

**Narrows Town Council Meeting
August 14, 2023**

Mayor Tom Spangler called the meeting to order. Council Members present were Bobby Lucas, Sara Bowles, George Conley, John Mills, and Joe Goorskey (remotely).

Staff members present were Lindsey Caudill, John Davis, Cindy Laws, Terry Nicholson, Benji Ratcliffe, Roger Shepherd, and Debbie Thomas.

Attorney Mike Bedsaul was present.

Mayor Tom Spangler gave the invocation.

Council and audience recited the Pledge of Allegiance.

Councilman Goorskey said he was attending the meeting remotely from Abingdon, Virginia, because he's out-of-town on a work assignment.

Approval of July 10th and July 31st Meeting Minutes

Councilman Conley made a motion to approve the July 10th and July 31st meeting minutes. Councilman Mills seconded the motion.

Ayes: Bowles, Conley, Mills, and Goorskey

Abstain: Lucas

Nays: None

Motion Carried 4-0

Consent Agenda

Library Report

Councilman Conley asked about the agreement between the Iris Brammer Public Library and the Pearisburg Public Library.

Cindy Laws said this is a joint-venture agreement and has been sent to Terry Nicholson and Mike Bedsaul for their review.

Mike Bedsaul said he had reviewed the agreement. The agreement is a little vague as to what the cost will be for the Iris Brammer Public Library. He would add that the town's responsibility for the cost of this system will be subject to approval once procurement is completed. He believes the town's cost would be \$495/year.

Cindy Laws said that was correct.

Mike Bedsaul asked Cindy Laws if that cost would change.

Cindy Laws said it should not change.

Mike Bedsaul said this agreement calls for 'arbitration' in the event there was a dispute. He would recommend something be placed in the agreement such as 'non-binding mediation'. Arbitration is about as expensive as litigation.

Councilman Mills made a motion to approve the Joint Venture Agreement between the Iris Brammer Public Library and the Pearisburg Public Library not to exceed \$495 and subject to the following changes:

- ❖ **The town's responsibility for the cost of the system will be subject to approval once procurement is completed**
- ❖ **Change the wording 'arbitration' to 'non-binding mediation'**

Councilman Lucas seconded the motion.

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

Nays: None

Motion Carried 5-0

Parks & Recreation Report

Roger Shepherd said the splash pad is losing \$2.36/day.

Councilmember Bowles congratulated Roger Shepherd on going after the Dick's Sporting Goods Grant. She also wanted to thank Bobby Gautier and Fletcher Richardson for taking care of the flowers in town.

Farmer's Market Report

No comments.

Police Report

Councilman Conley thanked Police Chief Ratcliffe and his men on the drug arrests consisting of possession of meth and possession of heroin.

Financial Report/Treasurer's Report

No comments.

Town Manager's Report

No comments.

Public Works Director's Report

Councilman Conley asked if the Fortiline project was completed.

John Davis said yes.

Councilman Lucas made a motion to approve the consent agenda. Councilmember Bowles seconded the motion.

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

Nays: None

Motion Carried 5-0

Communications, Concerns and Requests from the Public

Frank Cahoon said the Boy Scouts have had a long history with Camp Success and the Eagle Scouts have had a lot of projects there. There is a totem pole the Boy Scouts would like to place at Camp Success but they wouldn't be placing it there for themselves, they would be placing it there for the benefit of the park. They would like to place it next to the sign at the gate on the outside of the fence. It's approximately 20' tall and will be refurbished before it's installed. It belongs to Boy Scout Troop 68.

Mayor Spangler asked Frank Cahoon if they were asking for assistance from the town.

Frank Cahoon said if the town could dig a hole with a backhoe that would be great.

Councilman Mills said he's worked with Frank Cahoon on numerous projects and he trusts anything he says.

Councilman Conley made a motion to allow the Boy Scouts to install a totem pole at Camp Success. Councilman Mills seconded the motion.

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

Nays: None

Motion Carried 5-0

Elden Justice said he is from Glen Lyn, Virginia, and has been in the sign business for years. He has billboards in Glen Lyn and Rich Creek. He's interested in installing billboards in Narrows because he understands there are businesses in Narrows that aren't

receiving recognition and they are excited about this venture. He asked council to go to Rich Creek and look at the billboards he's installed and allow him to come to next month's council meeting to discuss this further.

Mayor Spangler said council appreciates Elden Justice wanting to place billboards in town but the town ordinance doesn't currently permit billboards within town limits and there is no special exception for this.

Terry Nicholson stated the following in a letter to council concerning the billboard request:

I received a zoning application (copy attached) on July 28, 2023, from Justice Signs, LLC, to place a billboard on a lot located at 2799 Virginia Avenue (US Route 460). The lot is the site of an old car wash, (photo attached). Note that there are two residences on the right side of this property, even though these properties are zoned commercial (B-2 General Business).

After reviewing the application, and discussing the application with Elden Justice over the phone, I researched our sign ordinance (within the Zoning Ordinance) which I have included here for reference as well. I have also discussed the ordinance with Mike Bedsaul to make sure I am correct in my interpretation of the ordinance.

As I read the ordinance, billboards are not allowed. We do allow Business Signs, defined as an "on premise sign which identifies a business and/or directs attention to a product, commodity, or service". On-premise means they are located on the lot where the business is operating. The ordinance also defines a General Advertising Sign, which is "an off-premise sign which directs attention to a product, commodity, or service."

All signs have limits for size, height, lighting, location, and type which are based on the zoning of the parcel. Those limits are laid out in Table 7.1 on pages 78 and 79 of the ordinance. Billboards are marked as "None" or "Not Applicable" in the charts. There is not even a provision for billboards to be allowed as a special exception.

The proposed sign would fall under our General Advertising Sign definition, and as such, it would be limited to a maximum of 12 feet in height and could be no more than 48 square feet in area. (The calculation for area is included in the ordinance.) The proposed sign would be over 31 feet 8 inches in height and has an area of 302 square feet.

I also researched Giles County's ordinance for signs. They specifically say no off-premises signs are allowed in their ordinance. The county took this position after a fight to try to control the content on the existing billboards, (specifically the WV strip club billboard in Pembroke.) First Amendment rights will not allow a municipality (or the sign company) to control the content of any billboard.

Based on these discussions, I informed Mr. Justice that I could not approve his application, and that there is not a process for changing that decision without changing the sign ordinance. He stated that he had gotten Glen Lyn to change their ordinance to allow him to erect signs, (he included pictures in his application).

Mr. Justice has asked to speak at Monday's Town Council meeting (and I understand he has already garnered local business supporters who will also attend the meeting) to ask you to change the sign ordinance.

Terry Nicholson said he told Elden Justice the application would be denied and that's why he's in attendance tonight.

Councilman Mills said council would have to adjust the zoning ordinance to allow this. He will go look at the billboards but the town doesn't allow billboards.

Councilman Conley said he's all for advertising but the town doesn't allow billboards.

Elden Justice said there are businesses in the Town of Narrows that some people don't know about.

Councilman Goorskey said he appreciates Elden Justice presenting his idea tonight. He's seen his work in Rich Creek because he drives through there every day and he knows he does good work. The town deliberately doesn't allow the construction of new billboards and he believes Elden Justice when he says he would only advertise for local businesses. In the future, the billboards wouldn't always be owned by Elden Justice and under his control and the town would still have to deal with it. This is an uphill battle but he wouldn't object discussing this in the future.

Mayor Spangler said the letter Elden Justice received from Terry Nicholson stands as it is. The application has been denied.

Communications from Mayor, Council, and Staff

Councilman Mills said at the last PSA meeting they agreed to allow one of their members on the lead and copper project to hire their own vendor. He wanted the team to stay intact but there were extenuating circumstances. Pembroke had already spent a lot of money. An agreement now has to be made with Thompson and Litton. The PSA is having a hard time with staffing. There are truck drivers that are near retirement age and there are pressures from different entities such as the pipeline. Money is no object to them. The PSA board committed to allow staff to investigate this further knowing it will cost them money. The PSA pays \$18/hour and there are other companies that are paying \$25/hour. For years, benefits offered by the county were an attraction and people would give up some money for benefits. New employees don't care about benefits, they only care about money. The PSA is having to adjust their marketing to get employees and will have to spend money to get employees.

Terry Nicholson said Allen Neely spoke with him several months ago about getting the railroad trestle at the end of the bridge cleaned up. Allen Neely has been working with Norfolk Southern to get permission to be able to do that and has received permission. They've been speaking with Sammi Dougherty about this and she is interested in placing a mural on the trestle and has come up with some designs. Allen Neely is raising money within the community to do this and is going to be responsible for having the trestle cleaned and painted a base color. The Town of Narrows could be responsible for paying Sammi Dougherty for painting the mural and she has quoted a price of \$1,000, which is an amazing price. Sammi's idea is to have Green Waves crashing over cartoon characters and she has done some rough sketches.

Councilman Mills made a motion for the Town of Narrows to pay Sammi Dougherty for painting a mural on the railroad trestle in Narrows. Councilman Lucas seconded the motion.

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

Nays: None

Motion Carried 5-0

Councilmember Bowles said council would like to see a rough sketch of the mural.

Terry Nicholson said he would get that to them.

Terry Nicholson said he received a call last Friday from Todd Robertson that works for Stateson Homes and is also a board member of the Mary Moody Northen Foundation. They have been getting cost estimates for what the town is proposing to do, which is the basketball courts and the pickle ball courts. Todd has said based on the estimates they can't afford to do both so they are asking the town to choose one or the other. Terry Nicholson met with John Davis and Roger Shepherd to discuss this and since the 3 basketball goals have already been purchased the town could install those. They would like for Stateson Homes to remove and replace asphalt and install pickle ball courts. This would provide another sport revenue could be made on.

Mike Bedsaul said the contract with Stateson Homes was subject to some changes he made in the agreement, which was payment by the town was subject to grant funding they received. The original agreement stated the town had to pay anything over and above what the grant didn't cover. Stateson Homes wouldn't agree to that change. Terry

Nicholson should receive a price quote prior to the work so the town will know what it's going to cost.

Councilman Conley made a motion to approve the current terms of the contract with Stateson Homes. Councilman Lucas seconded the motion.

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

Nays: None

Motion Carried 5-0

New Business

None.

Unfinished Business

None.

Matters for Consideration by Council

Terry Nicholson said the Giles County Shelter Inc. (The Hope House) is asking for a donation from the town. Last year the town gave them \$200.

Councilman Mills made a motion to donate \$200 to the Giles County Shelter Inc. (The Hope House). Councilmember Bowles seconded the motion.

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

Nays: None

Motion Carried 5-0

Terry Nicholson said Narrows Little League Football is asking for a donation from the town. There has been no previous donation given to them.

Councilman Conley asked Roger Shepherd if this outfit was not under the parks and rec league.

Roger Shepherd said it was not. They have their own board and are in a league out of Christiansburg.

Councilman Conley said if the town hasn't donated to them in the past then they shouldn't donate to them now.

Councilmember Bowles said she recommends the town give a donation because those are good kids that sign up for everything the town offers. There are parents at the duck pond right now watching their kids and supporting them. She knows the cost of helmets went up last year.

Roger Shepherd said they do rotate their equipment every 3 years and they hold fundraisers.

John Davis said they bring a lot of people to their events every day.

Councilman Conley asked why the town hasn't donated to them in the past.

Debbie Thomas said they've never asked the town for a donation.

Councilman Conley made a motion to donate \$500 to Narrows Little League Football. Councilman Mills seconded the motion.

Ayes: Lucas, Bowles, Conley, and Mills

Abstain: Goorskey

Nays: None

Motion Carried 4-0

Councilman Mills made a motion to go into executive session to discuss the Gallimore project (Sec. 2.2.3711.A.3) and to discuss an employee salary (Sec. 2.2.3711.A.1). Councilman Lucas seconded the motion.

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

Nays: None

Motion Carried 5-0

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

Ayes: Lucas, 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 Lucas seconded the motion.

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

Nays: None

Motion Carried 5-0

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

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

Nays: None

Motion Carried 5-0

Clerk, Debbie Thomas

Mayor, Tom Spangler