

**MINUTES
TOWN COUNCIL
TOWN OF SHENANDOAH
REGULAR MEETING
SEPTEMBER 22, 2015**

CALL TO ORDER: The Shenandoah Town Council held its regular meeting on Tuesday, September 22, 2015, at 7:00 p.m., with Mayor Clinton O. Lucas, Jr., presiding.

The meeting began with the Pledge of Allegiance.

ATTENDANCE: Council Members present were: Mayor Clinton O. Lucas, Jr.; Vice Mayor William Kite; Councilmen Russell Comer, Jr.; Lynn Fox; David Hinkle; and Richard Pierce.

Council Members absent were: Charles Jenkins.

Other Town Officials present were: Larry Dovel, Town Manager; Juanita F. Roudabush, Assistant Town Manager/MMC; and Paul Davis, Chief of Police.

Citizens present were: Charlotte Stover and Judy Robertson.

Media Representatives: None.

RECEIVING OF VISITORS

There were no visitors to speak during this period. However, Council gave permission to allow Charlotte Stove and Judy Robertson to address their concerns now, rather than wait until the end of the meeting.

Mrs. Stover and Mrs. Robertson advised Council of unkempt property in their neighborhood. They noted there are trash piles and other debris that are drawing rodents to this property. They also complained of inoperable vehicles on this property and voiced their concern for the five children who are living in this rental home. They noted their neighbors are renting the home on their street now and apparently their former rental home was overrun with rodents before they moved out. They expressed fears the rental on their street would wind up in the same condition, as it has already started with the trash piles, etc. Regarding the children living in the home, they noted they have witnessed the parents seemingly mistreating the children and noted they often leave even the smallest baby to walk along the street without supervision. They thanked the Shenandoah Police Department, especially Officer Hensley, who have responded to their calls regarding some of these complaints. They noted the police have also dealt with the pitbull dogs, who were not being contained on this lot. They implored Council to do all within their power to ensure the trash and debris are brought under control as soon as possible.

Chief Davis confirmed his office has responded to some of the issues at this location and their former location in the past, and is also aware of some of the other complaints being lodged. He noted one of the inoperable vehicles was recently involved in a wreck and, they informed him as

soon as the insurance is settled, this vehicle will be towed away. He noted this information has been reported to the appropriate outside agency, but they will continue to deal with the matter to ensure compliance with the regulations in place.

It was noted the Page County Health Department responded to the former residence to inspect for rodents and other issues, and the Town would contact them to ask they also inspect this property.

Mayor Lucas and Council Members noted they would take action to ensure compliance with the Town Code and contact other agencies to alert them of the other complaints involved as well.

SEPTEMBER 8, 2015, REGULAR MEETING MINUTES:

A *Motion* was made by Councilman Fox, *seconded* by Councilman Pierce, to approve the *Regular Meeting Minutes* held on September 8, 2015, as presented.

Members Vote was as follows:

YEA: Vice Mayor Kite
Councilman Comer
Councilman Fox
Councilman Hinkle
Councilman Pierce

NAY: None.

ABSTAIN: Mayor Lucas.

ABSENT: Councilman Jenkins.

VOTE: **Unanimous in favor of motion.**

APPROVAL OF BILLS:

There being no questions or comments, a *Motion* was made by Vice Mayor Kite, *seconded* by Councilman Comer, to approve the bills, dated **September 22, 2015**, in the **Combined Accounts Disbursement Warrants #33961 - #334006** in the amount of **\$75,427.49**.

Members Roll Call Vote was as follows:

YEA: Vice Mayor Kite
Councilman Comer
Councilman Fox
Councilman Hinkle
Councilman Pierce

NAY: None.

ABSTAIN: Mayor Lucas.

ABSENT: Councilman Jenkins.

VOTE: **Unanimous in favor of motion.**

TREASURER'S REPORT: Mayor Lucas read the Treasurer's report, submitted by Treasurer Cindy Breeden, for September 22, 2015.

A *Motion* was made by Councilman Comer, *seconded* by Vice Mayor Kite, to approve the September 22, 2015 Treasurer's report in the amount of \$1,246,363.07, as read.

Members Vote was as follows:

YEA: Vice Mayor Kite Councilman Comer Councilman Fox Councilman Hinkle Councilman Pierce	NAY: None.
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ABSTAIN: Mayor Lucas.

ABSENT: Councilman Jenkins.

VOTE: **Unanimous in favor of motion.**

CORRESPONDENCE

Item # 1 – Councilman Pierce stated he would like for Council to reconsider adopting a panhandling ordinance because the problem persists in Town. He noted he and his wife were approached as they were leaving a church event recently and, though the person was not aggressive, he still felt if the Town had a panhandling ordinance in the Code, it may help stop this type of panhandling. He also noted the business owners may be more likely to call the police if an ordinance against this existed. The business owner could then decide if they wanted to issue a no trespassing order against them. He noted one local business recently had several incidences of panhandling too.

Chief Davis explained the general law allows them to issue no trespassing orders against anyone the property owner does not want on the property.

Councilman Hinkle stated the panhandling ordinance has limitations on the hours and since it only covers aggressive panhandling, he was not sure it would help with the current situations.

Chief Davis noted the Town should seek legal advice prior to adopting any panhandling ordinance, especially since there have been lawsuits in similar cases in other localities. He explained the lawsuits stem from the Freedom of Speech laws too.

Mayor Lucas provided Council with an article on the pros and cons of adopting an ordinance for panhandling and noted there are groups who will sue a locality saying the panhandling ordinances violated their constitutional rights.

Following a brief discussion, Council requested Chief Davis to conduct more research on the panhandling ordinances and determine if the Town should adopt an ordinance at this time.

Chief Davis reminded business owners and churches, there are currently regulations in place to assist them with handling unwanted panhandlers on their property. Anyone having this problem should contact the Shenandoah Police Department for assistance in this regard. He stated the non-emergency number is 540-652-8193 or they should dial 911 in case of emergency.

Item # 2 - Mayor Lucas and Council Members received notice of the car wash being held by the JMU Club Rowing Team as a fundraiser for their organization. The car wash is being held at the Shenandoah Exxon on Sunday, September 27, from 10 a.m. until 1 p.m.

Item # 3 – Mayor Lucas and Council Members received notice the Shenandoah Library holds the following activities: Kids Story Time every Tuesday at 11 a.m.; Crafty Kids the 2nd Thursday at 5 p.m.; and a LEGO Club on the 3rd Thursday at 5 p.m. For adults they have a Book Club on the 2nd Tuesday at 6 p.m. and a Knitting and Crocheting Group the 2nd and 4th Tuesday at 4 p.m.

Item # 4 – Mayor Lucas and Council Members also received notice that the Massanutten Regional Library will hold free Fall Programming geared toward children in grades K-5. "The Lion, the Witch, and the Wardrobe" (Hampstead Stage Company) will be presented at the Shenandoah *Community* Center on Friday, November 6th at 7 p.m.; Saturday, November 7th at 11 a.m. and 2 p.m. This is a free event and children must be accompanied by an adult.

Item # 5 - Mayor and Council received information regarding upcoming events as follows: the Shenandoah Marketplace will hold the last Marketplace of the season on Thursday, October 1 from 3 p.m. until 7 p.m. at Stevens Cottage. See the Shenandoah Marketplace Facebook page for more information; the Virginia Cooperative Extension will host a "Managing Your Money Series" on Mondays beginning on October 19 and running through November 23 at the Pioneer Bankshares Building, 263 East Main Street, Stanley, VA from 6:30 p.m. - 8:30 p.m. There is a \$15 fee for the 6 part series unless you have a scholarship voucher from a community organization. 2 people may attend for the price of one if they share materials. Topics include Personal Finances; Understanding Credit; Developing a Spending and Savings plan; Traditional and Non-traditional Banking; Insurance and Record Keeping; and Getting Out of Debt. More information is available by calling 540-635-4549 or emailing kpoff@vt.edu; and TRIAD of Page County will hold their 1st Annual Fall Senior Conference on Thursday, October 22, 2015 from 9 a.m. until 1 p.m. at the Christ United Methodist Church in Shenandoah. Several guest speakers will present the following topics: Estate Planning; Wellness as We Age; and Senior Safety. There will be a free lunch provided for seniors in attendance. More information or to schedule transportation, please call Tina Sumpter at the Page County Sheriff's Department 540-843-4506.

COMMITTEE REPORTS

WATER & SEWER

(Chairman Kite and Councilmen Comer and Jenkins)

Following questions, Town Manager Dovel reported the water tank is being sandblasted and recoated and painted. He explained there are just a few areas of Town experiencing abnormally low water pressure due to this tank being out of service, but normal operations should begin again on October 9, 2015.

STREETS & PUBLIC PROPERTY

(Chairman Kite and Councilmen Comer and Hinkle)

Following questions, Town Manager Dovel reported the Virginia Department of Transportation is still working in Town patching streets and Hensil Good should be in Town soon to patch the few areas where water leaks were repaired.

POLICE, SAFETY, & JUDICIAL

(Chairman Kite and Councilmen Hinkle and Jenkins)

Following a question, Chief Davis reported his office is aware of some potential illegal activity at the river and a suspicious vehicle in Town, and they are investigating both incidences.

TAXATION & FINANCE

(Chairman Pierce and Councilmen Fox and Kite)

Committee Chairman Pierce stated the budget reports were received through August for review.

Councilman Hinkle stated legal work is very expensive as 71% of the budget has been used already.

PARKS & RECREATION

(Chairman Comer and Councilmen Pierce and Jenkins)

Committee Chairman Comer reported the following Parks and Recreation News: English Ivy has been planted on the steep bank at Big Gem Park and more plants will be ordered to fill in the area; new lights were installed at Big Gem Park recently; the Sheriff Thomas also owns a tree farm and if he has extra trees, he will likely provide one for the Town's Tree Lighting Ceremony at Big Gem Park scheduled for December 12th at 6 p.m.; the Shenandoah Beautification Committee has agreed to help decorate the park again and are planning to add more decorative wooden cutouts for this year.

INDUSTRIAL, ECONOMIC DEVELOPMENT & PROCUREMENT

(Chairman Jenkins and Councilmen Comer and Pierce)

There was nothing further to report during this period.

COMMUNITY SERVICE

(Chairman Kite and Councilmen Jenkins and Pierce)

There was nothing further to report during this period.

PERSONNEL

(Chairman Pierce and Councilmen Hinkle and Jenkins)

There was nothing further to report during this period.

POLICE REPORT

There was nothing further to report during this period.

UNFINISHED BUSINESS

Councilman Fox requested more research be conducted regarding the burning laws within the Town limits, including the areas brought in by the Boundary Line Adjustment. He noted the state law prohibits burning of refuse and he felt the Town should not allow it within the Town boundary.

Chief Davis explained outdoor burning and other situations like this are handled by a fire marshal in other localities, but Page County does not have one at this time.

Following a brief discussion, Mayor and Council Members noted any changes may require an amendment to the Town Code for burning of refuse too.

Councilman Fox then reported there are several residents who want the Town to have a full museum building to house existing memorabilia and historical items along with providing a place to bring in new items in the future. He noted this matter has been discussed before and it would be an added expense, but he just wanted the Council to be aware citizens are interested in this in the future and they would like to explore grants or a lease for museum space.

NEW BUSINESS

There was nothing to report during this period.

TOWN MANAGER'S REPORT

There was nothing further to report during this period.

MAYOR'S REPORT

There was nothing further to report during this period.

FOR THE GOOD OF THE TOWN

There was no one present to speak during this period.

ADJOURN

There being no further discussion, a *Motion* was made by Vice Mayor Kite, *seconded* by Councilman Fox, to adjourn the meeting at 8:18 p.m.

Members Vote was as follows:

YEA: Vice Mayor Kite
Councilman Comer
Councilman Fox
Councilman Hinkle
Councilman Pierce

NAY: None.

ABSTAIN: Mayor Lucas.

ABSENT: Councilman Jenkins.

VOTE: **Unanimous in favor of motion.**

APPROVED:

ATTESTED:

Clinton O. Lucas, Jr., Mayor

Juanita Roudabush, Clerk