

**MINUTES  
TOWN COUNCIL  
TOWN OF SHENANDOAH  
REGULAR MEETING  
JULY 12, 2016**

**CALL TO ORDER:** The Shenandoah Town Council held its regular meeting on Tuesday, July 12, 2016, 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.; Dave Hinkle; Lynn Fox; and Charles Jenkins.

**Council Members absent were:** Councilman Richard Pierce.

**Other Town Officials present were:** Larry E. Dovel, Town Manager; Christl D. McCoy, Deputy Clerk/Treasurer; and Paul Davis, Chief of Police.

**Citizens present were:** Mike Uram and Matthew Yoder (arrived at 7:15 p.m.).

**Media Representatives:** Christopher Slater, Page News & Courier.

**RECEIVING OF VISITORS**

There were no visitors on the agenda.

**JUNE 28, 2016, REGULAR MEETING MINUTES:**

A *Motion* was made by Councilman Fox, *seconded* by Vice Mayor Kite, to approve the *Regular Meeting Minutes* held on June 28, 2016, as presented.

Members Vote was as follows:

**YEA:** Vice Mayor Kite  
Councilman Comer  
Councilman Hinkle  
Councilman Fox  
Councilman Jenkins

**NAY:** None.

**ABSTAIN:** Mayor Lucas.

**ABSENT:** Councilman Pierce.

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

**APPROVAL OF BILLS:**

Councilman Fox inquired about warrant number 34756 for cargo pants?

Town Manager Dovel stated new cargo pants were purchased for the Street Department employees out of last fiscal year's budget.

There being no further questions, a *Motion* was made by Vice Mayor Kite, *seconded* by Councilman Comer, to approve the bills, dated **July 12, 2016**, in the **Combined Accounts Disbursement Warrants #34748-34803** in the amount of **\$204,822.53**.

Members Roll Call Vote was as follows:

**YEA:** Vice Mayor Kite  
Councilman Comer  
Councilman Hinkle  
Councilman Fox  
Councilman Jenkins

**NAY:** None.

**ABSTAIN:** Mayor Lucas.

**ABSENT:** Councilman Pierce.

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

**TREASURER'S REPORT:** Mayor Lucas read the Treasurer's report, submitted by Treasurer Cindy Breeden, for July 12, 2016.

A *Motion* was made by Councilman Comer, *seconded* by Councilman Fox, to approve the July 12, 2016 Treasurer's report in the amount of \$1,314,318.21, as read.

Members Vote was as follows:

**YEA:** Vice Mayor Kite  
Councilman Comer  
Councilman Hinkle  
Councilman Fox  
Councilman Jenkins

**NAY:** None.

**ABSTAIN:** Mayor Lucas.

**ABSENT:** Councilman Pierce.

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

**CORRESPONDENCE**

**Item # 1** – Mayor Lucas read a memorandum from Town Manager Dovel asking to transfer

\$14,181.61 from the Capital Improvement Checking Account to the Utility Checking Account to pay invoices for the replacement of the 10<sup>th</sup> Street well submersible pump and repairs. Town Manager Dovel stated the Town has already received reimbursement less the \$500 deductible from VML Insurance due to damage caused by a lightning strike.

Councilman Fox asked if we have lightning protection in place at the wells. Town Manager Dovel replied Burner Well Drilling considers surge protectors to be unreliable and does not recommend their use. Councilman Comer suggested getting a recommendation from Leon's Electric regarding lightning protection.

A *Motion* was made by Councilman Comer, *seconded* by Councilman Fox, to authorize the transfer of \$14,181.61 from the Capital Improvement Checking Account to the Utility Checking Account to pay invoices for the replacement of the 10<sup>th</sup> Street well submersible pump and repairs.

Members Roll Call Vote was as follows:

**YEA:** Vice Mayor Kite  
Councilman Comer  
Councilman Hinkle  
Councilman Fox  
Councilman Jenkins

**NAY:** None.

**ABSTAIN:** Mayor Lucas.

**ABSENT:** Councilman Pierce.

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

**Item # 2** – Mayor Lucas and Town Council Members received Town of Shenandoah Website Statistics for June 2016 for review.

**Item # 3** – Mayor Lucas and Town Council Members received Town of Shenandoah Vehicle Gasoline Log for June 2016 for review.

**Item # 4** – Mayor Lucas and Town Council Members received Town of Shenandoah Police Department Statistics for June 2016 for review.

**Item # 5** – Mayor Lucas and Town Council Members received a copy of an email from Planning Commissioner Matthew Yoder giving an example definition of “maximum occupancy limits” which limits the number of persons permitted in a tourist home to two persons per bedroom plus two additional persons. Mayor Lucas stated this topic will be addressed in more detail under “Unfinished Business”.

**Item # 6** – Mayor Lucas read a request from W.R. Good, Scoutmaster Boy Scout Troop 46, asking permission for his Troop to camp overnight at the Shenandoah River Park on Saturday, August 20, 2016. He also requested access to the on-site restroom facilities.

Town Manager Dovel stated the restrooms are open for the season at the River Park.

A **Motion** was made by Councilman Jenkins, **seconded** by Councilman Fox, to grant permission to Boy Scout Troop 46 to camp overnight at the Shenandoah River Park on Saturday, August 20, 2016.

Members Vote was as follows:

<b>YEA:</b> Vice Mayor Kite Councilman Comer Councilman Hinkle Councilman Fox Councilman Jenkins	<b>NAY:</b> None.
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**ABSTAIN:** Mayor Lucas.

**ABSENT:** Councilman Pierce.

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

Councilman Comer requested a reminder to the Scoutmaster to clean up any trash and not leave any belongings behind.

**Item # 7** – Mayor Lucas and Town Council Members received Town of Shenandoah June 2016 General and Utility Fund Budgets for review.

### **COMMITTEE REPORTS**

#### **WATER & SEWER**

(Chairman Kite and Councilmen Comer and Jenkins)

Public Works repaired a water leak under Route 340 near 429 Fourth Street. It was fortunate the leak was easily detected and did not require a large portion of Route 340 to be dug up to repair it.

#### **STREETS & PUBLIC PROPERTY**

(Chairman Kite and Councilmen Comer and Hinkle)

Town Manager Dovel noted the Town has been installing cold patch and tamping it down, in advance of VDOT coming through later this summer to tar and gravel the areas of the streets where water leaks were repaired. This will be at no cost to the Town. Public Works Department has exhausted the supply of cold patch and is waiting for VDOT to supply more.

Councilman Jenkins inquired if the Town has acquired a tamper or are we still borrowing Elkton's? Town Manager Dovel responded the Town purchased one at Harbor Freight with funds from last year's fiscal budget.

Councilman Jenkins asked if the Town owns curbing forms and if not, we should have them on hand to expedite repairs after water leaks are fixed. Town Manager Dovel stated we do not have them, but are able to borrow them from a local contractor as the need arises. He will look into purchasing prefabricated forms.

Councilman Jenkins noted the sidewalk and drainage system has been replaced under the Norfolk Southern Railroad arch. Town Manager Dovel stated this phase of the project has been completed by VDOT. The repaving will be completed at a later date. He also noted the new pipe worked well and there were no drainage issues with the recent heavy rains.

### **POLICE, SAFETY, & JUDICIAL**

(Chairman Kite and Councilmen Hinkle and Jenkins)

Chief Davis reported training for the new police software has gone very well and is almost complete. The new software will reduce the use of paper by 80% to 90%. It should be running by the end of the month.

Councilman Jenkins asked for an update on the excessive speeding along Shenandoah River Road brought to the Council's attention by concerned citizens at a recent Council meeting. Chief Davis placed the Police Department's speed monitoring trailer along Shenandoah River Road recently. During the period it was there, it registered 56 cars. The maximum speed recorded was 31 mph and did not show anything remarkable.

Chief Davis also noted VDOT had recently been through the area and trimmed trees and shrubs along the road. This has improved both clearance and visibility.

Town Manager Dovel stated VDOT will be in Town for several more weeks trimming along all the roadways.

### **TAXATION & FINANCE**

(Chairman Pierce and Councilmen Fox and Kite)

There was nothing to report.

### **PARKS & RECREATION**

(Chairman Comer and Councilmen Pierce and Jenkins)

Committee Chairman Comer reported the remaining mulch has all been spread and one small truckload is needed to complete the job.

Councilman Jenkins inquired about the three separate charges on the Shenandoah Valley Electric Coop bill for the River Park? Town Manager Dovel stated the Town pays a minimum charge each month for one receptacle, one pole light and the electricity in the public restroom.

**INDUSTRIAL, ECONOMIC DEVELOPMENT & PROCUREMENT**  
(Chairman Jenkins and Councilmen Comer and Pierce)

There was nothing to report during this period.

**COMMUNITY SERVICE**  
(Chairman Kite and Councilmen Jenkins and Pierce)

There was nothing to report during this period.

**PERSONNEL**  
(Chairman Pierce and Councilmen Hinkle and Jenkins)

Town Manager Dovel reported one full-time Public Works employee will have surgery on July 19, 2016 and will be off work for approximately three months. His workload will be covered by the remaining employees, including the newly hired part-time employee.

**POLICE REPORT**

There was nothing further to report during this period.

**UNFINISHED BUSINESS**

The discussion continued on revising the Town Code §50-33, as it relates to the Planning Commission recommendation for Short Term Rental.

Councilman Jenkins referenced Councilman Pierce's request to add "two story structure" to the definition. After a brief discussion, it was agreed this needs to be as specific as possible before the revision is submitted to the Town Attorney for review. "Two story" must be two stories **above street level**. This will exclude a single story with a basement being used as a tourist home.

During the discussion, it was brought to the attention of the Council it appears someone is occupying a commercial building as a residence. This had also been brought to the Town's attention about a year ago and the owner was informed this is a violation of Town Code. Another notice will be sent to the owner of the property. This same property also needs to be cleaned up and several cars need to be removed.

## **NEW BUSINESS**

Route 340 between JR's Tire and Junior Avenue needs to be swept to clear the road of gravels that washed during the recent heavy rains. Chief Davis stated the lack of a proper drain in this area is responsible for the issues caused by heavy rain. Vice Mayor Kite reported the same issue occurs on South Second Street near Mr. Shuler's rental.

Councilman Fox requested a mowing violation letter be sent to the owner of the property at 704 South Third Street.

Mayor Lucas advised Council the Combat Veterans will once again visit the Town of Shenandoah on Saturday, July 23, 2016, arriving at the V.F.W. at approximately 1 p.m., following a ride past Shenandoah Veterans Park. He would like to organize a welcoming committee. Chief Davis stated the group had reached out three months ago to let the Police Department know their plans.

## **TOWN MANAGER'S REPORT**

There was nothing to report during this period

## **MAYOR'S REPORT**

There was nothing to report during this period.

## **FOR THE GOOD OF THE TOWN**

Stanley Town Councilman Mike Uram thanked the Mayor and Council for their participation in the Town of Stanley's 50<sup>th</sup> Homecoming Celebration.

Planning Commissioner Matthew Yoder addressed the Council on several issues:

- 1) He advised the Council on his research regarding maximum occupancy for a tourist home. It should be based on two persons per bedroom plus two additional persons (for example a three-bedroom rental would sleep a total of eight). He suggested this provision in addition to the "two stories above street-level) provision be added to the proposed Town Code provision.

Councilman Comer asked if he had checked to see what the County Ordinance says about occupancy of tourist homes and noted it was rarely enforced. Commissioner Yoder explained most of his research was done on Town ordinances and appear to be dictated by the local Fire Marshals. He also stated enforcement is usually addressed on a complaint only basis, but having a Code section would allow for enforcement of any violations.

Mayor Lucas stated the maximum occupancy allows for accountability in case of

emergency.

- 2) Mr. Yoder complimented the recent work done on the sidewalk under the Norfolk Southern Railroad arch. It makes the walk easier from the Town to the River Park. He also was very complimentary of the Park and walking trail along the River.

**ADJOURN**

There being no further discussion, a ***Motion*** was made by Vice Mayor Kite, ***seconded*** by Councilman Jenkins, to adjourn the meeting at 7:49 p.m.

**YEA:** Vice Mayor Kite  
Councilman Comer  
Councilman Hinkle  
Councilman Fox  
Councilman Jenkins

**NAY:** None.

**ABSTAIN:** Mayor Lucas.

**ABSENT:** Councilman Pierce.

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

APPROVED:

ATTESTED:

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Clinton O. Lucas, Jr., Mayor

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Christl McCoy, Deputy Clerk