

MINUTES OF THE STRASBURG TOWN COUNCIL WORK SESSION HELD ON MONDAY, DECEMBER 4, 2023 AT 7 P.M. IN THE COUNCIL CHAMBERS OF THE STRASBURG TOWN HALL.

COUNCIL MEMBERS PRESENT: Mayor Boies, Vice Mayor McCornyn, and Council Members Carter, Hooser, Kimmons, Lowder, Monahan, and Stover.

Absent: Council Members Carter and Woodson

Call to Order –Mayor Brandy Boies

Introduction and Recognition of Visitors and Guests:

Citizen Comments on non-agenda items:

Kim Bishop, 728 Crystal Lane: She is talking about something that is on the agenda, but what she is talking about is not on the agenda. **As a taxpayer**, she thinks there are better uses of our town employees and tax money than harassing people who are working on what they have been asked to do. She also does not like the idea that the town would take someone to court when they are actually working on something but not as fast as you would like them to when they actually don't have the money or the time to do so. The threats and the waste of time for nothing just seems like a waste and she feels taxpayers money is being thrown away on 178-188 West King Street. Having meetings on all of this is exhausting. She also wanted to say in conjunction with this, some of the comments and the concerns with that property when there was a tub of water in front of the property and people were saying that a child could drown in it, well, a child could drown in the Town Run; there is no safety things in the Town Run but we have toys in there that children could drown on. When she was before this Council, she brought pictures of a board with rusty nails that was in front of the Hi Neighbor building. It is still there with the nails. We just had a parade and little children could have bumped into this, been scraped, and gotten tetanus. She is tired of hearing about children's safety when nothing is done about this board when she has even given pictures of this. Before we start threatening to take the land away and selling it off and children are endangered, let's look at the town. We have a lot of issues to deal with that are really dangerous and this is not. It is not a nuisance. She thinks this taxpayers money is being misspent in many ways, but especially on this issue.

Gioia Pharo, 143 S. Massanutten Street, Strasburg, VA: There are a lot of issues in town. A week after talking to **Town Manager Coggsdale** about a building that needs to be blighted, a real estate agent fell through the second floor. This is the old Jalisco/Christina building. She asked about the Boyd building/property. This has rebar sticking up out of the cement which is dangerous. She has talked to people about this, and it has been like this for three or four years. She agrees that picking on one person is ridiculous. When she first moved here, Town Council didn't have to have people complain; they went around town, and they could make determinations on what was happening. When she came here 21 years ago, the town was flourishing and now there are lots of problems. The property beside her has weeds that are higher than her fence. Nobody has said anything to them about taking down the weeds. She thinks picking on one person is ridiculous when you can drive around town and see other problems.

As far as the quality of life in town is concerned, what about barking dogs. When she first moved here, they didn't have barking dogs all day long. You now have to call your

neighbor if the dog is a nuisance. In Shenandoah County, dogs are not supposed to be out all day long.

She spoke about the fire situation and people illegally burning. She had to call the non-emergency number because someone was burning tires in her neighborhood. She knows what a legal burn is and what is an illegal burn and she watched her neighbors do an illegal burn. When the fire department got there, they could see the smoke, but they couldn't do anything about it because of the laws; they can't go looking for where the smoke is coming from. If we are talking about safety, we need to talk to the citizens about what is legal to burn and what isn't. **David (Mr. Lassiter)** is not the issue; the issue is we are not looking at the bigger issues or the bigger picture of what is going on in this town.

Discussion Items/Updates:

1.) Project Updates

Sandy Hook Water Line: The engineering firm is working on packages for easements for property owners.

Borden Mowery Drive Extension: Work is being done on the Memorandum of Understanding with Columbia Gas for the gas line crossing.

Queen Street Sewer Line: USDA has authorized the town to advertise the project. The funding has been approved.

Mayor Boies said Council will have a discussion on 115 W. King Street at the next meeting.

2.) Town Council 2024 Meeting Calendar

Town Manager Coggsdale said the calendar is based on our regular schedule for the year which is based on the Town Council meeting being held on the second Tuesday of each month. Highlighted dates are changes from the regular dates of meetings with the changes being explained.

This will be added to the consent agenda for the December 12th regular Town Council meeting.

3.) 178-188 W. King Street Update

At their regular meeting on September 12, 2023, Town Council voted to extend the period for remediation of this property for 45 days with the 45 days beginning with a meeting of staff and the property owner.

P&Z Administrator Otis said two weeks ago an email was sent stating it had been 74 days since the appeal. **Mr. Fitzgerald**, the attorney for the property owner, asked to have a meeting with staff on December 4. **P&Z Administrator Otis** took pictures of before and after the appeal hearing; these pictures were shown. There has been some clearing to the rear of the storage building. To date, he has not stepped on the property, and he did not enter the property today either. Some of the areas have been cleaned up. Since we are not in a growing season, growth is not a concern. There is a skeleton of a greenhouse which has not been used for this in at least 2 to 2.5 years. It has been mentioned that they plan to

have this re-skinned in the next few months. Some cider blocks are being used for borders, but others are just stacked around the property.

The appeal hearing was held prior to the Yard Crawl, and **Mr. Lassiter** asked if they could set up for that and he was told he could, and items were not removed.

During the appeal hearing, it was requested of staff to walk the property with the owners to identify the problems. **P&Z Administrator Otis** said it is difficult for him to do this since he has never entered the property and things keep moving around. He met with **Mr. Lassiter** and said it is an arduous task to identify everything. He met with the attorney and **P&Z Administrator Otis** is worried that it is mainly cleaned because it is not growing season. **Mr. Fitzgerald** told him they are going to get a dumpster to take care of a lot of the items. If we see a vast improvement, we would then decide how to proceed with any other items. We now have 45 days from today to abate the situation. Technically, if it is not abated to the satisfaction of the town, we would file with the courts to process the case.

Mayor Boies asked if she is hearing that **P&Z Administrator Otis** still can't identify what the problems are. That seems like that was the issue before. **P&Z Administrator Otis** said the Code does not allow for outdoor storage unless it is on an approved site plan. Much of the storage needs to be in an approved dwelling. He doesn't know how to identify what is storage and what is not. There are a lot of things that he thinks are storage. They understand there is a lot that needs to be cleaned. He would like to get some traction and see where it is going. It is very challenging. In his experience, typically the jurisdiction would give the 30 days and then it goes to the judge. It would then be that he would go to the judge with the Code that needs to be enforced. **P&Z Administrator Otis** said he has clear grounds on what should be enforced as it is in the Code.

Mayor Boies asked if staff will just wait for the 45 days and then go back to them or how will this proceed. **P&Z Administrator Otis** said he typically checks on the site every two to three weeks to see where we are. His intent is to reach out after about 30 days.

Council Member Stover said he has a concern that the pictures were taken on August 28, and it was not the intention of Council to wait until December 4 for the meeting to take place.

P&Z Administrator Otis said he sent roughly eight emails to **Ms. Davis**, **Mr. Lassiter**, and **Mr. Fitzgerald**, and these were sent to the same emails he has received communications from them on. In October, he was walking down the street and saw **Mr. Lassiter** who went in his house, so he sent him a text message and was told that he had a personal circumstances and would not be able to get to this until the first week in November. After the first week of November, he sent another email and did not receive a response. After the November Council meeting, he informed **Mr. Lassiter** this topic would be coming back before Council at this Work Session, and he finally got a response.

Mayor Boies said we need to set a deadline for communication when deadlines such as this are set. This is a lesson learned.

Council Member Stover said when you look at the pictures, you still see the same things. For a severely handicapped person, the broken pot should be cleaned. He had a lot of sympathy when it first came up, but he does not have that same sympathy. If great improvement is not done in 45 days, he would like it to go to the court. When his great-

great-grandfather founded the town, this would not have been acceptable, and it still is not. If **P&Z Administrator Otis** were to come back and say they are making significant improvement, that would be good.

Council Member Hooser said it does not take 45 days to clear this. He doesn't care about the growth, but he does think the trash needs to be taken care of. If there are other nuisance properties, make complaints. The town does not go around looking for the properties.

Mayor Boies said **P&Z Administrator Otis** has a lot of things that are being looked into in this town so we are not just picking on them. She has sat with two different Councils who have been lenient on this. To take 82 days to meet with staff is disrespectful to our staff.

P&Z Administrator Otis said he has previously worked on cases where the county had to go in and remove people from the house for safety reasons. With this case, every item he points out is a discussion on why it is there and who put it there. He can't control the calls and complaints he receives on properties.

Council Member Stover said all of Council agreed it was a violation. Now that they have had almost 90 days, the 45 days need to start and the improvement needs to be significant or we will have to go through the courts.

Council Member Hooser said he has had complaints called on him and he had to abate the problem. He had an inoperable vehicle on his property, and he had to take care of it. He has people who keep calling the police on him, but he fixes the problem. He said he would come and help **David** clean the property.

Mr. Lassiter said it was interesting today that the two cinder blocks were not mentioned. The cinder blocks are marking plants that are in the ground. We are bringing up a lot of issues that are now splintering off into other things. He had an arson fire in his home. They watch his home. He has people who are watching him and doing things. People have grudges and they will complain.

Mr. Lassiter knows people and things come to him. He has had very disturbing things come to him. This all started with a tent in his backyard. These were homeless people. He knew the people and where they worked. Imagine his surprise when he found out these people were wanted all over the country. They were meth and fentanyl people. He offered them help and they left abruptly. People were watching when the tent was there. The tent was there for one day.

Mayor Boies said he needs to stay on topic. His 45 days start today. It doesn't matter what happened before tonight - in the 82 days when he could not communicate with our staff. That was Council's fault. Tell us what will happen in the next 45 days.

Mr. Lassiter said the yard has had considerable work done on it. The greenhouses will be worked on. We are going to try to get a dumpster on the church property. A handyman will help clean the yard. The yard is changing. As something is torn apart, they move the things. In 45 days, you will see a great improvement. **Mr. Lassiter** asked at the end of the 45 days what happens. He said the holidays are coming and he is busy. **Mayor Boies** said holidays happen and it doesn't matter. He has had since September 12 to work on this. Staff is very assessable. **P&Z Administrator Otis** will give an honest answer.

Ms. Bishop said we have 45 days, but she wants to say “directly to **Mr. Otis** that it is a flatout lie that the greenhouse has not been used for two and a half years.” She cleaned the yard and used the lawnmower, and it was put in the greenhouse, in the white door, and covered it so it didn’t get wet. They are working to get this taken care of. They are doing their best. All the blathering, she is tired of. The Code can be read in many different ways and it is not clear. The person who came to put new plastic on the greenhouse, read the complaint and read the Code and said the junk yard code doesn’t go with this because it is not a junk yard. Our Code is vague, and it was made this way because Council can then do what they want. Previous Councils have said they made it vague so they could do what they want to do, to whom they want to do. “Don’t tell me this isn’t harassment and don’t sit here and tell me that greenhouse has not been used for two and a half years because that is a bold-faced lie and I just want you all to know that. There are a lot of lies being said up here.” She doesn’t doubt that **P&Z Administrator Otis** is doing his job. There is wood under the tarp. **Former Town Managers Spitzer** and **Pearson**, and former **Zoning Administrator Pambid** said the tarp was acceptable. **Town Manager Coggsdale** signed off on the violations. Now, we have a new person and things are changing and it is not okay. “This is the problem with our Code. You guys need to fix our stupid Codes, not just the UDO, but the Codes because they are not clear, and this would not be happening if my Council hadn’t been stupid and not done it. I take responsibility, but again, there was an attack so... there is a lot of BS going on here so I don’t know how many of you, except for Dane, have actually talked to David about what is going on back there.” No one has talked to her and she could give some history to this. “But, the fact that the greenhouse hasn’t been used for two years is a lie, a flat-out lie, and I just want that to go into the record.”

Mayor Boies said the greenhouse is the least of Council’s worries.

Ms. Pharo said she has to laugh because if you stand on her deck, she is looking at that “same yard”. The guy who owns the building where the food truck is, the weeds growing are going across the property lines. She is not the type of person who complains on people. She sees things like this all over town. She does not think it is right for **Mr. Lassiter** to have to call **P&Z Administrator Otis** to see what needs to be taken away. She thinks he should have a formal list.

Council Member Hooser said if we get complaints, he knows **P&Z Administrator Otis** will take care of it.

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

Council Member Monahan said she and **Council Member Stover** met with **Director of Finance Fletcher** and **Town Manager Coggsdale**. It is the start of budget season. We have so many projects that are taking up a lot of staff time and we don’t know what type of funding we will need for these. She would like to not have a “wish list” for now until we get more of the projects done.

Council Member Hooser said the potential park on Loudoun Street is important to him. He feels some things might have to be looked into.

Mayor Boies asked about ARPA funding. **Town Manager Coggsdale** said we have to designate the funds by December 2024 and spent by December 2026. He hopes we will have a better idea of what we need to spend of the ARPA funds soon.

Vice Mayor McCornyn said **Chief Sager** has shared with her his list for the department. Should this be shared in a work session or with the liaison? **Mayor Boies** said this should be a discussion with the liaison and town manager. Budget topics can be added in January.

Mayor Bois asked about the bathroom discussion. **Town Manager Coggsdale** said they are looking at several options and will come back to Council on this.

Mayor Boies said she gets questions about what we are going to do with the river or with the reservoir at Signal Knob. She would like some facts and then what needs to be done.

Town Manager Coggsdale said we need to decide what the purpose is for a secondary water source. If it is for the drought, then the water all comes from the same place. He said he would like to have the WTP superintendent come in and have a dialogue with Council. There has been discussion on additional tanks and wells. Currently, we produce about 1 million gallons of water a day; the plant can produce 2 million. Some of these things will not solve the drought issue.

Mayor Boies said Council is going to want to know is if we have the capacity for development. **Town Manager Coggsdale** said we always ask what someone needs as far as capacity. He thinks having an FYI on water is a good idea. Education is key.

Mayor Boies said it would be good to squash incorrect information they hear and educate the community.

Council Member Comments:

Council Member Hooser asked if we post on our Facebook page what is going on at the meetings. **Town Manager Coggsdale** said we will try to make a post with a link for agendas to help with meetings.

Council Member Stover said he thinks we will get better turnout for the Planning Commission meeting in December because of the notice sent out about the public hearing rezoning. **P&Z Administrator Otis** explained that the Dunmore property, which is owned by Bernstein, is looking to rezone. It is currently medium density residential; they are looking to rezone to business park. It will require 100 feet of landscaping buffering. If it is a concern, it could be proffered for larger landscaping.

Adjournment: Being no other business, the work session adjourned at 8:11 p.m.