

MINUTES OF THE STRASBURG TOWN COUNCIL WORK SESSION HELD ON MONDAY, MARCH 6, 2017 AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF THE STRASBURG TOWN HALL.

PRESENT: Mayor Orndorff and Vice Mayor Terndrup and Council Members Bishop, Hall, Le Vine, Maddox, Newman, Plitt, and Vena. Absent: Council Member

STAFF PRESENT: Director of Finance Mullins, Planning & Zoning Administrator Pearson, and Clerk of Council Keller.

Mayor Orndorff called the Work Session to order and reviewed the agenda.

Public Hearing:

1. *Capon Road Rezonings*

To receive public comment on a rezoning application for two adjacent lots located on Capon Road submitted by Cedars of Lebanon/Karla King. The proposal is to rezone these lots from Agricultural/Rural Residential to Medium Density Residential to allow for the construction of two single-family homes.

The Public Hearing opened at 7:03 p.m.; being no speakers, the Public Hearing closed at 7:03 p.m.

2. *Unified Development Ordinances*

To receive public comment on a variety of Unified Development Ordinance amendments proposed by Town Staff. These amendments constitute ongoing administrative changes to the ordinance, updates to comply with Supreme Court rulings/new state legislation, and additional changes identified as potential beneficial to town governance.

The Public Hearing opened at 7:03 p.m.; being no speakers, the Public Hearing closed at 7:04 p.m.

3. *Comprehensive Plan Amendment: Urban Development Area*

To receive public comment on a proposed amendment to the Strasburg Community Plan (Comprehensive Plan) initiated by Town Staff. This amendment would include the adoption of an Urban Development Area (UDA) in the Comprehensive Plan.

The Public Hearing opened at 7:04 p.m.; being no speakers, the Public Hearing closed at 7:04 p.m.

Citizen Comments on Non-agenda Items:

Action Items:

1. *Approval of Minutes, February 6, 2017 Council Work Session*

The minutes of the February, 2017 Council Work Session were approved as presented.

Discussion Items:

1. Criminal Justice

This is the final Charter and Resolution for the establishment of the Skyline Regional Criminal Justice Academy.

Chief Sutherly said a resolution was previously passed to separate from Rappahannock Regional Academy and partner with Skyline; this is the next step in the process of joining the Skyline Regional Criminal Justice Academy.

Council Member Newman asked who “us” includes and **Chief Sutherly** said it is Strasburg and 14 other localities. Each agency is obligated to a pro-rated amount. There is no increase in the fees from what we are paying now. They will be going into an \$8.8 million facility and have \$1 million in land.

This will be voted on at the March 14th Council meeting.

2. Annual Review of Utility and Tax Bill Write-off

The Town annually reviews outstanding tax and utility payments. Utility fees and personal property tax payments can be collected for up to five years and real estate tax payments can be collected for up to twenty years.

Director of Finance Mullins said this is the annual write-off as per State Code. She reviewed ways the town tries to collect the utility payments and tax amounts due to the town. Staff has collected 99 percent of what we billed in personal property taxes. The utility bills are written off, but this can be collected if someone comes in and tries to open an account as this is only a bookkeeping procedure and not something required by State Code.

Council Member Newman asked about the Strasburg Theater and **Director of Finance Mullins** this was the amount owed by owners several years back. The town looked into putting a lien on the property, but we are so far down in the hierarchy that it would cost more than we would collect.

Council Member Maddox asked if interest accrues on all of this and it does, but the list is only the base amount owed.

Council Member Le Vine commented that he thinks it is bad form for any person to serve on any town board if they don't pay their taxes. This was discussed last year and the same person is on the list. **Council Member Newman** said this would be a personnel issue and should be taken into a closed meeting. **Mayor Orndorff** said a policy could come out of this, but nothing can be done as far as those running for office.

Council Member Hall said there are some people who don't have any reason for not paying and they should be brought forward to pay and made an example.

In speaking about the sizes of some of the lots, **Council Member Newman** said he once owned a piece of property that he joined together so that it was a real lot. **P&Z**

Administrator Pearson said some aren't willing to pay the price of surveying to take care of the problem.

Vice Mayor Terndrup said he thought we passed the issue of not allowing people who owe taxes to serve on Boards and Commissions, but it was only discussed with no resolution.

Linda Wheeler, 528 E. King Street, Strasburg, VA: Said she grew up in a small town and the names were published in the newspaper. She thinks this is a small enough town that people would be embarrassed.

3. Fund Balance Policy:

At the April 8, 2016 Town Council Retreat, Town Council agreed in principle to change the Fund Balance Policy. This is in compliance with what the Town's Auditors have recommended.

The Finance Committee discussed this and **Council Member Le Vine** said the only substantive change was to Number V and the change of balance to \$1 million or 20 percent. The town would still be in compliance with what the auditors recommend. **Council Member Le Vine** said this would not free up any money for spending now.

This will be added to the agenda of the March 14th Council meeting.

4. CIP Policy:

This policy would formalize the way staff and Council agree on capital improvement projects and how many can be ongoing at once.

Council Member Le Vine briefly summarized the policy. Staff felt if too many projects were going on at a time, the quality of staff's work decreased. This would limit the projects to six and it also sets up a fund that would max out at \$90,000 to help staff sort out the implications of future projects. Number 5 under policy has been changed since the Finance Committee meeting. The amount going towards the projects will be under a line item called "Committed Fund Balance." Staff will not be able to use this money without a vote by Council. **Director of Finance Mullins** said staff is in agreement with this and feels with limited staff, we are only able to do so many projects at one time.

Mike Redden, 384 S. Holliday Street said how he was understanding this and asked if the projects would be done phases. **Council Member Le Vine** said the first phase would be to do the study of the upcoming project and then the project would be voted on by Council when a previous project drops off. Council would then have some feel of what the total project would be.

5. Capon Road Rezonings:

A rezoning application for two adjacent lots located on Capon Road submitted by Cedars of Lebanon/Karla King. The proposal is to rezone these lots from Agricultural Rural Residential to Medium Density Residential to allow for the construction of two single-family homes.

P&Z Administrator Pearson showed the properties on a map. Both properties are basically the same size. They are proposing to go from agricultural rural residential to medium density residential. Both dwellings would be fronting on Capon Road. They would be capable of putting duplexes on the lots due to the size, but they would be very narrow duplexes. They are proposing two single family.

Council Member Newman asked if the application says two single family homes and it does not, but they are planning for two single family homes. **Council Member Newman** said he isn't that concerned about the homes, but there is nothing in this that says they have to have the single family homes and that is what concerns him. Once you go from a low density to higher density, it changes the landscape. He asked what the defining point is.

P&Z Administrator Pearson said it would be more of a size issue. Single family homes could be built, but if something happens, duplexes could be built on the property.

Council Member Newman said we are starting to change the density on the land. **P&Z Administrator Pearson** said they don't have the land to be able to build two houses with a lower density zoning. He added that we can't rezone it to a non-buildable lot so he doesn't think it would be a variance.

Council Member Newman thinks this will migrate to other areas and have townhouses, duplexes etc.

Council Member Le Vine said if the intention is to only put in single family, can something be written that says this. **Council Member Newman** said we are changing the zoning from a low density to a medium density and this will change the entire area. This will change it from a single family neighborhood to multi-family density.

P&Z Administrator Pearson asked the applicant if there were changes or a variance on this to keep it at a low density, would they be in agreement with this and the buyer would be. **P&Z Administrator Pearson** is hoping this can be changed, but not to medium density.

Council Member Hall said we shouldn't annex things that can't be used without coming to the Council for a change. **P&Z Administrator Pearson** said someone could come and apply for a variance, but that is normally the last resort.

Vice Mayor Terndrup said the other thing you risk is the loss of vegetation with the higher density zoning.

Ginny Finfrock, citizen, thanked **Council Member Newman** for bringing this point up. **P&Z Administrator Pearson** will work with the applicant to try to find a way to move forward with this.

6. *Homewood Proffer Amendment:*

Council Member Le Vine said it was mentioned the possibility of the gift of land to the Strasburg Express and he is a supporter of the Strasburg Express and his wife is on the Board of the organization so he is recusing himself from this discussion. **P&Z**

Administrator Pearson said the dedication of land is not a proffer, but it is part of the plan of the land.

Council Member Newman asked if the 36 acres is directly behind the houses and it is. This will be a sports complex and a portion of this is in the floodplain. **Council Member Newman** asked who would be putting in the infrastructure for this and that is a separate issue from this proffer amendment. It was said that this is in no way obligating the town to anything.

P&Z Administrator Pearson reviewed the new proffers and said these came out of the discussions with the Planning Commission. Only 39 homes will be built and there will not be any townhouses. A conservation easement will be included and the trail system was discussed. The changes made to the transportation proffer were explained. **Council Member Newman** asked who would maintain the gravel section and this has not been addressed as of yet, but would need to be decided at the preliminary plat level. It was thought the trail system should be given to someone, probably the town. **Vice Mayor Terndrup** thinks it might be the intent for the town to maintain the road since we are asking for this from a public safety issue.

7. Unified Development Ordinance: Flex Space

P&Z Administrator Pearson reviewed the wording of the ordinance.

Council Member Newman thinks it is a good idea to have the fire marshal sign off on the floor plan.

P&Z Administrator Pearson said only one special use permit could be placed on any one property. He said it would be entirely subjective on what could be done in the same building. Compatible uses is making it hard in the downtown area.

It was thought this was a good idea and would help bring more people to the downtown area.

Council Member Newman asked if there was any way that we could get away from the “from now on” and if this could be conditioned to expire with a certain individual, etc.

P&Z Administrator Pearson said he would need to talk to **Town Attorney Miller** about this.

It was thought this process could go through the technical review policy.

8. Update on the UDA

P&Z Administrator Pearson said he spoke to the Planning Commission about this. VDOT gave comments and the consultants gave a rebuttal to the comments. He explained the rebuttal of the limited access road through Cedar Valley and the possible use of a round-about. The Planning Commission is leaning more toward the consultant plan.

Council Member Newman asked where this road would come out and it is at Capon Road.

Council Member Le Vine asked if VDOT is taking over what our roads look like and

P&Z Administrator Pearson said our roads are to look like the state plan road. It was thought the limited access road would be a “downtown killer”.

Council Member Hall said usually VDOT is concerned with speed and the size of the roads.

Consensus was to go along with the recommendation of Harwell and Associates.

Gerrard Avvenire, citizen, asked if we own the property and if not, how we can control. **P&Z Administrator Pearson** said this is a comprehensive plan document in which we could show people what is planned in the area for development.

New Business:

Budget Presentation:

Director of Finance Mullins told what guidance would need to be given to staff in the budget development. Topics reviewed included:

- Availability Fee
- Water and Sewer Rates
- Tax Rates
- Cost of Living Increase
- Organization Donations
- Contingency Amounts
- Capital Projects Overview

Vice Mayor Terndrup asked if it could be considered to give tablets to Council.

Being no further business, the meeting adjourned at 8:29 p.m.