

BROADWAY TOWN COUNCIL

September 3, 2019

The Broadway Town Council met in regular session on September 3, 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, and Beverly L. London. Council members Douglas W. Harpine and David L. Jordan were absent. The following staff members were present: Town Manager Kyle D. O'Brien, Clerk/Treasurer Marla W. Kline, Police Officer Jason Fulk, Town Attorney Matt Light and Attorney Joel Francis. Also in attendance were Joe Adolph, Katy Arenas, Irvin Armentrout, Ed Blackwell, Julia Breneman, Morgan Brown, Lindsay Finnegan, Jaylen Flesher, Yates Hall, Jaris Hernandez, Amelia Hotchkiss, Bo Hotchkiss, Sherri Hotchkiss, Joy Kauffman, Kent Kauffman, Keith May, Marya Miller, Mac Nichols, Breanna Ours, Dana Ours, Marcie Phares, Neil Phares, Chris Reedy, Hannah Showalter, Logan Strawderman, Lea Summers, Bailey Tippet, Emily Turner, Marissa Williams, and Joseph Wimer.

Mayor Timothy S. Proctor called the meeting to order at 7:00 p.m. with a moment of remembrance for Larry Barb, a resident of the Town and member of the Planning Commission, who passed away last week.

Mayor Proctor then led the Pledge of Allegiance followed by the invocation.

Approval of Minutes and Bills:

Beverly L. London moved, seconded by Chad L. Comer, to adopt the minutes of the August 6, 2019 session of Council and to authorize payment of bills in the amount of \$605,590.57. 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	Absent
David L. Jordan	Absent	Beverly L. London	Aye

Presentation-Rockingham Petroleum:

Mayor Proctor invited Irvin Armentrout, Manager of Rockingham Petroleum, to make a presentation regarding the Cooperative's recent annexation and rezoning requests. Mr. Proctor advised those in attendance that after the presentation, a question/answer, comment session will be held; but noted, this is not a public hearing and there will be other opportunities in the future for additional comments/concerns.

Mr. Armentrout advised that the Cooperative is made up of 3,000+ member/owners with approximately 20,000 customers. He stated that the company has submitted a site plan which includes a fuel pump island, convenience store, area for a fast food entity, and truck fueling area. He stated that although diesel fuel is a part of the facility, the company has no intentions of creating a "truck stop" and there will absolutely be no overnight parking or truck stop facilities. He noted that the site plan includes limited commercial parking simply for the ease of drivers to access the convenience store and fast food facility. He added that the company also has no plans for the storage of or distribution of propane. He stated that prior to developing the site plan, they met with Virginia Department of Transportation (VDOT) officials to see if there was an acceptable entrance to the property and it was determined that it could be adequately accessed from Route 259, as well as from Springbrook Road. He further stated that it is the Board of Directors position not to sell alcohol so they do not feel there should be issues with the property's proximity to Broadway High School. Mr. Armentrout acknowledged that the property does contain some rough terrain, with a cave on the west end of the property; however, it is not included as part of the development footprint.

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Mr. Armentrout concluded that he does believe the proposed use will generate an overall increase in revenue throughout the Town, because of the company's diesel gold fuel, as well as non-ethanol blends that currently are not available in town. He advised that the company's attorney Mac Nichols, Ed Blackwell of Blackwell Engineering, and Keith May, a local real estate agent, are also in attendance to answer questions anyone may have.

Mayor Proctor then opened a public comment period for anyone wishing to ask representatives of the project any questions.

Bo Hotchkiss stated that he has expressed concerns regarding this proposed plan at the last several Council meetings and he does not feel this development belongs at this site. He commented that it is located near the high school and is between two major intersections. He stated that he feels this is a dangerous location, and although it appears there are VDOT approved entrances included in the site plan, conversations he has had with VDOT indicate they have concerns and are not supportive of this proposal.

Joseph Wimer, a Broadway High School student, asked if the developer feels that a fast food entity at this location will cause more students to cross Springbrook Road, thus creating more traffic; and also inquired as to the purpose of a barbecue pit showing on the plan. Mr. Armentrout responded that as with any development, it will most likely create additional traffic. He advised that the reasoning behind the barbecue pit is that with new construction slated to begin on the bridge on Route 259 West, they felt it may impact the existing pit and they are willing to incorporate one into their site plan to benefit the various organizations that may be impacted and the community.

Joy Kauffman stated that she too has previously expressed concerns regarding the safety of this road, more specifically the area in front of her driveway where her son waits for the school bus. She further stated that she feels this development will impact an already unsafe road.

Kent Kauffman, noting numerous traffic accidents that have occurred in this area, mentioned that he does feel this development will act as a magnet and traffic conditions will worsen.

On an additional traffic-related note, Mr. Blackwell advised that they intend to work very closely with VDOT to make sure there are safe entrances and to determine how this portion of 259 may be improved to coincide with future improvements to this road.

Sherri Hotchkiss challenged everyone to monitor this area to see how heavily travelled it is by students and school buses.

Marcie Phares commented that traffic in the vicinity of the high school is very dangerous and she feels traffic needs to be carefully looked at, not only because of this proposed development, but in general.

Mayor Proctor closed the public comment period and reminded everyone that public hearings are scheduled for the Planning Commission on September 30, 2019 and the Council on October 1, 2019, at which times opportunities for further input will be allowed. He further reminded everyone that the Council needs to depend on the findings of various agencies such as VDOT and the Department of Environmental Quality (DEQ) when considering any request and making decisions. Additionally, he, along with Town Attorney Matt Light, noted that in the Town's annexation agreement with Rockingham County, it specifies that the Town shall seriously consider any development in its

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annexation area.

After a brief recess, Mayor Proctor reconvened the meeting.

Old Business:

Town Manager Kyle O'Brien showed images of the new sidewalk being constructed on Turner Avenue connecting the existing sidewalk to John C. Myers Elementary School. He stated the Town is very pleased that it could proceed with this project and it should be completed by early fall.

Committee Reports:

Parks & Recreation Committee:

Mr. O'Brien reported that after having a very good summer, the pool is now closed.

Finance Committee:

Chairman Richard Fulk reminded members that each year, the Town is required to establish a personal property tax relief rate. He then moved, seconded by Beverly L. London, to adopt a personal property tax relief rate in the amount of 45%, which again mirrors that of Rockingham County. 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	Absent
David L. Jordan	Absent	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 August is included in the minutes as Attachment A.

Streets & Properties Committee:

Chairman Chad Comer reported that street paving will be starting shortly and reminded everyone that the schedule includes Church, Miller, and Mason Streets, Atlantic Avenue, Crestover Drive, Hearthstone, and a small portion of the bridge on Early Drive.

On another note, Mr. Comer advised that at the committees meeting, the Council discussed and agreed to recommend the disposal of a dump truck and police cruiser. Chad L. Comer moved, seconded by Leslie E. Fulk, to declare a 1985 dump truck and a 2008 police cruiser surplus and to authorize the Town Manager to dispose of same through sale by a sealed bid process. 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	Absent
David L. Jordan	Absent	Beverly L. London	Aye
Timothy S. Proctor	Aye		

Utilities Committee:

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

BHP:

Council representative Chad Comer reminded everyone that the Autumn Day festival will be held on

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September 14, 2019 and Oktoberfest is scheduled for September 27, 2019.

Planning Commission Report:

It was announced the Planning Commission will meet on September 16, 2019 at 7:00 p.m.

New Business:

There were no items of new business.

Public Comment:

Kent Kauffman applauded the Town on the new Turner Avenue sidewalk project. Council member Bev London commented that Mr. O'Brien should be commended for his perseverance in the bidding process to allow the Town to financially be able to complete this project.

Mayor Proctor recognized high school government students in attendance.

There being no further business, the meeting was adjourned.

Timothy S. Proctor

Mayor

Marla W. Kline, MMC

Clerk