

**TOWN COUNCIL**  
**First Subcommittee Meeting**  
**August 8th, 2023**

The Honorable Joshua T. “Jack” Lawson called the meeting to order at 4:00 p.m. at 802 Main Street, West Point, Virginia 23181.

Members Present: Jack Lawson, Mayor; Deborah Ball, Vice Mayor; Robert Lawrence, Johnny Nein, James Pruett, John Ragsdale and Chris Vincent.

Also Present: John Edwards, Town Manager; Karen Barrow, Town Clerk; Tim Sawyer, Chief of Police; Susan Lathan, Town Treasurer; Holly McGowan, Director of Community Development; Donna Pauley, Human Resource Officer; Spencer Cheatham, Fire Chief; and Ron Minick, Building Inspector.

**I. Agenda Changes**

There were no changes made to the agenda.

**II. Adoption of Minutes**

July 13<sup>th</sup> 2023

Mrs. Ball made a motion to adopt the minutes, seconded by Mr. Lawrence. Upon a unanimous vote, the motion was approved.

**III. Appointment to Fill Vacant Town Council Seat**

Mr. Lawson advised that we have spoken recently about filling the position until the November election. There is a possibility that two people have picked up election packets, we do not want to appoint a candidate that is running for election. Paul Kelley is willing to fill the vacancy until the November election and will not be a candidate in the election.

Mr. Edwards advised that Town Council needs to fill the position by August 17<sup>th</sup> 2023 and the term will expire the night of the election. The candidate that wins the election takes office upon the completion of the election.

Mr. Vincent made a motion to appoint Paul Kelley to fill the vacant position until the November election, seconded by Mr. Ragsdale. Upon roll call, Mrs. Ball, Mr. Lawrence, Mr. Nein, Mr. Pruett, Mr. Ragsdale and Mr. Vincent all voted “Aye”. The motion was approved.

**IV. Community Development Committee**

A. SUP2023-01, Mennel Milling, Special Use Permit

Mr. Edwards advised that the Planning Commission reviewed SUP2023-01, a Special Use Permit by Mennel Milling. The Planning Commission is recommending Town Council approve the application. Mr. Edwards also stated that under the new advertising regulations, we would have time to advertise for a public hearing at the August Town Council meeting, but according to the Town Attorney, if Town Council does not take action at the meeting after the public hearing. The town would have to re-advertise the application for a second time before they can take action at the next meeting.

Mr. Pruett made a motion to authorize the Town Manager to advertise a public hearing for the August Town Council meeting, seconded by Mrs. Ball. Upon roll

call, Mrs. Ball, Mr. Lawrence, Mr. Nein, Mr. Pruett, Mr. Ragsdale and Mr. Vincent all voted “Aye”. The motion was approved.

#### B. Revised Crab Carnival Master Plan

Mr. Edwards presented a revised master plan with changes for the location of the band on Friday night to the town stage; the number of passes for downtown residents will be four per household or business, they are not placing any restriction on additional permits. Mr. Bohannon has noted in the Master Plan that at the regular Friday night Jammin’ on the Point concerts, there have been a number of complaints regarding bugs. Mr. Edwards stated that the town does spray each week downtown for mosquitoes. In response to another concern is the staff for the alcohol choke points. This year the Chamber will hire staff for the choke points, but the police department will be available if there are any issues at the choke points.

Mr. Pruett asked if the spraying is effective on gnats.

Mr. Edwards stated no, that it’s only effective on mosquitoes and the town will spray the week of the crab carnival.

Mr. Edwards also stated that in regard to the number of port-a-johns, there appears to be a reduced number and some of the locations are different from last year. Handicap access and bathrooms are an issue.

Mr. Lawson asked if there were any additional questions or comments.

Mr. Edwards advised that there are a few loose ends that need to be corrected before Town Council can vote on the plan and he will contact Mr. Bohannon with these new set of amendments to see if the corrections can be made by the August Town Council meeting.

#### C. Fowl Ordinance

Mr. Edwards advised that he and the Town Attorney took the comments from the work session and revised the ordinance again. Walt can attest that there are a lot of chickens in town and at an Old Thompson Avenue address, there are buckets and buckets of rotten eggs sitting in rain water, Tim Sawyer estimates somewhere between 40 to 60 chickens are fenced in at an apartment on Old Thompson Avenue. Mr. Edwards stated that the town needs some common sense in the ordinance to deal with some issues.

Mr. Edwards presented a copy of the current ordinance and upon the recommendation of the Town Attorney, is a proposed change that separates the issues into two ordinances. One for Fowl running at large, and a second for the zoning ordinance for domestic fowl. Mr. Edwards also stated that Town Council should consider setting a limit on the number based on acreage with set-backs for an enclosure. Mr. Edwards suggested the town put the proposed changes out to the public for comments before we advertise a public hearing.

Mr. Lawson stated that there was the following question on facebook; a town resident asked if chickens or roosters are allowed in town. One reply was “yes, so long as no one knows.” One other reply was “Yes on chickens, but no on roosters”. There were some other replies of not knowing if they are allowed.

Mr. Lawrence stated that Mr. Nein and Mrs. Ball have been impacted by chicken issues and asked if Mr. Nein or Mrs. Ball have any comments.

Mrs. Ball advised that she thinks there should be a number allowed, they should be contained and not allowed to run at large on neighboring property. The current ordinance is not helping with the issues and that the proposed changes will help.

Mr. Pruett advised that he has done some research and listed the names of larger localities that limit the number to 6 hens and no roosters, and the names of other localities like Fairfax City that limit the number to 4 hens and no roosters. Mr. Pruett also stated that someone he knows that has chickens said a family needs 2 chickens per child.

Mrs. Ball stated that the limit should be 6 chickens.

Mr. Nein stated the recommended size for a run is 10 square feet per chicken so an enclosure for 6 chickens should be approximately 60 square feet.

Mr. Pruett stated that the majority of the localities in his research require a permit, that needs to be renewed each year, and during the permit process the rules and regulations for chickens are provided.

Chief Sawyer advised that the odor from the chickens and the rotten eggs at the Old Thompson Avenue location is really bad. The county has just amended their ordinance to limit chickens to 10 in the R1 zoning district.

Mr. Edwards advised that Animal Control can enforce the state code regarding the sanitization of keeping fowl.

Mr. Nein stated that there might be some objection to the number 6, 8 might be a more realistic number.

Chief Sawyer advised that the police department does receive calls from time to time regarding chickens and we have received complaints in the past from Magnolia Avenue regarding turkey's and peacocks.

Mr. Pruett stated that during his research he found that there are some localities that require banding, if there is a problem you know who the chickens belong to.

The Committee continued to discuss the proposed changes and the zoning set-backs for coups and fencing.

Mr. Lawson asked the Town Manager to make some changes and bring the revised changes back to committee next month.

## **V. Finance**

### **A. Charges for Records Requests**

Mr. Edwards presented a draft policy prepared by the Town Attorney for charges for records requests or FOIA request. FOIA requires that the town provides documents that exist, you cannot create documents. Mr. Edwards also stated that Andrea advised the town at the last Town Council meeting that a policy needs to be adopted. The police department receives requests frequently and the price would be different based on the department.

Mr. Nein asked for an example of a request the police department might receive.

Chief Sawyer stated that the last request he received was for the names, rank and salary for each officer. There was two town departments involved in this request, the police department and human resources, it takes up a lot of time to gather this information. The next most requested information is for copies of bodycam footage.

Mr. Edwards advised that a request can also be regarding speeding tickets and for information on how many tickets an officer has written in a year. There is a lot of time that goes into locating some information

Chief Sawyer stated that he received a request for emails with Jim Hudson, there was not that many, but I had to go through a lot of email to gather the information which took time.

Mr. Edwards advised that until recently, the town would receive a request every year for the names of employees and their salaries from a Richmond newspaper. We do not provide this information until we receive payment. Mr. Edwards stated that the policy will be on the Town Council agenda for action.

## **VI. Public Works**

### **A. Waterline Replacement Project Update**

Walt Feurer advised that the waterline replacement project is ready to go to bid. We have received all information back from the mill and outside agencies. The project will be ready to begin in early spring with a completion date of June 30<sup>th</sup> 2024.

### **B. Elevator Replacement Project Update**

Walt Feurer advised that the contractor had some issues with a wall that had to be removed to get the equipment into the shaft. The completion date should be by the end of September.

## **VII. General Information**

### **A. Cancellation of 2<sup>nd</sup> Committee Meeting**

Mr. Edwards advised that he does not have anything for a meeting next Thursday and suggested cancelling the meeting.

The consensus of Town Council is to cancel the meeting.

### **B. Food for Town Council Meeting**

Mr. Edwards asked if Town Council had any request for a restaurant for food for the Town Council Meeting. There are a number of restaurants closed on Monday, would Town Council like to try Anna's.

The consensus was to use Anna's for food this month.

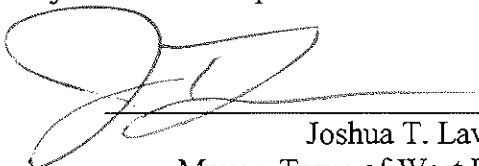
## **VIII. Town Council Agenda**

Mr. Edwards advised that SUP2023-02, Mennel Milling and Charges for Records Requests and possibly a revised Crab Carnival Master Plan will be placed on the Town Council agenda. We will review the fowl ordinance at the Work Session.

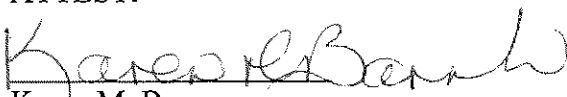
## **IX. Next 1<sup>st</sup> Committee Meeting: September 12th 2023 @ 4:00 p.m.**

## **X. Adjournment**

There being no further business, the meeting was adjourned at 5:04 p.m.

  
Joshua T. Lawson  
Mayor, Town of West Point

ATTEST:

  
Karen M. Barrow  
Town Clerk