

**Work Session Agenda
Staunton City Council
Caucus Room
August 25, 2022
5:15 p.m.**

- | | | |
|------------------|-----------|---|
| 5:15 p.m. | 1. | Consideration of Work Session and Regular Meeting Agendas |
| 5:20 p.m. | 2. | Introduction of Middle River Regional Jail Superintendent Eric Young |
| 5:35 p.m. | 3. | Discussion of Amendments to Staunton City Code Regulations of Open Burning |
| 5:55 p.m. | | Break |
| 6:15 p.m. | 4. | Discussion of a Public Hearing on the City's 2023 Legislative Priorities |
| 6:30 p.m. | 5. | Roll Call |
| 6:35 p.m. | 6. | Closed Meeting for Consultation with Legal Counsel Concerning Staunton Circuit Court Case CL21-500 |
| 7:15 p.m. | | Break |

**Regular Meeting Agenda
Staunton City Council
Rita S. Wilson Council Chambers
August 25, 2022
7:30 p.m.**

Call to Order

Pledge of Allegiance

Invocation/Moment of Silence—Dull

Mayor's Report

Proclamation—Wil Reid and Langdon Reid

Additional Items by Members of Council

Approval of Minutes

Work Session and Regular Meeting of July 28, 2022

REGULAR MEETING

- A. Public Hearing and Consideration of a Request by Staunton/Augusta/Waynesboro Habitat for Humanity for a Special Use Permit at 951 Anderson Street**
- B. Consideration of Resolution for Donation of Fire Apparatus to Letcher Volunteer Fire and Rescue Squad, Inc.**
- C. Consideration of Resolution for the Benefit of Shenandoah Valley Regional Airport Commission**
- D. Consideration of Ordinance to Amend the FY2022 Budget Ordinance for the City of Staunton by Adding Budget Amendment Number Five**
- E. Consideration of Ordinance to Amend the FY2023 Budget Ordinance for the City of Staunton by Adding Budget Amendment Number One**
- F. Consideration of a Memorandum of Understanding for an Operational Funding Formula for Staunton City Schools**

**G. Consideration of Resolution Ending Declaration of Local Emergency
Beginning July 6, 2022**

Matters from the Interim 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.

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. **Police Department:** *Virginia Department of Emergency Management 2020 State Homeland Security Program Project* in the amount of **\$43,000**. While this grant was first submitted in May 2020, the city was just awarded the grant as it took additional time to navigate FEMA's Civil Rights and Civil Liberties policy review to ensure we are in compliance and will not be violating anyone's rights or privacy.

This grant funds the purchase of two unmanned aerial systems and specialized training to support emergency incident situational awareness, to monitor and assess critical infrastructure, to assist in disaster management, detect and address hazards and threats, and to locate missing persons and children. The systems will be able to provide services during daytime and nighttime. These systems will benefit all emergency responders and can be requested for assistance to surrounding jurisdictions.

2. **Police Department:** *Virginia Department of Criminal Justice Services Local Law Enforcement Block Grant Program* in the amount of \$2,972.

These grants are typically awarded annually; however, the program was paused during the COVID pandemic. They are now releasing funds from prior years. This is the fourth LOLE grant awarded to the City in 2022, and is for Federal Fiscal Year 2021. The Police Department will be using these funds to purchase a new Kustom Signals ® Eagle 3 RADAR unit, which will be installed in a new fleet patrol vehicle. This unit will be utilized by multiple officers, allowing regular, ongoing enforcement of speeding infractions in the city.

3. **City of Staunton:** *Virginia Risk Sharing Association Grant* in the amount of \$4,200.

Funds will be used to improve lighting and general security outside the Blue Ridge Court Services building; and, crosswalk improvements to the existing crosswalk from the Wharf Parking Lot across Johnson St. on Central Ave. This is a heavily used crosswalk by both city employees and members of the public.

CITY COUNCIL



AGENDA BRIEFING

Staunton, Virginia

Meeting Date:	August 25, 2022	City Council
Item #	1	
Department:	City Council	
Alignment with Staunton Plan (Value/Strategic Area):	Values: Integrity Engagement	
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 _____].

Interim City Manager: Leslie Beauregard

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CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	August 25, 2022	Leslie Beauregard Interim City Manager
Item #	2	
Department:	City Manager’s Office	
Alignment with Staunton Plan (Value/Strategic Area):	Values: Excellence Integrity Strategic Area: Responsive, Efficient Government	
Subject:	Introduction of Middle River Regional Jail Superintendent, Colonel Eric Young	

Background: In July 2022, the Middle River Regional Jail board promoted Colonel Eric Young to Jail Superintendent, following the retirement of the previous superintendent. Colonel Young will attend the work session on August 25, 2022 to introduce himself to City Council and to answer any questions.

Interim City Manager's Recommendation: Not applicable.

Suggested Motion: Not applicable.

Interim City Manager: Leslie Beauregard

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	August 25, 2022	John C. Blair, II City Attorney Perry Weller Deputy Fire Marshal
Item #	3	
Department:	City Attorney Fire and Rescue	
Alignment with Staunton Plan (Value/Strategic Area):	Strategic Area: Responsive, Efficient Government	
Subject:	Amendments to Staunton City Code Regulations of Open Burning	

Background: The Code of Virginia allows localities to adopt ordinances to regulate open burning within their jurisdictional boundaries with the approval of the State Air Pollution Control Board.

The Fire & Rescue Department has seen a steady increase over the past few years of complaints about open burning in residential areas. Therefore, the Fire Chief and the Deputy Fire Marshal propose amendments to the ordinances set forth in the City Code, Chapter 8.20; as indicated in the draft ordinances attached to this agenda briefing.

The proposed changes primarily concern the following chapter of the City Code, as described:

- Chapter 8.20—Regulation of Open Burning

Attachment: Ordinance, Chapter 8.20- Regulation of Open Burning

Interim City Manager's Recommendation: There is no action required at this time by City Council. The State Air Pollution Control Board will review the changes and make a recommendation for approval or additional edits. The City will then be required to conduct a public hearing and City Council will then consider the changes.

Suggested Motion: Not Applicable.

Interim City Manager: Leslie Beauregard

Chapter 8.20
REGULATION OF OPEN BURNING

Sections:

- 8.20.010 Title.
- 8.20.020 Purpose.
- 8.20.030 Definitions.
- 8.20.040 Prohibitions on open burning.
- 8.20.050 Exemptions.
- 8.20.060 Permissible open burning.
- 8.20.070 Permits.
- 8.20.075 Permit fees.
- 8.20.080 Penalties for violation.

8.20.010 Title.

This chapter shall be known as the city of Staunton open-burning ordinance and is in addition to the provisions of the Virginia Statewide Fire Prevention Code.

8.20.020 Purpose.

The purpose of this chapter is to protect public health, safety, and welfare by regulating open burning in the city of Staunton to achieve and maintain, to the greatest extent practicable, a level of air quality that will provide comfort and convenience while promoting economic and social development. To the fullest extent permitted by law, this chapter is intended to supplement the applicable regulations promulgated by the State Air Pollution Control Board and other applicable regulations and laws.

8.20.030 Definitions.

For the purpose of this chapter and subsequent amendments or any orders issued by the city of Staunton or the fire code, the words or phrases all have the meaning given them in this section.

(1) "Automobile graveyard" means any lot or place which is exposed to the weather and upon which more than five motor vehicles of any kind, incapable of being operated, and which it would not be economically practical to make operative, are placed, located or found.

(2) "Built-up area" means any area with a substantial portion covered by business or residential buildings.

(3) "Clean-burning waste" means waste that is not prohibited to be burned under this chapter and that consists of only (i) 100 percent wood waste, (ii) 100 percent clean lumber or clean wood, (iii) 100 percent yard waste, or (iv) 100 percent mixture of only any combination of wood waste, clean lumber, clean wood or yard waste.

(4) "Clean lumber" means wood or wood products that have been cut or shaped and includes wet, air-dried, and kiln-dried wood products. Clean lumber does not include wood products that have been painted, pigment-stained, or pressure-treated by compounds such as chromate copper arsenate, pentachlorophenol, and creosote.

(5) "Clean wood" means uncontaminated natural or untreated wood. Clean wood includes, but is not limited to, byproducts of harvesting activities conducted for forest management or commercial logging, or mill residues consisting of bark, chips, edgings, sawdust, shavings or slabs. It does not include wood that has been treated, adulterated, or chemically changed in some way; treated with glues, binders or resins; or painted, stained or coated.

(6) "Commercial waste" means all solid waste generated by establishments engaged in business operations other than manufacturing or construction. This category includes, but is not limited to, waste resulting from the operation of stores, markets, office buildings, restaurants and shopping centers.

(7) "Construction waste" means solid waste which is produced or generated during construction, remodeling, or repair of pavements, houses, commercial buildings and other structures. Construction waste consists of lumber, wire, sheetrock, broken brick, shingles, glass, pipes, concrete, and metal and plastics if the metal or plastics are a part of the materials of construction, or empty containers for such materials. Paints, coatings, solvents, asbestos, any liquid, compressed gases of semi-liquids, and garbage are not construction wastes and the disposal of such materials must be in accordance with the regulations of the Virginia Waste Management Board.

(8) "Debris waste" means wastes resulting from land clearing operations. Debris wastes include but are not limited to stumps, wood, brush, leaves, soil and road spoils.

(9) "Demolition waste" means that solid waste which is produced by the destruction of structures or their foundations, or both, and includes the same materials as construction waste.

(10) "Garbage" means readily putrescible discarded materials composed of animal, vegetable or other organic matter.

(11) "Hazardous waste" means a "hazardous waste" as described in 9VAC20-60 (Hazardous Waste Management Regulations).

(12) "Household waste" means any waste material, including garbage, trash and refuse derived from households. For purposes of this regulation, households include single and multiple residences, hotels and motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds and day-use recreation areas. Household wastes do not include sanitary waste in septic tanks (septage) that is regulated by other state agencies.

(13) "Industrial waste" means all waste generated on the premises of manufacturing or industrial process that is not a regulated hazardous waste. Such waste may include, but is not limited to waste resulting from the following manufacturing processes: electric power generation; fertilizer/agricultural chemicals; food and related products/byproducts; inorganic chemicals; iron and steel manufacturing; leather and leather products; nonferrous metals manufacturing/foundries; organic chemicals; plastics and resins manufacturing; pulp and paper industry; rubber and miscellaneous plastic products; stone, glass, clay and concrete products; textile manufacturing; transportation equipment; and water treatment. This term does not include mining waste or oil and

gas waste. (14) “Junk” means old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber, debris, waste, or junked, dismantled, or wrecked automobiles, or parts thereof, iron, steel, and other old or scrap ferrous or nonferrous material.

(15) “Junkyard” means an establishment or place of business which is maintained, operated, or used for storing, keeping, buying, or selling junk, or for the maintenance or operation of an automobile graveyard, and the term shall include garbage dumps and sanitary fills.

(18) “Open burning” means the combustion of clean wood, wood chips, or bark from land clearing, logging operations, utility line clearing and maintenance operations without:

(a) Control of combustion air to maintain adequate temperature for efficient combustion;

(b) Containment of the combustion reaction in an enclosed device to produce sufficient residence time and mixing for complete combustion; and

(c) Control of the combustion products' emission.

(19) “Open pit incinerator” means a device used to burn waste for the primary purpose of reducing the volume by removing combustible matter. Such devices function by directing a curtain of air at an angle across the top of a trench or similarly enclosed space, thus reducing the amount of combustion byproducts emitted into the atmosphere. The term also includes trench burners, air curtain destructors and overdraft incinerators.

(20) “Red flag warning” means high fire danger with increased probability of a quickly spreading vegetation fire in the area within 24 hours.

(21) “Refuse” means all solid waste products having the characteristics of solids rather than liquids and that are composed wholly or partially of materials such as garbage, trash, rubbish, litter, residues from clean up spoils or contamination or other discarded materials.

(22) “Salvage operations” means any operation consisting of a business, trade or industry participating in salvaging or reclaiming any product or material, such as, but not limited to, reprocessing of used motor oils, metals, chemicals, shipping containers or drums, and specifically including automobile graveyards and junkyards.

(23) “Sky lantern” means an unmanned device with a fuel source that incorporates an open flame in order to make the device airborne.

(24) “Smoke” means small gas-borne particulate matter consisting mostly, but not exclusively, of carbon, ash and other material in concentrations sufficient to form a visible plume.

(25) “Solid waste” means any material as described in 40 CFR 261.2 as incorporated by [9VAC20-60-261](#), as amended.

(26) "Special incineration device" means an open pit incinerator, conical or teepee burner, or any other device specifically designed to provide good combustion performance.

(27) "Wood waste" means untreated wood and untreated wood products, including tree stumps (whole or chipped), trees, tree limbs (whole or chipped), bark, sawdust, chips, scraps, slabs, millings, and shavings. Wood waste does not include:

(a) Grass, grass clippings, bushes, shrubs, and clippings from bushes and shrubs from residential, commercial/retail, institutional, or industrial sources as part of maintaining yards or other private or public lands.

(b) Construction, renovation, or demolition wastes.

(c) Clean lumber.

(28) "Yard waste means grass, grass clippings, bushes, shrubs, and clippings from bushes and shrubs that come from residential, commercial/retail, institutional, or industrial sources as part of maintaining yards or other private or public lands. Yard waste does not include (i) construction, renovation, and demolition wastes or (ii) clean wood.

8.20.040 Prohibitions on open burning.

(1) No owner or other person shall cause or permit open burning or the use of a special incineration device for disposal of refuse except as provided in this chapter.

(2) No owner or other person shall cause or permit open burning or the use of a special incineration device for disposal of rubber tires, asphaltic materials, crankcase oil, impregnated wood or other rubber or petroleum-based materials except when conducting bona fide firefighting instruction at firefighting training schools having permanent facilities.

(3) No owner or other person shall cause or permit open burning or the use of a special incineration device for disposal of hazardous waste or containers for such materials.

(4) No owner or other person shall cause or permit open burning or the use of a special incineration device for the purpose of a salvage operation or for the disposal of commercial/industrial waste.

(5) No owner or other person shall cause or permit open burning or the use of a special incineration device for disposal of household waste, garbage, refuse, construction waste, or junk.

(6) No owner or other person shall cause or permit open burning or the use of a special incineration device in areas zoned residential or business.

(7) No owner or other person shall cause or permit open burning, campfires, bonfires or other fires that are greater than three feet in diameter and wood or combustible materials piled higher than 2 feet high;

(8) Open burning, or the use of special incineration devices permitted under the provisions of this chapter, does not exempt or excuse any owner or other person from the consequences, liability, damages or injuries which may result from such conduct; nor does it excuse or exempt any owner or other person from complying with other applicable laws, ordinances, regulations and orders of the governmental entities having jurisdiction, even though the open burning is conducted in compliance with this chapter. In this regard special attention should be directed to Section 10.1-1142 of the Forest Fire Law of Virginia, the regulations of the Virginia Waste Management Board, and the State Air Pollution Control Board's Regulations for the Control and Abatement of Air Pollution.

(9) Upon declaration of an alert, warning or emergency state of an air pollution episode as described in Part VII of the Regulations for the Control and Abatement of Air Pollution or when deemed advisable by the State Air Pollution Control Board to prevent a hazard to, or an unreasonable burden upon, public health or welfare, no owner or other person shall cause or permit open burning or use of a special incineration device; and in any process burning or use of special incineration devices shall be immediately terminated in the designated air quality control region. When open burning creates or adds to a hazardous situation, or a required permit for open burning has not been obtained, the fire code official is authorized to order the extinguishment of the open burning operation

(10) Upon declaration of a "red flag warning" by order of the fire code official, no owner or other person shall cause or permit open burning or use of a special incineration device.

(11) The use or release of sky lanterns or similar devices is prohibited.

8.20.050 Exemptions.

The following activities are exempted to the extent covered by the State Air Pollution Control Board's Regulations for the Control and Abatement of Air Pollution:

(1) Open burning for training and instruction of government and public firefighters under the supervision of the designated official and industrial in-house firefighting personnel;

(2) Open burning for campfires or other fires that are used solely for recreational purposes, for ceremonial occasions, for outdoor noncommercial preparation of food, and for warming of outdoor workers no more than three feet in diameter and the fire cannot have wood or combustible materials piled higher than 2 feet high;

(3) Open burning for the destruction of any combustible liquid or gaseous material by burning in a flare or flare stack;

(4) Open burning for forest management and agriculture practices approved by the State Air Pollution Control Board; and

(5) Open burning for the destruction of classified military documents.

8.20.060 Permissible open burning.

(1) Open burning is permitted for the disposal of tree, yard waste and garden trimmings located on the premises of private property; provided, that the following conditions are met:

(a) The burning takes place on the premises of the private property; and

(b) The location of the burning is not less than 500 feet from any occupied building unless the occupants have given prior permission, other than a building located on the property on which the burning is conducted; and

(c) No regularly scheduled public or private collection service for such trimmings is available at the adjacent street or public road.

(d) The burning takes place in areas zoned industrial or in an Ag Forestal District.

(2) Open burning is permitted for disposal of debris waste resulting from property maintenance, from the development or modification of roads and highways, parking areas, railroad tracks, pipelines, power and communication lines, buildings or building areas, or from any other clearing operations which may be approved by the fire code official, provided the following conditions are met:

(a) All reasonable effort shall be made to minimize the amount of material burned, with the number and size of the debris piles approved by the fire code official;

(b) All materials must be burned in a trench and the use of an incinerator device is mandatory;

(c) The material to be burned shall consist of brush, stumps and similar debris waste originating from and located on the premises, and shall not include demolition material;

(d) The burning shall be at least 1,000 feet when using a special incinerator device, from any occupied building not on the same property on which the burning is conducted, unless the occupant of the building has given prior written permission for the burning;

(e) The burning shall be conducted at the greatest distance practicable from highways and streets;

(f) The burning shall be attended at all times and conducted to ensure the best possible combustion with a minimum of smoke being produced;

(g) The burning shall not be allowed to smolder beyond the minimum period of time necessary for the destruction of the materials;

(h) The burning shall be conducted only between 8:00 a.m. and 8:00 p.m. (no new material added after 8:00 p.m.);

(i) The burning shall be conducted only Monday through Friday;

(j) The burning shall not be conducted before 4:00 p.m. during the restricted dates of February 15 through April 30 of each year; and

(k) The burning shall be conducted only when the prevailing winds are away from any city, town or built-up area and sustained winds are less than 8 mph.

8.20.070 Permits.

(1) When open burning of debris waste (SCC [8.20.060](#)(2)) is to occur within the city of Staunton, the person responsible for the burning shall obtain a permit from the fire code official prior to the burning. Such a permit may be granted only after confirmation by the fire code official that the burning can and will comply with the provisions of this chapter and any other conditions which are deemed necessary to ensure that the burning will not endanger the public health and welfare or to ensure compliance with any applicable provisions of the State Air Pollution Control Board's Regulations for the Control and Abatement of Air Pollution. The permit may be issued for each occasion of burning or for a specific period of time deemed appropriate by the fire code official or their designee.

(2) Prior to the initial installation (or reinstallation, in cases of relocation) and operation of special incineration devices, the person responsible for the burning shall obtain a permit from the office of the fire code official, such permits to be granted only after confirmation by the fire code official that the burning can and will comply with the applicable provisions in Regulations for the Control and Abatement of Air Pollution and that any conditions are met which are deemed necessary by the fire code official to ensure that the operation of the devices will not endanger the public health and welfare. Permits granted for the use of special incineration devices shall, at a minimum, contain the following conditions:

(a) All reasonable effort shall be made to minimize the amount of material that is burned. Such efforts shall include, but are not limited to, the removal of pulpwood, sawlogs and firewood.

(b) The material to be burned shall consist of brush, stumps and similar debris waste and shall not include demolition material.

(c) The burning shall be at least 1,000 feet from any occupied building unless the occupants have given prior permission, other than a building located on the property on which the burning is conducted; burning shall be conducted at the greatest distance practicable from highways and streets. If the fire code official or designee determines that it is necessary to protect public health and welfare, the fire code official may direct that any of the above cited distances be increased.

(d) The burning shall be attended at all times and conducted to ensure the best possible combustion with a minimum of smoke being produced. Under no circumstances should the burning be allowed to smolder beyond the minimum period of time necessary for the destruction of the materials.

(e) The burning shall be conducted only when the prevailing winds are away from any city, town or built-up area.

(f) The use of special incineration devices shall be allowed only for the disposal of debris waste.

(g) Open burning is prohibited before 4:00 p.m. local time each day between February 15th through April 30th if the fire is in, or within 300 feet of, woodland, brushland or fields containing dry grass or other flammable materials.

(h) Permits issued under this section shall be limited to a specific period of time deemed appropriate by the fire code official and in conformance with this chapter.

8.20.075 Permit fees.

(1) No permit required by the Staunton City Code to begin burning shall be issued until the fees prescribed in this section have been paid to the department of building inspection or other authorized municipal agency, nor shall an amendment to such a permit necessitating an additional fee be approved until the additional fee has been paid.

(a) A fee of \$50.00 shall be paid for any open burning permit issued for the purpose of burning of the disposal of tree, yard and garden trimmings in an Ag Forestal District. This permit shall be issued for a twelve (12) month time period.

(b) A fee of \$100.00 shall be paid for any open burning permit issued for the purpose of burning debris waste and other than the disposal of tree, yard and garden trimmings. This permit shall be issued for a sixty (60) day time period.

(2) Refunds shall be granted at the discretion of the fire code official based on amount of staff time involved in permitting at the time the permit application is to be requested withdrawn with no more than 50 percent of the fee to be refunded.

8.20.080 Penalties for violation.

(1) Any person who violates any of the provisions of this chapter, and for each and every such violation and noncompliance, respectively, shall be guilty of a Class 1 misdemeanor.

(2) Each separate incident shall be considered a new violation.

CITY COUNCIL



AGENDA BRIEFING

Staunton, Virginia

Meeting Date:	August 25, 2022	Councilmember Brenda Mead
Item #	4	
Department:	City Council	
Alignment with Staunton Plan (Value/Strategic Area):	Value: Excellence Strategic Area: Responsive, Efficient Government	
Subject:	Discussion of a Public Hearing on the City’s 2023 Legislative Priorities	

Background: Councilmember Brenda Mead has requested a discussion of a public hearing on the City's 2023 legislative priorities.

Attachment: Not applicable.

Interim City Manager's Recommendation: Not applicable.

Suggested Motion: Not applicable.

Interim City Manager: Leslie Beauregard

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	August 25, 2022	John C. Blair, II City Attorney
Item #	6	
Department:	City Council City Attorney’s Office	
Alignment with Staunton Plan (Value/Strategic Area):	Value: Excellence Strategic Area: Responsive, Efficient Government	
Subject:	Closed Meeting for Consultation with Legal Counsel Concerning Staunton Circuit Court Case CL21-500	

Suggested Motion:

Before the closed meeting: I move to enter a closed meeting pursuant to Virginia Code Section 2.2-3711(A)(8) for consultation with legal counsel concerning contractual, litigation, and negotiation matters related to Staunton Circuit Court case CL21-500 and Virginia Code Section 2.2-3711 (A)(7) to consult with legal counsel pertaining to actual litigation in the matter of Staunton Circuit Court case CL21-500.

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 Council
WORK SESSION
July 28, 2022
6:15 p.m.

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

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

Mayor Oakes stated, “On July 27, 2022, I received a request from Councilor Mead to participate remotely in the July 28, 2022 Staunton City Council meeting due to a temporary 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 stated, “Pursuant to Staunton City Council Procedural Memorandum Number Three, I move to allow Councilor Mead to remotely participate in the July 28, 2022 Staunton City Council meeting due to a temporary medical condition.”

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

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

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

Mayor Oakes stated, “On July 28, 2022, I received a request from Councilor Dull to participate remotely in the July 28, 2022 Staunton City Council meeting due to a temporary 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.”

Vice Mayor Robertson stated, “Pursuant to Staunton City Council Procedural Memorandum Number Three, I move to allow Councilor Dull to remotely participate in the July 28, 2022 Staunton City Council meeting due to a temporary medical condition.”

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

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

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

Mr. Claffey Arrived at 6:19 p.m.

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 and regular meeting agendas as presented.

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

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

2. Update from Dr. Garrett Smith, School Superintendent, on the Virginia Department of Education's report "Our Commitment to Virginians: High Expectations and Excellence for All Students"

At the request of Councilmember Mead, Dr. Garrett Smith, Staunton City Schools Superintendent, provided an update on the Virginia Department of Education's report "Our Commitment to Virginians: High Expectations and Excellence for All Students."

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

Vice Mayor Robertson asked Dr. Smith if he agreed with the report. Dr. Smith responded that they know that the SOL is their target and they are judged by that, so they were surprised to learn that the NAEP test was being used to measure performance.

Mr. Claffey asked if they are teaching to the test. Dr. Smith stated that they make sure that SOL standards are taught, so when kids take the NAEP test, they are just a random group taking a test that has not been emphasized to them. He also stated that he did not know why there was a discrepancy between what is on the report and what is on the DOE website.

Ms. Mead stated that she believed that the Governor's 90-day report was a political document that was created to demonstrate that there are problems that don't exist in our schools. Vice Mayor Robertson stated that the Governor may have been looking at the overall state of Virginia and not just Staunton. Ms. Mead stated that she does not believe that either.

Mr. Holmes stated that he felt the biggest problems are still teacher salaries and class size.

Councilmembers had no further questions.

99 **3. Update on Shenandoah Valley Airport Master Plan and Air Service**

100
101 At the request of Councilmember Mead, Shenandoah Valley Airport staff and commission
102 appointee Maggie Ragon provided an update on master plan activities, economic development
103 initiatives and air service provision.

104
105 Mayor Oakes asked if Councilmembers had any questions or comments.

106
107 Ms. Mead asked who sold the land that was purchased for the expansion. Ms. Ragon stated that
108 it's a single landowner of the Blosser Farm. Ms. Mead asked what was driving the high demand
109 for more private hangar space. Ms. Ragon responded that the demand is mostly from private
110 corporate jets.

111
112 Councilmembers had no further questions.

113
114 **4. Update on American Rescue Plan Act Funds**

115
116 At the request of Councilmember Mead, Interim City Manager Leslie Beauregard provided an
117 update on the American Rescue Plan Act (ARPA) Funds. This update included discussion of a
118 process to prioritize staff recommendations to Council going forward, and an overview of FY 2023
119 Budget Amendment Number One which includes three recommendations of the uses of ARPA
120 funds.

121
122 Ms. Beauregard stated that ARPA funds need to be encumbered by Dec. 2024 and spent by Dec.
123 2026. She suggested that they use the remainder of the funds, just over \$10.9M, in a very
124 intentional way, thinking into the future.

125
126 She stated that there are three items before Council in the form of budget amendment number one
127 and all three have been seen previously and staff has recommended:

- 128
129 1. Small area plan for Uniontown - \$75K – this concept was introduced to Council at its May
130 12 meeting; the Planning Commission approved 5-0 a comprehensive small area plan that
131 should include potential scenarios of how the community could come back to life if the
132 proposed utilities were put into place.
- 133
134 2. Small area plan for West End - \$100,000 – This small area plan would imagine the future
135 of the West End and provide greater emphasis on detailed planning, visioning, economic
136 development and design in order to develop plans that represent the West End with its own
137 character, vision and implementation strategy. This is also tied directly with the Staunton
138 Plan which Council approved following its retreat the previous summer. That includes a
139 Strategic Area on the West End and an Action Item to fund a small area plan.
- 140
141 3. Staunton Crossing Marketing Plan Implementation - \$107,000 – this plan was discussed at
142 the June 23 Council meeting and would fund the implementation of the marketing plan.

143
144 Mayor Oakes asked if Councilmembers had any questions or comments.

145

Mr. Holmes asked if the use of funds from the Gardner Springs loan was being considered. Ms. Beauregard stated that it had been discussed, but they wanted to receive approval from Council to go ahead and apply for the loan.

Ms. Dull stated that when going through Capital Improvement Projects, she would like to see the City take action on Gypsy Hill Park due to the severe damage it has taken over the last few years.

Councilmembers had no further questions.

5. Roll Call

Mr. Claffey stated that he would like a budget report on excess funds and the surplus that the city actually ended up with. Ms. Beauregard stated that proving such a report would be difficult, and would be a very rough estimate at best.

Mr. Holmes stated he would like to see more money go to salary increases for certain departments that usually receive cuts.

At the request of Mayor Oakes, Ms. Beauregard provided an update on the Shenandoah Valley Animal Services Center Owners' meeting she had attended that day.

Ms. Mead asked how long the Uniontown and West End small area plans will take once someone is found to do them. Senior Planner Rodney Rhodes stated that it would be maybe six to eight months.

The work session adjourned at 7:12 p.m.

Kiley A. Kesecker
Clerk of Council

REGULAR MEETING OF STAUNTON CITY COUNCIL**Thursday, July 28, 2022****7:30 p.m.****Rita S. Wilson Council Chambers**

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

ALSO PRESENT: Leslie Beauregard, Interim City Manager
John Blair, City Attorney
Kiley Kesecker, Clerk of Council

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

The Pledge of Allegiance was recited in unison.

The invocation/moment of silence was given by Ms. Darby

MAYOR'S REPORT

Mayor Oakes read the following proclamation of Jeff Ribman, Bonnie Huang and Berkeley House.

WHEREAS, built between 1896 and 1897 by Richard Henry Catlett, the mansion located at 303 Berkeley Place, historically known as the Catlett House, is listed on the Virginia Landmarks Register and the National Register of Historic Places; and

WHEREAS, over the years, the mansion has been a home for the elderly, a private residence and most recently, the Berkeley House Bed and Breakfast owned and operated by Jeff Ribman and Bonnie Huang, who painstakingly restored the late nineteenth century home after purchasing it in 2013; and

WHEREAS, Jeff and Bonnie have given new life to one of the Staunton's most iconic homes by telling the story of this historically significant landmark while also providing a first-class lodging experience to those visiting our City; and

WHEREAS, as of July 4th 2022, Jeff and Bonnie have officially retired and are prepared to move on to their next endeavor.

NOW, THEREFORE, BE IT PROCLAIMED by Staunton City Council that the City of Staunton recognizes **Jeff Ribman and Bonnie Huang** for the legacy they are leaving in Staunton

with the **Berkeley House**, and congratulates them on their well-deserved retirement.

Adopted this 28th day of July, 2022.

/s/Andrea W. Oakes

ANDREA W. OAKES, MAYOR

ATTEST: /s/Kiley Kesecker

CLERK OF COUNCIL

Mayor Oakes introduced and welcomed Jeff Ribman and Bonnie Huang.

Mayor Oakes stated the following: “The Central Shenandoah EMS Council is responsible for coordinating and planning Emergency Medical Service Operations for the Central Shenandoah regions 10 localities, 54 EMS agencies and nearly 1,800 EMS providers. CSEMS has been serving this region since 1978, and the regional headquarters has been located on West Beverly Street in Stanton's West End for over 20 years. In 2019, CSEMS became the first hybrid regional office of the Virginia Department of Health Office of Emergency Medical Services. EMS is one of those essential services that most people never think about until they need it. When they do, seconds count, and we certainly appreciate the Shenandoah of the central Shenandoah EMS Council.”

Mayor Oakes introduced and welcomed Daniel Linkins, regional Director for CSEMS. Mr. Linkins shared some information on Staunton's EMS services. He also introduced Kim Craig, a paramedic for over 40 years and the recipient of the Excellence in Emergency Medical Services award. Ms. Craig thanked Council and CSEMS for their support.

Mayor Oakes stated that she had attended the Augusta Health Survey review as well as the ribbon cutting ceremony for the Statler Brothers exhibit at “The Space”.

ADDITIONAL ITEMS BY MEMBERS OF COUNCIL

Ms. Dull stated that she had attended an event at the BRITE Bus transit facility with Senator Warner, offered a welcome to the Virginia Association Planning District Commission and introduced some Heifetz students who performed for them that evening, a virtual White House briefing and the Virginia Municipal League Community and Economic Development Committee meeting.

Ms. Mead stated that she protests Mayor Oakes' decision to conduct City Council work sessions in the Caucus Room due to the increased risk of COVID transmission.

APPROVAL OF MINUTES

Vice Mayor Robertson moved to approve the special called meeting minutes of June 22, 2022 as presented.

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

97				
98	Mayor Oakes	aye	Ms. Dull	aye
99	Ms. Mead	aye	Ms. Darby	abstain
100	Mr. Holmes	aye	Mr. Claffey	abstain
101	Vice Mayor Robertson	aye		
102				

103 Mr. Holmes moved to approve the work session and regular meeting minutes of June 23, 2022 as
104 presented.

105
106 The motion was seconded by Vice Mayor Robertson.

107
108 Ms. Dull requested that the work session minutes be amended to reflect the actual start time of
109 the meeting, which City Attorney John Blair estimated to be around 6:45 p.m.

110
111 Mr. Holmes moved to amend the work session minutes of June 23, 2022 to reflect the start time
112 of 6:45 p.m.

113
114 The motion was seconded by Vice Mayor Robertson and carried as follows:

115				
116	Ms. Dull	aye	Ms. Mead	aye
117	Ms. Darby	abstain	Mr. Holmes	aye
118	Mayor Oakes	aye	Mr. Claffey	abstain
119	Vice Mayor Robertson	aye		
120				

121 Mr. Claffey moved to approve the work session and regular meeting minutes of June 23, 2022 as
122 amended.

123
124 The motion was seconded by Vice Mayor Robertson and carried as follows:

125				
126	Mayor Oakes	aye	Ms. Dull	aye
127	Ms. Mead	aye	Ms. Darby	abstain
128	Mr. Holmes	aye	Mr. Claffey	aye
129	Vice Mayor Robertson	aye		
130				

131
132 **REGULAR MEETING**

133
134 **A. Resolution Consenting to and Confirming Declaration of Local Emergency Beginning**
135 **July 6, 2022**

136
137 Interim City Manager Leslie Beauregard stated that in response to a significant weather event that
138 occurred on July 6, 2022. Due to the effects from it, involving sudden, intense rain, hail and strong
139 wind gusts, the Interim City Manager, in her capacity as Director of Local Emergency
140 Management, retroactively declared a local emergency effective as of July 6, 2022.

141
142 The declaration positions the City to undertake measures in response to the significant weather
143 event. Under state law, the City Council must consent to and confirm such a declaration within
144 forty-five (45) days of the declaration.

Ms. Beauregard requested that Council consider and adopt the resolution that recites the circumstances and declaration of the local emergency.

Ms. Darby moved to adopt the resolution consenting to and confirming the declaration of a local emergency beginning July 6, 2022, in the City of Staunton.

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

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

**DECLARATION OF LOCAL EMERGENCY
BY THE CITY OF STAUNTON
LOCAL DIRECTOR OF EMERGENCY MANAGEMENT**

WHEREAS, Virginia Code § 44-146.21 authorizes the declaration of a local emergency;

WHEREAS, retroactive to Wednesday, July 6, 2022, Leslie M. Beauregard, Interim City Manager and Emergency Management Director of the City of Staunton, Virginia did find and declares:

1. That due to a significant weather event (and necessarily the effects from it), involving sudden, intense rain and hail and strong wind gusts, the City of Staunton, Virginia faced dangerous conditions of sufficient scope, severity and magnitude to merit coordinated local government emergency management action to prevent or alleviate the damage, loss, hardship or suffering threatened or caused; and

2. That due to the significant weather event a condition of extreme peril to life and property necessitated and merits such declaration or proclamation of the existence of a local emergency beginning July 6, 2022, and such circumstances continue, with conditions of sufficient severity and magnitude to merit coordinated local government emergency management action to prevent or alleviate the damage, loss, hardship or suffering threatened or caused or being caused;

WHEREAS, such conditions necessitate the declaration of the existence of a local emergency, to the fullest extent permitted by law; and

WHEREAS, these recitals are an integral part of this declaration.

NOW, THEREFORE, pursuant to Virginia Code § 44-146.21, subject to confirmation of Council of the City of Staunton, Virginia, Leslie M. Beauregard, Interim City Manager and Emergency Management Director for the City of Staunton, Virginia, declares the existence and continuance of a local emergency in the City of Staunton, to the fullest extent permitted by law; and

193
194 **IT IS FURTHER DECLARED AND ORDERED** that, to the fullest extent permitted by
195 law, during the existence of such emergency the powers, functions, and duties of the Local
196 Emergency Management Director and local emergency services planning organization or
197 committee and City staff shall be those prescribed by state law and the ordinances, resolutions,
198 and authorized plans of the City of Staunton in order to mitigate the effects and otherwise address
199 such emergency.

200
201
202
203 _____
204 Leslie M. Beauregard,
205 Interim City Manager and
206 Emergency Management Director

207 Date: _____

208
209 Time: _____

210
211
212 State of: Virginia

213 City of: Staunton, to wit:

214 The foregoing Declaration of Local Emergency was acknowledged before me this 13th
215 day of July, 2022, by Leslie M. Beauregard, Interim City Manager and Director of Emergency
216 Management.

217
218 _____
219 Robin S. Wallace, Legal Manager & FOIA Officer
220 Notary Public Registration #
221 My commission expires: _____

222
223
224 **RESOLUTION**
225 **OF THE**
226 **COUNCIL OF THE CITY OF STAUNTON, VIRGINIA**
227 **CONSENTING TO AND CONFIRMING DECLARATION OF A LOCAL**
228 **EMERGENCY BEGINNING JULY 6, 2022**

229
230 **Recitals**

- 231
232 **A.** Virginia Code § 44-146.21 authorizes the declaration of a local emergency;
233
234 **B.** Section 11 of the Charter of the City of Staunton also grants broad powers to City
235 Council;
236
237 **C.** Retroactive to July 6 2022, Leslie M. Beauregard, Interim City Manager and
238 Emergency Management Director of the City of Staunton, Virginia did find and declare:
239
240 **C.1.** That due to a significant weather event (and necessarily the effects from it), involving
241 sudden, intense rain and hail and strong wind gusts, the City of Staunton, Virginia faced dangerous

conditions of sufficient scope, severity and magnitude to merit coordinated local government emergency management action to prevent or alleviate the damage, loss, hardship or suffering threatened or caused by the event; and

C.2. That due to the significant weather event a condition of extreme peril to life and property necessitated and merits such declaration or proclamation of the existence of a local emergency beginning July 6, 2022, and such circumstances continue, with conditions of sufficient severity and magnitude to merit coordinated local government emergency management action to prevent or alleviate the damage, loss, hardship or suffering threatened or caused or being caused by the event;

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

NOW, THEREFORE, the Council of the City of Staunton, Virginia:

1. CONFIRMS, RESOLVES, AND DECLARES, pursuant to Virginia Code § 44-146.21 and such other applicable laws, including, but not limited to, the powers granted by the Charter of the City of Staunton, Virginia, that on July 6, 2022, the Council of the City of Staunton, Virginia, could not and did not convene due to the exigent circumstances and that a local emergency did exist throughout the City of Staunton, Virginia, and continues; and

2. CONFIRMS, RESOLVES, DECLARES AND ORDERS that during the existence of such emergency, the powers, functions, and duties of the Local Emergency Management Director and local emergency services planning organization or committee and City staff shall be those prescribed by Virginia law and the ordinances, resolutions, and approved plans of the City of Staunton in order to mitigate and otherwise address the effects of such emergency; and

3. RESOLVES that now and retroactively to and including July 6, 2022, Council **CONSENTS** to and **CONFIRMS** such declaration of local emergency, and **RATIFIES** and **AFFIRMS** that all City officials are granted such authority, pursuant to extant law, in such circumstances to take all actions, to the fullest extent permitted by law, to prevent or alleviate the damage, loss, hardship or suffering threatened or caused or being caused by such local emergency; and

Introduced: July 28, 2022

Adopted: July 28, 2022

Effective: Retroactively as provided

Andrea W. Oakes, Mayor

Attest: _____
Kiley A. Kesecker, Clerk of Council

B. Public Hearing and Consideration of a Request by Barristers Row Staunton LLC., for Special Use Permits at 1, 5, 7, 9, and 11 Court Place under the provisions of Section 18.60.070(3)(a), Uses Permitted on Review, of Chapter 18.60, B-2, General Business District, of Title 18, Zoning, of the Staunton City Code

Senior Planner Rodney Rhodes stated that Barristers Row Staunton, LLC, has requested Special Use Permits to utilize buildings located at 1, 5, 7, 9, 11 Court Place for residential use on the ground level. The single-story building was originally constructed by Augusta County in 1843 as law offices that served that function for 177 years. In 2019, a Special Use Permit was approved for the neighboring property, 17 Barristers Row, to be used as a single-family dwelling with residential use on the ground level.

Mr. Rhodes stated that staff had identified no issues when considering the request. A building permit would be required for a change of use from business to residential. He noted the property is located in the floodplain and in the Beverley Historic District where any exterior changes to the building would require review and approval by the Staunton Historic Preservation Commission. He stated that the comprehensive plan designates the area for commercial, but due to the narrow one-way street that serves the property, it is not conducive for commercial or office use. He noted that staff considered the project a good repurposing of the historic 1843 building.

Mr. Rhodes also noted that at its June 16, 2022 meeting, the Planning Commission conducted a public hearing during which none spoke in opposition to the request, and unanimously voted to recommend approval of the Special Use Permit.

Mayor Oakes asked if Councilmembers had any questions or comments.

Ms. Mead asked if the rooftop deck mentioned in the plans would require approval from the Historic Preservation Commission. Mr. Rhodes replied that it would if it will be viewable from any public street. Ms. Mead asked if they will mostly be short-term rentals. Mr. Rhodes stated that he believed a few units may be longer term and others may be used for an Airbnb type short term rental.

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 will 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 five 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. We 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, expressed his opposition to the project.

Carter Green, architect representing the applicant, stated that the rooftop deck would likely not be visible from the street.

Mayor Oakes asked if Councilmembers had any questions for Mr. Green.

Ms. Darby asked what the timeframe is from start to finish on the project. Mr. Green stated that they have not established a set schedule at that time.

Mr. Holmes asked if the rooms would have kitchens in them. Mr. Green stated that some of the larger units would.

Councilmembers did not have any further questions of Mr. Green.

Alice Woods, no address given, stated that while bringing revenue into the City is a good thing, property owners should be focusing on creating housing for those experiencing homelessness.

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

Mr. Holmes moved that Council adopt the resolution and approve the Special Use Permit as recommended by the Planning Commission.

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

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

**RESOLUTION
OF THE
COUNCIL OF THE CITY OF STAUNTON, VIRGINIA
GRANTING A SPECIAL USE PERMIT FOR PROPERTY LOCATED AT
1, 5, 7, 9, AND 11 COURT PLACE (PIDs: 1623, 1622, 9004, 5249, AND 4902,
RESPECTIVELY)**

Recitals

A. Barristers Row Staunton LLC (the Owner) is the owner of certain land identified as parcel IDs 1623, 1622, 9004, 5249, and 4902, currently addressed as 1, 5, 7, 9, and 11 Court

Place, Staunton, respectively (the Property), and the Owner, through its authorized representative, is requesting a Special Use Permit to allow living and/or sleeping quarters on the ground floor of the building(s) (the Project);

B. The Owner seeks a Special Use Permit under Staunton City Code (SCC) Section 18.60.070 to convert the Property to seven individual residential units for short- and long-term rental;

C. The Property is located within a B-2 General Business District, which according to SCC provision 18.60.70, living and or sleeping quarters on the ground and basement floors may be permitted on review;

D. The Planning Commission conducted a public hearing, after notice and advertisement as required by law on June 16, 2022;

E. The Planning Commission considered and recommended approval of the Owner's application at its June 16, 2022 meeting;

F. Upon consideration of the Planning Commission's recommendation, the City Staff Briefing, comments received at the public hearing, as well as the factors set forth within Sections 18.60.70 and 18.210 of the SCC, Staunton City Council finds and determines that granting the proposed Special Use would serve the public necessity, convenience, general welfare or good zoning practice; and

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

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Staunton, Virginia that a Special Use Permit is hereby granted to allow the Project to be established on the Property.

Introduced: July 28, 2022

Adopted: July 28, 2022

Effective: July 28, 2022

Andrea W. Oakes, Mayor

Attest: _____
Kiley A. Kesecker, Clerk of Council

C. Public Hearing and Consideration of a Request by Oikos Solar Systems Inc. to Amend Section 18.75.040, Uses Permitted on Review, of Chapter 18.75, I-1, Light Industrial District, and 18.80.040, Uses Permitted on Review, of Chapter 18.80, I-2, Heavy Industrial District of Title 18, Zoning, of the Staunton City Code to Allow Solar Energy Facilities as a Use Permitted on Review and to Amend Chapter 18.10, Definitions, to Add a definition for Solar Energy Facility

Senior Planner Rodney Rhodes stated the item is a zoning text amendment to allow solar energy facilities by special use permit and I-1 light industrial district that is what was applied for by the applicant. Currently, the Staunton zoning code does not allow for utility scale solar facilities, either by right or by special use permit in any zoning district. Since everything that is currently allowed in the I-1 light industrial district is also allowed in the I-2 heavy industrial district, staff included that in the proposed ordinance. Mr. Rhodes stated that Staff is generally supportive of the concept, and by having a special use permit review process, specific conditions can be placed on each application received. He noted that the state and city Comprehensive Plan generally supports green energy has a few noted objectives: One is to promote energy conservation practices and the potential use of alternative energy sources. Another is to encourage green and sustainable initiatives and integrate emerging technologies that promote use of efficient and renewable energy.

Mr. Rhodes added that at its June 16, 2022 meeting, the Planning Commission conducted a public hearing during which no one spoke in opposition to the request, and unanimously voted to recommend approval of the amendment. At that same meeting, the Planning Commission elected to recommend approval of the amendment without adding any development standards, as these types of requests are not common.

Mayor Oakes asked if Councilmembers had any questions or comments.

Mr. Holmes asked if they are going to develop both plots or just one then possibly the other. Mr. Rhodes responded that the item is just a zoning text amendment and he could not speak to that as it would be too speculative at the moment.

Mr. Claffey asked if Mr. Rhodes was in favor of a putting a decommissioning plan into place as per the Albemarle County presentation. Mr. Rhodes stated that he thought that is a very important condition that should be place on each of them.

Vice Mayor Robertson asked what kind of revenue the City could receive from such a use. City Attorney John Blair stated that that depends on the size of the project. He noted that there is legislation that the General Assembly adopted a few years ago that if a project generates more than five megawatts of electricity, then the prospective builder has to enter into a signing agreement with the locality, which can include cash contributions to the locality.

Ms. Dull asked what is known about the Oikos Solar Systems, Inc. An attorney representing Oikos Solar, Lorie Schweller, stated that the company is based out of Henrico, but that is all she could provide as they had just become engaged. She stated that she would be happy to provide more information at a later date.

Ms. Mead asked if this sort of use would change it so that an owner of an Ag Forestal property or district would no longer have the benefit of the property tax relief that they currently receive as part of an Ag Forestal District. Ms. Schweller stated that the solar developer will be responsible for paying the rollback taxes as part of the arrangement with a property owner, but in this case, even though it is zoned I-1, the property is in an agricultural program that they would have to apply to remove it from.

Councilmembers had no further questions.

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

The public hearing was opened.

Erik Curren, 14 South Washington Street, expressed support for the project and provided some additional information on various aspects of solar energy.

Albino Fossa, 401 Bowling Street, expressed his opposition to the project.

John Wilson, 701 Gypsy Avenue, emphasized the importance of safety measures that should be in place to operate such a facility.

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

Vice Mayor Robertson moved that Council adopt the ordinance and approve the amendments to the Staunton City Code as recommended by the Planning Commission.

The motion was seconded by Mr. Holmes.

Mr. Holmes stated that he was under the impression that the facility would generate more than five megawatts. Ms. Schweller stated that the definition being used could permit any facility, but it was not set in stone.

Ms. Mead reiterated that they are simply approving a zoning text amendment that would allow a solar project, not the project itself.

Mr. Dull recommended that should the amendment pass, that Council requests that Mr. Blair immediately begin work on an ordinance that would cover the revenue sharing that the representative from Williams Mullen discussed, so that it can be in place before someone comes with a request.

Ms. Darby noted that if the amendment passes, and if a special use permit is filed, then that process generates a new public hearing on that particular situation, where the public would have an opportunity to give input on any kind of development, case by case.

The motion carried as follows:

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

Ordinance No. 2022-____

AN ORDINANCE AMENDING SECTIONS 18.10.200, "S" DEFINITIONS, OF CHAPTER 18.10, DEFINITIONS, 18.75.040, USES PERMITTED ON REVIEW, OF CHAPTER 18.75, I-1, LIGHT INDUSTRIAL DISTRICT, AND 18.80.040, USES PERMITTED ON REVIEW, OF CHAPTER 18.80, I-2, HEAVY INDUSTRIAL DISTRICT, OF TITLE 18, ZONING, OF THE STAUNTON CITY CODE TO ALLOW SOLAR ENERGY FACILITY AS A USE PERMITTED ON REVIEW IN THE I-1, LIGHT INDUSTRIAL AND I-2, HEAVY INDUSTRIAL, DISTRICTS

Recitals

A. Currently, the Zoning Code of the City of Staunton does not include provisions to allow utility scale solar energy facilities;

B. Oikos Solar Systems Inc. has applied for an amendment to the Zoning Code to allow solar energy facilities as a use permitted on review in the I-1, Light Industrial District;

C. Staff has determined to expand the request to include utility scale solar facilities as a use permitted on review in the I-2, Heavy Industrial District;

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

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

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

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Staunton, Virginia, that Section 18.10 Definitions, 18.75.040 Uses Permitted on Review, 18.80.040, Uses Permitted on Review, of Title 18, Zoning, of the Staunton City Code, is **HEREBY AMENDED, RESTATED, AND REORDAINED** as follows:

**Chapter 18.10
DEFINITIONS**

577
578
579
580 **18.10.200 “S” definitions.**
581
582
583

584 “Side yard” means a yard between the main building on a lot and the side lot line, of the lot,
585 extending from the front yard, or street line, if there is no required front yard, to the rear yard, or
586 the rear lot line, if there is no required rear yard; or the horizontal distance between a side lot line
587 and the side of the main building or any projection thereof.
588

589 “Sign, billboard, or other advertising device” means any structure or part thereof or device
590 attached thereto or represented thereon, which shall display or include any letter, words, model,
591 banner, flag, pennant, insignia, or representation used as, or which is in the nature of an
592 announcement, direction, or advertisement. Any letters, parts of letters, words, figures, numerals,
593 emblems, devices, designs, trademarks, posters, handbills or any other objects (i) which make
594 known or designate, or attract attention to, any person or any thing (such as a place, event,
595 product or business), (ii) which are visible to persons located outdoors, and (iii) which are
596 capable of attracting the attention of such persons. Any supporting standard for a sign shall not
597 itself be considered a sign if no letters, parts of letters, words, figures, numerals, emblems,
598 devices, designs, trademarks, posters, handbills or other objects are affixed thereon.
599

600 The word “sign” includes the word “billboard” or any other type of advertising device, but does
601 not include the flag, pennant, or insignia of any nation, state, city, or other political unit. Types
602 of signs are defined by the following categories:
603

604 (1) “Animated sign” means any sign, the character or appearance of any element or part of
605 which changes by any device, mechanical, electrical or otherwise.
606

607 (2)
608

609 (3)
610

611
612

613
614

615 (41) “Yard sale sign” means any sign stating the date and time of a yard sale or garage sale to
616 be conducted on the premises of the property upon which it is erected or displayed.
617

618 “Solar Energy Facility” means an energy conversion system consisting of photovoltaic panels,
619 support structures, battery energy storage systems, and associated control, conversion' and
620 transmission hardware. including substations, generation ties, and appurtenances for the
621 distribution of power.
622

“Story” means that portion of a building included between the surface of any floor and the surface of the next floor above it; or, if there is no floor above it, then the space between such floor and ceiling next above it.

Chapter 18.75

I-1, LIGHT INDUSTRIAL DISTRICT

18.75.040 Uses Permitted on Review.

The following uses may be permitted on review by the planning commission in accordance with the provisions contained in Chapter [18.210](#) SCC:

(1) Solar Energy Facility

(2) Other uses of the same general character and compatible with those uses permitted in SCC 18.75.020, Uses permitted, in this district. (Zoning ordinance Art. 4, § 12).

Chapter 18.80

HEAVY INDUSTRIAL DISTRICT

18.80.040 Uses Permitted on Review.

(1) Batching plants for asphalt and Portland cement concrete.

(2) Livestock market and sales pavilions.

(3) Manufacture of cement, asphalt, lime, plaster, and plaster of paris.

(4) Feed mills.

(5) Solar Energy Facility

(6) Other uses of the same general character as those uses listed as uses permitted in this I-2 heavy industrial district and those uses listed as uses permitted in the I-1 light industrial district. (Zoning ordinance Art. 4, § 13).

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

Introduced: July 28, 2022
Adopted: July 28, 2022
Effective Date: July 28, 2022

Andrea W. Oakes, Mayor

ATTEST: _____
Kiley A. Kesecker,
Clerk of Council

D. Consideration of the FY 2022 Annual Action Plan for the City of Staunton through the U.S. Department of Housing and Urban Development Community Development Block Grant Program Fund

Director of Community and Economic Development Billy Vaughn stated that Staunton was moving into its fourth year as a HUD entitlement community. And now we're over that timeframe. HUD has allocated \$1.7 million to the city and those funds are being used to provide public services, public facilities, housing, affordable housing, or housing rehab to low to moderate income citizens of Staunton. The majority of the funds have been allocated for pass through funds for nonprofit organizations providing either public services or housing rehab, or affordable housing. About 65 percent of all the money received has been given to those nonprofits who currently have an organizational structure and their goals to provide services to low moderate income citizens and the elderly. With the FY22 cycle, HUD has allocated an additional \$317,000 to the city to continue the efforts of providing services to the low-moderate income individuals.

Mr. Vaughn introduced Tina Roseberry, a Senior Project Manager with M&L Associates, the city's HUD consultant. Ms. Roseberry provided a brief overview of the FY22 annual action plan.

Ms. Roseberry stated that the following public services were being funded for the next year: Valley Mission Initial Housing Support, Valley Program for Aging Service transportation assistance and Meals on Wheels, Blue Ridge Legal Services, Blue Ridge CASA, "A" Street Aging in Place Project, Salvation Army facilities improvements and CDBG program administration.

Mayor Oakes asked if Councilmembers had any questions or comments.

Ms. Mead asked if there were any details on the "A" street project. Mr. Vaughn stated that it is being developed by Habitat for Humanity to provide 15 affordable housing units for low to moderate income individuals.

Vice Mayor Robertson moved that City Council approve the attached resolution authorizing the adoption of the FY2022 Annual Action Plan, and authorize the Interim City Manager to execute the sub-recipient agreements and associated documents with agencies recommended to receive HUD CDBG funds.

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

719	Ms. Mead	aye	Vice Mayor Robertson	aye
720	Ms. Dull	aye	Mr. Holmes	aye
721	Ms. Darby	aye	Mr. Claffey	aye
722	Mayor Oakes	aye		

723
724
725 **RESOLUTION**
726 **OF THE**
727 **COUNCIL OF THE CITY OF STAUNTON, VIRGINIA**
728 **AUTHORIZING THE ADOPTION OF THE FY2022 ANNUAL ACTION PLAN FOR**
729 **COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**
730 **OF THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE**
731 **CITY OF STAUNTON AS A HUD ENTITLEMENT COMMUNITY**
732

733 **Recitals**
734

735 A. Under Title I of the Housing and Community Development Act of 1974, as
736 Amended, the Secretary of the U.S. Department of Housing and Urban Development is authorized
737 to extend financial assistance to communities in the elimination or prevention of slums or urban
738 blight, or activities which will benefit low- and moderate-income persons, or other urgent
739 community development needs;
740

741 B. On February 26, 2019, the City of Staunton (City) received official confirmation
742 from the U.S. Department of Housing and Urban Development (HUD) that it had been designated
743 as a new entitlement community, and under this designation the City receives annual allocations
744 from HUD, starting with the federal fiscal year 2019;
745

746 C. HUD has advised the City that the FY 2022 Entitlement amount for CDBG funds
747 will be \$317,340; and
748

749 D. This is the City's fourth year of such designation and in accordance with the federal
750 regulations at 24 CFR Part 91, an Annual Action Plan must be prepared and adopted by City
751 Council;
752

753 E. The City of Staunton has prepared an Annual Action Plan for the FY 2022 funding
754 year, which assesses the housing and community development needs in Staunton;
755

756 F. The draft FY2022 Annual Action Plan was on public display and the City held two
757 public hearings on CDBG eligible activities and the draft plan. Various agencies, groups, and
758 citizens were provided the opportunity to comments and input in the preparation of the final
759 documents.
760

761 G. These recitals are an integral part of this resolution.
762

763 **NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Staunton,
764 Virginia that:
765

1. The FY2022 Annual Action Plan for the Community Development Block Grant Program of the U.S. Department of Housing and Urban Development for the City of Staunton as a HUD Entitlement Community is hereby **APPROVED** and **ADOPTED**.

2. City Council **AUTHORIZES** and **DIRECTS** the Interim City Manager to execute any sub-recipient agreements and associated documents with agencies recommended to receive HUD Community Development Block Grant Program funds.

Adopted this 28th day of July, 2022.

Andrea W. Oakes, Mayor

Attest: _____
Kiley A. Kesecker, Clerk of Council

E. Introduction of Ordinance to Amend the FY2022 Budget Ordinance for the City of Staunton by Adding Budget Amendment Number Five

Interim Chief Financial Officer Jessie Moyers introduced budget amendment number five. She stated that the amendment is to appropriate an additional \$318,280 for the Virginia Community Ready Sights Program grant that the City received for Staunton Crossing. The additional funding would be allocated as follows:

1. General Fund appropriation of \$7,280 for Virginia Community Ready Sites Program grants to support a Traffic Impact Study.
2. CIP Fund appropriation of \$85,000 for Virginia Community Ready Sites Program grants to support Land Survey Services.
3. Water Fund appropriation of an additional \$21,750 for Virginia Community Ready Sites Program grants to support enhanced water system design work for the eastern sector of the city Staunton Crossing.
4. Sewer Fund appropriation of an additional \$135,750 for Virginia Community Ready Sites Program grants to support enhanced waste water system design work for the eastern sector of the city to Staunton Crossing.
5. Storm Water Fund appropriation of \$34,000 for Virginia Community Ready Sites Program grant to support Preliminary Stormwater and Floodplain Studies.
6. Environmental Fund appropriation of \$34,500 for Virginia Community Ready Sites Program grant to support Phase I Environmental Services.

Mayor Oakes asked if Councilmembers had any questions or comments.

Ms. Mead clarified that the entire amount is committed to the Staunton Crossing project, which Ms. Moyers confirmed.

Councilmembers had no further questions or comments.

Mr. Holmes moved to introduce an ordinance amending the fiscal year 2022 budget by adding Budget Amendment Number Five, totaling \$318,280.

The motion was seconded by Dull and carried as follows:

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

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

Ms. Moyers stated that the first budget amendment for FY2023 is for \$282,500, and is to appropriate additional American Rescue Plan Act funds. She introduced the following items for Council's consideration:

1. General Fund appropriation of \$100,000 for the West End Small Area Plan via American Rescue Plan Act, (ARPA) proceeds.
2. CIP Fund appropriation of \$107,500 for the Staunton Crossing marketing plan via American Rescue Plan Act, (ARPA) proceeds.
3. Water Fund appropriation of \$75,000 for the Uniontown Comprehensive Plan/Small Area Study via American Rescue Pan Act, (ARPA) proceeds.

Mayor Oakes asked if Councilmembers had any questions or comments.

Councilmembers had no questions or comments.

Mr. Claffey moved to introduce an ordinance amending the fiscal year 2023 budget by adding Budget Amendment Number One, totaling \$282,500.

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

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

G. Consideration to Authorize the 2022 VRA Fall Application and the Exploration of Bank Financing Application for Gardner Springs Project

Ms. Moyers stated that the Gardener Springs Pump Station project has been put out to bid and will close on September 1, 2022, with the contract expected to be awarded sometime in October 2022. The city has applied for a grant through the Virginia Department of Health American Rescue Plan grant for small and disadvantaged waterworks. She noted that the city is still awaiting a decision from VDH which could take until August 2022, and finance staff would like Council's approval to submit the application for the Fall 2022 pooled funding. Submitting the application does not obligate the city to use the debt funds for the project and there is no cost to apply. The city would have until mid-September to commit to or back out of the debt obligation, which would hopefully allow enough time to hear back on the VDH grant. Upon recommendation from Davenport and Company, LLC, Ms. Moyers added that staff would also like to explore bank financing options, and stated that the dual track approach will ensure the city has explored all financing options which would provide the most competitive rates and terms.

Mayor Oakes asked if Councilmembers had any questions or comments.

Ms. Dull asked Ms. Moyers if she had any idea of where the rates are now. Ms. Moyers stated that the wage rate would not be set until September when more information about the terms of the debt is received.

Councilmembers had no further questions or comments.

Vice Mayor Robertson moved that Council authorize the City Manager and other staff members to submit an application to the Virginia Pooled Financing Program for the Gardner Springs Project.

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

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

H. Consideration of Amendments to Chapter 2.75 of the Staunton City Code

City Attorney John Blair stated that the Library Advisory Board had raised a question about a provision in city code that reads that the Library Advisory Board can accept gifts and bequests on behalf of the library- an authority that was questioned by the advisory board. After some research, Mr. Blair stated that he found they are correct that Library Advisory Board cannot in and of itself accept gifts or bequests on behalf of the library. He noted that it can advise the Director of Library Services about those proposed gifts and bequests. According to Mr. Blair, the proposed edits in effect would "clean up amendments to the city code." The first is the 1987 ordinance that would be amended to reflect that the Library Advisory Board will advise the Director of Library Services

on gifts and bequests and the second set of amendments is throughout the City Code in the “Library” section. Mr. Blair stated that he Director of Library Services is called “Director of the Library” or “Librarian,” but noted the name that is now officially used by the city for the position is “Director of Library Services”.

Mayor Oakes asked if Councilmembers had any questions or comments

Mr. Claffey stated that the Library Advisory Board may open the Library Foundation back up soon. Ms. Mead asked how much money the foundation has. Mr. Claffey stated he thought a little over 2 million.

Councilmembers had no further questions or comments.

Mr. Claffey moved that Council adopt the proposed amendments to Staunton City Code Chapter 2.75, as presented.

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

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

Ordinance No. 2022 - __

**AN ORDINANCE AMENDING CHAPTER 2.75, LIBRARIES,
OF TITLE 2, ADMINISTRATION, OF THE STAUNTON CITY CODE
TO
CORRECT REFERENCES FROM “LIBRARIAN” TO “DIRECTOR OF LIBRARY
SERVICES”
AND TO
CLARIFY THE ADVISORY ROLE OF THE LIBRARY BOARD REGARDING GIFTS,
BEQUESTS, ETC.**

Recitals

A. Virginia Code § 42.1-33 authorizes governing bodies to establish a free public library for the use and benefit of its residents.

B. The management and control of the public library system is vested in a board appointed by the governing body, pursuant to Virginia Code § 42.1-35.

C. Consistent with the Code of Virginia, Section Eleven of the Staunton City Charter, and Chapter 2.75 of the Staunton City Code (SCC), the City established a public library as well as a library board that serves in an advisory capacity.

D. City staff has determined that Chapter 2.75, Libraries, of the SCC, merits updating to correctly reflect the position title of Director of Library Services (Director) and to clarify the

library board's role in advising the Director regarding the acceptance of donations, gifts, demises and bequests of money, tangible personal property and real estate and the use of such, or the income therefrom for the benefit of the library.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Staunton, Virginia, that Chapter 2.75, Libraries, of Title 2, Administration, of the Staunton City Code is hereby amended as follows:

Chapter 2.75
LIBRARIES

Sections:

Article I. In General

2.75.010 Supervision, management and control of public library – Functions of library board.

2.75.020 Right of library board to accept and use gifts, bequests, etc.

2.75.030 Supervision of public library program.

Article II. Staunton-Augusta Law Library

2.75.040 Established – Use by public.

2.75.050 Contribution of books and periodicals accepted.

2.75.060 Special assessment for library as part of costs in civil actions.

Article I. In General

2.75.010 Supervision, management and control of public library – Functions of library board.

The general supervision, management and control of the city's public library is hereby transferred to the city manager, with the library board being retained in an advisory capacity to the Director of Library Services. The library board shall serve in an advisory capacity to the Director of Library Services on the development and revision of policies, the selection of reading and recorded materials, evaluation of priorities which should be given to different library materials and programs and the encouragement of optimum utilization of the library programs by the citizens of the city.

2.75.020 Right of library board to accept and use gifts, bequests, etc.

The library board shall advise the Director of Library Services about acceptance of donations, gifts, demises and bequests of money, tangible and intangible personal property and real estate and the use of such, or the income therefrom, for the benefit of the public library.

2.75.030 Supervision of public library program.

The Director of Library Services who shall be appointed by and report to the city manager, shall supervise the city's public library program.

2.75.040 Established – Use by public

A law library is hereby established under the name of "Staunton-Augusta Law Library" and the same shall be open for the use of the public under such rules and regulations as may be established by the judge of the circuit court of Augusta County, by order, from time to time; provided,

however, that the use of the books owned by the Supreme Court of Virginia shall conform to such rules and regulations as the Supreme Court of Virginia may prescribe, from time to time, for the use of such library and the times it shall be kept opened.

2.75.050 Contribution of books and periodicals accepted.

The contribution of the Augusta County Bar Association of all the law books and law periodicals owned by such association and located within the Supreme Court of Virginia Law Library on the third floor of the Masonic Building is hereby accepted.

(1) There is hereby assessed as part of the costs incident to each civil action filed in the circuit court of the city and the general district court of the city the sum of \$2.00. Such assessment shall be collected by the clerk of the court in which the action is filed and remitted to the treasurer of the city and held by such treasurer in a separate fund, subject to disbursements by the judge of the circuit court of Augusta County for the acquisition of law books and law periodicals and other lawful disbursements for the use and maintenance of the law library established by this article.

(2) The assessment provided for in this section shall be in addition to all other costs prescribed by law, but shall not apply to any action in which the commonwealth or any political subdivision thereof or the federal government is a party and in which costs are assessed against the commonwealth, any such political subdivision or the federal government.

In all other respects, the provisions of Chapter 2.75, Libraries, of Title 2, Administration, of the Staunton City Code remain the same and are hereby restated, confirmed and reordained.

Introduced: July 28, 2022
Adopted: July 28, 2022
Effective Date: July 28, 2022

Andrea W. Oakes, Mayor

ATTEST: _____
Kiley A. Kesecker,
Clerk of Council

MATTERS FROM THE INTERIM CITY MANAGER

Ms. Beauregard opened by presenting some facts and figures about the recent storm and the clean-up work that had been done. Ms. Mead asked how much of the golf course revenue loss will be covered by insurance. Ms. Beauregard stated that the damage to the club house would be covered by insurance and that a claim was being submitted for the revenue loss.

Ms. Beauregard continued by stating that Deputy Fire Marshal Perry Weller recently obtained the designation of Certified Fire Investigator from the International Association of Arson

investigators, and Six Fire and Rescue staff were taking a sign language class to better communicate with our deaf and hard of hearing community. She closed by stating that Chief Garber was honored as the 2022 Southeastern Association of Fire Chiefs Career Fire Chief of the Year, and was also elected as president of the same organization.

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. A copy of the Staunton City Council's ‘Matters from the Public’ rules are available in paper form at the clerk's desk and online at the City of Staunton webpage. You are asked to familiarize yourself with those rules before commenting. Please come to the podium or begin your call, identify yourself and complete your remarks within five minutes.”

John Wilson, 701 Gypsy Avenue, stated that he felt that Dr. Smith's work session presentation could have provided more information to really get a full picture.

Albino Fossa, 401 Bowling Street, expressed his disappointment with the hitters, pitchers and manager of the Staunton Braves. Also discussed issues with the courthouse.

Yvonne Wilson, 2017 First Street, described issues with a council member and the upcoming elections.

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 9:45 p.m.

Kiley A. Kesecker
Clerk of Council



CITY OF STAUNTON, VIRGINIA

Proclamation

In Recognition of Wil Reid and Langdon Reid

- WHEREAS,** Wilson Fairchild is a country music duo made up of Wil and Langdon Reid, who have been writing, performing and playing music together their whole lives; and
- WHEREAS,** Wil and Langdon come by their talents honestly, as Wil is the son of the late Harold Reid and Langdon's dad is Don Reid, both of the legendary Statler Brothers; and
- WHEREAS,** these two cousins continue in the footsteps of their fathers not only on stage, but also by continuing the tradition of Staunton's unforgettable Independence Day celebration first initiated by the Statler Brothers more than 50 years ago; and
- WHEREAS,** Wil and Langdon, along with a stellar committee of enthusiastic community leaders, have resurrected the celebration offered years ago when the Statlers headlined the event and is today known as Happy Birthday America; and
- WHEREAS,** the goal of Happy Birthday America is to celebrate America's birthday in the same family-oriented and wholesome tradition of food, fun, music and fireworks that Staunton has come to love; and
- WHEREAS,** in 2022, Happy Birthday America returned to Gypsy Hill Park for the first time since the beginning of the COVID-19 pandemic, and was an immense success due to the efforts of our community and Staunton icons Wil and Langdon Reid.

NOW, THEREFORE, BE IT PROCLAIMED by Staunton City Council, that the City of Staunton honors

Wil Reid and Langdon Reid

and the City recognizes, with great appreciation, the efforts of the entire Happy Birthday America Committee in organizing this patriotic event started by the City of Staunton and the Statler Brothers. As Harold and Don would say "it all began with a walk in the park."

Adopted this 25th day of August, 2022.

ANDREA W. OAKES, MAYOR

ATTEST: _____
CLERK OF COUNCIL

CITY COUNCIL



AGENDA BRIEFING

Staunton, Virginia

Meeting Date:	August 25, 2022	Staff Members: Rodney Rhodes Tim Hartless
Item #	A	
Department:	Community Development— Planning and Zoning	
Alignment with Staunton Plan (Value/Strategic Area):	Strategic Area: Built Environment	
Subject:	Public Hearing and Consideration of a Request by Staunton/Augusta/Waynesboro Habitat for Humanity for a Special Use Permit at 951 Anderson Street	

Background: Staunton/Augusta/Waynesboro Habitat for Humanity has requested a Special Use Permit for living quarters on the ground floor of a structure at 951 Anderson Street. The property was previously used as a single-family home and first appears on the Sanborn Insurance Maps in 1921. That house was demolished in 2012. Since that time, the property has remained vacant. Habitat for Humanity has acquired the property and proposes to construct a new two-story single-family dwelling. The property is zoned B-1, Local Business District and living and sleeping quarters on the ground and basement levels is only permitted by Special Use Permit.

Analysis: Staff has considered the request and has identified no issues. The surrounding zoning is either B-1, Local Business District, or R-4, High Density Residential District. All surrounding uses appear to be single-family dwellings.

Habitat proposes to construct a two-story dwelling with approximately a 960 (20' x 48') square foot footprint. The lot is a through lot with streets at both ends. The lot is 33 feet wide and the proposed structure is 20 feet wide. As a Through lot, both ends of the lot will have front

setbacks. The B-1 District does not specify minimum setbacks for residential structures. Typical B-1 setbacks for commercial structures are: Front – 20 feet, Side – 0 feet, Rear – 0 (this property is a through lot and does not have a rear lot line).

Staff proposes that minimum setbacks be established as a condition of approval. For front setbacks, staff recommends using the small lot exception for residential districts as a guide and set a minimum front setback of 15 feet or the average setback established by the existing dwellings on the street. The required side yard setbacks under the small lot exemption are: minimum of 4' with the sum of the side yards not less than 10'.

This property and surrounding area will be evaluated at a later date for a mass rezoning as part of the City's comprehensive review and rezoning of residentially used properties that are currently zoned business. This area will be part of the review of the downtown and historic district areas which is anticipated to begin in the spring of 2023.

The *City of Staunton Comprehensive Plan, 2018-2040*, Future Land Use Map, designates this area as Neighborhood Residential.

Neighborhood Residential - This type of land use highlights those neighborhoods in which existing conditions dictate the need for careful consideration of the types and densities of future residential development. These are older neighborhoods which can be characterized by large housing units on small lots.

Policies

- *Provide flexibility in the use of a dwelling while protecting the single-family character of the area.*
- *Encourage the development of in-fill housing units that are compatible with existing facilities and structures.*
- *Encourage appropriate neighborhood-commercial service areas to provide essential goods and services primarily for residents living in the immediate area.*

Approval of the Special Use Permit is compatible with the Comprehensive Plan, the neighboring uses and is supported by two of the three policies under the Neighborhood Residential designation. For these reasons, along with the City's clear intention to rezone the property at a later date, it is staff's opinion that residential use of this property is appropriate.

Planning Commission Recommendation:

At its August 18, 2022 meeting, the Planning Commission conducted a public hearing. During the public hearing no one spoke in opposition to the request. On a 4-0-1 vote, the Commission voted to recommend approval of the Special Use Permit with the following conditions:

1. All setbacks and lot area requirements shall be the same as a single-family dwelling on an existing small lot in a R-4 District and all provisions of Chapter 18.120, Yard, Building Setback, and Open Space Exceptions, shall apply.
2. Use of the property shall be limited to one single-family dwelling and accessory uses customarily incidental to a single-family dwelling.

Attachments:

Attachment 1—Application and Supporting Documents

Attachment 2—Vicinity Map: 951 Anderson St.

Attachment 3—Current Zoning: 951 Anderson St.

Attachment 4—2018 Future Land Use Map: 951 Anderson St.

Attachment 5—Draft Resolution

Suggested Motion (to be made after the public hearing is conducted): I move that Council adopt the resolution and approve the Special Use Permit, with the conditions, as recommended by the Planning Commission.

Interim City Manager: Leslie Beauregard



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

APPLICATION FOR SPECIAL USE PERMIT

DATE: 7/12/2022
NAME OF APPLICANT: Red Arrowood (for Habitat for Humanity)
ADDRESS OF APPLICANT: Po Box 3188 Staunton VA 24402
PHONE #: (540) 292-1998
E-MAIL ADDRESS: barrowood@scwhth.org

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

LOCATION OF PROPERTY: 951 Anderson Street

MAP PROVIDED: YES ☐ NO ☐

SITE PLAN PROVIDED: YES ☐ NO ☐

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

PRESENT ZONING OF THE PROPERTY: B1

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

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

Yes - city water & sewer

LEGAL DESCRIPTION OF PROPERTY: _____

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

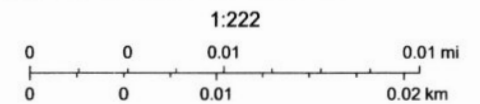
This application is to build a house in an existing neighborhood that happens to be zoned B1.
SIGNATURE: [Signature]

Additional Map Layers



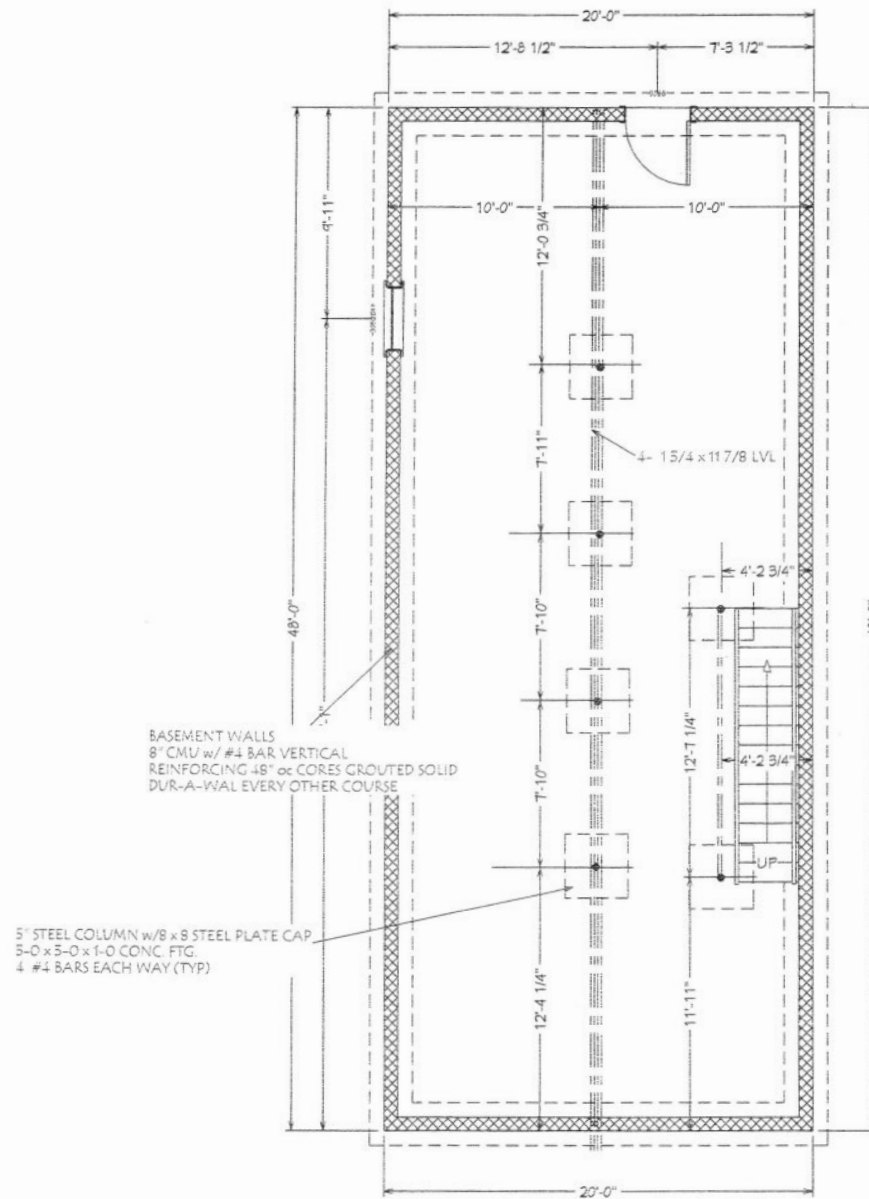
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- | | | | |
|---------------|-------------------|-----------------|-----------------|
| — Lot_Lines | □ Tax Parcels | Road Centerline | ■ Green: Band_2 |
| Lot_Numbers | * AddressPoints | 2018Image.tif | ■ Blue: Band_3 |
| □ City Limits | Point_of_Interest | ■ Red: Band_1 | |



FOR PERMIT

EXTERIOR DIMENSIONS TO OUTSIDE OF SHEATHING
INTERIOR DIMENSIONS TO FACE OF STUD



BASEMENT - FOUNDATION PLAN

Scale 1/4" = 1'-0"

P M KATZ - ARCHITECT
P O BOX 823
STUARTS DRAFT - VIRGINIA

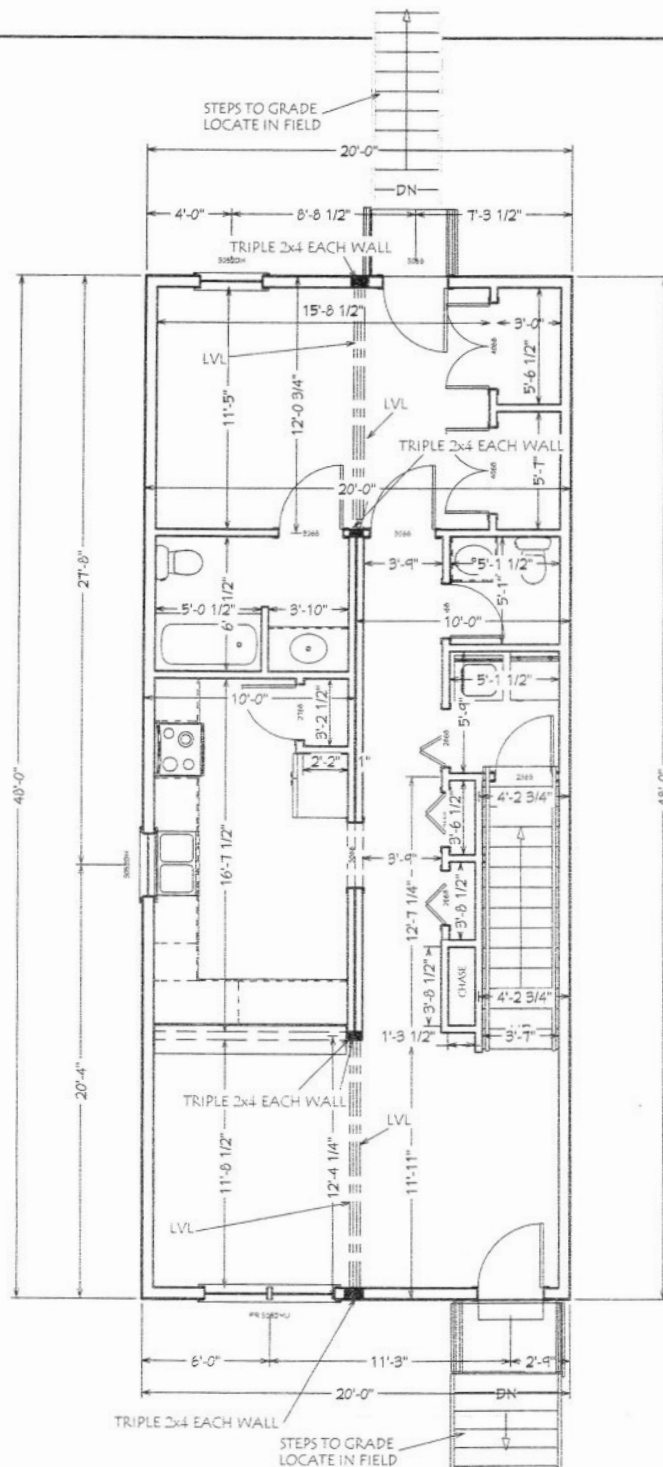
540-448-0589 pmkarch@yahoo.com
Comm. No. 22221 Date: April 2022

HOUSE PLAN
HABITAT FOR HUMANITY
ANDERSON STREET
STAUNTON - VIRGINIA

1

FOR PERMIT

EXTERIOR DIMENSIONS TO OUTSIDE OF SHEATHING
INTERIOR DIMENSIONS TO FACE OF STUD



FIRST FLOOR PLAN

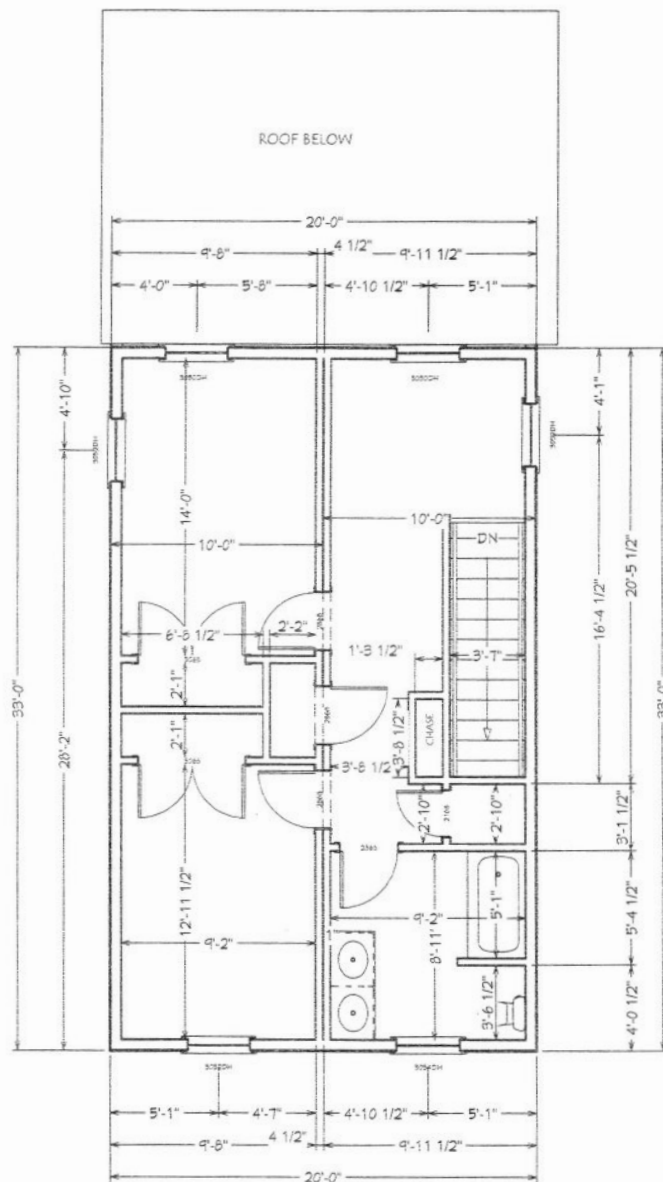
Scale 1/4" = 1'-0"

P M KATZ - ARCHITECT
P O BOX 823
STUARTS DRAFT - VIRGINIA

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Comm. No. 22221 Date: April 2022

HOUSE PLAN
HABITAT FOR HUMANITY
ANDERSON STREET
STAUNTON - VIRGINIA

2

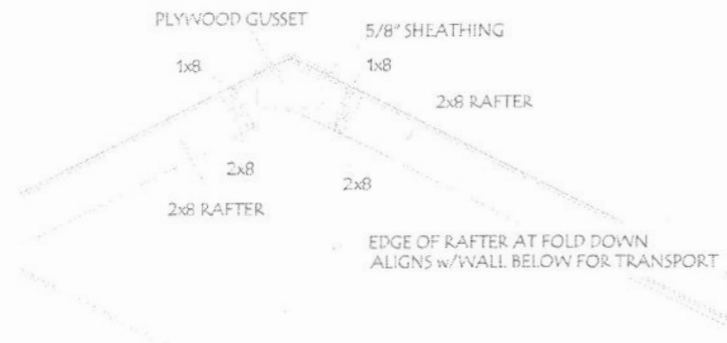
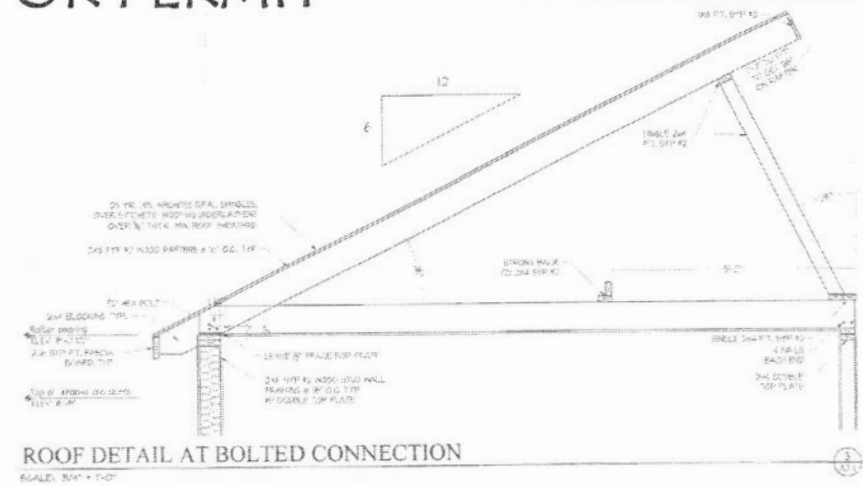


SECOND FLOOR PLAN

Scale 1/4" = 1'-0"

FOR PERMIT

EXTERIOR DIMENSIONS TO OUTSIDE OF SHEATHING
INTERIOR DIMENSIONS TO FACE OF STUD



P. M. KATZ - ARCHITECT
P. O. BOX 823
STUARTS DRAFT - VIRGINIA

540-448-0589 pmkatz@yahoo.com
Comm. No. 22221 Date: April 2022

HOUSE PLAN
HABITAT FOR HUMANITY
ANDERSON STREET
STAUNTON - VIRGINIA

3

FOR PERMIT

EXTERIOR DIMENSIONS TO OUTSIDE OF SHEATHING
INTERIOR DIMENSIONS TO FACE OF STUD



FRONT ELEVATION

Scale 1/4" = 1'-0"



REAR ELEVATION

Scale 1/4" = 1'-0"

P M KATZ - ARCHITECT
P O BOX 823
STUARTS DRAFT - VIRGINIA

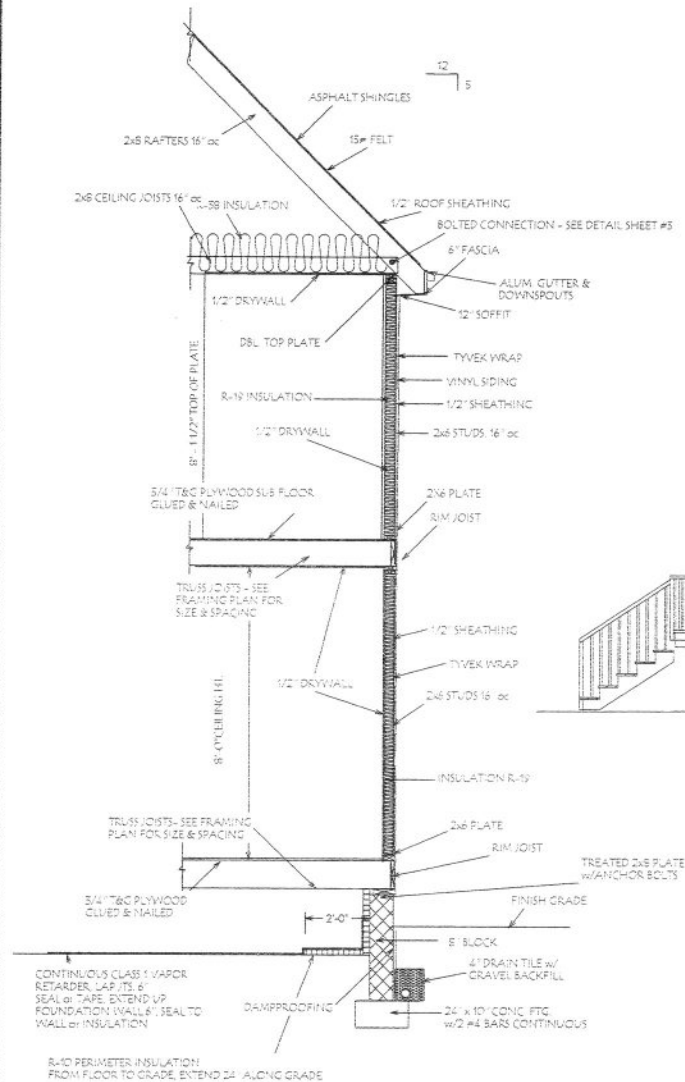
540-448-0589 pmkarch@yahoo.com
Comm. No. 22221 Date: April 2022

HOUSE PLAN
HABITAT FOR HUMANITY
ANDERSON STREET
STAUNTON - VIRGINIA

4

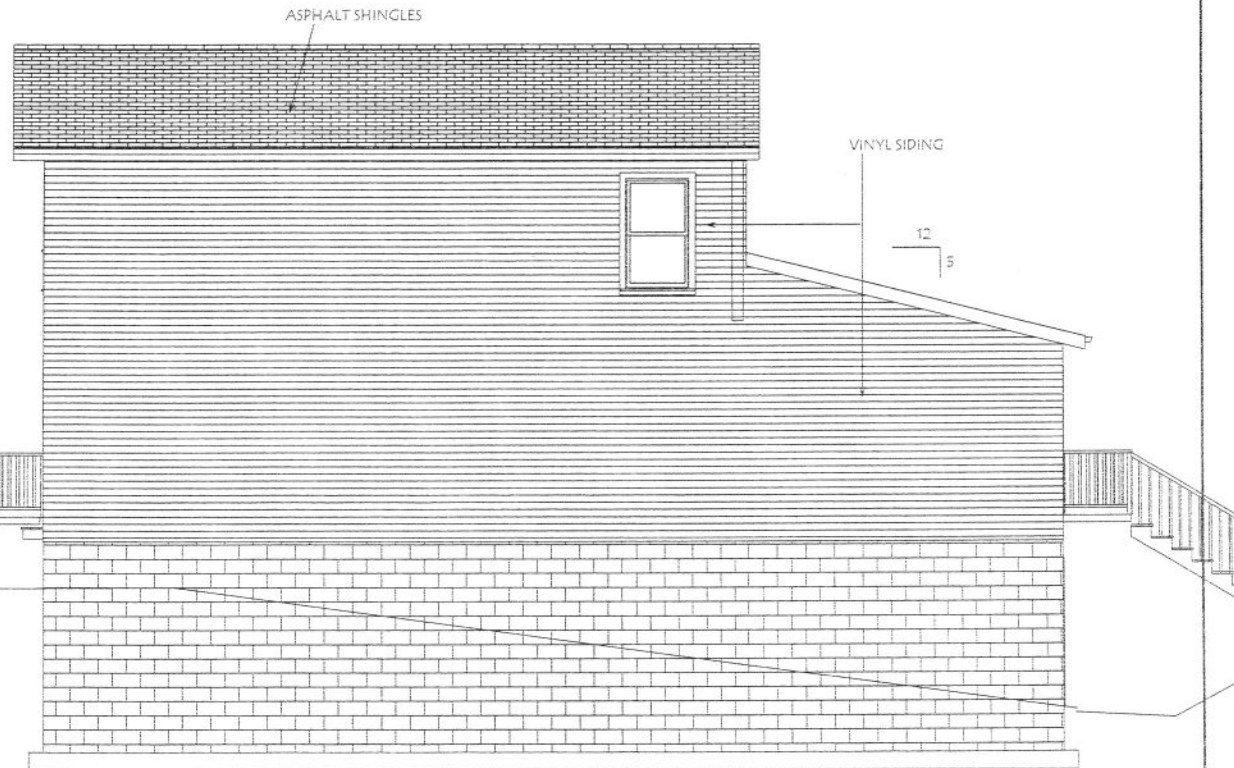
FOR PERMIT

EXTERIOR DIMENSIONS TO OUTSIDE OF SHEATHING*
INTERIOR DIMENSIONS TO FACE OF STUD



TYPICAL WALL SECTION

Scale 3/8" = 1'-0"



RIGHT SIDE ELEVATION

Scale 1/4" = 1'-0"

UNVENTED CRAWL PER VIRGINIA RESIDENTIAL CODE R408.3 (CONDITIONED CRAWL)

EXPOSED EARTH SHALL BE COVERED w/ CONTINUOUS CLASS 1 VAPOR RETARDER, OVERLAP JOINTS 6" SEAL w/ TAPE, EDGES TO EXTEND 6" UP FOUNDATION WALL AND BE SEALED TO WALL or INSULATION

CRAWL SPACE TO HAVE AIR SUPPLY TO DELIVER 1 cu. ft./MINUTE AIR FOR EACH 50 sq. ft. OF AREA, RETURN AIR PATH TO COMMON AREA (TRANSFER GRILLE)

NOTE: SPRAY FOAM INSULATION TO HAVE IGNITION BARRIER

P M KATZ - ARCHITECT
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STUARTS DRAFT - VIRGINIA

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Comm. No. 22221 Date: April 2022

HOUSE PLAN
HABITAT FOR HUMANITY
ANDERSON STREET
STAUNTON - VIRGINIA

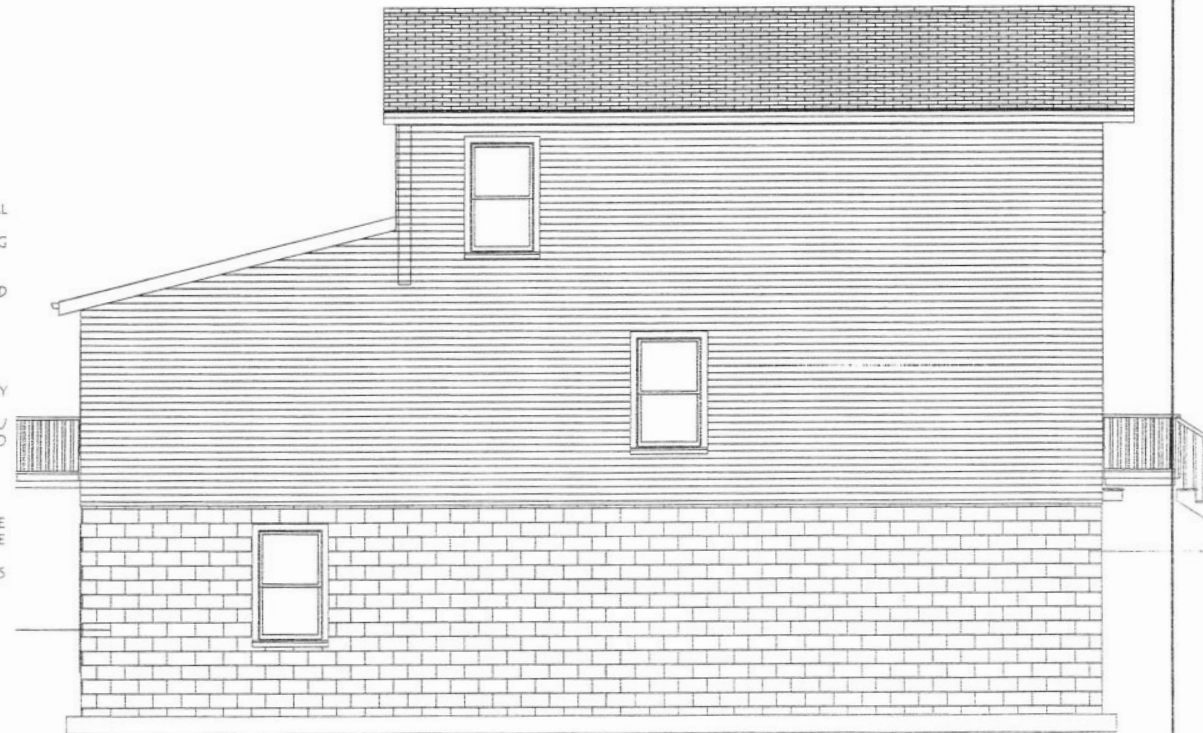
5

FOR PERMIT

EXTERIOR DIMENSIONS TO OUTSIDE OF SHEATHING
INTERIOR DIMENSIONS TO FACE OF STUD

GENERAL NOTES:

ALL WORK SHALL BE PERFORMED IN ACCORDANCE w/ALL APPLICABLE NATIONAL, STATE, & LOCAL CODES, REGULATIONS.
CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AT SITE BEFORE BEGINNING CONSTRUCTION AND NOTIFY ARCHITECT OF ANY DISCREPANCIES BEFORE PROCEEDING w/WORK.
ALL DIMENSIONS SHALL BE CALCULATED or READ - NOT SCALED.
TOP OF ALL FOOTINGS TO BE A MINIMUM OF 18" BELOW FINISH GRADE, OR 12" IN UNDISTURBED SOIL, WHICHEVER GOVERNS.
CONTRACTOR SHALL INSURE COMPATIBILITY OF THE BUILDING w/ALL SITE REQUIREMENTS.
SOIL DESIGN VALUE 5,000 psf. VERIFY IN FIELD.
IF BACKFILL EXCEEDS 4-feet AGAINST ANY FOUNDATION WALL, REINFORCE WALL PER CODE.
ALL STRUCTURAL MEMBERS SIZES SHALL BE VERIFIED & STAMPED BY MANUFACTURER/SUPPLIER.
ALL WOOD, CONCRETE AND STEEL STRUCTURAL MEMBERS SHALL BE OF A GOOD GRADE & QUALITY & MEET ALL NATIONAL, STATE & LOCAL CODES.
ALL COLUMNS & SOLID FRAMING SHALL BE DESIGNED TO CARRY LOADS & SHOULD EXTEND THRU THE LEVELS BELOW & TERMINATE AT BASEMENT FLOOR, OR OTHER BEARING POINT DESIGNED TO CARRY LOAD.
CONCRETE FOR FOOTINGS & SLABS TO BE 5,000 psi @ 28 DAYS.
CONCRETE SLABS TO HAVE FIBER MESH REINFORCING.
ALL WOOD IN CONTACT w/CONCRETE OR MASONRY SHALL BE PRESSURE TREATED.
ROOF AND FLOOR TRUSSES SHALL BE DESIGNED BY MANUFACTURER. MANUFACTURER TO PROVIDE LAYOUT PLAN FOR ALL TRUSSES SHOWING BEARING, BRIDGING, BRACING, etc. SIZES SHOWN ARE DIAGRAMMATIC ONLY.
FLOOR AND ROOF TRUSSES TO BE INSTALLED IN STRICT ACCORDANCE w/MANUFACTURER'S INSTRUCTIONS, SPECIFICATIONS, AND DETAILS.
DESIGN LOADS:
FLOOR: 40 psf
ROOF/SNOW: 50 psf
ATTICS: 20 psf
GROUND SNOW: 45 psf
ALL TRUSSES TO BE BRACED IN ACCORDANCE WITH MANUFACTURER'S INSTRUCTIONS.
PROVIDE DOUBLE JOISTS UNDER ALL PARALLEL PARTITIONS.
PROVIDE SOLID BLOCKING BETWEEN FLOOR JOISTS UNDER PERPENDICULAR WALLS.
ALL HEADERS SHALL BE 2- 2x10's w/1/2-INCH PLYWOOD FLITCH PLATE, UNLESS OTHERWISE NOTED.
PROVIDE CROSS BRIDGING AT MID POINT OF EACH SPAN or 8'-0" oc, WHICHEVER GOVERNS.
ALL EXTERIOR CORNERS INSIDE & OUTSIDE CORNERS SHALL BE BRACED w/1/2-INCH PLYWOOD.
NAILING SCHEDULE SHALL BE 8d COMMONS AT 6" oc AT ALL EDGES & 8d COMMONS AT 12" oc AT ALL INTERMEDIATE STUDS. OPTION - APPROVED DIAGONAL CORNER BRACES, BOTH DIRECTIONS AT ALL CORNERS.
PROVIDE DOUBLE 2x6 STRONGBACK AT MID SPAN FOR CEILING JOISTS w/SPANS GREATER THAN 10'-0".
PROVIDE COLLAR TIES AT UPPER 1/5 OF VERTICAL DISTANCE BETWEEN RIDGE BOARD & CEILING JOISTS AT 4'-0" MAXIMUM.
HIP, VALLEY & RIDGE BOARDS SHALL BE ONE 2x SIZE LARGER THAN RAFTERS.
ROOF DECKING SHALL BE 1/2-INCH PLYWOOD, MINIMUM.
WHERE ENGINEERED ROOF & FLOOR TRUSSES ARE USED, THE MANUFACTURER SHALL PROVIDE SHOP/LAYOUT DRAWINGS BEARING THE SEAL OF ENGINEER.
ALL CEILING JOISTS & RAFTER BRACING SHALL BEAR ON LOAD BEARING WALLS, DESIGNED TO CARRY LOAD TO FOUNDATION.
DESIGN OF ALL BASEMENT, FOUNDATIONS WALLS, COLUMNS, SOLID FRAMING, BEAMS, etc. SHALL MEET ALL LOCAL CODES.
EXTERIOR SHEATHING SHALL BE 1/2" STRUCTURAL GRADE 2 PLYWOOD OR 1/2" OSB.
INSTALL SMOKE DETECTORS WHERE REQUIRED, MINIMUM ONE PER FLOOR AND ONE PER BEDROOM.
VERIFY ALL DIMENSIONS AT SITE.
VERIFY ALL CODES, ENERGY TYPES AND SITE CONDITIONS PRIOR TO CONSTRUCTION.
INSULATE AROUND ALL BATHS AND UTILITY ROOMS.
EXTERIOR WALLS ARE 2x6 STUDS, 16" oc. INTERIOR WALLS ARE 2x4 STUDS, 16" oc, UNLESS OTHERWISE NOTED.
AT THE TIME OF CREATION, PLANS CONFORM TO VUSBC.
DIMENSIONS ARE TO OUTSIDE OF BLOCK WALLS, OUTSIDE OF EXTERIOR STUDS, AND TO FACE OF INTERIOR STUDS.
ALL WOOD USED IN CONSTRUCTION OF DECKS AND STEPS SHALL BE TREATED. FASTENERS FOR TREATED WOOD SHALL BE GALVANIZED.
PROVIDE CORNER BRACING AS REQUIRED.
INSTALL GROUND FAULT INTERRUPT RECEPTACLES WHERE REQUIRED BY CODE.
INSTALL ROOFING MATERIALS ACCORDING TO MANUFACTURER'S RECOMMENDATIONS FOR THE AREA AND CLIMATE, INCLUDING BUT NOT LIMITED TO SHINGLES, TILES, FELTS, FLASHING AND FASTENING DEVICES.



LEFT SIDE ELEVATION

Scale 1/4" = 1'-0"

P M KATZ - ARCHITECT
P O BOX 823
STUARTS DRAFT - VIRGINIA

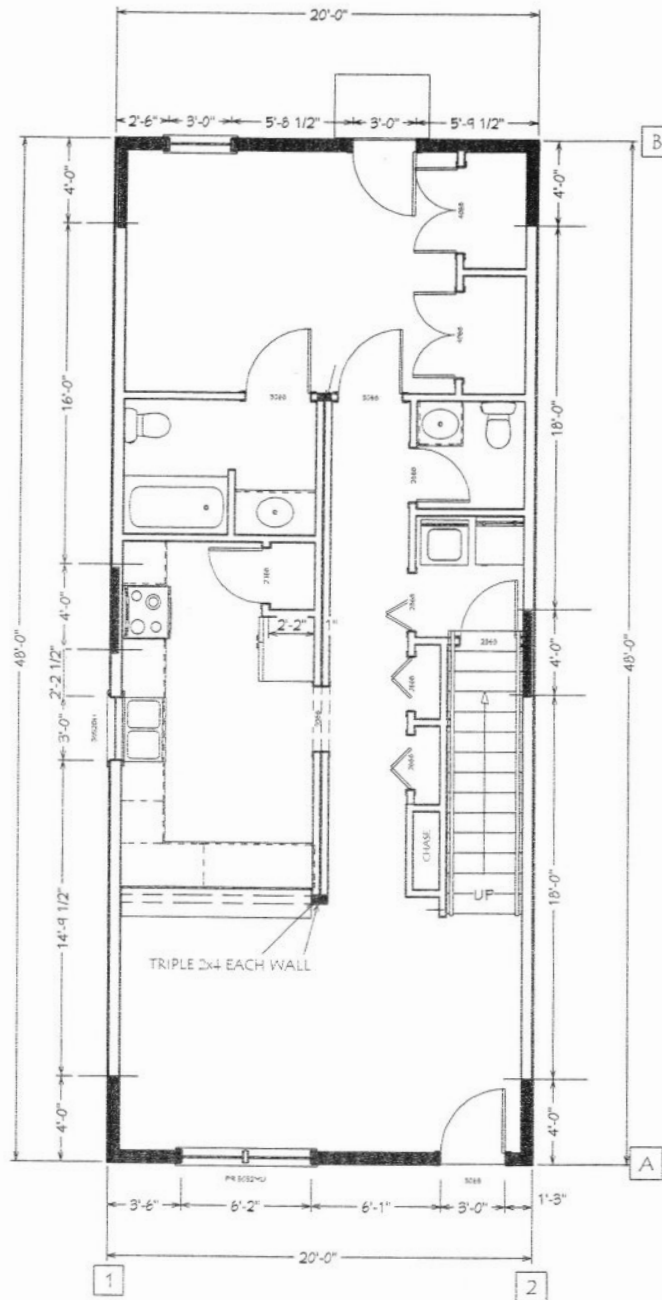
540-448-0589 pmkarch@yahoo.com
Comm. No. 22221 Date: April 2022

HOUSE PLAN
HABITAT FOR HUMANITY
ANDERSON STREET
STAUNTON - VIRGINIA

6

FOR PERMIT

EXTERIOR DIMENSIONS TO OUTSIDE OF SHEATHING
INTERIOR DIMENSIONS TO FACE OF STUD



"CLASSIC" WALL BRACING WORKSHEET BASED ON THE 2012 VIRGINIA RESIDENTIAL CODE

WIND SPEED (MPH)		30		50		70		90		90	
BRACED WALL LINE		1		2		A		B		B	
STORY											
BRACED WALL PANEL METHOD		OVERLAP/STAPLE		OVERLAP/STAPLE		OVERLAP/STAPLE		OVERLAP/STAPLE		OVERLAP/STAPLE	
AVG BRG. SPACING (ft)		26		20		16		14		12	
TABULAR REQUIRED (ft)		6.50		6.50		14.00		14.00		14.00	
EXPOSURE		B		B		B		B		B	
RAV. ROOF HT (ft)		4.25		4.25		4.25		4.25		4.25	
WALL HEIGHT (ft)		8.00		8.00		8.00		8.00		8.00	
P. WALL		2.00		2.00		2.00		2.00		2.00	
CHIT INTERIOR GS		NO		NO		NO		NO		NO	
ADD PAR. FOR HOLD-DOWNS		NO		NO		NO		NO		NO	
FASTENERS @ 4' O.C.		NO		NO		NO		NO		NO	
REQUIRED BRG. LENGTH (ft)		4.57		4.57		10.71		10.71		10.71	
ACTUAL BRG. CONTRIBUTING LENGTH (ft)	BRG.	METHOD	LENGTH (ft)	METHOD	LENGTH (ft)	METHOD	LENGTH (ft)	METHOD	LENGTH (ft)	METHOD	LENGTH (ft)
	1	CS-WSP	4.00	CS-WSP	4.00	CS-WSP	5.50	CS-WSP	2.50	CS-WSP	2.50
	2	CS-WSP	4.00	CS-WSP	4.00	CS-WSP	6.00	CS-WSP	5.50	CS-WSP	5.50
	3	CS-WSP	4.00	CS-WSP	4.00	CS-WSP	1.25	CS-WSP	5.75	CS-WSP	5.75
	4										
	5										
	6										
ACTUAL BRG. LENGTH (ft)		12.00		12.00		16.83		17.50		17.50	
ACTUAL 2 TRIANGLES		YES		YES		YES		YES		YES	
SPACE (BATH x 20' APART)		YES		YES		YES		YES		YES	
n/f (BATH)	Length of BRG. @	48		48		20		20		20	
	BATH 1 x 12, 2 x 12	YES		YES		YES		YES		YES	
ENDS	BRG. WITHIN 12' OF END	YES		YES		YES		YES		YES	
	CONTIGUOUS END CONDITION	1		1		1		1		1	
BRG. COMPLIANCE PASS/FAIL		PASS		PASS		PASS		PASS		PASS	

Created by Chisel Bayne, phone (804) 717-6428

Version 11/5/2014

FIRST FLOOR BRACED WALL PLAN

P M KATZ - ARCHITECT
P O BOX 823
STUARTS DRAFT - VIRGINIA

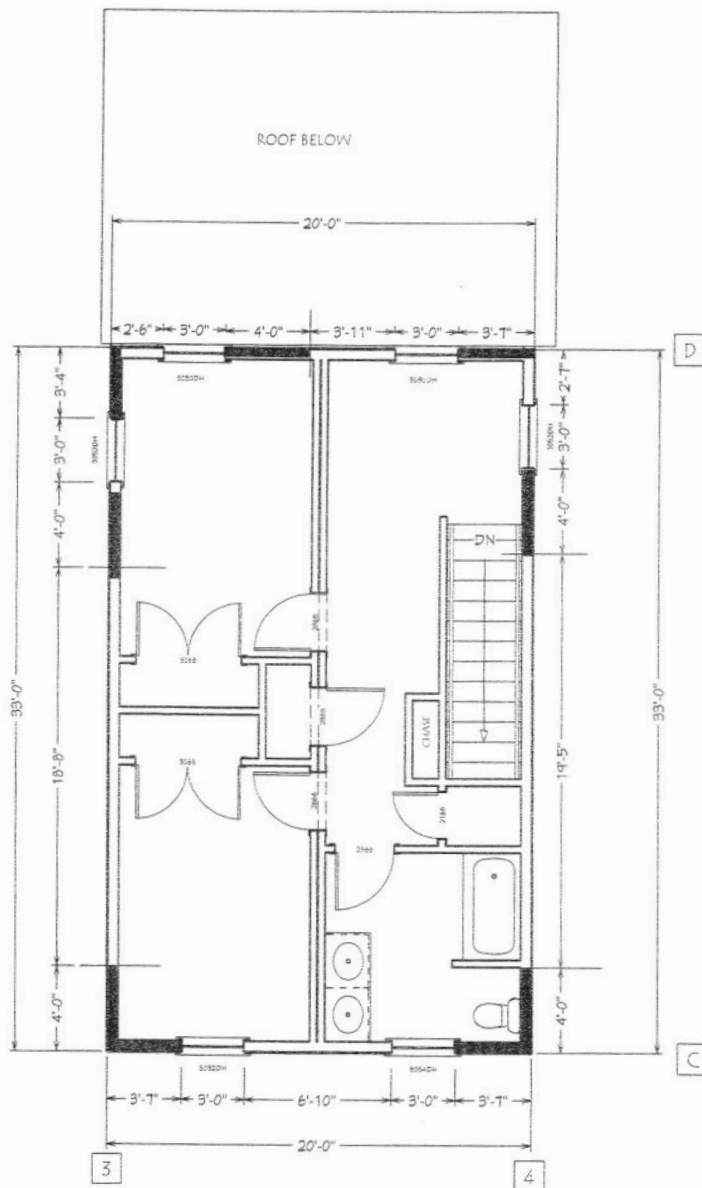
540-448-0589 pmkarch@yahoo.com
Comm. No. 22221 Date: April 2022

HOUSE PLAN
HABITAT FOR HUMANITY
ANDERSON STREET
STAUNTON - VIRGINIA

7

FOR PERMIT

EXTERIOR DIMENSIONS TO OUTSIDE OF SHEATHING
INTERIOR DIMENSIONS TO FACE OF STUD



CLASSIC WALL BRACING WORKSHEET BASED ON THE 2012 VIRGINIA RESIDENTIAL CODE

WIND SPEED (MPH)	30	35	40	45	50
BRACED WALL LINE	3	4	5	6	7
STORY	1	2	3	4	5
BRACES WALL PANEL METHOD	CS-WSP	CS-WSP	CS-WSP	CS-WSP	CS-WSP
AVOID WALL BRACING (ft)	20	20	30	30	30
TABULAR REQUIRED (ft)	3.50	3.50	5.30	5.30	5.30
EXPOSURE	B	B	B	B	B
EAVE-ROOF (ft)	4.25	4.25	4.25	4.25	4.25
WALL HEIGHT (ft)	8.00	8.00	8.00	8.00	8.00
WIND	2.00	2.00	2.00	2.00	2.00
ONLY INTERIOR BR	NO	NO	NO	NO	NO
ADD FOUR BUSH HOLE BOLTS	NO	NO	NO	NO	NO
FASTENERS 1/2" x 6"	NO	NO	NO	NO	NO
REQUIRED BRP LENGTH (ft)	2.21	2.21	3.34	3.34	3.34
ACTUAL BRP	1	1	1	1	1
METHOD	CS-WSP	CS-WSP	CS-WSP	CS-WSP	CS-WSP
LENGTH (ft)	4.00	4.00	4.00	4.00	4.00
CONTINUOUS LENGTH	1	1	1	1	1
ACTUAL BRP LENGTH (ft)	12.00	12.00	12.00	12.00	12.00
ACTUAL BRP REQUIRED	YES	YES	YES	YES	YES
BRACE	YES	YES	YES	YES	YES
Length of BRP (ft)	30	30	30	30	30
BRP 1 x 6 2 x 8	YES	YES	YES	YES	YES
BRP WITHIN 10' OF END	YES	YES	YES	YES	YES
CONTINUOUS END CONDITION	1	1	1	1	1
BRP COMPLIANCE (PASS/FAIL)	PASS	PASS	PASS	PASS	PASS

Created by Chuck Bernal, phone (804) 711-8428

Version 11/8/2014

SECOND FLOOR BRACED WALL PLAN

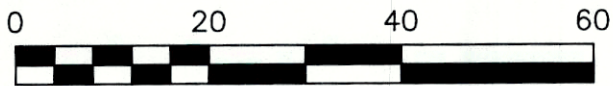
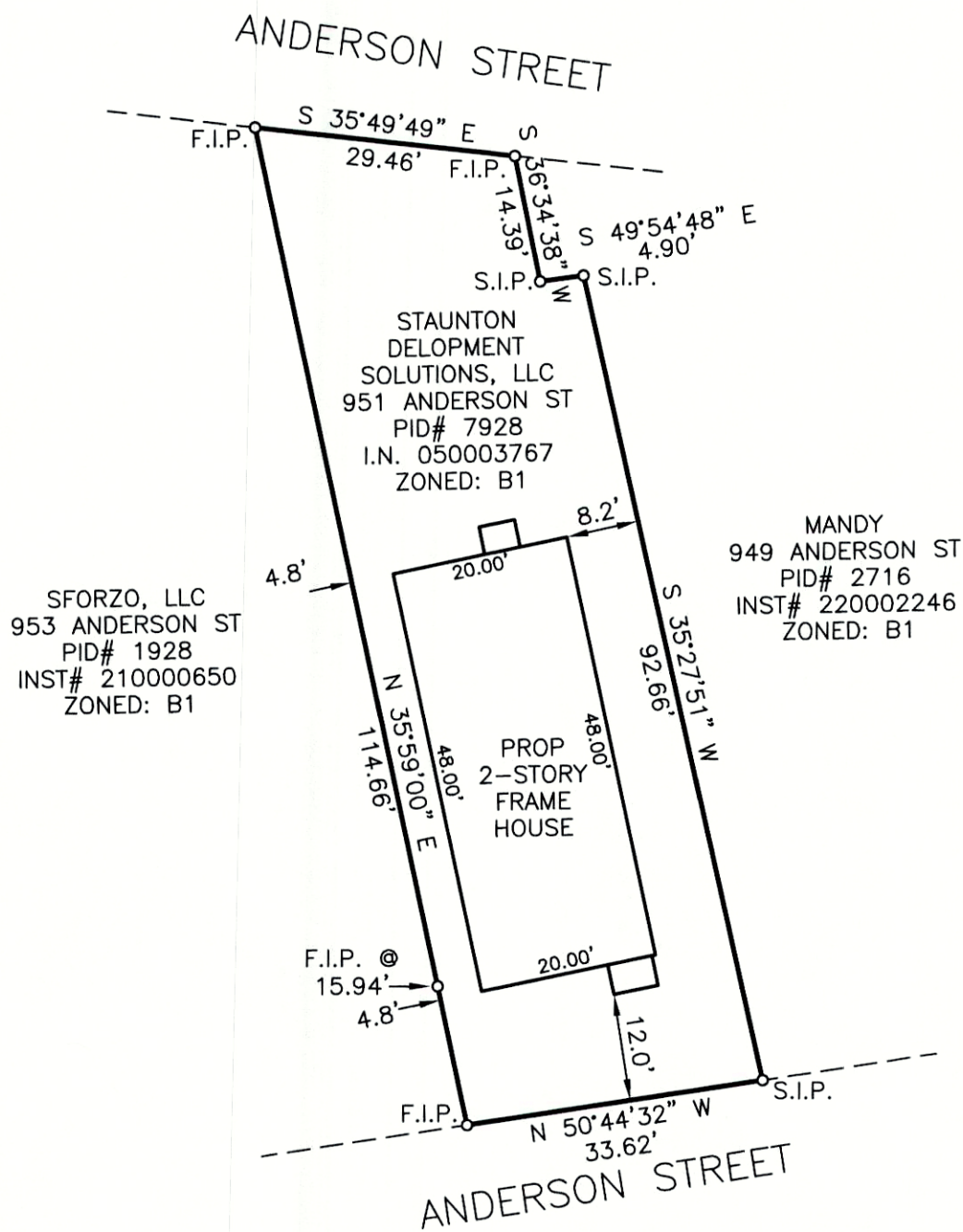
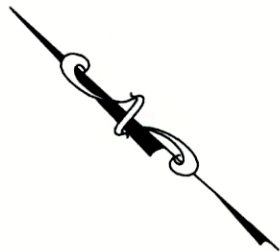
PLAN FOR BRACED WALL PANELS ONLY - SEE FLOOR PLANS FOR DIMENSIONS

P M KATZ - ARCHITECT
P O BOX 823
STUARTS DRAFT - VIRGINIA

540-448-0589 pmkarch@yahoo.com
Comm. No. 22221 Date: April 2022

HOUSE PLAN
HABITAT FOR HUMANITY
ANDERSON STREET
STAUNTON - VIRGINIA

8



SKETCH FOR PROPOSED HOUSE LOCATION FOR THE
STAUNTON DEVELOPMENT SOLUTIONS, LLC PROPERTY

951 ANDERSON STREET
CITY OF STAUNTON, VA

SCALE 1" = 20' AUGUST 12, 2022

EGS & ASSOCIATES, INC.
15 TERRY ST., STAUNTON, VA

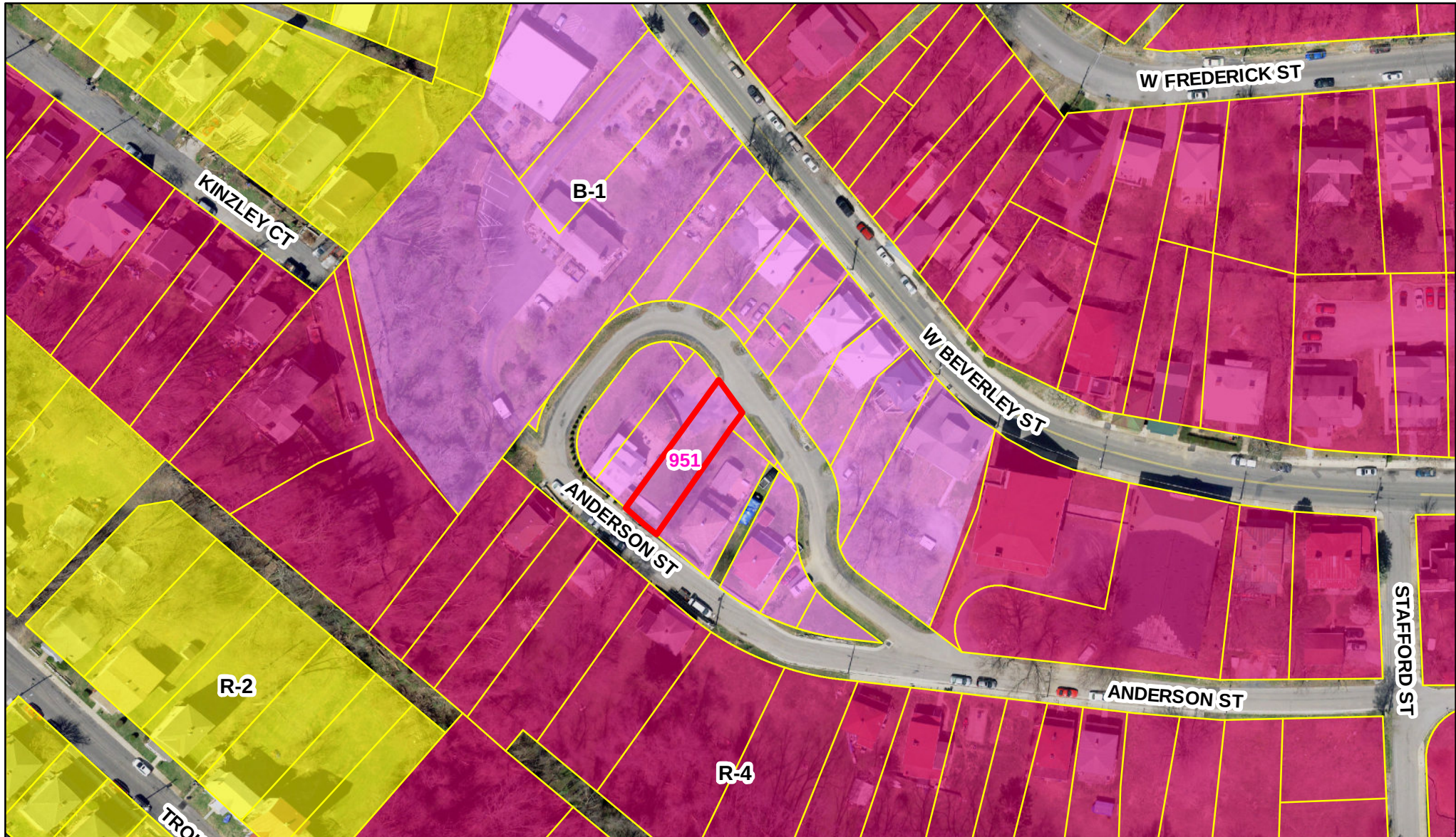
Vicinity Map: 951 Anderson St

Attachment 2



Current Zoning: 951 Anderson St

Attachment 3



Zoning

B-1

B-1(conditional)

B-2

B-2(conditional)

B-3

B-5

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

R-4(conditional)

Additional Layers

Selected Property

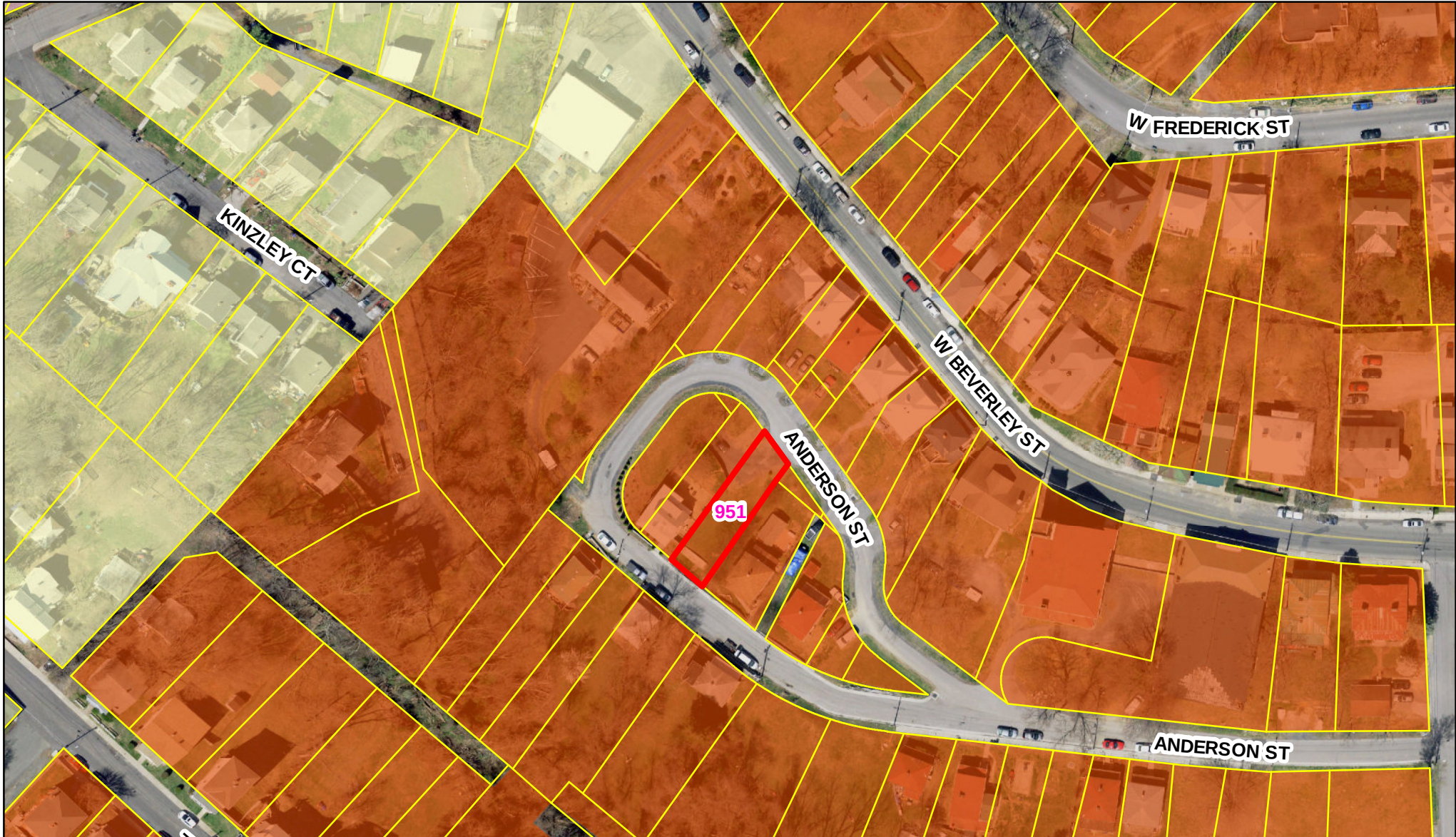
Lots



0 50 100 200 ft

Future Land Use: 951 Anderson 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

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

Additional Layers

- Selected Property
- Lots



0 50 100 200 ft

DRAFT 8.16.22

**RESOLUTION
OF THE
COUNCIL OF THE CITY OF STAUNTON, VIRGINIA
GRANTING A SPECIAL USE PERMIT FOR PROPERTY LOCATED AT
951 ANDERSON STREET (PIDs: 7928)**

Recitals

A. Staunton/Augusta/Waynesboro Habitat for Humanity (owner), owner of certain land identified as parcel ID 7928, currently addressed as 951 Anderson Street, Staunton (the property), having acquired the land through a donation agreement dated July 10, 2020, is requesting a Special Use Permit to allow living and or sleeping quarters on the ground and basement floors of a proposed building (the Project);

B. The Owner seeks a Special Use Permit under Staunton City Code (SCC) Section 18.55.060 to construct a new single-family dwelling;

C. The Property is located within a B-1, Local Business District, which according to SCC provision 18.55.060, living and or sleeping quarters on the ground and basement floors may be permitted on review;

D. The Planning Commission conducted a public hearing, after notice and advertisement as required by law on August 18, 2022;

E. The Planning Commission considered and recommended approval of the Owner's application at its August 18, 2022 meeting;

F. Upon consideration of the Planning Commission's recommendation, the City Staff Briefing, comments received at the public hearing, as well as the factors set forth within Sections 18.55.060 and 18.210 of the SCC, Staunton City Council finds and determines that granting the proposed Special Use would serve the public necessity, convenience, general welfare or good zoning practice; and

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

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Staunton, Virginia that a Special Use Permit is hereby granted to allow the Project to be established on the Property.

Introduced:

Adopted:

Effective:

Andrea W. Oakes, Mayor

Attest: _____
Kiley A. Kesecker, Clerk of Council

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	August 25, 2022	Chief Scott Garber Fire & Rescue John C. Blair, II City Attorney
Item #	B	
Department:	Fire Department	
Alignment with Staunton Plan (Value/Strategic Area):	Strategic Area: Responsive, Efficient Government	
Subject:	Resolution for Donation of Fire Apparatus to Letcher Volunteer Fire and Rescue Squad, Inc.	

Background: The City of Staunton normally places surplus fire apparatus on GovDeals for a public auction. In August of 2022, the City placed a 1996 fire apparatus on GovDeals for a public auction. The highest bid the city received was \$4,250.

Simultaneously, Chief Scott Garber of Staunton Fire & Rescue received a communication about public safety agencies in eastern Kentucky that are in need of donations of equipment and vehicles following the historic flooding in the region that occurred from July 28, 2022 to August 1, 2022.

One department in need of equipment is the Letcher Volunteer Fire and Rescue Squad, Inc. Chief Garber has reached out to that agency, and the agency indicated that it could use the 1996 fire apparatus.

Virginia Code Section 15.2-951 permits localities to donate surplus personal property. Virginia Code Section 15.2-953 (B) authorizes a locality to make donations to volunteer firefighting services.

Attachments:

Attachment 1—Proposed Resolution

Attachment 2—Email request for assistance and apparatus

Interim City Manager's Recommendation: Recommend the resolution be adopted, as presented.

Suggested Motion: I move that Council adopt the proposed resolution to declare a fire apparatus as surplus property and to donate the fire apparatus to the Letcher Volunteer Fire and Rescue Squad, Inc.

Interim City Manager: Leslie Beauregard



The water level was up the Letcher Fire & Rescue sign. The yellow apparatus in the photo is their newest apparatus and is a 1978 model. The apparatus recommended to be donated is a 20-year newer vehicle.

Recitals

Attest: _____
Kiley A. Kesecker, Clerk of Council

Attachment #2

From: [Scott Garber](#)
Sent: Monday, August 15, 2022 9:43 AM
To: [Robin S. Wallace](#); [Leslie M. Beauregard](#)
Subject: FW: Kentucky Flooding

R. Scott Garber, CFO, EFO
Fire Chief
Emergency Management Coordinator
City of Staunton Fire & Rescue
City of Staunton, VA

Office: 540.332.3884

Web: <https://www.ci.staunton.va.us/departments/staunton-fire-rescue>

Facebook: Staunton Fire and Rescue

Twitter: @StauntonFire

Instagram: Staunton Fire Rescue

SENDING LARGE ATTACHMENTS (Files over 5mb)

[Please Click Here](#)



From: Chris Eudailey [<mailto:dewdrinkers@verizon.net>]
Sent: Thursday, August 04, 2022 4:14 PM
To: David Layman <d.layman@co.middlesex.va.us>; Patrick Humphries <phumphries@isleofwightus.net>; dave.coffey@danvilleva.gov; Billy Chandler <chief@bigstonegapfiredept.com>; rmuterspauagh@co.allegany.va.us; Dep. Chief Vernie Francis <vfrancis@franklinva.com>; rodney.haywood@radfordva.gov; Jason H. Monk <jmonk@hampton.gov>; Justin Loftus <jloftus@co.caroline.va.us>; Corey Smedley <corey.smedley@alexandriava.gov>; Mike Armstrong <mike.armstrong@bristolva.org>; Steve Kopczynski <kopczyns@yorkcounty.gov>; twatkins@petersburg-va.org; Ryan Ashe <ryan.ashe@jamescitycountyva.gov>; pwarnar@powhatanva.gov; Gregory Wormser <gregory.wormser@lynchburgva.gov>; Timothy L. Keen <tkeen@pwcgov.org>; John O'Neal <joneal@fairfaxva.gov>; hollowayag@ci.waynesboro.va.us; John S. Butler <john.butler2@fairfaxcounty.gov>; darren.stevens@fauquiercounty.gov; dwhite@tazewellcounty.org; Stacey Reaves <sreaves@kingwilliamcounty.us>; twilliams@shenandoahcountyva.us; dpovlitz@arlingtonva.us; Jeff Johnson <johnsonjs@nnva.gov>; cgriffith@roanokecountyva.gov; William Ferguson <william.ferguson@franklincountyva.gov>; jbonzano@warrencountyfire.com; Dan Eggleston <deggleston@albemarle.org>; toddl@nortonva.org; Nathan Ramsey

<nramsey@rockbridgecountyva.gov>; Keith Johnson <keith.johnson@loudoun.gov>; James Soaper <j.soaper@manassasparkva.gov>; dfarmer@farmvilleva.com; Marc Brade <marc.brade@wytheville.org>; smithhez@charlottesville.gov; rdube@louisva.org; Matt Tobia <matthew.tobia@harrisonburgva.gov>; jholloway@rockinghamcountyva.gov; David Hoback <david.hoback@roanokeva.gov>; Wayne Hoover <hooverw@colonialheightsva.gov>; jmccormick@abingdon-va.gov; jcox@galaxva.com; Richard Opett <raopett@newkent-va.us>; Melvin D. - Fire Carter <melvin.carter@richmondgov.com>; John DiBacco <john.dibacco@norfolk.gov>; tdickerson@lexingtonva.gov; nmort@orangecountyva.gov; Dave Hutcheson <dhutches@vbgov.com>; Charles Pruitt <cpruitt@co.accomack.va.us>; Jason Ferguson <jferguson@botetourtva.gov>; Eddie Ferguson <eferguson@co.goochland.va.us>; bobby.wingfield@appomattoxcountyva.gov; Walt Bailey <phenixchief@gmail.com>; Nestor Mangubat <mangubatn@portsmouthva.gov>; jhpiland@co.hanover.va.us; Larry Snyder <lsnyder@williamsburgva.gov>; twanderson@ci.martinsville.va.us; Jay Cullinan <jcullinan@spotsylvania.va.us>; Joseph A. Cardello <jcardello@staffordcountyva.gov>; wbrown@pagecounty.virginia.gov; Lloyd Senter <senterl@chesterfield.gov>; John Prillaman <jprillaman@saalemva.gov>; Mike Jones <mjones@fd.fredericksburgva.gov>; Ron Mastin <fxretired@gmail.com>; chris.slemp@pittgov.org; vduggar@norfolkairport.com; Ed Elliott <ee Elliott@cityofchesapeake.net>; steven.majchrzak@fcva.us; Benjamin Ruppert <bruppert@hopewellva.gov>; Fire Chief Michael J. Barakey <mbarakey@suffolkva.us>; Dennis Hale <dhale@dinwiddieva.us>; Alec Oughton <oug10@henrico.us>; David Moody <davidm@co.kinggeorge.state.va.us>; Matt Tatum <mtatum@henrycountyva.gov>; Jimmy Johnson <jvjohnson@co.charles-city.va.us>; Kevin Duck <kduck@carrsvillevfd.com>; Billy Hanks <bhanks@christiansburg.org>; Scott Garber <GarberRS@ci.staunton.va.us>; Robert <robert.holloway@poquoson-va.gov>; Brad Creasy <brad.creasy@vdfp.virginia.gov>
Subject: Fw: Kentucky Flooding

Good afternoon Chiefs -- Please see message below from Chief Lagow regarding help needed in eastern KY. If you are able to help in any way please contact

Todd Lagow
Chief of Fire & Rescue

Emergency Management Coordinator



City of Norton
PO Box 618

618 Virginia Ave NW
Norton, Va. 24273
Office 276-679-1160
Fax 276-679-3510
Cell 276-393-2481

Thanks in advance for your review

Chris

R. Christian Eudailey
Executive Director
Virginia Fire Chiefs Association
540-809-9397
ceudailey@vfca.us

----- Forwarded Message -----

From: Todd Lagow <toddl@nortonva.org>
To: dewdrinkers@verizon.net <dewdrinkers@verizon.net>
Sent: Thursday, August 4, 2022 at 02:00:26 PM EDT
Subject: Kentucky Flooding

Chris,

As you are aware, eastern Kentucky experienced catastrophic flooding last Thursday. I was part of a group of first responders from SW Virginia that traveled to a few of the fire and EMS departments that were impacted by the flooding. Our group spent all day assisting Neon Kentucky Fire Department. We pulled damaged apparatus from their secondary station. Their main station was not directly impacted. Their second station which housed reserve and specialty apparatus was heavily impacted. Water levels reached 5 feet causing the loss of most every item on the ground floor. They lost a reserve engine, crew cab brush truck, incident command truck, several reserve ambulances, their breathing air compressor and fill station. There were numerous tools and equipment that were also lost. A large part of the central part of the town is destroyed.

We also traveled to Hindman, Ky. Fire Department. They lost a reserve truck. This truck has been pictures washed down stream some stuck under a bridge. Up stream from the Hindman, Ky. Fire department is Fisty, Ky. We were told that Fisty Fire Department lost all three apparatus in their station.

I spoke with the Fire Chief of Letcher County Fire Department (Wallace Poland). I asked him what their needs are. They have needs of fire service hand tools, generators etc. They could use some apparatus as well.

Please share these needs with any department that may be able to support any of the need items. I will be glad to provide contact information to interested departments.

Thanks!

Todd Lagow
Chief of Fire & Rescue

Emergency Management Coordinator



City of Norton
PO Box 618

618 Virginia Ave NW
Norton, Va. 24273
Office 276-679-1160
Fax 276-679-3510
Cell 276-393-2481

"By Failing to Prepare, You are Preparing to Fail." Benjamin Franklin

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	August 25, 2022	Leslie Beauregard Interim City Manager Maggie Ragon City Appointee Shenandoah Valley Airport
Item #	C	
Department:	City Manager’s Office	
Alignment with Staunton Plan (Value/Strategic Area):	Value: Excellence Strategic Area: Economic Development	
Subject:	Resolution for the Benefit of Shenandoah Valley Regional Airport Commission	

Background: The Shenandoah Valley Regional Airport Commission (Commission), of which the City of Staunton is a member locality, authorized a project to construct new aircraft hangar facilities and to upgrade the airport's fuel facilities. On September 26, 2019, the Staunton City Council adopted a Resolution for the Benefit of the Commission's financing efforts. The resolution did not financially obligate the City of Staunton to finance or incur debt for the project.

The Commission has requested that the governing body of each of its member localities approve the modification of the Commission's incurrence of indebtedness to finance the proposed project. A resolution to affect the modification approval is attached to this agenda briefing. As set forth in the resolution, the Commission's incurrence of debt and the proposed modification of the debt is not a financial obligation of the city.

Maggie Ragon will attend Council's meeting on August 25, 2022, to share further details about the project and the terms of the proposed financing modification.

Attachment: Proposed resolution

Interim City Manager's Recommendation: Recommend the resolution be adopted, as presented.

Suggested Motion: I move to adopt the proposed resolution for the benefit of Shenandoah

Valley Regional Airport Commission, approving and authorizing the Commission's incurrence of debt to finance its project, all as described in the resolution.

Interim City Manager: Leslie Beauregard

**RESOLUTION OF THE COUNCIL OF THE CITY OF STAUNTON, VIRGINIA
FOR THE BENEFIT OF SHENANDOAH VALLEY REGIONAL AIRPORT
COMMISSION**

Recitals

A. The Shenandoah Valley Regional Airport Commission (the “Commission”) was duly established pursuant to the Code of Virginia, 1950, as amended, and by resolution and agreement of the several political subdivisions of the Commonwealth of Virginia comprising the Commission, namely the Counties of Augusta and Rockingham and the Cities of Harrisonburg, Staunton and Waynesboro (collectively, the “Member Localities”), to have and exercise, on behalf of such Member Localities, the power and authority to operate the Shenandoah Valley Regional Airport (“SVRA”) located in Augusta County, Virginia; and

B. The Commission determined that it is necessary and desirable to (a) acquire, construct, and equip aircraft hangar facilities at SVRA, (b) install and/or replace all or any portion of the SVRA’s fuel farm tanks, and (c) pay issuance costs in connection with the financings therefor (collectively, the “Project”); and

C. The United States of America, acting through Rural Housing Service, an agency of the United States Department of Agriculture (“RHS”), offered to purchase an up to \$3,086,500 Shenandoah Valley Regional Airport Commission Taxable Airport Revenue Bond (the “Bond”) to provide the permanent financing needed by the Commission to pay all or any portion of the costs of the Project on the terms and conditions described in that certain RHS Letter of Conditions, dated September 26, 2018; and

D. RHS required interim financing for the Project and the Commission reasonably expects that long-term, permanent financing for the Project being financed by the Commission on an interim basis with the proceeds of the Note shall ultimately be provided to the Commission by RHS, together with any other lawfully available funds therefor; and

E. The Commission obtained interim financing from Blue Ridge Bank (the “Bank”) represented by the Commission’s issuance of an up to \$2,986,500 Shenandoah Valley Regional Airport Commission Taxable Airport Revenue Note, Series 2019 (the “Note”); and

F. By letter dated July 25, 2022 (the “Commitment Letter”), the Bank has authorized a modification and amendment of the Note to extend the maturity of the Note from October 29, 2022 to October 29, 2023 at a fixed, taxable interest rate of 3.75% and to extend the draw period under the Note to October 28, 2023 (the “Modification”); and

G. The Modification relating to the loan under the Note will be embodied in an amendment to the Note (the “Allonge”); and

H. The Commission desires to obtain the approval of each of the governing bodies of its Member Localities with respect to the Modification and delivery of the Allonge, subject to the

Commission's final determination of the form and details thereof (all such undertakings by the Commission to finance the Project, on an interim or permanent basis, being collectively referenced herein as the "Loans"); and

NOW, THEREFORE, BE IT RESOLVED by the City Council (the "City Council") of the City of Staunton, Virginia (the "City"), as follows:

1. The Modification and the delivery of the Allonge by the Commission, as described in this Resolution, is hereby approved and authorized, to the fullest extent as may be required, if at all.

2. It is to be understood that nothing contained in this Resolution is or shall be deemed to be a debt of the City or a pledge of the faith and credit or the taxing power of the City, and nothing shall legally bind or obligate the City Council or any future City Council to appropriate funds for such purposes. The long-term indebtedness of the Commission represented by the Note, as amended by the Allonge, or the Bond (or otherwise in connection with the Project and the Loans) shall not be deemed to constitute a debt or pledge of the faith and credit of the taxing power of the City, and neither the faith and credit nor the taxing power of the City shall be pledged for the payment of the principal of, premium, if any or interest on the Note, as amended by the Allonge, or the Bond or any other obligation of the Commission in connection with the Project or the Loans, or any other costs incident thereto.

3. The Mayor, Vice Mayor, and the City Manager, any one or more of whom may act, and such officers, employees, and agents of the City as any of them may designate, are each authorized and directed to take all such further actions and to execute and deliver any and all instruments, certificates, and other documents (if any) in order to carry out the purposes of this Resolution and in furtherance of the financing of the Project by the Commission, as described in this Resolution.

4. This Resolution shall be effective immediately.

Adopted: August 25, 2022

CITY OF STAUNTON, VIRGINIA

Andrea W. Oakes, Mayor

CERTIFICATE OF VOTES

The undersigned hereby certifies that the foregoing Resolution constitutes a true and correct copy thereof, duly adopted by the City Council, at its regular meeting duly held on the date hereof, and that the recorded roll-call vote of the City Council is as follows:

NAME	AYE	NAY	ABSTAIN	ABSENT
Andrea Oakes, Mayor				
Mark Robertson, Vice Mayor				
Stephen W. Claffey				
Amy G. Darby				
Carolyn W. Dull				
R. Terry Holmes				
Brenda O. Mead				

Dated: August 25, 2022

[SEAL]

ATTEST: _____
Kiley A. Kesecker, Clerk of Council

CITY COUNCIL



AGENDA BRIEFING

Staunton, Virginia

Meeting Date:	August 25, 2022	Staff Member: Jessie L. Moyers
Item #	D	
Department:	Finance	
Alignment with Staunton Plan (Value/Strategic Area):	Value: Excellence Strategic Area: Responsible, Efficient Government	
Subject:	Ordinance to Amend the FY2022 Budget Ordinance for the City of Staunton by Adding Budget Amendment Number Five	

Background: The fifth budget amendment for fiscal year 2022 has been prepared for review and discussion. The total budget amendment equals \$318,280 and represents additional Virginia Community Ready Sites Program grant funds. The ordinance was introduced at the July 28, 2022 meeting. Consideration of the ordinance is scheduled for August 25, 2022.

City Budget Amendment—\$318,280

1. General Fund appropriation of \$7,280 for Virginia Community Ready Sites Program grants to support a Traffic Impact Study.
2. CIP Fund appropriation of \$85,000 for Virginia Community Ready Sites Program grants to support Land Survey Services.
3. Water Fund appropriation of an additional \$21,750 for Virginia Community Ready Sites Program grants to support enhanced water system design work for the eastern sector of the city Staunton Crossing.
4. Sewer Fund appropriation of an additional \$135,750 for Virginia Community Ready Sites Program grants to support enhanced waste water system design work for the eastern sector of the city to Staunton Crossing.
5. Storm Water Fund appropriation of \$34,000 for Virginia Community Ready Sites Program grant to support Preliminary Stormwater and Floodplain Studies.

6. Environmental Fund appropriation of \$34,500 for Virginia Community Ready Sites Program grant to support Phase I Environmental Services.

Attachment: Budget Amendment Number Five

Interim City Manager's Recommendation: Recommend the ordinance be adopted as presented.

Suggested Motion: I move to adopt an ordinance amending the fiscal year 2022 budget by adding Budget Amendment Number Five, totaling \$318,280.

Interim City Manager: Leslie Beauregard

Ordinance No. 2022-
AN ORDINANCE TO AMEND
THE FY2022 BUDGET ORDINANCE
FOR THE CITY OF STAUNTON
BY ADDING BUDGET AMENDMENT NUMBER FIVE

Attachment #1

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

GENERAL FUND

Anticipated Revenue

Capital Grants and Contributions	\$	7,280
Total Revenue	\$	7,280

Appropriations

General Government	\$	7,280
Total Appropriations	\$	7,280

CITY CAPITAL IMPROVEMENTS FUND

Anticipated Revenue

Capital Grants and Contributions	\$	85,000
Total Revenue	\$	85,000

Appropriations

Capital Projects	\$	85,000
Total Appropriations	\$	85,000

WATER FUND

Anticipated Revenue

Capital Grants and Contributions	\$	21,750
Total Revenue	\$	21,750

Appropriations

Capital Projects	\$	21,750
Total Appropriations	\$	21,750

SEWER FUND

Anticipated Revenue

Capital Grants and Contributions	\$	135,750
Total Revenue	\$	135,750

Appropriations

Capital Projects	\$	135,750
Total Appropriations	\$	135,750

STORMWATER FUND**Anticipated Revenue**

Capital Grants and Contributions	\$	34,000
Total Revenue	\$	34,000

Appropriations

Capital Projects	\$	34,000
Total Appropriations	\$	34,000

ENVIRONMENTAL FUND**Anticipated Revenue**

Capital Grants and Contributions		34,500
Total Revenue	\$	34,500

Appropriations

Capital Projects	\$	34,500
Total Appropriations	\$	34,500

GRAND TOTAL BUDGET AMENDMENT NO 5	\$	318,280
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INTRODUCED: July 28, 2022

PUBLIC HEARING: NA

Public Hearing Advertisement Date: NA

Approved this _____ day of _____ 2022

Effective Date: _____

CERTIFIED: _____

ATTEST: _____

Kiley Kesecker

Clerk of Council

Andrea Oakes

Mayor

FY 2022 BUDGET AMENDMENT NO. 5

		AMOUNT	
	LEDGER CODE	REVENUE	EXPENDITURE
GENERAL FUND			
GENERAL GOVERNMENTAL ADMINISTRATION			
<u>PUBLIC WORKS</u>			
Miscellaneous State Aid		\$ 7,280	
Transportation Cost work			\$ 7,280
TOTAL GENERAL FUND		\$ 7,280	\$ 7,280
CITY CAPITAL IMPROVEMENTS FUND			
Miscellaneous State Aid	39084-45560-45005	\$ 85,000	
Staunton Crossing VDEP	39008150-58470-45005		\$ 85,000
To appropriate Virginia Community Readiness funding for design work			
TOTAL CAPITAL IMPROVEMENTS FUND		\$ 85,000	\$ 85,000
WATER FUND			
Miscellaneous State Aid	53004-45560-45005	\$ 21,750	
Water Lines	53004321-58365-45005		\$ 21,750
To appropriate Virginia Community Readiness funding for design work			
TOTAL WATER FUND		\$ 21,750	\$ 21,750
SEWER FUND			
Miscellaneous State Aid	54004-45560-45005	\$ 135,750	
Sewer line replacement	54004420-45560-45005		\$ 135,750
To appropriate Virginia Community Readiness funding for design work			
TOTAL SEWER FUND		\$ 135,750	\$ 135,750
STORMWATER FUND			
Miscellaneous State Aid	57004-45560-45505	\$ 34,000	
Professional Services	57004725-53010-45005		\$ 34,000
To appropriate Virginia Community Readiness funding for design work			
TOTAL STORMWATER FUND		\$ 34,000	\$ 34,000
ENVIRONMENTAL FUND			
Miscellaneous State Aid	58004-45560-45005	\$ 34,500	
Professional Services	58004818-53010-45005		\$ 34,500
To appropriate Virginia Community Readiness funding for design work			
TOTAL ENVIRONMENTAL FUND		\$ 34,500	\$ 34,500

FY 2022 BUDGET AMENDMENT NO. 5 SUMMARY

CITY GOVERNMENT FUNDS			
GENERAL FUND		\$ 7,280	
CAPITAL IMPROVEMENTS FUND		\$ 85,000	

FY 2022 BUDGET AMENDMENT NO. 5

		AMOUNT	
	LEDGER CODE	REVENUE	EXPENDITURE
WATER FUND		\$ 21,750	
SEWER FUND		\$ 135,750	
STORMWATER FUND		\$ 34,000	
ENVIRONMENTAL FUND		\$ 34,500	
TOTAL CITY GOVERNMENT FUNDS		\$ 318,280	
TOTAL FY2022 BUDGET AMENDMENT NO. 5		\$ 318,280	

CITY COUNCIL



AGENDA BRIEFING

Staunton, Virginia

Meeting Date:	August 25, 2022	Staff Member: Jessie L. Moyers
Item #	E	
Department:	Finance	
Alignment with Staunton Plan (Value/Strategic Area):	Value: Excellence Strategic Area: Responsible, Efficient Government	
Subject:	Ordinance to Amend the FY2023 Budget Ordinance for the City of Staunton by Adding Budget Amendment Number One	

Background: The first budget amendment for fiscal year 2023 has been prepared for review and discussion. The total budget amendment equals \$282,500. This budget amendment does not require a public hearing. The ordinance was introduced at the July 28, 2022 meeting. Consideration of the ordinance is scheduled for August 25, 2022.

City Budget Amendment—\$282,500

1. General Fund appropriation of \$100,000 for the West End Small Area Plan via American Rescue Plan Act, (ARPA) proceeds.
2. CIP Fund appropriation of \$107,500 for the Staunton Crossing marketing plan via American Rescue Plan Act, (ARPA) proceeds.
3. Water Fund appropriation of \$75,000 for the Uniontown Comprehensive Plan/Small Area Study via American Rescue Pan Act, (ARPA) proceeds.

Attachments: Budget Amendment Number One

Interim City Manager's Recommendation: Recommend the ordinance be adopted as presented.

Suggested Motion: I move to adopt an ordinance amending the fiscal year 2023 budget by adding Budget Amendment Number One, totaling \$282,500.

Interim City Manager: Leslie Beauregard

**Ordinance No. 2022-
AN ORDINANCE TO AMEND
THE FY2023 BUDGET ORDINANCE
FOR THE CITY OF STAUNTON**

Attachment #1

BY ADDING BUDGET AMENDMENT NUMBER ONE

BE IT ORDAINED, by the City Council of the City of Staunton, Virginia, that the FY2023 Budget is amended as follows:

GENERAL FUND

Anticipated Revenue

General Revenue	\$	-
Charges for Services		-
Recovered Costs		-
Miscellaneous Revenue		-
Capital Grants and Contributions		100,000
Total Revenue	\$	100,000

Appropriations

General Government	\$	-
Judicial Administration		-
Public Safety		-
Public Works		-
Parks, Recreation, Cultural		-
Community Development		100,000
Safety Net Reserve		-
Transfers to Other Funds		-
Total Appropriations	\$	100,000

CITY CAPITAL IMPROVEMENTS FUND

Anticipated Revenue

Misc Federal Aid	\$	107,500
Total Revenue	\$	107,500

Appropriations

Capital Projects	\$	107,500
Total Appropriations	\$	107,500

WATER FUND

Anticipated Revenue

General Revenues	\$	75,000
Total Revenue	\$	75,000

Appropriations

Capital	\$	75,000
Total Appropriations	\$	75,000

GRAND TOTAL BUDGET AMENDMENT NO 1

#REF!

INTRODUCED: July 28, 2022

PUBLIC HEARING: NA

Public Hearing Advertisement Date: NA

Approved this _____ day of _____ 2022

Effective Date: _____

CERTIFIED: _____

ATTEST: _____

Kiley A. Kesecker

Clerk of Council

Andrea Oakes

Mayor

FY 2023 BUDGET AMENDMENT NO. 1

		AMOUNT	
	LEDGER CODE	REVENUE	EXPENDITURE
GENERAL FUND			
COMMUNITY DEVELOPMENT			
Misc Federal Aid	11001-46250-ARPA	\$ 100,000	
Professional Services	11088120-53010-ARPA		\$ 100,000
To appropriate ARPA funds for the West End Small Area Plan			
TOTAL GENERAL FUND		\$ 100,000	\$ 100,000

BUDGET AMENDMENT NO. 1 GENERAL FUND SUMMARY

GENERAL FUND REVENUE SUMMARY

Non-Capital Grants and Contributions	100,000
Community Development	100,000

Total General Fund Revenues **\$ 100,000**

GENERAL FUND EXPENDITURE SUMMARY

Community Development	100,000
Total General Fund Expenditures	\$ 100,000

CITY CAPITAL IMPROVEMENTS FUND

Misc Federal Aid	39083-46250-ARPA	\$ 107,500	
Staunton Crossing	39088150-58470-ARPA		\$ 107,500
To appropriate ARPA funds transferred from the General Fund			
TOTAL CAPITAL IMPROVEMENTS FUND		\$ 107,500	\$ 107,500
WATER FUND			
Misc Federal Aid	53003-46250-ARPA	\$ 75,000	
Water Lines	53004321-58365-ARPA		\$ 75,000
To appropriate ARPA funds for Uniontown comprehensive study			
TOTAL WATER FUND		\$ 75,000	\$ 75,000

FY 2023 BUDGET AMENDMENT NO. 1 SUMMARY

CITY GOVERNMENT FUNDS

GENERAL FUND	\$ 100,000
CAPITAL IMPROVEMENTS FUND	\$ 107,500
WATER FUND	\$ 75,000

TOTAL CITY GOVERNMENT FUNDS **\$ 282,500**

TOTAL FY2023 BUDGET AMENDMENT NO. 1

#REF!

CITY COUNCIL



AGENDA BRIEFING

Staunton, Virginia

Meeting Date:	August 25, 2022	Staff Member: Jessie L. Moyers
Item #	F	
Department:	Finance	
Alignment with Staunton Plan (Value/Strategic Area):	Value: Excellence Strategic Area: Responsible, Efficient Government	
Subject:	Memorandum of Understanding for an Operational Funding Formula for Staunton City Schools	

Background: The Memorandum of Understanding (MOU) outlines the agreed upon framework between the City and the Schools for the calculation of local school funding. The proposed funding formula uses audited financial data from the Annual Financial Report. The use of audited financial data will allow for a more predictable calculation based on actual data. In addition, the funding formula specifically uses the average of the two previously audited fiscal years. Averaging the two previous years will ensure a more stable local funding contribution for schools.

Specifics for the calculation have been outlined in the attached MOU and SCS Operational Funding Formula Calculation. Fiscal Year 2020 was used as the baseline year, meaning the calculated figure using the proposed formula equaled the actual local funding contribution budgeted that fiscal year for schools. The proposed MOU allows for the local school funding contribution to be calculated as soon as the annual financial report is done, which is early December.

In accordance with Virginia law, the MOU does not bind future City Councils or School Boards to a specific funding request or appropriation. The MOU will be reviewed on an annual basis by June 30th by City and School staff, so that they may respond to changes in economic and financial drivers in relation to the needs of both the city and the schools.

Attachment: Memorandum of Understanding

Interim City Manager's Recommendation: Approval of the Memorandum of Understanding as presented.

Suggested Motion: I move that Council approve the proposed Memorandum of Understanding for the Operational Funding Formula for Staunton City Schools as presented.

Interim City Manager: Leslie Beauregard

**Memorandum of Understanding For
An Operational Funding Formula
for Staunton City Schools**

1. Parties and Purpose. This Memorandum of Understanding (“MOU”) is between Staunton City Schools (“SCS”) and the City of Staunton (“the City”) and memorializes their mutual understanding and commitment for an Operational Funding Formula for determining the baseline General Fund annual appropriation amount for SCS. This MOU recognizes education as a high priority for its value to children, families and citizens of the City and promotes greater transparency in calculating the baseline General Fund appropriation by the City for SCS’ annual operating budget.

2. Operational Funding Formula. The Education Fund appropriation will be based on certain tax revenues referenced and prescribed below, as reported in the two most recent City Annual Comprehensive Financial Reports (“ACFR”).

2.1 The formula for calculating the next fiscal year (Target Year) appropriation will be a function of the following factors, as reported in ACFR, Schedule 1:

- A1 = Total General Property Taxes revenue in fiscal year 1;
- A2 = Total General Property Taxes revenue in fiscal year 2;
- B1 = Downtown Service District tax fiscal year 1;
- B2 = Downtown Service District tax in fiscal year 2;
- C1 = Total Other Local Taxes revenue in fiscal year 1;
- C2 = Total Other Local Taxes revenue in fiscal year 2;
- D1 = Sum of Local Sales and Use tax, Lodging taxes, and Restaurant Food tax in fiscal year 1;
- D2 = Sum of Local Sales and Use tax, Lodging taxes, and Restaurant Food tax in fiscal year 2.

2.2 The formula for the Target Year appropriation amount will be derived using ACFR for the two fiscal years (fiscal years 1 and 2) beginning three fiscal years before the Target Year. In taking this approach, it is recognized that the ACFR for the fiscal year immediately prior (fiscal year 3) to the Target Year (fiscal year 4) is not typically available until fiscal year 4 is underway.

2.3 The function and, therefore, the presumptive minimum General Fund appropriation amount for SCS for the Target Year appropriation (fiscal year 4) is:

$$f(x) = [(A1 - B1 + A2 - B2) \times 26.559\%] + [(C1 - D1 + C2 - D2) \times 6.005\%]$$

2.4 The application of the formula, using fiscal years 2017 and 2018 data to calculate fiscal year 2020 as the Target Year, is illustrated in Appendix A.

- 47 **3. Net Other Local Taxes Revenue and Net General Property Taxes Revenue.** Local Sales and Use
48 tax, Lodging taxes, and Restaurant Food tax are deducted from Total Other Local Taxes in the formula
49 (“Net Other Local Tax Revenue”) because they are major components of City commercial incentive
50 agreements, including the Economic Development Grant Agreement dated June 26, 2014 by and
51 between the Economic Development Authority of the City of Staunton and Staunton Frontier, LLC
52 and the corresponding Contribution Agreement dated June 26, 2014 by and between the City of
53 Staunton and the Economic Development Authority of the City of Staunton. Downtown Service
54 District tax, already designated for the Staunton Downtown Development Association, is deducted
55 from Total General Property Taxes in the formula (“Net General Property Tax Revenue”) because it is
56 used for specific commercial purposes in the Downtown Service District.
57
- 58 **4.** The result of the Operational Funding Formula represents the minimum level of funding required
59 from the City. Nothing herein prevents the Division Superintendent from recommending and the
60 School Board from requesting or the City Council from appropriating more funding than results from
61 the Operational Funding Formula.
62
- 63 4.1 In the event that the Operational Funding Formula produces a result that would cause the
64 Education Fund appropriation to fall below the appropriation amount provided in the immediately
65 preceding fiscal year, the City Manager or designee, School Superintendent, the Chief Financial
66 Officer and the Schools’ Budget Director will work together to address the shortfall.
67
- 68 4.2 City Council reserves the right to impose new local taxes or increase current local taxes,
69 including property taxes, so as to fund specific needs of the City other than education. Any
70 changes to the tax rates or the constituent elements of General Property Taxes and/or Other Local
71 Taxes revenue (as expressed in the ACFR) will require an evaluation of the impact of such
72 changes on the Operational Funding Formula. The City Manager or designee, Division
73 Superintendent, the Chief Financial Officer and the Schools’ Budget Director will conduct this
74 evaluation annually by 30 June.
75
- 76 **5.** Coordination between the City and SCS for debt issuance planning shall take place as part of the
77 annual capital improvement plan to ensure ongoing compliance with the City’s debt policy.
78
- 79 **6.** The Operational Funding Formula will be used to calculate the baseline General Fund annual
80 appropriation amount for SCS beginning with the FY 2024 budget.
81
- 82 **7.** The School Board and Staunton City Council will ratify and affirm this MOU.
83
- 84 **8. Subject to Appropriation.** The School Board and the Staunton City Council acknowledge that
85 Virginia law prohibits a current Board or Council from legally binding a future Board or Council to a
86 specific funding request or appropriation. This agreement is a framework that is subject to an annual
87 appropriation by the Staunton City Council.
88
89
90
91
92
93

AGREED AND ACCEPTED:

Leslie M. Beauregard
Interim City Manager, City of Staunton, VA

Date: _____, 2022

Garett M. Smith
Division Superintendent, Staunton City Schools

Date: _____, 2022

	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
AUDITED TAX REVENUES								
Property Tax Revenue	23,036,507	24,368,117	25,439,640	26,357,304	27,227,252	28,526,046		
Less: Downtown Tax	(117,488)	(120,521)	(116,778)	(122,828)	(142,581)	(128,843)		
Net Property Tax Revenue	22,919,019	24,247,596	25,322,862	26,234,476	27,084,671	28,397,203		
Other Local Tax Revenue	13,324,942	13,673,932	14,715,307	15,960,067	16,129,017	16,631,337		
Less:								
Meals Tax	(3,203,648)	(3,391,336)	(4,118,266)	(4,727,323)	(4,547,853)	(4,715,726)		
Sales Tax	(4,079,919)	(4,039,658)	(4,123,862)	(4,434,974)	(4,855,331)	(5,018,212)		
Transient Occupancy Tax	(677,916)	(640,842)	(677,916)	(874,948)	(785,605)	(713,444)		
Net Other Local Tax Revenue	5,363,459	5,602,096	5,795,263	5,922,822	5,940,228	6,183,955		
Total	28,399,966	29,970,213	31,234,903	32,280,126	33,167,480	34,710,001		

Downtown Tax revenue is designated for a specific purpose.

Meals, Sales and Transient Occupancy Tax revenues are designated, in part, to an Economic Development Grant agreement.

Revenue Growth Pct:	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Std Deviation	Average
Property Tax Revenue		5.8%	4.4%	3.6%	3.3%	4.8%	1.0%	4.4%
Net Property Tax Revenue		5.8%	4.4%	3.6%	3.2%	4.8%	1.0%	4.4%
Other Local Tax Revenue		2.6%	7.6%	8.5%	1.1%	3.1%	3.3%	4.6%
Net Other Local Tax Revenue		4.4%	3.4%	2.2%	0.3%	4.1%	1.7%	2.9%
Total		5.5%	4.2%	3.3%	2.7%	4.7%	1.1%	4.1%
Net Other Local Tax as Pct of Net Property Tax	23.402%	23.104%	22.885%	22.576%	21.932%	21.777%	0.6%	22.610%

	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Share of Tax Appropriated for Ed Fund						
Net Property Tax Revenue (NPT)	26.559%	26.559%	26.559%	26.559%	26.559%	26.559%
Net Other Local Tax Revenue (NOLT)	6.005%	6.005%	6.005%	6.005%	6.005%	6.005%
NOLT as Pct of NPT	22.610%	22.610%	22.610%	22.610%	22.610%	22.610%

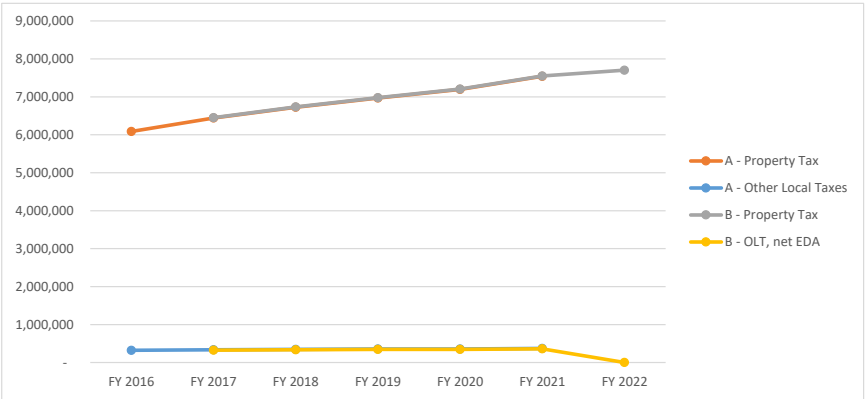
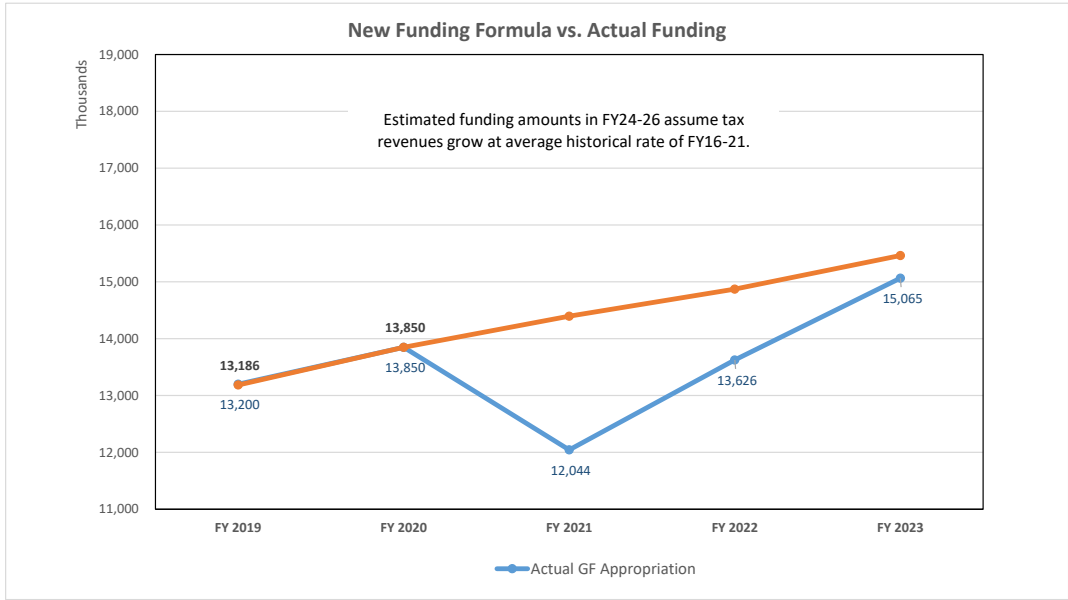
The shares of NPT & NOLT in the formula were set to return the same GF appropriation amount as was actually provided in FY2020. (Use Goal Seek function in Excel. Set cell F36 to value \$13,850,000 by changing cell B25).

Appropriation for Ed Fund						
Net Property Tax Revenue (NPT)	6,087,141	6,440,002	6,725,586	6,967,705	7,193,511	7,542,111
Net Other Local Tax Revenue (NOLT)	322,076	336,406	348,006	355,665	356,711	371,346
Total	6,409,217	6,776,408	7,073,592	7,323,370	7,550,222	7,913,457

The average ratio of NOLT to NPT is used to establish the relative weights of NOLT & NPT allocated to the Education Fund. Specifically, the pct of NOLT to the pct of NPT is **22.610%**.

Actual GF Appropriation	11,989,100	12,371,800	12,750,000	13,200,000	13,850,000	12,044,410	13,626,250	15,065,237
Formula GF Appropriation				13,185,625	13,850,000	14,396,962	14,873,592	15,463,679
Variance: Formula to Actual				(14,375)	-	2,352,552	1,247,342	398,442
Pct Variance				-0.1%	0.0%	19.5%	9.2%	2.6%

Pct Contribution to Appropriation:								
X-2 Net Property Tax				46.2%	46.5%	46.7%	46.8%	46.5%
X-1 Net Property Tax				48.8%	48.6%	48.4%	48.4%	48.8%
X-2 Net Other Local Tax				2.4%	2.4%	2.4%	2.4%	2.3%
X-1 Net Other Local Tax				<u>2.6%</u>	<u>2.5%</u>	<u>2.5%</u>	<u>2.4%</u>	<u>2.4%</u>
				100.0%	100.0%	100.0%	100.0%	100.0%



CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	August 25, 2022	Leslie Beauregard Interim City Manager John C. Blair, II City Attorney
Item #	G	
Department:	City Manager	
Alignment with Staunton Plan (Value/Strategic Area):	Strategic Area: Responsive, Efficient Government	
Subject:	Resolution Ending Declaration of Local Emergency Beginning July 6, 2022	

Background: In response to a significant weather event that occurred on July 6, 2022, and the effects from it, involving sudden, intense rain and hail and strong wind gusts, the Interim City Manager, in her capacity as Director of Local Emergency Management, retroactively declared a local emergency effective as of July 6, 2022.

At its July 28, 2022 meeting, the Staunton City Council adopted a Resolution Consenting to and Confirming the July 6, 2022 Local Emergency.

On August 4, 2022, the City of Staunton's Department of Finance received a communication from the Virginia Department of Emergency Management recommending that the City end its Declaration of Local Emergency.

Virginia Code Section 44-146.21 authorizes a local governing body to end the local Declaration of Emergency "...when in its judgment all emergency actions have been taken, shall take appropriate action to end the declared emergency."

Attachments:

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

Attachment 2—Resolution of the Council of the City of Staunton, Virginia Consenting to and Confirming Declaration of a Local Emergency Beginning July 6, 2022

Attachment 3—Resolution Ending July 6, 2022 Declaration of Local Emergency

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

Suggested Motion: I move to adopt the resolution ending the declaration of a local emergency beginning July 6, 2022, in the City of Staunton.

Interim City Manager: Leslie Beauregard

**DECLARATION OF LOCAL EMERGENCY
BY THE CITY OF STAUNTON
LOCAL DIRECTOR OF EMERGENCY MANAGEMENT**

WHEREAS, Virginia Code § 44-146.21 authorizes the declaration of a local emergency;

WHEREAS, retroactive to Wednesday, July 6, 2022, Leslie M. Beauregard, Interim City Manager and Emergency Management Director of the City of Staunton, Virginia did find and declares:

1. That due to a significant weather event (and necessarily the effects from it), involving sudden, intense rain and hail and strong wind gusts, the City of Staunton, Virginia faced dangerous conditions of sufficient scope, severity and magnitude to merit coordinated local government emergency management action to prevent or alleviate the damage, loss, hardship or suffering threatened or caused; and

2. That due to the significant weather event a condition of extreme peril to life and property necessitated and merits such declaration or proclamation of the existence of a local emergency beginning July 6, 2022, and such circumstances continue, with conditions of sufficient severity and magnitude to merit coordinated local government emergency management action to prevent or alleviate the damage, loss, hardship or suffering threatened or caused or being caused;

WHEREAS, such conditions necessitate the declaration of the existence of a local emergency, to the fullest extent permitted by law; and

WHEREAS, these recitals are an integral part of this declaration.

NOW, THEREFORE, pursuant to Virginia Code § 44-146.21, subject to confirmation of Council of the City of Staunton, Virginia, Leslie M. Beauregard, Interim City Manager and Emergency Management Director for the City of Staunton, Virginia, declares the existence and continuance of a local emergency in the City of Staunton, to the fullest extent permitted by law; and

IT IS FURTHER DECLARED AND ORDERED that, to the fullest extent permitted by law, during the existence of such emergency the powers, functions, and duties of the Local Emergency Management Director and local emergency services planning organization or committee and City staff shall be those prescribed by state law and the ordinances, resolutions, and authorized plans of the City of Staunton in order to mitigate the effects and otherwise address such emergency.



Leslie M. Beauregard,
Interim City Manager and
Emergency Management Director

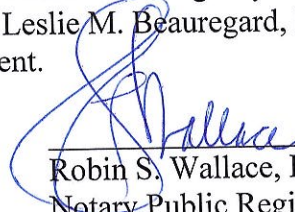
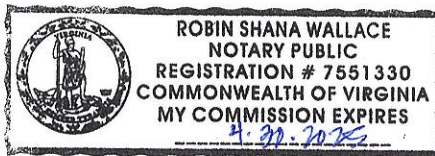
Date: 7/13/2022

Time: 3:55 p.m.

State of: Virginia

City of: Staunton, to wit:

The foregoing Declaration of Local Emergency was acknowledged before me
this 13th day of July, 2022, by Leslie M. Beauregard, Interim City Manager and
Director of Emergency Management.



Robin S. Wallace, Legal Manager & FOIA Officer
Notary Public Registration # 7551330
My commission expires: 4.30.2025

**RESOLUTION
OF THE
COUNCIL OF THE CITY OF STAUNTON, VIRGINIA
CONSENTING TO AND CONFIRMING DECLARATION OF A LOCAL
EMERGENCY BEGINNING JULY 6, 2022**

Recitals

- A.** Virginia Code § 44-146.21 authorizes the declaration of a local emergency;
- B.** Section 11 of the Charter of the City of Staunton also grants broad powers to City Council;
- C.** Retroactive to July 6 2022, Leslie M. Beauregard, Interim City Manager and Emergency Management Director of the City of Staunton, Virginia did find and declare:
- C.1.** That due to a significant weather event (and necessarily the effects from it), involving sudden, intense rain and hail and strong wind gusts, the City of Staunton, Virginia faced dangerous conditions of sufficient scope, severity and magnitude to merit coordinated local government emergency management action to prevent or alleviate the damage, loss, hardship or suffering threatened or caused by the event; and
- C.2.** That due to the significant weather event a condition of extreme peril to life and property necessitated and merits such declaration or proclamation of the existence of a local emergency beginning July 6, 2022, and such circumstances continue, with conditions of sufficient severity and magnitude to merit coordinated local government emergency management action to prevent or alleviate the damage, loss, hardship or suffering threatened or caused or being caused by the event;
- D.** These recitals are an integral part of this resolution.

NOW, THEREFORE, the Council of the City of Staunton, Virginia:

1. CONFIRMS, RESOLVES, AND DECLARES, pursuant to Virginia Code § 44-146.21 and such other applicable laws, including, but not limited to, the powers granted by the Charter of the City of Staunton, Virginia, that on July 6, 2022, the Council of the City of Staunton, Virginia, could not and did not convene due to the exigent circumstances and that a local emergency did exist throughout the City of Staunton, Virginia, and continues; and

2. CONFIRMS, RESOLVES, DECLARES AND ORDERS that during the existence of such emergency, the powers, functions, and duties of the Local Emergency Management Director and local emergency services planning organization or committee and City staff shall be those prescribed by Virginia law and the ordinances, resolutions, and approved plans of the City of Staunton in order to mitigate and otherwise address the effects of such emergency; and

47 **3. RESOLVES** that now and retroactively to and including July 6, 2022, Council
48 **CONSENTS** to and **CONFIRMS** such declaration of local emergency, and **RATIFIES** and
49 **AFFIRMS** that all City officials are granted such authority, pursuant to extant law, in such
50 circumstances to take all actions, to the fullest extent permitted by law, to prevent or alleviate the
51 damage, loss, hardship or suffering threatened or caused or being caused by such local emergency;
52 and
53

54 Introduced: July 28, 2022

55 Adopted: July 28, 2022

56 Effective: Retroactively as provided
57

58 _____
59 Andrea W. Oakes, Mayor
60

61
62 Attest: _____
63 Kiley A. Kesecker, Clerk of Council

Recitals

RESOLVES AND DECLARES, pursuant to Virginia Code § 44-146.21 and such other applicable laws, including, but not limited to, the powers granted by the Charter of the City of Staunton, Virginia, that the July 6, 2022 declaration of local emergency is ended.

Introduced: August 25, 2022
Adopted: August 25, 2022
Effective: August 25, 2022

Andrea W. Oakes, Mayor

Attest: _____
Kiley A. Kesecker, Clerk of Council