

TOWN OF BOWLING GREEN

TOWN COUNCIL MEETING
MINUTES

1-3-2013

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

OTHERS PRESENT: Town Manager Stephen Manster, Town Treasurer Kathy McVay Account Clerk Laura Gifford, Police Chief Steve Hoskins and Town Attorney Andrea Erard.

AUDIENCE: Tim Cox, Bonnie Cannon, Kathy Beard, Patrick DeCrane, Patricia Jackson, John Sieg, Robyn Sieg, Joyce and Julian Carter, Martin Hauser, Danielle and Robert Bouy, Mary Jo Parrish, Marie Taylor and Tim Lewis.

The Mayor called the meeting to order at 7:31 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.

The Mayor amended the agenda to allow the Delegation/Public Comments to be held before the Public Hearing.

DELEGATIONS/PUBLIC COMMENTS:

Michael Estes – VDOT – Director of Strategic Initiatives, Office of the Commissioner - I-95 Tolling Project – Mr. Estes gave a presentation and handed out correspondence to Council regarding the I-95 Tolling Project. The I-95 Corridor Improvement Program Tolling Proposal is a comprehensive approach to funding capital improvements and reconstruction. A significant portion of Virginia’s funding comes from fuel tax, which is decreasing due to inflation and increased vehicle fuel efficiency. Mr. Estes stated that Virginia is now looking to other sources of revenue for critical projects. The proposed toll would be located south of Petersburg to the West Virginia line. Mr. Estes reported that Virginia has developed three draft discount options for commuters that would frequently use that section of the highway. Before placement of the tolls there are Federal requirements that would have to be met first. The project, if approved, has a tentative completion date of 2015. Mr. Estes stated that the public could make comments

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and take a survey on the VDOT website.

Patrick DeCrane – Chairman, Bowling Green Arts Commission – Previously the Playground Committee had discussed the possibility of having a mural painted on the back wall of the Bowling Green Police Station facing the Playground. After speaking with the Mr. Manster, Town Manager, Mr. DeCrane, Bowling Green Arts Commission Chairman, reported that the Arts Commission had found a local artist, Patricia Jackson, who provided two sketches for the project along with photos of her work. After meeting with members of the Arts Commission, Ms. Jackson had provided an estimated cost of \$10 to \$15 per square foot, depending on the detail. The mural will start three feet from the ground all the way to the top of the building, one foot for ground maintenance and two feet for tiles. The tile project was created to help with funding for the project. In response to a question for Mr. McDearmon, the design of the two sketches was developed from ideas that the Arts Commission had come up with for the playground.

Mr. DeCrane read Town resolution R-07-04, that created the Arts Commission. He stated that with the support of the Town and Council, the Arts Commission had fulfilled the resolution with success and were planning more projects for the near future. Mr. DeCrane informed Council that Ms. Kathy Beard, Caroline County Tourism Manager, had spoken to him about an opportunity to display thirteen Sidney King paintings in the County that would be on loan from the National Park Service. Sidney King has painted almost 200 historic paintings were commissioned by the National Park Service and on display throughout the eastern states. These thirteen paintings depict battles in the Fredericksburg area. Ms. Beard came to the Arts Commission to ask for their support in this effort. He stated that one of the Arts Commission's long-term goals would be to have an art center and an art center would work well for this effort. Mr. DeCrane said an ideal location for a center would be the old Commissioner of Revenue office, which is partially utilized by the Historical Society and could be used together with the Arts Commission. The county would supply the utilities for this space and the Caroline County Industrial Development Authority would support the current security. The Bowling Green Arts Commission would be responsible for the day-to-day operations. The Arts Commission had met with Ms. Beard on December 21, 2012 and voted unanimously to support the concept of an art center. As the concept stands now, the Arts Commission would be responsible for set up, operations, coordinating volunteers and artist. They would also work with the Historical Society and would be open four days a week. They would also like to have classes at the art center to include classes for students in the summer. In discussion about the center, the Arts Commission thought that it would be appropriate to name the center "The Sidney King Art Center." Mr. DeCrane had spoken to a manager from Union First Market Bank to see if they could help the Arts

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Commission with funds for signage and to set up a display for this. He stated that Union First Market Bank had completed their budget, but would get back with him to see if they could help. They will also be looking to apply for grants. Three of the Arts Commission members plan on attending an arts conference and will be getting vital information about what grants could help with funding. The commission is also looking to establish a foundation so that they can receive funds that are tax exempt. This concept will be presented to the Caroline County Board of Supervisors on the 22nd of January. They will have the final approval. Once that is approved the Arts Commission will work with all parties to make this a great success. In response to a question from Mayor Storke, the Sidney King paintings are original and are in very good condition. This will be the first time all paintings will be located together. In response to a question from Mr. McDearmon, Mr. DeCrane stated that the National Park Service will own them and the county would be liable for insuring them. He did suggest they add a couple of security cameras, but the building does currently have a great security system. Mayor Storke thanked Mr. DeCrane for all of his hard work and Ms. Beard for the opportunity.

The Mayor closed the Public Comment period at 8:16 P.M.

PUBLIC HEARING:

The Mayor read the notice published in the Caroline Progress on December 20, 2012 and December 27, 2012 for ZP 2012-014(A) Robert and Danielle Bouy – Special Use Permit – Family Care Home – 211 South Main Street. The notice states: *“ZP2012-014(A) application of Robert and Danielle Buoy for a Special Use Permit to operate a family care home at 211 South Main Street, Bowling Green Virginia (Tax Map # 43-A-84A). The property consists of 2 acres and is zoned R-1, residence and has a prescribed density of 3.6 units per acre. The Bowling Green Comprehensive Plan designates this area as low-density residence. Currently, the property is utilized as a single-family dwelling. ZP2012-014(A) is considered pursuant to Va. Code sections 15.2-2280, 15.2-2285, and 15.2-2286.”*

ZP 2012-014(A) Robert and Danielle Bouy – Special Use Permit – Family Care Home – 211 South Main St. – The Mayor opened the Public Hearing at 8:17 P.M. and asked for public comments regarding the request.

Mary Jo Parrish – 14911 Drybridge Rd – Ms. Parrish, a friend and co-worker of Danielle Bouy, stated that she is in support of the Special Use Permit. She told Council that many people prefer to live in a Family Care Home instead of an Assisted Living Facility or Nursing Home.

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The Mayor asked if anyone else had any public comments, he called a second and third time, hearing none he closed the public hearing at 8:20 P.M. Danielle Bouy was present and gave a brief presentation of her request, along with her qualifications and plans for the Family Care Home. The Town Attorney suggested alternative wording for the proposed conditions.

On motion by Ms. Davis, seconded by Mr. Satterwhite, Council voted to approve ZP 2012-014(A) Robert and Danielle Bouy – Special Use Permit – Family Care Home – 211 South Main St., subject to the conditions as outlined in the staff report with the modification of the first two conditions to read “In the operation of the Family Care Facility all reasonable measures shall be taken to ensure the safety of all the residents at all times particularly in an emergency circumstance and abide by the rules, regulation and requirements of the Building Inspector and the Virginia Uniform Statewide.”

In response to a question from Mr. Webb, Mr. Manster stated that because of some substantial safety concerns, some of the Planning Commission members felt that it was appropriate to review the situation on a continual yearly basis to make sure all requirements are met. A discussion was held. In response to a question from Mr. Wright, Ms. Bouy stated that the bedrooms are on the second floor where the residents will reside and all residents will be ambulatory at all times.

The Town Attorney made a recommendation for the conditions for the operation of the Family Home Care are as follows:

1. In the operation of the Family Care Home, all reasonable measures shall be taken to ensure the safety of all residents at all times, particularly in emergency circumstances and abide by the rules, regulations and requirements of the Building Inspector and the Virginia uniform statewide Building Code.
2. A maximum of two bedrooms in the structure be occupied by clients and those bedrooms be occupied by no more than a total of three people.
3. A minimum of five off-street parking spaces with a light surface will be provided on the property.
4. All staff at the facility must be licensed caregivers.

Ms. Bouy agreed to all the terms and conditions.

On motion by Ms. Davis, seconded by Mr. Satterwhite, Council voted to amend the

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motion to approve ZP 2012-014(A) Robert and Danielle Bouy – Special Use Permit – Family Care Home – 211 South Main St., to modify the conditions as follows:

1. In the operation of the Family Care Home, all reasonable measures shall be taken to ensure the safety of all residents at all times, particularly in emergency circumstances and abide by the rules, regulations and requirements of the Building Inspector and the Virginia uniform statewide Building Code.
2. A maximum of two bedrooms in the structure be occupied by clients and those bedrooms be occupied by no more than a total of three people.
3. A minimum of five off-street parking spaces with a light surface will be provided on the property.
4. All staff at the facility must be licensed caregivers.

Ms. Bouy agreed to all the terms and conditions.

Roll Call Vote:

Webb	Aye	Satterwhite	Aye
McDearmon	Aye	Davis	Aye
Coleman	Aye	Bissoon	Aye
Wright	Nay		

The motion to amend was approved by a vote of 6-1.

On motion by Ms. Davis, seconded by Mr. McDearmon, Council voted to approve ZP 2012-014(A) Robert and Danielle Bouy – Special Use Permit – Family Care Home, subject to the following conditions:

1. In the operation of the Family Care Home, all reasonable measures shall be taken to ensure the safety of all residents at all times, particularly in emergency circumstances and abide by the rules, regulations and requirements of the building inspector and the Virginia uniform statewide Building Code.
2. A maximum of two bedrooms in the structure be occupied by clients and those bedrooms be occupied by no more than a total of three people.
3. A minimum of five off-street parking spaces with a light surface will be provided on the property.
4. All staff at the facility must be licensed caregivers.

Ms. Bouy agreed to all the terms and conditions.

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Roll Call Vote:

Webb.....Aye	SatterwhiteAye
McDearmon.....Aye	DavisAye
ColemanAye	Bissoon Aye
Wright.....Nay	

The motion was approved by a vote of 6-1.

The Mayor read the notice published in the Caroline Progress on December 20, 2012 and December 27, 2012 for ZP 2012-014(B) Robert and Danielle Bouy – Special Use Permit – Bed and Breakfast – 211 South Main Street. The notice states: “ZP2012-014(B) application of Robert and Danielle Bouy for a Special Use Permit to operate a bed and breakfast at 211 South Main Street, Bowling Green, Virginia (Tax Map # 43-A-84A). The property is zoned R-1, residence and has a prescribed density of 3.6 units per acre. The Bowling Green Comprehensive Plan designates this area as low-density residence. Currently the property is utilized as a single-family residence. ZP2012-014(B) is considered pursuant to Va. Code sections 15.2-2280, 15.2-2285, and 15.2-2286.”

ZP 2012-014 (B) Robert and Danielle Bouy – Special Use Permit – Bed and Breakfast – 211 South Main St. – The Mayor opened the Public Hearing at 8:44 P.M. and asked for public comments regarding the request and hearing none he closed the public hearing at 8:45 P.M. Ms. Bouy gave a brief presentation on her proposed plans for the Bed and Breakfast. A discussion was held.

On motion by Mr. McDearmon, seconded by Ms. Davis, Council voted to approve ZP 2012-014 (B) Robert and Danielle Bouy – Special Use Permit – Bed and Breakfast – 211 South Main St., subject to the following conditions:

- 1. The primary sleeping area for the Bed & Breakfast shall be operated in the accessory building behind the main structure and not the garage on the property; guest of the Bed and Breakfast may dine and socialize in the main structure.**
- 2. There is one off-street parking space with a light surface created for the use.**

Roll Call Vote:

Webb.....Aye	SatterwhiteAye
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McDearmon	Aye	Davis	Aye
Coleman	Aye	Bissoon	Aye
Wright	Nay		

The motion was approved by a 6-1 vote.

The Mayor read the notice published in the Caroline Progress on December 20, 2012 and December 27, 2012 for RZS 2012-001- Joyce Carter – Rezoning R1 Residence to B1 Business with Proffers – 218 North Main Street. The notice states: *“Application of Joyce Carter for rezoning of property at 218 North Main Street, Bowling Green, Virginia, (Tax Map # 43A2-A-10) from R-1, residence to B-1, business (with proffers). The property consists of .649 acres and is currently zoned R-1, residence and has a prescribed density of 3.6 dwelling units per acre. The B-1 district has no prescribed density. The Bowling Green Comprehensive Plan designates this area as low-density residence. Most recently, the property has been utilized as two residential units. RZS 2012-001 is considered pursuant to Va. Code sections 15.2-2280, 15.2-2285, and 15.2-2286.”*

RZS 2012-001 - Joyce Carter – Rezoning R1 Residence to B1 Business with Proffers – 218 North Main St. – The Mayor opened the Public Hearing at 8:51 P.M. and asked for public comments.

Martin Hauser - Chairman, Bowling Green Planning Commission – Mr. Hauser, Bowling Green Planning Commission Chairman, advised Council that he was unable to attend the Public Hearing. He stated that he was not in favor of this permit because there is no benefit to the Town in making this change, and simply because a property is adjacent to a business zoned piece of property does not provide justification to rezone a piece of property.

The Mayor asked if anyone else had any public comments, he called a second and third time, hearing none he closed the public hearing at 8:54 P.M. Council had a discussion regarding the proffers.

On motion by Ms. Davis, seconded by Mr. Bissoon, Council voted to approve RZS 2012-001 – Joyce Carter – Rezoning R1 Residence to B1 Business – 218 North Main St., with the following signed amended proffers dated January 3, 2013:

- 1. The main use for a flower and gift shop. Other permitted uses include a restaurant, barber and beauty shop, offices and bakery for future considerations.**

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- 2. The property owner shall remove brush and debris and overhanging limbs from this property and the hazardous tree.
- 3. The parking lot shall be screened from the adjacent property and on-site parking shall be enlarged.
- 4. There shall be decorative planting in front of property.
- 5. There shall be a light surface gravel for parking area and driveway.
- 6. Operate a business with no more than four full-time employees on site.
- 7. Florist and gift shop retail area no more than 600 feet, first floor only.
- 8. All other areas of the structure will be used for storage, work and rest area. Signs will meet town code.
- 9. Operating hours will be normal working hours Monday through Saturday, closed on Sunday and holidays unless by appointment.
- 10. Structure behind main building to be used as a dwelling unit for one or two people.

Roll Call Vote:

Wright	Aye	Satterwhite	Aye
McDearmon	Aye	Davis	Aye
Coleman	Aye	Bissoon	Aye
Webb	Aye		

The motion was approved unanimously.

The Mayor read the notice published in the Caroline Progress on December 20, 2012 and December 27, 2012 for RZS 2012-001 (SUP) – Joyce Carter – Special Use Permit – Dwelling Unit at rear of main building – 218 North Main Street. The notice states: *“Application of Joyce Carter for a special use permit for a dwelling unit at the rear of the main building on the property located at 218 North Main Street, Bowling Green, Virginia, (Tax Map #43A2-A-10). The property is currently zoned R-1, but a rezoning to B-1 is pending which would then necessitate an SUP. The Bowling Green Comprehensive Plan designates this area as low-density residence. Most recently, the property has been utilized as two residential units. RZS 2012-001 (SUP) is considered pursuant to Va. Code sections 15.2-2280, 15.2-2285, and 15.2-2286.”*

RZS 2012-001 (SUP) – Joyce Carter – Special Use Permit – Dwelling Unit at rear of main building – 218 North Main St. – The Mayor opened the Public Hearing at 9:14 P.M. and asked for public comments regarding the request and hearing none he closed the public hearing at 9:15 P.M.

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On motion by Ms. Davis, seconded by Mr. Wright, Council voted to approve RZS 2012-001 (SUP) – Joyce Carter – Special Use Permit – Dwelling Unit as presented.

Roll Call Vote:

Wright	Aye	Satterwhite	Aye
McDearmon	Aye	Davis	Aye
Coleman	Aye	Bissoon	Aye
Webb	Aye		

The motion was approved unanimously.

The Mayor read the notice published in the Caroline Progress on December 20, 2012 and December 27, 2012 O-2012-006 – Add Section 2-204, “Employee Bonuses” to Town Code to allow for employee bonuses. The notice states: “Ordinance No. O-2012-006 amends the Bowling Green Town Code, Chapter 2, “Administration of Government,” Article II, “Officers and Employees Generally,” to add section 2-204, “Employee Bonuses” to allow for employee bonuses. Ordinance No. O-2012-006 is considered pursuant to the grant of authority contained in Va. Code section 15.2-1508.”

O-2012-006 – Add Section 2-204, “Employee Bonuses” to Town Code to allow for employee bonuses -

On motion by Mr. Webb, seconded by Mr. McDearmon, Council voted to approve Ordinance O-2012-006 – Add Section 2-204, “Employee Bonuses” to Town Code to allow for employee bonuses as presented.

Roll Call Vote:

Wright	Aye	Satterwhite	Aye
McDearmon	Aye	Davis	Aye
Coleman	Aye	Bissoon	Aye
Webb	Aye		

The motion was approved unanimously.

CONSENT AGENDA: **On motion by Mr. McDearmon, seconded by Ms. Davis,**

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Council voted to approve the Consent Agenda, as presented. Voting Aye: Webb, Satterwhite, Coleman, Wright, McDearmon, Bissoon, and Davis.

- A. Minutes – Town Council Meeting – December 6, 2012**
B. Bills – December 2012

A & M Home Center	251.23	Amerigas	580.86
Bennett, Deborah	210.00	Blue Tarp Financial	429.99
Bowling Green Auto	149.26	Caroline Co. Electoral Board	205.00
Caroline Co. Sheriff's	126.00	Caroline Garage	65.00
Caroline Humane Society	15.00	CINTA's of Richmond	340.35
ComputerPlus	181.50	Crown Trophy	222.75
Dominion Chemical	142.00	Dominion VA Power	3,478.55
Erard, Andrea G	1,250.00	Fantasy	100.00
G & G	7.99	Johnson Exterminating	795.00
Local Services	400.00	M & W Printers	92.41
Martin Marietta	699.85	McGinley, Michelle	140.00
Miller Foley	1,400.00	On Site PC	70.00
Pacello, Kristin	175.00	Page Designs	490.00
Power & Flow	8,662.22	REC	78.95
Rutherford	133.74	Shell	1,560.10
SOSMetal	1,366.69	The Freelance Star	1,428.00
The Supply Room	179.10	Treasurer of VA (VITA)	674.62
USA Blue Book	168.68	Verizon	277.32
Verizon Wireless	221.61	Visa	1,689.84
VUPS	49.35	Waste Management	80.00
*AECOM	14,820.00	*Wells Fargo Corp.	160,010.00
*Wells Fargo RE Tax Serv.	214.80	*BAC Tax Services	687.52
*Hilliard, Alston	150.00	*Dominion VA Power	1,783.37
*REC	554.34	*Waste Management	7,986.33
*BAI Municipal Software	1,000.00	*Carter, William	25.00
*Chilton, Earl Jr.	25.00	*Hartle, Jeannie-Meade	25.00
*Hartle, Karl, Jr.	25.00	*Kidwell, Kenneth	25.00
*Parke, Thomas	25.00	*Schools, Carroll	25.00
*Swain, Thomas	25.00	*Tinder, Todd	25.00
*Torrence, Gordon	25.00	*Wholey, Arthur	25.00
*Wright, Otis	25.00	*BG Vol. Fire Dept.	150.00
*Waste Management	80.00	*Figliomeni, Vicki	39.32
*Bowling Green Plaza	50.26	*Bruce, Suzanne	97.92

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*Floral Designs by Joyce	0.26	*GH Watts	36.50
*Holt, Norma	21.10	*Lockwood Mary Beth	85.55
*Miss Alyson's Countryside	0.53	*Monroe, Lisa	85.55
*Taylor, Kenneth	113.77	*Tran, Vu T	40.96
*AECOM	17,290.00	*Jackson, Patricia	257.12
*REC	150.00	**REC	78.95
*Shell	1,397.78	*Verizon Wireless	40.01
*Worrell Management	1,000.00	*Old Courthouse Café	145.50
*Verizon	276.69		

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

STAFF REPORTS: The following informational items were noted:

- A. Town Hall Rentals Report – December 2012
- B. Public Works Director's Report – December 2012

NEW BUSINESS:

Police Department Report – December 2012 – The Police Chief reported that there were no reportable crimes that had occurred in the Town of Bowling Green for the month of December. There were fifteen calls received with none requiring investigation. All others were routine calls. The Chief reported that the State Police website had been checked and no new sex offenders had been registered as residing in the area. He stated that the Town Officers had given thirty-nine warnings for speeding and forty-five summonses for speeding. Deputies gave no warnings and one summons in Town. Chief Hoskins stated that there was seven paid deputy hours for the month of December to help assist with the Parade. In response to a question from Mr. Webb, Chief Hoskins stated that most of the summonses were issued on Main Street in the northern part of Town as well as South Main, 301 and the bypass. In response to a question from Mr. McDearmon, Chief Hoskins stated that the Town does not have any registered sex offenders.

Town Manager's Report – December 2012

Bowling Green Christmas Parade – Mr. Manster stated that the Christmas Parade, which was held on December 8, was what some people have called the largest and most well-attended parade in recent memory. He thanked Ms. Whitney Watts for her

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assistance and hard work coordinating this event. He also thanked the Mayor, Town Council members who assisted, staff members who were on-duty and those who volunteered to assist with this event.

Assisted Living Facility Project – Mr. Manster reported to Council that he has been in contact with Mr. Gary DuVal, Fredericksburg Residency Administrator, requesting their assistance in proceeding with this matter. Because of scheduling and workload situations, they will not be able to meet with us until January.

Joint Land Use Study with Fort A.P. Hill – Mr. Manster included a flyer prepared by the consultants in the agenda package. It provides some basic information about the purpose of the study. Copies of the flyer are available at Town Hall for distribution. A series of public workshops and meetings to obtain public input have been scheduled. All meetings will be conducted from 6:00 PM until 9:00 PM and will have an open-house format. The first session will occur on Tuesday, January 22, 2013 at the Army Reserve Center off of Route 17 near Port Royal; the second on Wednesday, January 23, 2013 at the Caroline County Community Services Center (EOC); and the third on Thursday, January 24, 2013 at the Lee Hill Community Center at 1 H.C.C. Drive off of Route 2 in Spotsylvania County. All meetings will provide the same content. Residents are encouraged to attend and view the presentation and make any comments they feel are necessary. In addition, each governing body is being asked whether they would like a presentation about the study prior to receiving a final report of the work accomplished and the recommendations of the study.

REPORT OF COUNCIL COMMITTEES/MEMBER COMMENTS:

- A. Public Health & Safety/Personnel – There was no report from the Public Health & Safety/Personnel Committee.
- B. Streets and Sidewalks – There was no report from the Building & Grounds Committee.
- C. Ordinances, Licenses, Permits – There was no report from the Ordinances, Licenses, Permits Committee.
- D. Water, Sewer and Trash – There was no report from Water, Sewer and Trash Committee.
- E. Building and Grounds – There was no report from the Building and Grounds Committee.
- F. Economic Development/Activities/Tourism – There was no report from the Economic Development/Activities/Tourism Committee.

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G. Budget – There was no report from the Budget Committee.

OTHER BUSINESS:

ADJOURNMENT: There was a motion made by Mr. Webb and seconded by Ms. Coleman to adjourn at 10:15 P.M. Voting Aye: McDearmon, Satterwhite, Webb, Wright, Davis, Bissoon, and Coleman.

UNOFFICIAL

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