

BROADWAY TOWN COUNCIL

November 9, 2021

The Broadway Town Council met in regular session November 9, 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, David L. Jordan, and Douglas W. Harpine. Councilmember Beverly L. London was absent. The following staff members were present: Town Manager Kyle D. O'Brien, Town Clerk Andrea M. Fulk, Town Attorney Matt Light and Chief Douglas Miller. Also in attendance were Lillian Dove, Larry Good, Cindy Good, Vernon Graber and Angie Mackey.

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:**

Richard E. Fulk moved, seconded by Douglas W. Harpine, to adopt the minutes of the October 12, 2021 session of Council and to authorize payment of bills in the amount of \$727,279.33. 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	Absent

**Retirement Resolution:**

Mayor Proctor turned the floor over to Personnel Committee Chairman Leslie E. Fulk for a special presentation. Mr. Fulk stated that in acknowledgement of Sergeant Larry Good's decision to retire from the Broadway Police Department he would like to present him with a resolution as follows.

**WHEREAS** Larry Good has served as a member of the Broadway Police Department for twelve years dating back to January, 2009, and climbed the ranks throughout his career to the position of Sergeant; and

**WHEREAS**, Sergeant Good has announced his retirement from The Town of Broadway and accepted a position with the Rockingham County Sheriff's Department; and

**WHEREAS** Sergeant Good's tenure has been marked with many accomplishments in the police department including the Town being consistently ranked in the top five safest communities in the Commonwealth, the hiring and retention of quality officers, enhancing community policing throughout town, positive interactions and programs with all three schools, and enhancing the use of technology in policing, among many other accomplishments; and

**WHEREAS**, Sergeant Good has helped guide one of the most respected Town Police Departments in the area.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Council of the Town of Broadway, hereby expresses lasting gratitude for Sergeant Good's work and tireless effort and calls upon the citizens of this community to join them in appreciation of his numerous contributions to the Town of Broadway.

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### Old Business:

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

- **Pool House:** The materials have been ordered and the demo has begun. The submittals are being reviewed with the architect and are being approved as quickly as they come. The discussion for the color of metal roof for the pool as well as the Community Center has been leaning towards the Broadway color of hunter green.
- **Theatre Building:** Getting closer to bidding the project out possibly as soon as next month.
- **Heritage Park Bathrooms:** Although there are some flood plain issues there are some design ideas that are available to help with this and will be brought before the Parks and Recreation Committee to see when the Town is ready to proceed with this project.
- **Christmas Decorating:** The decorating process has begun. The decorations at the Town office may need to be scaled back to cover Heritage Park. The tree that is normally on Main Street will be getting another four feet added to it and will now be located at Heritage Park. The tree lighting ceremony will be on Wednesday December 1, 2021 at 7:00 pm. There will be cookies and hot chocolate handed out starting around 6:15 pm.
- **Third Street Project:** The project has started and is on schedule.
- **Turner Avenue Bridge:** The bridge was sealed today to help prevent water from seeping into the cracks and causing further damage.

### Committee Reports:

#### Parks & Recreation Committee:

Chairman Douglas Harpine questioned Town Manager Kyle O'Brien if the toilets and sinks in the pool house will be replaced. Mr. O'Brien stated yes they will be replaced with touch free commercial grade fixtures and will include hand dryers instead of using paper towels.

#### Finance Committee:

No report.

#### Personnel/Police Committee:

Chief Douglas Miller stated he wanted to go on record that the Lions Club donated half of the amount of the Child ID fingerprint kit. The Rotary Club will be donating the remaining portion. He then stated that the Brent Berry food drive will be starting again soon. This food drive is a friendly competition between the local Police Departments. Last year Officer Walters and K9 Office Ritchie did a phenomenal job raising donations and Broadway received second place. This year the police department is partnering with the Broadway FFA and will be at the Timberville Walmart from December 7, 2021 – January 5, 2021 accepting donations.

Mr. O'Brien stated he wanted to discuss another police topic regarding Temporary Detention Order's better known as TDOs. This weekend there was an incident where an individual was transported to Sentara RMH and there were no beds available. Chief Miller stated there were also five individuals from other jurisdictions that were taken for mental health evaluations as well. The individual from Broadway was taken at 4:30 pm Saturday and was not ready to be transported until 9:00 am on Monday. This has been an ongoing issue and is keeping our officers from being available to the Town while waiting for an individual to be transferred to a mental health facility. This issue is currently in discussion with the local Police Chiefs to find a possible solution as it is affecting all of

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the area's localities.

Councilman Leslie Fulk questioned what would happen if there were not enough officers to cover during this time.

Mr. O'Brien responded that this past weekend Broadway did not have an officer available in Town as they were changing shifts at RMH while waiting for the individual to be transferred.

Councilman Richard Fulk stated that this needed to be brought to the attention of the County so they can designate more money for the Sheriff's office so they can assist in this situation.

Mr. O'Brien stated that Chief Miller is working with the other localities to come up with a solution to the issue.

A copy of the police report for the month of October is included in the minutes as Attachment A.

**Utilities Committee:**

No report. A copy of the water production report for the month October is included in the minutes as Attachment B.

**Streets & Properties Committee:**

No report

**BHP:**

Council Representative Chad L. Comer reported that Cari Orebaugh was currently working on the Christmas Decorating contest for residential and businesses. He also shared that she was contacted by Franklin, West Virginia's Town Office to see if they could discuss how the events are planned and run so it can be implemented in their town.

**Planning Commission:**

No report.

**New Business:**

No new business.

**Public Comment:**

Mr. Vernon Graber stated the Town authorized \$10,000.00 of Covid money to be given to local businesses and Grabers tax service did not receive this. He then stated that he wrote a letter to Council members explaining his situation. He further stated he started his business on January 1, 1967 in the Fred Black and Sons building and has been in or near Broadway for over fifty years. He is an EA and not only started his own business but has also helped start other local businesses. He built the building in his current location that also holds State Farm Insurance. On January 14, 2021 he had a slight stroke that affected his right hand, and due to that and his work schedule in January and February is why the business license was not received by March. He concluded by asking Council to reconsider and make an exception to this decision because he feels that he had a valid reason for being late with his license, due to health issues and being busy at work.

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Councilman Harpine asked Mr. Graber when paid he for his business license. Mr. Graber could not remember but stated it was probably around the end of July.

Mayor Proctor stated to Mr. Graber that this is nothing personal against him. The Town established an ordinance for the distribution of the Covid money. There have been multiple businesses that did not meet the criteria in this ordinance, and some that had purchased a business license that did not exist to try to receive the money.

Mr. Graber stated he was not given a second notice and he should have been.

Mayor Proctor responded by stating that there are not many places that give second notices anymore and he is not aware of a policy regarding this.

Mr. O'Brien stated there is no policy regarding given a second notice. The Business License form is sent out at the beginning of the year with the March due date. If it is not received by March, then a phone call is made.

Mayor Proctor explained he wants him to understand that it is his right to make this request and it will be looked at one more time. He then stated that he wanted him to understand that it will be discussed again but he will not promise anything.

Mr. Graber thanked Mayor Proctor and Council for their time.

There being no further business, the meeting was adjourned.

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Timothy S. Proctor

Mayor

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Andrea M. Fulk

Clerk