

MINUTES OF THE STRASBURG TOWN COUNCIL WORK SESSION HELD ON MONDAY, NOVEMBER 1st, 2021, AT 7 P.M. IN THE COUNCIL CHAMBERS OF THE STRASBURG TOWN HALL.

COUNCIL MEMBERS PRESENT: Mayor Boies, Vice Mayor Cherrix, and Council Members Hooser, Monahan, Nicholson, Reynolds, Ricard, and Weaver. Absent: Council Member Massoud.

Mayor Boies called the Work Session to order.

Public Hearing:

- 1.) **1.) Nonexclusive Franchise Agreement to Comcast:** In accordance with the Code of Virginia, Section 15.2-2108.20 and 21, Comcast has filed a request for consideration of a nonexclusive cable franchise agreement to use the streets and other public places, for its poles, for its wires, conduits, cable, and telecommunication facilities. The franchise agreement requested is for a period of ten (10) years with Comcast of California/Maryland/Pennsylvania/Virginia/West Virginia, LLC. The public hearing is to receive comments on this franchise request.

Support Materials: Staff memo and Draft Franchise Agreement

The Public Hearing opened at 7:01 p.m. and with no speakers, it closed immediately at 7:01 p.m.

- 2.) **Amendment to Strasburg Town Code, Chapter 78, Article VII – Transient Occupancy Tax**

To receive public comments to revise or establish the definition of Hotel under Sec. 78-256 to include short-term rental and reduce the number of persons and delete certain language under Sec. 28-262 – Exemptions of the Strasburg Town Code.

Support Materials: Staff memo and Draft Ordinance

The Public Hearing opened at 7:02 p.m. and with no speakers, it closed immediately at 7:02 p.m.

Citizen comments on non-agenda items:

Action Item:

- 1.) **Approval of Minutes**

The minutes of the October 5th, 2021, Town Council Work Session were approved as presented.

Discussion Item:

- 1.) **Nonexclusive Franchise Agreement to Comcast**

Description: Discussion by Council regarding the franchise agreement with Comcast.

Town Manager Coggsdale said a public hearing was held and a copy of the draft agreement was given to Council. Staff is available to answer any questions or will provide answers before the Council meeting.

It would provide the same type of services provided by Shentel but would just be a second provider.

Mayor Boies asked if there would be a lot of construction work with this and Town Manager Coggsdale said it would be more like the background over the poles. He does not think you will see major construction unless it is put underground and then there might be some digging. Staff will work with Comcast for a schedule for work to be done. This will be revisited with Council as

to when they will be coming in. They would like to start as soon as possible, but they are experiencing some delays.

Vice Mayor Cherrix asked if they must go onto private property, does it go through the town or personal property owners and it would be between the property owner and Comcast. **Town Manager Coggsdale** said he can follow-up on this, but feel it is between Comcast and the owner.

Consensus was to move this to the November 9th Council meeting.

2.) Amendment to Strasburg Town Code, Chapter 78, Article VII – Transient Occupancy Tax

Description: Consensus of the Finance and Personnel Committee to consider an amendment to the Town Code for taxes on the gross proceeds arising from short-term rental property.

Town Manager Coggsdale said this is the companion that goes with the ordinance passed for Short Term Rentals. The approval of this would make STRs taxable. The current tax rate is 6 percent.

Consensus was to move this to the November 9th Council meeting.

3.) Strasburg Fire Department Restructuring Committee

Description: By-laws update and consideration of dissolution of the Restructuring Committee.

Town Manager Coggsdale said the Town Council appointed a Restructuring Committee to help with the restructuring of the Strasburg Fire Department in 2018 with the first meeting held on April 2, 2018.

Mayor Boies said the Restructuring Committee and the Strasburg Fire Department have put in a lot of work on the By-laws and it is felt they are ready to take over their leadership.

Consensus was to move this to the November 9th Council meeting.

4.) Round-up Program

Description: Finance and Personnel Committee asked for a discussion by the full Council of an assistance program for utility bills.

Town Manager Coggsdale said the Finance and Personnel Committee discussed the feasibility of implementation of a program that would assist individuals with payment of their water and sewer bill. There are a lot of details that would need to be worked out such as how to get the money and how to distribute.

Mayor Boies said it was a great idea brought to Council by the Outreach Committee and citizen **George Rathore**.

Mayor Boies asked about the ARPA funding that could be used for past utility bills.

Town Manager Coggsdale said that would apply to a certain timeframe and it was for people that were 60 days in arrears. Anyone who meets the criteria, staff will apply this to the accounts. Staff will move forward with the accounts eligible for this.

Mayor Boies said she thinks it is a great idea, but we have to consider the staff resources we have on how to collect and then distribute. We could partner with an organization that is already doing programs such as this.

Town Manager Coggsdale said part of the discussion at the March 30, 2021, Finance and Personnel Committee centered on working with a non-profit. If you already have people delivering that service, it might be better to work with them on how to distribute instead of reinventing the wheel.

Mayor Boies asked what direction to go.

Vice Mayor Cherrix said the concept is good, and you see it at other places such as Walmart, but they give it to a charity. He isn't sure how much we would bring in, but some might think of it as a tax write-off and then we must figure out how to give credit to them for tax purposes. Also, how do we decide who is legitimately eligible. He thinks it is a lot of work to try to implement. Is it worth it?

Council Member Hooser said Dollar Energy just works off of a small percentage of the money donated and they handle all the logistics. **Vice Mayor Cherrix** is not sure if that would work. **Council Member Hooser** thinks we should work with Dollar Energy and all he has talked to are in favor of a program such as this.

Council Member Monahan thinks we should work with Dollar Energy and not use staff resources. She would also prefer we use the Shelter for Alliance to help with this since they are local.

Council Member Nicholson said she agrees with **Council Member Monahan**. She would like to pursue the Alliance for Shelter. If it is here, people will contribute.

Council Member Reynolds said during our discussions on programs like this, **former Town Manager Pearson** always exhibited caution on accepting donations in something like this. **Town Manager Coggsdale** said if you can partner with a non-profit, it is better. The Shelter for Alliance could be the conduit. **Council Member Reynolds** asked how this will logistically look especially if a person pays online. We want the process to be streamlined and **Town Manager Coggsdale** said this might be the difficulty.

Town Manager Coggsdale asked if there is a particular issue we are trying to provide. He asked if Shenandoah County helps the elderly and disabled with taxes, and no one was sure. There could be a mechanism for something like this, but with taxes.

Mayor Boies said we did not hear of a certain group of people who need the help, but it would be a form of philanthropy.

Council Member Weaver said the online payment portal could act as the conduit for donations. **Vice Mayor Cherrix** thinks online would be easier than someone coming in and paying in-person.

Council Member Weaver said he would advocate for this to be only online. **Town Manager Coggsdale** said this might be easier from an accounting purpose. The accounting would show how much had been collected and it would only be used for Strasburg residents.

Council Member Ricard thinks a program such as this is important.

Mayor Boies said she is hearing that all were in agreement to work on something like this, but not add it to staff to administer. We want to make it easier for people to give back. We want more research to be done on how this can be accomplished.

Consensus was to move forward with developing a donation mechanism on our online payment portal.

Mayor Boies suggested putting something in the newsletter featuring a non-profit that people can donate to.

5.) Sidewalk and crosswalk prohibitions (Section 82-8)

Description: Public Safety and Ordinance Committee recommended the consideration by full Council of amendments to Section 82-8 in regard to omitting bicyclist from the prohibition.

Town Manager Coggsdale said this was discussed at the Public Safety and Ordinance Committee and was for amendments that would allow for bicycles on certain streets. State Code never allowed for prohibition, so we are trying to clean this up. We would have a public hearing to make this amendment and to add a civil penalty.

Vice Mayor Cherrix said this would take out the streets that they are prohibited, and **Town Manager Coggsdale** said we would only be removing the word of “roadway”. We would still prohibit riding of bicycles on sidewalks and crosswalks. Mobility devices would be allowed on the sidewalks. The street names would still be listed due to the sidewalks and crosswalks.

Consensus was to move forward with a public hearing at the December 6th Work Session.

6.) Unified Development Ordinance

Description: Public Safety and Ordinance Committee recommended the consideration by full Council to transition from the current UDO to a Land Use Regulation document.

Town Manager Coggsdale said the Public Safety and Ordinance Committee discussed this at their last meeting. Staff feels the existing UDO is not well suited to the needs of the Town and would like to transition to a streamlined, easier to understand, user friendly Land Use Regulation document. The Committee and staff are asking for input from the full Town Council on whether they are ready to transition from the UDO.

Council Member Reynolds said this idea has been floating around for a while and we had a lot of discussion at the last committee meeting. **Town Manager Coggsdale** maybe slid this suggestion into the discussion as he was having a hard time wrapping his head around the document. It was felt a discussion was needed on this. The UDO was already in place when all came on Council, and she wanted a strong suggestion from staff and Council.

Vice Mayor Cherrix asked if we are going to create something totally different, and **Mayor Boies** asked if this would be getting rid of the UDO

P&Z Administrator Pambid said the UDO covers both zoning and subdivisions. There are some policies in this document that could just come out. When he first looked at the UDO, he found some things he thought should come out, but does that mean we would have a separate standalone

Zoning document and a standalone Subdivision ordinance? The UDO does have some things that are done right, but there are things that should be scrutinized more closely. He gave an example of incentives and said he has never seen this before in a document such as this. In his opinion, on a scale of 1 to 10, this is probably rated as a 3 and it is overkill. The lighting and landscaping should remain, and the matrices are being looked at and could remain. When he previously looked at the UDO, he gave suggestions on what should be tweaked.

Mayor Boies asked how they envision this to happen. **P&Z Administrator Pambid** said it would be contracted out and would take 18 to 24 months to complete. In getting comments from the public, it would look much like the Comprehensive Plan. We could get input from developers and identify stakeholders.

Vice Mayor Cherrix said when he sees land use, he sees use matrices. Would this be pulled out of the UDO? **P&Z Administrator Pambid** said it would be that, but also the processes on how things are approved or done. It would be the entire document. When you talk about land use regulations, you aren't talking of just what could go on a piece of property, but other things, as well.

Town Manager Coggsdale said the committee had a discussion and now we would like some resolution on what would come next.

Council Member Weaver said he wants to see things that are clear, concise, and correct. It should be streamlined, easier to understand, and user friendly. The Council should support this with the budgetary needs. He would be very in favor of something that is one size fits all.

Council Member Ricard said **former Town Manager Pearson** used lots of acronyms and the UDO was one of those. Something like this should not be unusable for the general public.

Council Member Nicholson said she thought when we went through the hiring process of **Town Manager Coggsdale** we were already working on something like this. We are working with the Berkley Group, but it is more piecemeal. **Council Member Nicholson** is in favor of making it user friendly for citizens and staff and Council.

Mayor Boies asked if the work just completed by the Berkley Group would be nullified and it would not.

Council Member Monahan said she has had many conversations with **P&Z Administrator Pambid** to fix it or do away with it. It was created to have some sort of control over the subdivisions. She thinks staff at the time put it together and it is hard to get rid.

Council Member Hooser said it is time for it to go.

Vice Mayor Cherrix asked how much was spent on the UDO and no one was sure. He thinks all can agree the UDO needs to be revamped or thrown out. The timeframe is his concern. If we take a little more time, can we fix it. It hasn't been in use for long so should we slow down and make sure on what we are looking at.

Council Member Monahan said we did not use a Virginia group and much of it was done by staff.

Council Member Reynolds asked if **Town Manager Coggsdale** and **P&Z Administrator**

Pambid had an opinion of taking a hybrid of the UDO or should we just do a new document.

Town Manager Coggsdale said **P&Z Administrator Pambid** has said there are some things that are done good, and we need to keep these, but the sequencing is messed up. **P&Z Administrator Pambid** noted the skill level of the people we have had since 2014, and said this document is for a large suburban locality and this is not what we are. We have not had the staff that had the skill set to handle this. One of the major points of contention was the signage. We had to increase the area and amend it for a Supreme Court ruling. This document is a “bear”. It needs to be reviewed better when we are going through it. The processes are very unique that we have to go through.

Council Member Nicholson said when this came about, the Planning Commission felt this was for a bigger locality, but we had just come out of the approval of developments where mistakes were made. We need something that is workable and more manageable. We are probably making mistakes now, but we have to do the best we can.

P&Z Administrator Pambid said when the UDO when written in 2012 and 2013, we were trying to write protections into the document, but also an ordinance that would guide development and take it to the next level. You can write it, but developers might not be able to comply with it.

Council Member Nicholson said the staff, Planning Commission, and Council did a lot of work on this.

P&Z Administrator Pambid said he thinks this should be taken through paces or hypothetical situations on certain properties. Staff gets inquiries about land in the business park and some developers can work with this, but others just don’t want to deal with it.

Town Manager Coggsdale said staff will work with the committee to get thoughts and processes on how to move forward. **P&Z Administrator Pambid** said the Planning Commission should be included in the discussion.

Vice Mayor Cherrix said he thinks we should use a company that does this type of work and not just people that don’t know what they are doing.

Town Manager Coggsdale said staff will be looking at the next step and bringing it to the committee.

Old or Unfinished Business:

Council Member Reynolds asked if there was any progress on the Resolution Against Hate. **Council Members Monahan** and **Massoud** are working on something that should be brought before Council at the next regular meeting.

Vice Mayor Cherrix asked about ARPA funding. **Town Manager Coggsdale** said he is working on a presentation on walking Council through this. There are no real guidelines. **Council Member Weaver** said water, sewer, infrastructure, and broadband are all green lights.

Vice Mayor Cherrix said he wants to have a Recreation/Parks/Trails Committee meeting and talk about the ARPA funding, but would like to know what is going on with this.

Town Manager Coggsdale said we have until 2024 to encumber this money so there is no rush. Some communities are further along, and we can learn from them. We have the money, but let’s

spend it in a good method and learn from others. Staff has a list of projects, and we hope to come in with a presentation on what it can be used on.

Mayor Boies said she gets emails from non-profits and a meeting is set up to hear the suggestions.

Council Member Hooser said money had been moved into salaries. Did we get movement on the public Wifi in certain areas? It was thought all the places named had Wifi.

New Business:

Council Member Nicholson asked if there was going to be a Christmas parade and it will be held on December 4th.

The Grilled Cheese and Tomato Soup Festival will be held on Saturday.

The Recreation/Parks/Trails Committee will meet on Monday, November 15.

Being no further business, the work session adjourned at 8:17 p.m.