

BROADWAY TOWN COUNCIL

January 7, 2020

The Broadway Town Council met in regular session on January 7, 2020 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 Planning Commission members were present: Kathy Boase, Eddie Long, and Steve Shifflett. The following staff members were present: Town Manager Kyle D. O'Brien, Clerk/Treasurer Marla W. Kline, Police Chief Randy Collins, Officer Jason Fulk, Town Attorney Matt Light, and Assistant Town Attorney Joel Francis. Also in attendance were James and Rosemary Hess.

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 Beverly L. London, to adopt the minutes of the December 3, 2019 session of Council and to authorize payment of bills in the amount of \$391,758.09. 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: Special Use Permit, 354 Meyers Court:**

Mayor Proctor advised that the first item of business is a Public Hearing to consider a request for a Special Use Permit (SUP) from James and Rosemary Hess for a short-term rental (Air BnB) at 354 Meyers Court. He stated that any short-term rental in an R-1 zoning district requires a SUP.

Mayor Proctor opened the Public Hearing and invited anyone wishing to speak in favor of or in opposition to the Special Use Permit request to do so. He noted that the Town has received one written letter of support from a neighbor.

After confirming there was no one in attendance wishing to speak, Mayor Proctor closed the Public Hearing and asked for the Planning Commission's recommendation.

The Planning Commission then convened and Chairman Boase advised this matter was discussed at their regular December meeting, and there were no objections to the request, pending the result of the public hearing. Eddie Long moved, seconded by Steve Shifflett, to recommend approval of the Special Use Permit. The recommendation was approved with the following recorded roll call vote:

Kathy Boase	Aye	David Jordan	Aye
Eddie Long	Aye	Steve Shifflett	Aye

Having heard the Planning Commission's recommendation, David L. Jordan moved, seconded by Douglas W. Harpine, to approve the Special Use Permit request of James and Rosemary Hess which will allow property located at 354 Meyers Court for the use of a short-term rental (Air BnB). 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		

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**Appointment of Planning Commission Member:**

Mayor Proctor stated the next item of business is the appointment of a Planning Commission member to fill the vacant seat of Larry Barb who recently passed away. Leslie E. Fulk moved, seconded by Beverly L. London, to appoint Brenda Pultz to fill the vacated seat. 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	Abstain		

Mayor Proctor noted although he is supportive of the appointment, he will be abstaining from voting on the matter as Ms. Pultz was his former sister-in-law.

**Resolution-Declaration: Sanctuary Town for the 2<sup>nd</sup> Amendment:**

Leslie E. Fulk moved, seconded by David L. Jordan, to adopt a **RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BROADWAY, DECLARATION AS A SANCTUARY TOWN FOR THE SECOND AMENDMENT**. 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		

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

**Old Business:**

Town Manager Kyle O'Brien stated there has been continued discussion with Pilgrim's Pride concerning the construction of an equalization tank at the Town's wastewater treatment facility and Pilgrim's has agreed to move forward with the project.

**Committee Reports:**

**Parks & Recreation Committee:**

Chairman Doug Harpine stated that his committee will be meeting again with Little League officials regarding field readiness for the upcoming season.

**Finance Committee:**

No report.

**Personnel/Police Committee:**

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

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**BHP:**

Council representative Chad Comer mentioned that the Board's first meeting of the year will be Thursday, January 9, 2020.

**Planning Commission Report:**

Council representative David Jordan stated that the only matter of business before the Commission at its December meeting was the Meyers Court Special Use Permit.

**New Business:**

There were no items of new business.

**Public Comment:**

There were no comments from the public.

There being no further business, the meeting was adjourned.

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Mayor

Timothy S. Proctor

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Clerk

Marla W. Kline, MMC