

Mayor Emily Holloway called the Meeting of the Grottoes Town Council to order at 7:00 p.m. on Monday, January 9, 2017 and welcomed guests. Town Clerk Tara Morris called the roll. Members present were Mark Keeler, Joshua Bailey, Mark Sterling, Emily Holloway, Marjorie Funk, David Raynes, and Tim Leeth. Also present were Town Clerk Tara Morris, Town Attorney Nathan Miller, Town Manager Jeff Nicely, Tourism and Parks Director Nathan Garrison, and Police Chief John Painter.

Councilwoman Marjorie Funk made a motion to approve the minutes from the December 12, 2016 Council meeting. Councilman David Raynes seconded the motion. Council members Mark Keeler, Joshua Bailey, Mark Sterling, Marjorie Funk, David Raynes, and Tim Leeth voted in favor of the motion, motion carried.

FINANCE

Councilwoman Marjorie Funk made a motion to approve the Treasurer's report for the month of December 2016. Councilman David Raynes seconded the motion. Council members Mark Keeler, Joshua Bailey, Mark Sterling, Marjorie Funk, David Raynes, and Tim Leeth voted in favor of the motion, motion carried.

Councilwoman Marjorie Funk made a motion to pay the bills as of January 9, 2017 and the remaining bills from December totaling \$143,893.21. Councilman David Raynes seconded the motion. Council members Mark Keeler, Joshua Bailey, Mark Sterling, Marjorie Funk, David Raynes, and Tim Leeth voted in favor of the motion, motion carried.

WATER AND SEWER

Town Manager Jeff Nicely stated that they have started the installation of the automatic controls for the well pump.

ORDINANCE, HEALTH AND PROPERTY

Councilman Mark Keeler stated his first item is not on the agenda. He stated that he wanted to share some information to clear up some of the misunderstandings that surrounded our December Council meeting. Councilman Mark Keeler said that the Daily News Record stated that we would be holding a public meeting on the proposed chicken ordinance, which was inaccurate. He stated that we legally cannot conduct a public hearing without getting a notice out to our citizens, which we have not done, since the Council has not received the proposed chicken ordinance from the Planning Commission. Councilman Mark Keeler

stated that he made the standard motion from the Planning Commission to the Town Council asking to set a date and time for the public hearing and that was the motion that was defeated four to one. He stated that background information was that the Council was addressed by a citizen as to whether or not chickens could be allowed in the Town of Grottoes and that issue was referred to the Planning Commission. He stated that they met numerous times looking at the pros and cons coming up with an ordinance that would benefit the ones wanting chickens and also their neighbors and what would be in the best interest of the Town. He stated that we also got legal advice and were bringing it back to the Town Council to set a public hearing. He stated that after presenting the motion we did have two individuals speak against the ordinance and there has not been any time for anyone to speak for the ordinance if there are people who want to. Councilman Mark Keeler stated that the following day the Daily News Record reported that the Town Council voted against a poultry ordinance four to one. He stated that he wants to go on record to say that was not a vote at all on the poultry ordinance; but that was a vote for us not to have an open hearing for the public comment. He stated that we cannot change the past but we can reconsider whether we want to open up the issue to our citizens for their input. Council Mark Keeler stated that he cannot do that because his motion to set a public hearing was defeated but he stated that his colleagues could do so under new business.

Councilman Mark Keeler made a motion to amend the agenda to have the first reading of the resolution to amend Chapter 100 Land Development to designate areas where manufactured homes can be located. Councilwoman Marjorie Funk seconded the motion. Council members Mark Keeler, Joshua Bailey, Mark Sterling, Marjorie Funk, David Raynes, and Tim Leeth voted in favor of the motion, motion carried.

Councilman Mark Keeler announced the first reading of the resolution of the Town of Grottoes Virginia amendment to Chapter 100 Land Development to designate areas where manufactured homes can be located.

Councilman Mark Keeler made a motion to set a joint public hearing. Councilman David Raynes seconded the motion. Councilman Mark Keeler amended the motion to set the public hearing for February 13, 2017 at 7:00 pm. Councilman David Raynes accepted the amendment. Council members Mark Keeler, Mark Sterling, Marjorie Funk, David Raynes, and Tim Leeth voted in favor of the

motion. Councilman Joshua Bailey voted against the motion, motion carried.

STREETS AND STREET LIGHTS

Councilman David Raynes made a motion to accept the U-1 resolution. Councilman Mark Keeler seconded the motion. Council members Mark Keeler, Joshua Bailey, Mark Sterling, Marjorie Funk, David Raynes, and Tim Leeth voted in favor of the motion, motion carried.

SPECIAL EVENTS

Councilman Tim Leeth stated that the draft for the 2017 events cards is in the Council packets. He stated that there are a couple changes including having a street dance, a Christmas tree lighting prior to the Christmas Parade and possibly moving the harvest festival to Mountain View Park and changing to a fall festival with additional activities.

PERSONNEL, FIRE AND POLICE PROTECTION

Councilwoman Marjorie Funk made a motion to accept committee assignments for 2017. Councilman Mark Keeler seconded the motion. Council members Mark Keeler, Joshua Bailey, Mark Sterling, Marjorie Funk, David Raynes, and Tim Leeth voted in favor of the motion, motion carried.

Councilman Mark Keeler made a motion to appoint David Raynes as Vice-Mayor. Councilwoman Marjorie Funk seconded the motion. Council members Mark Keeler, Joshua Bailey, Mark Sterling, Marjorie Funk, David Raynes, and Tim Leeth voted in favor of the motion, motion carried.

Councilman Mark Keeler made a motion to appoint John Funk to the Board of Zoning Appeals. Councilman Tim Leeth seconded the motion. Council members Mark Keeler, Joshua Bailey, Mark Sterling, Marjorie Funk, David Raynes, and Tim Leeth voted in favor of the motion, motion carried.

Councilwoman Marjorie Funk made a motion to allow the police department to proceed with purchasing the computer they recommended. Councilman David Raynes seconded the motion. Council members Mark Keeler, Joshua Bailey, Mark Sterling, Marjorie Funk, David Raynes, and Tim Leeth voted in favor of the motion, motion carried.

PRESENTATION OF PETITIONS AND CLAIMS

Jo and Ray Plaster addressed the Council and stated that they are here to ask the Council to reconsider having the public hearing to allow them to have back yard chickens. She stated that she currently has four chickens. She stated that she understands the concerns and the opinions that were voiced at the last Council meeting but does not feel that they were fairly heard on the benefits of having back yard chickens. She stated that we need to allow our citizens to speak both for and against so that we can come to a consensus that we think is fair as the citizens of the Town of Grottoes. Ms. Plaster stated that if Harrisonburg City, the Town of Dayton and the cities of Waynesboro and Staunton can all allow chickens, then why can't we? She stated that if the Council would allow this public hearing to happen, would Council also consider allowing the citizens that received notices requiring them to get rid of their chickens by January 31, 2017 be allowed to keep them until a proper consensus is formed.

Jim Justis addressed the Council and stated that the people that have chickens have them because they want the best quality of food they can get. He also stated that domesticated chickens make great pets. He asked the Council to reconsider the public hearing and asked to be able to keep his chickens until a final decision has been reached.

Councilman Mark Sterling made a motion to proceed to a public hearing regarding the proposed chicken ordinance on Monday February 13, 2017 at 6:30 p.m. Councilman Mark Keeler seconded the motion. Council members Mark Keeler, Mark Sterling, Marjorie Funk, David Raynes, and Tim Leeth voted in favor of the motion, Councilman Joshua Bailey voted against the motion, motion carried.

Councilman Mark Keeler made a motion suspend the enforcement of chapter 48 of the Town Code until a decision by Council has been made by the Town Council. Councilman Mark Sterling seconded the motion. Council members Mark Keeler, Mark Sterling, Marjorie Funk, David Raynes, and Tim Leeth voted in favor of the motion, Councilman Joshua Bailey voted against the motion, motion carried.

Carol Melendez addressed the Council and stated that she was here tonight because a property near her is slowly turning into a junk yard. She stated that she was reviewed the Town's current Nuisance Ordinance and feels that it is very vague and

antiquated. She stated that it hasn't been updated since 1996 and is in desperate need of being updated. She stated that the Town of Dayton has recently updated their nuisance ordinance and feels that this would benefit Grottoes also. She stated that in order for our Police Department and Town Manager to be able to address these situations it needs to be more clear in our ordinance. Mayor Holloway stated that she will refer this to the Ordinance, Health and Property Committee to review.

With no further business to discuss Mayor Holloway adjourned the meeting.