patriotic celebrations which will commemorate the occasion; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week.

NOW, THEREFORE, BE IT PROCLAIMED, by Staunton City Council that September 17-23, 2021, is hereby designated as

Constitution Week

in the City of Staunton and all the City's citizens are asked to reaffirm the ideals established by the Framers of the Constitution in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties.

Adopted this 9^h day of September, 2021.

/s/Andrea W. Oakes

ANDREA W. OAKES, MAYOR

ATTEST: /s/Morgan C. Smith

ACTING CLERK OF COUNCIL

Helen Willard, Regent of the Colonel Thomas Hughart Chapter of the National Society Daughters of the American Revolution, summarized the history of Constitution Week and that the DAR has worked to include Staunton City Schools in Constitution Week.

Mayor Oakes welcomed the members from the DAR who are present at today's meeting.

Mayor Oakes commented that there is a bicycle repair station at Montgomery Hall Park, where it provides basic tools to riders in need of quick and easy repair assistance. She thanked the Rotary Club for providing this station to the City.

ADDITIONAL ITEMS BY MEMBERS OF COUNCIL

Mr. Claffey moved to amend the Regular Meeting Agenda, adding Item G, that the Council authorizes the City Manager to serve as the Acting Clerk for the Staunton Planning Commission meeting on September 16, 2021 and to designate a clerk needed for any other city board or commission meeting for the week of September 13 through September 17, 2021.

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

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

Ms. Mead commented that George Washington was the first person to vocalize and lead the country in mass vaccinations during the American Revolution. He led individuals with varying educational backgrounds, most with little education, to get vaccinated against smallpox. She finished with vaccinations are important to receive for the well-being of all.

Mr. Claffey notified Council of the Nominations Committee appointments from the September 7, 2021, meeting. The Committee appointed Stephanie Cabacoy as the American Shakespeare Center representative on the Tourism Advisory Board for an indefinite term.

As the Nominations Committee made a motion to appoint Ms. Cabacoy, a second was not necessary. The motion carried as follows:

Mr. Claffey	aye	Ms. Darby	aye
-------------	-----	-----------	-----

98	Vice Mayor Robertson	aye	Ms. Mead	aye
99	Mayor Oakes	aye	Ms. Dull	aye
100	Mr. Holmes	absent		

101

APPROVAL OF MINUTES

103

104 Ms. Mead stated that she would abstain from voting on the minutes for the Retreat, as she was not
105 in attendance for either day.

106

107 Mr. Claffey moved to approve the Retreat Meeting Minutes of August 10, 2021, and August 11,
108 2021 as presented.

109

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

111

112	Mayor Oakes	aye	Mr. Claffey	aye
113	Vice Mayor Robertson	aye	Ms. Dull	aye
114	Ms. Darby	aye	Ms. Mead	abstained
115	Mr. Holmes	absent		

116

117 Mr. Claffey moved to approve the Work Session and Regular Meeting Minutes of August 26,
118 2021, as presented.

119

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

121

122	Vice Mayor Robertson	aye	Ms. Dull	aye
123	Ms. Darby	aye	Ms. Mead	aye
124	Mayor Oakes	aye	Mr. Claffey	aye
125	Mr. Holmes	absent		

126

REGULAR MEETING

128

129 **A. Public Hearing and Consideration of a Request by Miller and Associates, LLC to**
130 **Amend Title 18, Zoning, of the Staunton City Code by Adding Chapter 18.71, B-5,**
131 **Mixed Use Business District**

132

133 Rodney Rhodes, Senior City Planner, stated that the Mixed Use Business District would encourage
134 appropriate infill development on developed and/or undeveloped land where continuation of
135 current uses is not feasible. Therefore, promoting adaptive reuse of underutilized buildings or
136 enabling redevelopment of said properties. He commented that the Planning Commission did
137 notate that there would be a need to reevaluate and further refinements of this regulation may be
138 needed in the future. While it is difficult to see the immediate impact that this amendment would
139 have on the City, the Commission and Staff are encouraged with this Mixed Use Business District.
140 He continued that there are parcels in the City that could be redistricted to this Mixed Use Business
141 District, which could allow for more historical buildings to stay standing in Staunton.

142

143 Ms. Mead asked why the height requirements are based on the measurement of stories and not
144 feet. She continued that there is a requirement for where five stories is allowed for a one-block
145 development plan and wanted clarification that the entire block could be five stories high and that
146 Council would have the ability to look at the projects on a project-by-project basis.

Mr. Rhodes commented that there are ordinances with varying degrees of measurement, whether it be feet or stories, and sometimes a combination of both are used for stating measurement requirements. He noted that some districts do not have a measurement for height requirements or restrictions in the City Zoning Code. He stated that one block could contain buildings of that height, but that the block would also have to meet the other requirements in the zoning district for parking, which could affect how many units are placed in the area. He continued that the ordinance could permit the five-story buildings in one block but that the intimate details of the project are not necessarily available during the zoning application process, as a developer wants to start with the rezoning of a property before going to the extra expense of planning on what to do with that property.

Ms. Dull queried about the height minimum and maximums listed in the amendment, as to why there was such variable maximums and not the same fluidity on minimum requirements. She asked for an example that would help clarify the wording to the height portion of the amendment.

Mr. Rhodes commented that the fluidity on the maximum height listed in the amendment is to allow for the comparability in structure height to the surrounding areas. He stated that the developer could address what was meant in the minimum height wording.

John Blair, City Attorney, stated that different stories may have different uses and that a one-story building might not allow for a mixed use designation.

Robin Miller, Owner of Miller and Associates, LLC, clarified that this Mixed Use Business District would allow for a basic set of rules to start a more intricate look at a plot or plots of lands. He continued that the amendment would allow for Planning Commission and Council to ask for these more intricate plans upon applications for other developers in the future.

Mayor Oakes stated the following:

“In a moment, I will open up the Public Hearing. It is a time that Council sets aside to hear from citizens and others about a specific topic.

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 limit, I will let you know that your time limit has expired.

For our Zoom participants, please raise your hand now if you wish to speak on this particular Public Hearing. If you raise your hand during this Public Hearing, you also be able to raise your hand during this Council meeting for other Public Hearings and Matters of the Public. Please keep your comments to 5 minutes as well.

Once everyone who wishes to speak has had an opportunity, I will then close the Public Hearing.

I will now open the Public Hearing so if you wish to speak, please approach the podium. And will alternate between individuals physically present and those that have their hands raised via the Zoom platform.”

The public hearing was opened.

Albino Fossa, 401 Bowling Street, inquired if the properties would have a geophysical examination conducted prior to building, citing the recent collapse of Champlain Towers South in Surfside, Florida.

Frank Strassler, 16 North Washington Street and the Executive Director of the Historic Staunton Foundation, spoke in support of this amendment, citing the sustainability of the adaptive reuse of historical structures and proposing new structures.

Lisa Hatter, Shutterlee Mill Road, stated her support of the amendment, citing that she works in an area where a mixed use business district exists and sees its success.

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

Mayor Oakes asked if Council had any questions or comments.

Council members did not have any further questions.

Mr. Claffey moved that Council adopt the ordinance and approve the Zoning Code amendment adding Chapter 18.71, B-5, Mixed-Use Business District, as recommended by the Planning Commission.

Ms. Mead stated that she is encouraged by this amendment to keep historical buildings, like in the next item on the agenda. Her only concern is keeping to the nature of construction and development is consistent with the character of the pre-existing architecture and commitment to historical preservation.

Mayor Oakes commented that she is encouraged by this amendment and is a great step forward for the City of Staunton.

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

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

ORDINANCE NO. 2021-25

AN ORDINANCE ADDING CHAPTER 18.71, B-5, MIXED USE BUSINESS DISTRICT, OF TITLE 18, ZONING, OF THE STAUNTON CITY CODE TO CREATE A MIXED-USE ZONING DISTRICT IN THE ZONING CODE OF STAUNTON

Recitals

A. Pursuant to Staunton City Code (SCC) Section 18.215.020, Robin W. Miller, Jr. has

requested a zoning text amendment to add Chapter 18.71, B-5, Mixed Use Business District, of Title 18, Zoning, of the SCC;

B. The purpose of the B-5 district is to encourage appropriate infill development on undeveloped land, promote adaptive reuse of underutilized buildings or enable redevelopment of properties where continuation of current uses or adaptive reuse is not feasible, depending on the character and needs of particular areas;

C. City Staff have reviewed the request and are in support of the proposed amendment;

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 Chapter 18.71, B-5, Mixed Use Business District, is added to Title 18, Zoning, of the Staunton City Code, and Title 18, Zoning, of the Staunton City Code is **HEREBY AMENDED, RESTATED, AND REORDAINED** as follows:

Chapter 18.71
B-5 MIXED-USE BUSINESS DISTRICT

Sections:

18.71.010 General description.

18.71.020 Permitted principal and accessory uses.

18.71.030 Area regulations.

18.71.040 Height regulations.

18.71.050 Off-street parking regulations.

18.71.060 Off-street loading and unloading regulations.

18.71.070 Reserved.

18.71.080 Requirements for areas devoted to parking or circulation of vehicles.

18.71.090 Building façade fenestration.

18.71.100 Bicycle parking requirements.

18.71.010 General description.

Pursuant to the general purposes of this chapter, the intent of the B-5 district is to encourage development of mixed land uses and to promote enhancement of the character of development along principal corridors and in other areas. The district regulations are intended to encourage appropriate infill development on undeveloped land, promote

adaptive reuse of underutilized buildings or enable redevelopment of properties where continuation of current uses or adaptive reuse is not feasible, depending on the character and needs of particular areas. The district regulations are also intended to safeguard the character of adjoining properties, to maintain existing streetscape character by providing continuity of building setbacks and heights, to enhance public safety and encourage an active pedestrian environment appropriate to the mixed use character of the district by providing for windows in building façades along street frontages, and to promote an environment that is conducive to preservation of important historic, architectural and cultural features that may exist within the district. Finally, the district regulations are intended to ensure adequate accessible parking and safe vehicular and pedestrian circulation, to facilitate a streetscape with minimum setbacks along principal street frontages and to provide for limited interruption by driveways and vehicular traffic across public sidewalk areas along principal street frontages.

18.71.020 Permitted principal and accessory uses.

The following uses of buildings and premises shall be permitted in the B-5 district, provided that drive-up facilities and facilities for dispensing motor fuels shall not be permitted in conjunction with any of the uses permitted in the district.

1. Any use permitted in the B-2 General Business District.
2. Any use permitted in the R-4 High Density Residential District.
3. Parking areas and parking lots.
4. Parking decks and parking garages, provided that:
 - a. No portion of such structure located along a principal street frontage shall be used for parking or related circulation of vehicles, but such portion shall be devoted to other permitted principal uses which shall have a depth of not less than 20 feet along the principal street frontage or to means of pedestrian or vehicle access, provided that vehicle access along such street frontage shall be permitted only when no other street or alley is available for adequate access. In the case of a portion of a story located along a principal street frontage and having less than five feet of its height above the grade level at the building façade along the street frontage, the provisions of this paragraph prohibiting parking or related circulation of vehicles shall not apply, provided that parking spaces shall be completely screened from view from the street by structural material similar to the material of the building façade.
 - b. Except as provided in subsection (4)a of this section, parking spaces contained therein shall be screened from view from abutting streets by structural material of not less than 45 percent opacity.
 - c. Not less than one exit lane and one entrance lane shall be provided for each 300 parking spaces or major fraction thereof contained within the structure, and any card reader or other access control device at an entrance to a parking deck or parking garage shall be provided with not less than one stacking space situated off the public right-of-way.
5. Accessory uses and structures, including ATMs accessible only from the interior of

buildings devoted to permitted principal uses other than individual dwelling units or lodging units.

18.71.030 Area Regulations.

Yard regulations in the B-5 district shall be as follows:

1. *Front yard.*

a. No front yard shall be required. In no case shall a front yard with a depth greater than ten feet be permitted.

b. A front yard with a depth greater than permitted by application of the provisions of subsection (1)a of this section may be provided when such front yard is improved for purposes of a pedestrian plaza or outdoor dining area.

2. *Side yard.* No side yards shall be required except that where a side lot line abuts or is situated across an alley from property in a low-density residential district there shall be a side yard of not less than ten feet in width.

3. *Rear yard.* No rear yard shall be required except that where a rear lot line abuts or is situated across an alley from property in a low-density residential district there shall be a rear yard of not less than 20 feet in depth.

18.71.040 Height regulations.

Height regulations in the B-5 district shall be as follows:

1. *Maximum height in general.* No building shall exceed four stories in height, provided that where an existing building on the same lot or on an adjacent lot along the same street frontage is greater than four stories in height, no building shall exceed the number of stories contained in such existing building.

2. *Maximum height in special cases.*

a. Where greater than 50 percent of the lineal block frontage is comprised of lots occupied by existing buildings of greater than four stories in height, the average number of stories (rounded to the nearest whole number) contained in such existing buildings shall be the maximum permitted number of stories.

b. Where there are no buildings existing on an entire block at the time of development, or where there are existing buildings to be retained and vacant land to be developed on an entire block, and where the entire block is to be developed under the same ownership or control pursuant to an overall development plan, the maximum permitted height shall be five stories.

3. *Minimum height.* Every main building hereinafter constructed shall have a minimum height of not less than two stories, except that porches, porticos and similar structures attached to a

main building may be of lesser height.

18.71.050 Off-street parking.

Off-street parking for non-residential use is as regulated in Chapter 18.125 SCC. (Zoning ordinance Art. 4, § 9).

Off-street parking for residential use shall be one space per 1.5 dwelling units.

1. For purposes of calculating the number of off-street parking spaces provided for a use located in a B-5 district, on-street parking spaces provided within portions of the public right-of-way abutting the street frontage of the property shall be credited as though they were off-street parking spaces located on the premises. In a case where any portion of such on-street parking spaces are eliminated by government action subsequent to City approval of plans for development of the property, the off-street parking requirement applicable to the use shall be reduced by the number of on-street parking spaces eliminated.
2. In the B-5 district, off-street parking spaces required for dwelling units may be supplied by off-street parking spaces provided for non-dwelling uses, provided that all of the following conditions are met:
 - a. The non-dwelling use is not routinely open, used or operated after 6:00 p.m. or before 8:00 a.m. on any day.
 - b. The total number of off-street parking spaces provided for dwelling units, including spaces shared with non-dwelling uses and spaces provided exclusively for dwelling units, shall not be less than the number of spaces required for such dwelling units by the provisions of this chapter.
3. In the B-5 District, off-street parking spaces required for any use may be provided off the premises of the use for which they are required, provided that at least some portion of the parking area, parking lot, parking deck, or parking garage within which such spaces are provided shall be located within a 400-foot radius of a principal entrance to the building occupied by the use for which they are required.
4. In the B-5 district, the off-street parking requirements established by this section shall be reduced by 50 percent for uses, other than residential uses, that are located within buildings existing on [Insert Date].

18.71.060 Off-street loading and unloading regulations.

Off-street loading and unloading are as regulated in Chapter 18.135 SCC.

18.71.070 Reserved.

18.71.080 Requirements for areas devoted to parking or circulation of vehicles.

- A. *Location of parking and circulation areas.* Areas devoted to the parking or circulation of vehicles shall not be located between the main building on a lot and the primary street frontage, nor shall such areas be located closer to the street than the main building on the lot. On a lot, or lots, having more than one street frontage, the provisions of this subsection shall apply only along the principal street frontage of the lot(s).
- B. *Driveways from streets.* No new driveway intersecting a street, which constitutes the principal street frontage of a lot(s) shall be permitted when other street frontage or alley access is available to serve such lot. Existing driveways and curb cuts are exempt from this restriction.
- C. *Improvement requirements and landscaping standards.* In addition to the provisions of this section, new parking areas and parking lots shall be subject to SCC 18.175, Landscaping and Screening. Existing parking lots are exempt from SCC 18.175, Landscaping and Screening.

18.71.090 Building façade fenestration.

Fenestration requirements applicable to building façades along street frontages in the B-5 district shall be as set forth in this section. In the case of a corner lot, the requirements shall be applicable along the principal street frontage of the lot.

(1) *Street level story.*

a. *Non-dwelling uses.* For non-dwelling uses a minimum of 60 percent of the building façade between two and eight feet in height along the street frontage shall be comprised of windows or glass doors or both that allow views into and out of the interior building space. Windows used to satisfy this requirement shall have a minimum height of four feet. In the case of a street level story having less than its full height above the mean grade level at the building façade along the street frontage of the lot, a minimum of 30 percent of the building façade above such mean grade level shall be comprised of windows or glass doors or both that allow views into and out of the interior building space, provided that in the case of any portion of a story having less than five feet of its height above the grade level at the building façade along the street frontage of the lot, the requirements of this subsection (1)a shall not apply.

b. *Dwelling uses.* For dwelling uses, other than single-family and two-family dwellings, windows or glass doors or both that allow views out of the interior building space shall comprise a minimum of 30 percent of the building façade between two and eight feet in height along the street frontage. In the case of a street level story having less than its full height above the mean grade level at the building façade along the street frontage of the lot, windows or glass doors or both that allow views out of the interior building space shall comprise a minimum of 15 percent of the building façade above such mean grade level, provided that in the case of any portion of a story having less than five feet of its height above the grade level at the building façade along the street frontage of the lot, the requirements of this subsection (1)b shall not apply. In all cases, windows shall be double-hung, single-hung, awning or casement type, and fixed windows shall be permitted only as a component of a system including operable windows within a single wall opening.

486

487 (2) *Upper stories.*

488

489 a. *Non-dwelling uses.* For non-dwelling uses windows or glass doors or both that allow views
490 out of the interior building space shall comprise a minimum of 30 percent of the building
491 façade between two and eight feet in height above the floor level of each story above the
492 street level story.

493

494 b. *Dwelling uses.* For dwelling uses, other than single-family and two-family dwellings,
495 windows or glass doors or both that allow views out of the interior building space shall
496 comprise a minimum of 30 percent of the building façade between two and eight feet in height
497 above the floor level of each story above the street level story. The types of permitted
498 windows shall be as specified in subsection (1)b of this section.

499

500

501 **18.71.100. Bicycle parking requirements.**

502

503 (1) In the B-5 District, the minimum number of bicycle parking spaces required for uses shall be
504 as follows:

505

506 (a) For multifamily dwellings:

507

Number of Dwelling Units	Number of Long-Term Bicycle Spaces Required	Number of Short-Term Bicycle Spaces Required
Less than 10	None	None
10 to 49	1 space for every 3 dwelling units or major fraction thereof	None
50 or more	1 space for every 4 dwelling units or major fraction thereof	2 spaces for 50 dwelling units; 2 additional spaces for every 50 dwelling units or major fraction thereof

508

509

510

511 (b) For parking decks and parking garages containing parking spaces serving
512 nonresidential uses:

513

Number of Parking Spaces in Facility	Minimum Number of Bicycle Parking Spaces Required
0 to 4	None
5 to 20	1 space
21 to 39	2 spaces
Over 40	1 space for every 10 parking spaces or major fraction thereof

514

515 (2) Location of required bicycle parking spaces.

516

517 (a) All required bicycle parking spaces located within a parking deck or parking garage shall be
518 located on a level no lower than the first complete parking level below the ground floor.

519

520 (b) Long-term bicycle parking spaces shall be located on the same premises as the use which
521 they are intended to serve.

522

523 (c) Short-term bicycle parking spaces shall be located within 120 feet of the principal
524 entrance to the building occupied by the use they serve. In cases where short-term bicycle
525 parking spaces are not visible from the principal street frontage, signage to direct the
526 public to the short-term bicycle parking spaces shall be installed and maintained.

527

528 (3) The following words, terms and phrases, when used in this section, shall have the meanings
529 ascribed to them below:

530

531 (a) Parking space, bicycle, means an area for the parking of one bicycle located other than
532 within a public street or public alley right-of-way and having a paved means of access to
533 a public street or public alley.

534

535 (b) Parking space, long-term bicycle, means a bicycle parking space in a secure, weather-
536 protected facility intended for use as long-term, overnight, and work-day bicycle storage by
537 dwelling unit residents, nonresidential occupants, and employees.

538

539 (c) Parking space, short-term bicycle, means a bicycle parking space provided by a bicycle rack
540 located in a publicly accessible, highly visible location intended for transient or short-term use
541 by visitors, guests, patrons, and deliveries to the building or use.

542

543 For all references to “existing” in Chapter 18.71, the term “existing” shall refer to
544 any subject existing on September 9, 2021.

545

546 In all other respects, the provisions of Title 18, Zoning, of the Staunton City Code
547 remain the same and are hereby restated, confirmed and reordained.

548

549 Introduced:

550 Adopted: September 9, 2021

551 Effective Date: September 9, 2021

552

553 /s/Andrea W. Oakes

554 Andrea W. Oakes, Mayor

555 ATTEST: /s/Morgan C. Smith

556 Morgan C. Smith, Acting Clerk of Council

557

558 **B. Public Hearing and Consideration of a Request to Rezone 108 W. Hampton Street**
559 **(PIN #8934), 110 W. Hampton Street (PIN #403), 119 W. Hampton Street (PIN #397),**
560 **710 Robertson Street (PIN #400), and 709 Hall Street (PIN #404) From I-1, Light**
561 **Industrial District, to B-5, Mixed Use Business District; 103 W. Hampton Street (PIN**
562 **#2415) from B-1, Local Business District, to B-5, Mixed Use Business District; and**
563 **514 Gooch Street (PIN #6102) from R-3, Medium Density Residential District, to B-**
564 **5, Mixed Use Business District**

565

566 Mr. Rhodes commented that Lee Beam, owner of Staunton Steam Laundry, and contract purchaser
567 Robin Miller of Miller and Associates, would like to rezone those parcels to the Mixed Use

Business District previously approved by Council in the last item. He continued that site plans for each phase of that project would be required. The site is currently zoned as industrial and that zone is not compatible now with the surrounding developments. Planning Commission is in support of this rezoning, as it allows the current historical buildings to be repurposed and continue the historical impact they have on the City of Staunton.

Ms. Mead inquired if there are sidewalks along Middlebrook Avenue. Mr. Rhodes stated there are and he has personally walked them.

Lee Beam, 54 Fairfield Court and owner of Staunton Steam Laundry, spoke briefly to the history of the buildings and business. Her family has owned those properties for 108 years and outgrew the current buildings with the amount of production the company was experiencing. COVID-19 demolished any plans of selling the business as her family had discussed. The Beam family knew that there were many opportunities those pre-existing buildings could be used for in the City and contacted a broker who set her up with Dain Hammond, a developer. Mr. Hammond brought in Robin Miller to discuss the potential of these buildings with the mixed use zone. She voiced her support in the amendment, citing that the building her grandfather built shows a portion of history in the City of Staunton.

Ms. Dull commented that Ms. Beam's family was an early adopter of mixed use buildings.

Dain Hammond, 5 East Beverley and developer, stated he has had a long-standing history with the City of Staunton personally and professionally, more specifically a history with Staunton Steam Laundry on a personal level. He commented he has had success in other localities with a mixed use zone and can see the potential this area has to offer to allow not only for the preservation of historical buildings, but also to add to the growth of the City of Staunton. He called Robin Miller to get his opinion and assistance on this project. They both have a plan to contribute to the City of Staunton through downtown development and keep the historical integrity of those buildings.

Mayor Oakes asked if Council had any questions or comments.

Ms. Mead commended the developers on their vision for adaptive reuse, density, walkability, and enhancing downtown. She asked for a little clarification on their vision.

Mr. Hammond stated that there is a vision for apartment living and some commercial businesses, but the commercial uses will be dictated by the neighborhood. He indicated that there would be no demolishing of historical buildings in that section.

Ms. Mead followed-up in asking about the affordable housing they could provide to the City of Staunton. Mr. Hammond stated that naturally prices will decrease because of the lesser demand on apartments.

Vice Mayor Robertson queried for a broad timeline on this project after permits are cleared.

Mr. Miller stated that once all of the official permits and financing is obtained, which they hope to achieve in six months to a year, there is a three-phase development plan in place. There is still a decision to be made on what phase will go first.

Ms. Mead asked the height of the buildings and if there would be four or five stories built on this site.

Mr. Miller stated that the building height would not be above what is already existing on those parcels. The four or five stories is meant for future developers to expand or reuse properties for the City of Staunton.

Ms. Mead inquired what properties Mr. Hammond has worked on in Richmond. He stated the various properties he has had experience with in developing in this manner.

The public hearing was opened.

Albino Fossa, 401 Bowling Street, voiced his approval for the rezoning, but would like to have more of an understanding of their plan through models.

Baldwin Jennings, 332 Sharon Lane, voiced his approval for the rezoning, citing the great memories he has with the area and Staunton Steam Laundry.

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

Council members did not have any further questions.

Ms. Mead moved that Council adopt the ordinance and approve the rezoning, as recommended by the Planning Commission.

Mayor Oakes spoke words of encouragement on the progress the City of Staunton is seeing in the items on the agenda tonight in development and retention of historic buildings.

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

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

Ordinance No. 2021-26

AN ORDINANCE REZONING VARIOUS TRACTS OR PARCELS OF LAND FROM I-1, LIGHT INDUSTRIAL, B-1, LOCAL BUSINESS, AND R-3, MEDIUM DENSITY RESIDENTIAL, TO B-5, MIXED USE BUSINESS, IN THE CITY OF STAUNTON, VIRGINIA

Recitals

A. Robin W. Miller, Jr. has entered into a contract to purchase seven properties on W. Hampton Street in an area of the City of Staunton (City) known as Sears Hill;

B. Robin W. Miller, Jr. has applied to the City for a zoning classification change with the full knowledge and written consent of the current owner for the following parcels, under the provisions of the Staunton City Code, from R-3, Medium Density Residential, I-1, Light Industrial, and B-1, Local Business, to B-5, Mixed Use Business;

PIN #	Street Address	Current Zoning	New Zoning
8934	108 W. Hampton St.	I-1, Light Industrial	B-5, Mixed Use Business
403	110 W. Hampton St.	I-1, Light Industrial	B-5, Mixed Use Business
397	119 W. Hampton St.	I-1, Light Industrial	B-5, Mixed Use Business
400	710 Robertson St.	I-1, Light Industrial	B-5, Mixed Use Business
404	709 Hall St.	I-1, Light Industrial	B-5, Mixed Use Business
2415	103 W. Hampton St.	B-1, Local Business	B-5, Mixed Use Business
6102	514 Gooch St.	R-3, Medium Density Residential	B-5, Mixed Use Business

C. The Planning Commission of the City of Staunton, after study and review, has properly heard the matter;

D. This zoning classification change 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 each of the parcels is **HEREBY REZONED** from their current zoning classification to B-5, Mixed Use Business District.

Introduced:

Adopted: September 9, 2021

Effective Date: September 9, 2021

/s/Andrea W. Oakes

Andrea W. Oakes, Mayor

ATTEST: /s/Morgan C. Smith

Morgan C. Smith, Acting Clerk of Council

C. Public Hearing and Consideration of a Request by Emilee Lauer on Behalf of US Cellular for a Special Use Permit for 250 N. Jefferson Street

Mr. Rhodes summarized that the telecommunications tower was built in the mid-1990s and is able to be built in any district with a Special Use Permit. He stated this is an expansion request to an existing tower site on an existing leased area that is filed with the City. He commented that the Planning Commission approved this item at their last meeting. He stated that they received only one correspondence via email on this matter.

Mayor Oakes asked Council members if they had any questions.

Ms. Mead inquired if this expansion would have an impact on the surrounding residential areas around the telecommunications tower. She further queried with why the expansion was needing to take place.

Mr. Rhodes stated that it is a heavily wooded area that is not being utilized as a supplement to anyone's backyard and is a fenced in area at that. He addressed that the expansion is requested due to the lack of storage space presently. He noted that the Planning Commission inquired if any equipment could be removed in lieu of an expansion and was told the expansion was necessary, as there is no equipment slated for removal at this time.

Ms. Mead finished with asking about the email that was sent to City staff on this matter. Mr. Rhodes stated that the email stated that the telecommunications provider have enhancements on the park that were not conditions that were able to be requested by Council (i.e. a park bench or kiosks at the site).

Emilee Lauer, a representative from US Cellular, commented that the space was needed for an expansion to provide equipment to and from the location.

Ms. Mead asked if citizens would be able to see the equipment at that site, as it is in a higher elevation area. Ms. Lauer commented that the equipment should not be able to be seen and that mostly underbrush and small shrubs will be disturbed in placing the expansion to the site.

The public hearing was opened.

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

Council members did not have any further questions.

Vice Mayor Robertson moved that Council approve the Special Use Permit, as recommended by the Planning Commission.

The motion was seconded by Ms. Dull and carried as follows:

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

D. Public Hearing and Consideration of a Request by Mark A. Robertson to Vacate and Abandon a Portion of an Alley Lying Between 239 Thornrose Avenue and 258 Lancaster Avenue

Vice Mayor Robertson asked to be recused from his seat on the dais, as this matter directly involves him. The request was granted by Council and found to be an appropriate matter to in which to recuse himself.

Mr. Rhodes stated that this is a dead-end alley and only the applicant has legal access to Lancaster Avenue through alleyway. He continued that the applicant has stated he does not want to block existing unofficial thruway, he wants the ability to be able to build a structure on the property that fronts Lancaster. Mr. Rhodes stated that typically alleys are not vacated in part, but that this alley has not legally had thru access. The Planning Commission approved the alley vacation with two citizens speaking in favor of the vacation.

Mayor Oakes asked Council members if they had any questions.

Ms. Mead stated that she traveled down the alleyway in question and inquired how the citizens were in favor of the vacation of the alleyway. She also inquired about the future use of the alleyway if Vice Mayor Robertson were to no longer own that property.

Mr. Rhodes stated that the citizens were comfortable with the on-record statements of the applicant at the Planning Commission. He did confirm that the vacation of the alleyway could allow future homeowners the ability to block the alley if they desired.

Vice Mayor Robertson indicated that he will keep the alley open, as the main reason the request is presented to allow for the adherence to current zoning codes, including setback requirements.

Mayor Oakes asked if that alleyway has always been accessible and graveled.

Vice Mayor Robertson commented that the alley was not always a throughway and was made open in 2000 by the individuals owning the property at that time after the vacation of that part of the alley. He commented that the gravel is maintained by him on that section.

The public hearing was opened.

William Koiner, 257 Lancaster Avenue, mentioned that the Planning Commission gave direction to Vice Mayor Robertson to allow for the protection of the alleyway if the property would not be owner by him in the future. He voiced his support for the vacation of the alley.

Albino Fossa, 401 Bowling Street, inquired if there would be the ability for emergency vehicles to have access to the alley if it were vacated. Vice Mayor Robertson stated that city vehicles actively use the alley and that the alley could continue to accommodate emergency vehicles.

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

Council members did not have any further questions.

Mr. Claffey moved that Council adopt the ordinance vacating a portion of the alley located between 239 Thornrose Avenue and 258 Lancaster Avenue, as recommended by the Planning Commission.

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

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

Vice Mayor Robertson returned to the dais for the duration of the meeting.

Ordinance No. 2021-27

AN ORDINANCE

CLOSING, VACATING, DISCONTINUING AND ABANDONING A PORTION OF A 15' WIDE ALLEY LOCATED BETWEEN 239 THORNROSE AVENUE (PID 7103) AND 258 LANCASTER AVENUE (PID 879)

Recitals

A. An application for alley vacation has been filed by Mark Robertson, pursuant to § 15.2-2272 of the Code of Virginia, 1950, as amended, to have all of that certain portion of the alley as hereinafter described, vacated and abandoned by the City of Staunton, Virginia;

B. The subject portion of the alley was initially platted in 1907 and subsequently replatted in 1911, and was never accepted by the City as part of its public street system;

C. Mr. Robertson is the owner of 239 Thornrose Avenue, identified as Lot 9, Block 3, Lakeview Addition (PID 7103) and 258 Lancaster Avenue, identified as Lot 18, Block 3, Lakeview Addition (PID 879) and seeks to close the portion of the alley between the two properties consisting of an area of approximately fifteen (15) feet in width and forty-eight and five hundredths (48.05) feet in length;

D. A plat showing the aforesaid portion of the alley to be vacated and abandoned (the area shaded in red) is annexed and incorporated by reference as **Exhibit A**;

E. A portion of the alley located between 235 Thornrose Avenue (PID 878) and 258 Lancaster Avenue (PID 879) was previously vacated and abandoned by the City on January 13, 2000, as evidenced by Ordinance 2000-1, annexed and incorporated by reference as **Exhibit B**;

F. The requirements of § 15.2-2272 of the Code of Virginia have been met along with those of § 15.2-2204 of the Code of Virginia;

G. At its regular meeting on August 19, 2021, the Planning Commission of the City of Staunton, Virginia after study and review, properly heard the matter and recommended approval of vacating said portion of the alley;

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

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

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Staunton, Virginia, that the City hereby **CLOSES, VACATES, DISCONTINUES** and **ABANDONS** the portion of the alley described as follows:

The portion of a 15' wide alley running a distance of 48.05 feet adjoining City Tax Map Parcels 879 and 7103,

with reservation to the City of Staunton of any existing utility lines located in the alley, with ownership of the area of the vacated alley determined in accordance with applicable law. The remainder of said alley extending to Alleghany Avenue shall remain open.

Introduced:

Adopted: September 9, 2021

Effective Date: September 9, 2021

/s/Andrea W. Oakes

Andrea W. Oakes, Mayor

ATTEST: /s/Morgan C. Smith

Morgan C. Smith, Acting Clerk of Council

E. Resolution Establishing the Percentage of Relief at 32% for Purposes of the Personal Property Tax Relief Act (PPTRA)

Commissioner of Revenue Maggie Ragon stated that \$1,652,200 is the amount received by the State of Virginia each year to distribute across fleet vehicles for the City. She recommended that the PPTRA rate should be 32% for this year. Ms. Ragon summated her comments from the work session.

Mayor Oakes asked Council members if they had any questions.

Council members did not have any further questions.

Vice Mayor Robertson moved that a resolution, as proposed, be adopted, establishing the Personal Property Tax Relief Act (PPTRA) percentage at 32 percent.

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

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

RESOLUTION
IMPLEMENTING ORDINANCE 2006-05, CODIFIED AS SECTION 3.10.015 OF THE
STAUNTON CITY CODE,
TO FURTHER IMPLEMENT THE 2004-2005 CHANGES
TO THE PERSONAL PROPERTY TAX RELIEF ACT OF 1998

894
895 **WHEREAS**, by Ordinance 2006-05, adopted April 13, 2006, and codified as Section
896 3.10.015 of the Staunton City Code, the Council of the City of Staunton fashioned a local program
897 of tax relief that serves the best interests of the citizenry regarding personal property tax on
898 qualifying use vehicles, pursuant to modifications made by the General Assembly of Virginia to
899 the Personal Property Tax Relief Act of 1998 (PPTRA);

900
901 **WHEREAS**, the City's program of tax relief contemplates the allocation of PPTRA relief
902 provided by the Commonwealth of Virginia pursuant to the provisions of Ordinance 2006-05,
903 codified as Section 3.10.015 of the Staunton City Code, as further implemented by resolution
904 adopted annually after the personal property tax book is certified by the Commissioner of Revenue
905 and delivered to the Treasurer;

906
907 **WHEREAS**, on September 1, 2020, the Commissioner of Revenue delivered to the
908 Treasurer a certified personal property tax book; and

909
910 **WHEREAS**, the Commissioner of Revenue has recommended to the Council of the City
911 of Staunton, Virginia, that with respect to qualifying vehicles with assessed values of more than
912 \$1,000 the percentage of relief to be applied to the first \$20,000 in value of each such qualifying
913 vehicle should be 32%, which the Commissioner of Revenue estimates will fully use all available
914 state PPTRA relief.

915
916 **NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Staunton,
917 Virginia, that 32% shall be the percentage of relief to be applied to the first \$20,000 in value of
918 each qualifying vehicle with an assessed value of more than \$1,000, pursuant to and in accordance
919 with the provisions of Section 3.10.015 of the Staunton City Code.

920
921
922 Adopted this 9th day of September, 2021.

923
924 /s/Andrea W. Oakes

925 Andrea W. Oakes, Mayor

926 ATTEST: /s/Morgan C. Smith

927 Morgan C. Smith, Acting Clerk of Council
928

929 **F. Resolution Authorizing Refinancing of 2005, 2012, 2013, and 2019 Bonds**
930

931 Phil Trayer, Chief Financial Officer, summarized the bonds that could be refinanced and the
932 updated savings since the previous discussion. There is \$60,000 more in savings since the last
933 reported figures. The breakdown of the bonds were presented: 2005 bonds for \$4,600,000 has a
934 remaining balance of \$1,200,000 and estimated gross savings as a result of refinance is \$40,000;
935 2012 bonds for \$10,000,000 has a remaining balance of \$4,700,000 and estimated gross savings
936 as a result of refinance is \$178,000-\$280,000; 2013 bonds for \$5,000,000 has a remaining balance
937 of \$2,600,000 and estimated gross savings as a result of refinance is \$127,000-\$145,000; and, 2019
938 bonds for \$14,700,000 has a remaining balance of \$13,400,000 and estimated gross savings as a
939 result of refinance is \$246,000-\$387,000.

940
941 He continued that the pricing for these bonds are set for refinance on October 27, 2021, through
942 the Virginia Resource Authority. He commented the resolution has wording to establish a Net

Present Value Savings floor of 1% or nearly \$250,000, to safeguard against unexpected increases in interest rates. All maturity rates and these bonds will remain as originally issued.

Mayor Oakes asked Council members if they had any questions.

Vice Mayor Robertson asked for a point of clarification on the savings amount in the agenda packet varying from the figure presented in the meeting tonight. Mr. Trayer stated that the figures were updated for the meeting and the rate of savings can fluctuate based on the fluidity of the market.

Council members did not have any further questions.

Ms. Dull moved to adopt the proposed resolution authorizing the issuance, sale and approval of a General Obligation Refunding Bond, in a principal amount not to exceed \$22,200,000 and refund all or a portion of the previously issued \$4,600,000 General Obligation Public Improvement Bond, Series 2005 which has an outstanding balance of \$1,226,981; the \$10,000,000 General Obligation Public Improvement Bond, Series 2012 which has an outstanding balance of \$4,707,000; the \$5,000,000 General Obligation Public Improvement Bond, Series 2013 which has an outstanding balance of \$2,570,000; and the \$14,660,000 General Obligation Refunding Bond, Series 2019B which has an outstanding balance of \$13,421,000, for the purpose of decreasing the cost of borrowed funds, in accordance with the terms and parameters set forth in the resolution.

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

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

(SEE ATTACHMENT A – BONDS RESOLUTION)

G. Resolution of the Council of the City of Staunton Authorizing the City Manager to Designate an Acting Clerk for the September 16, 2021 Planning Commission Meeting.

Steve Rosenberg, City Manager, stated Rachael Zinni, Clerk of Council, is out of the office for the Planning Commission Meeting on September 16, 2021, and is requesting authorization to designate an Acting Clerk for that meeting or any other meeting requiring the attendance of the Clerk of Council during September 13, 2021, through September 17, 2021.

Ms. Darby moved that the Council authorizes the City Manager to designate the Acting Clerk for the Staunton Planning Commission meeting on September 16, 2021 and to designate a clerk needed for any other city board or commission meeting for the week of September 13 through September 17, 2021.

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

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

992
993 **MATTERS FROM THE CITY MANAGER**
994

995 Mr. Rosenberg stated that there is a mask requirement for the Staunton Public Library effective
996 September 18, 2021, for patrons aged five years and older. The requirement is based on the
997 guidelines from federal guidelines. All other City facilities require masks for unvaccinated
998 individuals and recommended mask wear for those who are vaccinated.
999

1000 Central Avenue Streetscape Project is entering a new phase on September 14, 2021. Dominion
1001 Energy will begin undergrounding their utility lines on that corridor. The work is expected to last
1002 two to three weeks and full road closures are expected during that time period.
1003

1004 **ROLL CALL**
1005

1006 Mayor Oakes read the following statement: "This evening, we have a new addition to our regular
1007 meeting agenda, identified as "Roll Call." Council members agreed to this addition during our
1008 retreat earlier this month. Roll Call affords each council member an opportunity to bring forth
1009 matters for staff follow-up, either during the same meeting or subsequently if additional time is
1010 required to respond to a councilmember inquiry."
1011

1012 Mayor Oakes clarified that the Roll Call is on the regular agenda for this meeting, but that it will
1013 occur during the work session in subsequent meetings held by Council, per the vote in the work
1014 session earlier in the evening.
1015

1016 Ms. Dull commented that she does not recall the formality of the Roll Call being agreed upon, as
1017 she contacts Mr. Rosenberg with issues when they arise and does not wait for scheduled Council
1018 meetings to initiate that contact.
1019

1020 Ms. Mead reported that there are still many complaints about the recycling center's hours of
1021 operation and the lack of communication on the working hours. She voiced desire to get the
1022 recycling center on a better, consistent operating schedule.
1023

1024 Ms. Darby inquired about ARPA funds being distributed and wondered when City staff would
1025 have recommendations on how to allocate those funds.
1026

1027 Leslie Beauregard, Assistant City Manager, stated that the rules and guidelines associated with the
1028 ARPA funding are continuously evolving, similar to the CARES Act Funds, and staff is currently
1029 working on preliminary recommendations to bring to Council in one of the October meetings. She
1030 continued that there is a public engagement aspect to this process. She finished that the City has
1031 until the end of 2024 to obligate the funds to the projects that need funding, so there is more than
1032 enough time to be visionary and think large scale on this matter.
1033

1034 Mr. Claffey asked for updates on the Augusta County Courthouse, as he has heard discussion from
1035 citizens on this matter and wanted to know of any updates that could be reported on at this time.
1036

1037 Mr. Rosenberg stated that he does not have any updates at this time on that matter.
1038

1039 Vice Mayor Robertson commented that a citizen communicated the disappointment in the hanging
1040 baskets this year around the City and wanted to know what happened with those this year.

Mr. Rosenberg stated that the Staunton Downtown Development Association arranges for and manages the downtown flowers. SDDA is funded primarily by the City through taxes from a special tax district and a \$50,000 supplement from the City. He continued that Greg Beam, SDDA Executive Director, was contacted and commented that a different designer was in place than previous years and the flower selection for the baskets did not flourish. The street level flowers that were planted did flourish and various downtown businesses assisted the SDDA in maintaining those flowers to assist in lessening costs. Mr. Beam and the SDDA are in the works to come up with a better plan of action for this issue for next season.

Vice Mayor Robertson commented that he was impressed by the gorgeous flowers Matt Sensabaugh, City Horticulturist, has maintained this year and gave praise for the display.

Mayor Oakes encouraged citizens to contact City Hall directly for more timely answers to questions they may have concerning the City.

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 or begin your call, 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 limit, 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 or to end your call. 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 or end your call. If you still continue to speak, I will ask the City Manager to end your call, and if you continue to speak from the podium you may be charged with disorderly conduct under Virginia Code § 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 are seeking 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 an individual employee 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, mail or email. 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 official 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 to end your call. 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 Acting Clerk of Council, Ms. Smith. And now, we welcome all speakers. The podium is now available for matters from the public.”

Baldwin Jennings, 332 Sharon Lane, commented that the entry ways into the City of Staunton are lacking and are not attractive to visitors entering the City.

Albino Fossa, 401 Bowling Street, continued speaking on the matters of the assessment of his house, including a correspondence to various government entities in asking for assistance. He plead for more time to speak on this matter.

There was no one else wishing to speak.

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 9:39 p.m.

Morgan C. Smith
Acting Clerk of Council

**RESOLUTION OF THE CITY COUNCIL OF STAUNTON,
VIRGINIA, PROVIDING FOR THE ISSUANCE AND SALE
OF A TAXABLE GENERAL OBLIGATION REFUNDING
BOND, SERIES 2021, OF THE CITY OF STAUNTON,
VIRGINIA, IN A PRINCIPAL AMOUNT NOT TO EXCEED
\$22,200,000 PROVIDING FOR THE FORM, DETAILS AND
PAYMENT THEREOF AND PROVIDING FOR THE
REFUNDING OF CERTAIN OF THE CITY'S
OUTSTANDING GENERAL OBLIGATION BONDS**

WHEREAS, the City of Staunton, Virginia (the "City"), has previously issued its \$4,600,000 General Obligation Public Improvement Bond, Series 2005, \$10,000,000 General Obligation Public Improvement Bond, Series 2012, \$5,000,000 General Obligation Public Improvement Bond, Series 2013, and \$14,660,000 General Obligation Refunding Bond, Series 2019B (collectively, the "Prior Bonds");

WHEREAS, the City's administration, in collaboration with the City's financial advisor, Davenport & Company LLC (the "Financial Advisor"), has recommended to the Council of the City (the "Council") that the City refund all or a portion of the outstanding principal installments of the Prior Bonds (such refunded portions, the "Refunded Installments") to realize debt service savings;

WHEREAS, the City desires to issue a refunding bond (the "Bond" as further described in Section 3 herein) to refund the Refunded Installments, subject to the terms and conditions herein, including a condition that the refunding achieve an aggregate net present value debt service savings of not less than 1.00% of the refunded par amount of the Refunded Installments (the "Targeted Savings");

WHEREAS, the City has requested that the Virginia Resources Authority ("VRA") purchase the Bond, and, subject to final credit approval, VRA has indicated its willingness to purchase the Bond from the proceeds of one or more series of its Infrastructure and State Moral Obligation Revenue Bonds (Virginia Pooled Financing Program) (collectively, the "VRA Bonds"), in accordance with the terms of a Local Bond Sale and Financing Agreement to be dated as of a date specified by VRA (the "Financing Agreement"), between VRA and the City, the form of which has been made available to Council prior to this meeting;

WHEREAS, VRA has advised the City that VRA's objective is to pay the City a purchase price for the Bond that, in VRA's judgment, reflects its market value (the "Purchase Price Objective") taking into consideration such factors as the Targeted Savings, the purchase price received by VRA for the VRA Bonds, the issuance costs of the VRA Bonds (consisting of the underwriters' discount and other costs incurred by VRA) and other market conditions relating to the sale of the VRA Bonds; and

WHEREAS, the Financing Agreement will provide that the terms of the Bond may not exceed the parameters set forth below in Section 3;

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STAUNTON,
VIRGINIA:**

1. Issuance of Bond and Use of Proceeds. Pursuant to the Constitution and statutes of the Commonwealth of Virginia (the "Commonwealth"), including the Public Finance Act of 1991 (but without regard to the provisions of the City Charter), the Council hereby provides for the issuance and sale of the Bond to VRA and the use of the Bond proceeds to refund the Refunded Installments and pay the related costs of issuance and refunding.

2. Authorization of Financing Agreement. The form of the Financing Agreement made available to the Council prior to this meeting is hereby approved. The City Manager (which term for purposes of this Resolution shall include any Assistant City Manager) is authorized to execute and deliver the Financing Agreement in substantially such form, with such completions, omissions, insertions and changes not inconsistent with this Resolution as may be approved by the City Manager, whose approval shall be evidenced conclusively by the execution and delivery thereof. The issuance and sale of the Bond to VRA shall be upon the terms and conditions set forth in the Financing Agreement. The proceeds of the Bond shall be applied in the manner set forth in the Financing Agreement. All capitalized terms used but not otherwise defined herein shall have the same meanings as set forth in the Financing Agreement.

3. Bond Details. The Bond shall be issued as a single, registered bond, shall be designated "Taxable General Obligation Refunding Bond, Series 2021," shall be numbered R-1 and shall be dated the date that is 30 days prior to the closing date of the VRA Bonds. The Council authorizes the issuance and sale of the Bond to VRA on such terms as shall be determined by VRA, subject to VRA's Purchase Price Objective and market conditions described in the Recitals hereof; provided, however, that (a) the Bond shall be issued in an aggregate principal amount not to exceed \$22,200,000, have a "true" interest cost not to exceed 2.20% (exclusive of "Supplemental Interest" as provided in the Financing Agreement) and be payable in principal installments ending not later than December 31, 2034, and (b) the refunding shall achieve at least the Targeted Savings. Subject to the preceding terms, the Council further authorizes the City Manager to accept the final terms presented by VRA, including (x) the final principal amount of the Bond, (y) the amortization schedule (including the principal installment dates and amounts) for the Bond and (z) the optional and extraordinary redemption provisions, if any, of the Bond, all in such manner as the City Manager shall determine to be in the best interests of the City.

As set forth in the Financing Agreement, the City agrees to pay such "Supplemental Interest" and other charges as provided therein, including such amounts as may be necessary to maintain or replenish the VRA Reserve. The principal of and premium, if any, and interest on the Bond shall be payable in lawful money of the United States of America.

The actions of the City Manager in accepting the final terms of the Bond shall be conclusive, and no further action shall be necessary on the part of the Council.

4. Payment and Redemption Provisions of Bond. The principal of and premium, if any, and interest on the Bond shall be payable as set forth in the Bond and the Financing Agreement. The City may, at its option, redeem, prepay or refund the Bond upon the terms set forth in the Financing Agreement.

5. Execution and Form of Bond. The Bond shall be signed by the Mayor or Vice Mayor, and the City's seal shall be affixed thereon and attested by the City Clerk or Deputy City Clerk. The Bond shall be issued initially as a typewritten bond in substantially the form of Exhibit A attached hereto, with such completions, omissions, insertions and changes not inconsistent with

this Resolution as may be approved by the officers signing the Bond, whose approval shall be evidenced conclusively by the execution and delivery of the Bond.

6. Pledge of Full Faith and Credit. The full faith and credit of the City are irrevocably pledged for the payment of principal of and premium, if any, and interest on the Bond. Unless other funds are lawfully available and appropriated for timely payment of the Bond, the Council shall levy and collect an annual ad valorem tax on all locally taxable property in the City, over and above all other taxes authorized or limited by law and without limitation as to rate or amount, sufficient to pay when due the principal of and premium, if any, and interest on the Bond.

7. Preparation of Printed Bond. Upon request of the registered owner and upon presentation of the Bond at the office of the Registrar (as hereinafter defined), the City shall arrange to have prepared, executed and delivered in exchange as soon as practicable the Bond in printed form in an aggregate principal amount equal to the unpaid principal of the Bond in typewritten form, in denominations of \$5,000 and multiples thereof (except that one Bond may be issued in an odd denomination of less than \$5,000), of the same form and maturity and registered in such names as requested by the registered owners or their duly authorized attorneys or legal representatives. The printed Bond may be executed by manual or facsimile signature of the Mayor or Vice Mayor, and the City's seal is to be affixed thereto and attested by the City Clerk or Deputy City Clerk; provided, however, that if both such signatures are facsimiles, no Bond shall be valid until it has been authenticated by the manual signature of the Registrar and the date of authentication noted thereon. The typewritten Bond surrendered in any such exchange shall be canceled.

8. Registration, Transfer and Owner of Bond. The City hereby appoints the City's Chief Financial Officer as paying agent and registrar (the "Registrar") for the Bond. If deemed to be in the best interest of the City, the City Manager may at any time appoint a qualified bank or trust company as successor Registrar. Upon surrender of the Bond at the office of the Registrar, together with an assignment duly executed by the registered owner or its duly authorized attorney or legal representative in such form as shall be satisfactory to the Registrar, the City shall provide for the execution, and the Registrar shall authenticate and deliver in exchange, a new Bond or Bonds having an equal aggregate principal amount, of the same form and maturity, bearing interest at the same rate and registered in such name as requested by the then registered owner or its duly authorized attorney or legal representative. Any such exchange shall be at the expense of the City, except that the Registrar may charge the person requesting such exchange the amount of any tax or other governmental charge required to be paid with respect thereto.

The Registrar shall treat the registered owner as the person or entity exclusively entitled to payment of principal of and premium, if any, and interest on the Bond, and the exercise of all other rights and powers of the owner, except that regular installments of principal and interest shall be paid to the person or entity shown as owner on the registration books on the 15th day of the month preceding each payment date.

9. Mutilated, Lost or Destroyed Bond. If the Bond has been mutilated, lost or destroyed, the City shall execute and deliver a new Bond of like date and tenor in exchange and substitution for, and upon cancellation of, such mutilated Bond or in lieu of and in substitution for such lost or destroyed Bond; provided, however, that the City shall so execute and deliver only if the registered owner has paid the reasonable expenses and charges of the City in connection therewith and, in the case of a lost or destroyed Bond, (a) has filed with the City evidence

satisfactory to the City that such Bond was lost or destroyed and (b) has furnished to the City satisfactory indemnity.

10. Preparation and Delivery of Bond. The officers of the City are authorized and directed to take all proper steps to have the Bond prepared and executed in accordance with its terms and to deliver it to VRA as the purchaser thereof upon receipt of the Purchase Price from VRA as set forth in the Financing Agreement.

11. Redemption of Refunded Installments. The City Manager is authorized and directed to (a) determine which principal installments (or portions thereof) of the Prior Bonds, if any, shall constitute the Refunded Installments (subject to the Targeted Savings condition set forth in the Recitals and Section 3 hereof) and (b) take all proper steps to call for redemption the Refunded Installments and prepare and deliver any such notices and correspondence necessary therefor.

12. Escrow Agreement. If the City Manager determines it is necessary or desirable for the City to enter into an escrow agreement to effect the refunding of any portion of the Refunded Installments, the City Manager is authorized and directed to execute an escrow agreement (the "Escrow Agreement") with an escrow agent to be appointed by the City Manager. The Escrow Agreement shall be in the form approved by the City Manager, in collaboration with the City Attorney and the City's bond counsel, the execution thereof by the City Manager to constitute conclusive evidence of such officer's approval of the Escrow Agreement.

13. Tax Compliance Agreement. Such officers of the City as may be requested by VRA are authorized and directed to execute and deliver a nonarbitrage certificate and tax compliance agreement (the "Tax Compliance Agreement") in a form not inconsistent with this Resolution as may be approved by the officers of the City executing such document, whose approval shall be evidenced conclusively by the execution and delivery thereof.

14. Arbitrage Covenants. The City covenants that it shall not take or omit to take any action the taking or omission of which will cause the VRA Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended, and regulations issued pursuant thereto (the "Code"), or otherwise cause interest on the VRA Bonds to be includable in the gross income for federal income tax purposes of the registered owners thereof under existing law. Without limiting the generality of the foregoing, the City shall comply with any provision of the Tax Compliance Agreement that may require the City at any time to rebate to the United States any part of the earnings derived from the investment of the gross proceeds of the Bond, unless the City receives an opinion of nationally recognized bond counsel that compliance with any such covenant is not required to prevent interest on the VRA Bonds from being included in the gross income for federal income tax purposes of the registered owners thereof under existing law. The City shall pay any such required rebate from legally available funds.

15. Private Activity Bond Covenant. The City covenants that it shall not permit the proceeds of the Bond or the facilities refinanced therewith to be used in any manner that would result in (a) 5% or more of such proceeds or facilities being used in any trade or business carried on by any person other than a governmental unit, as provided in Section 141(b) of the Code, (b) 5% or more of such proceeds or facilities being used with respect to any output facility (other than a facility for the furnishing of water), within the meaning of Section 141(b)(4) of the Code, or (c) 5% or more of such proceeds being used directly or indirectly to make or finance loans to any

persons other than a governmental unit, as provided in Section 141(c) of the Code; provided, however, that if the City receives an opinion of nationally recognized bond counsel that compliance with any such covenant need not be complied with to prevent the interest on the VRA Bonds from being includable in the gross income for federal income tax purposes of the registered owners thereof under existing law, the City need not comply with such covenant to the extent provided in such opinion.

16. Official Statement. The City authorizes and consents to the inclusion of information with respect to the City contained in VRA's Preliminary Official Statement and VRA's Official Statement in final form, both prepared in connection with the sale of the VRA Bonds. If appropriate, such disclosure documents shall be distributed in such manner and at such times as VRA shall determine. The City Manager is authorized and directed to take such actions as may be necessary or appropriate to aid VRA in ensuring compliance with Securities and Exchange Commission Rule 15c2-12.

17. SNAP Investment Authorization. The Council has heretofore received and reviewed the Information Statement (the "Information Statement") describing the State Non-Arbitrage Program of the Commonwealth of Virginia ("SNAP") and the Contract Creating the State Non-Arbitrage Program Pool (the "Contract"), and the Council has determined to authorize the City's Chief Financial Officer to utilize SNAP in connection with the investment of the proceeds of the Bond. The Council acknowledges the Treasury Board of the Commonwealth is not, and shall not be, in any way liable to the City in connection with SNAP, except as otherwise provided in the Contract.

18. Other Actions. All other actions of officers of the City in conformity with the purposes and intent of this Resolution and in furtherance of the issuance and sale of the Bond and the refunding of the Refunded Installments are hereby ratified, approved and confirmed. The officers of the City are authorized and directed to execute and deliver all certificates and instruments and to take all such further action as may be considered necessary or desirable in connection with the issuance, sale and delivery of the Bond and the refunding of the Refunded Installments.

19. Repeal of Conflicting Resolutions. All resolutions or parts of resolutions in conflict with the provisions of this Resolution are repealed.

20. Effective Date. This Resolution shall take effect immediately.

Resolution No. 2021-28.

ADOPTED by the Council of the City of Staunton on the ____ day of September 9,
2021.

Witness my hand and the seal of the City of Staunton, Virginia.



Acting City Clerk

City Council
WORK SESSION
September 9, 2021
6:30 p.m.

Council Members Present: Mayor Oakes, Vice Mayor Robertson, Council Members Claffey and Darby with Council Members Mead and Dull participating remotely. Council Member Holmes was absent.

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

Mr. Claffey moved that Morgan Smith be appointed as Acting Clerk of Council for the recordation of the proceedings of Council at its work session and regular meeting of September 9, 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 Vice Mayor Robertson and carried as follows:

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

Mayor Oakes stated “On September 8, 2021, I received a request from Councilor Dull to participate remotely in the September 9, 2021 Staunton City Council meeting due to a family member’s medical condition that prevents her physical attendance at the meeting. I will now entertain a motion to allow Councilor Dull’s remote participation in this meeting pursuant to Staunton City Council Procedural Memorandum Number Three.”

Ms. Darby said, “Pursuant to Staunton City Council Procedural Memorandum Number Three, I move to allow Councilor Dull to remotely participate in the September 9, 2021 Staunton City Council meeting due to a temporary medical condition.”

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

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

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

Mayor Oakes stated “On September 8, 2021, I received a request from Councilor Mead to participate remotely in the September 9, 2021 Staunton City Council meeting due to a medical condition that prevents her physical attendance at the meeting. I will now entertain a motion to allow Councilor Mead’s remote participation in this meeting pursuant to Staunton City Council Procedural Memorandum Number Three.”

Vice Mayor Robertson said, “Pursuant to Staunton City Council Procedural Memorandum Number Three, I move to allow Councilor Mead to remotely participate in the September 9, 2021 Staunton City Council meeting due to a temporary medical condition.”

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

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

Mayor Oakes asked Councilor Mead to state the location from which she was participating. Ms. Mead responded that she was at 342 Sherwood Avenue, Staunton, Virginia. Mayor Oakes asked Council and the audience if they could hear Councilor Mead. The response was affirmative.

1. Consideration of Work Session and Regular Meeting Agendas

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

Mr. Claffey moved to approve the Work Session agenda and Regular Meeting agenda as presented, with the Roll Call item being placed in the Work Session for all future meetings.

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

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

2. Resolution Establishing the Percentage of Relief at 32% for Purposes of the Personal Property Tax Relief Act (PPTRA)

Commissioner of Revenue Maggie Ragon summarized the projection of personal property taxes. The rates are going to be increasing mostly from the detrimental contributions to the economy from the COVID-19 pandemic. Vehicle prices are currently higher than they have been in the past based on the low interest rates and the shutting down of assembly plants. She commented that automakers are predicting that the Fourth Quarter of 2024 is where their industry would recover to pre-pandemic levels. The current level of inventory for vehicles is less than one million, where it typically hovers over three million. Finally, many automakers have moved to making vehicles like SUVs and specialty cars, which is going to continue to impact costs and tax relief.

Ms. Ragon continued that \$1,652,200 is the amount received by the State of Virginia each year to distribute across fleet vehicles for the City. She recommended that the PPTRA rate should be 32% for this year.

Mayor Oakes asked Council members if they had any questions.

Vice Mayor Robertson inquired about the history of the PPTRA and rates. Ms. Ragon stated that the rate initially started at 70%, but that the rate is variable based on the value of the property. She

gave an example that a car purchased in 2004 does not have the same value as it did back then. She continued that the City of Staunton is not a prorating locality and tends to have a higher base percentage due to the lack of transient population.

Mr. Claffey commented that vehicles valued at \$1,000 or less are relieved from the personal property tax. He asked if there would be an adjustment to that value for vehicles. Ms. Ragon stated that the General Assembly would have to take action to determine the amount where property would be considered relieved from being taxed.

Ms. Darby asked for clarification on the rise of rates in the area. Ms. Ragone confirmed that the valuation rate increases are unified in their increase among localities around the Commonwealth.

Council members did not have any further questions.

3. Closed Meeting for: (i) Discussion of Possible Acquisition of Real Property Within the City; and (ii) Discussion Regarding the Performance of a Specific Appointee of City Council

Vice Mayor Robertson moved that Council enter a closed meeting for: (i) discussion of possible acquisition of real property for a public purpose located within the City limits of Staunton, Virginia, where discussion in an open meeting would adversely affect the public body's bargaining position or negotiating strategy pursuant to Virginia Code Section 2.2-3711(A)(3); and (ii) discussion regarding the performance of an appointee of City Council, specifically, the Clerk of Council, pursuant to Virginia Code Section 2.2-3711(A)(1).

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

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

Council members entered into a closed meeting.

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

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

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

Council members entered into an open meeting.

The work session adjourned at 7:20 p.m.

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Morgan C. Smith
Acting Clerk of Council

DRAFT

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	September 23, 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 Kevin Pollard, KP’s Cars, LLC, to Rezone 1906 W. Beverley Street from R-2, Low Density Residential District, to B-2, General Business District	

Background: KP's Cars, LLC has requested a rezoning of 1906 W. Beverley Street from R-2, Low Density Residential District, to B-2, General Business District. The stated purpose of the request is to demolish the existing dwelling on the property and expand the neighboring car sales lot. In the B-2, General Business District, the sale of automobiles is a permitted use. The subject property is located on the south side of W. Beverley Street in the block between Belview Street and Beverley Court. The property is part of an area known as Plunkettville and was annexed into the City in 1948. The existing dwelling was constructed sometime preceding annexation. The dwelling was declared unsanitary and uninhabitable in 2009 and has been vacant since that time.

Analysis: 1906 W. Beverley Street was previously zoned B-2, General Business District. In 2012 (while vacant) it was rezoned to R-2, Low Density Residential District, as part of a mass rezoning of properties along W. Beverley Street. At that time, the property was owned by an individual and it was believed that the property would once again be used for residential purposes. In June of 2021, the property was purchased at a public tax sale by the applicant, KP's Cars, LLC.

Staff has reviewed the requested rezoning and has not identified any issues. A site plan of development will be required prior to any expansion of the car sales lot.

An attached map (Attachment 3) illustrates the surrounding zoning. The surrounding zoning is a mixture of R-2, Low Density Residential District, R-3, Medium Density Residential District

Conditional, and B-2, General Business District. Staff notes that although property behind and across the street from the subject property are zoned for residential use, the adjoining properties fronting on W. Beverley Street are all zoned for commercial use. Existing uses in the area are a mixture of single-family residential and business.

The *City of Staunton, Virginia, Comprehensive Plan 2018-2040*, Future Land Use Map (Attachment 4), designates this area as Low Density Residential with the surrounding properties designated either Commercial or Low Density Residential. The Future Land Use Map is a generalized map and is not property specific so the use of this property as commercial is in general keeping with the designation.

Planning Commission Recommendation: At its meeting of August 19, 2021, the Planning Commission conducted a public hearing and considered the request. During the public hearing no one spoke in opposition to the request. On a 5-0 vote, the Commission unanimously voted to recommend approval of the proposed rezoning.

Attachments:

Attachment 1—Application and Supporting Documents

Attachment 2—Vicinity Map—1906 W. Beverley St.

Attachment 3—Current Zoning—1906 W. Beverley St.

Attachment 4—Future Land Use—1906 W. Beverley St.

Attachment 5—Proposed Rezoning Map—1906 W. Beverley St.

Attachment 6—Draft Ordinance of Rezoning

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

City Manager: Steven L. Rosenberg



APPLICATION FOR ZONING CLASSIFICATION CHANGE- REZONING

Applicant: Kevin Pollard KPSCars Date: Mar 3, 21
 Address: 1906 W. Beverley St Staunton Va 24401
 Telephone #s: Primary: 540-520-6053 Secondary: 540-886-1000
 Email address: KPSCars@yahoo.com

If the applicant is NOT the owner of the property in question, explain. A copy of a pending contract or option agreement shall be attached hereto and made a part of this application.

Name of person to be notified in addition to the applicant and/or property owner:

Name: Bought at Auction from City of Staunton
 Address: Paid the deposit but sale is not through courts yet.

Phone #: _____
 Email address: _____

Location of property: 1906 W. Beverley St Staunton Va 24401

Legal description of property: Residential R-2

Purpose of request: B2 rezoning

Map Provided: YES ☒ NO ☐

Ordinance provided: YES ☐ NO ☐

**An electronic copy, in word document format is required to be emailed to Planning Office.*

Present zoning classification of property: Residential

Requested zoning classification: B2 to match properties next to it

List permits pending approval of this rezoning: _____

Fee Paid (\$250) YES ☒ NO ☐ **check or cash only*

Signature of applicant: [Signature] Kevin Pollard
 (Owner / Agent) KPSCars
 1906 W. Beverley St

DEPARTMENT OF COMMUNITY DEVELOPMENT – PLANNING AND ZONING DIVISION
 116 W. BEVERLEY STREET | P.O. BOX 58 | STAUNTON, VA 24402
 540.332.3862 (OFFICE) 540.332.3807 (FAX)

Vicinity Map – 1906 W Beverley St

Attachment 2



Current Zoning - 1906 W Beverley St

Attachment 3



0 75 150 300 ft

Zoning

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

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

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

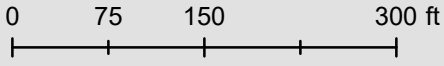
- R-2
- R-2(conditional)
- R-3
- R-3(conditional)
- R-4

Additional Layers

- Selected Property
- Lots

Future Land Use - 1906 W Beverley St

Attachment 4



Future Land Use

- CONSERVATION/RECREATION/OPEN SPACE
- PLANNED FARM DEVELOPMENT
- PUBLIC/SEMI-PUBLIC

- LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- MEDIUM DENSITY PLANNED RESIDENTIAL
- HIGH DENSITY RESIDENTIAL

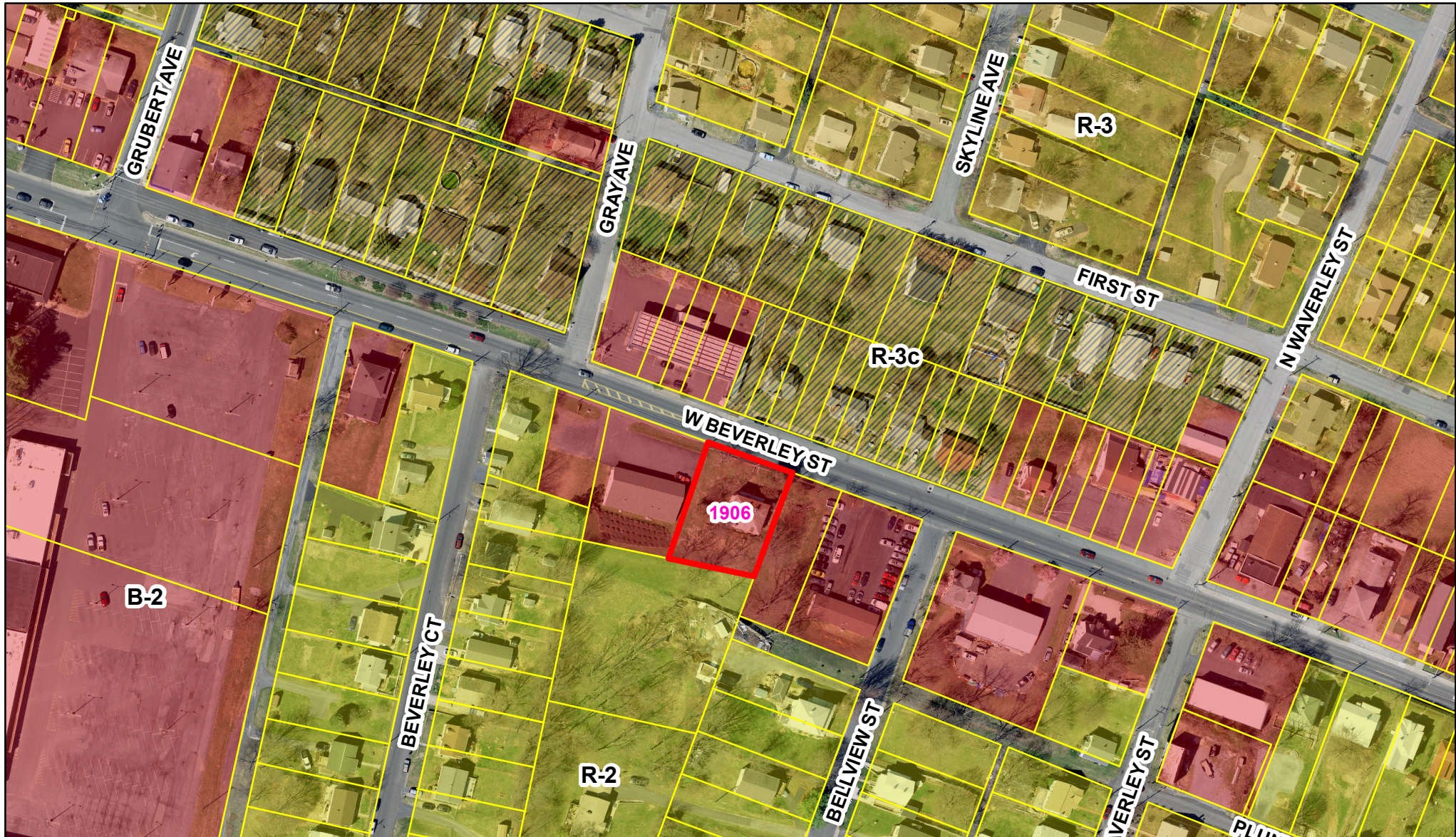
- TRADITIONAL NEIGHBORHOOD DEVELOPMENT
- LOW DENSITY PLANNED RESIDENTIAL
- NEIGHBORHOOD RESIDENTIAL
- PROFESSIONAL

Additional Layers

- Selected Property
- Lots

- PLANNED BUSINESS
- BUSINESS
- PLANNED INDUSTRIAL
- LIGHT INDUSTRIAL
- HEAVY INDUSTRIAL

Proposed Rezoning - 1906 W Beverley St Attachment 5



0 75 150 300 ft

Zoning

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

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

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

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

Additional Layers

- Selected Property
- Lots

Ordinance No. 2021-____

**AN ORDINANCE REZONING
FROM R-2, LOW DENSITY RESIDENTIAL DISTRICT,
TO B-2, GENERAL BUSINESS DISTRICT,
THAT CERTAIN TRACT OR PARCEL OF LAND
LOCATED AT 1906 W BEVERLEY ST. (PID 3622), STAUNTON, VIRGINIA**

Recitals

A. It appears by deed dated June 1, 2021, recorded in the Clerk's Office of the Circuit Court of the City of Staunton, Virginia, as instrument number 210001841, that KP's Cars LLC, acquired the property known as 1906 W Beverley Street (PID 3622), with further description provided in the deed, a copy of which is annexed and incorporated by reference (**Exhibit A**);

B. KP's Cars LLC, has submitted an application for a zoning classification change for the parcel from R-2, Low Density Residential District to B-2, General Business District, a copy of which is annexed and incorporated by reference (**Exhibit B**);

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

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

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

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

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Staunton, Virginia, that the property known as 1906 W Beverley Street (PID 3622), in the City of Staunton, Virginia, is **HEREBY REZONED** from R-2, Low Density Residential District to B-2, General Business District on the basis that the rezoning would serve the interests of public necessity, convenience, general welfare, and good zoning practice.

Introduced:

Adopted:

Effective Date:

Andrea W. Oakes, Mayor

ATTEST: _____
Rachael M. Zinni, Clerk of Council

VIRGINIA LAND RECORD COVER SHEET FORM A – COVER SHEET CONTENT

Instrument Date: **06/03/2021**
Instrument Type: **DBS**
Number of Parcels: **2** Number of Pages: **2**
[X] City [] County

STAUNTON

TAX EXEMPT? **VIRGINIA/FEDERAL LAW**

[] Grantor:

[] Grantee:

Consideration: **\$53,350.00**

Existing Debt: **\$0.00**

Actual Value/Assumed: **\$52,900.00**

PRIOR INSTRUMENT UNDER § 58.1-803(D)

Original Principal: **\$0.00**

Fair Market Value Increase: **\$0.00**

Original Book Number: Original Page Number:

Prior Recording At: [X] City [] County

STAUNTON

Percentage In This Jurisdiction: **100%**

BUSINESS / NAME

1 [] Grantor: **N. REID BROUGHTON ESQ**

2 [] Grantor: **LOUISE W. HEIFNER**

1 [X] grantee: **KP'S CARS, LLC**

[] grantee:

GRANTEE ADDRESS:

Name: **KP's Cars, LLC**

Address: **1900 W. Beverley St**

City: **Staunton**

State: **VA**

Zip Code: **24401**

Book Number:

Page Number:

Instrument Number:

Parcel Identification Number (PIN):

3622

Tax Map Number:

3622

Short Property Description: **NO SUBDIVISION LOT 2 BLK C**

Current Property Address: **1906 W. Beverley St**

City: **Staunton**

State: **VA**

Zip Code: **24401**

Instrument Prepared By: **N. Reid Broughton, ESQ**

Recording Paid By: **VS Title, LLC**

Recording Returned To: **VS Title, LLC**

Address:

City: **Fishersville**

State: **VA**

Zip Code:

Tax Map Nos. 3622
Consideration: \$53,350.00
Assessed Value: \$52,900.00

SPECIAL COMMISSIONER'S DEED

THIS DEED, is made and entered into this the 1st day of June, 2021, by and between **N. REID BROUGHTON, ESQ.**, Special Commissioner, on behalf of **LOUISE W. HEIFNER**, Grantor(s), and **KP'S CARS LLC**, Grantee, whose address is c/o Kevin Pollard, 1900 W. Beverley St., Staunton, Virginia 24401.

WHEREAS, by Decree of Sale entered February 3, 2021, in that certain caused styled *The City of Staunton, Virginia v. Heirs at Law of Louise W. Heifner, et al.*, CL20-339, now pending in the Circuit Court of the City of Staunton, Virginia, the Court ordered the sale of the hereinafter described real estate; and

WHEREAS, by Decree of Confirmation entered April 12, 2021, the Court approved and confirmed the sale of the hereinafter described real estate to the Grantee for the sum of \$53,350.00, and directed N. Reid Broughton, Esq., Special Commissioner, to execute and deliver a Special Warranty Deed conveying said property to the Grantee; and,

WHEREAS, the Grantee has deposited the total sum of \$53,350.00 with the Special Commissioner of this Court.

WITNESSETH:

NOW, THEREFORE, in consideration of the sum of \$53,350.00, paid by the Grantee as aforesaid, the Grantor(s) do hereby grant and convey with Special Warranty of Title unto the Grantee the following described real estate, to wit:

Prepared by an attorney licensed by the Virginia State Bar, to wit:
N. Reid Broughton, Esq. (VSB # 38899)
Sands Anderson PC
P.O. Box 2009
Christiansburg, Virginia 24068
(540) 260-9011 (telephone)
(540) 260-0022 (facsimile)

The existence of title insurance is not known to the preparer of this instrument.

Tax Map No. 3622

ALL that certain tract or parcel of land with all buildings thereon and appurtenances thereto belonging, being Block C, Lot 2, containing 0.25 acres, more or less, and identified as 1906 W. Beverley Street.

LESS AND EXCEPT that property conveyed by Deed dated September 20, 1991, recorded in the Clerk's office of the Circuit Court for the City of Staunton in Deed Book 316 at Page 119.

BEING the same property conveyed to Nettie E. Heifner, wife of Shirley H. Heifner, by Deed recorded in the Clerk's Office of the Circuit Court for the City of Staunton, Virginia in Deed Book 184 at Page 379. Pursuant to the Affidavit recorded in the aforesaid Clerk's office in Will Book 34 at Page 752, Nettie E. Heifner died intestate on November 17, 1986, leaving her daughter, Louise W. Heifner, her sole heir.

With any and all improvements thereon and appurtenances thereunto belonging, including but not limited to easements and rights of way appurtenant to the property as shown upon the records in the Circuit Court of the City of Staunton, Virginia.

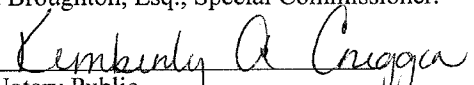
This conveyance is made subject to all easements, conditions, restrictions, prior conveyances and agreements and other matters of record as they may lawfully apply to the real estate conveyed or any part thereof.

WITNESS the following signature and seal:

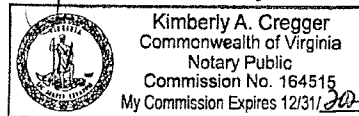

N. Reid Broughton, Esq.,
Special Commissioner

COMMONWEALTH OF VIRGINIA
THE COUNTY OF MONTGOMERY, to-wit:

18th day of June, 2021 by N. Reid Broughton, Esq., Special Commissioner.


Notary Public

My Commission Expires: Dec 31, 2021



INSTRUMENT 210001841

RECORDED IN THE CLERK'S OFFICE OF
STAUNTON CIRCUIT COURT ON
JUNE 4, 2021 AT 12:11 PM

2

\$53.50 GRANTOR TAX WAS PAID AS
REQUIRED BY SEC 58.1-802 OF THE VA. CODE
STATE: \$26.75 LOCAL: \$26.75
STACI N. FALLS, CLERK
RECORDED BY: CGN



APPLICATION FOR ZONING CLASSIFICATION CHANGE- REZONING

Applicant: Kevin Pollard KPSCars Date: Mar 3, 21
 Address: 1906 W. Beverley St Staunton Va 24401
 Telephone #s: Primary: 540-520-6053 Secondary: 540-886-1000
 Email address: KPSCars@yahoo.com

If the applicant is NOT the owner of the property in question, explain. A copy of a pending contract or option agreement shall be attached hereto and made a part of this application.

Name of person to be notified in addition to the applicant and/or property owner:

Name: Bought at Auction from City of Staunton
 Address: Paid the deposit but sale is not through courts yet.

Phone #: _____
 Email address: _____

Location of property: 1906 W. Beverley St Staunton Va 24401

Legal description of property: Residential R-2

Purpose of request: B2 rezoning

Map Provided: YES ☒ NO ☐

Ordinance provided: YES ☐ NO ☐

**An electronic copy, in word document format is required to be emailed to Planning Office.*

Present zoning classification of property: Residential

Requested zoning classification: B2 to match properties next to it

List permits pending approval of this rezoning: _____

Fee Paid (\$250) YES ☒ NO ☐ **check or cash only*

Signature of applicant: [Signature] Kevin Pollard
 (Owner / Agent) KPSCars
 1906 W. Beverley St

DEPARTMENT OF COMMUNITY DEVELOPMENT – PLANNING AND ZONING DIVISION
 116 W. BEVERLEY STREET | P.O. BOX 58 | STAUNTON, VA 24402
 540.332.3862 (OFFICE) 540.332.3807 (FAX)