

BROADWAY TOWN COUNCIL

September 7, 2021

The Broadway Town Council met in regular session on September 7, 2021 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, and Beverly L. London. Councilmember David L. Jordan joined the meeting via zoom. The following staff members were present: Town Manager Kyle D. O'Brien, Town Clerk Andrea M. Fulk, Town Attorney Matt Light, Attorney Joel Francis and Chief Douglas Miller. Also in attendance were Joe Adolph, Dale Cupp and Lisa Zweigler.

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:

Beverly L. London moved, seconded by Chad L. Comer, to adopt the minutes of the August 3, 2021 session of Council and to authorize payment of bills in the amount of \$688,811.79. 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

Old Business:

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

- **Pool House:** Yesterday was the last day to what has been a great season. Jill Showalter will be returning next year as pool manager as will her staff. The Town is currently looking into a pool cover that can be maintained over the pool during the off season. A final report for this pool season will be brought to the next meeting.
- **Third Street Project:** Partners is ready to replace the water main and the sewer laterals, completion of the paving will depend on the weather. The residents in this area have been notified.

Committee Reports:

Parks & Recreation Committee:

Chairman Douglas Harpine advised that the committee met to discuss the pool house renovations. Mr. Harpine moved, seconded by David L. Jordan to award the contract to the lowest bidder, Lantz Construction in the amount of \$897,600.00. Mayor Proctor opened the floor for Council discussion.

Council Members Beverly L. London and Richard E. Fulk shared mutual concerns. The first being renovating an old building verses building a new facility. Second, the timing of the project with the price of the materials being up. Finally, could the money be used in a better way such as sidewalks on Turner Avenue or bathrooms at Heritage Park.

Town Manager Kyle O'Brien addressed these concerns by stating at one time it was discussed to tear the building down but after further evaluation it was found that the structure of the building is sound, therefore renovating appears to be the more feasible route. Mr. O'Brien does not feel putting the project off will be more cost efficient, material prices may go down but the ability to obtain a contractor to complete the project will be difficult. Mr. O'Brien further stated that funding for additional sidewalks and bathrooms at Heritage Park has already been allocated through the budget or grant funding. Mr. O'Brien concluded by stating the options are, to accept the bid and move

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forward or discard the redesign of the building and start over with new facility. The decision is up to Council.

Councilman Leslie E. Fulk stated that very good points have been brought up through this discussion. However, this has been on the Councils list for a long time and now seems to be the time to move forward on this project.

Mayor Proctor agreed and stated this has been a thorough discussion and with no further questions he called for the vote.

The motion was approved with the following recorded roll call vote:

Chad L. Comer	Aye	Leslie E. Fulk	Aye
Richard E. Fulk	Nay	Douglas W. Harpine	Aye
David L. Jordan	Aye	Beverly L. London	Nay
Timothy S. Proctor	Aye		

Chairman Harpine concluded the Parks and Recreation report by stating the railing on field one is flimsy and needs to be addressed.

Finance Committee:

No report.

Personnel/Police Committee:

No report. A copy of the police report for the month of August included in the minutes as Attachment A.

Utilities Committee:

Chairman Beverly London stated that after discussions, the committee is recommending the adoption of an amendment for the distribution of the ARPA funds. Beverly L. London moved, seconded by Leslie E. Fulk, to adopt ***AN ORDINANCE TO AMEND THE UNCODIFIED ORDINANCE ADOPTED ON APRIL 6, 2021, REGARDING RELIEF FROM WATER, SEWER, AND TRASH CHARGES, IN ORDER TO MAKE PROVISIONS FOR PARTIAL CREDITS FOR CERTAIN CUSTOMERS AND TO PROVIDE FOR THE IMPLEMENTATION OF CREDITS.*** A copy of the ordinance 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
David L. Jordan	Aye	Beverly L. London	Aye

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

Streets & Properties Committee:

Chairman Chad Comer stated Mr. O'Brien has already discussed the Third Street project. Mr. Comer stated there is also a revision to the Town's ordinance regarding trash, grass, and weeds. This revision strengthens the language and has been revised by the General Assembly to include clutter. Mr. Comer moved, seconded by Beverly L. London to adopt ***AN ORDINANCE TO REVISE AND UPDATE THE TOWN'S PROVISIONS FOR TRASH, GRASS, WEEDS AND CLUTTER ACCUMULATION, ADDING A NEW TOWN CODE CHAPTER 95, AND REPEALING TOWN***

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CODE § 90.11. A copy of the ordinance is included in the minutes as Attachment D. After a brief discussion, 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

BHP:

Council Representative Chad L. Comer reminded all in attendance that Autumn Days is this Saturday September 11, 2021 from 9:00am to 3:00pm. Mr. Comer wanted to extend a big thank you to Brenda Pultz for the planning of this event. He then stated that Oktoberfest is the next event at Heritage Park on September 25, 2021 from 5:00pm to 8:30pm.

Planning Commission:

Nothing to report.

New Business:

Councilman Douglas W. Harpine stated the VML meeting is the week of the scheduled October Council meeting, so the meeting needs to be rescheduled. After a brief Council discussion Mr. Harpine moved, seconded by Chad L. Comer to move the regularly scheduled Council Meeting on October 5, 2021 to October 12, 2021 and to have the regularly scheduled Committee meeting moved to the Thursday before the meeting which is on October 7, 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
David L. Jordan	Aye	Beverly L. London	Aye

Councilman Beverly L. London wanted to remind everyone that the SPCA has a free microchip clinic on Saturday September 18, 2021 from 2:00pm-3:30pm. Please share with all your friends. The more pets that are chipped the more we can return to their homes when they are lost, especially now since the Broadway Police Department has a chip reader.

Public Comment:

Lisa Zweigler stated that the meeting was very informative.

There being no further business, the meeting was adjourned.

Timothy S. Proctor Mayor

Andrea M. Fulk Clerk