

**TOWN OF BOWLING GREEN**

**TOWN COUNCIL MEETING**

**MINUTES**

February 3, 2022

7:00 p.m.

Town Hall

117 Butler Street, Bowling Green, VA 22427

**CALL TO ORDER AND QUORUM ESTABLISHED:**

Mayor Gaines called the meeting to order and noted a quorum was present.

The Pledge of Allegiance was recited.

**PRESENT:**

Mayor Mark Gaines

Vice-Mayor Valerie Coyle

Council Member Jean Davis

Council Member Tammie Gaines

Council Member Jeff Voit

Council Member Deborah Howard

Council Member Arthur Wholey

**PUBLIC HEARINGS:**

**Rezoning - #RZS-2021-020 – Fairmont:**

Mayor Gaines noted the public hearing is a continuation from the January 6, 2022 meeting.

Mayor Gaines opened the public comment period.

Mr. Jason Satterwhite, Former Mayor, 145 S. Main Street, addressed the members to present a brief history of the 301 Corridor plans and visions of the town. Discussed annex of the area in the 1990’s; County promised to develop the area but land remained dormant; Water and Sewer plans implemented; Special Tax District added; and property owners pay additional tax. Mr. Satterwhite noted concern that a developer finally approached the Town in interest and now there raised concerns of water and other issues. Mr. Satterwhite noted full support of this development and the Northview development; and requested the members consider approval.

Mr. David Stork, 115 Maury Avenue, addressed the members in favor of the Fairmont development and echoed that of Mr. Satterwhite’s statements. Mr. Stork explained the need for more rooftops to get more wanted amenities. Mr. Stork stated the infrastructure is in place and is in support of any development of the 301 Corridor. Mr. Stork urged the members to consider approval.

Mr. Dan Hansen, resident of Bowling Green, addressed the members in favor of the development. Mr. Hansen stated full disclosure of association with the application. Mr. Hansen requested the members consider approval for the Fairmont and Northview developments. Mr. Hansen discussed the many attempts made by the Town to develop the property for twenty-four years.

Ms. Whitney Watts, 165 S. Main Street, addressed the members in support of the project.

Mr. Mike Bugat, 18080 A.P. Hill Boulevard, addressed the members in favor of the development. Mr. Bugat noted concerns regarding the Special District Tax and sufficient water resources.

Ms. Sandra Pelter, Planning Commissioner, 328 N. Main Street, addressed the members in favor of the development but would like things critiqued. Ms. Pelter discussed insufficient time for the Planning Commission to review the application; and noted the many concerns the Planning Commission had with the proposed development.

Mr. Tommy Wright, 17339 Arden Drive, addressed the members not in favor or opposition of the development. Mr. Wright noted concern regarding environmental and pond safety issues.

Mayor Gaines requested the assistance and discussion from Council to determine further action to close the public hearing. Council discussed proper procedure with Ms. Andrea Erard , Town Attorney.

Mayor Gaines closed the public comment period.

Mayor Gaines requested a discussion session and asked if there was anyone that had any additional questions or comments.

Mr. Dan Webb, applicant, noted there was no additional information to report and offered to answer questions;

* + Council asked if the water issue was solved; Mr. Webb noted sufficient water capacity and availability of funds for improvements.
  + Council requested overview of new layout submission; Mr. Webb reviewed the changes, additions, and eliminations made to the layout; and change of proffer language.
  + Council inquired about the guarantees to follow proposed proffers.
  + Council read the list of concerns provided by the Planning Commission;
    - Site plan lacks specifics;
    - No accommodation for commercial component;
    - No implementation of development into existing communities;
    - Noise pollution of Fort AP Hill;
    - Water concerns;
    - Environmental and safety issues;
    - Substantial traffic increase;
    - Real estate taxes;
    - Lack of buffers
    - Lack of open space and greenway areas;
    - Impact on community services;
    - Unwanted cookie cutter developments;
    - Desire to have connectivity;
    - Requested proactive steps be taken; and
    - Concern of change in the vision of the town.
    - Council noted representation of the Town and in favor of growth on Route 301; Echoed concerns regarding water and need for commercial.
    - Council requested information from the traffic study; Mr. Webb reviewed the anticipated traffic impact.
    - Council asked if discussion had taken place regarding the connection of Fairmont and Northview
    - Council stated the Home Owner Association information would address safety concerns;
    - Council discussed water concerns and the following information:
      * Department of Environmental Quality’s (DEQ) requirements;
      * Water and sewer not an issue;
      * Growth requires improvements;
      * Traffic volume on Route 301 already exists;
      * Clarified the Special District Tax fees include both residential and commercial properties; and
      * Comprehensive Plan designated the area for mixed use.
      * Council presented research collected regarding impacts to Route 301 and water concerns;
      * Council stated traffic concern is greater Broaddus Avenue instead of Route 301; mixed use plan and decisions need to be made; requested information for the remaining cost owed on Special District Tax; water is there and permits to withdrawal approved; well shutdown and replacement concern; and
      * Council requested current water usage percentage; Ms. Finchum, Town Manager, noted the total was approximately 94% and expressed the need for additional water supply.

Mr. Webb addressed the concerns made by Council and discussed the following:

* Importance of connectivity within the town;
* Proposed trail to provide pedestrian and multi-mobile connection;
* Large open space located along the property perimeter;
* Large common area located at the center of the development;
* Location of homes moved away from 301;
* Understand water concerns and funds are proffered;
* Modifications have been made in response to concerns raised;
* Possibilities of connection to other developments;
* Elevation information provided;
* Trail safety discussed;
* Water improves to be at the discretion of the town; and
* Reviewed location of wetlands boundaries and safety.

On the motion of Mr. Voit, seconded by Ms. Howard, which carried a vote of 7-0, the Town Council voted to defer action to the March 3, 2022 meeting.

**DELEGATIONS:**

None.

**PUBLIC COMMENTS:**

Mayor Gaines closed the public comment period.

Mr. Paul Ehrlich, 17469 Coolidge, addressed the members in concern of a sudden increase to his water bill and asked for explanation. Council noted staff has determined the cause; staff working diligently to correct; citizens pay percentage for improvements such as the newly installed water meters.

Mr. Mark Bissoon, Caroline County Commissioner of the Revenue, 109 Morgan Court, addressed the members in appreciation for the police department’s staff and response; enjoyment of working with Ms. Finchum and staff; Invited Council or anyone interested to schedule a meeting to discuss any tax information or processes information.

Mr. Jason Satterwhite, Former Mayor, 145 S. Main Street addressed the members in appreciation for the concern for the safety of children; responsibility of the children falls on the parents; clarified comment made regarding the payment of health insurance benefits to individuals who do not elect health coverage; requested it be noted that he did not bring up the issue but did agree at that time.

Ms. Whitney Watts, 165 S. Main Street, addressed the members to raise the following concerns:

* Availability of minutes and agendas due to staffing shortage;
* Disbanding of the Economic Development Authority (EDA) and is in support of the EDA;
* Staff shortage and EDA disbandment will impact commercial growth;
* Important items that do not appear on the agenda;
* Removal of the employee benefit of additional compensation to those who do not participate in the health insurance policy at the last meeting;
* Council members that are now opposed to employee benefit were offered the same benefit one year ago;
* Inquired if cost analysis was conducted;
* Rash decision made to remove benefit;
* Town continues to lose employees that make the town a great place to live and conduct business;
* Significant reservations of changing town events to volunteer based; and
* Town is experiencing a wave of growth, investment, vibrancy, and interest not seen in decades.

Ms. Rebecca Sullivan, 161 S. Main Street, addressed the members to discuss concern regarding the changing of town events to volunteer based.

Mayor Gaines closed the public comment period.

**MEMBER COMMENTS:**

Council Member Deborah Howard noted understanding of the event concerns presented to Council.

Council Member Jeff Davis addressed water meter concerns and requested investigation to be conducted by staff; Noted appreciation to the Police Department; Clarified the EDA has not been dissolved; More discussion needed for resolution of the events issues.

Ms. Finchum addressed the members to explain the cause for the event issues and confirmed no changes have been made. Council concurred.

Council Member Tammy Gaines invited everyone to the upcoming LOVE Sign Design on February 19, 2022.

**STAFF REPORTS & PRESENTATIONS:**

The following staff reports were presented to Council:

Draft FY20 Audit Presentation by Robinson, Farmer, Cox Associates, PLLC.

* Reviewed Exhibits of Audit Reports for FY20 in detail;
* Reviewed comments and recommendations for improvement;
* Reviewed the Governance Letter; and
* Addressed questions posed by Council.

Public Works/Utilities Monthly Report for January 2022.

* No discussion.

Police Department Monthly Report for January 2022.

* No discussion.

Town Clerk/Treasurer Monthly Report for January 2022.

* No discussion.

Town Manager Monthly Report for January 2022

* Council requested update on replacement for missing cone; Ms. Finchum stated VDOT was made aware of the issue; and
* Council asked for clarification regarding upcoming meeting with DEQ; Discussion of scheduling on a worksession, regular meeting, or special meeting.

**CONSENT AGENDA:**

On the motion of Ms. Gaines, seconded by Mr. Voit, which carried a vote of 7-0, the Town Council voted to accept Consent Agenda as presented.

**UNFINISED BUSINESS:**

**Town Hall Rental Rates:**

Mayor Gaines reviewed concerns and comments presented at the previous public hearing.

Council discussed previous and new concerns regarding the rate change. Clarification of proper legal process requested and explained.

On the motion of Mr. Voit, seconded by Ms. Gaines, which carried a vote of 7-0, the Town Council voted to accept the Town Hall Rental Rates as presented.

**INFORMATIONAL ITEMS:**

**NEW BUSINESS:**

**Authorize Advertisement and Hiring of Certified Public Accountant to Perform FY21 Audit:**

On the motion of Mr. Wholey, seconded by Mr. Voit, which carried a vote of 7-0, the Town Council voted to authorize Advertisement and Hiring of Certified Public Accountant to Perform FY21 Audit.

**COMMITTEE REPORTS:**

Council Member Voit –No discussion.

Council Member Jean Davis – No discussion.

Vice-Mayor Valerie Coyle – Added the importance of a new contract needed for Town Hall Rental Rates.

Council Member Tammie Gaines – No discussion.

Council Member Jerry Covington – No discussion.

Council Member Arthur Wholey – Requested the scheduling a meeting for discussion on event concerns and suggestions.

Council asked for a status update on collection of delinquent meals tax. No new information available to report at that time.

**ADJOURNMENT:**

On the motion of Mr. Voit, seconded by Ms. Gaines, which carried a vote of 7-0, the Town Council voted to adjourn the February 3, 2022 meeting at 9:17 p.m.