

BROADWAY TOWN COUNCIL

February 7, 2023

The Broadway Town Council met in regular session on February 7, 2023 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, Douglas W. Harpine, David L. Jordan and Beverly L. London. Council Member Richard E. Fulk was not in attendance. The following Planning Commission members were present: Eddie Long, Brenda Pultz, and Tim Schmoyer. Planning Commission Member Travis Driver was not in attendance. The following staff members were present: Town Manager Kyle O'Brien, Assistant Town Manager Cari Orebaugh, Town Clerk Andrea Fulk, Town Attorney Matt Light, and Police Chief Douglas Miller. Also in attendance were Joe Adolph, Lisa Zweigler, Michael Amundsen and James Kelly.

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:

David L. Jordan moved, seconded by Chad L. Comer to adopt the minutes of the January 3, 2023 session of Council and to authorize payment of bills in the amount of \$654,812.04. The motion was approved with the following recorded roll call vote:

Chad L. Comer	Aye	Leslie E. Fulk	Aye
Richard E. Fulk	Absent	Douglas W. Harpine	Aye
David L. Jordan	Aye	Beverly L. London	Aye

Joint Public Hearing: Appointment of Zoning Administrator

Mayor Proctor advised that the first item of business is a Joint Public Hearing to amend a section of the Land Development Regulations regarding the zoning administrator. Mayor Proctor requested that Town Attorney Matt Light discuss this process. Mr. Light stated the purpose of the public hearing is to change the text in the zoning ordinance. This change is to allow the appointment of someone other than the Town Manager to be the zoning administrator due to the increase in the Town's needs and size. He further stated that anytime there is a change to the text in the zoning ordinance it is required to have a joint public hearing with the planning commission. He concluded by stating the Ordinance that is being considered tonight will adjust section 801.01 of the zoning code in the Land Development Regulations to allow for someone other than the Town Manager to be the zoning administrator. Mayor Proctor then asked if there was any public comment or concerns. Hearing none he closed the public hearing and asked for a recommendation from the Planning Commission.

The Planning Commission then convened and Planning Commission Chairman Eddie Long asked if there were any questions or concerns from the planning commission members. Having found there were none he then invited Planning Commission action. Member Timothy Schmoyer moved, seconded by Brenda Pultz, to approve the request to change the text in 801.01 of the Land Development Regulations zoning ordinance as presented. The motion was approved with the following Planning Commission vote:

Eddie Long	Aye	David Jordan	Aye
Timothy Schmoyer	Aye	Brenda Pultz	Aye
Travis Driver	Absent		

Mayor Proctor then invited Council action.

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Having heard the Planning Commission's recommendation, David L. Jordan moved, seconded by Douglas W. Harpine, to approve the recommendation to adopt the ***ORDINANCE TO AMEND AND RE-ENACT SECTION 801.01 OF THE LAND DEVELOPMENT REGULATIONS OF THE TOWN OF BROADWAY, VIRGINIA***, a copy of 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	Absent	Douglas W. Harpine	Aye
David L. Jordan	Aye	Beverly L. London	Aye
Timothy S. Proctor	Aye		

Mayor Proctor then asked Council Member Leslie Fulk if there was a recommendation to appoint a new Zoning Administrator. Mr. Fulk moved, seconded by David L. Jordan to appoint Assistant Town Manager Cari Orebaugh as the new Zoning Administrator. The motion was approved with the following recorded roll call vote:

Chad L. Comer	Aye	Leslie E. Fulk	Aye
Richard E. Fulk	Absent	Douglas W. Harpine	Aye
David L. Jordan	Aye	Beverly L. London	Aye
Timothy S. Proctor	Aye		

Audit Presentation:

Mayor Proctor stated the next item of business is the Audit Presentation, he then requested that Town Manager Kyle O'Brien give the introductions. Mr. O'Brien stated that Mr. James Kelly of Robinson, Farmer, Cox Associates is here to provide a presentation of the Town's audit for FY2022. Mr. Kelly began by stating he is going to give a brief presentation and provided a copy of the Financial and Compliance Reports for the year ending June 30, 2022 to each Council Member. He then highlighted various items throughout the audit report and reviewed the funds associated with the Town's governmental operations. He stated that the Town continues to be in a good financial position and reviewed changes in revenues and expenses as outlined in the budget. Mr. Kelly concluded by offering to answer questions anyone may have.

Mayor Proctor thanked Mr. Kelly for the presentation and acknowledged the continued efforts of Town Manager Kyle O'Brien and Treasurer Marla Kline in the daily handling of the Town's financial operations.

Old Business:

Mr. O'Brien reported on the following items:

- **Heritage Park Bathrooms:** Mr. O'Brien stated that he is still waiting for additional information and will bring it before council for further discussion when it is received.

Departmental Reports:

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Parks & Recreation Department:

No report.

Finance Department:

Mr. O'Brien stated there will be a meeting on March 2 at 5:00.

Personnel/Police Department:

No report. A copy of the police report for the month of January is included in the minutes as Attachment B.

Utilities Department:

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

Streets & Properties Department:

Council Member Chad Comer stated that the Third Street project is nearing completion and should be done by Spring. He then stated there is a resolution on the agenda for approval and moved, seconded by Beverly L. London to approve the **RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BROADWAY, VIRGINIA, REQUESTING THE ACCEPTANCE OF CERTAIN TOWN STREETS INTO THE STATE SYSTEM FOR THE PURPOSE OF MAINTENANCE PAYMENTS**, a copy of which is included in the minutes as Attachment D. Mayor Proctor then requested that Mr. O'Brien give a brief history on this resolution. Mr. O'Brien stated that when the Town has added additional roads a request is sent to VDOT to receive maintenance payments to maintain the streets within the Town. Mayor Proctor asked if there were any questions or concerns, hearing none he called for the vote. The motion was approved with the following recorded roll call vote:

Chad L. Comer	Aye	Leslie E. Fulk	Aye
Richard E. Fulk	Absent	Douglas W. Harpine	Aye
David L. Jordan	Aye	Beverly L. London	Aye

BHP:

Council Representative Chad Comer stated the first meeting of the year was held and are currently working on updating the bylaws. The next event is the Easter Egg Hunt that will be held at Heritage Park on April 1st.

Planning Commission Report:

Mr. O'Brien stated that the next item of discussion will be the age restriction on the Trimble Heights subdivision.

New Business:

No report.

Public Comment:

Michael Amundsen, a resident questioned when the estimated completion date of the Bridge. Mr. O'Brien responded by stating the target completion date is December of 2023. Mr. Amundsen then requested an update on the Rails to Trails project. Assistant Town Manager Cari Orebaugh stated the project is moving forward and VDOT has received funding for preliminary engineering studies. There is a Community Meeting that is scheduled for later this month to relay information to residents

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on the current progress and the future goal of completion by 2030.

There being no further business, the meeting was adjourned .

Timothy S. Proctor

Mayor

Andrea M. Fulk

Clerk