

Town of Strasburg

Town Council Work Session

Strasburg Town Hall
174 E King St
Strasburg, VA 22657

Monday, March 4, 2024
7 p.m.

Town Council Members:

Brandy Hawkins Boies, Mayor
A.D. Carter, IV
Dane Hooser
Ashleigh Kimmons

Emily Reynolds, Vice Mayor
Andrew Lowder
Christie Monahan
Brad Stover
David Woodson

Staff Contact:

J. Waverly Coggsdale, III, Town Manager

MEETINGS CAN BE VIEWED LIVESTREAM BY ACCESSING THE LINK BELOW:

<https://www.strasburgva.com/bc/page/meetings>

To make a public comment, please submit to:

comment@strasburgva.com

by 4:00 p.m., Monday, March 4, 2024



Council Work Session Agenda – Monday, March 4, 2024

Please silence all cellular devices. Thank you.

**Town Council Work Sessions are typically used for general discussion on matters pertaining to the Town. Formal actions are taken during Town Council Meetings unless otherwise notified.*

Call to Order – Mayor Brandy Boies

Introduction and Recognition of Visitors and Guests:

Citizen Comments on non-agenda items:

Presentation/Reports:

- Strasburg Volunteer Fire Department
- 115 W. King Street - Dewberry
- Mt. Zion Un. Methodist Church Update
- Derby Ridge Presentation, Brice Leconte
- Fulton Drive Presentation

Discussion Items/Updates:

- 1.) Project Updates
 - Civil War Marker
 - Skate Park
 - UDO Update Process
- 2.) Revitalization Area Designation – Pleasant View Development
- 3.) FY2025 Draft Budget Presentation
- 4.) Water bill non-payment-liens

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

- 1.) Strategic Initiative: (Parks and Recreation) – Liaison, Council Member Kimmons
 - Strasburg Little League Agreement
 - Pool agreement
 - Proper swimwear
 - Fireworks update
 - Hometown Park
- 2.) Police and Public Safety – Liaison, Vice Mayor McCornyn
 - Report by Liaison

Council Member Comments:

Closed Meeting (if needed):

Adjournment

INTRODUCTION and RECOGNITION of VISITORS and GUESTS



CITIZEN COMMENTS (Non-Agenda Items)



PRESENTATIONS/ REPORTS



1) Strasburg Fire Department Annual Report

Fire Department representatives will be on hand to deliver a brief Annual Report of the Department.

2) 115 W. King Street Presentation

Rod Williams of Dewberry (project architect and engineer) will be on hand to make a presentation on the status of this project.

3) Mt. Zion United Methodist Church Update

Staff will update Town Council on their thoughts/findings related to issues/concerns raised by Pastor Gess on behalf of the church at a previous meeting.

4) Derby Ridge Presentation

Brice Leconte of iUnit will be on hand to make a presentation regarding the potential development of Derby Ridge.

5) Fulton Drive Presentation

Brian Otis will give a presentation on a request for a development consideration on Fulton Drive.

Following each presentation, the Town Council may provide direction on each of the items, as deemed necessary.

Presentations/Reports

Meeting Date: March 4, 2024

To: Mayor Boies and Town Council of Strasburg

From: Brian Otis, Director of Planning & Public Services

Re: Derby Ridge presentation

DESCRIPTION: Brice Leconte will be presenting the Derby Ridge concept to include site layout and dwelling design. Additionally, Brice will be requesting staff assistance with a Virginia Housing Authority Grant in order to develop a group of his proposed dwelling types on a group of six infill lots in a location adjacent to Chester Street and Cardinal Street.

Location of the six infill lots.





Presentations/Reports

Meeting Date: March 4, 2024

To: Mayor Boies and Town Council of Strasburg

From: Brian Otis, Director of Planning & Public Services

Re: 776 Fulton Dr/ Roadway extension and turn-around

DESCRIPTION: Doug Boyd is constructing a dwelling at 776 Fulton Dr. Due to relocation of the driveway, Fulton Drive needs to be extended.

Fulton Road was constructed in conjunction with the Island Farm project that was abandoned. The Island Farm property was placed in a Conservation Easement. At the time the property was placed in conservation, the road was not extended or properly terminated with a turn-around. This condition was created and exists in a second location on Island Farm Road.

ATTACHMENTS: 4

GIS image of the location at 776 Fulton Drive.

GIS image of the location at Island Farm Road.

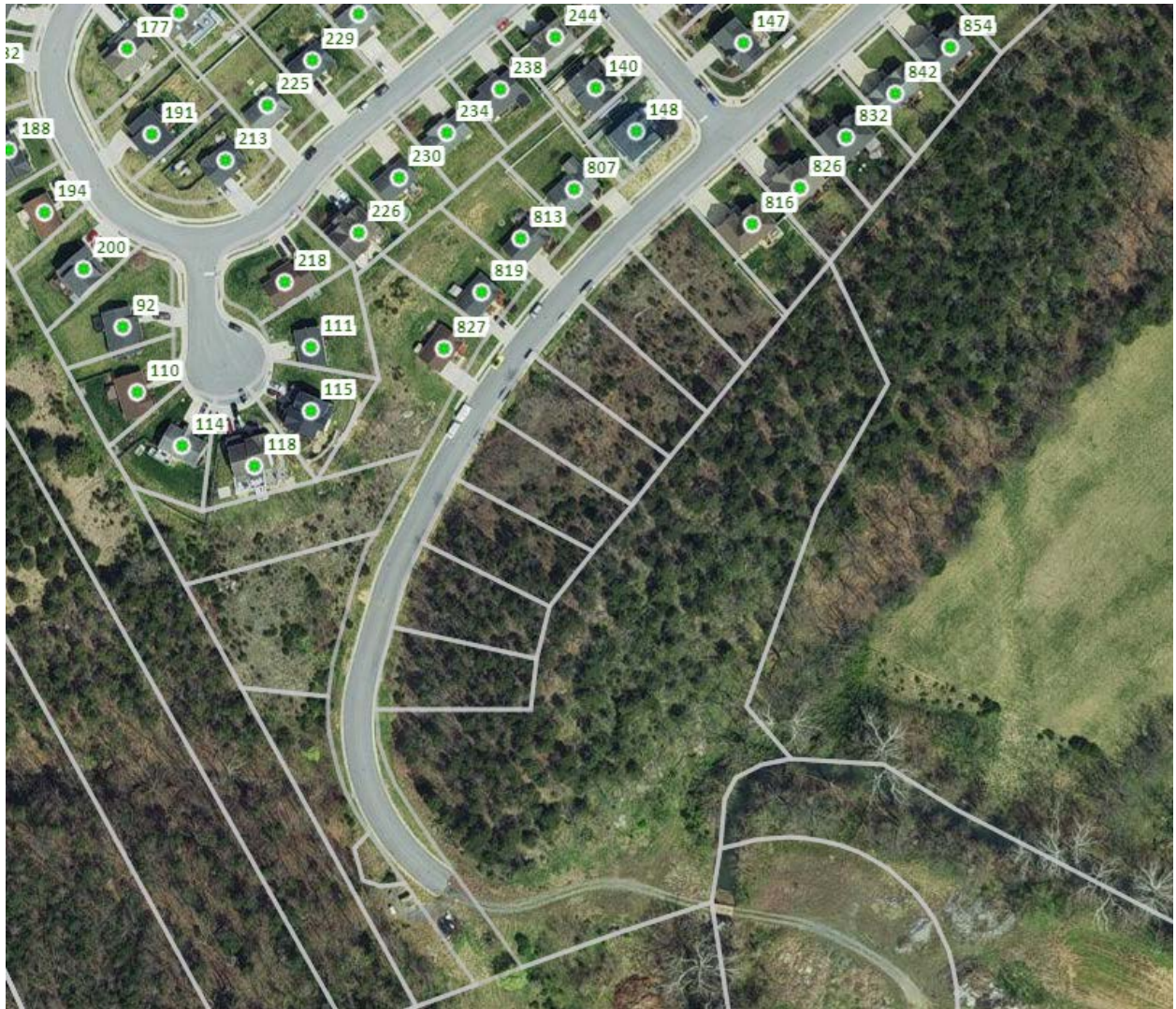
Approved zoning permit

Request by Doug Boyd

GIS image of the location at 776 Fulton Drive.



GIS image of the location at Island Farm Road.



PAID

JUN 30 2022



Town of Strasburg
Planning and Zoning Department
174 E King Street
Strasburg VA, 22657
(540) 465-9197 Fax (540) 465-3252

TOWN OF
STRASBURG
100.00

Zoning Permit
Revised 01/18/2016
Permit Number: FY23-032
Permit Fee: _____

Residential	Commercial/Industrial	Other
<input checked="" type="checkbox"/> New Construction (\$100)	<input type="checkbox"/> New Construction*	<input type="checkbox"/> Temporary Use (\$30)
<input type="checkbox"/> Addition (\$30)	<input type="checkbox"/> Addition/Alteration*	<input type="checkbox"/> Change of Use (\$50)
<input type="checkbox"/> Accessory Structure (\$30)	<input type="checkbox"/> Sign Permit (\$25+\$1/SqFt)	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Home Occupation (\$30)	<input type="checkbox"/> Temporary Sign Permit (\$25)	

Project Address lot # 14A-A Madison Heights Subd. (Fulton DR)
Applicant Name Madison Development Assoc. LLC Applicant Phone No. 540-975-6310
Applicant E-mail nibo(a)shentel.net Current Land Use _____
Contractors Name Nibo Enterprises Inc Contractors Phone No. same
Owner Name Doug Boyd Owners Phone No. _____
Owner Address 6374 St. David's Church Rd Fort Valley VA 22652
Description of Work: SFD

Complete Applicable Sections:

Estimated Cost of Project \$ 200,000 | Setbacks: FY 26 SYR 10' SYL 26' RY 26' | Sign Square Footage: _____

Property Owner/Authorized Agent Consent:

By signing below, I certify that the information provided on this application is true and that I am the current property owner of record or an authorized agent. As an authorized agent, I have express permission from the property owner of record to act on their behalf. I hereby acknowledge that the Town of Strasburg shall have the authority to impose such conditions as deemed necessary to request additional information as deemed necessary to serve the public safety, health, interest and welfare. I do also hereby authorize Town of Strasburg staff of official business to enter onto the subject property as necessary to process the application.

[Signature] Property Owner/Authorized Agent Signature 6/30/22 Date

Right to Appeal:

Unified Development Ordinance (UDO) Chapter 1 Section 19.4 A: An appeal to the Board [of Zoning Appeals] may be taken by any person aggrieved or by any officer, department, Board or bureau of the Town affected by any decision of the Zoning Administrator or from any order, requirement, decision or determination made by any other administrative officer in the administration or enforcement of Code of Virginia, § 15.2-2280 et seq. or this UDO. The recipient has the right to appeal the notice of a zoning violation or a written order within 30 days in accordance with this section, and that decision shall be final and un-appealable if not appealed within 30 days. The appeal period shall not commence until a written determination is made. The appeal shall be taken within 30 days after the decision appealed from by filing with the Zoning Administrator, and with the Board, a notice of appeal specifying the ground thereof.

Town Staff Only

Permit Fee: _____ Business License Paid: NO fee Taxes Paid: Paid thru 6-30-22
Zoning District: _____ Tax Map #: 0251148A Floodplain: _____
Acreage: _____ Proposed Land Use: _____ Use Code: _____

Complete Application: _____ Date: _____

Conditions or Comments:

Assigner 911 Address 776 Fulton Drive

APPROVED

OCT 3 2022

By: [Signature]

Stamp Final Approval



Town of Strasburg
Planning and Zoning Department
174 E King Street
Strasburg VA, 22657
(540) 465-9197 Fax (540) 465-3252

Zoning Permit Plot Plan

Rear Yard

Side Yard

SEE PLAT

Side Yard

Front Yard

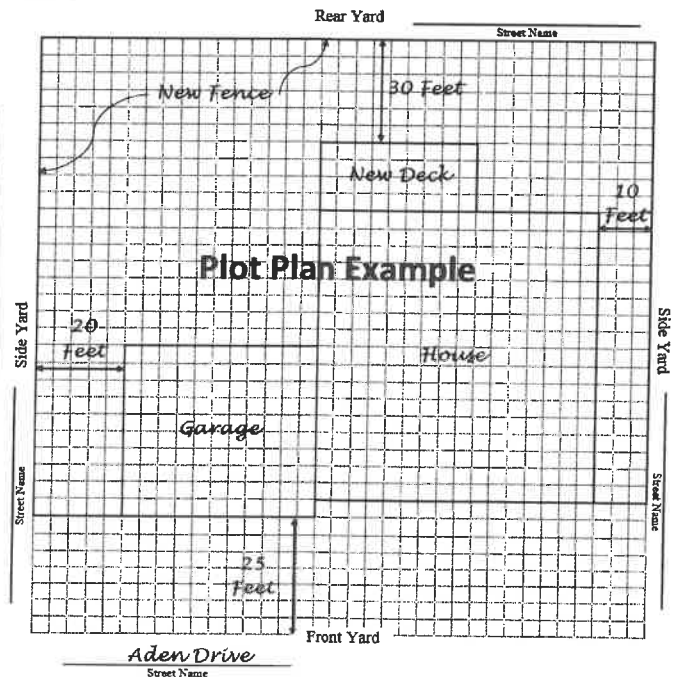
Street Name

Plot Plan

Please use a straight edge or ruler to draw as accurately as possible any:

- Existing Structures
- Proposed Structures (fences, sheds, driveways, pools, additions, etc.)
- Distances in feet from structures to property lines on all sides of the property
- Names of all Streets that you are adjacent to

The Plot Plan does not have to be to scale. New Residential requires a scaled professional plot plan, and any Commercial construction or addition require a Site Plan prepared by a licensed surveyor or engineer.



TOWN OF STRASBURG
174 E KING STREET
STRASBURG, VA 22657-
(540)465-9197

P A Y M E N T

Date: 6/30/2022
Time: 1:41 PM

MADISON DEVE. 148 A MADISON HEIGHTS NEW CO
NSTRUCTION

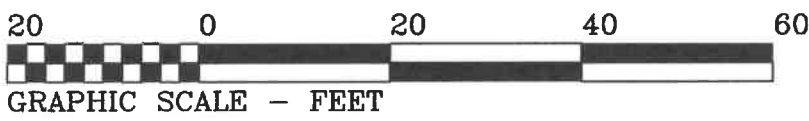
4301

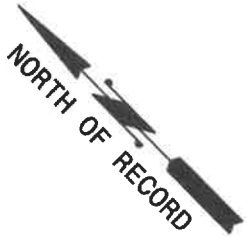
Cash:	\$0.00
Check:	\$100.00
Charge:	\$0.00
MoneyOrder:	\$0.00
Total Fee:	\$100.00
TOTAL PAID:	\$100.00
Change Due:	\$0.00

1 09 ZONING & PERMIT \$100.00

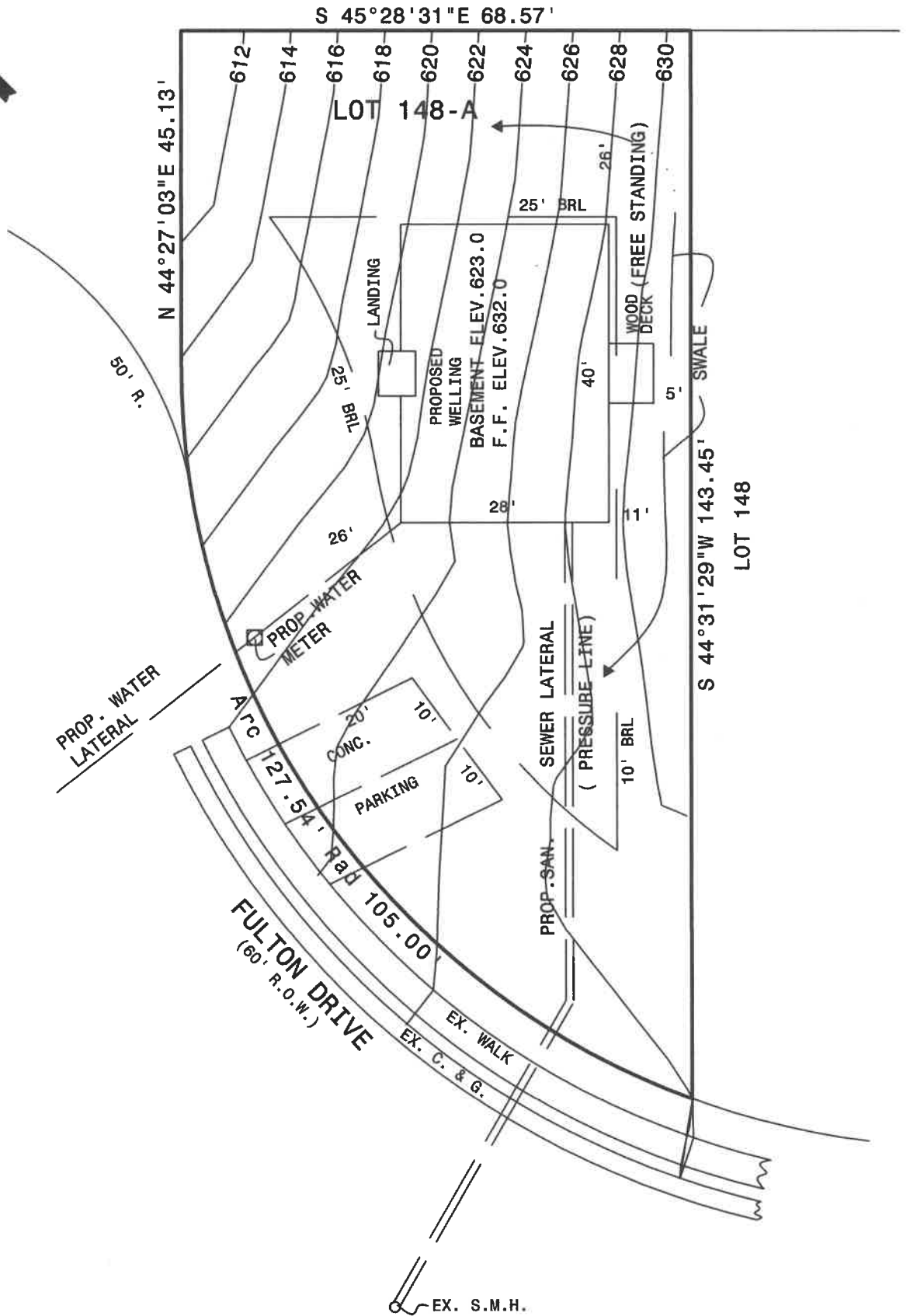
Operator: 10
Receipt#: 281781

T H A N K
TOWN OF STRASBURG
174 E KING STREET
STRASBURG, VA 22657-
(540)465-9197





N. OR F. "MADISON DEVELOPMENT ASSOCIATES, LLC"



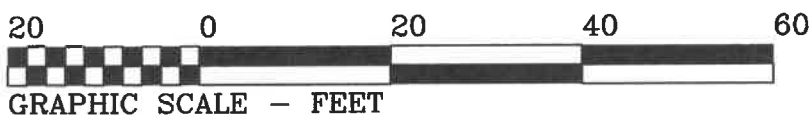
SURVEY OF PROPOSED DWELLING ON LOT 148-A, MADISON HEIGHTS, SECTION 10.

DAVIS MAGISTERIAL DISTRICT
SHENANDOAH COUNTY
TOWN OF STRASBURG, VIRGINIA



PREPARED BY
HIMELRIGHT & ASSOCIATES, PLLC
PROFESSIONAL LAND SURVEYORS
694 RED BUD ROAD, STRASBURG, VA.
PHONE (540) 465-8767

JUNE 27, 2022



DISCUSSION ITEMS/ UPDATES





Project Updates

Meeting Date: March 4, 2024

1) Civil War Marker

Mellanie Shipe, Assistant Town Manager will provide an update on this item.

2) Skate Park

Brian Otis, Director of Planning & Public Services will provide an update on this project.

3) UDO Update Process

Brian Otis, Director of Planning & Public Services will provide an update on this project.

Following each update, Town Council may provide direction on each of the items, as deemed necessary.



Project Update

Meeting Date: March 04, 2024

To: Mayor Boies and Town Council of Strasburg

From: Mellanie Shipe

Re: Civil War Trail Marker – Washington Street

Description: Drew Gruber, Executive Director of the Civil War Trails, approached the Town Council about refurbishing and potentially relocating the Civil War Trail Marker on Washington Street. Their idea was to relocate the sign to Banks Fort Road.

Update: The feasibility of the area proved unrealistic with relocation. With the location, terrain, accessibility, parking restrictions, and safety concerns, the Civil War Trails organization, landowner, and sponsor all came to an agreement it was in the best interest to refurbish the existing sign.



Discussion Items/Updates

Meeting Date: March 4, 2024

To: Mayor Boies and Town Council of Strasburg

From: Brian Otis, Director of Planning & Public Services

Re: Update on Skate Park project

DESCRIPTION: Staff will be providing an update on the Skate Park project.

- Site Plan ready for County review
- Bid Plan for construction will be completed this week
- Skate Park Committee funds



Discussion Items/Updates

Meeting Date: March 4, 2024

To: Mayor Boies and Town Council of Strasburg

From: Brian Otis, Director of Planning & Public Services

Re: Update on zoning ordinance rewrite

DESCRIPTION: Staff will be providing an update on the zoning ordinance rewrite. Substantial milestones.

- Draft of the first reading documents completed and available online.
- Finalizing the proposed zoning map to be included with the first reading documents.
- Final Berkley Group Joint Meeting scheduled for March 14th at 7:00 p.m.
- Short-term Rental language emailed to PC and TC on 2/22 for review.

ATTACHMENTS: 3

STR draft option 1

STR draft option 2

STR options chart

STR Option 1

Sec. 84-800.09. – Short-term Rentals and Homestays.

1. Registration.
 - a. Prior to operation, the operator of any homestay or short-term rental shall
 - i. Register the property with the Department of Planning and Zoning, unless exempt from registration pursuant to Section 15.2-983(B)(2) of the Code of Virginia, as amended. Registration shall be valid from the date the registration occurs through December 31 and shall be renewed annually by March 1.
 - ii. As a part of the registration and annual renewal, a rental inspection report from the Shenandoah County Building Official shall be provided.
 - iii. Obtain a business license. The business license shall be valid from the date the registration occurs through December 31 and shall be renewed annually by March 1.
 - b. Each registration shall be specific to the operator and property and is nontransferable.
 - c. Short-term rental uses legally establish prior to July 1, 2024:
 - i. Shall be permitted to operate under the zoning text amendment adopted October 12, 2021.
 - ii. The annual renewal as stated within this section shall apply.
2. Operators
 - a. For homestay uses, the operators shall maintain the property as their primary residence. The following documents shall be accepted as proof of primary residence:
 - i. Virginia driver's license or identification (ID) card;
 - ii. Voter registration card
 - iii. U.S. Internal Revenue Service tax reporting W-2 form;
 - iv. Payroll check stub issued by an employer not more than 2 months old; and
 - b. For short-term rentals, the operator that may or may not be the property owner, shall be present during the lodging period. An operator is not required to be present for apartments.
 - c. Contact information for all operators shall be provided on your registration.
3. The following dwelling types shall be permitted:
 - a. Single-family detached
 - b. Apartments
4. Each lodging contract shall be limited to a period of fewer than thirty (30) consecutive nights.
5. Any food service offered shall be limited to guests.
6. The operation shall not be marketed and used for weddings, receptions, or events, unless approved, and as may be conditioned during the special use permit process.
7. The operator's contact information shall be on the registration and updated as needed prior to a new operator being present during a stay.
8. Penalties:
 - a. A Zoning Permit may be revoked or suspended for the following reasons:
 - i. Three or more substantiated complaints including, but not limited to, noise, excess trash, failure to meet parking requirements and exceeding occupancy limits.
 - ii. Three violations of the conditions listed within this section, to include, but not limited to the absence of the operator.

STR Option 1

- b. A fine of \$200.00 will be issued to any owner that:
 - i. Failure to obtain registration.
 - ii. Failure to maintain the presence of a registered operator during a stay.
 - iii. Receives three or more substantiated complaints including, but not limited to, noise, excess trash, failure to meet parking requirements, and exceeding occupancy limits.
- 9. If the property is under new ownership, the registration shall be voided and a new application per this section shall apply.
- 10. In addition to the regulations in subsections (1) through (9), homestays shall comply with the following:
 - a. The total number of lodging contracts shall be limited to ninety (90) nights per calendar year.
 - b. The number of guests at one (1) time shall be limited to four (4).
 - c. The operation shall not be marketed or used for weddings, receptions, or other events.

STR Option 2

Sec. 84-800.09. – Short-term Rentals and Homestays.

1. Registration.
 - a. Prior to operation, the operator of any homestay or short-term rental shall
 - i. Register the property with the Department of Planning and Zoning, unless exempt from registration pursuant to Section 15.2-983(B)(2) of the Code of Virginia, as amended. Registration shall be valid from the date the registration occurs through December 31 and shall be renewed annually by March 1.
 - ii. As a part of the registration and annual renewal, a rental inspection report from the Shenandoah County Building Official shall be provided.
 - iii. Obtain a business license. The business license shall be valid from the date the registration occurs through December 31 and shall be renewed annually by March 1.
 - b. Each registration shall be specific to the operator and property and is nontransferable.
 - c. Short-term rental uses legally establish prior to July 1, 2024:
 - i. Shall be permitted to operate under the zoning text amendment adopted October 12, 2021.
 - ii. The annual renewal as stated within this section shall apply.
2. Operators
 - a. For homestay uses, the operators shall maintain the property as their primary residence. The following documents shall be accepted as proof of primary residence:
 - i. Virginia driver's license or identification (ID) card;
 - ii. Voter registration card
 - iii. U.S. Internal Revenue Service tax reporting W-2 form;
 - iv. Payroll check stub issued by an employer not more than 2 months old; and
 - b. For short-term rentals, the operator shall identify that they are a primary residence within town limits. The following documents shall be accepted as proof of primary residence:
 - i. Virginia driver's license or identification (ID) card;
 - ii. Voter registration card
 - iii. U.S. Internal Revenue Service tax reporting W-2 form;
 - iv. Payroll check stub issued by an employer not more than 2 months old; and
 - c. Contact information for all operators shall be provided on your registration.
3. The following dwelling types shall be permitted:
 - a. Single-family detached
 - b. Apartments
4. Each lodging contract shall be limited to a period of fewer than thirty (30) consecutive nights.
5. Any food service offered shall be limited to guests.
6. The operation shall not be marketed and used for weddings, receptions, or events, unless approved, and as may be conditioned during the special use permit process.
7. The operator's contact information shall be on the registration and updated as needed prior to a new operator being present during a stay.
8. Penalties:
 - a. A Zoning Permit may be revoked or suspended for the following reasons:

STR Option 2

- i. Three or more substantiated complaints including, but not limited to, noise, excess trash, failure to meet parking requirements and exceeding occupancy limits.
 - ii. Three violations of the conditions listed within this section, to include, but not limited to the absence of the operator.
 - b. A fine of \$200.00 will be issued to any owner that:
 - i. Failure to obtain registration.
 - ii. Failure to maintain the presence of a registered operator during a stay.
 - iii. Receives three or more substantiated complaints including, but not limited to, noise, excess trash, failure to meet parking requirements, and exceeding occupancy limits.
- 9. If the property is under new ownership, the registration shall be voided and a new application per this section shall apply.
- 10. In addition to the regulations in subsections (1) through (9), homestays shall comply with the following:
 - a. The total number of lodging contracts shall be limited to ninety (90) nights per calendar year.
 - b. The number of guests at one (1) time shall be limited to four (4).
 - c. The operation shall not be marketed or used for weddings, receptions, or other events.
- 11. In addition to the regulations in subsections (1) through (9) above, short-term rentals shall comply with the following:
 - a. A short-term rental shall be permitted within an approved accessory dwelling as identified in section.
 - b. A minimum of one off-street parking space per sleeping room shall be provided. The exemptions listed with Part 807 for the Downtown Parking Overlay District shall not apply to short-term rental uses.

STR TABLE

	Option 1		Option 2	
REGISTRATION				
Annual Registration	Yes		Yes	
Annual Building Code Inspection	Yes		Yes	
Annual Business License	Yes		Yes	
*OPERATOR	Homestay	STR - Operated	Homestay	STR
Required to be present during stay	Owner must be present	Operator must be present	Owner must be present	Owner or operator not present
Must be primary residence	Yes	No – Operator must be on site during the stay. (except apartments)	Yes	No – Owner must have a primary residence in town limits
Proof of town residency required	Yes	No	Yes	Yes
Type of permitted uses	SFD	SFD Apartment	SFD **ADU (max 1)	SFD Apartment **ADU (max 1)
Permitted districts	Residential/Historic Commercial/Historic	Residential/Historic Commercial/Historic	Residential/Historic Commercial/Historic A-3 R-1	Residential/Historic Commercial/Historic A-3 R-1
Minimum lot size	N/A	N/A	0.50 only for A-3, R-1, and R-4	0.50 only for A-3, R-1, and R-4
Marketed and used for weddings, receptions, or events	No	No	No	No
Penalties Three or more substantiated complaints or violations may result in suspension or revocation of the registration	Yes – possible fines	Yes – possible fines	Yes – possible fines	Yes – possible fines

STR TABLE

	Option 1		Option 2	
	Homestay	STR - Operated	Homestay	STR
Registration conveys to new owner	No	No	No	No
Maximum number of rental nights	90 - per calendar year	N/A	90 - per calendar year	N/A
Max number of guests	4 at one time	2 – per sleeping room	4 at one time	2 – per sleeping room
Off-street parking required	No	No	No	1 – per sleeping room Parking overlay does not apply

NOTES:

*All operators and contact info shall be on the registration

**ADU requires primary resident to live in the primary dwelling.

Homestay and STR shall be a by-right accessory use within the following districts:

- B-H, Commercial Historic
- R-H, Residential Historic
- AG-3, Agricultural
- R-1, Rural Residential
- R-4, Semi-rural Residential



Agenda Location: Discussion Items/Updates Meeting Date: March 4, 2024

ITEM TITLE: Revitalization Area Designation – Pleasant View Development

Executive Summary: Jen Surber recently reached out to staff regarding the town's support for a 2024 Virginia Housing Development Authority (VHDA) application for the Pleasant View Development. This request would involve a letter of support for the project.

Previously, Town Council approved a Special Use Permit (SUP2021-01) on February 16, 2021, and in addition the Town Council approved a resolution designating a "Revitalization Area For the Purposes of Encouraging Mixed Income Housing Development" the same evening.

The 2024 VHDA application is due March 14, 2024, and Ms. Surber is requesting a Letter of Support indicating the new VHDA Tracking Number and that the Resolution adopted on February 16, 2021, remains in effect.

As part of the Special Use Permit approval certain conditions were included in the approval. The current request also includes the amend of the condition which states "Requires a minimum of 85% brick" as this was a VDHA requirement which has since been modified and the now allows for other building materials but not vinyl siding. Based on review by Director of Planning & Public Services, this condition can be administratively modified as a "Minor Adjustment" under Section 2.20.7 of the Unified Development Ordinance.

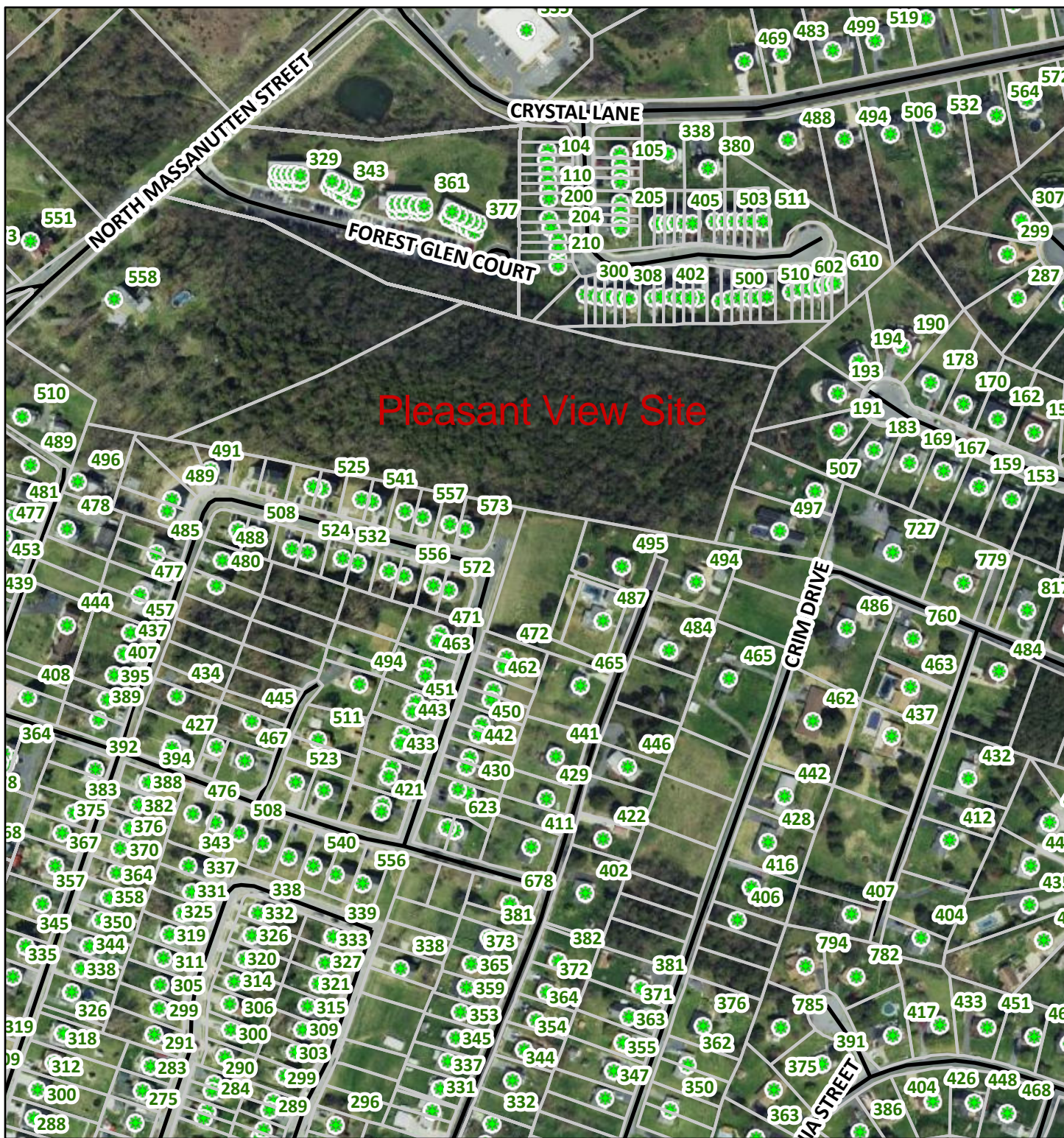
If Town Council continues to support this proposed development, staff is seeking a consensus for the submittal of the Letter of Support as written.

POTENTIAL ACTIONS

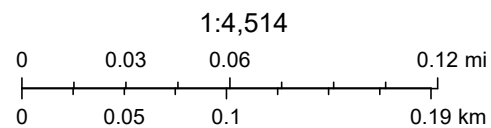
- Per discussion.

Attachment(s):

- *Pleasant View Development Location Map*
- *Draft Letter of Support*
- *February 16, 2021, Town Council Work Session Minutes*
- *Staff Report for Case SUP2021-01 Pleasant View Multi-Family Apartments*
- *UDO Section 2.20.7 Excerpt regarding SUP condition amendments*



March 1, 2024





March 5, 2024

Stephanie Flanders
Virginia Housing Development Authority
601 South Belvidere Street
Richmond, VA 23220

VHDA Tracking Number: 2024-C-65
Development Name: Pleasant View
Name of Owner/Applicant: Pleasant View VA LLC

Dear Ms. Flanders,

The construction or rehabilitation of the above-named development and the allocation of federal housing tax credits available under IRC Section 42 for said development will help to meet the housing needs and priorities of the Town of Strasburg. Accordingly, the Town of Strasburg supports the allocation of federal housing tax credits requested by Pleasant View VA LLC for this development.

Further, please note that the Town is aware that a new Tracking Number has been assigned to the application in the 2024 application cycle and the Revitalization Resolution passed by the Town Council of the Town of Strasburg on February 16, 2021 remains in effect.

Yours truly,

Signature

Name

Title



Memorandum

To: Strasburg Town Council
From: Leander N. "Lee" Pambid, Planning and Zoning Administrator
Date: Thursday, February 11, 2021
Re: Case SUP2021-01 Pleasant View Multi-Family Apartments (Town Council Vote 02/16/2021)

Please find included a set of draft conditions that have been reviewed by the Town Attorney. This set features some revised and additional conditions that:

- (new) Specifies the approved development on the subject property;
- (new) Requires necessary permits prior to land disturbance;
- (revised) Provides measurable criteria for re-forestation of slopes by requiring full canopy and minimum sapling size;
- (revised) Provides flexibility for the location of the Gateway Trail pedestrian connection by removing the requirement that it go through Forest Glen;
- (new) Specifies other uses to be allowed by revised SUP;
- (new) Requires at least one neighborhood meeting;
- (new) Requires at least 50% of the units to be universally designed for accessibility;
- (new) Requires a minimum of 85% brick;
- (new) Adds a severability condition;
- (new) Specifies that the property is subject to the conditions; and
- (new) Prohibits transfer of the SUP.

Except for these conditions, no changes have been made to the case. For background information, rationales, and Planning Commission actions, please refer to the Staff's report dated Thursday, January 28, 2021 for the Monday, February 1, 2021 Town Council worksession.

As of this report's date, no new public comments have been received since the Tuesday, February 9, 2021 Town Council public hearing.

Attachments

1. Staff Materials: Draft conditions reviewed by Town Attorney

Staff Contact

Lee Pambid, Planning and Zoning Administrator

Phone: 540-465-9197 x 127

Email: lpambid@strasburgva.com

DRAFT Conditions

PLEASANT VIEW VA LLC

CASE #SUP2021-01

TAX MAP #025-01-001

PLEASANT VIEW MULTI-FAMILY APARTMENTS

February 10, 2021

SPECIAL USE PERMIT (SUP)

1. The Applicant, Pleasant View VA LLC shall be entitled to construct a single structure enclosing (48) Forty-Eight units on the 9.89 parcel, Tax Map #025-01-001.
2. All necessary permits shall be obtained before land disturbance begins. Copies of all applicable permits shall be submitted to the Town of Strasburg and verified by the Town as valid before land disturbance begins.
3. A combination of large deciduous and evergreen trees at a ratio of 1:1 shall be replanted on slopes having a grade of 15% or greater, shall provide full coverage of the slopes at full maturity, and shall be planted as at least 3 year saplings. The number of trees shall be shown on a landscape plan and reviewed by the Planning Commission at the time of the future site plan submittal.
4. No public address or speaker systems outside of any building shall be permitted.
5. Trash dumpsters shall not be serviced during the quiet hours specified in the Town Code.
6. A sidewalk constructed to the Town's specifications shall be provided along the access aisle to the south property line and connect to existing sidewalk on the west line of Pleasant View Drive.
7. If and when possible, a direct pedestrian connection to the Gateway Trail shall be installed.
8. (4) Four-foot concrete walkways shall be installed around all buildings and parking areas and shall connect usable open space.
9. A (4) Four foot faux wrought-iron fence shall be provided along the tops of major slopes adjacent to a pedestrian walkway as identified on the final site plan.
10. Any future development of this property shall require amendment of this special use permit and shall be limited to those by-right uses listed in Residence or Accommodation Functions, MFR Use Matrix (UDO Section 3.11.3).
11. At least one neighborhood community meeting shall be conducted by the Applicant prior to the submission of any future SUP amendment or land use application relative to the subject property.

12. A minimum of 50% of the units shall be universally designed for handicap accessibility.
13. The structure shall be substantially similar in appearance to the architectural elevations presented in the staff plan and shall feature a minimum of 85% brick.
14. The invalidity or unenforceability of any provision of this SUP shall not affect the validity or enforceability of any other provisions of this SUP, which shall remain in full force and effect. If any of the conditions of this SUP are determined to be unenforceable by reason of its extent, duration, scope or otherwise, then the Parties contemplate that the court making such determination shall reduce such extent, duration, scope, or other provision and enforce them in their reduced form for all purposes contemplated by this SUP.
15. The entire 9.89 acre parcel; Tax Map #025-01-001, or any portion, shall be subject to the conditions herein set forth.
16. This SUP is non-transferable. In the event of a sale, lease, or sublease of the subject property this SUP shall be declared void.

PLEASANT VIEW VA LLC

By: _____

Its: _____

TOWN OF STRASBURG

By: _____

Wyatt Pearson, Town Manager

MINUTES OF THE STRASBURG TOWN COUNCIL WORK SESSION HELD ELECTRONICALLY THROUGH ZOOM ON TUESDAY, FEBRUARY 16th, 2021 AT 7 P.M.

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

Mayor Boies called the Work Session to order.

Citizen comments on non-agenda items:

Action Item:

1.) Approval of Minutes

The minutes of the February 1st, 2021 Work Session were approved as presented.

2.) SUP2021-01- Pleasant View Apartments (Terminus of Pleasant View Drive)

Description: SUP per UDO Section 6.6.2.B to request buildings containing more than 12 units, as required by UDO Section 6.6.4.A (Original application is for 2 buildings each containing 48 apartment units and 96 total units for rent. PC recommends 1 building of 48 units total).

P&Z Administrator Pambid said we have not received any comments since the last meeting, and nothing has changed in the proposal since the last meeting; the Staff Report was unchanged.

Council Member Monahan asked if **Town Manager Pearson** would explain condition #16 and make sure it is as tight as we could get it for our citizens. (*Condition #16 reads, "This SUP is non-transferable. In the event of a sale, lease, or sublease of the subject property this SUP shall be declared void."*)

Town Manager Pearson said the question had been asked about #16 that Town Attorney Miller had added. The center of the question was a concern that this was a mechanism to void the SUP and then to void the rest of the conditions. It is felt this is a beneficial condition as it seems as though the applicant does a very good job of managing the property. If they ever want to get rid of the property, they will have to open the book to the SUP.

Vice Mayor Cherrix was still confused by #10 (*Any future development of this property shall require amendment of this special use permit and shall be limited to those by-right uses listed in Residence or Accommodation Functions, MFR Use Matrix, UDO Section 3.11.3*). Does this mean they can build an additional 48 unit building? **Town Manager Pearson** said in any circumstance they will have to come back and amend the SUP rather it be another building or a by-right building. **Vice Mayor Cherrix** asked if there would be any repercussions if we ever turned down another SUP and **Town Attorney Miller** said it does not. We are not taking any property so both 10 and 16 give the town the opportunity to manage anything moving forward. He felt we needed as many stop-gaps as we could so that things could be re-visited, if need be.

P&Z Administrator Pambid said #10 also precludes several uses as outlined in the use matrix. He reviewed some of the uses that would preclude those uses. The uses would be limited to seven or eight uses. There was an initial concern on certain commercial or heavy/intense type of use so this SUP limits the use to one 48 unit building so there will be a portion of the property that will not be used. Questions have been asked of what will happen to the rest of the property and #10 limits the uses to mainly residential.

Vice Mayor Cherrix said so if they wanted to come and build three single family homes, they would have to amend the SUP and the town could deny it and **Town Attorney Miller** said that was

correct. An SUP will have already been given and so nothing is being taken. **Council Member Monahan** said we would not have seen this come before us by-right so we could have had 118 townhouses. **Vice Mayor Cherrix** said if we turn down an amendment to the SUP, will we have any repercussions on this. **Town Manager Pearson** said an SUP is not a by-right use so there will be no repercussions on this.

Council Member Reynolds moved for the Strasburg Town Council approve SUP2021-01 Pleasant View Apartments with the proposed conditions dated February 10th, 2021; second by **Council Member Hooser**.

Discussion:

Council Member Reynolds thanked staff and fellow Council Members for working so hard on this difficult application and thanked the citizens for their input.

Council Member Nicholson thanked **Town Attorney Miller**, **Town Manager Pearson**, and **P&Z Administrator Pambid** and her colleagues. Many things that have been approved in the past are not working for the area. The additional traffic on Thompson Street needs to be looked at. We cannot fix it immediately, but if this is passed we can do things. Kudos to everyone. All have grown from this.

Council Member Massoud said there are a lot of things he wants to say, but he will not. In his opinion we have failed to listen to the will of the people. Very few people are interested in this. When we hear people say we do not listen, we need to think about this night.

Council Member Monahan said she understands **Council Member Massoud's** concerns, but we are faced with allowing 118 units in there with Council having no say. People are concerned with traffic on Thompson Street. We want lower income or elderly people to have a place to stay if they cannot stay in their home. We have the opportunity to give people a place to grow old and live. There are 108 units where she lives, and a number of elderly people live around her and they do not go in and out. She sees the traffic. As a Council, we are handling this as best we can.

Council Member Hooser said regarding **Council Member Massoud's** statements and those who voiced their opposition, he agrees with them. He does not want to see this either, but 48 is less than 118. If we do not allow this, more will go in there. He shares the loss of green space, but this is the best of bad options.

Mayor Boies said she wanted to echo the words that were said and thanked the citizens and said their voices were heard. She feels every Council Member worked hard to come up with the best solution. An involved citizen does matter, and they have been heard.

The motion passed on a roll call vote with the following results:

Council Member Nicholson	Aye
Council Member Weaver	Aye
Council Member Massoud	Nay ("The people spoke, and we did not listen)
Council Member Ricard	Nay
Vice Mayor Cherrix	Nay
Council Member Hooser	Aye
Council Member Reynolds	Aye
Council Member Monahan	Aye

3.) Surber Request for Revitalization Area Resolution

Description: Discussion on a resolution to establish a Revitalization Area as defined in Code of Virginia Section 36.55.30.2.A

Town Manager Pearson and **P&Z Administrator Pambid** said nothing has changed since the last discussion, and it is a related resolution for the apartments just voted on.

Council Member Nicholson moved for the Strasburg Town Council approve the Surber Request for the Revitalization Area Resolution; second by **Council Member Reynolds**.

With no discussion, the motion passed on a roll call vote with the following results:

Council Member Reynolds	Aye	
Council Member Hooser	Aye	
Council Member Monahan	Aye	
Council Member Massoud	Nay	
Council Member Ricard		Aye
Vice Mayor Cherrix	Nay	
Council Member Weaver	Aye	
Council Member Nicholson	Aye	

Discussion Items:

Old Business:

Town Attorney Miller said several years ago a petition was filed to remove **former Mayor Orndorff** from office. The case was dismissed for technical matters, but Code requires that if a case is dismissed, the locality is responsible for the legal fees. The amount billed was \$17,000 and a motion was filed objecting to this amount. The billing of the attorney was reviewed by a judge and was reduced to \$2,700. Things have gone back and forth, and the appeal is now in the Virginia Supreme Court. He does not feel it is likely that the Supreme Court will challenge the opinion of the local judge. He does not think they will try to superimpose their judgement on a local judge. It could be sent back for another local review, but he will keep Council posted on this.

New Business:

All Council was happy for CDD Bixler who will be leaving to take a job in Staunton. She was thanked for all you have done for the town.

Closed Meeting:

Council Member Weaver moved to enter into a closed meeting pursuant to Code of Virginia §2.2-3711.A.3 for the discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body. The subject of the closed meeting is to discuss the acquisition of property for public use. Second by **Council Member Hooser**.

With no discussion, the motion passed unanimously. Entered into a closed meeting at 7:31 p.m.; reconvened at 7:49 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.

Vice Mayor Cherrix	I so certify
Council Member Hooser	I so certify
Council Member Massoud	no longer in the meeting
Council Member Monahan	I so certify
Council Member Nicholson	I so certify
Council Member Reynolds	I so certify
Council Member Ricard	I so certify
Council Member Weaver	I so certify
Mayor Boies	I so certify

Other Business:

Council Member Hooser asked about the pigeon poop at the corner of King and Massanutten Streets and asked if there was anything we could do about this. It needs a good power washing and something to keep the birds away. **Vice Mayor Cherrix** said deterrents do not work. **Town Manager Pearson** said the deterrents just move the pigeons from one area to another. Their feces damage infrastructure. He will make it a priority to get this area cleaned.

Council Member Nicholson asked about some signage and if it would qualify for any type of grant. **Town Manager Pearson** said we have a grant for the wayfinding signs and it has been on hold. He will check on others.

Being no further business, the work session adjourned at 7:53 p.m.



February 16, 2021
JD Bondurant
Virginia Housing
601 South Belvidere Street
Richmond, VA 23220

VHDA Tracking Number: 2021-C-31
Development Name: Pleasant View
Development Jurisdiction: Town of Strasburg, Virginia
Name of Owner/Applicant: Pleasant View VA, LLC

**A RESOLUTION BY THE TOWN OF STRASBURG COUNCIL
DESIGNATING A REVITALIZATION AREA FOR THE PURPOSES OF ENCOURAGING
MIXED INCOME HOUSING DEVELOPMENT**

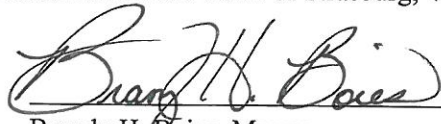
WHEREAS, pursuant to Section 36-55.30:2.A of the Code of Virginia of 1950, as amended, the Strasburg Town Council wants to designate as a Revitalization Area the area known as Shenandoah County Tax Map Number 025-01-001, on which the multi-family apartment development known as Pleasant View proposes to locate; and

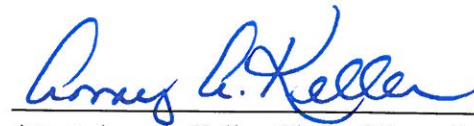
WHEREAS, the industrial, commercial, or other economic development of such area will benefit the Town but such area lacks the housing needed to induce manufacturing, industrial, commercial, governmental, educational, entertainment, community development, healthcare or nonprofit enterprises or undertakings to locate or remain in such area; and

WHEREAS, private enterprise and investment are not reasonably expected, without assistance, to produce the construction or rehabilitation of decent, safe and sanitary housing and supporting facilities that will meet the needs of low and moderate income persons and families in such area and will induce other persons and families to live within such area and thereby create a desirable economic mix of residents in such area.

NOW THEREFORE BE IT RESOLVED, that this Council of the Town of Strasburg determines that the above-referenced development is located in a Revitalization Area in the Town of Strasburg, Virginia.




Brandy H. Boies, Mayor


Attest: Amy A. Keller, Clerk of Council

Resolution adopted by the Council of the Town of Strasburg, Virginia, the 16th day of February 2021.

2.20.7 Amendment

Once a SUP is granted, such use may be enlarged, extended, increased in intensity, or relocated only in accordance with this section unless the Town of Strasburg, in approving the initial development approval, has specifically established alternative procedures for consideration of future expansion or enlargement. The provisions of this UDO relative to expansion of nonconforming uses, do not supersede this requirement unless the permitted use for which the Development Order was initially granted is no longer a use permitted as of right or as a Special Use in the zoning district in which it is located.

A. Minor Amendments. A minor amendment is a request for any enlargement, expansion, and increase in intensity, relocation, or modification of any condition of a previously approved and currently valid SUP. Amendments shall be processed as follows: shifts in on-site location and changes in size, shape, intensity, or configuration of less than 5%, or a 5% or less increase in either impervious surface or floor area over what was originally approved, may be authorized by the Zoning Administrator, provided that such minor changes comply with all applicable Town, state and federal regulations and the following criteria:

1. No previous minor modification has been granted pursuant to this section;
2. There shall be no detrimental impact on any adjacent property caused by significant change in the appearance or use of the property or any other contributing factor;
3. Nothing in the currently valid SUP precludes or otherwise limits such expansion or enlargement; and
4. The proposal conforms to the UDO and is in keeping with the spirit and intent of any adopted comprehensive plan.

**Discussion Items/Updates****Meeting Date: March 4, 2024**

FY2025 Draft Budget Delivery to Town Council

Staff will present to Town Council the Draft FY2025 Budget. Discussion on the budget may be placed on the March 12, 2024, Regular Meeting, a Budget Work Session is scheduled for Monday, March 18, 2024 at 7:00 p.m. in Council Chambers.



Agenda Location: Discussion Items/Updates Meeting Date: March 4, 2024

ITEM TITLE: Water bill non-payment liens

Executive Summary: Recently Town Council approved a Town Code text amendment that aligns with the Code of Virginia § 15.2-2119 and 2122 regarding fees and charges for water and sewer services and how a lien can be placed on the property for non-payment. This amendment is applied to Sec. 86-39 of the Town Code.

On July 1, 2012, new rules for how local governments and water & sewer authorities collect unpaid water and sewer bills -especially owed by tenants took effect. The legislation ensured that local governments would retain the power to place a lien on a landlord's property for a tenant's unpaid water bill.

In 2012, Section 15.2-2119 gave the localities two options for dealing with the tenant's unpaid water bills.

1. The locality may collect the unpaid water bills by placing a lien on the landlord's property by establishing the rules set out in §2119.
2. Alternatively, the locality may forego the ability to place a lien on the landlord's property "by adoption of a resolution, that water and sewer services may be provided to a lessee or tenant pursuant to provision (iii) without obtaining an authorization form from the property owner." - §2119.A. However, if the locality adopts the resolution, it may not place a lien on the landlord's property for the tenant's unpaid water bill - §2119 F. (Note this section has changed through the years and the subsections have changed, as the resolution language is no longer in §2119)

On October 9, 2012, the Strasburg Town Council voted to decline the authority to place liens on landlords for a tenant's unpaid water bill.

With the recent adoption of text amendment to the Town Code that aligns with the Code of Virginia §2119; staff seeks direction from Town Council of whether they would like staff to pursue the placement of liens on the landlords for a tenant's unpaid water bills.

I have copied an email from the Town Attorney regarding his "opinion" on this item.

POTENTIAL ACTIONS

- Per discussion.

Attachment(s):

- *Email from Town Attorney*
- *Town Code Sec. 86-39*
- *Code of Virginia § 15.2-2119*

From: Michael Helm <mhelm@harrisonburglaw.com>
Sent: Thursday, February 22, 2024 12:02 PM
To: Waverly Coggsdale <wcoggsdale@strasburgva.com>
Cc: Angela Fletcher <afletcher@strasburgva.com>
Subject: RE: Code of Virginia § 15.2-2119. Fees and charges for water and sewer services provided to a property owner

So, the statute (15.2-2119) was amended several times since then, but the relevant one occurred in 2017. In 2017 they struck the entire provision that provided for the resolution regarding a tenant and added 15.2-2119.4. All of that is attached for reference.

The biggest change removes the resolution language and requires that a locality obtain written authorization from the property owner prior to providing water/sewer services to a tenant. We can get a lien against the property owner, but it requires additional steps to be taken.

To answer the general question though – the resolution requirement is now gone and is no longer a valid statutory exercise of authority. If such resolution is part of the Town ordinances, it should be rescinded/revoked as no longer consistent with Va Code. When looking at our ordinances, we need to be mindful about the requirements of requiring written authorization from the landlord though. Ultimately, we can enforce the lien against the property owner if the tenant doesn't pay – assuming we comply with the due diligence requirements to collect against the tenant – see 15.2-2119.4(F).

Let me know if this helps/answers your question.

Michael Helm, Esq.

mhelm@harrisonburglaw.com



Sec. 86-39. Shutting off water for failure to pay bill.

Notification will be provided and the water will be shut off ~~on the fifth of the following month if the bill is not paid~~ in accordance with the Code of Virginia § 15.2-2119. Water service shall not be turned on until the bill, plus a fee established by the council to cover the cost of turning off and on, has been paid. The water shall not be turned on except during the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday.

(Code 1968, § 31-19; Ord. of 6-21-1977; Code 1983, § 18-28; Ord. of 9-14-2010, Exh. A)

§ 15.2-2119. Fees and charges for water and sewer services provided to a property owner

A. For water and sewer services provided by localities, fees and charges may be charged to and collected from (i) any person contracting for the same; (ii) the owner who is the occupant of the property or where a single meter serves multiple units; (iii) a lessee or tenant in accordance with § 15.2-2119.4 with such fees and charges applicable for water and sewer services (a) which directly or indirectly is or has been connected with the sewage disposal system and (b) from or on which sewage or industrial wastes originate or have originated and have directly or indirectly entered or will enter the sewage disposal system; or (iv) any user of a municipality's water or sewer system with respect to combined sanitary and storm water sewer systems where the user is a resident of the municipality and the purpose of any such fee or charge is related to the control of combined sewer overflow discharges from such systems. Such fees and charges shall be practicable and equitable and payable as directed by the respective locality operating or providing for the operation of the water or sewer system.

B. Such fees and charges, being in the nature of use or service charges, shall, as nearly as the governing body deems practicable and equitable, be uniform for the same type, class and amount of use or service of the sewage disposal system and may be based or computed either on the consumption of water on or in connection with the real estate, making due allowances for commercial use of water, or on the number and kind of water outlets on or in connection with the real estate or on the number and kind of plumbing or sewage fixtures or facilities on or in connection with the real estate or on the number or average number of persons residing or working on or otherwise connected or identified with the real estate or any other factors determining the type, class and amount of use or service of the sewage disposal system, or any combination of such factors, or on such other basis as the governing body may determine. Such fees and charges shall be due and payable at such time as the governing body may determine, and the governing body may require the same to be paid in advance for periods of not more than six months. The revenue derived from any or all of such fees and charges is hereby declared to be revenue of such sewage disposal system.

C. Water and sewer connection fees established by any locality shall be fair and reasonable. Such fees shall be reviewed by the locality periodically and shall be adjusted, if necessary, to assure that they continue to be fair and reasonable. Nothing herein shall affect existing contracts with bondholders that are in conflict with any of the foregoing provisions.

D. If the fees and charges charged for water service or the use and services of the sewage disposal system by or in connection with any real estate are not paid when due, a penalty and interest shall at that time be owed as provided for by general law, and the owner of such real estate shall, until such fees and charges are paid with such penalty and interest to the date of payment, cease to dispose of sewage or industrial waste originating from or on such real estate by discharge thereof directly or indirectly into the sewage disposal system. If such owner does not pay the full amount of charges, penalty, and interest for water provided or cease such disposal within 30 days

thereafter, the locality or person supplying water or sewage disposal services for the use of such real estate shall notify such owner of the delinquency. If such owner does not pay the full amount of charges, penalty, and interest for water provided or cease such disposal within 60 days after the delinquent fees and charges charged for water or sewage disposal services are due, the locality or person supplying water or sewage disposal services for the use of such real estate may cease supplying water and sewage disposal services thereto unless the health officers certify that shutting off the water will endanger the health of the occupants of the premises or the health of others. At least 10 business days prior to ceasing the supply of water or sewage disposal services, the locality or person supplying such services shall provide the owner with written notice of such cessation.

E. Such fees and charges, and any penalty and interest thereon, shall constitute a lien against the property, ranking on a parity with liens for unpaid taxes.

A lien may be placed on the property when the owner has been advised in writing that a lien may be placed upon the property if the owner fails to pay any delinquent water and sewer charges. Such written notice shall be provided at least 30 days in advance of recordation of any lien with a copy of the bill for delinquent water and sewer charges to allow the property owner a reasonable opportunity to pay the amount of the outstanding balance and avoid the recordation of a lien against the property. The lien may be in the amount of (i) up to the number of months of delinquent water or sewer charges when the water or sewer is, or both are, provided to the property owner; (ii) any applicable penalties and interest on such delinquent charges; and (iii) reasonable attorney fees and other costs of collection not exceeding 20 percent of such delinquent charges. In no case shall a lien for less than \$25 be placed against the property.

F. Notwithstanding any provision of law to the contrary, any town with a population between 11,000 and 14,000, with the concurrence of the affected county, that provides and operates sewer services outside its boundaries may provide sewer services to industrial and commercial users outside its boundaries and collect such compensation therefor as may be contracted for between the town and such user. Such town shall not thereby be obligated to provide sewer services to any other users outside its boundaries.

G. The lien shall not bind or affect a subsequent bona fide purchaser of the real estate for valuable consideration without actual notice of the lien until the amount of such delinquent charges is entered in the official records of the office of the clerk of the circuit court in the jurisdiction in which the real estate is located. The clerk shall make and index the entries in the clerk's official records for a fee of \$5 per entry, to be paid by the locality and added to the amount of the lien.

H. The lien on any real estate may be discharged by the payment to the locality of the total lien amount and the interest which has accrued to the date of the payment. The locality shall deliver a fully executed lien release substantially in the form set forth in this subsection to the person making the payment. The locality shall provide the fully executed lien release to the person who made payment within 10 business days of such payment if the person who made such payment did not personally appear at the time of such payment. Upon presentation of such lien release, the clerk shall mark the lien satisfied. There shall be no separate clerk's fee for such lien release. For purposes of this section, a lien release of the water and sewer lien substantially in the form as follows shall be sufficient compliance with this section:

Prepared By and When

Recorded Return to:

Tax Parcel/GPIN Number:

CERTIFICATE OF RELEASE OF WATER AND SEWER SERVICE LIEN

Pursuant to Va.CodeAnnotated§15.2-2119 (H), this release is exempt from recordation fees.

Date Lien Recorded: Instrument Deed Book No.:

Grantee for Index Purposes:

Claim Asserted: Delinquent water and sewer service charges in the amount of \$.

Description of Property: [Insert name of property owner and tax map parcel/GPIN Number]

The above-mentioned lien is hereby released.

BY:

TITLE:

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF , to-wit:

Acknowledged, subscribed, and sworn to before me this day of
by as of the [Insert Water/Sewer
Provider Name] on behalf of [Insert Water/Sewer Provider Name].

Notary Public

My commission expires:

Notary Registration Number:

Code 1950, § 15-739.2; 1950, p. 1611; 1962, c. 623, § 15.1-321; 1991, c. 476; 1994, c. 932; 1997, cc. 12, 587; 1998, c. 223; 2001, c. 13; 2005, c. 912; 2011, cc. 529, 580; 2012, c. 766; 2016, cc. 415, 528; 2017, c. 736.

The chapters of the acts of assembly referenced in the historical citation at the end of this section(s) may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

COMMITTEE OF THE WHOLE





Committee of the Whole – Strategic Initiatives

Meeting Date: March 04, 2024

To: Mayor Boies and Town Council of Strasburg

From: Mellanie Shipe, Asst Town Manager

Re: Little League Agreement

Description: The current agreement expires on April 30, 2024. Strasburg Little League was interested in renewing.

Update: Michael Helm, Town Attorney, reviewed our previous agreement for the Strasburg Little League's use of the ballfields at Strasburg Park and made corrections/additions.

The Strasburg Little League reviewed and approved the corrections/additions.

Councilman Kimmons reviewed and agreed with the corrections/additions.

Potential Action:

- Consensus to move forward and approve or deny the Little League agreement as presented.

Attachments:

- *Little League agreement for 2024 – 2032.*

Agreement

Strasburg Municipal Park

Town of Strasburg – Strasburg Little League

The Town Council of Strasburg, Virginia (“Town”) agrees to allow the Strasburg Little League Baseball Organization to use the acreage of land commonly known as the “baseball field” at the Strasburg Municipal Park – 295 Park Road, Strasburg, Virginia, as shown on the map (copy attached).

The rights and privileges hereby granted shall continue for a period of three (3) years beginning May 1, 2024, and shall continue year to year thereafter unless terminated by the Town, with at least six (6) months prior written notice. This agreement shall continue for the aforesaid term unless the same is voluntarily surrendered by the said grantee, with the consent of the Town, or unless the same is sooner forfeited as may be provided by either party. In no event shall the agreement granted by this document continue longer than a total of eight (8) years. The agreement may be renewed after eight (8) years, subject to approval by both the Strasburg Little League Baseball Organization and the Town.

The requirements of the agreement are as follows:

- A. The land will be used for recreational use only.
- B. The Strasburg Little League Baseball Organization will be responsible for liability and any debt it incurs. Strasburg Little League Baseball Organization shall obtain and maintain Comprehensive General Liability Insurance covering operation and premises, completion operations and products liability and contractual liability, all with minimum bodily injury limits of Five Hundred Thousand Dollars (\$500,000.00) each person, One Million Dollars (\$1,000,000.00) each occurrence, and a minimum property damage limit of One Hundred Thousand Dollars (\$100,000.00) each occurrence. The insurance will name the Town as an additional insured and will be primary to any other existing, valid, and collectible insurance. The Strasburg Little League Baseball Organization shall furnish the Town with certificates of such insurance which provide that coverage will not be cancelled or materially changed prior to thirty (30) days advance written notice to the Town.
- C. The Strasburg Little League Baseball Organization shall not be required to pay rent to the Town.
- D. The Strasburg Little League Baseball Organization will obtain Town Council approval prior to making any substantive improvements to the facility and grounds as set forth in paragraph G of this document. The Strasburg Little League Baseball Organization will be solely responsible for any debts they incur for the maintenance, upkeep, and care of the facility and grounds. Improvements to the facility, grounds, and equipment must be maintained and cared for by the Strasburg Little League Baseball Organization.
- E. The Strasburg Little League Baseball Organization will be responsible for maintaining the infrastructure and upkeep of the area within the solid line of the attached map. The maintenance and upkeep must adhere to current Strasburg ordinances.
- F. The Strasburg Public Works Department will continue to mow and weed-eat the outlined area regularly; however, if circumstances dictate that the Strasburg Public Works cannot mow or weed-eat the outlined area in the agreed-upon timeframe, then that will not be seen as a breach of this contract. The Strasburg Little League Baseball Organization, or a responsible entity obtained by the Strasburg Little League Baseball Organization, will be responsible for mowing and weed-eating the outlined area.
- G. The Strasburg Little League Baseball Organization may make new additions, such as seating, refreshment building, fencing, lighting, and similar facilities, that may improve the baseball program upon approval by the Town.
- H. The Town of Strasburg and Strasburg Little League Baseball Organization may mutually agree to share capital project costs upon written agreement.
- I. The Strasburg Little League Baseball Organization shall not assign this Agreement or sublease use of the baseball field without the written consent of the Town.
- J. Entire Agreement. This Agreement contains the entire agreement by and between the parties hereto and shall be binding upon the parties hereto, their heirs, successors, and assigns.

Town of Strasburg:

Mayor Date

Attest – Clerk of Council Date

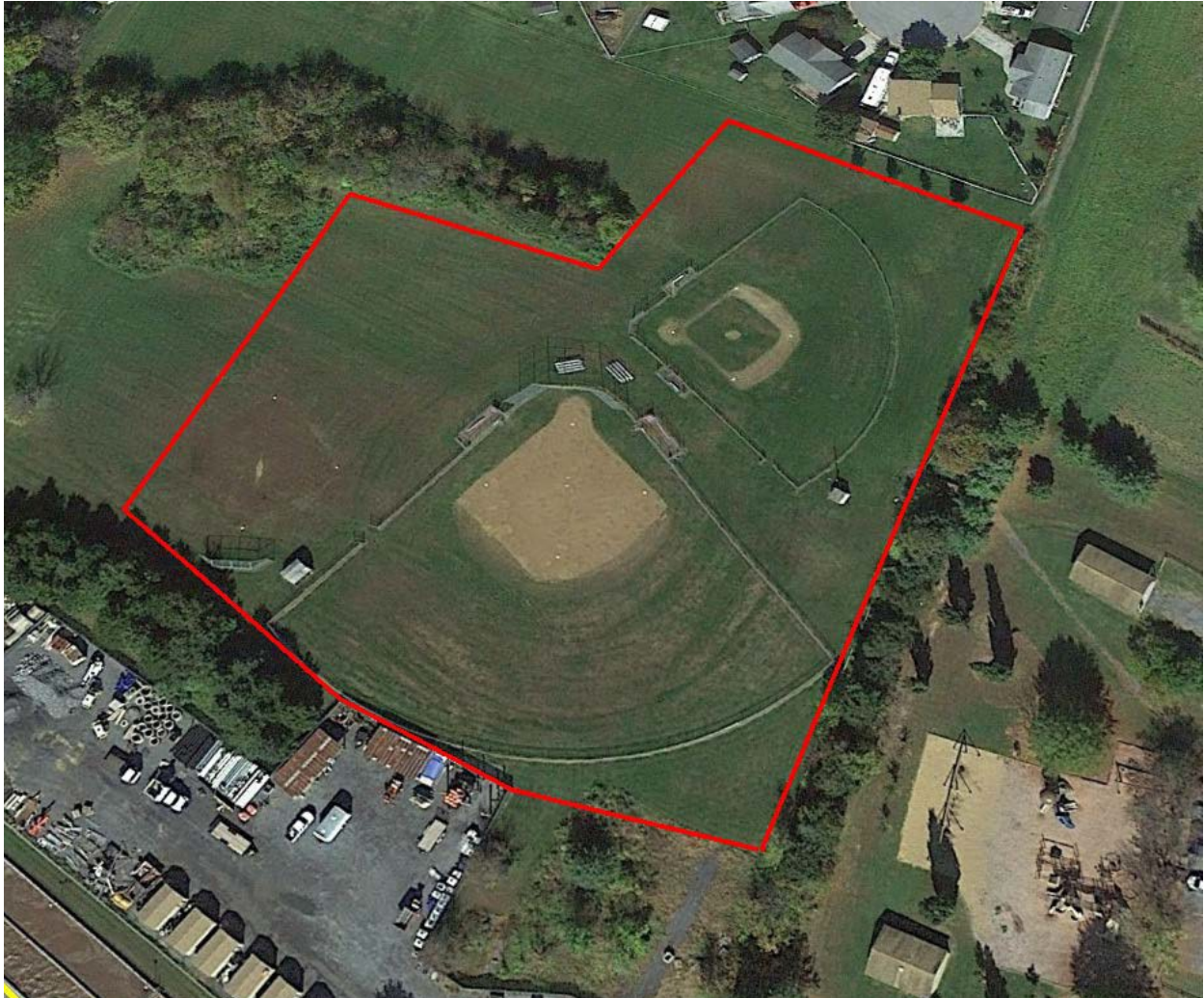
Strasburg Little League Baseball Organization:

President Date

Attest – Vice President Date

Baseball Field at the Strasburg Municipal Park – 295 Park Road, Strasburg, Virginia

(The Strasburg Little League Baseball Organization will maintain the area in red.)





Committee of the Whole – Strategic Initiatives

Meeting Date: March 04, 2024

To: Mayor Boies and Town Council of Strasburg

From: Mellanie Shipe, Asst Town Manager

Re: Town Pool Agreement

Description: The current agreement expires on April 15, 2024. The Strasburg Swim Team utilizes the Town Pool for their practices and swim meets. They sign a yearly agreement for usage. This serves as notice of the agreement that is entered upon between Town staff and the swim team.

Update: Michael Helm, Town Attorney, reviewed our previous agreement for the Strasburg Swim Team's use of the Town Pool and offered corrections/additions.

The Strasburg Swim Team is given the agreement yearly for approval.

Councilman Kimmons reviewed and agreed with the corrections/additions.

Attachments:

- *Strasburg Town Pool and Strasburg Swim Team agreement.*

Memorandum of Understanding

Strasburg Town Pool

Town of Strasburg – Strasburg Swim Team

This Memorandum of Understanding (MOU) is entered into by and between The Town of Strasburg, Virginia (“Town”), and the Strasburg Swim Team. The Town of Strasburg is the municipal corporation that has delegated authority to oversee local legislation as well as the management of resources. The Strasburg Swim Team (“Swim Team”) is a volunteer-run organization that strives to create a safe environment for youth within its swim program. The Swim Team utilizes the Strasburg Town Pool – 295 Park Road, Strasburg, Virginia, for practices and swim meets.

Purpose. This MOU aims to create a clear understanding of the roles and responsibilities of each party's contribution to the Strasburg Parks and Recreation program and usage of the Strasburg Town Pool located at 295 Park Road in Strasburg, Virginia.

Roles and Responsibilities.

The Town of Strasburg agrees to:

- A. Offer a clean, safe space for the Strasburg Swim Team.
 - a. Ongoing
- B. Provide staffing for practices and swim meets.
 - a. Seasonal
- C. Provide storage for lane lines.
 - a. Ongoing

The Strasburg Swim Team agrees to:

- A. Submit a current Certificate of Liability of Insurance to the Town Office. The insurance policy should name the Town as an additional insured and be primary to any other existing, valid, and collectible insurance.
 - a. Annually
- B. Submit the practice and swim meet schedule to the Strategic Initiatives Department before the season.
 - a. By March 31, 2024
- C. Ownership, maintenance, and replacement of the lane lines, reels, and correlation equipment exclusively related to the swim team activities.
 - a. Ongoing

The Strasburg Swim Team further agrees as follows:

- A. To follow all town, county, and state policies and regulations while using the Town Pool.
- B. To prohibit the use of the pool by anyone not affiliated with the Swim Team during designated practices and meets.
- C. To ensure that all safety guidelines are followed and to ensure that proper guidelines governing supervision of persons participating with the Swim Team are followed.

Timeframe. This MOU will commence on April 15, 2024, and dissolve on April 14, 2025. This MOU may be renewed on an annual basis.

This Memorandum of Understanding (MOU) is the complete agreement between the Town of Strasburg, Virginia, and the Strasburg Swim Team. It may be amended only by written agreement signed by each party.

Town of Strasburg, Virginia

Authorization _____ Date _____

Printed Name _____ Title _____

Strasburg Swim Team

Authorization _____ Date _____

Printed Name _____ Title _____



Committee of the Whole – Strategic Initiatives

Meeting Date: March 04, 2024

To: Mayor Boies and Town Council of Strasburg

From: Mellanie Shipe, Asst Town Manager

Re: Town Pool Swimwear

Description: The Town Council requested information about the pool's swimwear restrictions and creating a sign.

Update: Marisa Varley, Parks and Recreation Manager, worked with Councilman Kimmons to draft a guideline for approved and non-approved attire. Guidelines were sent to Michael Helms, Town Attorney, for review. He approved the guidelines.

Attachments:

- *Swimwear Guidelines*



SWIMWEAR GUIDELINES

Proper swim attire is required in both pools. The intent of enforcing a swim attire policy is to maintain a clean, safe, and inviting environment for our patrons. Clothing other than swimwear can create problems with water clarity, disinfectant systems, and filtration. Management has the right to deny anyone use of pools for non-approved swimwear. If you have questions about your swimwear, please ask a staff member.

Examples of Approved Swimwear:



Examples of Non-Approved Swimwear:



If you have any questions, please check with Facility Management at 540.465.8130 or Town Hall at 540.465.9197.



Committee of the Whole – Strategic Initiatives

Meeting Date: March 04, 2024

To: Mayor Boies and Town Council of Strasburg

From: Mellanie Shipe, Asst Town Manager

Re: 4th of July Fireworks

Description: The Town Council agreed to work with Mark Hensel to secure a contract to resume a fireworks display provided by his company on the 4th of July.

Update: Marisa Varley, Parks and Recreation Manager, and I have been working with Mark Hensel to secure an agreement and invoice to purchase equipment and certification for two of his former staff. Michael Helms, Town Attorney, is currently drafting an agreement to capture the necessary items for this unique arrangement.



Committee of the Whole – Strategic Initiatives

Meeting Date: March 04, 2024

To: Mayor Boies and Town Council of Strasburg

From: Councilman Ashleigh Kimmons

Re: Hometown Park Brainstorming Ideas

Description: During budget meetings, staff discussed ideas about Hometown Park. Potential options for the area were discussed. Business and Engagement Coordinator Brian McKee met with Councilman Kimmons to consider.

Idea Presented: The area was set to have a new CIP-approved pavilion added; however, staff proposes a better use for the area. The initial idea is to create an inviting area with picnic tables, sun-sail shading, and a small seating area. This allows for easier upkeep and creates a seating area outside our local businesses for community members to gather and enjoy dinner. Additionally, we could speak to T-Mobile about installing a Wi-Fi hotspot, and we could add electrical outlets for community members to enjoy the outside while working.

Potential Grant: T-Mobile offers Hometown Grants up to \$50k.

- **External** grant programs that government/non-profit entities can apply for and are awarded quarterly.
- Grants are for “shovel-ready” projects that foster local connections like “technology upgrades, outdoor spaces, the arts, and community centers.”
- VA Past recipients: [Stuart VA](#), [Patrick County](#), [New Castle](#), [Luray](#), [Staunton](#).
- “We’re investing \$25M in 500 rural towns over 5 years to jumpstart projects and build stronger communities. Together, we can help upgrade tech at your local library, build new hiking trails, revitalize historic buildings, and so much more.”

Attachments:

- Pictures to give an idea of the design.



COUNCIL MEMBER COMMENTS



CLOSED MEETING



ADJOURNMENT

