

BROADWAY TOWN COUNCIL

March 1, 2022

The Broadway Town Council met in regular session on March 1, 2022 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, David L. Jordan, and Beverly L. London. The following Planning Commission members were present: Steve Shifflett, Eddie Long and Brenda Pultz. The following staff members were present: Town Manager Kyle D. O'Brien, Town Clerk Andrea Fulk, Director of Marketing & Development Cari Orebaugh, Town Attorney Matt Light and Attorney Joel Francis. Police Chief Douglas Miller was absent. Also in attendance were Jennifer Knick and Joe Adolph.

Mayor Timothy S. Proctor called the meeting to order at 5:30 p.m. in a closed session.

Richard E. Fulk moved, seconded by Beverly L. London, that the Town Council convene in closed session pursuant to Virginia Code §2.2-3711(A)(1) in order to interview prospective Planning Commission members. 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
Timothy S. Proctor	Aye		

Richard E. Fulk moved, seconded by Chad L. Comer, that only public business matters lawfully exempted from the open meeting requirement and only such matters as identified by the motion to enter into Closed Session were discussed. 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
Timothy S. Proctor	Aye		

The meeting was then convened.

Mayor Proctor reconvened the meeting at 7:00 p.m. in regular session with a salute to the U. S. Flag followed by the invocation.

Approval of Minutes and Bills:

Beverly L. London moved, seconded by Chad L. Comer, to adopt the minutes of the February 1, 2022 session of Council and to authorize payment of bills in the amount of \$901,422.31. 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

Joint Public Hearing: Special Use Permit, 282 Carrie Street:

Mayor Proctor advised that the first item of business is a Public Hearing to consider a request for a Special Use Permit (SUP). Town Manager Kyle O'Brien familiarized everyone with the request from Steven and Anna Courtney for a short-term rental (Air BnB) at 282 Carrie Street. He stated that any short-term rental in an R-1 zoning district requires a SUP. Mayor Proctor opened a Joint

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Public Hearing of the Council and Planning Commission and invited anyone wishing to speak in favor of or in opposition to the Special Use Permit request to do so. Anna Courtney stated that her and her husband have been business owners in the Town of Broadway for the past 10 years and have recently moved to town. Having confirmed there was no one in attendance wishing to speak either in favor of or in opposition to the proposed request, Mayor Proctor closed the public hearing and asked for a recommendation from the Planning Commission.

The Planning Commission convened and after brief consideration, Eddie Long advised this matter was discussed, and there were no objections to the request, pending the result of the public hearing. Brenda Pultz moved, seconded by David Jordan, to recommend approval of the Special Use Permit. The motion was approved with the following recorded Planning Commission vote:

David Jordan	Aye
Eddie Long	Aye
Brenda Pultz	Aye

Mayor Proctor then invited Council action.

Having heard the Planning Commission's recommendation, David L. Jordan moved, seconded by Richard E. Fulk, to approve the Special Use Permit request of Steve and Anna Courtney as described in the resolution which is included in the minutes as Attachment A. 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

Joint Public Hearing: Special Use Permit, 424 Early Drive:

Mr. O'Brien familiarized everyone with the request for a Special Use Permit (SUP) from John and Dena Newkirk for a short-term rental (Air BnB) at 424 Early Drive. He stated that any short-term rental in an R-1 zoning district requires a SUP. Mayor Proctor opened a Joint Public Hearing of the Council and Planning Commission and invited anyone wishing to speak in favor of or in opposition to the Special Use Permit request to do so. John Newkirk stated he and his wife lived in Bergton for over 34 years and saw this property for sale and decided to purchase. Having confirmed there was no one in attendance wishing to speak either in favor of or in opposition to the proposed request, Mayor Proctor closed the public hearing and asked for a recommendation from the Planning Commission.

The Planning Commission convened and after brief consideration, Eddie Long advised this matter was discussed, and there were no objections to the request, pending the result of the public hearing. Brenda Pultz moved, seconded by David Jordan, to recommend approval of the Special Use Permit. The motion was approved with the following recorded Planning Commission vote:

David Jordan	Aye
Eddie Long	Aye
Brenda Pultz	Aye

Mayor Proctor then invited Council action.

Having heard the Planning Commission's recommendation, David L. Jordan moved, seconded by Beverly L. London, to approve the Special Use Permit request from John and Dena Newkirk as

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described in the resolution which 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

Mayor Proctor announced there would be a two-minute recess before proceeding with the remaining business items

The Council then reconvened.

Old Business:

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

- **Pool House:** The completion is still on schedule for Memorial Day weekend. The building is starting to transform with the trusses coming in and the grass being removed. There has been discussion on doing a grand opening the weekend before Memorial Day.
- **259 Bridge:** Although it is not the Town's project it will affect the town and the travel on Rt. 259. It has been requested that VDOT keep the Town informed on the construction of the new bridge and the new weight limit restrictions required for all bridges.

Committee Reports:

Parks & Recreation Committee:

No report.

Finance Committee:

Chairman Richard Fulk discussed the need to set a meeting for the Finance Committee to discuss the budget within the next two weeks. Mr. O'Brien stated he will email Council and will get a date set.

Personnel/Police Committee:

No report. A copy of the police report for the month of February is included in the minutes at Attachment C.

Streets & Properties Committee:

Mr. O'Brien stated the Third Street Project is coming to completion just in time for the Asphalt plants to reopen. There has also been some discussion to asphalt some other streets in the area while Third Street is being done.

Utilities Committee:

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

BHP:

Council representative Chad Comer stated the next event is the Easter Egg hunt on April 9, 2022 at Broadway High School.

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Planning Commission Report:

No Report.

New Business:

No new business.

Public Comment:

Jennifer Knick of Broadway High School commented that with it being two weeks until Spring Break the school is planning to provide meals for the kids in need during the off time. The school has also established a clothes closet online where students in need can order online, and the clothing will be given to them with the meals that are sent home.

There being no further business, the meeting was adjourned.

Mayor

Timothy S. Proctor

Clerk

Andrea M. Fulk