

**MINUTES  
TOWN COUNCIL  
TOWN OF SHENANDOAH  
REGULAR MEETING  
June 27, 2017**

**CALL TO ORDER:** The Shenandoah Town Council held its regular meeting on Tuesday, June 27, 2017, 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 Dave Hinkle; Charles Jenkins; I. Michael Lowe; and Lynn Fox.

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

**Other Town Officials present were:** Juanita F. Roudabush, Town Manager/MMC; Paul Davis, Chief of Police; and Sarah Dean, Town Clerk.

**Citizens present were:** Mike Uram, Stephanie Richards, Andrea Comer, Jeff Grimsely, Betty Wriston, and Mark Comer.

**Media Representatives:** There were no Media Representatives present during this meeting.

**RECEIVING OF VISITORS**

**Item # 1** – Andrea Comer addressed Mayor Lucas and Council Members with an animal control complaint. Andrea provided a video and picture to show the animal she is voicing the complaint about. Mrs. Comer stated the dog was tied to a fence post, but it came under two (2) fences and onto her father's property on the morning of June 20, 2017. The local police were called and the dog was taken back to its residence. Mrs. Comer referred to the Town Code section 10-37, and stated she disagrees with the police report and believes the dog was vicious and at large.

Councilman Jenkins noted the Town Police are not required to respond to animal control complaints, and only respond if an Animal Control Officer is not available.

Andrea Comer stated the officer on duty seemed unaware of the codes relating to animal control, and should be trained if he is needed to respond to such calls.

Police Chief Davis noted he did offer to sit down with Mrs. Comer and the responding officer to speak about the accuracy of the report and resolve the issue. Chief Davis also stated they could refer the case to the Commonwealth Attorney and see if they will press charges on the dog owners.

Mayor Lucas stated he believes it is a good idea for Mrs. Comer to sit down with the Officer and Chief Davis, in order to resolve the issue.

Stephanie Richards inquired about the legality of an Officer changing a police report if it was later decided the dog was at large.

Mayor Lucas stated the Officer's interpretation of the code is what decided the dog was not at large, and the report could not be changed.

Councilman Lowe stated the dog was on another home owner's property, even though it was tied, and this was the gray area in the code.

Police Chief Davis noted a dog cannot be deemed vicious unless it has bitten, attacked, or inflicted injury on a person or companion animal, or killed a companion animal, and he agreed with the Town Officer the dog was not at large because it was still tied.

Andrea Comer referred to Section 10-37 (a) of the Town Code that states a dog should not be allowed to go upon any public street or go upon the private property of another person, unless accompanied and held in leash by a responsible person.

Police Chief Davis reiterated unfortunately since the dog was on a chain when it entered their property, the Officer on duty did not feel as if the dog could be claimed at large. He also stated Town Officers are not trained in animal control and are only there to help if an Animal Control Officer is not available. Once the Officer responds to the call, then they are responsible for referring the call to an Animal Control Officer for a follow up of the situation, as the Town Officer did.

Andrea Comer stated her disagreement that the Officer should not be allowed to interpret the Town Code as he thought best, and he should have claimed the dog "at large" as the Code states.

Police Chief Davis explained the gray areas within the Code and again suggested Mrs. Comer meet with him and the Officer to discuss the situation.

Andrea Comer requested the Town Code be revised to clear the gray areas and leave no room for misinterpretation.

Police Chief Davis suggested the case be taken to the Commonwealth Attorney for further review.

Vice Mayor Kite inquired about the owners of the dog, and if they had been properly notified at the time of the event.

Andrea Comer explained at the time of the event, the owners were not home and the dog was returned to a young girl within the home. The young girl returned the dog to the yard with their other two dogs. Mrs. Comer stated the owners were later given an Order of Confinement.

Stephanie Richards noted the Order of Confinement will require the dog owner to obtain the

animals proper vaccinations, which it had not yet received.

Police Chief Davis noted the Order of Confinement would only allow the dog owners two weeks to obtain the vaccinations or the animal would be seized.

Stephanie Richards stated she does not believe these animals are treated properly as pets.

Councilman Fox stated the animals will be removed from the home if the owners neglect to get them properly vaccinated, and noted it is an Animal Control Officer's duty to remove the dogs if needed.

Stephanie Richards stated she has been unsuccessful in contacting Animal Control and does not understand why it is advertised they have two officers on duty 24 hours a day, but she was unable to reach anyone.

Police Chief Davis agreed he has also had difficulties reaching Animal Control at times, and that is why the Town Officer responded to their complaint about the dog on their father's property. He requested attention be brought by citizens to the lack of Animal Control Officers on duty.

After a brief discussion, it was decided Mrs. Comer and Mrs. Richards or Chief Davis will contact the Sherriff's Department or the Commonwealth attorney regarding this case.

**Item # 2** –Betty Wriston requested the Town employees move her mailbox, due to her recent address change from Coverstone Lane to Grandos Street. She stated the mailbox is too far away from her house and will better accommodate her address at a different location.

Councilman Jenkins inquired about where Mrs. Wriston would like her mailbox moved to.

Councilman Fox noted she would like it moved directly in front of her home, on Grandos Street.

Mayor Lucas questioned if the Post Office will continue service to the mailbox once it has been moved.

Councilman Fox stated Mrs. Wriston has already confirmed continued service with the Post Office.

After a brief discussion, Police Chief Davis agreed to move the mailbox for Mrs. Wriston since the address change was required by the E-911 ordinance to assist with finding her home in the event of an emergency.

**June 13, 2017, REGULAR MEETING MINUTES:**

A *Motion* was made by Councilman Lowe, *seconded* by Councilman Fox, to approve the *Regular Meeting Minutes* held on June 13, 2017, as presented.

Members Vote was as follows:

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

**NAY:** None

**ABSTAIN:** Mayor Lucas

**ABSENT:** Councilman Pierce

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

**APPROVAL OF BILLS:**

There being no questions, a *Motion* was made by Vice Mayor Kite, *seconded* by Councilman Jenkins, to approve the bills, dated **June 27, 2017**, in the **Combined Accounts Disbursement Warrants #35671-35700** in the amount of **\$54,562.59**.

Members Roll Call Vote was as follows:

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

**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 June 27, 2017.

A *Motion* was made by Councilman Lowe, *seconded* by Councilman Fox, to approve the June 27, 2017 Treasurer's report in the amount of \$1,482,591.47, as read.

Members Vote was as follows:

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

**NAY:** None

**ABSTAIN:** Mayor Lucas  
**ABSENT:** Councilman Pierce  
**VOTE:** **Unanimous in favor of motion.**

**CORRESPONDENCE**

**Item # 1** – Mayor Lucas read a memorandum from Councilman Richard Pierce to authorize the Town employees to have July 3<sup>rd</sup> and 4<sup>th</sup>, 2017, off for Independence Day; as the State of Virginia and other local municipalities will be off both of those days.

A *Motion* was made by Councilman Lowe, *seconded* by Vice Mayor Kite, to authorize the closing of the Town Office on July 3<sup>rd</sup> and 4<sup>th</sup>, 2017, in observance of the Holiday.

Members Vote was as follows:

|   |                  |
|---|------------------|
| <b>YEA:</b> Vice Mayor Kite<br>Councilman Fox<br>Councilman Hinkle<br>Councilman Jenkins<br>Councilman Lowe | <b>NAY:</b> None |
|---|------------------|

**ABSTAIN:** Mayor Lucas  
**ABSENT:** Councilman Pierce  
**VOTE:** **Unanimous in favor of motion.**

**Item # 2** – Mayor Lucas read a memorandum from Councilman Richard Pierce suggesting the zoning request from Jasel Group, LLC. be tabled until further review.

Mayor Lucas then read the recommendation from the Planning Commission to approve the request from Jasel Group, LLC. to subdivide and consolidate lots and vacate an undeveloped street of record, as presented on the provided survey plat.

Councilman Lowe explained the request will include the size decrease of Lot 17, creation of Lot 17A, increase of Lot 18, increase of Lot 19, and vacating of Auburn Drive, in the Forest Knolls Subdivision.

Councilman Fox inquired about the street being recorded through the Virginia Department of Transportation.

Town Manager Roudabush stated Auburn Drive was recorded as a proposed street in 2006, per the original subdivision plat.

Councilman Jenkins noted the land where Auburn Drive would be created is not favorable for a street and it would take a large amount of funds to create that street.

Councilman Lowe also noted in order to create Auburn Drive; Williams Avenue would have to be further developed.

Councilman Fox inquired about the land locking of any of the lots involved.

Councilman Lowe stated there would not be any land locked lots created, as Lot 17 will still have road frontage, still allowing it to be developed.

Councilman Fox inquired about the ownership of Auburn Drive.

Councilman Lowe noted they are unsure of the ownership of the proposed street at this time.

Mayor Lucas stated a legal opinion may be needed to find ownership and the process of how to vacate an undeveloped street of record.

After a brief discussion, a **Motion** was made by Councilman Lowe, **seconded** by Vice Mayor Kite, to authorize the request from Jasel Group, LLC. to decrease the size of Lot 17, create Lot 17A, increase the size of Lots 18 and 19, and vacate Auburn Drive; with Matt Yoder notifying the County Clerk's Office of the changes.

Members Vote was as follows:

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

**NAY:** None

**ABSTAIN:** Mayor Lucas

**ABSENT:** Councilman Pierce

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

**Item # 3** – Mayor Lucas read a recommendation of approval from the Planning Commission for Superior Siding & Home Improvement, Inc. to consolidate three (3) lots into two (2) lots located on Second Street.

A **Motion** was made by Vice Mayor Kite, **seconded** by Councilman Fox, to concur with the recommendation from the Planning Commission and allow Superior Siding & Home Improvement, Inc. to consolidate three (3) lots into two (2) lots located on Second Street.

Members Vote was as follows:

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

**NAY:** None

**ABSTAIN:** Mayor Lucas

**ABSENT:** Councilman Pierce

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

**Item # 4** – Mayor Lucas read information for Genealogy Workshops to be held at the Shenandoah Computer Center. The workshops will be “Putting Down Roots” on Saturday, July 22, 2017 and “Spreading Branches” on Saturday, August 19, 2017 from 9 A.M. to 12 P.M. Each workshop will cost \$10 to cover the facility and the handouts made available. Reservations are required, as seating is limited.

### **COMMITTEE REPORTS**

#### **WATER & SEWER**

(Chairman Kite and Councilmen Jenkins and Lowe)

Chairman Kite read a request to approve water and sewer connection for Superior Siding & Home Improvement, Inc. on Shenandoah Avenue.

A *Motion* was made by Chairman Kite, *seconded* by Councilman Lowe, to approve the water and sewer connections on Shenandoah Avenue.

Members Vote was as follows:

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

**NAY:** None

**ABSTAIN:** Mayor Lucas

**ABSENT:** Councilman Pierce.

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

Chairman Kite read a request to approve water and sewer connections for Superior Siding & Home Improvement, Inc. on Lot 9 in the Forest Knolls subdivision.

A **Motion** was made by Chairman Kite, **seconded** by Councilman Fox, to approve the water and sewer connections on Lot 9 in the Forest Knolls Subdivision.

Members Vote was as follows:

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

**NAY:** None

**ABSTAIN:** Mayor Lucas

**ABSENT:** Councilman Pierce.

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

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

(Chairman Kite and Councilmen Fox, Hinkle and Lowe)

Chairman Kite read a bid from Hensil Good Paving, Inc. for two asphalt patches; one on Eleventh Street and one on Second Street. Hensil Good Paving, Inc. set the bid at \$1,900.00.

A **Motion** was made by Chairman Kite, **seconded** by Councilman Jenkins, to authorize the payment of \$1,900.00 to Hensil Good Paving, Inc. for two asphalt patches.

Members Roll Call Vote was as follows:

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

**NAY:** None

**ABSTAIN:** Mayor Lucas

**ABSENT:** Councilman Pierce.

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

Councilman Jenkins requested an update on the work being completed by the Virginia Department of Transportation.

Town Manager Roudabush noted VDOT did clean out the ditch on Quincy Avenue and have other projects planned, such as the repaving of patches on Route 340.

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

(Chairman Kite and Councilmen Hinkle and Jenkins)

There was nothing to report during this period.

### **TAXATION & FINANCE**

(Chairman Pierce and Councilmen Fox and Kite)

Councilman Fox inquired about the Shenandoah Recreation League not cashing a donation check from the Town written in 2016.

Town Manager Roudabush stated the old check was voided and a new check was written to the Shenandoah Recreation League for the replacement of the 2016 donation check.

### **PARKS & RECREATION**

(Chairman Jenkins and Councilmen Lowe and Pierce)

Committee Chairman Jenkins reported the following Parks and Recreation News: The new restroom at Big Gem Park is open for use. The restroom will be closed during the winter, but open to the public the rest of the year.

Councilman Jenkins inquired about the use of the lot beside the Police Department previously used as a basketball court. Councilman Jenkins noted the basketball court has not been an interest in the Town and it may be necessary to find a better use for the lot.

Police Chief Davis suggested the lot could be used for an impound lot for the Police Department, instead of having to send impounds to a garage. He stated the impound lot may only take half of the lot and the other half could be left as a basketball court.

After a brief discussion, the council requested Chief Davis explore the possibility of the lot becoming an impound lot for the Police Department.

### **INDUSTRIAL, ECONOMIC DEVELOPMENT & PROCUREMENT**

(Chairman Jenkins and Councilmen Lowe and Pierce)

Chairman Jenkins informed the Council there is a possible franchise interested in bringing their business to the former McDonald's building.

### **COMMUNITY SERVICE**

(Chairman Kite and Councilmen Jenkins and Pierce)

Committee Chairman Kite requested a Community Enhancement Award be given to Shenandoah Baptist Church. The award will be presented at the Town Council meeting on July 11, 2017. Councilman Jenkins agreed Shenandoah Baptist Church has made great improvements to the

Church and Parsonage.

Town Manager Roudabush explained the Church's upcoming coffee and juice bar. The church is trying to encourage youth involvement and would like to give the youth somewhere to go after football games and other special events.

### **PERSONNEL**

(Chairman Pierce and Councilmen Hinkle and Jenkins)

Town Manager Roudabush informed the Council, the part time employee hired by the Town for the months of May and June will be completing his duties on June 30, 2017. She noted how excellent of a job he has done in the months he has worked for the Town.

Councilman Fox inquired about the inmates continuing work with the Town employees.

Town Manager Roudabush stated the inmates helped with preparation for the Memorial Festival and have not been needed as much since then, but the Town may request their help in the future, since the part time employee will no longer be available.

### **POLICE REPORT**

There was nothing to report during this period.

### **UNFINISHED BUSINESS**

There was nothing to report during this period.

### **NEW BUSINESS**

There was nothing to report during this period.

### **TOWN MANAGER'S REPORT**

She stated the Time Trial Bike Race went well, with 159 racers and bringing an excess of 300 people into the Town. Most businesses reported an increase in sales on the day of the bicycle race and Box Car Deli reported one of their biggest days of sales since opening.

Mrs. Roudabush informed the Council there were over 250 people who attended the Outdoor Movie Night and resource fair. She explained there were twelve vendors set up at the resource fair offering free items and activities for the families. Some of the interactive vendors included the Luray Zoo, Home Depot, Mr. Ed's Barrel Train, and a bounce house provided by the Town of Luray. The next Page County Movie Night will be held on July 22<sup>nd</sup>, 2017 in Luray with Finding Dory playing, and the final Movie Night will be held on August 12<sup>th</sup>, 2017 in Stanley with Moana playing. The movies are free to the public and include a free popcorn and drink.

Mayor Lucas inquired about the sponsors for the Outdoor Movie Nights.

Town Manager Roudabush stated the Chamber of Commerce, Page Alliance for Community Action, Northwestern Community Services, Page Memorial Hospital, and the Towns of Shenandoah, Luray, and Stanley donated money to get the inflatable movie screen. She explained the Town of Shenandoah used funds received from Page County's Transient Occupancy Tax to make their donation for the screen. She also noted the popcorn and drinks were donated by volunteers, and the Page County Sheriff's Department lent their projector for the events.

Town Manager Roudabush also noted the Public Works Department has been busy fixing several water leaks in Town and keeping up with their mowing and other maintenance duties.

### **MAYOR'S REPORT**

Mayor Lucas encouraged the Council to attend the Shenandoah Vision Team Meeting at 6:30 P.M. on Thursday, June 29, 2017 at the Community Center. He stated it would be a great opportunity for the Council to get involved and hear what the citizens have to say.

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

Mike Uram thanked Mayor Lucas for the letter of appreciation sent to the Town of Stanley for allowing the Town of Shenandoah to use their street sweeper prior to the Memorial Festival. He also expressed his appreciation to the Town employees and Public Works department for their hard work to make the Outdoor Movie Night a success. Mr. Uram was in attendance and stated he handed out over 245 bottled waters and 125 juice boxes, and he congratulated the Town on the success of the Movie Night.

### **ADJOURN**

There being no further discussion, a *Motion* was made by Vice Mayor Kite, *seconded* by Councilman Lowe, to adjourn the meeting at 8:32 p.m.

Members Vote was as follows:

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

**NAY:** None

**ABSTAIN:** Mayor Lucas

**ABSENT:** Councilman Pierce

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

APPROVED:

ATTESTED:

\_\_\_\_\_  
Clinton O. Lucas, Jr., Mayor

\_\_\_\_\_  
Sarah Dean, Clerk