

TOWN OF BOWLING GREEN
 TOWN COUNCIL MEETING
 MINUTES

12-4-2014

MEMBERS PRESENT: Mayor David Storke, Vice-Mayor Glenn McDearmon, Mary Frances Coleman, Jean Davis, Mark Bissoon, Jason Satterwhite, and Otis Wright.

MEMBERS ABSENT: Daniel Webb.

OTHERS PRESENT: Town Manager Stephen Manster, Account Clerk Melissa Lewis, Police Chief Steve Hoskins, and Town Attorney Andrea Erard.

AUDIENCE: Daniel Sherrier and Matt Rowe.

The Mayor called the meeting to order at 7:32 P.M. and led the group in the Pledge of Allegiance to the Flag of the United States of America. Council Member Glenn McDearmon followed with the invocation.

DELEGATIONS/PUBLIC COMMENTS:

The Mayor called for Public Comments. Hearing none the Mayor closed the Public Comments portion of the meeting at 7:34 p.m.

CONSENT AGENDA:

- A. Minutes – Town Council Meeting – November 6, 2014
- B. Bills – November 2014

A & M Home Center	380.97	Advance Auto	201.96
Amerigas	139.40	Applied Industrial	1390.66
Bissoon, Mark	600.00	Blue Tarp Financial	292.47
Boltz, Kathryn	44.00	Bowling Green Auto Parts	6.26
Bud’s Automotive	957.99	CCPS Transportation	200.00
Cintas of Richmond	314.88	Coleman, Mary Frances	600.00
Commonwealth Engineering	3414.26	ComputerPlus	226.88
Davis, Jean	600.00	Dominion Chemical	273.60
Enviro Lab	1120.00	Erard, Andrea	1,500.00
G & G Milford Farm Supply	79.99	HD Supply	1293.22
Hilker, Steve	150.00	Hill, Trish	100.00
John, Allison	105.00	Johnson’s Exterminating	390.00
M & W Printers	385.58	Martin, Michael	350.00
McDearmon, Glenn	600.00	McGinley, Michelle	105.00
Mid-Atlantic Lab	60.00	On-Site PC	265.99
Pacello, Kristin	245.00	Parks, Anne	50.00
Ramsey, Dan	200.00	Rutherford	295.18
Satterwhite, Jason	600.00	Sieg, Robyn	162.16
Sorrow, Tammy	318.00	SOSMetal	976.05
Stemmler Plumbing	2000.00	Storke, David	900.00
The Lincoln National	80.75	The Supply Room	159.29
Town of Bowling Green	80.54	Verizon	307.03
Verizon Wireless	225.00	Visa	1629.84
VUPS	32.55	Waltermire, Kathy	2.40
Ware, Maleka	500.00	Waste Management	8211.44
Webb, Daniel	600.00	Wright, Otis	600.00

*AECOM Technical	14820.00	*Dominion VA Power	134.53
* Jo-Elsa Jordan	500.00	*Minor & Associates	2042.50
*The Caroline Progress	781.00	*The Free Lance Star	500.00
*Verizon Wireless	225.00	*Waste Management	84.00
*WFLS	2200.00	*Aimee Floyd Benefit Fund	400.00
*Jordan, Jo-Elsa	1520.40	*VDOT	100.00
*Visa	189.82	*Jordan, Jo-Elsa	1535.00
*Shell Fleet Plus	876.23		

***Bills previously or separately authorized by Council.**

Mr. McDearmon said that he had questions about bills shown as approved in the 11-6-14 Minutes, as he was not present to ask questions at the 11-6-14 Council Meeting. The Mayor said the questions could be addressed during the Old Business portion of the meeting.

Upon Motion by Mr. McDearmon, with a second by Mr. Wright, Council voted to approve the Consent Agenda, so long as October Bills approved at the November Council Meeting would be discussed during Old Business. Voting Aye: McDearmon, Wright, Satterwhite, Davis, Bissoon, and Coleman.

STAFF REPORTS: The following informational item was noted:

A. Town Hall Rentals Report – November 2014

There was no discussion upon reviewing the November 2014 Staff Report.

NEW BUSINESS:

Police Department Report – November 2014– The Police Chief reported that there had been no reportable crimes that had occurred in the Town of Bowling Green for the month of November. There were fourteen calls reported for the month and none required investigation, all were routine. The Chief reported that the State Police website had been checked and no new sex offenders had been registered as residing in the Town. He stated that the Town Officers had given three warnings and no summonses for speeding. Deputies gave three warning and no summons in Town this month. There was no speed log conducted during the month of November. Town Officers had no arrests for the month. There were no paid regular deputy hours for the month. The Police Chief concluded his report. Council had no questions for the Police Chief.

Town Manager’s Report – November 2014:

ZP 2014-005 – Application for a Special Use Permit to Operate a Bed and Breakfast at 115-119 East Broaddus Avenue – Mark Gaines: Mr. Manster informed Council that Mr. Mark Gaines, recent purchaser of this property, has applied for a Special Use Permit to operate a Bed and Breakfast at 115, 117, and 119 East Broaddus Avenue (three addresses on same property). He said that there are three structures on the property; a single-family house and two additional separate dwelling units, each containing only one bedroom, on the property. Mr. Manster stated the Mr. Gaines has made a presentation to the Planning Commission and the Commission has scheduled a Public Hearing on the application for its regular December meeting to be held on December 15th at 7:00 PM in Town Hall. In accordance with Council’s policy, Mr. Manster asked that Council schedule its Public Hearing for its next meeting on January

1st, 2015 and authorize the Town Manager to advertise for such hearing. He told Council that a copy of the Zoning Application was attached to his report.

Mr. Manster noted that Council may wish to reschedule the January 1st meeting and hearing because of the Holiday. A discussion ensued on whether to reschedule the meeting to the following week. The Mayor asked Council who would be able to attend the January 1st meeting. By a show of hands, Mr. McDearmon, Mr. Wright, Ms. Davis, Ms. Coleman, and the Town Attorney said that they would be available to attend the January 1st, 2015 Town Council Meeting. Mr. Satterwhite said that he would not be available on January 1st or the alternate date of January 8th. The decision was made to keep the regularly scheduled Town Council meeting date of January 1st, 2015.

Mr. McDearmon asked what types of structures were located at the three addresses noted on Mr. Gaines Zoning Application. Mr. Manster informed Council that the main structure is a house and the other two are smaller accessory structures. Mr. McDearmon then asked if the zoning was business or residential. Mr. Manster said the property is zoned residential and that a Bed and Breakfast is allowed in a residential area with an approved Special Use Permit. Mr. McDearmon asked if the Bed and Breakfast would be operated as a business. Mr. Manster said that it would be operated as a business secondary to its use as a residence. Mr. McDearmon noted that it was not clearly stated on the application that Mr. Gaines would use the house as his primary residence. Mr. Manster said that at its last meeting, the Planning Commission discussed that very point and will ask for that to be clarified in its recommendation to Council. Mr. Manster said that it was his understanding that Mr. Gaines stated at the Planning Commission meeting that the house will primarily be used as his residence. Ms. Davis confirmed this statement. Mr. McDearmon said that he felt that the application stated that Mr. Gaines would only be staying at the house when there is a guest staying at the Bed and Breakfast. Mr. Manster said that using the house primarily as a residence could be a condition stated in the recommendation from the Planning Commission.

Upon Motion by Mr. McDearmon, with a second by Ms. Davis, Council voted to schedule its Public Hearing for ZP 2014-005 – Application by Mark Gaines for a Special Use Permit to Operate a Bed and Breakfast at 115-119 East Broaddus Avenue - for its next meeting on January 1st, 2015 and to authorize the Town Manager to advertise for such hearing. Voting Aye: McDearmon, Wright, Satterwhite, Davis, Bissoon, and Coleman.

Following the vote Ms. Coleman asked how Virginia Limbrick is related to this application. Mr. Manster informed Council that Ms. Limbrick, along with Mark and Tammie Gaines, are joint owners of the property on which application was made.

Authorize Town Manager to Develop and Sign Contract with Consultant for Preparation of Preliminary Engineering and Environmental Report for White Meadows Sewer Planning Grant: Mr. Manster informed Council that he and the Superintendent of Public Works have been working as members of the committee to comply with requirements of the Planning Grant that has been received to bring sewer service to the White Meadows Subdivision in Caroline County. He said that Caroline County is completing the process of securing an engineering consultant for conducting such studies through a process which complies with the Virginia Public Procurement Act and that the County is expecting to approve the consultant selection on December 9th (Board of Supervisors meeting). The Town will be able to develop and negotiate a

contract with this consultant for the completion of the Preliminary Engineering Report (PER) and Environmental Studies required under the Planning Grant.

Mr. Manster said that due to the compressed time schedule for applying for construction funds and the need to begin preparation of the PER, he would like to ask for Council's authorization to work with the Water, Sewer and Trash Committee and the Town Attorney to develop and sign a contract for the preparation of the PER for the project. The Preliminary Engineering Report developed through this process will be reviewed by Town Council before any other action is taken in relation to the development of a possible sewer construction project. One or more of the alternatives investigated through the PER may necessitate the scheduling of meetings and discussions between the Town Council and the Board of Supervisors.

Mr. McDearmon asked that Mr. Manster go over the last paragraph of his report regarding issues he is asking Council to consider. Mr. Manster noted that there are two issues that he is asking Town Council members to begin considering should the Town be fortunate enough to receive construction funding for the extension of sewer service to the White Meadows Subdivision. The first issue is whether connection to the system will be "mandatory" for all properties. This issue was discussed at the last Water, Sewer, and Trash Committee meeting and Mr. Manster expects to have a recommendation for Council from the meeting at the next Town Council meeting. The second issue that he asked Council to consider is whether Availability Fees will be waived for residents of the White Meadows area who have incomes above the low and moderate income level. He said that the State does not permit the assessing of Availability Fees to anyone who benefits from this grant program that is considered low and moderate income. He noted that this may affect a person's willingness to connect to the system if given an option and that the answers to these and other questions may affect the ranking that is received by an application from the Town relating to construction funding for this project. Mr. Manster said that this is because at least 75% of the property owners have to sign agreements to connect to the system when the application for funding is submitted. In addition, he said that funds that are foregone by the Town for availability fees may be used as "leveraged" funds giving the Town's application additional points in the application process.

Mr. McDearmon asked the Town Manager if he knew the percentage of low to moderate income residents in the White Meadows area. Mr. Manster said that a survey was sent out to residents and of the 70% that responded 70% were in the low to moderate bracket. A discussion ensued on the benefits of leveraging the funds for waived availability fees. Mr. McDearmon asked the Town Manager if he knew the cost of the project. Mr. Manster said he will not know the cost of the project until he receives the results of the Preliminary Engineering Report. Mr. McDearmon then asked if the grant will be for the total amount of the project including infrastructure. Mr. Manster informed Council that it would be for the total amount but due to limits on the maximum amount of the grant per year the project may have to be phased in over two years.

Mr. McDearmon questioned who is going to receive the other availability fees charged as per the Agreement between the Town and the County. Mr. Manster said the County has stated that the White Meadows Subdivision is in the Town's service area therefor the Town would receive the availability fees collected. A discussion ensued regarding the scope of the Town's service area outside of the Town's boundary. Mr. Satterwhite stated that the discussions will be ongoing with the County as the project progresses at which time the details will be worked out. Mr. Manster said that he

expects that Council will have to schedule meetings with the County's Board of Supervisors to work out such details.

The Mayor asked how many homes are in the White Meadow Subdivision. Mr. Manster said that there are 49 homes. Mr. McDearmon asked how the leveraged funds worked. Mr. Manster explained the weighting of points and process of the application review. Mr. McDearmon expressed his concern in not knowing what criteria is being considered in the review process and whether the Wastewater Treatment Plant can handle the additional capacity from 49 new homes. Mr. Satterwhite said that the topic had been discussed at the Committee meeting and that they were confident that the treatment plant could handle the additional capacity.

The Mayor asked if there will be a new sewage line installed and if it will tie into the existing Main Street line. Mr. Manster said that it would be determined once the study is complete. A discussion ensued on what the County's responsibility will be if a new line is required due to the additional capacity. Mr. Manster said that the County had done a study several years ago and the project was expected to be quite expensive. He said that he intends for the sewer line coming in from the County to be reviewed in relation to the existing agreement between the Town and the County.

Mr. McDearmon questioned whether the Town's being rezoned into the New Market Tax District may benefit in obtaining funding for the project. Mr. Manster said that it was a possibility that the tax credits could help. Mr. Manster then asked Council for its approval in allowing him, along with the Water, Sewer, and Tash committee to develop and sign a contract with a consultant once one is selected.

Upon Motion by Mr. Satterwhite, with a second by Mr. McDearmon, Council voted to Authorize the Town Manager to Develop and Sign a Contract with a Consultant for Preparation of Preliminary Engineering and Environmental Report for White Meadows Sewer Planning Grant. Voting Aye: McDearmon, Wright, Satterwhite, Davis, Bissoon, and Coleman.

Mr. Manster informed Council that advertisements had been run in the newspaper reminding the public that taxes are due on December 5th and that the Town office extended its hours until 6 p.m. today and will do so again tomorrow for the convenience of residents paying taxes.

The final item that Mr. Manster brought to Council's attention was a report from Jo-Elsa Jordan detailing two upcoming events to be held in the Town – the Christmas Parade to be held on December 13 and the John Cephas Piedmont Blues Festival to be held on June 13, 2015. Mr. Manster gave details of each event as noted in Ms. Jordan's report. Mr. McDearmon asked if a budget had been established for the Blues Festival. Mr. Manster informed Council a budget of \$16,000 had been set and would be secured in part by corporate sponsorships. He said that the funds not obtained by sponsorship would come from the Economic Development line item established for this type of event. Mr. McDearmon said that the use of Economic Development funds for the Blues Festival would need to be discussed further by the Economic Development Committee. Mr. Manster stated that he would schedule a date and time for the Committee to meet.

There was no further discussion by Council on the Town Manager's Report.

REPORT OF COUNCIL COMMITTEES/MEMBER COMMENTS:

Ms. Davis asked about the success of the Aimee Floyd Benefit dance held last month and expressed her disappointment in not seeing Ms. Stroud at the current meeting to give Council an update. Ms. Davis said she felt put on the spot at last month's meeting when Ms. Stroud asked Council to donate back the \$250 rental fee. She noted that Council previously adopted a policy to no longer rent out the Event Hall free of charge and said that she thought the policy stated Council would only respond to requests that were submitted in writing so as not to have to make an on the spot decision as the requester sat in the audience. A discussion was held on how requests for donations back in the amount of rental fees should be handled in the future. Mr. Manster said from now on he will inform applicants that the Town no longer donates back the rental fee but that the reduced rental rate of \$250 is in-itself the donation.

- A. Public Health, Safety and Personnel – There was no report from the Public Health, Safety and Personnel Committee.
- B. Water, Sewer and Trash – Mr. Wright said that there was a report from the committee on the table for review.
- C. Ordinance, Licenses, and Permits – There was no report from the Ordinances, Licenses and Permits Committee.
- D. Streets and Sidewalks – There was no report from the Streets and Sidewalks Committee.
- E. Buildings and Grounds – Mr. Satterwhite reported that the Committee has received one estimate back for the construction of the pavilion and is looking for a second contractor to provide an estimate. He hopes that construction will begin in the spring.
- F. Economic Development, Activities and Tourism – Mr. McDearmon updated Council on the Caroline Care Group's most recent efforts in its Assisted Living Facility project.
- G. Budget – There was no report from the Budget Committee.

The Mayor asked Mr. Bissoon to please stand and presented Mr. Bissoon with a resolution commending him for his service and dedication to the Town of Bowling Green by serving on the Bowling Green Town Council. Mr. Bissoon thanked the Mayor and fellow Council Members and delivered a short speech. **Upon Motion by Mr. McDearmon, with a second by Mr. Wright, Council voted to adopt R-2014-015 - A Resolution of the Bowling Green Town Council Commending Mark Bissoon for His Service and Dedication to the Town of Bowling Green and its Governing Body. Voting Aye: McDearmon, Wright, Satterwhite, Coleman, and Davis.**

OLD BUSINESS:

Mr. McDearmon asked the Town Manager if Ms. Jordan presented a final tally on Harvest Festival expenses at last Council meeting. Mr. Manster said she had not because she was still waiting to receive some bills related to the Harvest Festival. Mr.

McDearmon said that he was concerned about some of the bills noted as approved by Council in the November minutes. He questioned if Billy Cecil was compensated \$604.90 for his efforts in organizing the Tractor Show. Mr. Manster stated that the amount was a reimbursement for the upfront cost that Mr. Cecil paid for prizes to be awarded to Tractor Show winners. Mr. McDearmon then asked for clarification on the \$1200 check written to JF Fick Inc. Mr. Manster informed Council that the amount was a payment for the beer ordered for the beer garden and that the Town received a refund back for nearly \$600 for kegs that were returned to JF Fick Inc. untapped. Mr. McDearmon asked if Zimbrow Photography came to the Harvest Festival as a vendor and if so why they were paid \$900. Mr. Manster said that Zimbrow was not a vendor but the Town hired them to take aerial footage of the Harvest Festival to be used for marketing purposes in the future. Mr. McDearmon said that he had no further questions about the November Minutes.

Ms. Coleman asked why a check was written to the Aimee Floyd Foundation in the amount of \$400. In direct response to Ms. Coleman's question Ms. Lewis stated that the amount was comprised of the \$150 refundable deposit plus the \$250 rental fee Council voted to donate back to the the Foundation. There was no further discussion. **Upon Motion by Mr. Wright, with a second by Mr. Bissoon, Council voted to approve the November 6, 2014 Minutes. Voting Aye: McDearmon, Wright, Satterwhite, Davis, Bissoon, and Coleman.**

There were no further items to come before Council.

ADJOURNMENT: There was a motion made by Mr. Bissoon and seconded by Mr. Satterwhite to adjourn at 8:25 P.M. Voting Aye: Wright, McDearmon, Satterwhite, Davis, Bissoon, Coleman.