

Narrows Town Council Meeting
June 13, 2022

Mayor Tom Spangler called the meeting to order. Council Members present were Clyde Turner, Sara Bowles, George Conley, John Mills, and Joe Goorskey.

Staff members present were Lindsey Caudill, Susan Kidd, and Debbie Thomas.

Councilman Mills gave the invocation.

Council and audience recited the Pledge of Allegiance.

Public Hearings

FY23 Budget and Tax Rates

Mayor Spangler opened the public hearing on the FY23 Budget and Tax Rates.

Susan Kidd said the budget was advertised according to the state code. All tax rates are the same except real estate tax will increase .02¢ to .49¢/100. The total budget was \$5,396,057 and that does include ARPA money. They have received no comments pertaining to this.

Mayor Spangler asked if there were any questions or comments?

Councilman Conley said there were some line items he was not in agreement with but, overall, he believes this is the best they can do with their budget. This is a budget they can support.

Mayor Spangler closed the public hearing on the FY23 Budget and Tax Rates.

Mayor Spangler opened the public hearing concerning Meals Tax.

Susan Kidd said this ordinance is to increase the meals tax from 4% to 5% beginning July 1, 2022. The Town of Pearisburg has a meals tax of 5%.

Mayor Spangler asked if there were any questions or comments? Hearing none he declared the public hearing closed.

Mayor Spangler opened the public hearing concerning the Out-of-Town Sewer Rate Changes.

Susan Kidd said this is the discrepancy that the out-of-town sewer rate was less than the in-town sewer rate. This will increase the out-of-town sewer rate to \$8.37 which is the same as the in-town rate.

Mayor Spangler asked if there were any questions or comments concerning the out-of-town sewer rate changes?

Councilman Conley said he was glad this was changed and thanked the mayor for catching the discrepancy.

Mayor Spangler closed the public hearing on the out-of-town sewer rate changes.

Mayor Spangler opened the public hearing on the changes to the Transient Occupancy Ordinance.

Susan Kidd said this pertains to changes to the current transient lodging tax ordinance the town has in place. She will let Mike Bedsaul elaborate on that.

Mike Bedsaul said the state law changed on September 1, 2021, and basically provides that with the transient occupancy tax there may be a number of providers (such as the property owners using an intermediary like Airbnb) that will list their properties and they usually charge a fee to do so. The law extended a locality's ability to impose that tax

upon the original fee the intermediary imposed in addition to the fee for the rental itself. The ordinance needed to be updated to take that into consideration. In addition to that, they thought it was a good opportunity to insert a separate provision to the state code that calls for a short-term rental registry requirement so if someone wants to list their property in the Town of Narrows on a site such as Airbnb they are required to register the property with the town treasurer so the town knows they are subject to the transient occupancy tax.

Susan Kidd said there is no change to the rate that is charged: it is still 4%.

Mayor Spangler asked if there were any other questions or comments concerning the Transient Occupancy Tax Ordinance? Hearing none he declared the public hearing closed.

Mayor Spangler said council is being asked to reappoint Debbie Thomas as clerk/treasurer for FY23.

Councilman Mills made a motion to reappoint Debbie Thomas as clerk/treasurer for FY23. Councilmember Bowles seconded the motion.

Ayes: Turner, Bowles, Conley, Mills, and Goorskey

Nays: None

Motion Carried 5-0

Debbie Thomas thanked council for her reappointment.

Mayor Spangler said council is being asked to reappoint Benji Ratcliffe as chief of police.

Councilman Mills made a motion to reappoint Benji Ratcliffe as chief of police for FY23. Councilman Turner seconded the motion.

Ayes: Turner, Bowles, Conley, Mills, and Goorskey

Nays: None

Motion Carried 5-0

Approval of May 9th, May 17th, and June 1st Meeting Minutes

Mayor Spangler asked if there were any corrections or discussion on the May 9th meeting minutes?

Councilman Goorskey said yes. It may seem insignificant to some but he believes it is important to the people of this town and the minutes need to be a little more in-depth on the discussion about the ducks. He believes they were pretty direct on how they needed to explain the situation. The ducks are a very important part of this town and the duck pond is a very integral part of this town and they don't want to get rid of that. Management of the ducks is imperative and it has to do with the health of the ducks. They asked for something to be presented to let the town know how council feels about the ducks because right now all they know is the town wants to get rid of the ducks. That is not what was said in its entirety. There are too many ducks and some are being dropped off so that needs to stop. The ducks need to be managed for a number of reasons and one of those reasons is for the health of the animals that are down there. They also discussed what the sign would say. He would like to see these topics incorporated in the minutes.

Councilman Mills said most all of their problems are communication and lack thereof. If they need to communicate this message better that is what they need to do. He asked Councilman Goorskey if he had any idea on what he wanted it to say as far as the message they were sending?

Councilmember Bowles said she agrees they should be concerned about the health of the ducks and not treat it as a nuisance standpoint.

Councilman Goorskey said this has been presented to council multiple times when they've discussed speaking to the USDA concerning the ducks and when the Girl Scouts purchased duck feeders that couldn't be used. He never knew feeding bread to ducks was a bad thing. They do need a sign that tells people to stop feeding the ducks with an

explanation that the wrong kind of food is unhealthy for them and that there is an overpopulation of ducks. He does not remember how they worded that.

Susan Kidd said it was in the motion that was made at the May 9th council meeting.

Debbie Thomas said the motion states **“a motion to authorize the installation of signs at the park and duck pond stating to not feed the ducks and containing informational language”**.

Councilman Mills asked Councilman Goorskey if he was still on board for doing something concerning the ducks?

Councilman Goorskey said absolutely because he seconded that motion. If they come back to this they want to be able to say what they wanted to put on the sign. He knows he spoke with Councilmember Bowles about this and he is pretty certain they knew what language they wanted on the sign.

Lindsey Caudill said the signs are the ones that say ‘Keep the Wild in Wildlife’ but the sign doesn't say anything about not feeding the ducks.

Councilman Goorskey said it is very important to let people know why they are saying this. They want people to know what they are feeding the ducks is not good for them and by feeding them there will be more ducks here than need to be for this size area. Overpopulation and nutrition are important to that statement.

Lindsey Caudill said she doesn't believe there is anything premade like that but she could design something. She said there has been some repercussion from the last meeting concerning the ducks.

Councilman Goorskey said he agrees with her 100% that clarification is what it's all about. They need signs containing language about not feeding the ducks and overpopulation.

Councilman Mills said if there isn't a boilerplate methodology then them bringing it up is important enough to him to want council to agree on the sign.

Mayor Spangler said he believes the sign that Lindsey Caudill mentioned would be appropriate and maybe they could design another sign that would be more explanatory and post some of those.

Susan Kidd said they may want to get those approved by the wildlife people because the last time Lindsey Caudill had signs made they told her she couldn't put them up.

Councilman Goorskey said she can list what is unhealthy but not advise what people should feed them. She can let them know why it is unhealthy to feed them bread or feeding them at all.

Lindsey Caudill said she knows Andy Rutledge, the DWR officer in Giles County, and she can speak with him concerning the signs.

Councilman Goorskey said before they post signs would Andy Rutledge be willing to come to a council meeting or can he have his phone number. He wants to know if there would be a fine if a feeder is installed at the duck pond. Other localities have feeders up and that is the other problem they are having.

Susan Kidd said she spoke to an employee with the Town of Pulaski and he said there is a feeder in Pulaski but one of their clubs put it up ages ago. The trouble they ran into when they wanted to put it up was ‘fish designated water’ but their zoning helped them get around that.

Mayor Spangler said that is something they need to clarify.

Councilman Conley said to give the ordinance reason it all boils down to the health and safety of the public.

John Davis said he missed last month's meeting but he personally believes they need to control the population rather than put up signs because they take away from the beauty of the town. They need to educate people and they can do that in other ways. No one is going to read the signs. There are signs everywhere in the park and it takes away from the beauty of the town.

Councilman Goorskey said he is 100% with John Davis on that.

Councilman Turner said if they have something out there that is within the ordinance of the town they can enforce that ordinance. If they don't have anything out there they will continue to feed the ducks.

John Davis said they will continue anyway.

Councilman Turner said they won't if they have an ordinance that says they can't.

Councilmember Bowles asked John Davis what his suggestion would be?

John Davis said they can manage the population by letting this company come in and take the geese out of here and manage the ducks that aren't domesticated. The red-headed ducks are ones that people have bought at Tractor Supply and decided they didn't want any more so they bring them to the duck pond and let them out. The Canadian Geese are the ones that go across the road from the duck pond to the ballfield and make a terrible mess.

Councilman Turner said it's not only the Canadian Geese but the white ones go over there too.

John Davis said he agrees 100%. He is not saying they shouldn't educate the citizens because they need to know that the more bread they are fed the more their bellies swell up and the more they have to go to the bathroom.

Councilman Goorskey said they have discussed this before and were told they couldn't manage the population until they had signs up. He does not know where that came from.

Lindsey Caudill said they can't have USDA manage the population without signage. A citizen or someone that wants to volunteer to maintain the population of said ducks can. If they want a professional, organized way to maintain the population they have to have signs.

Councilman Conley said he would refrain from making that statement and speak to Andy Rutledge because no private citizen has the right to take any wildlife, whether it be domesticated, hybrid, or other.

Lindsey Caudill said Chad Fox with USDA Wildlife Services told her that if they are not a protected species they can be maintained. The gentleman she spoke with from DWR told her to contact USDA.

Councilman Conley said he worked 30 years for DWR and when you tell private citizens to maintain ducks that is the wrong thing to say.

Councilman Mills said they made a decision based on the information at hand. If there has been misinformation no one should take that incorrectly because good honest people make mistakes. If someone told Lindsey Caudill something that wasn't right and she told council that doesn't work because they have to make decisions based on facts. Before they do something as controversial as this appears to be they need to have all of the answers before they put a sign up, do an ordinance, or anything else.

Mayor Spangler said they need clarification as to whether they need signs before they can manage the population and who can manage the population. They probably need to table any recommendations they come up with tonight.

Councilman Goorskey said they have already set a precedence at the park about putting signs up asking people to prohibit from behaviors they cannot enforce. They can't enforce people not smoking but they've asked them not to. He smokes and when he's at the park he asks other people not to smoke, especially when they're near the kid's area. He doesn't smoke at the park and he doesn't believe that putting a sign at the park needs to come along with an ordinance. He doesn't want to see everybody and their brother getting fined for something they've been doing the last 50 years. He likes the idea of the signs concerning educational purposes only and he likes the idea of the town stating what their intentions are with this property. It is for their kid's health and the general public's health. It's difficult to send kids across from the duck pond to play t-ball and know what is on their pants when they come home because it's nasty. If the USDA is not the only organization out there that would be willing to come and manage the non-protected wildlife they need to know that. Signs are one great way to educate people and more information can be given to the public through a written statement that can be published. They may get to where this is a very big problem if they don't do something with it and they will lose their duck pond. It is a controversial and important issue to people. People believe ducks are so protected here that they believe the town has enacted some type of ordinance stating that if someone runs over a duck they will receive a ticket. That tells you how important people believe they are. They need to keep the ducks here but in a manageable amount.

Councilman Mills said he is the one that asked for teeth in something they're going to print and establish in a certain area. Council supported them on this position. There are several different ways they can attack this problem but it is a problem. When people are telling them they want a refund because there is duck crap in their space that is a problem. They can either say they don't care or they can arrest the problem and try to get the revenue. Maybe they can do both. Words without action have very seldom prevailed in his world. He will go along with whatever council wants to do. They don't need to do anything until Lindsey Caudill gets them the information they need.

Mike Bedsaul said the sign issue, at least from an enforcement standpoint, pertaining to the ordinance states there has to be signs up at the duck pond at least informing individuals that it is a violation of the town's ordinance to feed the ducks. In order to enforce this ordinance, if it were adopted, they would need to put up some signs in order to enforce the ordinance.

Councilman Goorskey said he thinks that all comes from the idea that the USDA in particular would not help them manage the ducks. They started out looking for a way to manage the population of ducks and were told the USDA couldn't do anything until it was posted and enforced. He does not know if that is the only avenue.

Mike Bedsaul said the reason they needed to post signs is so the public is on notice that it is a violation to feed the ducks. With some laws the existence of a law is enough and a sign is not needed. If this ordinance is adopted it would make it a violation to feed ducks period.

Councilmember Bowles said Tad Fox said something about coming down to look at the duck pond. Has he ever done that?

Lindsey Caudill said he has never gotten back to her about meeting with her. She can most likely get Andy Rutledge to July's council meeting but she doesn't know about Tad Fox. When she calls to speak to him she gets someone called Nico and is told they are giving Tad her messages. Hopefully someone else can be the duck person because she honestly doesn't feel comfortable handling this situation.

Susan Kidd said it's not her area of expertise.

Lindsey Caudill said it really is not and she does not have a dog in the fight. She likes the ducks but she knows they are an issue because she hears complaints about the shelters, the field across from the duck pond, and the walkway at the duck pond. She has heard both sides of the story and she is on both sides. She can get the right people to come to a council meeting to make the right decision on signage.

Councilman Goorskey asked Lindsey Caudill if she was saying she was removing herself from this?

Lindsey Caudill said she would like to.

Councilman Goorskey said she was the one that brought this issue to council.

Lindsey Caudill said that was because of the complaints she was receiving about the issue of the mess at the park shelter and that is part of her job.

Councilman Mills said here is the way it is: he supports Lindsey Caudill 1000% but there are times she may have to choose sides. It's that simple. It's not always pleasant and may be against her personal beliefs but she represents the town and all of the staff need to support the agenda that council has laid down. He is not being hateful or anything else but when someone steps into that role there is a responsibility that comes with it. That is just one man talking and he doesn't know how everyone else feels.

Lindsey Caudill said she would be happy to be the media person here but it is not in her area of expertise. It came to her plate when she started receiving phone calls from people wanting refunds or a phone call on a Sunday complaining about the situation. She realizes that is her duty but she would rather not be the head person of the duck problem.

Councilman Mills said she would not be asked to do that.

Mayor Spangler said she would not be the head but council would be. She is taking the responsibility, as she should, to bring council the complaints she receives. They are asking her to try and get some information on what they can or can't do, most especially with the removal of the ducks. He believes they don't want to ask a citizen to do that, even if it's legal. He's not opposed to getting someone from outside of the community to do that. If someone from inside the town limits were to remove ducks there could be all kinds of repercussions. If a professional group came in to remove them and a cost is involved that needs to be known. If she can get that information together so council can make an educated decision it would be appreciated.

Councilmember Bowles said she believes it would be helpful if Andy Rutledge could come so questions could be directed to him. That would alleviate Lindsey Caudill having to answer some of those questions.

Councilman Mills said he doesn't want Lindsey Caudill or any staff member taking abuse from anyone. They are public servants but they are not floormats. If someone is getting in her face or using abusive language she needs to cut it off and he will back her up every time. She is required to support council's agenda, and that is with every employee.

Lindsey Caudill said she is not saying she won't do that at all. She is saying she didn't like having her name in the paper, like it was, being associated with trying to remove the ducks because she has been talked to about that by some people. She will get whoever she can to come to the next council meeting to discuss the ducks.

Councilman Conley said they were in a discussion about the minutes.

Mayor Spangler said the discussion was concerning Councilman Goorskey asking for some amendments to the May 9th minutes.

Councilman Goorskey said Debbie Thomas stated she would find some wording out of the Virginian Leader.

Councilman Conley made a motion to approve the May 17th and June 1st meeting minutes. Councilman Goorskey seconded the motion.

Ayes: Turner, Bowles, Conley, Mills, and Goorskey

Nays: None

Motion Carried 5-0

Councilman Goorskey made a motion to table the approval of the May 9th council minutes until the next council meeting. Councilman Mills seconded the motion.

Ayes: Turner, Bowles, Conley, Mills, and Goorskey

Nays: None

Motion Carried 5-0

Consent Agenda

Library Report

Councilman Mills said he applauds people trying to raise money and do stuff but as a single council member he would like to be informed when they are doing stuff like that. It's just a matter of information because it came up in the business meeting at his church and they did vote to give money but he would have liked to know what it was about.

Councilman Conley asked if it was for the library's fundraiser?

Councilman Mills said yes. It was brought up at his church and it is on the library director's report and it needs to be addressed.

Mayor Spangler said he didn't know if it was a fundraiser or community donations.

Susan Kidd said she asked and letters were sent to the public asking for donations.

Councilman Goorskey said he would have also liked to know the letters were being sent. They could also promote it and he is behind the summer reading program.

Councilman Turner made a motion to approve the library report. Councilman Mills seconded the motion.

Ayes: Turner, Bowles, Conley, Mills, and Goorskey

Nays: None

Motion Carried 5-0

Parks & Recreation Report

Councilman Goorskey said he would like to commend parks and rec on all of the activities they are doing because they are doing some great stuff. It's great to see that 130 kids registered for t-ball.

Councilman Conley said 'Tom Spangler' is listed as giving bikes to Kids' Fishing Day. Were those the ones the Masonic Lodge furnished?

Lindsey Caudill said they had 8 bikes total and 2 came from Tom Spangler. The Masonic Lodge is listed on the report.

Councilmember Bowles said Kids' Fishing Day was amazing and the dance was very well attended and well organized.

Councilman Mills said everyone complains about the kids but parks and rec is giving them an outlet and he is exceptionally grateful for that.

Councilman Goorskey said the 3-on-3 basketball tournament was amazing. He was there at the end and people were talking about the next one. This is hitting a lot of different age groups and he believes the kickball tournament will do the same thing.

Councilmember Bowles said she has a front row seat to the splash pad and this year it has been very well attended.

Councilman Goorskey said it seems to him there are just as many out-of-town people as well as in-town people in attendance at the park. It wasn't trashy or nasty but people were just enjoying the park and it seems like it is growing. It helps when people pitch in to help beautify the park.

Lindsey Caudill thanked council.

Councilman Mills made a motion to approve the parks and rec report.

Councilmember Bowles seconded the motion.

Ayes: Turner, Bowles, Conley, Mills, and Goorskey

Nays: None

Motion Carried 5-0

Police Report

Susan Kidd said Police Chief Ratcliffe is on vacation this week.

Mayor Spangler said it amazes him how many speeding tickets are written on Route 460 and the speeds people are going. They wrote 79 tickets for people going 20 miles or more over the speed limit. They deserve those tickets.

Councilman Mills said Narrows is not a speed trap but if someone is doing 65 mph in front of Reece's they are going too fast.

Councilman Conley made a motion to approve the police report. Councilman Turner seconded the motion.

Ayes: Turner, Bowles, Conley, Mills, and Goorskey

Nays: None

Motion Carried 5-0

Financial Report/Treasurer's Report

Councilman Mills made a motion to approve the financial report/treasurer's report.

Councilman Turner seconded the motion.

Ayes: Turner, Bowles, Conley, Mills, and Goorskey

Nays: None

Motion Carried 5-0

Director of Strategic Development's Report

Councilman Turner made a motion to approve the director of strategic development's report. Councilman Conley seconded the motion.

Ayes: Turner, Bowles, Conley, Mills, and Goorskey

Nays: None

Motion Carried 5-0

Public Works Director's Report

Councilman Turner commended John Davis on the water loss going down.

John Davis said they had a pretty large leak last week.

Councilmember Bowles thanked John Davis for getting the flower baskets up.

Councilman Mills told John Davis he commended him for keeping after the pavers to get the job done.

John Davis said all they needed to do was put some sand between the bricks. Someone drove over the bricks and the section it messed up will have to be fixed.

Councilman Mills asked if that was an insurance claim?

John Davis said he didn't believe it would be. He spoke to the contractors about it and he quoted a price of \$1,500 to fix it. There is some work they should have done downtown they didn't do so the quote may drop.

Councilman Goorskey said he would be suspicious because if the bricks were put in properly an automobile driving over it shouldn't have damaged it.

John Davis said it was right after the hard rains and it was right on the edge. The sand was wet so that's what caused the damage.

Councilman Goorskey said he suggests that before the town gives them any money, and if it was his company that put the pavers in, they should prove to the town there was nothing they did wrong that allowed that to happen. He is strongly against giving them a single dime before they could prove there was something that was off. The spec on placing pavers in the alleyway should allow for cars driving on it. They may not have used the right pavers. He said John Davis is doing a great job dealing with the pavers and appreciates him staying on them.

John Davis said he believes they will fix it at their expense.

Councilman Mills said the water loss continues to amaze him.

**Councilman Mills made a motion to approve the public works director's report.
Councilman Turner seconded the motion.**

Ayes: Turner, Bowles, Conley, Mills, and Goorskey

Nays: None

Motion Carried 5-0

Communications, Concerns and Requests from the Public

Councilman Conley said he has had several people come to him, and he's sure council has had the same, concerning the enforcement of the town code concerning weed and trash abatement. Some members of council asked him to do some investigating. He was in a meeting with Police Chief Ratcliffe for about 2 hours last week and also spoke with Mike Bedsaul for about 2 hours and they defined 4 areas of the town code they need to look at and may need to adjust or amend. They may possibly need to add some new definitions. They discussed the problems that they as a town have and enforcing the town code. One of their main problems is the definition of 'trash'. He provided everyone with a copy of the town code and ordinances. The definition of 'trash' in the town code states, *'abandoned personal property, garbage, refuse or debris openly lying on any parcel, which might endanger the health of other residents of the town'*. Mike Bedsaul brought up there are some things that can be added to that. Tires is one of them.

Councilman Mills said what about vehicles.

Mike Bedsaul said there is a separate junk-car ordinance. This is just for weeds, high grass, and trash.

Councilman Mills said he has experienced in his journey that the county had an ordinance where there could only be 5 junk cars on a property. If those 5 junk cars are on a mountainside that is all right. If there are 5 junk cars on a lot in the Town of Narrows that is too many. He knows what Mike Bedsaul is telling them but he also knows they have developed an ordinance and junk vehicles according to the county were considered litter. He went to court several times over that ordinance. This is just for discussion.

Mayor Spangler said the ordinance for the Town of Narrows states not one single vehicle can be on a property if it's not tagged and titled.

Mike Bedsaul said that requirement comes out of the state code.

Councilman Conley said another thing they discussed was a definition of 'clutter'.

Mike Bedsaul said this is a recent addition in which the state ordinance relating to weeds and trash was amended to include or allow localities, by ordinance, to regulate clutter. The state's definition of clutter is *'mechanical equipment, household furniture, containers, and similar items that may be detrimental to the well-being of a community when they are left in public view for an extended period or are allowed to accumulate provided; however, that the provisions of this article relating to clutter shall not apply on land zoned for or in active farming operation'*. This definition comes right out of the state code.

Councilman Conley said he believes the definition of clutter should be added to the town code. The next problem they looked at was their notification. He asked Police Chief

Ratcliffe about it and he said he has to send them a certified letter and all of the hoops he has to go through. He is very firm about the shotgun approach and that means just one of many types of notifications. Within that notification they should add a simple posting on the property stating they need to mow their yard or pick up their trash. When one of the notifications has been served they have complied with their posting and the seven-day notice on the property.

Councilman Mills said he is working for a locality that has given out 50 violations for tall grass and the method they employ is the zoning guide. The property maintenance person writes them a letter, places a sign in their yard, and lets the person know they have 14 days to rectify the situation. If they don't then a vendor they have solicited for this mowing season to take care of the situation and then they attach the property. This works for the locality he is speaking of.

Mike Bedsaul said this is what he has drafted and put in a trash-and-weed ordinance from 2 or 3 years ago. He finds with this type of ordinance one of the most difficult things they run into in enforcing these is providing proper notice because they can't find the owner. Most of the time when a property is not being cared for it's because there's no one there. Police Chief Ratcliffe brought up the certified mailing requirement and he believes that used to be the requirement in the Narrows Town Code 4 or 5 years ago. The town was limiting itself to certified mail and saying that was the only way to address the problem. That was relaxed to where now it does provide for regular mailing but he can look it up. He would suggest what he calls the 'shotgun approach' because of all the problems he has encountered in enforcing these types of ordinances. It would say that any or all of the following methods shall be sufficient notice of the violation: mail written notice to the owner at the owner's address as determined from public records by regular or first-class mail, mail written notice to the occupant at the address where the violation is observed via certified or regular mail, hand deliver the notice to the occupant or the homeowner personally noting the date, time, and place of personal delivery. He made those the preferential forms of notice but he also provided that if notice by the foregoing methods have been unsuccessful or cannot be obtained then by posting a copy of the notice of abatement in a conspicuous place on the real property for a period of 10 calendar days and for unimproved property posting a copy of the notice of abatement on a stake in a conspicuous location on the property shall be sufficient.

Councilman Mills said what Mike Bedsaul is proposing works.

Councilman Conley said another problem they identified, and to put teeth in this ordinance, is to find them guilty of a class 4 misdemeanor. They had discussed going to a class 3 and possibly to a class 1. It's up to council and up for discussion. He asked Police Chief Ratcliffe and he said when he was a younger officer he volunteered to enforce these and somehow it has followed him to being the police chief. The town code says the town manager, assistant town manager, or designee is to enforce this. His opinion is that a part-time code enforcement officer needs to be hired that does nothing but enforce these codes and ordinances. He's sure that in the winter Police Chief Ratcliffe could use his help at parades and at Christmas and at everything else when the demand is not there. This person can also be used to report the light-pole outages. He hopes their police chief has more to do than to check for streetlights that are out.

Councilman Mills said he believes they have to have the will to back these people and what comes with it. When they start doing this they will make people angry to the 'nth' degree, even though they're in the wrong. They should understand that they can't have tall grass next to a well-manicured lawn. He agrees about the code officer and they could be invaluable in enforcing this kind of stuff. He feels they are on the cusp of doing great things in this town but there is a price for some things they consider improvements. They have to make some hard decisions and it is frustrating to take care of their stuff and have something presentable when there is a mess next to it. Part of the comprehensive plan update, and Susan Kidd has done a great job on that, and part of the questions on the questionnaire was about cleaning up stuff.

Councilman Goorskey said he is not against this at all. He receives calls and has dealt with this personally. If they held a public hearing on this he doesn't believe there would be many people against this. In the FY23 budget how much of a tax increase would they

have to add to cover this part-time salary? That would be part of the discussion because there will be some cost concerning this.

Susan Kidd said the town will end up cleaning up and will not be reimbursed for it. It may be there are 20 heirs to the property and no one cares enough about the property to clean it up.

Councilman Goorskey said John Davis can't fill the openings he has because the funds are not there so if this is done they would have to use a subcontractor. They still have to budget for that. If this person would be responsible for enforcing the maintenance code they would probably need some training.

Mike Bedsaul said he doesn't know what type of training would be needed for someone to enforce the trash and weed ordinance but as far as the maintenance code some training would be required.

Councilman Mills said Susan Kidd was correct with her comment. A guy wanted to purchase a condemned property and there was a \$3,000 mowing bill attached to it. They have to be prepared if they go down this road to deal with things like this. If you don't enforce things like this it isn't fair to people that do the right thing. He asks if they go into this to do so with open eyes and understand they will take care of some issues but will also create some issues.

Mike Bedsaul said sometimes the town goes out and cleans up a property and the town ends up eating the cost. The way the ordinances are structured do not limit what type of remediation action is entailed. For example, a lot of these ordinances will provide to go out and provide a summons for the violation of the ordinance as a Class 4 misdemeanor and it doesn't take a lot of resources of the town to do that. In the example Susan Kidd gave, the town could have the town attorney file a civil action in court ordering the property owner to clean up the property within a certain period of time. Another option is for the town to step in and have its employees clean up the property/mow the grass or hire someone to do it and then charge the property owner. If the bill is not paid, a lien is placed against the property and that's what creates the \$3,000 mowing bill against the property. Many times, the properties that aren't being mowed or have trash on them or clutter, those are the same properties where they can't find the owner and/or the taxes aren't being paid and the property is sold for delinquent taxes. All of these methods kind of work together so they don't have to pick and choose one they could choose multiple ones. The town can run into legal fees when they file a civil action to clean it up.

Mayor Spangler said it has been his goal from day one to go down this road. What he hears more than anything concerns the houses that have burnt and are still sitting there the way they were five years ago. It's not fair to the next-door neighbor that has a beautiful yard to have to live next to that. He doesn't have all of the answers but it's kind of like the duck situation: if they don't do something then it gets to where at some point instead of being the exception it's the rule. He believes that is detrimental for the town.

Councilman Goorskey said if it's a structure on a property that's dilapidated and is unsafe they can let John Ross take care of that. If he gets a report of that he must respond.

Mayor Spangler said there are a lot of lawns that are unkept and there is a dump truck load of stuff scattered all over the place. All they have to do is put it on the curb, call the town, and they will come and pick it up. Evidently people are too lazy to do that.

Councilman Mills said he believes every one of their visions are very similar in their hopes for this town. Their visions and goals will be hindered by messy property. He believes the only decision they need to make as a body is how serious they are about this. If there is a law on the book then enforce it. If it's a bad law get rid of it or change it. To have laws on the books they just keep driving by is improper.

Councilman Conley made a motion to ask Mike Bedsaul to make the revised changes to the town code. Councilman Mills seconded the motion.

Ayes: Turner, Bowles, Conley, Mills, and Goorskey

Nays: None

Motion Carried 5-0

Mayor Spangler said once that is done they will revisit the issue and decide if they want to do a part-time code enforcement person and the cost associated with that. He believes this is a move in the right direction.

Communications from Mayor and Council

Councilman Mills said there has been no PSA meeting since last month.

Mayor Spangler said he would like to congratulate Lindsey Caudill on her upcoming position as part-time economic director for the town and part-time parks and rec employee. They look forward to what she has to offer.

Lindsey Caudill thanked the mayor.

Councilman Turner asked if the security cameras have been installed at the park yet?

Lindsey Caudill said there is one at the lower shelter and one at the basketball court. They did install the cameras at the annex.

Councilman Goorskey asked how many were left to be installed?

Lindsey Caudill said there were 2 that ran off of wi-fi they did away with at the park when they got the U.S. Cellular cameras.

Susan Kidd said she believes there are 2 that still need to be installed.

Councilman Goorskey asked how many are actually recording at the park?

Lindsey Caudill said 2 at the park and 2 at the annex.

Councilman Goorskey asked where the 2 were at the park?

Lindsey Caudill said there is 1 at the basketball goals and 1 under the lower shelter.

Councilman Goorskey said there is no camera recording at the concession stand right now.

Lindsey Caudill said she knows they have more cameras but doesn't know if they've been installed yet.

Councilman Goorskey said it's been a while since they talked about it. That's something that needs to happen.

Councilman Mills said no matter how ineffective something may be they can't have it sitting in a box.

Susan Kidd said there have been several instances where these were useful at the annex and the park.

Lindsey Caudill said the problem areas are the areas that have a camera operating right now.

Debbie Thomas said there are a total of 8 cameras.

Mayor Spangler said this is a discussion they've had in previous council meetings about cameras sitting on a shelf and not being utilized. It seems like this is still the case.

Councilman Mills said they are not pointing fingers or trying to crawl anyone but the cameras need to be up by the next council meeting.

Councilman Goorskey said it's been enough time and they need to be put up.

New Business

06/13/2022

Mayor Spangler said the next item is the adjustment for pressure washing. His question is where does it end?

Councilman Goorskey said residents already get a sewer adjustment for filling their swimming pool.

Susan Kidd said that is if they use a pool meter.

Councilman Goorskey said the only problem he sees is having enough meters. There probably needs to be an administrative fee attached to that.

Mayor Spangler said his question is how hard would it be on the utility billing clerk to have to deal with that?

Susan Kidd said Tasha Riddle does it for pools now so it would just take a little longer to do. Like Councilman Goorskey said, the problem would be having enough meters and the town guys make those meters. There is usually a waiting list for the pool meters this time of year.

Mayor Spangler said if they decide to do it and they have 'x' number of meters and there is a waiting list as long as your arm they will have to wait until a meter is available.

Councilman Conley said he feels the same way Mayor Spangler does: where does it end?

Councilman Goorskey said he doesn't have a problem with this at all because they are only going to bill them for the water they use. The town has to be able to track how much water and in order to do that there is an administrative fee for that. There is a cost to the town in order to adjust the bill because they are paying someone for their time to do that.

Mayor Spangler said he is not opposed to this. If the people that are doing this feel like it's not a hardship on them.

Susan Kidd said it is just 1 people.

Mayor Spangler said if Tasha Riddle feels like it is something she can't handle and that's all she's doing then they have a problem.

Councilman Goorskey said the water has to run through the meter to get an adjustment. He would like to table discussion on this and see if they can come up with an administrative fee that makes sense to cover Tasha Riddle's time and to cover the time spent at the front counter checking these meters out and in. There will be wear and tear on the meters and they will eventually have to be replaced.

Mayor Spangler said the administrative fee may deter someone from wanting to get a meter.

Councilman Goorskey said on the other end of that is that it is being offered if they want it. There is a legitimate cost involved.

Mayor Spangler said the next item is to create a land development guide for the Town of Narrows.

Susan Kidd said this came out of the comprehensive plan they've been working on. They said it would be nice if they had a guide that said this is exactly what you have to do to open business in this zone or place a building in this zone. They were presented with one from Pulaski that had been done.

Councilman Mills said as a result of what they've endured trying to get the grant implemented he believes it's imperative that they be able as an organization to explain to a prospective buyer what they have to do to get a building permit. If they have an inability to do that they should run them out of town. They have to have information available for people they can halfway understand. This guide is a pretty good example. It is professional and the right thing to do.

Susan Kidd said the planning commission's idea was to also place floodplain regulations in the guide and work with the county on this. Someone wanting to purchase property in a floodplain can look at the guide and see what they have to do.

Mayor Spangler asked if there was a cost associated with this?

Susan Kidd said it will cost around \$9,000.

Councilman Mills said where he is sitting that would be the best \$9,000 they would ever spend but they have to know what to put in it.

Susan Kidd said this doesn't require a decision tonight. It's something the planning commission asked them to present.

Mayor Spangler asked if this was something they wanted to pursue tonight or table it for further discussion?

Councilman Mills said he believes they need to hear that at some point they want to pursue it.

Mayor Spangler said he's sure this cost Pulaski a lot more than \$9,000.

Susan Kidd said she feels sure it was a lot more.

Councilman Goorskey said there is a brief overview of obtaining a building permit but they need to discuss items of interest such as when certain provisions of building codes will be enforced and that is the difference between residential use and commercial use and the dollar amount or square footage percentage amount.

Susan Kidd said that is what they would like to see.

Councilman Mills said they need to develop their own provisions.

Councilman Goorskey said as they are presenting these structures to potential buyers he would like to be able to tell them, for example, a certain building only needs a 25% upgrade. They also need to be able to show the seller how much their property can be sold for.

Susan Kidd said the whole idea behind this is to clear these things up so everyone knows what is included.

Councilman Goorskey said when a building is deemed historic things change.

Councilman Mills said they have to, at some point, do a guide like the one presented tonight.

Councilman Goorskey said this has to happen and he is behind it 100%. He loves the breakdowns in the guide.

Mayor Spangler said it sounds to him like they need to have some sort of a workshop with these individuals that have the input at some point.

Council agreed the guide is worth pursuing.

Susan Kidd said the New River Valley Regional Commission would be the ones to do it.

Mike Bedsaul said council has been discussing what to put in the guide but his understanding is that what this would be is that they would take the town's current ordinances and put them into a user-friendly guide. Unless they are thinking about reworking their entire zoning ordinance they already have the material to go in the guide.

Susan Kidd said because the county does their building permits they would also involve the county and get their input.

Councilman Goorskey said that is what he is trying to pull in: the building permit side of it.

Unfinished Business

Mike Bedsaul said one of the requirements of the state code when they're considering adopting an ordinance prohibiting feeding waterfowl is that they have to contact the Department of Wildlife Resources to let them know the town is considering doing that. He put in council's packet a draft letter, it hasn't been sent, he was planning to send to let them know the town is considering adopting the ordinance. Does council want him to go ahead and send that?

Councilman Goorskey said they will probably be discussing this again and if he sends the letter now it will bring them one step ahead.

Matters for Consideration by Council

Mayor Spangler said the first item for consideration by council is to consider approving the engagement letter for Robinson, Farmer, Cox Associates, PLLC.

Susan Kidd said this is saying the town does want them to do our audit for FY22.

Councilman Goorskey made a motion to approve the engagement letter for Robinson, Farmer, Cox Associates, PLLC. Councilman Mills seconded the motion.
Ayes: Turner, Bowles, Conley, Mills, and Goorskey
Nays: None
Motion Carried 5-0

Mayor Spangler said the next item is to consider approving the meals tax ordinance, which they discussed earlier. The increase would be from .04¢ to .05¢.

Councilman Turner made a motion to approve the meals tax ordinance.
Councilman Goorskey seconded the motion.
Ayes: Turner, Bowles, Conley, Mills, and Goorskey
Nays: None
Motion Carried 5-0

Mayor Spangler said the next item is to consider approving the sewer rate changes.

Councilman Mills made a motion to approve the sewer rate changes effective immediately. Councilman Conley seconded the motion.
Ayes: Turner, Bowles, Conley, Mills, and Goorskey
Nays: None
Motion Carried 5-0

Mayor Spangler said the next item is to consider approving the transient occupancy tax ordinance.

Councilman Turner made a motion to approve the transient occupancy tax ordinance. Councilmember Bowles seconded the motion.
Ayes: Turner, Bowles, Conley, Mills, and Goorskey
Nays: None
Motion Carried 5-0

Mayor Spangler said in executive session mayor and council are the only ones to be involved for a short period of time.

Councilman Goorskey made a motion to go into executive session to discuss real property (negotiation for property) (Sec. 2.2-3711.A.3) and personnel matters (town manager position and other personnel matters concerning specific employees and offices) (Sec. 2.2-3711.A.1). Councilman Conley seconded the motion.
Ayes: Turner, Bowles, Conley, Mills, and Goorskey
Nays: None

Motion Carried 5-0

Councilman Conley made a motion to return to open session. Councilmember Bowles seconded the motion.

Ayes: Turner, Bowles, Conley, Mills, and Goorskey

Nays: None

Motion Carried 5-0

Certification

WHEREAS, the Town of Narrows, has convened an executive meeting on this date pursuant to an affirmative-recorded vote and in accordance with the provision of the Virginia Freedom of Information Act: and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification of the Town Council that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED THAT THE Town of Narrows hereby certifies 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 executive meeting to which this certification resolution applies: and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Town Council.

ATTEST: _____

Councilman Goorskey made a motion to accept the certification. Councilman Mills seconded the motion.

Ayes: Turner, Bowles, Conley, Mills, and Goorskey

Nays: None

Motion Carried 5-0

Councilman Conley made a motion that the next council meeting be held on June 21st at 7:00 p.m. Councilman Mills seconded the motion.

Ayes: Turner, Bowles, Conley, Mills, and Goorskey

Nays: None

Motion Carried 5-0

Councilman Mills made a motion to adjourn. Councilman Turner seconded the motion.

Ayes: Turner, Bowles, Conley, Mills, and Goorskey

Nays: None

Motion Carried 5-0

Clerk, Debbie Thomas

Mayor, Tom Spangler