

**MINUTES OF THE STRASBURG TOWN COUNCIL WORK SESSION HELD ON MONDAY, JULY 31, 2023 AT 7 P.M. IN THE COUNCIL CHAMBERS OF THE STRASBURG TOWN HALL.**

**COUNCIL MEMBERS PRESENT:** Mayor Boies, Vice Mayor Reynolds, and Council Members Carter, Hooser, Kimmons, Lowder, Monahan, Ricard, and Stover. Absent:

**Mayor Boies** called the Work Session to order.

**Public Hearing:**

- To receive public comment on a Comprehensive Plan Amendment (CPA23-0001) requested by Landmark Atlantic Holdings, LLC, owner, for property identified as Tax Map 016 A 167A located at 144 Fort Bowman Road, approximately seven hundred feet east of the intersection of Fort Bowman Road and Old Valley Pike and containing 3.306 acres. The request is to recategorize the Highway Commercial Development Area to a Residential Development Area.

➤ **Staff Report – (attachment)**

**Planning and Zoning Administrator Otis** gave some background information on the property. The property was annexed into the town in 2004 and zoned A-1 and it was then rezoned for the Homewood property. The front part of the property was zoned Commercial and includes this piece of land. Then the developer changed the entire plan for the property and is now putting in single-family homes in the development. We have had several different proposals for this piece of property with the most recent being for an extended stay hotel. The Planning Commission had concerns with this proposal due to accessing the property since the access would go through Homewood Way. VDOT has made the determination that there could be problems with the use of Fort Bowman Road if there were to be a third lane added to I-81 so any traffic from a commercial business would have to come through Homewood Way. We now have a company that wants to build townhomes, but a comprehensive plan amendment is needed before they can move forward with the rezoning.

A diagram was shown of VDOT's concern. They said it could only be a right turn in and out of Fort Bowman Road. Surrounding areas were identified, and the future land use map was shown. Staff recommends approval of the Comprehensive Plan amendment for the following reasons:

- Since the adoption of the Future Land Use map VDOT has identified the access to Fort Bowman Road as a right-in/right-out only onto northbound Old Valley Pike with no southbound access. This would challenge any future commercial use from developing this location.
- Adequate transportation access to this location would be from Hite Lane and Homewood Way through the existing single-family residential development. Residential uses would create a reduced impact on these roadways.
- Residential uses have a reduced light-shed, noise and traffic impacts on the vicinity's residential and parkland parcels.
- Residential uses are in high demand with limited undeveloped land zoned residential. Higher density residential uses typically provide better opportunities for workforce housing.
- Location and residential use will not adversely affect any viewshed of the valley east of town for existing or future development.
- SWOT analysis of the I-81/Route 11 corridor does not identify concerns with inclusion of residential uses.

In regard to community input, there were comments asking that it not be developed and that it remains as it is. Several people came from the adjoining development with questions.

If the Town Council approves of the Comprehensive Plan, the following actions moving forward must be completed prior to the commencement of work.

- Approval of the Rezoning REZ23-0001 by Town Council
- Approval of a site plan in conformance with the General Design Plan.
- Post Performance Bond, Landscape Escrow
- Record the subdivision plat
- Obtain Land Disturbance Permit with the county
- Obtain a Land Development Permit

➤ **Public Hearing: The public hearing opened at 7:09 p.m. and with no speakers, closed immediately.**

➤ **Council Discussion**

**Mike Gross, 122 Signal Knob Drive, Strasburg, VA:** Stated he had some questions for the Miranda Group and Council. He said there still remains a single commercial property, adjacent to the property in question, that Homewood still owns. He asked if there is any talk of disposition of that property. He said that discussions have been held on limited access because of VDOT's stance and anything they do will hamper the commercial development of that lot. He is wondering what the intent is considering there is residential on one side and commercial on the other. His other question was for the Mirando group and he wanted to know the scale of these townhouses from a price point perspective. As a property owner, he is interested in the description of the dwellings. He said the information provided in the packet was generic and as property owners, they wanted to make sure they were on par with that level of price point.

**P&Z Administrator Otis** felt it would be better to answer the questions when they had the rezoning discussion.

With no further discussion, Mayor Boies said this would be placed on the August 8<sup>th</sup> regular Town Council meeting.

- To receive public comment on a Rezoning application (REZ23-0001) requested by Landmark Atlantic Holdings, LLC, owner, for property identified as Tax Map 016 A 167A located at 144 Fort Bowman Road, approximately seven hundred feet east of the intersection of Fort Bowman Road and Old Valley Pike and containing 3.306 acres. The request is to rezone the subject property from the Highway Commercial District to the Multi-Family Residential District, construct 29 townhomes, and extend Homewood Way to this development as the primary access.

**Staff Report – (attachment)**

**Planning and Zoning Administrator Otis** reviewed the staff report. He said this is the same lot just discussed and the applicant is proposing 29 townhomes. Access would be from Hite Lane and Homewood way. If it is decided to go from Highway Commercial to Residential zoning, then the decision can be made to have the multi-family residential. The original layout was shown of Homewood.

Several years ago, there was a fire at the end of Crystal Lane. There was a concern that there was no other way out. This proposal is showing a gate that could be used in an emergency situation so that residents can get out. VDOT will not allow Homewood Way to be a connector to Fort Bowman Road.

The general design plan was shown. There would be two-eight unit buildings, a seven unit, and a six unit building. The parking was shown, as well as the underground stormwater plan.

The sidewalk will be continued from Homewood Way to this development and the location of the gate was shown.

Planning and Zoning Administrator Otis showed the gas easement on the other commercial lot and the steepness of the lot. He thinks these obstacles will make this unbuildable.

Per ordinance, the developer is allowed 16 per acre (52 units), but they are proposing 11.4 per acre (29 units). They are allowed by-right eight units per building but are proposing two buildings having less than that. The maximum building height is 35 feet, and this is what is proposed. Sixty-six parking spaces are required, and they will meet that.

The development will connect to the water system at Homewood Way and Fort Bowman Road and create a loop of the utility. The sewer will connect to the gravity system for the Hite Lane pumpstation. The developer will install the gate and landscaping and buffers which will be determined and identified on the site plan.

Staff recommends approval of rezoning #REZ23-0001, Cedar Creek Townhomes, for the following reasons.

- The Rezoning is consistent with the CPA23-0001 application.
- Adequate transportation access to this location would be from Hite Lane and Homewood Way through the existing single-family residential development. Residential uses would create a reduced impact on these roadways in comparison to a commercial use.
- Multifamily Residential uses have a reduced light-shed, noise and traffic impacts on the vicinity's residential and parkland parcels.
- Residential uses are in high demand with limited undeveloped land zoned residential. Higher density residential uses typically provide better opportunities for workforce housing.
- Limitations of access via Fort Bowman Rd and 100-foot-wide gas easement pose significant challenges for commercial use of this parcel.

#### **Public Hearing – The public hearing opened at 7:22 p.m.**

**Mike Gross, 122 Signal Knob Drive, Strasburg, VA:** Said he was picking one thing from the packet that has residents concerned. He has pages in defense of VDOT, but he has almost nothing showing the town's support for the residents concerns when VDOT says "not once but twice, starting in 2006, again in 2009, amended in 2011, that the interchange at Fort Bowman Road and Route 11 is acceptable in a right-in and right-out manner and would have been allowed without access restrictions if these two properties were converted to commercial." Now, they are coming along and saying that the SWOT analysis and the traffic analysis is fine with the number of cars coming out of 29 townhomes, but yet no one can go out of the development and turn right at the Fort Bowman Road interchange. He continued by saying that the town, the state, construction crews all use this interchange for parking or turning around, but the residents can't do this. "By denying us this access, we are subject from a safety standpoint that when someone from the town shows up when they remember that there is a gate they have to unlock because they can't get up the hill. I find the gate as proposed ludicrous, given all the research I've done through VDOT's antiquated code and their grandfathering of the interchange, repeatedly, the design for subdivision road standards, the design for public access entrances as defined in their Unified Road Code. But, he can't see that the town is even considering the comments being made, let alone in this rezoning but in our previous meeting where we came along and said we can't just have this, I have a dozen older neighbors and if at any given point we can't get out because somebody forgot to unlock the gate, who do we come see? You guys?" He continued by saying that Brian (Otis) is just doing his job, but he finds the lack of consideration and rollover to VDOT to be astonishing and insulting.

**Jim Guisewhite, representing Homewood:** He thanked all for addressing the need to have this rezoned. He has been here many times for the commercial. He was given the chore of trying to make something commercial out of this land. They have heard all the reasons why it shouldn't be commercial because of the roads. He is just here to say thank you for reviewing this as he believes it is the highest and best use for the land. He knows there were some concerns with the Planning Commission, but their concerns were low level compared to where we were with commercial traffic coming through the Homewood development. He reminded all of what Homewood has done. They

build a road to nowhere; they have given part of the land to preservation tract – no houses will ever be built behind them and there will never be an issue with their view shed. Homewood originally proposed 39 duplex units, 57 duplex units of cottages, a three-story apartment building with 96 units, a community center, an assisted living facility with 40 units, and a skilled nursing with 40 units, plus the five-acre commercial property. This is a tremendous change from where this was headed originally and he thinks from the community, it will be so much less traffic than originally planned. This will be housing traffic which tends to be safer since the drivers are going through a neighborhood. He again thanked Council and said he believes they have the highest and best use on the table.

**Being no other speakers, the public hearing closed at 7:29 p.m.**

### **Council Discussion**

Mayor Boies asked for an explanation of the gate. Planning and Zoning Administrator Otis said that Mr. Gross had asked about the other commercial property. This property is 85 percent gas line easement and there is not sufficient land to be built on it. In relation to the gate, when the final design was completed, there was a conversation about secondary access. VDOT, at that time, wanted Homewood Way and Fort Bowman Road to be brought up to VDOT standards. The developer decided not to do this, but there was an agreement to have the gravel access. It is not technically a VDOT access as it is not an approved access which makes any use of it illegal from VDOT's point of view. If I-81 were to be widened, they would take that access so all traffic would be forced to go through Homewood Way. Planning and Zoning Administrator Otis further explained how the roadways were designed in the original development. The only "choke point" in the design is the light at Hite Lane. The cost is so high to bring the access road up to VDOT standards and developers decided it wasn't worth it. It would need to be widened and asphalted. Several months ago, he and a representative of VDOT walked the area and it was apparent that many cars were using the gravel access. VDOT said something had to be done about that. This development isn't triggering that, but VDOT saw it wasn't being protected as it should have been. Mayor Boies said then for it to be considered a road, there would need to be considerable improvements made at a high cost and Planning and Zoning Administrator Otis said that was correct. The proposed plan is that the roadway and sidewalks for the development will go to Fort Bowman Road, but improvements were to stop where the gate will be located. In the original design, Homewood Way and Hite Lane were in this and they were designed to handle the traffic of those roads with all the original uses. There is to be signage saying this is just an emergency access. Currently, the road has not come off bond so the town cannot force the signage, but it will be required before the town takes it over.

Council Member Kimmons said he is not a big fan of the gate being placed there. Council has had multiple discussions about only having one-way in and out. He thought we were trying to make it so developments had multiple access points, so he is not in favor of the locked gate. Mayor Boies asked if the town has any control over this and Planning and Zoning Administrator Otis said VDOT could have a state trooper write tickets all day for illegal use of that access point. Council Member Hooser said he trusts the residents to use that access responsibly.

Mr. Gross said there is a way to make the crossover only a right-in and right-out by using traffic pile-ons to prohibit traffic from crossing over Route 11. This is done all over. He sees this as just a lot of talk by VDOT to get someone else to pave their road and inconvenience the residents with no regard to their safety.

Council Member Carter asked if the expense of the road upgrades could be taken on the homeowners' association. Planning and Zoning Administrator Otis did not think anyone would want to take on that expense. Council Member Monahan asked if there was an HOA there yet and there is not, according to Mr. Gross.

Council Member Ricard said VDOT is threatening to take away the road with improvements to I-81. Planning and Zoning Administrator Otis said the property is by-right a commercial property. A developer could pay for the upgrades and in later years, VDOT decided to make improvements to

the ramp, all the traffic could come through Homewood Way.

Mayor Boies asked if the town could just not approve the gate and Planning and Zoning Administrator Otis said VDOT would not approve the site plan without the gate.

Jeff Hughes, Miranda Homes, showed a rendering of the townhomes they were proposing. They have not finalized pricing but think they will be in the mid-\$300,000's.

Mr. Gross asked how the citizens could get a statement from VDOT stating they would not approve the site plan. They are holding everybody hostage. Planning and Zoning Administrator Otis said he could ask for this.

### **Introduction and Recognition of Visitors and Guests:**

- **Recognition of Council Member Ricard**

Mayor Boies said Council Member Ricard and her husband have found a home outside of town limits. She thanked her for her service to the town and read a resolution to Council Member Ricard. Mayor Boies especially thanked her for her work with our veterans.

### **Citizen Comments on non-agenda item:**

Mayor Boies said many were in attendance regarding the fire siren. She gave some background on how this came about. In May, Council Member Hooser asked that the topic of the siren be re-visited as he had heard from some citizens. It was determined that there wasn't enough support to actually re-visit the siren, but Vice Mayor Reynold reminded all that the County had a new radio system. It was decided to get an update about the system. Fire Chief Williams was notified of this presentation. However, this was not planned to be a discussion to get rid of the siren. It was also thought it would be good to gather data showing how often the siren really goes off. Council wanted to look at the facts and not exaggerate things. Posts made to social media could make it appear that a decision was going to be made without any input from others. That is not how Council works. They gather information so that an informed decision can be made. Council is made up of citizens so things affect them as much as it does other. Transparency is very important and Council does not work in a vacuum. The fire siren is not on the agenda, but many people signed up to speak about it.

**Donald Le Vine, 441 Stover Avenue, Strasburg, VA:** Mr. Le Vine thanked Council Member Ricard for her service and for the things she has done for Veterans, especially the banners. "I speak for Lana and myself - she is in Charlottesville supporting our Express baseball team. We had an exciting night last night. Sometimes aspects of life seems minor but are really important because they symbolize larger and more fundamental parts of our lives. For Lana and myself, the fire department sirens are such a symbol. Arguments for retaining the sirens are both technological and emotional; we chose to emphasize the emotional because, to us, they are most important. Each time we hear a siren, many of us are reminded of the small town that is Strasburg, our community spirit, our concern for others. Each time we hear a siren, many of us stop and consider - who is in danger, are they a friend, member of our community, will they need assistance, what might I do to help? Each time we hear a siren, we unconsciously prepare for emergency vehicles to pass through our streets: that is, we think of safety for ourselves, emergency vehicles, and for others. Each time we hear the sirens we think of the volunteers [ and paid folks] who are leaving their homes, donning their equipment, devoting time and energy to helping others in our community be safe, protect property, recover from injury. These people do this because they care about our community. Their actions remind us we too have an obligation to give of ourselves to Strasburg, to our neighbors, to our fellow humans. Our fire and rescue departments are an integral part of who we are, who we want to be as well as a reminder of the importance of giving of ourselves to others. Many of these arguments were discussed years ago when balancing the siren's inconveniences to individual citizens and their importance to our safety, well-being and heritage led to lowering the number of

times a siren sounded per incident. The sirens may, at times, annoy some but they also are symbols reminding us of many of the hundreds of people over the years who have given of themselves so Strasburg could remain safe and become a town with a bright future. Lana and I urge you to consider the symbolic and practical importance of our sirens and keep remembrance of the past; our sense of community, of belonging, of caring for our fellow people; our hope for the future alive by supporting the current use of sirens. Thank you.”

**Mary Redmon, 377 High Street, Strasburg, VA:** “Strasburg loves their history; witness the Strasburg Museum that lovingly preserves our material culture items, the Strasburg Heritage Association with many members who collect, preserve, and publish stories of our past, the Historic Walking Trail, Christmas House Tour, Historical Ghost Tour, Vintage in the Valley, I could go on. I mention this because the Pifer House and Vesper Hall are part of that history and important to a lot of our citizens. I think this discussion of what to do there is a unique opportunity for Aikens-Claytor and the town and citizens interested in saving our history to come up with a creative solution in preserving what can be preserved and honoring what cannot. Do we want folks in the future to say, ‘I can’t believe they tore down that beautiful brick house and that historic log house and built a gas station and a convenience store.’ Or, how about instead, “Wow, that’s an innovative way to have a gas station and convenience store that honors and preserves what was there before and saves some part of it for the future.’ The project might even end up in a preservation magazine or something. Definitely, I can guarantee that an innovative project would have articles in the Strasburg Heritage Association newsletter and the Shenandoah County Historical Society newsletter. The commercial use of this land can work with the preservation of this property with a little thought, creativity, and research into how other municipalities have solved the development preservation issue. This is not a new issue. On behalf of Strasburg and Shenandoah County citizens who love our history, I hope that the town and Aikens-Claytor will please entertain and explore the idea of developing this property in a way that will be profitable and beneficial for both entities and then both entities and our community can be proud of this going forward. Thank you.”

**Linc Poweas, 267 S. Holliday Street, Strasburg, VA:** “I ran into Brad (Council Member Stover) and he mentioned that they were going to have a discussion about the sirens and I said I was a recent resident of Strasburg, although I have a long colorful history with the town from the 1950’s forward, but my wife and I are ‘blow-ins’ and the first time we heard the siren when we were living in our house, it startled me and I wondered how it was going to affect me, living here. And, it went off again not too long after that and then again. It came to me, what is this? It is calling us to prayer which is what my wife and I started doing. We would pray for the first responders, pray for whoever might be needing them, and it became an easy, happy routine. I echo what Don said, it has become a part of living in a small town. The siren goes off and people are aware of people in their community’s need for something. Recently, my wife and I were working in the museum and some people came by an elderly gentleman who has been a resident of Strasburg for sixty some years and he is in his 80’s, and my wife and he were talking and the siren came up and he said, ‘oh, maybe it’s a baby!’ My wife took that because she loves babies and now she always says ‘maybe it’s a baby’ when the siren goes off. We have great fun with the siren and I would hate to see it go. I think it would change a little aspect of our town that once people come here and live here, they will all in love with this.”

**Josephine Surprenant, 395 Stonewall Street, Strasburg, VA:** “I have come in and out of Strasburg since 2012. Currently, we reside up on Stonewall. I have been reading all the Facebook posts and reading all the back and forths. I don’t want to be taken the wrong way; I am for the siren; I love the siren, I went to Strasburg High, we’ve heard the siren, and the prayer. My only concern now as a parent and being on a street with a lot of other young moms is that it is difficult sometimes at night, and it is very frequently around the hours of 2 a.m., which may be a statistic that we might want to look at – why it is typically at 2 a.m. that we have all these emergencies? Just like last night, we had one at 2:04 a.m., the siren went off. Typically, it does wake up children sometimes.

I know you would think they would get used to it because my husband sleeps through it. I did see a lot of posts and concerns with citizens saying it is something you should get used to living in town. That is what comes along with living in town. I understand that, however, we do live in kind-of a residential area, a little further away from the fire hall. My sister, this is how I'm kind of familiar with the siren, my sister rented an apartment above Box Office Brewery so she had a very good sound of the siren for a solid year, but that came along with living there. I love hearing the siren during the day. I have three boys and we appreciate the siren. It is more the hours at night that are concerning to us. Sleep wise, it disturbs cycles that can affect. Other parents she has heard from that work long shifts then have to tend their children in the middle of the night, so it does affect their safety during the day sometimes. I also saw the comments on traffic that it is supposed to warn or have traffic be aware of rescue vehicles. I am trying to understand how that comes into effect in the middle of the night, too. Maybe that could be discussed. That is just my thoughts about the hours of midnight and maybe 5 a.m..”

**Marcy McCann, 234 W. King Street, Strasburg, VA:** Said she has been on your side of the bench at times. Someone reminder her that one time when she was sitting where they are sitting, her flower pots got kicked all over the street because of her opinion. But, she doesn't care about that because she thinks we all have the right to speak about life in the country and life in this town. Ms. McCann said she painted the room all are sitting in so she is an integral part of this town. All the talk of “I grew up here is a bunch of bologna. I grew up in a small town in New York and we had the siren when I was a kid, but that was 60 years ago. I'd like to say that I agree that it's a tradition. I'd like to also bring up that it is a quality of life issue. It's a health issue. It's something that impacts those of us who hear that thing throughout the night and even in the daytime. I think at the very least, just to be kind to those of us who live within hearing distance of it, the town should abide by the ordinance that those of us have to abide by noise wise. I would suggest that maybe we begin the 10 p.m. to 7 a.m., we don't hear the siren at least during those hours. I was here when we reduced it to four blasts and I started recording these things last year, as some people know, I started documenting when the sirens went off and also how they went off. Were they the four blasts? Often what you guys might not realize if you don't live right downtown, after the siren come the emergency vehicles that blast through the town in the middle of the night which is disconcerting when there is not traffic out there. So, I would like you to take into consideration the children and that was something that I was going to bring up because I know several of the families and those of us who are a little bit older; also the people who have to work. It is not technically needed anymore and we understand that. It is a tradition and I get that, but I would like to see it using those hours.”

**Richard Polland, 141 West North Street, Street, Strasburg, VA:** Stated he agreed with all the other people. He said he had lived through the painting of the water tower. He used to live over Crabby Maggie's so he could throw a rock at the fire department. He is used to noise. The thing about what the others have said, it is community. When prayer was mentioned, that is what happens with him and his next door neighbor – “we immediately drop what we are doing and put our focus on transmitting from Got to whomever needs first responders, etc. It tells me there is going to be traffic going one way or the other, emergency traffic. It is an awareness of our community, the love of our neighbors. There could be a discussion further like the lady was saying on time constraints. I don't have a “smart” phone, but I do get 911 responses from the weather alert people.” With that being said, what are the alternatives between 10 p.m. – 7 p.m. to everyone being alerted. There have been disasters lately. He said he had been in Desert Storm and they had to be aware of terrorists and the fact was, you might be a first responder at any moment. It is the community – compromise!

**Suzanne Surkham Farmer, 533 Virginia Street, Strasburg, VA:** She wasn't planning to speak but a couple of things have come to her. She liked the idea about perspective. She is a night owl and has really bad insomnia. She does not live downtown, but she also doesn't hear it that much. She hears it during the daytime, but not that of often during the night so she thinks a little

perspective is important. Kids were brought up. She has been here for 20 years, and this is not the first generation of kids being raised here. People have worked here the entire time she has lived here. She gets that it is hard on people who live nearby, she thinks we need to keep the perspective. “Kids have always lived here, people have always worked, and because she is up at all hours of the night, it is perhaps not as often as we might think.”

Marianne Fowler, 1 Front Royal Road, Strasburg, VA: “I think, personally, Dane (Council Member Hooser) came on very harsh and I am so in favor of our fire department that it isn’t even funny. We have lived through a lot of stuff in this town and never has anything like this for these people who put their lives on hold, their families, and I am all in favor in leaving it as it is. Thank you.”

**Mayor Boies** asked for those in favor of the siren to stand. Along with many others, Council Member Hooser stood and said, “I do want to apologize for some of the phrasing in my posts. I did want people to come down here and attend this meeting to give their perspective. I’m in favor of keeping the siren, but I would like to look into some compromises. When I talk to people who are not from Strasburg, and I have lived here my entire life. There are a lot of people online saying go back to the city, but I have never lived in the city, have no desire to, I love it here. I ran for this seat because I want to make this town better and I want to improve upon it because I love Strasburg. But, when you talk to people who aren’t from Strasburg, they say ‘it’s crazy to have a air raid siren going off because that tells me I need to shelter in place’. If you hear it all the time, it becomes meaningless to the person. I understand the intent and purpose is to have volunteers hear it and come running, but if we do in fact have the technology in place that we can replace that aspect of the system, I think it’s worth discussing. I am pro fire department. I appreciate the hell out of you guys. I appreciate what you did for me back in 2019 when my apartment caught fire. I lost everything that day and it’s not lost on me how hard you all worked. I want to support you guys in every aspect that I can. I would just like to look into it (siren) for using it for general emergencies – if there is a tornado coming, if there is a major emergency, if there is a missile strike, God forbid – that should tell people to shelter in place.”

**Mayor Boies** said the siren belongs to the fire department. The town rents the department the building, we provide funding every year, but it is the fire department’s siren. If there are individual citizens who would like to have a civil conversation about adjustments, let’s gather the data. She has heard that it is not necessary now, but we don’t know that yet; we don’t have the facts. There are people who feel it is 100 percent necessary. So, if there are citizens who feel there needs to be change, ask the fire department. Council does not control the department and we need to keep that in mind. You all are saving lives. Council isn’t trying to push this off, but it is not Council’s call; it is the department’s call. Dozens of emails were received online that will be posted to the minutes.

### **Discussion Items/Updates:**

#### **1.) Fillerman Tax Issue**

**Town Manager Coggsdale** said that recently staff was made aware that **Mr. Fillerman** had personal property tax erroneously assessed for town taxes by the Shenandoah County Commissioner of Revenue’s office. He owns property in town, but his home is actually out-of-town. Town Staff, in accordance with the Code of Virginia, has abate the taxes for the current year and refunded the amount paid for years 2020, 2021, and 2022 in the amount of \$882.30. **Mr. Fillerman** has requested that he should be reimbursed for all the years of the erroneous assessments rather than just the past three years. Staff is only required, based on Code, the years he was reimbursed for, but **Mr. Fillerman** would like consideration for the other years.

Mayor Boies asked how long he is asking for the town to go back and Town Manager Coggsdale said staff would need to do additional work to find out how many years he was billed erroneously; they have done what the Code tells us to do.



**Council Member Hooser** said he knows of one other property this happened on. The person was paying town taxes but in fact, lives just across the street from town. When he asked for a refund for that year, he was refunded for that year and **Council Member Hooser** is not sure how many years prior. However, when it was discovered he did not live in town, he did not have to pay town taxes, but he now has to pay out-of-town rates for utilities. He asked how that figured into this. **Town Manager Coggsdale** said he is not sure what rate he is being charged but will look into this.

Council Member Monahan said she read that Town Attorney Helm agrees with the refund of the previous three years and asked for his opinion. (Response could not be heard on the tape, but staff report stated this: “The Town Attorney has opined that he agrees with the refund of the previous three years and “does not see any legal requirement imposing a duty to refund amounts paid past the three (3) year statute of limitations period”. In addition, the town attorney “actively discourages council from taking a sentimental approach to the issue as it will just set a precedent that isn’t in the Town’s financial best interests”).

**Council Member Kimmons** asked if **Mr. Fillerman** had been coming to the town with this issue for several years; why did this just come to our attention. **Town Manager Coggsdale** said it was brought to staff’s attention at the end of June. **Mayor Boies** said she doesn’t think he realized he does not live in town. **Council Member Kimmons** does not know how you wouldn’t know this. He just wanted to make sure he hadn’t been coming each year and nothing was done, and **Town Manager Coggsdale** said that was not the case. **Mr. Fillerman** just went to the Commissioner of Revenue at the end of June with the issue.

**Mayor Boies** said, from hearing from legal counsel, Council should do nothing further. She asked if a vote was needed and one is not needed.

## **2.) FY2023 Budget Amendment/Adjustment**

**Town Manager Coggsdale** said this is more of a “head’s up”. He and **Finance Director Fletcher** will be looking at budget amendments to close out the FY2023 fiscal year and some carryovers from FY2023 to FY2024. This will be brought up again next week.

## **3.) Update on UDO rewrite**

**Planning and Zoning Administrator Otis** thanked Council for their input during the joint meeting with the Planning Commission. The Berkley Group was able to take back a lot of good information they will use. They would like to schedule another meeting on September 13 or 14.

They plan to come back with the information they have gathered and what they are getting from the information. We can then start having in-house conversations about the tweaks that need to be made to help the citizens get what they need.

**It was decided to have the next meeting on Thursday, September 14 at 7 p.m.**

### **Committee of the Whole (listed Areas of Focus will be discussed):**

- Public Safety – Presentation and update of the Shenandoah County Emergency Communications Center Radio System

**Vice Mayor Reynolds** introduced **Mellanie Shipe**, Director of the Shenandoah County Emergency Communications Center, who gave a presentation on the radio system implemented by the County (slides attached here-to).

**Council Member Monahan** asked if the radio system was connected to the Red Alert system and it is not. Red Alerts are done through dispatch and are manually sent out.

**Council Member Carter** asked about the comment made during the presentation about having a six-month backorder on some equipment. He asked if all personnel had the equipment they need. **Ms. Shipe** said the main backorder is on batteries and it is supply chain issues.

**Mayor Boies** announced that **Mellanie Shipe** will be the new Assistant Town Manager for the Town of Strasburg, beginning the end of August. She said all are very excited to welcome **Mellanie** onboard.

**Tim-Bob Williams, President of the Strasburg Fire Department:** Stated his presentation was for educational purposes.

“The pager system is not 100% effective due to dead spots, tree foliage, building construction etc. It is a digital umbrella system that goes out and rains down, unlike an analog system that travels in more of a line and could penetrate better.” Mr. Williams gave examples of when it did not activate: did not activate in his basement, firehouse and other different locations. The house alarm sounded as per design. “Cell alerts via the active 911 app is on a 30 second to 2 minute delay from the actual dispatch, which is not feasible for our operations. We have 4 1/2 minutes from dispatch to stop what we are doing and respond to the station, get dressed, board the truck and mark responding. If not, we get dispatched again along with the next due company. We are volunteers and we do not man the station 24 hours a day. We come from home, work if allowed, the gas station, the grocery store, and so on. There are times we turn our pagers off and rely on the house alarm - church, funerals, school events, meetings, and so on. Basically, anywhere that we feel we need to show respect and not interrupt the business at hand. There are also times that we may not have it on our side due to multiple reasons.

Paid Staff. Yes, we have a crew that is housed in our building to run medical calls for the SVRS. That is their sole purpose. If for some reason that we cannot make the said timeframe they are allowed to take our apparatus and fulfill the call and the volunteers will bring the next unit.

The alarm does not sound for medical calls, if so, it would have burnt up years ago. It only sounds for fire department calls or when firefighters are needed to assist with the medical call. The only other times it will sound is to start a parade, a memorial service or to be tested. Also, let me make it clear. It is not a surplus World War II air raid siren! It's a siren that was developed for fire stations to summon volunteers when there is a emergency call.

There has been a lot of talk about tornados. We are not in the hot belt, thank God. I'm not saying it is not possible we will get one, but we are not in the hot belt. There is a difference between a fire house alarm and a tornado alarm. Fire sirens sole purpose is to alert firefighters of a call and to warn citizens that we are responding to the Firehouse and to watch out for firetrucks responding to a incident. When it's your time of emergency, a siren reassures you that help is on the way. Tornado Sirens are activated by a signal from the National Weather Service when a tornado has been spotted or is strongly indicated on Doppler Radar and/or strong, damaging winds 70mph or greater are present. The alert goes out to specific towns or cities that are affected and not throughout the entire county. Firehouse sirens were not designed nor set up to be Tornado Warning Systems nor can they be used as both(Fire Emergencies/Tornados). Imagine the confusion and panic, not to mention the lack of confidence that this would cause. Both are vital warning systems that serve different purposes and cannot be combined to do the same job.

Imagine YOUR home is the one on fire. Dispatch sets off pager tones, but no volunteer firefighters respond. Why not?

Well, Scott was mowing his yard, so he couldn't hear the tone on his pager over the lawn mower. And Chris was on his way back into town from work, so he didn't have his pager on him in his car since he was at work. Tom took his dogs to the park and left his pager in the charger at home, so he wouldn't break it. Mike's radio battery was dead because he worked night shift the night before

and didn't have a charger on him. Brandon's radio broke when he was on a call at 2am the night before, so he didn't get a replacement radio yet.

But, if the house siren had been activated, Scott could have heard the siren over the mower. Chris would hear the house siren as he drove by the station. Tom would hear the house siren at the park, Mike and Brandon would hear the house siren and jumped in their trucks to respond to the station. Each of these scenarios has happened. Not all at once, but multiple times over the years, to our members. Yes, we now have a new radio system, and technology is great, WHEN It WORKS. Technology fails, batteries die, members aren't always able to have their radios, and at times, members do not hear the dispatch tone on their radios. Any delay is detrimental to having a crew respond to your emergency and no matter the technology, we still need people to respond. In addition to serving as a secondary alert to our members, our house alarm also alerts the traffic in town that fire personnel will be responding to the station. It lets folks on the sidewalks know the bay doors will be opening and apparatus will be responding soon, so they can stay a safe distance away, and it alerts the traffic in town as well, since some of our intersections get very backed up. Strasburg Fire Department is centrally located for a reason. It's the best way we can service our town and community and our responders can get there in the 4 ½ minute response time. That is the reason that the building was put there.

A few years ago, Strasburg Fire Department reduced the duration of the alarm cycle, at the town's request. We complied to be good stewards to the town we serve, yet here we are, out here again defending it.

Many years before that, our house siren was permanently damaged, and the townspeople made donations to pay not only for the replacement, but also the installation of a new house siren. Why? It meant something to them, just like it did us. They did not view it as an annoyance or inconvenience. It was a part of our town, and a piece of our history, and they helped us to replace it.

On multiple occasions at our fundraisers and during town events, we've been told by citizens and visitors to the town about how much they love hearing our siren. We've heard from newer residents just as much as the ones that have been around here a while. Some of them say it reminds them of their childhood, the towns they grew up in, or when their own family members were volunteers. It has meaning and holds fond memories. Lastly, though this sentiment may not be appreciated by all, many folks tell us that when they hear it, it prompts them to pray for both the people needing help and the volunteers responding.

Strasburg is still a small town. A town where people look out for one another, and our house siren is a part of that. It lets people know that we're coming. We are volunteers who serve this community with pride and dignity, and our house siren holds value to our members and citizens, and we'd like it to remain as a secondary notification for us and the community we serve. Thank you.”

**Council Member Stover** said if you watch the May meeting on video, he was vehemently opposed to doing anything with the fire siren. It is a part of the town, I loved it for years, and it does serve in many ways. He would hate to see it go. He wanted to let all the firefighters in attendance know that he would never vote to do anything with it; he wants to see it stay.

**Council Member Hooser** asked **Mr. Williams** how we will let people know to shelter in place if we have a severe weather event. **Mr. Williams** responded that it would be handled by the National Weather Service. As far as he knows, Dispatch doesn't have any other way of doing this except through Code Red and they get that information from the National Weather Service.

**Council Member Hooser** said he knows about the siren, but if you are new or visiting town, how do you know it isn't a severe weather event? **Mr. Williams** said this might be something the fire

department needs to educate the citizens better on this. Maybe they should get a packet of information together to add to the newsletter to explain it.

**Council Member Hooser** asked **what Mr. Williams** would think of a compromise when people are at home asleep; could a compromise be to not use the siren between certain hours. **Mr. Williams** said that was something they could discuss later.

**Council Member Ricard** said she hates the siren, and she will admit that. It has awakened her many times, but that was her selfish side speaking. When she looks at it unselfishly, the firefighters are not getting any sleep either and are doing a great service. When things such as this come up, she likes to see how other localities handle it. She called her hometown in Maryland and they only sound the siren at noon as a remembrance type thing. She talked to a few of the long-time firefighters and when they took the siren away, people forgot about the department. You only think about that it is time to go to lunch. People stopped going to their fundraising events. They forgot about the service the department was doing for the community. She absolutely now understands it is necessary for many reasons.

**Council Member Lowder** said he has learned to never rely on technology. It is good to always have an old school back-up and that is why he would always want to keep it. He has children and he doesn't remember them waking up because of the siren. **Mr. Williams** said the siren can be manually run if the radio system stops working.

**Council Member Carter** expressed his appreciation to the members of the department, to all those serving their community. He is a Navy veteran and when he thinks about the redundancy of the system, he thinks of the people going out to serve and putting their lives on the line.

**Mayor Boies** thanked **Mr. Williams** for offering to educate the public. Maybe something could be placed in the town's newsletter. It might be a good idea to talk to the realtors and let them know about the siren. There are people who suffer from PTSD and sirens can be disturbing to them and the realtors could let them know what it is.

**Council Member Reynolds** expressed her appreciation for the presentations and all the volunteers in the audience.

**Ms. Surkham** asked if there were numbers of how often calls come through. This will be placed with the minutes.

- Ad hoc Committee update on Cedar Springs Proffers

**Council Member Monahan** said **Town Attorney Helm** looked at the proffers and the Town's teeth is that they have to restore the Pifer House and do the study of Vesper Hall. We cannot save Vesper Hall. The proffers were written when proffers were new. We could make them do a study that would tell us that they are not willing to do something commercial with Vesper Hall, but they could still tear it down. In the spirit of that or a compromise, the committee is making the recommendation that they restore Vesper Hall at least to the condition it was in when the proffers were made. We can make sure they do the DHR study for Vesper Hall. Planning and Zoning Administrator Otis gave them the idea that Council can allow the owners to do what they want to do, restore the Elijah Pifer house and make it look restored, honor Vesper Hall by using bricks and making a walking path to the Pifer House with signage honoring the two houses, and then have the

convenience store honor the appearance of Vesper Hall. This way, they get their gas pumps and we get a restored property.

**Planning and Zoning Administrator Otis** said they are requesting a rezoning so they can get the gas pumps at their convenience store. This is more of a negotiation. He has seen where a portion of the façade or the entire front façade be used for the convenience store. He showed a picture of his idea. The negotiation would be what do we really want it to look and the owners would have their architects draw something and then it can be tweaked to what is agreeable to both. This could be in the proffers. It could be written so that the Pifer House could be under bond as a security. Town Attorney Helm added more about the signage by saying it would discuss the history of the structures; it speaks to a broader intent. As far as Vesper Hall, he thinks there is some duty to show they have looked into reusing some aspect of the structure. If they come back and say they can't use any portion of it, that is fine. If it is not feasible, it is not feasible. But, some sort of feasibility study should be done. This is where you can push for the idea to make some sort of adaptation. If there is a study that shows they cannot do anything, then that would be that.

**Council Member Kimmons** said the idea of keeping the gas pumps to the rear of the building is very important. Council has discussed viewshed on many occasions and the pumps on the front would be distracting to the Pifer House. He sat in a meeting with the City of Winchester and Wawa wanted to go onto a property. The City wanted the pumps to be on the back of the building. They received some pushback but ultimately the applicant agreed. He also wanted to stress that we make sure the Pifer House restoration is not the last thing done.

**Barbara Adamson, 1010 Sandy Hook Road, Strasburg, VA:** She thanked Council for allowing her and Mary Redmon participate in the discussions.

**Ms. Adamson** wanted to make sure all understood the significance of the “built historical environment” or building or houses. Every time there is new construction, the visibility of old houses decreases and there are fewer of them. She appreciates the efforts to hold the developers to the proffers; this is very important. She is still unclear of a few things. To preserve the Pifer House to what it was in 2003 or 2004, does it just mean the outside or the inside, as well? She is wondering about feasible ideas for Vesper Hall. When they decide who their architectural historian is going to be, that person could be very helpful. She would like for the group to have a voice in Phase II. She likes the idea of having the pumps in the back of the building, but usually the back is where you get deliveries and have trash dumpsters, so how would that be handled?

**Ms. Adamson** showed pictures of the ceilings in Vesper Hall.

**Mayor Boies** asked about the preserving of the Pifer House. What does “preserve” mean? How can we hold them to that? **Council Member Monahan** said we could take them to court but we don't want to do this. **Planning and Zoning Administrator Otis** said this is where the negotiations come into play.

**Council Member Lowder** said he remembers **Council Member Carter** offering to do some 3-D renderings. Council Member Carter said he could do both the Pifer House and Vesper Hall.

**Mayor Boies** asked what the next steps are. Should **Planning and Zoning Administrator Otis** write something up to present to the developers? Also, should the 3-D renderings be added to our proposal? She thinks we should start with our ideal outcome first.

**Council Member Kimmons** thinks the 3-D renderings would be so good to have. **Council Member Carter** said he uses this to document historic places that are no longer.

**Planning and Zoning Administrator Otis** said he thinks this is the next step with **Mr. Claytor**. If he has his historic architect, we can talk with them. We need to have the developer in the room so they can find out what is wanted. He can start the process, but the developer will need to eventually be in the room with Council. He can tell the developer what Council will agree to.

**Mayor Boies** asked if there are any pictures in Williamsburg that show what we are looking for.

**Council Member Monahan** thanked all, especially **Council Member Kimmons**, for continuing to push on this historic project. The ad-hoc committee was thanked for their input.

**Council Member Comments:**

**Mayor Boies** said she works with the Town Manager to create the agenda. The committee liaisons work with the Town Manager, too. She thinks it is important to keep these informative. We want to work efficiently. If a Council member has something on their mind, they should reach out to four other Council members to see if they are in agreement on the topic, or at least give her a call so it can be added to the agenda. Having it on the agenda prevents any surprises with other Council members, staff, and citizens. This is how she would like to handle this in the future. This is not a free-for-all, but a way to be efficient and fair.

**Council Member Kimmons** asked who his liaison will be and this will be determined.

**Council Member Carter** said he was approached by Strasburg Midget Football and the town is a sponsor. They have not received a check. Staff will look into this.

**Closed Meeting:**

**Council Member Reynolds** moved to enter into a closed meeting pursuant to Code of Virginia § 2.2-3711(A)(1) for discussion, consideration, or interviews of prospective candidates for employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body. The subject of the closed meeting is to review applications for a vacant Council seat. **Council Member Lowder** offered the second to the motion. With no discussion, the motion passed unanimously, and Council adjourned to a closed meeting at 9:39 p.m. Reconvened at 9:45 p.m.

**Mayor Boies** said, “The Council of the Town of Strasburg hereby certifies by Roll Call vote that to the best of each member’s knowledge (1)only public business matters lawfully exempted from open meeting requirements by Virginia Law were discussed in the closed meeting to which this certification resolution applies and (2)only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Council of the Town of Strasburg.”

Each member should respond “I so certify” by Roll Call vote.

<b>Vice Mayor Reynolds</b>	<b>I so certify</b>
<b>Council Member Carter</b>	<b>I so certify</b>
<b>Council Member Hooser</b>	<b>I so certify</b>
<b>Council Member Kimmons</b>	<b>I so certify</b>
<b>Council Member Lowder</b>	<b>I so certify</b>
<b>Council Member Monahan</b>	<b>I so certify</b>
<b>Council Member Stover</b>	<b>I so certify</b>
<b>Mayor Boies</b>	<b>I so certify</b>

**Discussion/Action after Closed Meeting (if needed):**

**Adjournment:**

**Being no other business, the meeting adjourned at 9:48 p.m.**