

MEETING MINUTES OF THE  
BROADWAY TOWN COUNCIL  
AUGUST 1, 2023

The Broadway Town Council met in regular session on Tuesday, August 1, 2023, in the Council Chambers of the Broadway Town Hall. 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 staff members were present: Town Manager Kyle O'Brien, Deputy Town Manager Cari Orebaugh, Town Clerk Donna Lohr, Town Attorney Matthew Light and Police Chief Douglas Miller. Also in attendance were Shawn Moorman, Kathleen Moorman, Emma Light, Tim Schmoyer, Dale Hulvey, Scott Campbell, Harleigh Cupp, Bob Sutherland, Ronald Fawley, Liz Fawley, Jenny Knick, and Jeff McMillan.

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:**

**Beverly L. London moved to adopt the minutes of the July 11, 2023, session of Town Council and to authorize payment of bills in the amount of \$541,874.07. Douglas W. Harpine seconded the motion which was approved with the following recorded roll call vote:**

<b>Chad L. Comer</b>	<b>Aye</b>	<b>Leslie E. Fulk</b>	<b>Aye</b>
<b>Richard E. Fulk</b>	<b>Aye</b>	<b>Douglas W. Harpine</b>	<b>Aye</b>
<b>David L. Jordan</b>	<b>Aye</b>	<b>Beverly L. London</b>	<b>Aye</b>

**Old Business:**

Mr. O'Brien reported that National Night Out is currently underway at the community park. A medical helicopter flew in for the event and the Fire and Rescue department also attended. The event is going on until 8:00 p.m. this evening. Hamburgers, hot dogs, chips and water are available to citizens at no charge. This event was well planned and organized by Chief Miller and Ms. Cari Orebaugh.

Mr. O'Brien provided a brief update on the work at the Rt. 259 bridge. The bridge changeover is tentatively scheduled for August 28, 2023, which is ahead of schedule. Additional work will still need to be done after this, but the permanent bridge will be in effect. Mr. O'Brien remarked that the contractor and VDOT had done a good job meeting and exceeding deadlines on this project.

Mr. O'Brien updated Council Members on the community pool, stating that it had been a good summer at the pool. The event at the pool this past Friday was rained out. The pool will be closing for the season in another three weeks. Movie night is scheduled for this Saturday night, featuring the movie "Moana". The Dog Days event is scheduled for September 10<sup>th</sup>.

**Departmental Reports:**

**Parks & Recreation Department:**

Council Representative Douglas W. Harpine remarked that Mr. O'Brien had covered the topics for his report. He also requested profit and loss figures for the pool once the season ends.

**Finance Department:**

No report.

**Personnel/Police Department:**

Council Representative Leslie E. Fulk advised that a hard copy of the Police Department Report was provided to Council Members this evening, and he had nothing additional to report. A copy of the police report for the month of July is included with the minutes as Attachment A.

MEETING MINUTES OF THE  
BROADWAY TOWN COUNCIL  
AUGUST 1, 2023

**Utilities Department:**

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

**Streets & Properties Department:**

Council Representative Chad L. Comer advised that paving is scheduled for the fall.

**BHP:**

Council Representative Chad L. Comer stated that Autumn Fest is scheduled for September 9<sup>th</sup> and Oktoberfest is scheduled for the end of September.

**Planning Commission Report:**

Council Member David L. Jordan stated that there was nothing to report, however the Comprehensive Plan would be coming in the Fall for review and discussion.

**New Business:**

Mr. O'Brien advised that staff was charged with preparing a potential golf cart ordinance. Staff had reviewed ordinances from other localities, specifically those in Rockingham County, and had created an ordinance based on the principles of the other ordinances, but with specificity for Broadway. If the ordinance is adopted there are things that staff will have to do such as posting signs throughout town, as required by state law. Council members were provided a map indicating streets where golf carts may not travel or cross. A copy of the map is included with the packet as Attachment C. In summation, in the Town of Broadway, most locations are landlocked. Most citizens are unable to travel out of their subdivision in a golf cart to a gas station or 7-11 legally. Mr. O'Brien advised that it is ultimately a policy decision that the Council will have to make. Staff has provided the best possible ordinance, vetted by the Town Attorney for Council to review and decide if they wish to approve it. Staff will abide by whatever Council decides. A copy of the ordinance is included with the packet as Attachment D.

**Council Representative Chad L. Comer made a motion to accept the golf cart community ordinance proposal and adopt the ordinance as presented. Council Representative Leslie E. Fulk seconded the motion.**

Council Representative Beverly L. London advised that there is nowhere to go in town in a golf cart. Her opinion has not changed.

Council Representative Leslie E. Fulk stated that the map clearly indicates that golf carts cannot drive throughout town, but they can go from subdivision to subdivision. He further remarked that there will likely not be any enforcement issues. Broadway has the best police department, and they will be able to handle golf carts in town. The only cost to the Town would be the cost of signs. There are no line-of-sight issues and there are already smaller vehicles on the road. Mr. Fulk stated that this would be something nice to have and so he is in support of the ordinance.

Mayor Proctor remarked that it is unusual to have a disputed opinion among the council. He realized that he may have to be the tie breaker on this issue. He remarked that he believes it is not fair for him to decide on this issue when he will be leaving in four months and will not be on Council to administer the ordinance. He also remarked that he does not think the topography of Broadway is conducive to implementing this ordinance. He stated that this topic can be brought up by the new council which will take office in January. He added that with some retrofitting with lights and turn signals on a golf cart, it is legal to drive it in Broadway anyway.

Council Representative Chad L. Comer stated that he supports the golf cart community proposal 100

MEETING MINUTES OF THE  
BROADWAY TOWN COUNCIL  
AUGUST 1, 2023

percent. He has had many residents asking for it. He did originally have safety concerns, but there have been no incidents or accidents with golf carts in the other localities that staff researched. Mr. Comer supports the ordinance since it is something that has been requested by citizens. Council Representative Douglas W. Harpine doesn't see the purpose the ordinance provides. He has talked to the Chief and although the Chief will abide by Councils' decision, he would prefer to not see the ordinance take effect. Mr. Harpine reiterated that carts can be retrofitted and legally drive through Broadway.

**With no further discussion, the motion failed on the following recorded roll call vote:**

<b>Leslie E. Fulk</b>	<b>Aye</b>	<b>Richard E. Fulk</b>	<b>No</b>
<b>David L. Jordan</b>	<b>Aye</b>	<b>Chad L. Comer</b>	<b>Aye</b>
<b>Beverly L. London</b>	<b>No</b>	<b>Timothy S. Proctor</b>	<b>No</b>
<b>Douglas W. Harpine</b>	<b>No</b>		

**Public Comment:**

Liz Fawley, a resident, asked about low-speed permits on golf carts.

Mr. O'Brien responded that if a golf cart is made street legal, it can be driven on the roads and operated as any other motor vehicle.

Mr. Harpine remarked that is a safer option with less limitations.

Mr. Comer stated that this topic can be brought back up at a later date.

Bob Sutherland, a resident on Gold Drive remarked that he does not understand why this ordinance wasn't passed. Mr. Sutherland stated that he had gone to DMV to get his golf cart permitted and had met all the requirements, but the DMV would not approve his golf cart, stating they would not issue a permit for the golf cart as a low-speed vehicle. Mr. Sutherland remarked that it is unfair to not allow golf carts in a restricted area, that safety is ensured by designating the restricted area. Mr. Sutherland stated that he will continue to bring the golf cart ordinance up every month.

Discussion ensued regarding DMV's requirements for golf carts as low speed vehicles.

Mr. O'Brien stated that staff will get clarification from the DMV on their requirements for low-speed vehicles and golf carts.

Mr. Tim Schmoyer, a resident, asked if golf carts can be used on Rails to Trails.

Ms. Cari Orebaugh responded that it is too soon to know the answer to that, but it is worth researching.

Jenny Knick, assistant principal at Broadway High School provided a brief update on current activities at the school. She reported that Mr. Dan Sanders is the new principal of Broadway. Interviews were conducted today for a new assistant principal and that person's name will be announced tomorrow. Mrs. Knick went on to report that an issue Broadway High School has been struggling with is chronic absenteeism. This is defined as missing 17 or more days. Thirty percent of students were chronically absent. This affects Broadway's accreditation. Broadway High School's goal is to decrease their absenteeism rate by at least 10% this year. Mrs. Knick advised that COVID played a role in kids staying home from school. The goal is to persuade students to attend school and stay in school. Mrs. Knick reported that the football field concession work is almost complete. The extension to the high school is going well. Construction will continue through next summer and will hopefully be complete in time for re-districting in 2024. Mrs. Knick invited Council Members to attend Broadway High School's "meet and greet event" on August 23<sup>rd</sup>, 2023 at 7:30 a.m.

Mr. Dale Hulvey, a resident, spoke about the pickleball courts at Heritage Park. Mr. Hulvey stated that he would like to see construction fence put up to deter balls from going into the weeds, thus

MEETING MINUTES OF THE  
BROADWAY TOWN COUNCIL  
AUGUST 1, 2023

preventing players from going into the weeds to retrieve balls. Mr. Hulvey also remarked that it may be time to start advertising that Broadway has pickleball courts.

Mr. O'Brien responded that the pickleball courts are currently a "work in progress". The goal is to complete this project by the end of the year. Staff can install construction fence in the interim.

Mr. Shawn Moorman also spoke regarding the pickleball courts. He stated that Broadway has done a great job on the courts. He stated that there is a group of about 50 people currently in their pickleball club. The group has come up with a "wish" list and Mr. Moorman has provided that list to Town staff.

Mr. Bob Sutherland asked if Glo-Fiber is under oversight by Town Staff.

Mr. O'Brien stated that the Town is communicating with Glo-Fibers' contractors on a regular basis. Glo-Fiber's installation of fiber optic lines will give residents another internet option in Town. Town Administration and the Public Works Department have been on top of oversight of this project. There have been many different subcontractors involved and any issues are being addressed by Town staff. The scheduled date for availability of Glo-fiber internet is December 2023.

**Adjourn:**

**With no further comments from the public, and no further business to discuss, at 8:03 p.m., Douglas W. Harpine moved, seconded by Beverly L. London, to adjourn the August 1, 2023, Town Council meeting. The motion was approved with the following recorded roll call vote:**

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

\_\_\_\_\_ Mayor  
Timothy S. Proctor

\_\_\_\_\_ Town Clerk  
Donna J. Lohr