

**Town of Grottoes
Workshop Meeting**

CALL TO ORDER: The Town of Grottoes Town Council held a workshop meeting on Monday, February 13, 2017, at 5:30 p.m., with Mayor Emily Holloway, presiding.

ATTENDANCE: Council Members present were: Mayor Emily Holloway; Council members David Raynes, Mark Keeler, Marjorie Funk, Mark Sterling, Joshua Bailey and Tim Leeth.

Other Town Officials present were: Town Manager Jeff Nicely, Town Clerk Tara Morris, Town Attorney Nathan Miller, Tourism and Parks Director Nathan Garrison, Public Works Director A J Hummel, and Police Chief John Painter.

Mayor Holloway stated that we have two public hearings scheduled tonight. The first hearing starts at 6:30 pm to hear public comments regarding amending Chapter 48 to add Article IV Chickens. She asked if anyone had any questions or comments. Councilman Mark Keeler asked if the first reading could be tonight. Town Attorney Nathan Miller stated not during the public hearing but in the Town Council meeting a motion can be made to amend the agenda and then the first reading can take place. Councilman Tim Leeth asked how we came up with the setbacks and how we came up with allowing eight chickens when other localities don't allow that many. Councilman Mark Keeler stated that the 25 foot front setback was set so people couldn't put chickens in their front yards. He stated that the five foot side set back was suggested by the attorney so they are not placed on the property line. Councilman Mark Keeler stated that eight was the number of chickens the committee felt was good based on a family of four.

Mayor Holloway stated that the second public hearing is a joint public hearing with the Planning Commission to amend Chapter 100 Land Development. She stated that this amendment will not allow manufactured homes in residential zonings except for R-6. She asked if anyone had any questions or comments regarding this hearing.

Mayor Holloway stated that we only received one pool bid and that was from the Waynesboro YMCA. Town Manager Jeff Nicely informed the Council that the hourly prices are the same as last year. Parks Director Nathan Garrison gave the council a breakdown of the pool operations cost for last year.

Town Manager Jeff Nicely informed the Council that the well controls are installed and the wells have been on automatic for about two weeks.

Town Manager Jeff Nicley informed the Council that we have had two worker's comp accidents. He said Bobby Moats fell off the back of the dump truck while loading salt and broke his arm. The other accident happened to Tony Darcus, who is part-time in maintenance, was struck in the arm by a car while working on the trash truck.

Chief Painter informed the Council that he has been conducting a speed study on Dogwood Avenue and will have more information on this at the next meeting.

Councilman Mark Keeler informed the Council that the ordinance committee met about the nuisance ordinance and is going to send this to the Planning Commission for them to revise using information that has been collected from other localities.

Mayor Holloway adjourned the workshop meeting at 6:17 p.m.

Mayor Emily Holloway called the Town Council Public Hearing to order at 6:30 p.m. on Monday, February 13, 2017 and welcomed the citizens. 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.

Mayor Holloway stated that the public hearing is being held to hear citizens' comments regarding a proposed amendment to Chapter 48 Article IV Chickens.

Mayor Holloway stated that if you noticed on the agenda the rules for the public hearing tonight state that the Council will listen to three speakers from each side and each speaker is limited to three minutes. She stated that looking at the list the Council decided they will hear all statements from those that are here tonight but please be aware and respectful that repetitive comments are discouraged and that we do have another public hearing scheduled at 7:00 p.m.

Town Manager Jeff Nicely stated that last year he received complaints about citizens having chickens in Town. He said he checked it out and sent letters to the owners who were in violation. He stated two complied and the Plasters came to the Council meeting asking to keep their chickens. Council then sent this to the Planning Commission who formed a committee and met to draft an ordinance to allow backyard chickens in Town. The draft ordinance was sent to the Town Attorney for his comments and then to a public hearing.

Jo Plaster stated that she lives at 202 Park Avenue and thanked the Council for allowing this public hearing. She stated that she is an active realtor in the state of Virginia and states that there are no known cases that having a few backyard chickens will devalue your property. She stated that property upkeep and routine maintenance determines the value of your property. She stated that May 19, 2007 changed her life forever when her daughter suffered a life threatening emergency and since that date she has studied the best ways to provide food for her family. She stated that they have been gardening and now have four hens and no roosters, to provide the best eggs that they can get. She stated that chickens make great pets and also teach children responsibilities. She stated that start up is costly especially with certain regulations that are being placed to insure proper maintenance. She stated that the goal is not to

devalue Grottoes, but the goal is to enrich our lives with healthy alternatives to protect and prevent diseases. Mrs. Plaster presented Council with a petition for the chickens.

Denise Malin addressed the Council and stated that she lives at 85 Berkeley Avenue. She stated that she has lived in Grottoes for 30 years. She stated that this is not to detract from Grottoes but to come into modern day thinking. She stated that this has been a tough year as she was diagnosed with cancer and she stated that as they pumped chemo into her it became very clear to her that she wanted to be in control of her food source. She stated that she has been an advocate for no additives and no preservatives and now she wants to be in control of no hormones and to raise her own chickens to have fresh eggs and not six week old eggs from the grocery store.

Ron McMullen addressed the Council and stated that he has lived in Grottoes since 2003 at 1203 Forrest Avenue. He stated that this amendment is an end result of excellent work by the Planning Commission that was stopped before the citizens could be heard. He stated that was 2016 and we are in 2017 with a new Council and Mayor and he hopes that they will listen to the people and act accordingly. He stated that a google search will quickly reveal the advantages of having back yard chickens such as the health benefits of non-commercial eggs, reduction of waste removal, and reduction of pest and insects. He stated that when he canvased his neighborhood to get signatures supporting chickens he received one hundred percent support in the three hours he was out.

Jim Justis addressed the Council and stated that he and his wife, Sue, live at 112 Park Avenue. He stated that he has been associated with chickens for over 25 years. He stated that he has had as many as 400 and as few as the six he now has. In that entire period of time he has not seen a sick chicken or a chicken die from a disease. He stated that the primary reason of the people here tonight to support chickens is the quality of the food. He stated that there was a vet study done about the egg laying industry. He stated that they bought 1500 hens that were at the end of their egg laying life span that were going to be destroyed. These are chickens that are caged for the egg laying process. He stated that they took 750 of those chickens and killed them and found cancer in all 750 of these chickens. He stated that they took the other 750 chickens and put them on a special diet with antibiotics for 18 months and then they killed those 750 chickens and found cancer in all of those chickens. He stated that the eggs you're getting in the grocery

store probably come from a caged animal. He stated that there have been 19 cases of Avian Flu documented in the United States. He stated that the last thing he wanted to mention is about predators. He stated that every year he has trapped groundhogs or some other varmints on his property. He stated that since he had his chickens, he has not had any snakes or other predators on his property.

Tom Benevento stated that he is a resident of Harrisonburg. He stated that he worked with Harrisonburg and the officials from the poultry cooperative to get backyard chickens legalized in the city of Harrisonburg. He stated chickens are an educational tool for children and increase the quality of our food.

Carol Melendez addressed the Council and stated that she did some research and found there are more pros than cons to having backyard chickens. She stated that they are more beneficial to the environment and enrich the lives of the people that own them. She stated that she hopes the Council bases their decision on facts and not misconceptions.

Nathan Forrester addressed the Council and stated that he won't be repetitive but he is in favor of the chickens. He stated that he would like to thank the Planning Commission for a well written ordinance and he thinks with proper enforcement, citizens lives would be improved. He stated that he has two young sons and they would like to raise chickens and along with gardening it will make a healthier living for his family. He stated that if other localities can do it, why can't Grottoes.

Dinah Watson stated that she is a member of the Planning Commission but was not part of the committee who worked on the ordinance. She stated that she was one of the first ones to reject the initial proposal on this and stated that her concern was that she lives on a small block in the Town. She stated that after she reviewed the proposal, she now supports the proposed ordinance.

Doug Shifflett addressed the Council and stated that in reference to a statement he made to the media about using the sympathy card, he wanted to apologize to the young lady and clarify that he was not referring to her at all. He stated that a lot of people have a lot of problems and that he also has many problems. He stated that he is diabetic, has had a stroke, high blood pressure, and has had his heart converted three times; so he is aware of health problems. Mr. Shifflett stated that he is not sure why we allowed the gentleman from Harrisonburg to speak

as this is a concern for the Grottoes residents and we should only be hearing from them. He stated that on the comment of Dayton having more people moving there, that is because they have Turner Ashby High School. He stated that he can't argue all the things said tonight but he did say that the people that are opposed to it have given documentation from the internet. He stated that each Council member took an oath when they took office to solemnly swear to support the constitution of the United States and the constitution of the Commonwealth of Virginia and to faithfully and impartially discharge and perform all duties incumbent upon them and that one duty is to protect the Town of Grottoes. He stated that if you put chickens on every corner, that's not protecting the Town of Grottoes. He stated that the eggs' nutritional factor is not any better than what you buy at the store unless the chickens are free range. He stated that if this ordinance passes, these chickens will still not be free range chickens. He stated that the ones that have chickens know this and you can ride up the street and see them walking around so they have no consideration for what you guys are trying to do for them. He stated that this has been going on for nine months and needs to come to an end. He stated that the Plasters have a nice pin and he feels sure they keep it very clean. He stated Mr. Justis' pin is across the road, not in his backyard, and not even on his property. Mr. Shifflett presented the Council with a petition against the chickens.

Tony Gordon addressed the Council and stated just as he stated last month that he is concerned with the predators that hunt down chickens. He stated that raccoons, foxes, coyotes, and skunks all hunt chickens. He stated that if we set the table for them with chickens everywhere in Town they will come. Then the Council will be receiving complaints that a coyote killed their dog or attacked a person. He stated that the Council needs to consider all of this before deciding to allow chickens everywhere in Grottoes.

Earl Alger addressed the Council and stated that he moved to Grottoes four years ago and likes this little Town. He stated that he grew up in Page County and had farms all around him. He had chickens, hogs and cows. He stated that he is all for the chickens but you can get on the internet and go down to your local farmer's market, get the name of the farmer and get your own farm raised eggs. He asked Council what they are going to do with the smell these chickens produce. He said when you open your window at night wanting some fresh air and instead you have the smell of your neighbors chickens blowing in your window. Mr. Alger stated that he has had chicken houses around him from the

time he was a kid until he was 38 years old and he stated there is nothing worse than a chicken smell coming in your window when it's hot outside.

Jane Berger addressed the Council and stated that she didn't have much to add to the last gentleman other than she is concerned about chickens being allowed on small lots. She said when you have chickens on both sides of you that you are going to get a chicken smell. She stated that she grew up on a chicken farm and knows what chickens smell like. She stated that she is also concerned about property values even though the realtor stated it doesn't devalue property. She stated that she wouldn't buy here if there were chickens on both sides of the property she was looking to buy.

Councilman Joshua Bailey had a question for Mrs. Plaster. He stated that he reviewed the brochure she had out about the benefits and nutritional value of free range eggs. He wanted to ensure that if this ordinance passes she is aware that this is not for free range. Mrs. Plaster replied that she has reviewed the ordinance.

Dawn Williams addressed the Council stating that she didn't get here in time to sign up and asked to present her information. She stated that she lives on 13th Street and is against the proposed ordinance. She stated that she has family that has poultry houses in neighboring counties and backyard chickens are detrimental to those businesses. She has print outs from the CDC from June 2016 that state eight cases of salmonella that track back to backyard chickens. She stated that she has lupus and her husband is diabetic and they buy their eggs from the store. She stated that she is concerned with the cleanliness, she stated that the Plasters are clean with their chickens but not everyone will be as clean. She stated that another concern is our animals. She stated that she has a golden retriever, which is a bird dog, and she is concerned what would happen if her neighbors chicken got out. Mrs. Williams submitted the two articles from the CDC.

Mayor Emily Holloway adjourned the public hearing.

The Grottoes Town Council and the Grottoes Planning Commission held a joint public hearing on Monday, February 13, 2017, beginning at 7:17 p.m., with Mayor Emily Holloway presiding.

Council Members Present were: Mark Keeler, Joshua Bailey, Mark Sterling, Emily Holloway, Marjorie Funk, David Raynes, and Tim Leeth.

Planning Commission Members Present were: Mark Keeler, Jim Justis, Dinah Watson, Justin Neitzey, Jen Smith, and Rebecca Holloway.

Town Council Members Absent were: None.

Planning Commission Members Absent were: Stephen Morris.

Other Town Officials 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.

Town Clerk Tara Morris determined that a quorum was present for the Town Council and the Planning Commission.

Mayor Holloway stated that the joint public hearing is regarding amending Chapter 100 - To designate areas where manufactured homes can be located.

Mayor Holloway stated that we have not had anyone sign up to speak either for or against. She asked if the Planning Commission or Council had any comments.

Mayor Holloway adjourned the joint public hearing and turned the meeting over to the Planning Commission.

Vice-Chairman Justin Neitzey asked if there was any discussion from the Planning Commission.

Vice-Chairman Justin Neitzey asked if the Planning Commission had any recommendations. Commission Member Jim Justis recommended forwarding to Council the amendment to Chapter 100 Land Development. Commission Member Rebecca Holloway seconded the motion. Commission Members Mark Keeler, Jim Justis, Dinah Watson, Justin Neitzey, Jen Smith, and Rebecca Holloway voted in favor of the motion, motion carried.

Vice-Chairman Justin Neitzey adjourned the meeting.

Mayor Emily Holloway called the Meeting of the Grottoes Town Council to order at 7:25 p.m. on Monday, February 13, 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 January 9, 2017 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 January 2017. 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 February 13, 2017 and the remaining bills from January totaling \$62,539.18. 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.

ORDINANCE, HEALTH AND PROPERTY

Councilman Mark Keeler stated that at our last meeting we had a citizen bring up concerns about our nuisance ordinance. He stated that the Council referred that to the Ordinance, Health and Property Committee. He stated that the committee has met and they are recommending sending this to the Planning Commission to update our nuisance ordinance and work closely with the ordinance committee and Town staff and Town legal counsel, so moved. 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.

Councilman Mark Keeler made a motion to amend the agenda to include the first reading of the proposed amendment Chapter 48 Article IV Chickens. Councilman Mark Sterling seconded the

motion. Councilman Mark Keeler explained that to amend an ordinance it has to have two readings the first is the acknowledgement of the change and the second is done at the following meeting and after the second reading a motion can be made to approve. Councilman Tim Leeth asked if changes can be made between the first and second readings, Town Attorney Nathan Miller stated that they can but no changes can be made after the second reading. Council members Mark Keeler, Mark Sterling, and Tim Leeth voted in favor of the motion. Council members Marjorie Funk, David Raynes, and Joshua Bailey voted against the motion, Mayor Emily Holloway voted against the motion, motion denied.

Councilman Mark Keeler announced the second reading to amend Chapter 100 Land Development - to designate areas where manufactured homes can be located.

Councilman Mark Keeler made a motion 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.

PARKS, RECREATION AND PUBLIC FACILITIES

Councilman Mark Sterling made a motion to accept the bid from the Waynesboro YMCA for their labor of lifeguards and management for the pool. He stated that the fee per lifeguard should not exceed \$15.00 per hour and the management fee should not exceed \$25.00 per hour. 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.

SPECIAL EVENTS

Councilman Tim Leeth stated that the event cards will be coming out with the March water bills.

PRESENTATION AND PETITIONS AND CLAIMS

Ryan Aundee addressed the Council and stated that he is a senior at Spotswood High School and an active member of the youth and government club at the school. He stated that he will be attending the Model General Assembly in Richmond and this will allow him to participate in a mock setting of how government actually works. He stated that this year Spotswood is sending

six teams and he is here asking if Grottoes would consider donating \$375.00 towards the cost of the trip which will help them learn and grow from this experience to become better leaders. Councilwoman Marjorie Funk made a motion to donate \$300.00 toward the trip with the understanding that he will come back and give Council a brief report of his experience. 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.

With no further business Mayor Holloway adjourned the meeting.