

## BROADWAY TOWN COUNCIL

October 1, 2019

The Broadway Town Council met in regular session on October 1, 2019 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, David L. Jordan, and Beverly L. London. The following staff members were present: Town Manager Kyle D. O'Brien, Clerk/Treasurer Marla W. Kline, Police Chief Randy Collins, Town Attorney Matt Light and Attorney Joel Francis. Also in attendance were Joe Adolph, Irvin Armentrout, Joshua Armentrout, Brenda Black, Ed Blackwell, Kathy Boase, Jaylen Flesher, Sallie Wolfe Garrison, Benjamin Hess, Bo Hotchkiss, Thaddeus Jackson, Joy Kauffman, Kent Kauffman, Tim Knight, Mac Nichols, Melissa Nguyen, Michael Noble, Amy Ours, Marcie Phares, Neil Phares, Harvey Runion, Faith Sams, Kathie See, Darlene Sites, John Sites, Amanda Thompson, and Charlie Wilfong.

Mayor Timothy S. Proctor called the meeting to order at 7:00 p.m. with the Pledge of Allegiance followed by the invocation.

### **Approval of Minutes and Bills:**

Douglas W. Harpine moved, seconded by Richard E. Fulk, to adopt the minutes of the September 3, 2019 session of Council and to authorize payment of bills in the amount of \$463,141.88. 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
David L. Jordan	Aye	Beverly L. London	Aye

### **Public Hearing: Proposed Annexation:**

Mayor Proctor advised everyone that the Council will be holding the Public Hearing on the annexation request; however, the Public Hearing for the rezoning request of Rockingham Petroleum will not be held, due to the Planning Commission tabling the request at its meeting held last night. He stated that this hearing is strictly to receive comments concerning the annexation; however, it is recognized that comments pertaining to the annexation request and rezoning request may overlap. He further stated that at past meetings, Council members have engaged in conversation about the proposed plans, but tonight's hearing is solely an opportunity for the public to speak.

Ed Blackwell of Blackwell Engineering, Engineer for Rockingham Petroleum addressed the Council and stated that there are five different tax parcels that are being proposed to be annexed with this request. As the process moves forward as it pertains to the proposed Rockingham Petroleum site, they will be working with DEQ, Rockingham County, and the Town to address utilities, stormwater and any other environmental and regulatory issues.

Mac Nichols, Attorney for Rockingham Petroleum, addressed the Council and stated that as per the Town's 1990 annexation agreement with Rockingham County, it is the Town's duty to seriously consider any request for development in the proposed annexation area. He further commented that the proposed use and annexation is supported in the Comprehensive Plans of the Town of Broadway and Rockingham County.

Mayor Proctor opened the Public Hearing and invited anyone wishing to speak in favor of or in opposition to the annexation request. He asked that each person state his/her name and address and noted that each speaker will be limited to three minutes.

Bonnie Caplinger, 201 McKinley Drive, spoke in favor of the annexation request. She stated that

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she feels often, there is opposition to new businesses coming into town; however, new blood is needed in order for the Town to succeed.

Bo Hotchkiss, 4222 Shady Oak Drive, stated that every potential development needs to stand on its own and there are safety and environmental problems in this area. He further stated the gas station/convenience store being proposed at this location is clearly misplaced.

Joy Kauffman, 3768 Mayland Road, stated she is not opposed to the annexation; however, is concerned about the traffic on an already busy road with the addition of new entrances.

Michael Noble, 172 Second Street, expressed concern regarding the traffic and about additional trash, as he helps clean this section of the Adopt-a-Highway program.

Charlie Wilfong, 264 East Springbrook Road, stated he is not opposed to the annexation; however, is concerned about the proposed use of this property. He commented that he would prefer that the area stay residential; and if the annexation moves forward, there will be much more truck traffic.

Brenda Black, 164 Dogwood Drive, stated she is in support of annexation and community growth; however, she is not supportive of the proposed use of this property.

Jaylen Flesher, Main Street, stated she is not opposed to the annexation, but is concerned about traffic in the vicinity. She suggested that a stoplight be added in front of the high school to help accommodate traffic.

Amanda Thompson, 282 Keckley Court, stated she is pleased the Town is attempting to make Broadway more pedestrian friendly; however, is concerned about pedestrian safety/traffic.

Faith Sams, 196 Holly Hill St., stated she is a new resident in the Town and one of the reasons she moved to this area is because she likes the quiet community. She fears this type of growth would be taking the Town in a different direction.

Kent Kauffman, 3768 Mayland Road, commented that the area where he lives has become more residential since the Town's 1990 annexation agreement and he does not think a gas station in this area will make a good neighbor. He feels this type of development (with high volume traffic and diesel fuel station) is offensive to the neighboring church and high school; and he has concerns regarding safety, stormwater runoff, and how the church's well (water) may be affected.

After confirming there was no one else in attendance wishing to speak, Mayor Proctor closed the Public Hearing and stated the Planning Commission will be addressing the rezoning request at its next meeting; and most likely, both the annexation request and rezoning request will be addressed by the Council at its November 5, 2019 meeting. It was clarified that the Planning Commission may choose to approve, deny or table the request, but if no action is taken within 60 days, the proposal will automatically come back to the Council for consideration.

After a brief recess, Mayor Proctor reconvened the meeting.

### ***Old Business:***

Town Manager Kyle O'Brien provided a review of current projects, including photos of the new Turner Avenue sidewalk, as well as various paving projects throughout the Town. He noted that

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several of the paving projects have allowed the Town to make improvements to its water/sewer system and address various drainage issues at the same time as the paving.

**Committee Reports:**

**Parks & Recreation Committee:**

Chairman Doug Harpine noted that leadership of the Little League has changed, and the Town will be meeting with representatives shortly to make sure everyone knows what projects still need to be completed and whose responsibility those projects are with field 3 being a priority.

**Finance Committee:**

Chairman Richard Fulk reported that the Virginia Resources Authority contacted the Town regarding the possibility of refinancing a portion of its existing wastewater debt. After a thorough review, the Finance Committee determined that it was in the Town's best interest to move forward with this refinancing, as it will save the Town approximately \$250,000 over the life of the bond. The exact amount will be determined at closing by the end of October and will be dependent upon the market rates at that time. Richard Fulk moved, seconded by Beverly London, to adopt ***AN ORDINANCE AND RESOLUTION AUTHORIZING AND APPROVING THE ISSUANCE AND SALE OF AN AGGREGATE TOWN OF BROADWAY, VIRGINIA GENERAL OBLIGATION AND SEWER REVENUE REFUNDING BOND IN THE MAXIMUM PRINCIPAL AMOUNT OF \$8,665,000, AND SETTING FORTH THE FORM, DETAILS AND PROVISIONS FOR THE PAYMENT THEREOF***, 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
David L. Jordan	Aye	Beverly L. London	Aye
Timothy S. Proctor	Aye		

**Personnel/Police Committee:**

A copy of an activities report for the police department for the month of September is included in the minutes as Attachment B.

**Streets & Properties Committee:**

No report.

**Utilities Committee:**

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

**BHP:**

Council representative Chad Comer reported Oktoberfest was held this past Friday night and there was a very good turnout with 350-400 people. He advised that Halloweenfest will be held in downtown on October 24, 2019 from 4:00-7:00 p.m.

**Planning Commission Report:**

Council representative David Jordan reported that a public hearing had been held Monday, September 30<sup>th</sup>, at which the rezoning request for Rockingham Petroleum was tabled. He announced the next Planning Commission meeting will be on October 21, 2019 at 7:00 p.m.

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**New Business:**

There were no items of new business.

**Public Comment:**

Jen Knick, Assistant Principal at Broadway High School, updated the Council on happenings at the school, including the homecoming parade scheduled for this Friday, October 4, 2019 at 5:00 p.m. followed by the football game at 7:30 p.m. She also advised that next Friday, October 11, 2019 will be the school's "Gobblers Give-Back Day" which will provide opportunities for students to do community service projects. Additionally, she mentioned the school's Hall of Fame inductions and dinner will be held the first weekend in November. She concluded by advising that the Virginia Department of Education gives schools throughout Virginia a color-rating and last year, the school had received one yellow for reading. She stated that she is pleased to announce that this year, the school received all green designations.

Bonnie Caplinger asked if the speed limit coming into town on Mayland Road could be lowered from the current 45 mph. Mr. O'Brien advised that VDOT has been contacted regarding this issue and advised that an additional traffic study would need to be conducted to determine the feasibility of this. Further, he stated that if the convenience store should be approved, VDOT would look at this following the development of the site.

Michael Noble commented that although the Ocktoberfest was a good event, he was sorry it conflicted with the high school football game. Chad Comer stated that unfortunately, BHP establishes dates in January for its year's events, but some other organizations' activities are not planned until later in the year.

Mr. Noble also commented that it would be helpful if traffic problems that occur outside the Town could be communicated to the Town when they happen, so that Town officers are aware of the situation and be prepared to handle additional traffic congestion.

There being no further business, the meeting was adjourned.

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Timothy S. Proctor

Mayor

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Marla W. Kline, MMC

Clerk