

BROADWAY TOWN COUNCIL

September 6, 2016

The Broadway Town Council met in regular session on September 6, 2016 in the Council Chambers of the Broadway Municipal Building. The following members were present: Mayor Timothy S. Proctor and Council Members Chad L. Comer, Leslie E. Fulk, Richard E. Fulk, Douglas W. Harpine, Beverly L. London, and Fred M. Olson III. The following staff members were present: Town Manager Kyle O'Brien, Clerk/Treasurer Marla W. Kline, Attorney Ashley Waterbury, and Chief Randy Collins. Also in attendance were Bonnie Caplinger, Al Couric, Katelyn Dean, Robert Dean, Evan Leichty, Michael Noble, Elijah Powell, Tim Schmoyer, Darlene Sites, John Sites, Khampha Stempel, and Nolan Stout.

Mayor Timothy S. Proctor called the meeting to order at 7:00 p.m. with a salute to the U. S. Flag and invocation.

Mayor Proctor asked everyone to take a moment to remember Roy Billhimer who recently passed away. He stated that Mr. Billhimer was very instrumental in promoting the Broadway community, especially having been greatly involved in the Broadway High School Booster Club and Broadway Bruins baseball organization.

Approval of Minutes and Bills:

Fred M. Olson III moved, seconded by Douglas W. Harpine, to adopt the minutes of the August 2, 2016 session of Council and to authorize payment of bills in the amount of \$855,543.69. The motion was approved with the following recorded roll call vote:

Chad L. Comer	Aye	Leslie E. Fulk	Aye
Richard E. Fulk	Aye	Douglas W. Harpine	Aye
Beverly L. London	Aye	Fred M. Olson III	Aye

Old Business:

Town Manager Kyle O'Brien reported on the following items of Old Business:

- **WWTF Upgrade project:** The project is continuing to go well and currently remains ahead of schedule and on budget.
- **Central Street:** This project is wrapping up. The entrance to the apartment building is currently underway and work will begin on the southern wall shortly. Paving will be completed within the next couple of weeks.

Committee Reports:

Parks & Recreation Committee:

Chairman Douglas W. Harpine moved, seconded by Richard E. Fulk, to ratify and approve a Memorandum of Understanding between the Schultz Theatre and the Town, a copy of which is included in the minutes as Attachment A. The motion was approved with the following recorded roll call vote:

Chad L. Comer	Aye	Leslie E. Fulk	Aye
Richard E. Fulk	Aye	Douglas W. Harpine	Aye
Beverly L. London	Aye	Fred M. Olson III	Aye
Timothy S. Proctor	Aye		

Mr. Harpine stated that he is very pleased with how the park currently looks. He noted that it has been a very busy summer and the pool is now closed. He suggested that since the park restrooms

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will be winterized and closed, that the portable toilets be left in place year-round to accommodate users of the park. Members concurred with Mr. Harpine's recommendation.

Finance Committee:

Chairman Richard Fulk stated that is necessary to reappoint Susan Olson and Nelson Showalter to the Broadway Industrial Development Authority (IDA) as their terms have expired. Richard E. Fulk moved, seconded by Chad L. Comer, to adopt a **RESOLUTION REGARDING APPOINTMENTS TO INDUSTRIAL DEVELOPMENT AUTHORITY**, a copy of which is included in the minutes as Attachment B. The motion was approved with the following recorded roll call vote:

Chad L. Comer	Aye	Leslie E. Fulk	Aye
Richard E. Fulk	Aye	Douglas W. Harpine	Aye
Beverly L. London	Aye	Fred M. Olson III	Abstain
Timothy S. Proctor	Aye		

Personnel/Police Committee:

Chairman Leslie Fulk stated that each member has received a copy of an activities report for the police department for the month of August and it is included in the minutes as Attachment C.

Mr. Fulk advised that Timberville resident Kevin Hinkle's term on the Joint Board of Zoning Appeals has expired and the Town of Timberville recently adopted a resolution reappointing Mr. Hinkle to the Board. He stated that since it is a Joint Board, it is necessary for Broadway to adopt a similar resolution. Leslie E. Fulk moved, seconded by Fred M. Olson III, to adopt a resolution recommending reappointment of Kevin Hinkle to the Joint Board of Zoning Appeals for a term which shall end on August 1, 2021. The motion was approved with the following recorded roll call vote:

Chad L. Comer	Aye	Leslie E. Fulk	Aye
Richard E. Fulk	Aye	Douglas W. Harpine	Aye
Beverly L. London	Aye	Fred M. Olson III	Abstain
Timothy S. Proctor	Aye		

A copy of the resolution is included in the minutes as Attachment D.

Streets & Properties Committee:

Chairman Chad Comer reported that his committee discussed the purchase of a much needed bucket truck and is recommending proceeding with the purchase. Chad L. Comer moved, seconded by Beverly L. London, to purchase a 2008 Chevrolet C4500 bucket truck at a net price of \$27,210.00. The motion was approved with the following recorded roll call vote:

Chad L. Comer	Aye	Leslie E. Fulk	Aye
Richard E. Fulk	Aye	Douglas W. Harpine	Aye
Beverly L. London	Aye	Fred M. Olson III	Aye
Timothy S. Proctor	Aye		

Utilities Committee:

Chairperson Bev London advised that the committee discussed and is prepared to make a recommendation regarding transfer of a land application permit from Agri Sludge to the Town. The Town Manager stated that Agri Sludge is no longer handling sludge from the Pilgrim's Pride Moorefield facility, leaving only the amount that is generated from the Town's plant to land apply in the area. He further stated that since Agri Sludge is an Ohio based company, it didn't make sense for them to continue to work in this area and they made their intentions known that they would be leaving. Ms. London stated that the committee discussed at length various options and concurred that the best solution was for the Town to purchase the permit, and

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handle the land application process itself through the use of subcontractors to haul and land apply the sludge. Beverly L. London moved, seconded by Leslie E. Fulk, to purchase the land application permit from Agri Sludge in the amount of \$50,000, payable in early 2017, thus transferring the permit from Agri Sludge to the Town. The motion was approved with the following recorded roll call vote:

Chad L. Comer	Aye	Leslie E. Fulk	Aye
Richard E. Fulk	Aye	Douglas W. Harpine	Aye
Beverly L. London	Aye	Fred M. Olson III	Aye
Timothy S. Proctor	Aye		

A copy of the water production report for the month of August is included in the minutes as Attachment E.

BHP:

Council representative Fred Olson reported that the Board met August 10, 2016. He reminded everyone that the Autumn Day celebration will be held on September 10, 2016. He also mentioned that the Kids Fishing Day, which was postponed in the spring due to rain, has been cancelled for this year as a result of the water being too warm.

Planning Commission Report:

Council representative Fred Olson stated the Commission has not had a need to meet; however, there are two vacant seats on the Commission. He advised that Town resident Larry Barb has agreed to serve on the Commission. Fred M. Olson III moved, seconded by Douglas W. Harpine, to appoint Larry Barb to Commission for a four year term beginning 9/6/16 and ending 9/5/20. The motion was approved with the following recorded roll call vote:

Chad L. Comer	Aye	Leslie E. Fulk	Aye
Richard E. Fulk	Aye	Douglas W. Harpine	Aye
Beverly L. London	Aye	Fred M. Olson III	Aye
Timothy S. Proctor	Aye		

Council members encouraged any residents willing to serve on the Commission to submit their names for consideration.

New Business:

There were no items of new business.

Public Comment:

Town resident Michael Noble stated that he is very pleased that the Town is continuing to have a restroom facility at the park year round and encouraged the Council to consider looking at a permanent year round facility. Mr. Noble also asked how often the Town's website is updated to which Mr. O'Brien explained that the Town is in the process of attempting to make it more mobile friendly. Mr. O'Brien further noted that the Town's Facebook page is updated more frequently.

Mayor Proctor and Council welcomed visitors from Eastern Mennonite High School and Broadway High School government classes.

There being no further business, the meeting was adjourned.

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Timothy S. Proctor

Mayor

Marla W. Kline, MMC

Clerk