



TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY JUNE 10, 2021; 6:30 PM

NOTICE: the Irvington Town Council will hold a Regular Monthly Meeting on Thursday June 10, 2021 6:30 pm; Irvington Baptist Church.

AGENDA

- A. CALL TO ORDER – *Mayor Bugg***
- B. ROLL CALL – *Mayor Bugg***
- C. APPROVE AGENDA**
- D. APPROVAL OF MINUTES AND ACCEPTANCE OF TREASURER’S REPORTS**
 - 1. May 13 Meeting Minutes, Public Hearing
 - 2. May 13 Meeting Minutes, Regular Monthly
 - 3. May 20 Meeting Minutes, Special Called
 - 4. May Treasurer’s Reports (4)
- E. PUBLIC COMMENT**
- F. MAYOR’S REPORT**
- G. REPORT FROM THE TOWN ATTORNEY**
- H. REPORT FROM THE ZONING ADMINISTRATOR**
 - 1. North Commons Update
 - Presentation from Bay Design Group
- I. NEW BUSINESS**
 - 1. 1st Reading Ordinance 2021-07 Short Term Rental Registry
 - 2. Motion to approve a CUP/Rezoning schedule
 - 3. Discussion of Special Called Meeting to select interim mayor
- J. OLD BUSINESS**
 - 1. 2nd Reading Ordinance 2021-03.uc Adopting Fee Rate Schedule
 - 2. 2nd Reading Ordinance 2021-04.uc Adopting Transient Occupancy Tax Rate
 - 3. 2nd Reading Ordinance 2021-05.uc Adopting Real Estate Tax Rate
 - 4. 2nd Reading Ordinance 2021-06.uc Adopting an Annual FY21/22 Budget
 - 5. Motion to appropriate FY21/22 general operating budget
 - 6. Monthly appropriations TBD
 - 7. 4th of July Parade
- K. ROUNDTABLE**
- L. ANNOUNCEMENTS**
 - 1. In observance of Juneteenth the office will be closed Friday, June 18th
 - 2. In observance of the Independence Day the office will be closed Monday, July 5
- M. CLOSED SESSION**
 - 1. Pursuant to 2.2-3711(A)(1) for personnel matters concerning the town clerk
 - 2. Pursuant to 2.2-3711(A)(8) for legal matters requiring legal advice from counsel
- N. RETURN TO OPEN SESSION**
 - 1. Action to be Determined
- O. ADJOURN**



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 5:30 PM**

AGENDA

A. CALL TO ORDER – Mayor Bugg

Mayor Bugg: Looks like we are all set, let's go ahead and call this meeting to order. This is a special called meeting held as a public hearing at the Irvington Baptist Church, Thursday, May 13, 2021, 5:30 p.m. A meeting of the Irvington Town Council. I have called this meeting or order. We will move onto roll call.

B. ROLL CALL

Mayor Present:

Mayor Bugg present.

Council Present:

Frances Westbrook present.

Bonnie Schaschek present.

Anthony Marchetti present.

Dudley Patteson present.

Wayne Nunnally here.

Jackie Brown present.

Staff Present:

Nancyellen Keane, Esq., Town Attorney

Lara Brown, Zoning Administrator

Sharon Phillips, Town Clerk

Guests Present:

See attached sign in sheet

C. PUBLIC HEARING

Mayor Bugg: Thank you Council. Thank you to the public for joining us this evening. The first item for comment and for purposes of this public hearing is item #1. This is item #1 on your agenda. Hopefully you have seen that.

1. Ordinance 2021-03UC Adopting Fee Rate Schedule

Mayor Bugg: The public paper provided to you about the Town's intent to readopt an ordinance containing certain existing fees as part of the annual budget process. We have proposed ordinance 2021-03UC Adopting Fee Rate Schedule. Would anyone from the public like to comment about that?

George Kuper: I'd like to raise a point of order.

Mayor Bugg: Yes sir.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 5:30 PM**

George Kuper: Mayor, it seems to me that the order of the agenda is backward. Let's talk about the needs and let's talk about the sources that we might want to draw on to meet those needs.

Mayor Bugg: Council?

Frances Westbrook: Well, I can say traditionally we have gone over what our revenues will be and then we have our overhead cost which in some ways really aren't negotiable, then we have our community support things that we do, but I suspect, correct me if I'm wrong, you may be talking about capital budget? Or are you talking about the whole thing?

George Kuper: I'm talking about the whole thing. The whole thing and I suspect, I suspect, excuse me, that we are at a point where tradition might not fit our needs right now, because we are talking about your proposed budget increasing certain categories of expenditure as well as new capital sources, and I think those need to be addressed before we talk about whether or not we continue with raised revenues as has been proposed.

Frances Westbrook: I would respectfully suggest that, our revenue projection isn't that much more than last year, I'm caught a little off guard here, I mean, I certainly have this set up to go ahead tonight so that, I would like for you to allow me to proceed like we have normally done, but I would encourage any and all of you to please ask questions all along wherever you want and once you see the entire budget, then I think that would be a good and appropriate time to start hashing a few things out and letting us know what you think.

George Kuper: I agree.

Frances Westbrook: Would that be okay with you?

George Kuper: Absolutely.

Mayor Bugg: Thank you for bringing that to our attention. Yeah that works. Any further comments about item #1. That would be C on your agenda.

Bonnie Schaschek: Can I ask you a question?

Frances Westbrook: Uh huh.

Bonnie Schaschek: We are not increasing any of our fee rates from last year are we?

Frances Westbrook: No.

Bonnie Schaschek: So, they are similar as what they've been for the past 2 years.

Frances Westbrook: At least the past year, if not before.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 5:30 PM**

Mayor Bugg: Anything further from the public concerning public hearing #1? Nothing further from Council?

2. Ordinance 2021-04UC – Adopt Transient Occupancy Tax rate (4%)

Mayor Bugg: Alright moving on to item #2. The public may provide its views on the Town's intent to readopt the current transient occupancy tax rate of 4% as part of the annual budget process via proposed ordinance 2021-04UC adopting transient occupancy tax rate. Would anyone from the public like to speak about that? Yes sir.

Tom Chapman: Tom Chapman, 62 Old Mill Cove Road, I guess, my only question is I think this 4% was adopted last year or the year before, is that correct?

Frances Westbrook: I think last year....

Nancyellen Keane: The last budget, I think it might have been....

Frances Westbrook: I think so, last year...

Anthony Marchetti: It was the amended, yeah.

Tom Chapman: The amended budget had \$98,000 and this year you have \$196,000 with the same tax rate, is that all due to the occupancy with COVID versus not COVID or?

Frances Westbrook: I don't know if that is really an accurate...

Anthony Marchetti: It went to 4% the middle of last year on the revised budget.

Tom Chapman: So that would explain half, the other half is just...

Frances Westbrook: Well, when I got the figures from The Tide's Inn which of course is the largest contributor to this tax, they were projecting considerably more this year, so, these are their figures, The Hope & Glory's figures, we did not use any of the short-term rental projections because that has certainly been hit pretty hard with COVID. They are all long-term rentals right now. Most of them are.

Tom Chapman: Thank you.

Mayor Bugg: Anyone else from the public? Council? Okay nothing further regarding public hearing #2, we will now move on to public hearing #3.

3. Ordinance 2021-05UC – Adopting Real Estate Tax Rate



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 5:30 PM**

Mayor Bugg: The public may provide views about the Town's intent to readopt the current real estate tax rate of 3% per \$100 value as part of the annual budget process via proposed ordinance 2021-O5UC adopting real estate tax rate. Anyone from the public like to speak about that?

Mayor Bugg: I love that.

Anthony Marchetti: ...I'm confident it's coming.

Mayor Bugg: Anyone on Council?

Wayne Nunnally: Mr. Mayor...

Mayor Bugg: Yeah.

Wayne Nunnally: I've never voted for a budget with the real estate tax in it and tradition holds me to that.

Frances Westbrook: You're declaring up front?

Wayne Nunnally: Uh huh.

Mayor Bugg: Anyone else from Council? Alright moving onto public hearing #4.

4. Ordinance 2021-06 UC Adopting an Annual Fiscal Year 2021-22 Budget

Mayor Bugg: The public may provide its views about the Town's intent to adopt its annual budget of fiscal year 2021-22 via proposed ordinance 2021-06UC adopting an annual fiscal year 2021-22 budget. Would anyone from the public like to speak about that? Yes ma'am.

Mary Cay Bradley: Mary Cay Bradley, 991 King Carter Drive, I have communicated with Town Council about this, I did attend, I think all of the budget and finance workshops this year leading up to the development of this and I also read both the article that Ann Gardner Eubanks wrote in the Rappahannock Record that reported on the last workshop and also the budget synopsis and the two did not match, and I understand why because Anthony and Fran both communicated with that about that, but, this brings home the point that I keep making at meetings, which is, I really encourage you all to be transparent, so that those of us who are trying to engage in what's going on in the town don't have to go, wait, what happened because what the reporter said and what the synopsis had were very, very different, so I just kind of reinforce my message of, I encourage you all to be as transparent as possible in order to enable the public to be as informed as possible. Thank you.

Frances Westbrook: Unfortunately, you're right, they didn't create in the newspaper, however the recorder did call me before she printed it and I told her then that she had the wrong numbers, but



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 5:30 PM**

she chose to report it anyway and she did. So, I was very disappointed that that happened, it shouldn't have, there was plenty of reason not to and the other part is, not getting copied as quickly as you would like, I don't know when you requested it, but it was in the town office that Thursday afternoon after we had had conference call with the accountant and the lawyer, talking about meals tax and taking that out, and all that involved, so as soon as that was all complete and I had a chance to send Anthony those updated figures he was going to look at it and he was going to send them to the town office that Thursday. So, they were there.

May Cay Bradley: I'm just suggesting that a letter to the editor or a footnote in the budget synopsis that y'all printed saying these number have been revised since the last meeting, since the last workshop would have been sufficient because at that point we would have known that, that's all I'm suggesting.

Frances Westbrook: Okay.

Mayor Bugg: Thank you.

Wayne Nunnally: Mr. Mayor.

Mayor Bugg: Yes.

Wayne Nunnally: My grandmother told me she reads, she believes everything she reads in the paper, except the stories she has personal knowledge of.

Mayor Bugg: Anyone else from the public? Yes sir.

Jason Trollip: Jason Trollip from The Tide's Inn. I wanted to just check whether the admission of the tourism grant was an intentional strategy or if that was an omission by mistake, we can conceive what the occupancy tax will do to this particular budget seems counterproductive to not try to increase our tourism in this area and doing so you are increasing our occupancy and revenues for the town. So, the other question I had is it not being shown because it's actually, it's not a real cost to this budget. If you are being reimbursed by the grant, it's not a real cost to the town. So, I wondered whether that was the reason why it wasn't shown. Either way we still believe as a hotel managers, and owners in this town that we should be summoning to drive a bit more foot traffic into the town and you know it was probably handled poorly the last 14 months, 15 months, we want to do it better, we want to work with the Town Council to do it better, but I was dismayed to see it wasn't on here, so that was my question.

Frances Westbrook: Currently I'm not aware of any grants that are out there for us to even apply for, so, there is nothing in the making, that doesn't mean that something might not be in the future. There is nothing there for us to base any figures on to include in this, and to your other point, when we have a grant sometimes it could possibly be a wash, but we are required by the State to show all incoming revenue no matter how it is generated.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 5:30 PM**

Jason Trollip: Sure.

Frances Westbrook: So we have to be you know really transparent and keep all that updated. There is a couple of figures up there that you will see will be a wash between our revenue and expenditures but we do have to show them nevertheless.

Jason Trollip: Right.

Frances Westbrook: Okay.

Jason Trollip: There are no grants that have started to come, so I think we should just make them available to, just for budgeting purposes.

Mayor Bugg: Thank you.

Dudley Patteson: With all due respect, our business does contribute to the town and this particular grant has been an annual recurring grant and it is anticipated to be available in the future, which was the fall when we applied for it, so I think to appropriate funds for the tourism grant in this budget to have the funds available is an important step towards what Jason was trying to....

Frances Westbrook: That would have been good to know about a month ago while we were doing this. I mean this is sort of the 11th hour Dudley....

Dudley Patteson: Plus there was another grant this week for \$20,000.

Frances Westbrook: Well then someone needs to bring that forward to the Town Council so that it can be considered and passed on to budget and finance....

Dudley Patteson: Well there are a number of people that do know about it and because they are on the VTC list and so, I'm just saying that it, I think not including it is a slap in the face to those that are in the lodging business because we work every single day to make tourist happy and to bring them to this town to contribute to the economy so that we keep our values of our houses and to ignore this which is leverage grant which means we put out money but we get more money back in trade for tourism support by the VTC.

Frances Westbrook: Well right now the town is on the hook for close to \$20,000, we haven't gotten one red cent out of it....

Dudley Patteson: That's irrelevant because....

Frances Westbrook: No it's not because the grant, you know this is not the place to discuss this, now okay....



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 5:30 PM**

Dudley Patteson: It is the place, it is the place for it because we are in public session and what, the reason why we haven't gotten any money is because we have not submitted the forms to get the money for them....

Frances Westbrook: And why haven't we?

Dudley Patteson: That's a good question.

Frances Westbrook: We've asked it last month and the month before.

Dudley Patteson: Well, that, that's something for the finance side of....

Anthony Marchetti: There is an answer to that, also want to make a statement, Jason to your point, I did actually say I believe at one of our meetings, I asked about money for tourism and grants, and as you can see the overwhelming response is negative with this grant. I do think the town should be a partner with The Tide's, anybody whose revenue line item is that big, the town needs to do their part, so there should be some money whether it goes to a grant or, continuing what Flack Shack does, the town needs to acknowledge respect and be a partner to those that pay the bills quite literally. I did make mention of it and the response I got is the response you are seeing here which is negative, negative, no we haven't been paid. To Dudley's point, the reason we have not been paid is because Virginia Tourism council, we have not submitted our receipts. There was a plan to do so for full reimbursement and there is no reason to expect that we will not get the money that was promised to us. You know, it is going to be hard to quantify but maybe after this year you could argue that the town made more money by doing the grant, right, The Hope & Glory, Tide's Inn, that money goes to getting people in your rooms, which puts money in the town's bank account so, 100% do I support the town being a partner with The Tide's, Hope & Glory, 100% think that money should be in the budget, maybe we don't know what it is yet, there should be a line item for it. I asked for it, and then was shot down as it is being shot down currently. So, just so you know it's not, we are not all oblivious to it.

Frances Westbrook: I'd like to clarify also, please. I don't think it is that any of us are against tourism. We have had an extremely bad taste in our mouth because of the way this has happened from day one, we need to let go of that and move on, I agree with everything you just said, I'd like the town gets money back, that it is supposed to, that too goes back, because right now we are fronting all of it. Now having said that, the budget will go through an amendment process later in the summer due to the latest rendition of the American Recovery Act or whatever it is calling itself to which we will probably be recipients of some fairly large funds or at least large to the Town of Irvington and we are going to have to amend the budget to show that revenue coming in and we are going to have to have the conversation of how that is going to be spent, but we can't even hazard a guess right now because the rules haven't been passed down. So, when we get ready to amend this budget sometime this summer that is the perfect opportunity for this kind of thing to come up and be talked about in detail. But at the 11th hour right now when we are doing this, it is good to hear



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 5:30 PM**

the concern and the comments, but there is not too much that we can do about it right now tonight. There is a lot of details out there of grants that may be out there for us and it is, we are to do just a little bit of homework in order to know really what we are talking about in dollar figures from it.

Mayor Bugg: Yes sir.

Gabe Del Rio: Yes, I'm just confused, what is the purpose of a workshop if you can't make amendments, right, so I mean if this, if it is a perfunctory even where everything is kangaroo court, you know everything is already decided, then there is no purpose to a workshop, so it seems to be about feedback here, you've got a history, you know what the number is for last year, just like you carry forward future budget numbers you can carry last year's budget number forward, and make that amendment right here right now. What, could you just explain legally, is there a reason why that can't happen or isn't that the purpose of a public workshop?

Mayor Bugg: Nancyellen.

Frances Westbrook: This is a public hearing.

Nancyellen Keane: This is a public hearing and technically the public is supposed to give comments on these things to the council, the council is not really supposed to engage with you. A workshop was held April 22nd, I believe about the budget.

Gabe Del Rio: Which Anthony and Dudley both mentioned this in and was not then moved forward.

Nancyellen Keane: That was a workshop that council held for the budget, it was like a 2-hour plus workshop so there are different kinds of meetings, but that's the difference.

Frances Westbrook: And then the budget and finance held three, I think three workshops that the public was welcome to come and give us input at that time too.

Gabe Del Rio: So, I guess you're saying Fran now and Bonnie who was there at that meeting, that you would welcome that amendment in the future with an understanding of what the amount looks like for the grant this year.

Frances Westbrook: I'm saying it needs to be discussed, yes, my personal opinion is it needs to be discussed and, when we have some figures and we know what we're getting into then yes, let's talk about it and do it in times when we amend the budget in the summertime sometime then we've got it ready to go and we can plug it in if that is what is decided by Council.

Gabe Del Rio: Sounds like it would be a good fact for you to know and figure out what the amount is, line it up for the summer and get it done.

Frances Westbrook: Very possible.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 5:30 PM**

Mayor Bugg: Thank you, yes ma'am?

Marsha Chapman: I never understood who is responsible for submitting what has to be submitted to get the reimbursement of these funds back. We talk about it, but no one, who is responsible for submitting the invoices and things for which we will be reimbursed.

Mayor Bugg: What was your name?

Marsha Chapman: Marsha Chapman.

Mayor Bugg: Okay. Thank you Marsha.

Frances Westbrook: That should come from the office, as those bills come in, it was my original understanding that they were going to be submitted on a monthly basis once they started coming in, I think we have a little bit of misunderstanding on what qualifies as actual expense that would be reimbursed and I believe, if I have it right, correct me if I'm not, that the Flack Shack expenditures which is all about the website aspect to this grant are the ones that should be submitted for reimbursement and I think we've been engaged with them since....

Anthony Marchetti: I think we have one more receipt and one more appropriation for Flack Shack for June and one that's done we can submit for full reimbursement altogether. You are correct it could have been done incrementally, it has not been done....

Marsha Chapman: I just wondered why....

Anthony Marchetti:so a lump sum submission for reimbursement for what the town is owed for the details of the grant.

Frances Westbrook: Initially we did ask for it monthly.

Mayor Bugg: Thank you Mrs. Chapman.

Wayne Nunnally: Dudley, The Tide's Inn and Hope & Glory supposed to give us something, and we then submit it back.

Dudley Patteson: We did.

Anthony Marchetti: They did.

Wayne Nunnally: A couple of months ago.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 5:30 PM**

Anthony Marchetti: And the town had to spend X amount you know to do their part and we will have done that as of June 1st with the final Flack Shack payment and then we will have done our part and we will have all the receipts to submit for full reimbursement.

Frances Westbrook: The important part, my concern is that if we get this money back on this fiscal year, the monies have been expended, it would be really nice to have it all flow through this fiscal year.

Dudley Patteson: That's a good point to make with the VTC.

Frances Westbrook: Yep.

Dudley Patteson: And I'm sure there will be some....

Frances Westbrook: Yep.

Mayor Bugg: Anyone else from the public? Yes sir.

Klaus Schaschek: King Carter Drive, please let me point out three specific items in the proposed budget, our revenues allow for 57% on the local tourism industry and will probably get much higher, this will be fine for the near future with tourism based on the aftereffects of COVID-19 you now should plan for the future. Besides real estate taxes I cannot see how future additional income spread, therefore I would recommend to steadily increase the reserve in the contingency fund to be able to balance future budgets to function not be used to pay for unexpended, non-budgeted items we can easily achieve this goal by declaring CD1368 which has about \$103,000 in there as restricted and for contingency use only. This has no impact on your balance sheet, nor on your P&L therefore it would appear on the operating budget. This will eliminate the reimbursement of \$11,360 to the contingency plan for the proposed budget so you save a couple of bucks there. The second point that has been talked about already. It appears that you will get the \$15,000 from the Virginia Tourism grant in this fiscal year since we have only 7 weeks left, in this case if we don't get it, I suggest that you add the expected amount to this budget so you have to add \$15,000 there because it is an income revenue stream which is coming to the next fiscal year and my third point is the proposed budget shows three different studies, in the revised comprehensive plan, I do not believe that all these activities can be accomplished during the next fiscal year, therefore we should postpone the comprehensive plan by 1 year, push it out by 1 year this way it resolves both these studies can be incorporated into the plan. Thank you.

Mayor Bugg: Thank you Mr. Schaschek. Anyone else from the public? Yes sir.

Jeff Ewing: Jeff Ewing, 732 Chesapeake Drive, I'd like to comment on Mr. Schachek's comment if I may, one there is a proposed food tax that we are planning that is going to be implemented, two, a reserve of \$80,000 is conservative for the town and I agree that we should be using that to X amount of months of time as we increase the revenues it should be easy to set aside increased reserve funds.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 5:30 PM**

I don't think at this time setting anything in a restricted fund to make it a vote to get it restricted if we needed, a vote to get it unrestricted is really beneficial to the town except for adding a bunch of bureaucracy. I trust the town council to allocate on the budget on an as needed basis. I think that the Capital plan may be aggressive and they may not allocate all of those funds in the next fiscal year but adversely if they get things done and the comprehensive plan gets done maybe it is time to move onto the things in the comprehensive plan and that's why you have to have a budget so that in the future when these things get done you can enact them and not have delay after delay after delay. It is important to get things in the budget. It is just a budget. Every line item needs to be allocated and that is another time it goes in front of town council. If the town council wants to put the brakes on things they need to budget and then hold off on allocating until it is time to spend the money. Thank you.

Mayor Bugg: Thank you. Anyone else from the public? Council?

Wayne Nunnally: Move to adjourn.

Mayor Bugg: If no one has anything else to add from the public and there is nothing further, council it looks like we have a motion to adjourn. Is there a second?

Anthony Marchetti: Second.

Mayor Bugg: All in favor?

Group: Aye.

Mayor Bugg: Opposed?

Male: When are we going to have....

Frances Westbrook: The presentation...

George Kuper: ...the presentation of the budget, will we have that presentation of the budget before we adjourn.

Frances Westbrook: Don't we do that now.

Nancyellen Keane: Yes.

Frances Westbrook: We do that now.

George Kuper: Thank you, thank you.

Wayne Nunnally: You're not going to do it at the 6:30 meeting.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 5:30 PM**

Frances Westbrook: No, we are going to do it now.

Wayne Nunnally: I withdraw my motion.

Anthony Marchetti: Make the 6:30 longer.

Mayor Bugg: Adjournment withdrawn.

Frances Westbrook: Can you see, let me know if you can't hear me, feel free to interrupt, ask questions or whatever, I'm probably going to have my back to you most of the time so you are just going to have to yell at me and I'm used to that, have at it. Alright I am just going to go over these things kind of line item by line item and kind of give you an idea of what generates the figures so you know how we arrived at it. So stop me if you've got questions. Alright, starting with our revenue side of the budget, on line 11 is the occupancy tax rate 4% remains the same as it did last year and those figures are derived from The Tide's Inn and Hope & Glory with their projected revenues that they graciously give to us. We did not include any short-term rentals this year, I may have already said that before but they are basically full time with the exception of a handful so they don't really add too much to our occupancy tax revenue so we are proposing \$346, excuse me \$196,500. On line 12 is a real estate tax it stays the same as it did last year. We have our actuals in the green columns there and I'm looking at the green column to the far right. We've collected \$69, excuse me I'm on the wrong line again, we've collected \$59,000 and some odd dollars so we held it at \$60 as our projected revenue this year. I don't think we are going to quite reach the \$63,000 we thought when we did the amended budget. We are holding that at \$60,000. Local retail sales tax we are keeping roughly the same at \$25,500. That money comes to us from the state. The sales tax is generated around the state then it is distributed based on school, age, population and we don't really have any say so on how that's divvied up but that is what we've been getting in the past. Personal property tax which actually that little \$20 line item you see on your personal property tax for Irvington's auto tax, the licensing fee for you to be able to have a vehicle and that comes out to be about \$9,500. So if you all will buy more cars then we can up that a little bit. Bank franchise \$12,000, once again that is calculated based on I believe our one and only local bank and I think that is generated, the figure is generated by total deposits. So once again if you don't bank there it would be great for the town if you did. Cable TV/communications similar story \$1,7—am I on the right line yes, \$1,700 we all pay a little bit of tax on there franchise fee sort of thing and part of that comes back to the town. Town property rental \$1,000. Once again that is the local bank, Chesapeake Bank we have a septic field directly behind the bank and they rent that space from us for their septic use so we charge them \$1,000 a year for that. Permits, zoning and registration fees. Looking at \$2,000 is a little bit of an increase from last year, I noticed when I looked at the last financials which would be through the end of April it looks like we have already garnered \$3,000 and part of that is because we went up in the CUP fees of the zoning fees. Both, we went up on both of them, so we are anticipating not having as many CUP fees as we have had this year, we are going to eliminate the need for a couple of CUPs, but with a little luck maybe we'll get \$3,000 next year. Interest income has gone way done and you all know the reason for that, so we only budgeted \$1,000



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 5:30 PM**

for interest income. The fire grant and this is one of those wash throughs you are going to see. We have a grant from the State of Virginia for \$10,000 and we are supposed to give that to a fire department of our choice since we don't have one here and we choose to give that to the White Stone which I believe is our first responder when it comes to fires and so you'll see that as an expenditure when you get down to that part of the budget. The Lokey Wiley fund is a CD that is about \$20,000 and we use \$2,000 of that each year to donate to the library in Kilmarnock. When we received those funds it was to be used for the town library and actually we had a little teeny tiny one wall kind of library in the old office but it seemed this was better used. Any questions on the revenue side of this? We went from \$312,700 last year, we are going up to \$346,000.

George Kuper: Would it be appropriate to ask the people who are here to generate that tax is that a realistic expectation.

Frances Westbrook: Which tax?

George Kuper: The occupancy tax.

Frances Westbrook: Whether we think it's \$196,000?

George Kuper: Yes, the question is you are essentially doubling the, more than doubling the expectation of receipts.

Frances Westbrook: I don't know Mr. Trollip, I mean a large part of that figure came from you that I calculated on so I'm not going to share that figure if you don't want me to.

Jason Trollip: All I would say is that we are planning to be open many more months than we were, so we are trying to stay open we have been closed for 4 months of the year usually, so being open longer gives us better numbers. Obviously due to COVID and [inaudible], I'm just not sure whether, I mean if we decide to close for 6 weeks in January/February whether those numbers are shown there. I would have to check that, the numbers look okay.

Nancyellen Keane: Fran.

Frances Westbrook: Yes.

Nancyellen Keane: When you raised the tax, you doubled the tax in November and it didn't start coming in from anybody until December probably so the number that is up there, isn't it \$90, I can't read it....

Frances Westbrook: You mean the year-to-date on actuals?

Nancyellen Keane: Well next to actuals, the budget from last year was \$98,000....



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 5:30 PM**

Frances Westbrook: Uh huh.

Nancyellen Keane:it's doubling, a little higher than doubling....

Frances Westbrook: Well we doubled the occupancy tax.

Nancyellen Keane: Yeah we doubled the tax.

Frances Westbrook: So we doubled the tax, so that, yeah, is a good part of why it's, thank you Nancyellen.

Gabe Del Rio: It's too bad we didn't have this attendance at the workshop. I attended the budget workshop that Dudley and Anthony both spoke at about this grant and with this kind of feedback and interaction would be perfect for that workshop.

Klaus Schaschek: The problem with a workshop is that you can't talk at a workshop but specifically when the invite goes up saying very specifically it is invited but cannot talk basically.

Frances Westbrook: That's the official stance, of the town, however as you have noticed in public hearings we do tend to respond and personally as small a town as we are and we all know each other, it is kind of hard not to let someone say something but anyway.

Klaus Schaschek: Thank you.

Frances Westbrook: Your welcome. Anything else? Alright, then give me a minute and we'll move down to the next section. Pardon.

Bonnie Schaschek: You have miscellaneous down.

Frances Westbrook: Did I miss one? Oh, I'm sorry, I thought we were through with that, you're right. Alright so miscellaneous income, we always throw a little something in there, people will stop in the town office and buy little Irvington books or, so, we put a little bit of money in there and then prior year net asset, this is the COVID funds that we are working with now. We have approximately I think about \$45,000 left in the \$70,000 something fund that we haven't spent. However, we are estimating that we are going to spend about \$20,000 of it before the end of the fiscal year because we are doing business grants again and we have a little bit more rent to pay and that came out of COVID funds. So, this is where you are going to see one of those other wash type situations I was talking about earlier. We've got prior year net assets of \$25, and expenditures you'll see that being spent. Thank you Bonnie. Alright, let's see, alright the next group is our operating expenses, this pretty much represents most of what we call overhead, maybe a little bit more. Employee expense we've estimated \$72,000. Now, the zoning administrator having basically a 20 hour a week job has recommended that this really is no longer a 20 hour a week job. She's is making 25 possibly 30 hours or whatever it takes to get this done in a manner in which it should be done.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 5:30 PM**

So, we've added money into that category to increase wages for zoning administrator and of course that also ups our contributing payroll taxes we have to do, but this figure also includes our insurance bond for employees, our workman's comp. insurance and yes, that's what that represents, pretty much whatever the business has to do. Professional services, we have the attorney in there and we have accounting because we may well be off-shoring our accounting next year and so we have built in some money to pay the accountant to continue with our treasurer's responsibilities and we have talked about and are going to look at having some financial services a company come in and show us how we could do some of these things better, how us project, how we can service debt and give us a good long lesson in being better financial managers.

Wayne Nunally: We include psychiatric services?

Frances Westbrook: Well if we have any money leftover from....

Anthony Marchetti: Get them on retainer.

George Kuper: Fran.

Frances Westbrook: Uh huh.

George Kuper: Not having participated in the workshop I don't know how council feels about doubling a cost and whether or not they know that that is a legitimate expenditure since so far the citizens have not seen any benefit from that kind of expenditure.

Frances Westbrook: You mean for the employee cost?

George Kuper: Yeah, for the employee cost and actual services, both.

Frances Westbrook: Well, we are going from employee cost, we are going from \$65,000 to \$72,000.

George Kuper: Yeah.

Frances Westbrook: So that's not doubling, is that what you show.

George Kuper: I'm not talking about budget, I'm talking about actuals here. Actual to the budget.

Frances Westbrook: Yeah, we still have a full quarter to go.

George Kuper: Sorry, forgive me.

Frances Westbrook: I'm sorry yeah, those figures in that far right-hand green column represent our current year-to-date through the end of March.



TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 5:30 PM

George Kuper: I can't read, sorry.

Frances Westbrook: That's alright. I like to answer that one. Let's see, we did, so we are on insurance. We are insured by VML, Virginia Municipal League and that gives us our overhead, our billing and property insurance, public safety and code enforcement. Now this is where the fire grant comes in here at \$10,000 and then we have another \$500 in there for code enforcement and this is where if someone is letting their grass get too tall and we have to actually call and tell them to do it and they don't then we have to publish something in the newspaper and send letters and what have you, so that \$500 is to cover any legal fees or newspaper fees we might have in trying to enforce code violations. Office expense is pretty self-explanatory \$18,500 is up a little bit because it's time for us to get a new computer in the office and some new software to go on that computer so we have put in a little over I think \$3,500 to meet that need. Municipal expense, now that covers elections, runs us about I don't know \$2,400, \$2,600 something like that is our share that we have to pay every time we have an election here in the town. It also includes paying the county for collecting our real estate tax and personal property tax, they assess us 10% of what is collected and then we also pay in addition to that the printers and postage and they farm out their printing and we have to reimburse them for that to so that's what that figure represents. Town council expenses, when we put ads in the newspaper for like these meetings, we put that as expense of town council. If any of our members go to a workshop or conference that is included in that figure there. What else, public notices and conferences basically. Planning commission, same scenario, public notices, conferences, but we have put in about \$6,500 additional this year to cover a survey which we hope is going to happen this upcoming fiscal year and we have also put in about \$20,000 if they start a comprehensive plan review and that money is used to bring in the professional to lead the group to make sure all the i's are dotted and t's are crossed and typically includes new maps, this figure also includes this year one new map that we are going to have to get because the last comprehensive plan had a map that was incorrect and it drives our zoning administrator crazy every time she looks at it. Utilities that is cut and dry, you know what those are, electricity, heat, water, septic. Town maintenance, this is the people who cut the commons grass, the north commons who clean the street once or twice a year, it is also our refuse and debris removal throughout the town for the town and town office. Mayor's discretionary fund, has been around \$750, when we amended the budget last year we increased it to \$2,000 because at the time we were selling the town office and we knew there were going to be some last minute costs there that we had to come out of some pocket so we put it there just to have a place for it to set, we'll take it back down to \$1,000. Now what you see is year-to-date is only \$255 but as of the end of April we have gotten very close to that \$2,000 figure. The COVID Cares Act we have spent roughly \$25,000 now. We don't have anything else planned for this year, we have already accounted for what we haven't spent in the revenue portion of it. Reimbursement of the contingency fund, excuse me office rent is next, that \$9,400, we will get through December of this year using COVID funds to pay the first 6 months of this upcoming fiscal year rent, but we don't know what's coming so we budgeted the next 6 months, the last 6 months of the fiscal year and so we may have to pay it ourselves so that is what that \$9,400 represents. It could be that it doesn't have to come out of our pocket, then we'll just have a little healthier bottom line if that doesn't happen. The contingency fund I think we referenced that earlier, we did use last year



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 5:30 PM**

some of the contingency fund to spend on some last minute things that came up. We didn't have line items for them so we used that, uh oh, hold on here a minute, that'll go away in a minute, I can't make it go away. So the balance we have there which is \$11,360 is basically what we owe back to the contingency fund to bring it up to the level of \$80,000. So, that is our operating expenses, \$244,760. Any questions, comments? Yes sir, Mr. Kuper.

Mr. Kuper: Question about the contingency fund.

Frances Westbrook: Uh huh.

Mr. Kuper: Just mention the fact that it increased by the fact that, the reason we have a tax is because we wanted to be able to operate the town's without the Inn's revenue.

Frances Westbrook: That's correct.

Mr. Kuper: It's not a bad underwriting principal in which case we probably need to double if not triple this.

Frances Westbrook: I agree, I think that is a wise thing to do, and now what's it got going on up there. Do we want to change the color scheme? Our, we are aware that when a town like us has such a high percentage of its revenue coming from a single source that that puts us in a fairly high risk category and when we first started the \$80,000 contingency fund that would have gotten us through our operating expenses for about 6 months if we had to, but now that doesn't work, it doesn't plug out, but it is possible now with us having more revenue stream that we can get that up there to make it more comfortable for us and protect ourselves a little bit better. Uh huh.

Mary Cay Bradley: May I suggest, Mary Cay Bradley, King Carter Drive, in the income line for coming in from the COVID you have \$25,000, but if we look at the COVID 19 Cares Act here right \$74,090 minus \$25,321, minus the \$11,360 which is reimbursing the contingency fund that is more than \$25,000 so I just recommend you guys check what you put in the income line.

Frances Westbrook: Now you are saying that the COVID....

Mary Cay Bradley: Isn't the reimbursement of the contingency fund in part because you all used the contingency fund to pay things that COVID was going to cover.

Frances Westbrook: No, I don't think so.

Mary Cay Bradley: But even so \$70,490 minus \$25,321 is much more than \$25,000.

Frances Westbrook: That's correct. You're correct and it'll show up. Yeah, we have about \$45,000 that we haven't spent of the COVID funds but we are hoping we are going to spend about \$20,000 of it before the end of this fiscal year because of the business grants we are going to do and



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 5:30 PM**

we still have a little bit of rent to pay, what is reflected on here is just through March, we still have April, May and June rent and then we also are looking at, looking at the business grants. I don't know why this keeps doing that, it hasn't done this before but any rate, anything else? Here we go, this is our community support and tourism promotion, such as it is. Our charitable donations that we give, Fire and Rescue \$2,500, now you probably remember on the other sheet we have a \$10,000 fire grant, all of that goes to White Stone as our first provider. We started a couple of years ago giving \$2,500 additional out of our pockets to Kilmarnock because they also follow White Stone and our town so we want to keep these volunteers happy so as they are glad to come here and put out any of our fires, some of the questions here tonight maybe. We have Steamboat Era Museum, we donate \$2,500 each year to them, the Lancaster Library, this is where I talked about the Lokey Wiley Funds, we bring in \$2,000 cash it in from a CD so that we can give that to the Lancaster, actually it is a Kilmarnock Library for \$2,000. Other things that we do community events, the \$5,000 typically we do a 4th of July parade. We didn't last year because of COVID and we are not doing it again this year for COVID. If we were doing the parade that figure would be upwards of \$10,000 so this represents our Christmas event, it pays the guy to hang the banners and the lanterns and what have you.

Mary Cay Bradley: I'm sorry, I have a question about the parade.

Frances Westbrook: Uh huh.

Mary Cay Bradley: The parade is July 4th, 3 days into the fiscal year and my understanding from previous meetings is that many of the expenses for the parade are actually incurred prior to....

Frances Westbrook: They can be.

Mary Cay Bradley: So if that's the case then that \$5,000 actually means not only that we don't have the money in the budget for a parade this year but we don't have the money in the budget for a parade next year.

Frances Westbrook: That's a good point. Okay, alright so, we don't know what is going to happen with the parade but that is something worthy to think about when we get ready to do the budget. That's a good point. Thank you.

Bonnie Schaschek: I was going to say you are going to amend the budget for those types of considerations taking them in.

Anthony Marchetti: Absolutely.

Frances Westbrook: Alright, Steamboat Era Museum Crab Festival, we take part in that as a sponsor and so that is \$1,200. WIFI we no longer have at the north commons. We have to leave figures until it cycles off in a 3-year period so hopefully next year you won't even see WIFI up there again. The trolley, we are not sure what the trolley is doing this year, it didn't run last year. Mr.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 5:30 PM**

Trollip, do you have any idea they usually pick up guests from the Tide's Inn and take them into Kilmarnock, you haven't heard. Okay thank you. We don't know what it is going to do, we do know that we may be possibly adding two more stops in Irvington so we decided to raise that from \$250 to \$500. Do I see a hand, no, okay. Virginia River Realm is, we give \$2,000 a year to help with that tourism advertising of our town. The tourism grant, I think we really did go over that pretty thoroughly so, there is nothing there now but we have the amending part of a budget coming up, that could possibly take place then. The Mayor's discretionary fund we took off of this and now it is in the regular part of the operating budget and we saw that. Miscellaneous support \$250 and then the Irvington Mayor's Golf Tournament \$2,000 that we have done for the last umteen years. Any questions on that part.

Nancyellen Keane: Fran?

Frances Westbrook: Uh huh.

Nancyellen Keane: We are at 6:30.

Frances Westbrook: Okay.

Nancyellen Keane: So do you think you have more.

Frances Westbrook: I do have a little bit more, yeah.

Nancyellen Keane: You can adjourn, not adjourn this meeting but gavel in the new meeting.

Mayor Bugg: Yeah.

Nancyellen Keane: And read the beginning of the new meeting and come back to this meeting.

CALL TO ORDER

Mayor Bugg: So we will pause this meeting and begin the other. Alright. Thank you everyone. For timing purposes we are going to pause the public hearing and we are going to now call to order the regular monthly meeting of the town council on May 13, 2021 at 6:30 p.m. I will call that to order, do a roll call and then we will suspend that meeting and move back to this meeting.

ROLL CALL

Mayor Bugg present.
Frances Westbrook present.
Bonnie Schaschek present.
Anthony Marchetti present.
Dudley Patteson present.
Wayne Nunnally here.
Jackie Brown present.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 5:30 PM**

Mayor Bugg: Thank you council, we now move back to. We will suspend this meeting and go back to our previous public hearing.

Frances Westbrook: And I'm almost through, Anthony will take over and it won't be much longer I promise. So, the figures come down the prior year net we showed the revenue is now showing up in expenditures the same \$25,000 that's a wash, we will be able to contribute to the capital budget \$48,761 which is a difference between revenue and expense and then you see below where we balanced our revenues and expenditures. That \$48,761 you will see how that flows over to the capital plan. Alright Anthony, it's all yours, I'll bring the capital plan up, there we go.

Cay Bradley: Can you make that a little bigger please.

Frances Westbrook: I don't know if I can.

Cay Bradley: Bottom right. No, no on the computer screen Fran.

Nancyellen Keane: It says 80% on the very bottom corner.

Anthony Marchetti: Okay.

Frances Westbrook: I'm not seeing. Alright the one thing to point out here real quick is column 20/22-20/23, the total funds available is different on your sheet, there is a math error we did not catch the \$251 balance forward in the formula that tallied the total funds available so this is the correct figure, so if you want to make that notation on your copies.

Nancyellen Keane: Can you read it to, the figure.

Frances Westbrook: Yes, in the second column to the right 20/22-20/23 balance forward previous year is \$251,741, when that is included in the formula then when we go over to total funds available it should read \$1,116,741.

George Kuper: Again please.

Frances Westbrook: Pardon?

George Kuper: Again, \$1 million what.

Frances Westbrook: \$1-1-6-7-4-1.

George Kuper: Thank you.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 5:30 PM**

Frances Westbrook: Okay and then of course that is going to affect the very bottom figure ending balance year same column, last figure will now be \$4-4-6-7-4-1 and that is a formula error there, no tricks in the numbers.

George Kuper: Where does this go?

Frances Westbrook: The very bottom of that same column.

George Kuper: New balance per year.

Frances Westbrook: \$4-4-6, yeah \$4-4-6-7-4-1. I'm just going to watch this because something keeps popping up on it and keep that square for you.

Anthony Marchetti: Alright moving on to the capital budget. I am hopeful that there will be some comments, lots of comments on the capital budget, personally I want direction from the town, a lot of big decisions on here, a lot of big numbers, personally not ones I am comfortable making without having input from the people in the town, so please you know speak up, share your thoughts. The top part is, shouldn't be contentious yet, cash assets on hand, then we have the year-end contributions which this comes from the bottom of the budget we just went through. We have a restricted funds, the Lokey, and bike path, the COVID money we are carrying over, our contingency fund, we have cash on hand from the sale of the town hall last year, this current fiscal year, and that put total funds available at \$399,241. Moving down to some capital expenditures, we have \$50,000 for commons improvements essentially that line item is for storage, that may get moved into whatever potential master plan there is on the north commons. For now, it is just a line item. If the storage becomes part of the architectural plan, that \$50,000 just going in toward the overall expense of the buildout. There is a playground feasibility study, I don't know if anybody has tried to go down the slide recently over there on the north commons but, if you tried to go down in July I'm confident some of your legs are still stuck to it. Yes sir.

Tom Chapman: Anthony you have a feasibility study of the playground and there was an estimate given much earlier in the year but there is no capital, that makes it look like you are going to do a feasibility study and then not do anything.

Anthony Marchetti: Sure, and so honestly, you can see the rest of the, really there is not much moving beyond this year that is populated. It needs to be, we want to hear feedback, we want to....

Tom Chapman: You have money in there for the town hall basically and you have some mortgage costs spread out, why don't you put your current budgetary estimate of a playground on there.

Anthony Marchetti: One reason, it's a good point, and to Jeff's point earlier, I personally would like to see things on the budget and then if we need to pump the brakes great, if you can't spend it, it's not there, so I agree with that line of thinking. The playground could go from \$50,000 to \$250,000



TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 5:30 PM

so, I think we want the feasibility study to see. I mean if we want to spend \$500,000 we can but probably not realistic, probably doesn't make sense for our town.

Tom Chapman: You know so little about the total number....

Anthony Marchetti: Lara Brown, zoning administrator, she actually did, prior to her current position, had done some homework on it and came back with a pretty wide range, she says bare minimum probably \$75,000 but if you want to spend \$200,000 it can happen pretty quickly so....

Tom Chapman: So you are going to revise that when you get a feasibility....

Anthony Marchetti: We can review it when we have a better idea. Yes sir.

George Kuper: Ask them to build us a playground?

Anthony Marchetti: You'd like to ask him?

George Kuper: He did, it's there.

Anthony Marchetti: So, yeah, playground I personally think it would be a great asset for the town, I know my family, we get in our car and we leave Irvington which we don't like to do and don't do often but we leave Irvington to go to a Kilmarnock playground. If we had a nice maybe playground is not the right word, I think, some Lara's research it was a multigenerational outdoor space is probably a better word for it. Anyway so it would be an asset for the town. Obviously the one we have is dated, quasi dangerous I would argue but it could draw people here which obviously is beneficial to businesses. So some budgetary line items that all apply to potential building on the north commons. Obviously there is going to be a lot of opinion and feedback on if that happens, what it looks like if it does, budget. Some of this, we don't know what could be done until we finish this master site plan which I believe Bay Design is on for June. To do a presentation of their initial site plan and basically enlighten us all on what can be done there and where it can be done so I think it is a good first step. It is hard to go a lot further without knowing. The architectural fees would be for you know design and what could it look like, what should it look like. The septic is if we did an engineered system, we know that is what we needed and then dropping down you got a town sewer feasibility study which it sounds like there is a lot of interest in exploring the town sewer. I'll just make another quick comment on the north commons, it is by far going to be the most expensive option for finding the town a home. You know, be a lot of conversation about whether it is the right option, I just encourage everybody to and I don't have a formal opinion one way or the other, but look at it as a, while it is amortized over 15 to 20 years, if there was a new town commons it's really a 50 or 75 year fix for the town or solution so whatever the town spends money on you know if it is an existing building what's the expected life cycle of it. A lot of it is the feedback, what do residents want from the town, I mean we need an office, we have to operate, every business has an office, you need space to do that, you know I think a lot of it is what could that space be, what do you want it to be. You know it could be public restrooms, it could a place to park and disburse into town, again,



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 5:30 PM**

real restrooms so we don't have to use port-a-potties at the Farmers Market. I think there is a lot of possibilities. You know is it too expensive, does it make sense, I don't know hopefully people will chime in and let us know what they think but right now we are going down the path to explore the north commons, the town owns it and that's why you see some of those items on this capital budget. Total capital improvements \$147,500 end of the year balance and then when you jump over to the next year, carrying the balance forward, notable there you see for 22/23 is a possible line item for income from a meals tax. Big number but could be a great way to fund town sewer project, potentially the town office, a good way to fund the \$500,000 playground.

Tom Chapman: Excuse me, where are you looking at, I don't see that anywhere.

Frances Westbrook: Yes it is. That's the year end, yeah contributions.

Anthony Marchetti: I'm on the top of the column 22-23.

Tom Chapman: Oh, \$150,000....

Anthony Marchetti: Oh sorry, sorry, that \$100, excuse me, I didn't realize that, the \$150,000 line item under year end contributions that \$150 comes from a projected estimated if there was a 2.5% meals tax, which is a pass through tax that as we've learned is a very lengthy, a lot of details on what foods count and don't count, but essentially if you go to Kilmarnock, if you go to White Stone both localities have them, go to Middlesex, basically go anywhere and I'll call it a tourist tax, it's not exactly but if you don't want to pay the tax you don't have to. But it's seemed like a really good way to fund an expensive super project, playground and again without raising real estate taxes it is also a potentially good way to diversify the town's current revenue streams as we found out last year during COVID we are pretty solely reliant on the occupancy tax which was affected so, right now it is just an idea to show you what it could look like, but the idea is that it all passes through capital, capital expense.

Tom Chapman: Ball Park numbers but I assume that the \$150,000 is the same year end contribution for next year's budget, so \$40 or \$50,000 of it is going to be the excess of income for expenses so it is only like \$110,000 more of revenue or is the \$150,000 all of what you expect.

Anthony Marchetti: Good point, if we, again, we did some quick numbers not knowing anybody's sales, so there was a lot of other than, I can attest to one restaurant's sales, which would probably be the smallest contributor to that number but it was an educated guess, the \$150 was purely meals tax, it potentially would be if we carried over \$48,741...

Tom Chapman: That would be \$200,000....

Anthony Marchetti: Potentially \$200,000 carryover to that, good point. The \$150 was a projection for 2.5% meals tax.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 5:30 PM**

Albert Pollard Jr.: Anthony, if I could speak about that line item with the town feasibility study, the sewer feasibility study?

Anthony Marchetti: Of course.

Albert Pollard Jr.: I was going to save these remarks for the public comment period and I'm sorry I didn't realize that this capital budget was up for adoption right here and I should have been on top of that, so I am going to speak a little but, but not speak later, to me, I don't think, personally I do not want sewer extended to Irvington, you know if you squint real hard on the other side of the ball park you can start to see that it starts to look like Gloucester down Route 17 with just stuff growing up and that is going to come into Irvington. The question isn't if we can, but should we in my mind. You know, to me it is not a question of work quality, work quality, Carter's Creek is improving. They are harvesting some oysters now they weren't doing that 10 years ago, water clarity is improving which is common measure of water quality, and what I hear most residents talk about is walkability and traffic problems in town and if we send water, or sewer if you already have water the national chains will follow, there will be, I don't know whether it is going to be an IHOP or a Denny's in downtown Irvington in the next 10 years and you can snicker at that but now they are talking about putting a Starbucks in Kilmarnock right now and I wouldn't have thought that was possible a year ago. You know we've got any lot that was plotted in Irvington before 1989 is by right a duplex, you bring water and sewer in here and you are going to have developers buying homes, tearing them down and putting up duplexes both inland and waterfront and I don't want to live in that town, I don't think other people do. I'm not saying that people, that you're advocating that, I'm just saying this thing needs to be thought through all the way. Then there is both the question of cost, the cost just not to build it, but to maintain it, when you look at the Town of Kilmarnock it is \$120 a month is their lowest price for what you would pay now that is water and sewer now they base your sewer on how much water you use and for me that would be \$1,000 a year for getting something at the quality of life that I don't want. So I don't really understand it, I think we can do it, but I don't think we should do it. So I just wanted to say that and thank everybody for their public service and you know I don't think we have the zoning and other protocols in place to extend sewer.

Klaus Schaschek: Talking about the sewer, you have to consider most of these towns there is a connection to and that is between 25 and \$35,000 per connection and then additional monthly fees.

Anthony Marchetti: I'm obviously not qualified to speak on it, I mean, I feel like I can....

Albert Pollard Jr.: I kind of jumped on you....

Anthony Marchetti: That's what it's for, that's what the feasibility study is for.

Sam Van Saun: May I say something?

Anthony Marchetti: Sure.



TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 5:30 PM

Sam Van Saun: I think that any of the real estate agents around here will tell you that based on our experience in the past 2 years, sewer is going to become necessary here. We have had a lot of septic systems failing. The new septic systems that are being required to put in are often and usually especially in Irvington engineered systems which as you all know cost a whole lot more than the regular conventional septic systems. At one point many years ago actually when Matt Terry was the counsel, legal counsel for town council he said we need to put in sewer in our time and our way because there is going to become a point in time when we are forced to do it and we are not going to be able to do it our way, so just keep that in mind it may come a time when there is not an option if the weather continues to change and we continue to get the rain patterns that we've had over the last 2 years. I think that is a really important consideration. We may not, I feel like the town with the ordinances can adjust things like keeping chains out, keeping Denny's out, but what we can't do is we can't instantly solve a problem if all of us have everybody's septic fail then the town is really going to stink and none of us are going to want to live here.

Mayor Bugg: Thank you.

Anthony Marchetti: I think all good points, all good feedback. I think the feasibility study gives us some definitive answers, what exactly are hookup costs, who is going to be required to do it when, I don't know, great points by everybody, the purpose of these but hopefully the feasibility study is just that. Yes sir.

George Kuper: George Kuper, I think we have had a microcosm of interest expressed over these last few minutes and bringing in a budget item for a town sewer feasibility study is in advance of what good management would suggest you do. Let's explore the options to deal with the current set of problems that we have and anticipated problems and understand what options we have available to us short of a feasibility study. So instead of a sewer feasibility study let's have a facilitated discussion of residents and their problems with sewage. We all have them, some of them have them really badly and they can't flush their toilets. Some of us don't want to walk down the street when it has rained because it stinks, there is no doubt about it, but whether or not the sewer is the answer is going to be asked.

Anthony Marchetti: Fair point. I mean, I think with a feasibility study if somebody says do you want sewer or not, I am going to say how much does it cost, how does it get put in, where does it get put in, what does that mean, I don't know the answers and I don't know how we can have a conversation unless we know some of those answers, so point taken but I think to advance that conversation there has to be some, if we start with the septic, I know, a local septic person, to give us their 2 cents but again, I think part of my job is I'm not here to make decisions or help decide things about today but I'm thinking about my kids, my grandkids, like some of these decisions you have to look 10, 15, 20, 40 years down the road, you know what is best for Irvington, so I don't know but I am interested in finding out or having all the information at hand so that we can find out.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 5:30 PM**

Wayne Nunnally: Anthony, Jackie and I did some investigation on these two points, we haven't presented it to the council but I just wanted to, we talked to Kilmarnock and realize the expenses and stuff that is involved.

Anthony Marchetti: Sure, I know nothing about it, so I'm not pretending to be like I do, I think just getting information out there is the first step and then the conversation can proceed or not proceed from there so. But it sounds like something at least a topic that needs to stay on the radar of the town and of the people so.

Greg Kirkbride: Anthony?

Anthony Marchetti: Yes sir.

Greg Kirkbride: Just a comment, whomever you contract with for the feasibility study, please be sure to look at their background to ensure not only that they are competent but they're not in effect, they don't look at it as a turnkey operation, I would like the numbers to be as accurate as possible without some agenda to be...

Anthony Marchetti: Without somebody being motivated to giving you those numbers, sure. Noted, understood.

Albert Pollard Jr.: If I could just second that, in my experience, with things like these feasibility studies it is an engineering firm that works closely with builder and they say oh yeah you can do it and there won't be any problems, they are not thinking about what the zoning code says that every lot that was plotted before 1989 is legally by right a duplex and if the town changes that that is a taking, that, so I appreciate just following up making sure that it is a legitimate do we want it study as well as can we build it study.

Anthony Marchetti: I think the very first step is usually the free step is collecting facts, something I didn't know, let's get all the information that we do know without having to pay somebody to do it, but all points well taken, thank you.

Mayor Bugg: Nothing further. Thank you public, your comments are so very, very important and we appreciate all of you being here. Yes.

George Kuper: We've not had a discussion about the elephant in this budget which is maybe we asked whether or not we asked whether we wanted to spend \$750,000 building a north commons for offices for our staff. I don't recall being asked that question. The fact that you are already spending money on that agenda item would indicate that you have come to a conclusion that that is something that we need to do. I'm unaware that the citizens have been informed of that and I think we've got a problem. Going forward with a capital budget like this would I think be dangerous.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 5:30 PM**

Mayor Bugg: Thank you and I believe council has taken some important steps to get as much feedback and they can especially Mrs. [Lara] Brown to move forward with the planning commission to take charge of that and get a survey going as well.

Anthony Marchetti: I don't remember the dates but there was a...

Sharon Phillips: November 18th.

Anthony Marchetti: There was a special called public meeting specifically for discussing north commons development, being told it was November 18th, so there was at least one dedicated time but I mean any public comment obviously is a good time so. Yes sir.

George Kuper: This is just a place holder...

Anthony Marchetti: Correct, none of this money has been spent, correct.

Tom Chapman: A survey among other things that is going to be planning around this that hasn't been done yet. This is just a place holder.

Anthony Marchetti: None of that money has been spent, it can't be spent if it is not in the budget.

Tom Chapman: There is no scope....

Anthony Marchetti: Mr. Cooper there is still time and opportunity to have discussions before any of the money you see in the capital budget is spent.

George Kuper: Is there a time to discuss alternatives and are alternatives being explored and if so, can we ask council to let us know what they are thinking.

Anthony Marchetti: Absolutely, one of the things I personally have expressed I think there needs to be, right now I'm not sure we have anything concrete to present. We have done, Lara has done a lot of homework on some new construction, I think it is worth hopefully soon we can come to the table with a PowerPoint you know here's option A, build on the north commons, here's what it is going to cost, here is what it could look like, here's how it could grow, develop, expand and you know here's your cost. Option B or C, here's what it looks like here's how much it is, here's the money that has to go into it, here's you know the expected life of it and present some options and people can weigh in and say there is an \$800,000 option but that gets us you know 75 years, there is a \$300,000 option but we have to put \$200,000 into it and we are still left with an 80 year old building, I would love to bring that, I don't have that information yet, we don't have that information but as I said earlier I'm not comfortable making a decision of that magnitude without hearing from the public and right now we don't have anything to decide on.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 5:30 PM**

George Kuper: Thank you, I understand you are all volunteers, we are grateful to you for that, but I think exploring alternatives is very important.

Anthony Marchetti: Sure and it is.

George Kuper: It is taxpayers money.

Anthony Marchetti: And it is being explored.

Wayne Nunnally: George to your point I know we have looked at, I'm the facilities chairman, we have looked at several buildings that are for sale in town that could accommodate the office at a much lower price than is in the capital budget so other areas are being explored other than that huge number to be built.

Anthony Marchetti: Absolutely, some it needs to be side-by-side, what is it we are looking for in the town office, is it three offices for zoning, clerk, treasurer, do we need additional meeting space, do we need storage, do we need parking, what are the needs, there is obviously your basic 'has to have' and then your 'would be nice to have' knowing that the more boxes you check the bigger expense it is, but again I'm not making any decision until I hear feedback but I don't think we have anything to present yet so, but encourage everybody to chime in.

Male: ...comprehensive plan as well. Does it include the comprehensive plan.

Ian Ormesher: I'm just trying to find out when this budget is up for approval being as you are presenting it now.

Sharon Phillips: First reading is tonight.

Anthony Marchetti: This is the first reading and then June is the second reading where it would be voted on correct.

Sharon Phillips: June 10th.

Ian Ormesher: At that time we are going to realistically review what the options are for a north commons development.

Anthony Marchetti: No, no, I mean on June 10th we'll have the presentation from Bay Design about a site plan, no, so definitely not by then, as Tom asked or pointed out they are just place holders, not money has been spent, can't get spent until we appropriate it, there will be an amended, we will have to amend this budget, whatever passes we will have to amend it because of the American Recovery Funds, so fortunately for all of us we get to go through the process again hopefully there is only a few minor tweaks but will be a good opportunity to make changes based on the feedback we have tonight and between now and then.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 5:30 PM**

Ian Ormesher: Obviously the operating budget is the binding budget while the capital budget is the preview of what is going to come perhaps into next year's, the, into the operating budget so it is a look into the future, the operating budget is the, this capital budget is for information purposes only right now to start discussions, get some ideas but has to be done...

Anthony Marchetti: Obviously I want everybody sitting to help populate the capital budget, you know what does everybody want to see in the town, from the town, basic needs but honestly it is going to be driven by everybody sitting in the room so.

Mayor Bugg: Alright we have a lot to go over at the town council meeting. Thanks to the public, it is so important.

Respectfully submitted,
Sharon L. Phillips, Clerk

Albert D. Bugg, III Mayor



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 6:30 PM**

A. CALL TO ORDER

Mayor Bugg: For timing purposes we are going to pause the public hearing and we are going to now call to order the regular monthly meeting of the town council on May 13, 2021 at 6:30 p.m. I will call that to order, do a roll call and then we will suspend that meeting and move back to this meeting.

B. ROLL CALL

Mayor Present: Mayor Bugg present.

Council Present: Frances Westbrook present.
Bonnie Schaschek present.
Anthony Marchetti present.
Dudley Patteson present.
Wayne Nunnally here.
Jackie Brown present.

Staff Present: Nancyellen Keane, Esq., Town Attorney
Lara Brown, Zoning Administrator
Sharon Phillips, Town Clerk

Guests Present: See attached sign in sheet.

Mayor Bugg: Thank you council, we now move back to the public hearing. We will suspend this meeting and go back to our previous public hearing.

RECONVIENE

Mayor Bugg: Thanks again to everyone who was able to participate in the public hearing. We are now reconvening the town council meeting for May 13, 2021, here at the Irvington Baptist Church. We have already done roll call so we will move on to the agenda.

C. AGENDA

Agenda – Amend to add Items 9 through 14.

Mayor Bugg: You have probably just received an agenda that contains some highlighted items that have been added so we need a motion to approve those items and add that to the agenda.

Wayne Nunnally: Did Cay Bradley approve that?

Cay Bradley: Mr. Mayor?



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 6:30 PM**

Mayor Bugg: Yes.

Cay Bradley: I'm sorry, I'm not sure that comment was necessary, the one that was just made.

Mayor Bugg: I'm uncertain what Mr. Nunnally was referring to but we will...

Wayne Nunnally: I don't know what she is talking about as usual.

Mayor Bugg: We will move onto these items. Council it looks like Items 9 through 14, have you had a chance to review those.

Jackie Brown: Who is RFC?

Frances Westbrook: The treasurer. The accounting firm.

Mayor Bugg: Can I get a motion to amend the agenda to include Items 9 through 14?

Frances Westbrook: So move.

Bonnie Schaschek: Second.

Mayor Bugg: Any further discussion? All in favor? Opposed? Those items are amended and included in the agenda.

Vote:	Frances Westbrook	Aye
	Bonnie Schaschek	Aye
	Dudley Patteson	Aye
	Jackie Brown	Aye
	Anthony Marchetti	Aye
	Wayne Nunnally	Aye

THE MOTION TO AMEND THE AGENDA TO INCLUDE ITEMS 9 THROUGH 14 IS PASSED 6-0.

D. APPROVAL OF THE MINUTES AND ACCEPTANCE OF TREASURER'S REPORT

Mayor Bugg: Approval of the minutes and acceptance of the treasurer's report. First item is the April 8, 2021 meeting minutes. Has everyone had a chance to review those minutes?

Frances Westbrook: All 82 pages.

Mayor Bugg: Is there a motion to approve?

Dudley Patteson: So moved.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 6:30 PM**

Mayor Bugg: Any discussion? All in favor of approval? Opposed? Those minutes are approved.

Vote: Frances Westbrook Aye
Bonnie Schaschek Aye
Dudley Patteson Aye
Jackie Brown Aye
Anthony Marchetti Aye
Wayne Nunnally Aye

THE MOTION TO APPROVE THE APRIL 8, 2021 MINUTES IS APPROVED 6-0.

Frances Westbrook: And I want to add something if I may.

Mayor Bugg: Yeah.

Frances Westbrook: We talked about this last month and we talked about it before, but I would like very much for council to seriously consider making a move on the idea of the summary minutes so that we don't continue with 80 or 90 pages of minutes every month. I would like for us to also consider that the minutes be made available to us the week following our meeting so that we now have those before us while they are still fresh in our minds, we are able to make any corrections or ask any questions, and get them back to the office in plenty of time for those corrections or questions to be answered.

Wayne Nunnally: I was hoping like the week after, I think that is reasonable.

Dudley Patteson: How does work, let's ask the clerk, how does that fit into your daily routine what she's proposing.

Sharon Phillips: I actually don't think that is feasible, again I think that maybe this should be discussed offline.

Dudley Patteson: Why don't you and I get together Fran and....

Frances Westbrook: Will you really do that.

Dudley Patteson: I do.

Frances Westbrook: I'll hold you to it.

Bonnie Schaschek: What do we have to talk about offline, the summary or when they are going to be available, because if it is summary, I think the whole council has to have something to say.

Frances Westbrook: That's true, that's a separate issue.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 6:30 PM**

Dudley Patteson: We will certainly bring it before the whole council with whatever, if it is alright with council.

Frances Westbrook: I mean, if it's summary, then I think we can deal with that probably now, but if it opposed, if it includes when we get the, the same amount of time is going to be spent doing them no matter when it's done.

Sharon Phillips: That's not true.

Frances Westbrook: And maybe we should talk about that before we decide on that, but I would like for us to consider doing the summary aspect of it.

Dudley Patteson: Your request is so noted, I think we just need to talk about it at a different time than right now.

Frances Westbrook: We've talked about it 2 months in a row.

Dudley Patteson: Well no conclusion has been....

Frances Westbrook: That's why it keeps coming back up. I agree next week.

Dudley Patteson: Next week.

Frances Westbrook: You and I will sit down and talk.

Dudley Patteson: I think that's the best plan and I'm happy to that. Thank you.

Frances Westbrook: Excellent. Thank you.

Mayor Bugg: Sounds like a good plan. April treasurer's report. Council get a chance to review that. Any comments about that? Is there a motion to approve?

Frances Westbrook: I think we are filing these. They are not approved.

Anthony Marchetti: Tabling them until.

Mayor Bugg: We will table them then. Back to public comment. Anyone from the public? Yes.

Sam Van Saun: Do I need to come up or am I okay here.

Mayor Bugg: Come on up.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 6:30 PM**

E. PUBLIC COMMENT

Sam Van Saun: I'm fully vaccinated. Mr. Mayor and Town Council members, oh you all know me, I'm Sam Van Saun, I live at 146 Virginia Road and first I am standing here on behalf of the Irvington Virginia Business Association which now has 36 members to make the following statements. Concerning old business. I'd like to reiterate the IVBA's support of The Hope & Glory's CUP to extend food and beverage service to the front patio. Next, the IVBA fully supports and demands a special election in November to fill the position of Mayor and any town council positions that may become vacant. This action is imperative for our town to operate with a full town government. We expect you to vote yes tonight for the special election. Concerning new business, in terms of the short-term rental discussions, we are wondering how the Irvington registration ordinance would intercept with or interfere with the current Lancaster County short-term rental registration ordinance which was put into place in 2018. This should definitely be part of the conversation. Finally, the IBA encourages town council to pursue the full benefit available to the Town of Irvington from the American Recovery Act funds. This money should be used for town improvements such as sidewalks, a decent playground and outdoor fitness area and the new town hall just to name a few. If we decide that is what we want. Finally, I'm taking off my IVBA hat and just speaking personally as a resident of Irvington I fully support and endorse Gabe Del Rio for the interim mayor position, I think he would be a fair and stabilizing presence as our town goes through this transition. I feel that if a town council member were appointed as interim mayor it would cause even more disruption and confusion because then we would have to deal with an empty town council seat in addition to filling the position of mayor. Thank you.

Mayor Bugg: Thank you. Mrs. Chapman.

Marsha Chapman: Marsha Chapman, 62 Old Mill Creek Road, given your eminent resignation, I would like to publicly speak in favor of Fran's Westbrook's appointment by the town council as interim mayor. Aside from her long work and volunteer history in our community for 23 years, she has served on the town council for the last 7 years. The last one as vice mayor. I have written information to Irvington for the last 2½ years and have necessarily not only been a recorder of town council meetings but a very close observer of them as well. What I've observed in Fran Westbrook is a principled, dedicated, trustworthy and responsible council member who takes her representative role seriously because she knows our town so well and loves it. Her door is always open to residents and their concerns and she seeks foremost for the greater good of Irvington. During the plan unit development fiasco of the 2017th comprehensive plan she listened to 135 residents gathered in office and was instrumental in stopping further consideration and supported removing language related to it in the comprehensive plan. Fran has done exemplary work on the budget and finance committee and has been its chairman for the last 3 years. This last a particularly difficult year given the restrictions imposed by COVID. Her long history of service in town government and in our community as a whole admirably suit her for the interim mayor position. A transitional one that calls for a depth hand, board of wisdom and prior experience in office. I urge the town council for these reasons to appoint her to this position. Thank you.

Mayor Bugg: Thank you. Mr. Kipp.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 6:30 PM**

Randall Kipp: Randall Kipp, I am not a resident of Irvington any longer, I'm a business owner and I'm directly across the street from The Hope & Glory Inn. I just want to let everyone know that from my perspective across the street from Hope & Glory, I think what Dudley and Peggy are doing is attractive and I think a nice add to the community.

Mayor Bugg: Thank you. Yes sir.

Jason Trollip: I'd like to add onto what was said. I would like to support what Peggy and Dudley are doing at the Hope & Glory Inn and agree that it would be a wonderful asset to the town and what has been very tastefully and the Tides Inn and its ownership support what's happening there.

Mayor Bugg: Thank you. Yes.

Gabe Del Rio: I spoke just now, I think most people have seen me around, I'm Gabe Del Rio. Sam just mentioned here, thank you for that Sam. I grew up in this town and I moved away for 20 years, I wasn't here for the last 20 years except for moving back 2 years ago. I haven't had the chance to serve this town but I have been a community development executive for the last 20 years serving multiple towns and cities, always doing so at the pleasure of a board, never with my own private agenda or endearment so it's a long history of public service. All of that has been very successful. I'm not at it for the power here this might have even been the smallest budget I have been responsible for professionally so there is nothing in that way, I'm just a kid who grew up here who moved back home who has this Randall Kipp dream home at the end of Chesapeake Drive and I love this town and I want to see a bright future for it and I would also like my opportunity to serve and I think it is important to change out leadership from time to time and to allow for new blood to come in. You know one way that I have always operated and will continue to do so at being a nonprofit executive is transparently so I am someone who always has my door open, always has my ear open, assumes that I have to serve everyone's interest and answer to them and does so in a way that will report back to the town council and to the town by all points in the game. I mean I think the town council if you were to make a selection of a town council member you do have some conflicts of interest. Originally Fran and I talked about this before she put her name in the hat and I've gotten some feedback from folks that that could be more disruptive than stabilizing and I think it was a notion that it could be stabilizing. You know this from the management hat for this kind of work for me, is very easy and something that I would be happy to be a stabilizing force. I will of course be running for the permanent role in the special election and I would be transparent as you can always expect from me and forthcoming to say that that is the case and that I will put myself out there for that. The door is open. Want feedback from everyone and I really would love to see a comprehensive planning process that gathers all this feedback that answers concerns and codifies them so that we can protect Irvington's future.

Mayor Bugg: Thank you Gabe. Anyone else from the public? Yes.

Jeff Ewing: Just some odds and ends from the agenda. First I want to say I would support the Hope & Glory's expansion. I am looking forward to eating out in a shaded patio setting and it is going to



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 6:30 PM**

create a little buzz in that corner of the town. I think it will be really great. The other thing is you guys are going to be discussing planning commission and I would strongly urge the town council to not reverse rules that were put in place 2 years ago because of shenanigans. Just because the scenario has changed because rules were put in place. If the planning commission is looking for things to do, I would recommend that town council give them something to do. There is a building that we are looking at options. There is a town sewer project that is a yes or no question. Planning commission could help with all of this. Town council is volunteer. Why don't you share some of the responsibilities with the planning commission instead of changing the rules on them. The other thing I have is the short-term rental, there is an exemption on the short-term rental stating that any agent or the homeowner gets an agent to represent the property that don't have to sign up for the registry, after doing some thinking about this, I decided this is great, it basically puts a professional in property management and it's their duty to pay the taxes. We are trying to get this to get the occupancy tax paid having a homeowner who is registered and know they have to pay or hire an agent to pay, then that agent will make them pay. So I think the registration is good and we should definitely pass that. The last thing of course I am in support of Gabe Del Rio as interim town mayor.

Mayor Bugg: Thank you. Yes sir.

George Kuper: I'm George Kuper. I didn't expect this to be a campaign meeting. I have sent each member of council a letter with my concerns for the governance issues that council faces and I believe that somebody with experience in council should be the interim mayor and perhaps the ongoing mayor to deal with those issues directly and it is going to require every member of council to work together in a fashion which I have not yet observed, it may be happening but it is not evident to me and I hope that council can pay attention to what I believe council should be doing and making sure it's zoning is up to date and accurately applied that it's management of its assets are effective and that its personnel are well managed, etc., etc., and not the least of which is that there is better opportunity for conversation among council and with the residents. This evening I think we have improved already on that because you have allowed us to talk about things that are not necessarily on the agenda. Thank you.

Mayor Bugg: Thank you.

George Kuper: Thank you. I think what you are going to be missing by moving out of town.

Mayor Bugg: Thank you. Yes.

Mary Cay Bradley: Mary Cay Bradley from King Carter Drive again, I'd just like to apologize to town council and to the staff and to the public for the interactions that Mr. Nunnally and I are having, I apologize for taking up your time with that. So thank you very much.

Mayor Bugg: Thank you. Anyone else from the public? Yes ma'am.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 6:30 PM**

June McGeorge: June McGeorge, Sanders Lane, we fully support vice mayor Fran Westbrook as interim mayor. As longtime residents it is important to us to have experience with town issues and the budget and who is a realist, not a dreamer. We feel Fran focuses on what we have here and what we are preserving. She has strived to represent all of the town residents. On a different matter regarding the no through truck restrictions. The last time this was addressed was at the October 8th, 2020 town council meeting where the mayor advised he had sent the no through truck resolution to Lancaster County, there have been no updates or further discussions that I know. What is the status? Also the residents should be updated especially with the increased truck traffic now. Also there hasn't been any further discussions on getting extra law enforcement to help slow traffic through town. What's the status of that. Now with all the talk of more tourism, and more traffic there is a safety issue that has to be addressed at some point.

Mayor Bugg: Thank you. Yes sir.

Ian Ormesher: Ian Ormesher, Pony Pasture. I'm somewhat surprised attending this meeting you know given that I don't attend all meetings so this is a snapshot. The last meeting that I attended was when the plans were in progress for how things were going to change. What's very apparent at the moment is that a lot of pressure going to town council is for the businesses that are operating here in the town. Not an equal amount of feedback and input from residents and as a resident not a business owner that operates in the town, I feel that that is a slight disparity. The council is here to serve the residents. The business have their own vested interests about making money and it would appear that many of the issues that are being addressed in this room are about businesses making money and I feel we need to think very carefully about what the role of the town council is role of our business organizations are because they seem to be overlapping. Thank you.

Mayor Bugg: Thank you. Anything further from the public, yes ma'am.

Julie Harris: Julie Harris, 1099 King Carter Drive, while both candidates for interim mayor have exclusive experience I would support Fran Westbrook as she has many years of local government community service which would be very valuable to Irvington.

Mayor Bugg: Thank you.

Wayne Nunnally: We have to get a reservation...

Mayor Bugg: Anything further, yes ma'am.

Sharon Phillips: Mr. Mayor as I mentioned to you I have a couple of public comments that were received via email. Dear Irvington Town Council, as a concerned local resident and taxpayer for many years, I am troubled about our town streets. In the past the sidewalks have been treated with weedkiller and the debris has been removed from the gutters. It is my understanding that funds have been allocated in the town budget for maintenance and cleanup of the roads. It does not appear that this has been accomplished. The current condition is dreadful and certainly does not reflect a



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 6:30 PM**

welcoming image to visitor and locals. Can we expect this work to be completed. Yours truly, Barbara Lee Sanford, 70 Lee Lane. Mr. Mayor there is in addition to the comments tonight, there is one, one letter in favor of Vice Mayor Westbrook and six in favor of Gabe.

Mayor Bugg: Thank you. Anything further from the public.

Albert Pollard Jr.: Allen Pollard, 48 King Carter Drive, excuse me Steamboat Road. I have an Air B&B on King Carter, I just want to come out in support of the ordinance and then also in regards to mayor, I think that it is important when you do appoint somebody, appoint somebody who is not running, I think it's inappropriate regardless of how qualified the people running are, it is inappropriate for a governing body to put them on the scale in that way. Thank you.

Mayor Bugg: Thank you. Anything further?

Sam Van Saun: May I add something?

Mayor Bugg: Yes.

Sam Van Saun: Sorry. If, I just, sorry, I'm just thinking through the scenario, so if a town council member were to become the interim mayor, then there is no longer a town council person in that position and we don't know if that person would go back to being town council after being interim mayor or not, and if they are not, then I would like to stand in favor once again of a special election not just for mayor but for any vacant town council seat. That is really an important thing that nobody is talking about. Thank you.

Mayor Bugg: Absolutely. Thank you. Anything further public?

Wayne Nunnally: Your turn. Do it.

E. MAYOR'S REPORT

Mayor Bugg: Thank You. I have my Mayor's report as the next item on the agenda. It is fairly brief, to keep things moving along as all of you are well aware, we now have two qualified voters from the town who are interested in being appointed by council to serve as interim mayor until the winner of a special election is qualified. They are, as you already know, Gabe Del Rio and Fran Westbrook. The council should have received their letters of interest and resumes for the position. There is no deadline to submit a resume and letter of interest at this time. Since we now have a council member who is seeking the interim mayor position, there could be a vacancy on council as well as mayoral vacancy. Any qualified voter who is interested in serving on the council in an interim position should write a letter of interest, attach a resume and send both to the town clerk for circulation to council. Next item, the parade.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 6:30 PM**

Wayne Nunnally: Point of interest, if that scenario would happen and Fran was appointed and she would vacate her office, would we then appoint a person to serve in her place at town special election?

Nancyellen Keane: Yes, and it would start the same clock over again, so which if there is a resignation of a mayor, there is a 45-day window to appoint an interim mayor and a 15-day window to file the petition with the court, then if Fran were the one appointed, then there would be a new vacancy and you would start that time over again, it would be 45 days to appoint a replacement for that position and a 15-day window to file petition. That resolution that you all read last time and it is up tonight also contemplates both things. If you look at the paragraphs, it has both of those paragraphs in that resolution.

Wayne Nunnally: Thank you.

Mayor Bugg: Thank you, Mr. Nunnally. Next item and this is a tough one, this is the parade. I love everything 4th of July and I think most of you in this room do as well, but we've got a number of inquiries about the 4th of July parade and due to the fact there are no funds in this budget I ask council to vote to confirm in fact that we are not having the parade this year as difficult as that is. We just haven't made that decision yet so I think we need to go ahead and make that decision and make sure that next year there is the biggest parade this town has ever seen. So, is there a vote, a motion to, I guess not have a parade until next year.

Frances Westbrook: So moved.

Mayor Bugg: Second?

Jackie Brown: Second.

Bonnie Schaschek: Second.

Mayor Bugg: Any further discussion? All in favor? Opposed? Parade will be postponed until next year and again as was discussed earlier the budget, items in the budget will be addressed so that doesn't happen as well.

Vote: Frances Westbrook Aye
Bonnie Schaschek Aye
Dudley Patteson Aye
Jackie Brown Aye
Anthony Marchetti Aye
Wayne Nunnally Aye

THE MOTION TO POSTPONE THE 4TH OF JULY PARADE UNTIL NEXT YEAR IS PASSED 6-0.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 6:30 PM**

Mayor Bugg: Next item I have to speak about is the tennis court repairs. The repairs should be completed by mid June so that is just around the corner, that is good news and another difficult topic is the resignation of our zoning administrator, Lara Brown. She has resigned effective June 30, 2021, but could stay until July 30, 2021 if needed. We would all like to thank Lara for her great job and the care she has taken with her work and the large volume of work that she has handled flawlessly this year. Lara thank you so much.

Group: Clapping.

Mayor Bugg: You will truly be missed but thank you for helping out with the transition as that approaches as well. That concludes my mayor's report.

Wayne Nunnally: Mr. Mayor, you need to bring us up to date about this resignation.

Mayor Bugg: Yes, yes, my plan is at the next meeting the June meeting to give you a definite date. That is in fact my plan so you will have that at that meeting so. Thank you for bringing that up as well.

Jackie Brown: Why is it taking so long?

Mayor Bugg: There are a few remaining items, some unfinished business I would like to see completed, but if you want to talk to me about that after the meeting, I would be happy to speak. Next item is the report from the town attorney.

F. REPORT FROM THE TOWN ATTORNEY

Nancyellen Keane: No report.

G. REPORT FROM THE ZONING ADMINISTRATOR

Lara Brown: Thank you, Mr. Mayor. This month's report is kind of brief, we had one tree removal permit approved on York Road. No CUP permits this month, we are hearing proposed ordinances the second reading, update on the violation that started last July over here on, off of King Carter Road, not off King Carter Road, off of Route 200, I have talked to Magic Tree Service, they were getting ready to start this job through the old abandoned trailers and sheds and then the tornado happened on the upper end of the county and they are now doing emergency tree removal work because that was more important than removing old abandoned sheds but they assured the town, please know that they are next on the list that this is still in the works, just emergencies take precedence over this project. As you heard information regarding the north commons update, I did meet with Bay Design Group on April 29th, and they will be prepared to do a short presentation at your June meeting to give you a visual of what is recommended and what will be allowed on the north commons as far as, there are only certain locations on the parcel where that engineered septic could be located, so they will have that placed for you to look at as well as where a building can go



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 6:30 PM**

in relation to that and as I heard for the last several years, your desire for storage for all of your flags and banners and Christmas lights and so forth, so also the location of the extra storage unit you had me check several times. So that would be placed on a you know a site plan, a temporary site plan for you to look at, to have discussion as you move forward with your budgets and with your surveys with the town and residents to see you know what everybody would like to have, so you will know what you can have, so you know what to ask of your residents. Last which is not on here tonight is my son's 11th birthday, and so I ask that after old business that maybe I could check out so that I can go have tacos and cupcakes.

Mayor Bugg: I will turn up the speed on this meeting as much as I can. Budget and finance committee, you are back on the hot seat.

H. REPORT FROM THE BUDGET & FINANCE COMMITTEE

Mayor Bugg: Is there anything else we need...

Frances Westbrook: No, I just want to reiterate one thing about the meals tax and make sure you all really understand is that it is a very complicated type ordinance to write with a lot of decisions and the way I understand it, town council will have to look at it and make, and state codes have already certainly made some of those calls for us, but that is a very long document. Kilmarnock's which is on their website is a 5-pager on there so it just reinforced to Anthony and I there is a lot to talk and think about even if we decide to go down that route. So that is where I sheared on the possibility of projected revenue and that's why it was taken off and so we were a little presumptive in not realizing how complicated it was.

Mayor Bugg: Thanks again for all of your efforts, truly appreciate it. On to old business, second reading of two ordinances. Sharon I'll turn that over to you.

I. OLD BUSINESS

Sharon Phillips: Ordinance 2021-01 – repeal reenact town code 154.051 Use regulations in R1-R2 zoning district. Just the title only.

Nancyellen Keane: Unless you have any questions or discussion just go on.

Mayor Bugg: Alright so we will move to approve.

Jackie Brown: Second.

Mayor Bugg: Any further discussion? All in favor? Opposed?



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 6:30 PM**

Vote:	Frances Westbrook	Aye
	Bonnie Schaschek	Aye
	Dudley Patteson	Aye
	Jackie Brown	Aye
	Anthony Marchetti	Aye
	Wayne Nunnally	Aye

THE MOTION TO APPROVE ORDINANCE 2021-01 – REPEAL RREENACT TOWN CODE SECTION 154.051 USE REGULATION IN R1-R2 ZONING DISTRICT IS PASSED 6-0.

Mayor Bugg: The motion passes. Next Sharon.

Sharon Phillips: Ordinance 2021-02 Repeal reenact town code 154.215 boat docks, piers generally.

Mayor Bugg: Any further discussion council? Motion to approve.

Anthony Marchetti: So move.

Wayne Nunnally: Second.

Mayor Bugg: Any further discussion? All in favor? Opposed? Motion passes.

Vote:	Frances Westbrook	Aye
	Bonnie Schaschek	Aye
	Dudley Patteson	Aye
	Jackie Brown	Aye
	Anthony Marchetti	Aye
	Wayne Nunnally	Aye

THE MOTION TO APPROVE ORDINANCE 2021-02 REPEAL RREENACT TOWN CODE SECTION 154215 BOAT DOCKS, PIERS GENERALLY IS PASSED 6-0.

Mayor Bugg: Thank you Mr. Chapman for your work on that as well. Next item will be CUP, second reading of resolution 2021-08 CUP Extend food and beverage service to front patio in B1. Mr. Patteson.

Dudley Patteson: I recuse myself.

Mayor Bugg: There you go.

Sharon Phillips: Resolution 2021-08 TC conditional use permit application to extent food beverage service to front patio in B1 tax map 33-436.

Lara Brown: Can I just have one update to a staff report. Town council on Tuesday night when I entered the building there was a letter addressed to the Town of Irvington from a resident that



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 6:30 PM**

received the notice from the applicant for this, and so your report states that there were no oppositions to this application, but there was one letter received from Mr. & Mrs. Headley opposing the application due to no alcohol on Sundays and parking. So I just update your report from no opposed to one letter of opposition.

Wayne Nunnally: Lara in the application it says operating hours is 11:00 to 5:00?

Lara Brown: And that application was amended.

Wayne Nunnally: What was amended?

Lara Brown: The amended application states on Sundays 12:00 to 5:00.

Wayne Nunnally: Thank you.

Lara Brown: Your welcome.

Mayor Bugg: Any further discussion council? Is there a motion to approve?

Anthony Marchetti: So moved.

Mayor Bugg: Is there a second?

Frances Westbrook: I'll second.

Mayor Bugg: Further discussion? All in favor? Mayor Bugg: Opposed?

Wayne Nunnally: I'm opposed.

Jackie Brown: I'm opposed.

Mayor Bugg: Did you vote?

Bonnie Schaschek: I said yes.

Vote: Frances Westbrook Aye

Bonnie Schaschek Aye

Dudley Patteson Recuse

Jackie Brown Nay

Anthony Marchetti Aye

Wayne Nunnally Nay

**THE MOTION TO APPROVE RESOLUTION 2021-08 TC CONDITIONAL USE PERMIT
APPLICATION TO EXTEND FOOD BEVERAGE SERVICE TO FRONT PATIO IN B1
TAX MAP 33-436 IS PASSED 3-2**



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 6:30 PM**

Mayor Bugg: Motion passes. Thank you. Next item on the agenda is the second reading of resolution 2021-09 authorizing filing a petition for writ of special election.

Sharon Phillips: Resolution 2021-09 I'm just going to read the first paragraph. Whereas the honorable Albert D. Bugg, III was elected Mayor of the Town of Irvington in May of 2020 for a term of July 1, 2020, through June 30, 2024 which term was recently extended by act of General Assembly to December 31, 2024.

Wayne Nunnally: I move we approve this ordinance.

Sharon Phillips: Resolution.

Mayor Bugg: Is there a second?

Anthony Marchetti: Second.

Mayor Bugg: All in favor? Opposed?

Vote:	Frances Westbrook	Aye
	Bonnie Schaschek	Aye
	Dudley Patteson	Aye
	Jackie Brown	Aye
	Anthony Marchetti	Aye
	Wayne Nunnally	Aye

THE MOTION TO APPROVE RESOLUTION 2021-09 AUTHORIZING FILING A PETITION FOR WRIT OF SPECIAL ELECTION IS PASSED 6-0.

Passes, thank you council. On to new business. We have some more readings.

J. NEW BUSINESS

1. Ordinance 2021-03.UC Adopting 2021-22 Fee Rate Schedule

Sharon Phillips: Ordinance 2021-03.UC Adopting 2021-22 Fee Rate Schedule whereas Irvington Town Council desires to readopt the attached fiscal year 21-22 fee rate schedule of certain administrative and zoning fees. Whereas this ordinance was advertised in the Rappahannock Record on April 29th and May 6th of 2021 and whereas the public had an opportunity to comment on this ordinance at the public hearing on May 13, 2021 and whereas this ordinance was considered at two readings by council on May 13th and June 10th of 2021. Be it enacted and ordained by the Town of Irvington Virginia. I do think I need to read. Council hereby adopts ordinance 2021-03.UC with the attached fiscal year fee rate schedule incorporated herein by this reference with the effective date of July 1, 2021, 2, council hereby reclassifies section 2 and 3 of ordinance 2020-07.UC from uncodified to codified. This ordinance is effective upon passage.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 6:30 PM**

Nancyellen Keane: Can I explain one thing to y'all.

Mayor Bugg: Certainly.

Nancyellen Keane: Since this is the first reading, I put in item 2 in the middle of that page that says plat reclassify section 2, what that means is the last time you all passed a budget in November I think you may recall we added some, we added the right to have a fee for certain things that was not in the code book and in order to do that I had to put it in the ordinance that was already advertised last time and it was an uncodified ordinance so this time around I want those items to be codified later and what I want to do is say that they will be codified later so that it can go in whatever book or format you use and we don't have to keep it, don't have to pass it altogether again with an advertisement and everything else.

Frances Westbrook: Gotcha.

Wayne Nunnally: Move we approve it.

Mayor Bugg: No this is the first reading. Alright Sharon, you're up.

2. Ordinance 2021-04.UC Adopting Transient Occupancy Tax Rate

Sharon Phillips: Ordinance 2021-04.UC Adopting Transient Occupancy Tax Rate, whereas Irvington Town Council adopted an ordinance authorizing a levy of taxes for transient occupancy in Irvington on July 18, 2002 with effect from January 1, 2003 codified February 12, 2015 as town's code sections 34.01 and whereas council desires to readopt the current transient occupancy tax of 4% and whereas this ordinance was advertised in the Rappahannock Record on April 29th and May 6, 2021, and whereas the public had the opportunity to comment on this ordinance in a public hearing on May 13th, 2021, whereas this ordinance was considered at two readings by council May 13th and June 10, 2021.

Mayor Bugg: Thank you. Move on.

3. Ordinance 2021-05.UC Adopting Real Estate Tax Rate

Sharon Phillips: Ordinance 2021-05.UC Adopting Real Estate Tax Rate, whereas the Irvington Town Council adopted an ordinance authorizing a levy of real estate taxes on March 17th, 2016, now codifies town code sections 34.30 and 34.34 and whereas the council desires to readopt the current tax rate for 2021/2022 fiscal year and whereas this ordinance was advertised in the Rappahannock Record on April 29th, and May 6th of 2021, whereas this ordinance was considered at a May 13th public hearing and two readings by council on May 13th and June 10th, 2021.

Mayor Bugg: Thank you Sharon, the net one will be first reading of 2021-06.UC Adopting an Annual fiscal year 21/22 budget.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 6:30 PM**

4. Ordinance 2021-06.UC Adopting Fiscal year 2021/2022 budget

Sharon Phillips: Ordinance 2021-06.UC Adopting Fiscal year 2021/2022 budget whereas the Irvington Town Council proposes to adopt fiscal year 2021/2022 budget for Irvington and whereas a synopsis of the proposed fiscal year 2021/2022 budget and a notice of the public hearing on the budget was advertised in the Rappahannock Record on April 29th and May 6th pursuant to Virginia Code annotated section 15.2506 and whereas a public hearing on the proposed fiscal year 21/22 budget was held May 13th and the public also had the opportunity to speak about the fiscal year 2021/2022 budget at its meetings on May 13th and June 10th, whereas this ordinance was read twice before approval at the May 13th and June 10th council meetings. Ordinance 2021-07 Repeal and Reenact town code.

Nancyellen Keane: No, not yet. That's a discussion only.

Sharon Phillips: Sorry.

Mayor Bugg: We will be discussing proposed ordinance 2021-07 Short Term Rental Registry. I believe Nancyellen you had some comments you wanted to make.

Nancyellen Keane: Right, I was asked at the last meeting to put this together, I sent it to you all before the meeting, there are a couple of things I wanted to call to your attention just so you are aware of them. This is not intended to be voted on or first reading tonight because it has not been advertised as such before that and you haven't decided whether you want it to be in this section of the town code that I chose when I drafted it, or do you want it somewhere else, but first of all there are two ordinances, one is pertaining to the transient occupancy tax section of the town code, the definition of a transient in your current code is not going to be the same definition that the Commonwealth of Virginia has supplied when you are talking about a short-term rental.

Wayne Nunnally: What's the difference?

Nancyellen Keane: The difference?

Wayne Nunnally: Uh Huh.

Nancyellen Keane: The difference is our current code is 90 days and the code for the short-term rental is 30 days and so if you are going to have them both paying the tax and so forth it just makes sense to have them both be the same number of days. So that's the reason for that ordinance being drafted. The short term rental registry was drafted per the state law which is 15.2-983 and just to let you all know I've gotten some questions from residents and others about it. This tracks the requirements in the state law. The state law is a ministerial, registry is a ministerial, they are allowing you to institute a registry if you pass an ordinance that says so, it enables you to get the name and address, the address of the property within the town that an owner or operator is offering.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 6:30 PM**

But you can't get much more information than that. There are some jurisdictions that will ask other questions on their application form but I think that is risky to do and the reason that I think it is risky

to do is you will end up penalizing someone for not registering or if they have made some sort of violation of law and you take away their right to rent property for any period of time they are going to prevail in litigation against you if you have asked more than you are allowed to ask on the registration form, so anyway this tracks very closely to the state law. I left some blanks in the short-term registry draft ordinance and I just want to tell you what they are about so you all can talk about it and decide how you want them filled in so that if you want to pursue this we can advertise it with the full document. The first item on the first page says that you have to have a day each year that someone will come back and annually renew their registration. They register the first time when they decide to do this and then you want to establish a single annual date by which every one of the registrants will reregister every year and so I didn't know what that date was and so I left it blank. On the sec---

Wayne Nunnally: What are other people using?

Nancyellen Keane: I've seen January 15th somewhere else but I don't think that's, I think they just pick it. Then, there is another blank at the top of the second page if someone does fail to register or violates your regulation or ordinance it says that they can have their right to rent the property taken away from them by the town for a period of time, I put blank, I don't know what period of time, I've seen a year, I've seen 2 years, I've seen 6 months, I mean I've seen, it's all over the place. Then it says the third blank which is at the top of the second page says such prohibition for good cause may be appealed to who and in some of these other jurisdictions they are larger, more people, more staff and in that case it is the director of the department, usually this thing is managed by somebody who is the controller or somebody who is the treasurer or something like that, commissioner of revenue, you know, it is a ministerial, they are taking a fee, they are taking registration form, that's all they are really doing, they are taking a transient occupancy tax from it, so it's---

Wayne Nunnally: The BZA should hear the appeal.

Nancyellen Keane: No, I was going to say, you wouldn't do that, the BZA no they don't have anything to do with this, what I left this blank was for you all to decide whether in my estimation the only person that could hear an appeal of this would be the mayor. Unless you all want to hear appeals of somebody losing their right to have a rental.

Wayne Nunnally: So who would take it away from them?

Nancyellen Keane: The clerk.

Wayne Nunnally: The clerk...



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 6:30 PM**

Nancyellen Keane: ...or the treasurer, if you had a treasurer, so it is an administrative job, it really is.

Wayne Nunnally: I think it should be council.

Nancyellen Keane: It could go to council if y'all want it to go to council then you have to have a hearing and all that, okay. Then the last two blanks that's where it indicates who it is that is to administer and interpret the provisions in this code section and it would be the clerk or it would be the treasurer or whoever is going to handle this work and then, that person, that's the same title that would be put in the last blank because then they would be able to see that this is from the town attorney with respect to enforcement because they are going to be able to need to add. So basically, you know we, the blanks are here to tailor this to the Town of Irvington in other jurisdictions it might have a different title, in your jurisdiction you would decide what title you want to handle it. Let me just give you one piece of background information on this registry and the transient occupancy tax. A lot of the jurisdictions that I've looked at, the jurisdictions don't have a transient occupancy tax, they start with the short-term rental registry and then it goes to the transient occupancy tax. I've seen it in the finance department under their ordinances and that's where I put it because right now all it is, it's an administrative, ministerial job to collect a form and a fee and the same person would probably be collecting the transient occupancy tax. I'll give you an example Henrico County does it this way, they have the same person who collects the transient occupancy tax which is a treasurer or something is collecting this fee and doing this form because it goes together. Now, if you want to later have a zoning ordinance that requires people doing this when you figure out how many there are and what the issues are, if you want to have a zoning ordinance then you would have a separate zoning ordinance that perhaps the zoning administrator would follow and deal with that. If you instead of putting this in the finance area, want to put it in the zoning area, you would have to go back, you would have to advertise this twice in the newspaper, it would have to go to the planning commission and then it would come to you. Any zoning ordinance has to go through the planning commission. If this is not a zoning ordinance it does not go to the planning commission, it comes to you.

Wayne Nunnally: I would like to suggest that we put it in the finance section as you have suggested that the date for reupping it be January 15th and the suspension would be a year that the appeal would be the mayor and that the administrator would be the clerk if you establish a registry.

Jackie Brown: Second.

Anthony Marchetti: Is there a registry fee?

Nancyellen Keane: Yeah, well that's the other issue, okay, we cannot, okay we could have a fee and put it in this ordinance but then it is in the ordinance.

Frances Westbrook: Yeah, we don't want to do that.

Anthony Marchetti: Yeah.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 6:30 PM**

Nancyellen Keane: And we didn't advertise that fee on our list of fees that came out tonight on the first reading of the fees, you could pass this now, I mean not now, but in the near future and then when you amend the budget, you could add that fee into the next budget as a fee item on your fee, okay. That would be the way I would handle it so the fees are all on one form, you don't want your fees in the ordinance.

Frances Westbrook: Yeah.

Wayne Nunnally: I agree with that but can we have that done by the next meeting for a first reading?

Frances Westbrook: No, we've already advertised our fees.

Nancyellen Keane: The next meeting you could have a first reading.

Wayne Nunnally: Well, that's what I would like to do, hopefully everybody is in agreement to the registry, when we are unified, I think we should move quickly.

Frances Westbrook: Wayne, can I clarify by saying can we get this done next month, you're talking about just having the first reading next month....

Wayne Nunnally: Right...

Frances Westbrook:try and get the fees in on this budget which I don't think we can do.

Wayne Nunnally: Nah.

Nancyellen Keane: If this is not a zoning ordinance which are not....

Wayne Nunnally: ...doing....

Nancyellen Keane: ...suggesting, we'd only advertise it one time.

Frances Westbrook: Okay.

Wayne Nunnally: Okay so we get it done next meeting.

Mayor Bugg: Great, thank you.

Nancyellen Keane: But everybody else agrees with the blank fill ins that Wayne had right?

Frances Westbrook: Yes, I think it's fine.

Anthony Marchetti: Yep.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 6:30 PM**

Frances Westbrook: Yeah, January 15th, yeah, what he said.

Mayor Bugg: Thank you.

Bonnie Schaschek: One year, the clerk and the mayor, that's it.

5. Discussion about Resolution 2021-10, Amend and Restate Planning Commission

Mayor Bugg: Took care of that. Next item on the agenda is discussion about Resolution 2021-10, Amend and Restate Planning Commission, this draft is for discussion purposes I believe, I believe Nancyellen had some comments on this as well.

Nancyellen Keane: Yes, I sent this...

Wayne Nunnally: Where this originated from?

Nancyellen Keane: Yes.

Wayne Nunnally: Who originated it?

Nancyellen Keane: I did.

Wayne Nunnally: You did?

Nancyellen Keane: This document in 2018 was done by me but it was from the prior documents that started in 1969, 07, 15 and 83. I used five documents and combined everything into one document.

Wayne Nunnally: Again, the question is what are we trying to fix.

Nancyellen Keane: Okay, I'll tell you what I was asked to do. What I was asked to do last time was to add some language to this document that would allow the planning commission to do projects of, self-directed if you want to call it that, they are self-determined, they determine their own projects to do whereas the current language in this allows them to do projects only when you all assign them a project, okay, and so from a reality standpoint they are able to do projects if you assign one, what they want is to be able to do projects without you assigning them one. So, the only projects that they really have jurisdiction to do anything on are in title 15 of the town code. That is the land use section of the town code and it covers zoning, it covers subdivision, it covers Chesapeake Bay Act, that kind of stuff, so that is why if you turn in what I sent you to the page with the yellow highlights on it, B, the first one at the top of the page says the commission may pursue projects to all subjects pertaining to title 15 of town code for an advisory purpose only in consultation with the town staff without obtaining prior permission of the town council. That is basically the addition that I am proposing. If you look at the line above that, the A, in this paragraph of B, when you read the A, it says just what I said to you which is the town council may from time to time assign projects to the



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 6:30 PM**

commission in advance for them to research for you, I just have never seen the council assign them a project, they are perfectly able to do that but you haven't assigned them projects so I think that is what has been....

Bonnie Schaschek: Actually we did some....

Nancyellen Keane: ...okay, well that's the first time, but and so the point, the question I have really is do you need this addition, I drafted it because I was asked to, okay that's the reason I drafted it. The only other thing I will mention to you in this conversation you should know, is that if you look at the first page of the revised draft with the yellow, the little piece of yellow on the first page in the middle of the page it says shall or may ? The reason I did that was because it currently says we shall have a member of council as the liaison and we don't. We have an opening, we have an empty spot and we are violating our own resolution. Do you want to have to have a member of council as a liaison or do you want it to be may and you can have one.

Jackie Brown: I think it should be may, I've served on the planning commission lots of times and it has been done both ways, years ago Morrison acted as the liaison and he was the chairman and the chair being the liaison, it could be someone from council but I don't think it needs to be.

Nancyellen, Keane: Well you all, it's for discussion and you just tell me do you want me to try, to change it to may or something else or?

Frances Westbrook: Yes, change it to may.

Nancyellen Keane: Okay and on the next page where we were talking about it, the first change is the one that allows the commission to do projects on their own within the land use section of the town code, the third one let me explain what that is first before you decide what you want to do about these. This one was something I mentioned to Fran a year ago, just we didn't have the ability to get to it, it just didn't come up, and what this says is the commission may prepare and revise annually a capital improvement program based on the comprehensive plan for a period not to exceed the ensuing 5 years in accordance with Virginia Code section 15.2239 and I attached that code section to the packet I sent you so that you all would be able to see what it says. The General Assembly has authorized localities who pass ordinances or resolutions which allow a planning commission to be involved in the capital improvement plan project to do that and so that is an appropriate legal activity for the planning commission to have, you don't have to authorize them to do that but the General Assembly has suggested it and said that if the governing body allows it they can do that. So, I put this in here because if we are going to modify this resolution we might as well modify it for everything at one time or at least consider it. So those are my suggestions and I am looking for feedback.

Wayne Nunnally: May I hear your explanation of why it should be changed one more time.

Nancyellen Keane: Yeah, Jeff said in his comments....



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 6:30 PM**

Wayne Nunnally: ...yeah...

Nancyellen Keane:that he did not want to be that the planning commission resolution should be changed just to change it or something.

Jeff Ewing: You changed the rules in 2018 because of whatever happened in the planning commission, so those guidelines and restrictions were put into place for a reason, because you didn't want the planning commission going off the path, so you put these rules in so that the planning commission doesn't go off the path that seems good. If the planning commission is now lacking activity you need to assign them activity and that's what is in the statute right now. The other ancillary things that you've added in are ordinance improvements, that I'm not opposed to personally, I get your thought if you are going to change it, change the whole thing.

Nancyellen Keane: Yeah.

Frances Westbrook: I personally think that we don't even need this.

Bonnie Schaschek: We don't.

Frances Westbrook: I mean the normal with the state code, they have to exist and their probable primary reason for existing is the comprehensive plan and that's a given no matter what and then whatever else the town council might would ask them to do and there is nothing to stop them from coming to town council with an idea or suggestion and we say hey that sounds great go for it, and I think that is what part of this conversation was about last month about what they can do and how they can do it, so I think what they desire and what we desire is already in force so I don't necessarily see that we have to do a resolution for what already exists.

Jackie Brown: I think if you do not allow the planning commission to act independently of the council then you lose a lot of opportunity for creativity, I don't think they should be sitting and waiting for us to suggest to them what to do. I don't like those proposal about them working on capital improvements, but I think they have plenty to do with the ordinances, the ordinances are in a mess, things have been pulled out, things have been put in, and they really need to be reviewed, so I think that is one project they should be working on, so the comprehensive plan of course needs to be worked on, but I think you take away a lot of creativity if you say no you have to wait for council to tell you what to do.

Frances Westbrook: No, we are not saying that, we are saying they can come to us anytime they want to.

Jackie Brown: I don't think they need to ask our permission.

Frances Westbrook: They do, I mean that's a state thing if I'm not mistaken.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 6:30 PM**

Nancyellen Keane: Well, they are an advisory board, that's what I guess.

Jackie Brown: They can advise us however they want and we make the decision how we feel about that.

Frances Westbrook: But they can come to us and say hey we think we need to start working on something on the sidewalks here, we are getting a lot of complaints about whatever and we say fine, go for it. It's not incumbent on them just to sit and wait for us to speak to them, I mean that's already, that already exists. It just hasn't been taken advantage of and they haven't come to us and we haven't given much to them, but there is no reason why we can't. I don't think we need a resolution to make it happen.

Jackie Brown: What happened in 2018 was punitive to the planning commission and I think we need to get rid of that.

Frances Westbrook: I don't think we need a resolution to do that and I don't, I'd like to think we are not going to continue....

Wayne Nunnally: ...that they can't operate if we don't tell them what to do?

Nancyellen Keane: The current language Wayne indicates there are three bases for the planning commission to have authority to do anything, okay, the first is that town council may from time to time assign projects to the commission, the second is the commission shall periodically prepare and recommend comprehensive plan, but that's theirs, that's not something that town council tells them to do and then third is the commission shall perform such other services provided in the Irvington town code. There are sections of the town code that require the planning commission make the decision like on exemptions and exceptions under the Chesapeake Bay Act and so forth, they already did that in the last 3 months for The Tides Inn deal, remember that, there are certain things in the town code that they have to be involved in, in CUPS.

Wayne Nunnally: What was the punitive part Jackie that you are talking about?

Nancyellen Keane: Having to ask permission, how do you give assignments.

Jackie Brown: That the planning commission had to be given instructions to do it and that was wrong.

Frances Westbrook: But that was also several years ago and I think this is a whole different planning commission and a whole different council.

Jackie Brown: I agree. I just think that it would be good to be clear that they can act independently.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 6:30 PM**

Bonnie Schaschek: I think that all we need to do is explain it to them.

Jackie Brown: Okay.

Bonnie Schaschek: I don't think we need to start changing all the ordinances for it or whatever, resolution, I don't think we need a resolution.

Jackie Brown: So you are saying this thing that Nancyellen drew up we should just discard this and go back to what we have before, is that what you're saying?

Nancyellen Keane: Yeah, the current one. Go back to the current one.

Bonnie Schaschek: We currently have a resolution, she was just modifying it. She added B and D, but I don't think that needs to be there.

Frances Westbrook: I think we are fine with it.

Bonnie Schaschek: The current one, I do agree that of whom shall should be may....

Frances Westbrook: Uh huh.

Bonnie Schaschek:but that would be...

Nancyellen Keane: If you are not making the other two changes....

Bonnie Schaschek: I wouldn't worry about it.

Dudley Patteson: It is a two-way street...

Bonnie Schaschek: Exactly.

Dudley Patteson: ...we need to figure our our lane and they need to come up to us on their lane....

Bonnie Schaschek: Exactly, you're right.

Dudley Patteson:and function together.

Frances Westbrook: That's a good way of putting it.

Bonnie Schaschek: Yeah, so I don't think this is necessary.

Jackie Brown: So we are going back to 2018-010.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 6:30 PM**

Nancyellen Keane: That is the current one.

Frances Westbrook: Staying with the current.

6. Discussion of American Recovery Act Funds

Mayor Bugg: Got it. Next item will be discussion of American Recovery Act funds.

Nancyellen Keane: Who is doing that, is that Fran, are you doing that? American Recovery Act fund.

Frances Westbrook: I'm not aware of it if I am. The only thing that we were going to talk about was that we are going to have to amend the budget coming up and this is what we talked about in the budget presentation. We don't know what we are going to get, when we are going to get it necessarily or how we can spend it, so we will once we know those particulars and that may very well happen sometime in the month of May then we will have to go through the process of amending the budget we are going to get ready to adopt and go through this all over again, but there is not really much else that we can do about that. This was also the recommendation after the conversation that we had with the accountant and the legal, he told us that every locality in the state was in the same boat we are in, they are all going crazy with some great money coming in but nobody knows how they can use it yet.

Dudley Patteson: So there's not much to talk about.

Anthony Marchetti: Yeah.

Frances Westbrook: They are all going through the same budget stuff we are, everybody just about in the State of Virginia is going to be amending their budgets this summer once this stuff comes through and we know what it's about, so it's, it's statewide.

Dudley Patteson: So we can move on to traffic at the triangle.

Mayor Bugg: Yes. The triangle.

Frances Westbrook: Thank you Nancyellen I forgot I said I was going to do that.

Mayor Bugg: Maybe it's on the traffic triangle, 200 Steamboat Road, there you are.

7. Maintenance of Traffic Triangle at Route 200 & Steamboat Road

Julie Harris: Good evening, I'm Julie Harris, President of VIA, I live at 899 King Carter Drive, I have two handouts, the first is informational, the first is informational about what is the VIA, and the main thing I wanted to point out is that it is an all volunteer organization with at least 40 active members most of whom are full time Irvington residents. The next section that you see talks about events organized by the VIA and you can see that with things that you all know about, the Farmer's Market the concerts, the band, and then some other things that the VIA has helped Irvington



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 6:30 PM**

including a water system on the Irvington Commons, electricity on the Irvington Commons, benches, picnic tables, speaker system, welcome bags for new residents, so looking over all of that, well the next thing is the letter of notification. The traffic triangle at Route 200 and Steamboat Road, and this area serves as a first impression to visitors, a gateway to the Town of Irvington. For several years the Town of Irvington has provided mowing services at the site and the VIA has installed and planted and paid for all beautification of the plant maintenance. The goal of the VIA has been to maintain this area and the town to make it attractive for tourists and visitors and residents. The VIA

wishes to continue providing a high level of aesthetic beauty and curb appeal throughout the village and continue our other services for many visitors and residents of Irvington. We are proud of our impact on the community with all the public works we have provided the town. However, the problem is one of two concerns, safety concerns for the volunteers maintaining the area within the busy right of way of Irvington Road and Steamboat Road, we no longer have volunteers who will work in this area. The escalating costs of contracting out the maintenance and at the point the VIA cannot continue to pay the level of maintenance required to keep the triangle aesthetically pleasing in its current form. So, with the backing of the membership of the VIA we will maintain the current center section of the triangle including the roses, daffodils and daylilies as well as $\frac{3}{4}$ of the liriope beds through June 30, 2021, and as of July 1, 2021, the VIA will relinquish all maintenance and oversight of this triangle. The VIA stands committed to maintaining a working relationship with the town council and appreciates your understanding of VIA's concern for safety and expense. Any questions?

Wayne Nunnally: Julie I don' have a problem with the escalated costs of contracting the maintenance, who are you paying?

Julie Harris: It is \$35.00 an hour and it varies but the main concern that the VIA has is for safety of our workers with increased traffic and so forth, we have been advised by different maintenance companies that it is better to have workers who are...

Bonnie Schaschek: ...insured....

Julie Harris:yes, are insured...

Anthony Marchetti: ...workers comp policies....

Julie Harris: And, plus we can't get any volunteers to maintain it, to continue to do the work, so we will do it through June and then that's all we can do.

Frances Westbrook: You know there is a little bit of an issue with this, that is not town property, it is owned by VDOT.

Julie Harris: Correct.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 6:30 PM**

Frances Westbrook: And I don't know if we continue to do anything or if the town opts to take over, you know, well we have to go through VDOT to make that actually happen. They may flat out tell us no and I think we've all just kind of skirted that and as long as no one gets their hand slapped we loved having it look nice but it is not town property.

Julie Harris: But doesn't the town pay for cutting the grass?

Frances Westbrook: I don't know, do we Sharon on the triangle?

Sharon Phillips: Yes.

Dudley Patteson: I think you do. I've seen Arrowhead out there.

Frances Westbrook: Oh, okay.

Julie Harris: That's what I was going to say, we will maintain what's there but then after June 30th.

Frances Westbrook: We understand, but golly all the years you have done it.

Wayne Nunnally: Could you do it through August.

Julie Harris: I don't think so.

Mayor Bugg: Thank you for everything.

Julie Harris: Thank you.

Mayor Bugg: Absolutely.

Bonnie Schaschek: I would say if they want to take and dig up the roses and put them over at the Commons.

Frances Westbrook: Did you hear that Julie?

Julie Harris: We will try to dig up the roses, the liriope.

Frances Westbrook: And transfer them.

Julie Harris: Not the liriope, but the day lilies and the roses.

Bonnie Schachek: The liriope you just cut like grass. But I would dig those up because I don't believe Arrowhead does any pruning of roses and weeding of flower beds do they.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 6:30 PM**

Sharon Phillips: We could ask. We have a turnkey contract with them.

Bonnie Schaschek: Okay.

Sharon Phillips: I do not know their, I don't know their entire offerings but....

Bonnie Schaschek: Is that something that you have time to follow-up with before.

Dudley Patteson: I think they can do most anything out there.

Anthony Marchetti: It says landscape company I think they probably, I would think they could do maintaining those.

Dudley Patteson: They could, if you ask them and pay them, they'll.

Frances Westbrook: Trim roses.

Sharon Phillips: The point of that is, if you look at your budget line item, they don't come close to the former Mayor Ransone upped their contract to what was referred to as a turnkey contract and since that time there have been budget dollars left in that contract so we can definitely talk to them.

Frances Westbrook: I think that's a great idea.

Mayor Bugg: Definitely.

Julie Harris: Well let us know if you decide that you want to keep them and you are going to maintain the roses then we'll leave them, if they are just going to cut the grass we'll remove them.

Frances Westbrook: But you'd rather dig up roses while its cooler rather than hot.

Mayor Bugg: Exactly.

Sharon Phillips: But do you think council should formulate expectations for them, I, spring, prune spring/fall.

Frances Westbrook: I would think they would know that.

Sharon Phillips: But I just want to make sure that they are meeting your expectations.

Anthony Marchetti: Maybe we can do a written, here is what we want a quote for, scope of work for them to quote or....



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 6:30 PM**

Mayor Bugg: Absolutely.

Bonnie Schaschek: It's more than that they are going to have to weed, sorry, they are going to have to weed the flowerbeds.

Sharon Phillips: I need a scope of work, a scope of work, expectations....

Anthony Marchetti: It sounds like you know, what needs to be done, so you or Julie or somebody that knows.

Mayor Bugg: Thank you Julie. Please extend our gratefulness to all of the VIA.

9. Motion to appropriate \$1,806 from TBD; Bay Design Group

Mayor Bugg: Bear with us while we get through some bills and wrap up more, round table and announcements. The next item is a motion to appropriate \$1,806 TBD Bay Design Group.

Frances Westbrook: Have we asked this before, can we do these together as a group or do we need to do them one by one. Do we have a consensus.

Sharon Phillips: Minutes please.

Frances Westbrook: I'm sorry I was talking, beg your pardon.

Sharon Phillips: If it is possible can we please a one by one for, it would just add some clarification for the treasurer.

Nancyellen Keane: I would say I agree with that unless you have a piece of paper with them all on it and we had the piece of paper that we can make part of the minutes.

Wayne Nunnally:approve them...

Bonnie Schaschek: Isn't this part of the minutes?

Nancyellen Keane: Not the agenda isn't.

Frances Westbrook: Let's start doing this as a consensus part of the agenda in the future.

Mayor Bugg: That would be excellent.

Frances Westbrook: That would be good if we did that.

Mayor Bugg: Okay is there a motion to approve that?



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 6:30 PM**

Wayne Nunnally: So moved.

Dudley Patteson: Second.

Mayor Bugg: All in favor? Opposed?

Vote: Frances Westbrook Aye
Bonnie Schaschek Aye
Dudley Patteson Aye
Jackie Brown Aye
Anthony Marchetti Aye
Wayne Nunnally Aye

THE MOTION TO APPROPRIATE \$1,806 FROM TBD; BAY DESIGN GROUP IS PASSED 6-0.

10. Motion to appropriate \$365.62 from General Operating; Rappahannock Record

Wayne Nunnally: So move.

Dudley Patteson: Second.

Vote: Frances Westbrook Aye
Bonnie Schaschek Aye
Dudley Patteson Aye
Jackie Brown Aye
Anthony Marchetti Aye
Wayne Nunnally Aye

THE MOTION TO APPROPRIATE \$365.62 FROM GENERAL OPERATING; RAPPAHANNOCK RECORD IS PASSED 6-0.

11. Motion to appropriate \$2362.50 from General Operating; Robinson, Farmer, Cox

Wayne Nunnally: Move we approve number 11.

Dudley Patteson: Second

Vote: Frances Westbrook Aye
Bonnie Schaschek Aye
Dudley Patteson Aye
Jackie Brown Aye
Anthony Marchetti Aye
Wayne Nunnally Aye

THE MOTION TO APPROPRIATE \$2,362.50 FROM GENERAL OPERATING; ROBINSON, FARMER, COX IS PASSED 6-0.

12. Consideration of a motion to appropriate \$825 from General Operating; Arrowhead Lawn Care

Wayne Nunnally: Move we appropriate number 12.

Dudley Patteson: Second.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 6:30 PM**

Vote: Frances Westbrook Aye
Bonnie Schaschek Aye
Dudley Patteson Aye
Jackie Brown Aye
Anthony Marchetti Aye
Wayne Nunnally Aye

**THE MOTION TO APPROPRIATE \$825 FROM GENERAL OPERATING;
ARROWHEAD LAWN CARE**

13. Motion to appropriate \$1,225 from General Operating; Mill Creek Geek

Wayne Nunnally: Move we appropriate number 13

Dudley Patteson: Second.

Vote: Frances Westbrook Aye
Bonnie Schaschek Aye
Dudley Patteson Aye
Jackie Brown Aye
Anthony Marchetti Aye
Wayne Nunnally Aye

**THE MOTION TO APPROPRIATE \$1,225 FROM GENERAL OPERATING; MILL
CREEK GEEK IS PASSED 6-0.**

Sharon Phillips: Mr. Mayor?

Mayor Bugg: Yes.

Sharon Phillips: I apologize, I know town council is tired after this evening, but if you will note on number 9....

Mayor Bugg: Yes.

Sharon Phillips:it reads motion to appropriate \$1,806 from TBD....

Frances Westbrook: To be determined....

Sharon Phillips: I'd like for council to clarify where that money is to come from.

Anthony Marchetti: I thought it was Bay Design. I thought TBD was, The Bay Design Group. Sorry. I see it now.

Frances Westbrook: You thought it was The Bay Design.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 6:30 PM**

Anthony Marchetti: It said TBD I thought it was \$1,806 for TBD and lists The Bay Design Group. I see now means to be determined.

Frances Westbrook: Did we prior to this out of the capital budget.

Sharon Phillips: Originally it came out of CARES and you guys have to decide where its coming from. Then it was out of contingency.

Frances Westbrook: This is all part of the site plan study.

Nancyellen Keane: Came out of capital budget last time.

Frances Westbrook: That's what I thought. Let's do it out of the capital budget again since the site plan is already in there.

Mayor Bugg: That works.

Wayne Nunnally: Move to amend #9 to come out of the capital budget.

Mayor Bugg: All in favor?

Group: Aye.

Mayor Bugg: Opposed?

Anthony Marchetti: Second, Aye.

Mayor Bugg: Motion passes.

Mayor Bugg: Opposed? Motion passes as well.

Vote: Frances Westbrook Aye
Bonnie Schaschek Aye
Dudley Patteson Aye
Jackie Brown Aye
Anthony Marchetti Aye
Wayne Nunnally Aye

THE MOTION TO AMEND NUMBER 9 TO COME OUT OF THE CAPITAL BUDGET IS PASSED 6-0.

14. Motion to appropriate \$2,778 from CST; Flack Shack

Wayne Nunnally: Move we appropriate number 14

Dudley Patteson: Second.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 6:30 PM**

Vote:	Frances Westbrook	Aye
	Bonnie Schaschek	Aye
	Dudley Patteson	Aye
	Jackie Brown	Aye
	Anthony Marchetti	Aye
	Wayne Nunnally	Aye

THE MOTION TO APPROPRIATE \$2,778 FROM CST; FLACK SHACK IS PASSED 6-0.

L. ROUNTABLE

Wayne Nunnally: I think we need to discuss the thing about no through trucks, where are we with that, I thought we submitted the thing to the county.

Nancyellen Keane: The mayor and Fran were going to talk to the Lancaster County Board of Supervisors.

Frances Westbrook: Well there's that, but also we were going to wait and have the traffic study done when spring arrived when we were actually at our busiest and we got a true count.

Wayne Nunnally: For the through trucks?

Frances Westbrook: Yes.

Nancyellen Keane: Yeah.

Frances Westbrook: Yes, we have to have a...

Bonnie Schaschek: Who is, I'm sorry, who is doing the study? VDOT?

Frances Westbrook: Yeah, we asked them to hold off until we got our season back, it was COVID last year and nobody was going anywhere, if they get a low truck count they are going to tell us no you don't need a no through...

Bonnie Schaschek: Right, right, right.

Frances Westbrook: So, we asked if they could hold off until this coming spring when we would have a more realistic count outcome and they could take it from there, but VDOT has to do that.

Nancyellen Keane: ...were open last year and we were waiting for Compass to open....

Frances Westbrook: That's right....



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 6:30 PM**

Nancyellen Keane: And COVID it just didn't....

Frances Westbrook: Yeah.

Nancyellen Keane:it was not a good time to do it....

Bonnie Schaschek: Well that makes sense.

Wayne Nunnally: So we are waiting on VDOT to do a study.

Nancyellen Keane: Yes.

Bonnie Schaschek: Do we have to contact VDOT and tell them to do it.

Frances Westbrook: I don't know if they put us on their calendar or we are supposed to get back to them.

Nancyellen Keane: Lara can call and talk to them about when they are going to come. They were supposed to contact us 2 weeks before they come.

Mayor Bugg: Time is limited so....thank you, anything else council.

Wayne Nunnally: The other thing the resident brought up is about, I had known noticed, cracks in, what would you call that the curbing, up and down King Carter, full of grass and debris, I do think that is part of this turnkey project. I had approached the fellow who does it and he was telling me that the state was doing it and that they were spraying it, so I think I would like to get that straight, who is doing it because somebody sprayed my forsythia and killed part of it and I'd like to know who to blame. So, who is supposed to be doing it, is the state doing it Sharon?

Sharon Phillips: VDOT comes through at least once a year and VDOT has a very discernable kill path. Their sprayer I believe is vehicle mounted and it has an apparatus that consistently uniformly sprays the chemical and it extends beyond the sidewalks, whereas our vendor does not use that vehicle mounted apparatus and has much more control so, I will not say who killed your forsythia, that remain an Irvington mystery.

Wayne Nunnally: Can we stop the....

Sharon Phillips: You cannot stop VDOT.

Anthony Marchetti: And if it needs to be sprayed more than VDOT is doing it we could have our vendor.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 6:30 PM**

Wayne Nunnally: ...every 6 weeks....

Frances Westbrook: Guys, let me ask you this, when VDOT gets ready to do anything at all on the county level, they go to their meetings and they tell them upcoming over the next 3 months on this date we are paving this road, we are doing that, VDOT gives them every move they are getting ready to make, and they do that for Kilmarnock also, so why can't they do that for Irvington, if we know they are coming out to spray we can say nope, no thanks.

Mayor Bugg: Yeah.

Frances Westbrook: I think if we request that of them, they do it for other localities, I mean I know we are tiny but we ought to count for something.

Wayne Nunnally: ...got a million dollars.

Frances Westbrook: Alright, so that is just a thought, we might can get on their...

Sharon Phillips: So, I think that council needs to decide if you want your current vendor to continue with what has been previously done which included sidewalk spraying and that sidewalk spray does not again, he applies his with a sprayer that is controlled and he is incredibly accountable, I do think that last year, he was potentially blamed for some overspray because VDOT did not notify the town that they were coming into the community, there was a bit of crossover, that chemical when it is applied has a 21-day shelf life, and they did come through town within 21 days of each other, VDOT and our particular vendor. Also your street sweeping, your current contract with your vendor includes street sweeping, but at recent council meetings there had been commentary at the table that that was to be suspended that that vendor was not to do spraying or street sweeping, so again, just looking for council's clarification.

Wayne Nunnally: The same one, that does....

Sharon Phillips: Yes.

Frances Westbrook: Let's review their contract and look at all the stuff that they are doing or whatever.

Wayne Nunnally: If we suspended the...

Bonnie Schaschek: Is VDOT spraying the sidewalks or just the curbing, because I can tell you they have never sprayed the sidewalk by me. The curbing I can....

Sharon Phillips: I do not know the answer as to what VDOT's scope of work is.

Frances Westbrook: We need to review that....



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 6:30 PM**

Anthony Marchetti: I'm sure some of it goes on the sidewalk but...

Dudley Patteson: I've seen a planning commission member spraying the sidewalks.

Frances Westbrook: Oh really.

Dudley Patteson: So we need to do something.

Frances Westbrook: Okay.

Wayne Nunnally: Are we going to direct the clerk to tell the contractor to clean them.

Frances Westbrook: Why don't we look at their contract at the next monthly meeting and see exactly what all they are doing and....

Mayor Bugg: That makes sense.

Frances Westbrook: ...if there are any other issues then we can address this then and maybe more than just that.

Mayor Bugg: Good anything further council for round table. Excellent. That would move us to announcements.

M. ANNOUNCEMENTS

Mayor Bugg: Let's say after I let Sharon speak, given the time constraints that I thought we were going to encounter my anticipation of Lara's support and people speaking out for interim mayor came as would likely happen next month I aim to have those be read next month but we do have a little bit of time so I think it would be appropriate to read those now to council if you want to so that they can hear and it will be more for us to consider next month. Go ahead and take that.

Sharon Phillips: Chris Braly, I am unable to attend the meeting tonight but would like to express my full support for the appointment of Gabe Del Rio as interim mayor. We are writing on behalf of Gabe Del Rio and his candidacy for the interim mayor position. As well as for the election in November of 2021. We live in Irvington at 692 Chesapeake Drive and have known Gabe since his return to town. To us it speaks volumes that he wanted to return to Irvington to raise a family and live in a place where he can make a difference. He has certainly made a positive difference in our lives not only as a nice neighbor and a helpful neighbor but by also opening up a wonderful new shop which I understand supports various organizations in the community. His kindness and interest in making Irvington a better place along with his professional experience as a housing and community development executive make him a great candidate for the mayor position. As Irvington homeowners and people who care very much about Irvington we just wanted to share that Gabe has



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 6:30 PM**

our full support and we feel our town would be very fortunate to have Gabe leading and representing us. Excuse me, have a great day, Trisha and Evan Nicely. From Carol Biscontini, when I first met Gabe and I learned that he had the brilliance to think that this would be a good place for a doughnut shop, hummm I have been saying that for years. I was impressed by him, then when I read his resume it blew me away. If anyone can win the grants available for communities like ours it is Gabe. The prospect of Gabe as mayor is an exciting one. He understands the qualities that make our community such a lovely place to live and he has a vision to make it even better. Gabe has my full support as full mayor. Carol Biscontini. Adrian Bugg, I hope all is well, I am not able to attend the meeting tonight but willing to express my support for Gabe Del Rio as interim mayor. I met Gabe in early 2020 and have gotten to know him well and worked with him one on one since then. He has been by my side as we have worked with Sam Van Saun, Brian Forster, Ann Meekins, Anthony

Marchetti, Beau Bragg and the other amazing people that started the IBBA. He is helped us move the group forward in major ways in a short period of time. Gabe and I work closely together on the marketing committee for the IBBA as well as on another project so I have seen how he leads, how he manages projects and interacts with people. I cannot say enough great things about him. He is smart, organized, thinks of issues from all angles and truly has the town's best interest at heart. What else do we need as a town. As a family we are sad to have to make the transition from Tripp being mayor but from the outset our greatest concern and interest was to leave Irvington in good hands. Even though I am Tripp's wife I am competent in saying that from an objective perspective he has worked really hard at moving Irvington forward and into a better place. I am extremely happy to see the progress and know that Irvington has an amazing future, but, only if someone like Tripp and Gabe are in office. The only path forward is to have Gabe take over in interim and also run for mayor in the fall. It is the best thing for all of us and I am certain he will look out for what is best for the residents of Irvington as well as do what is best for the town's future. Adrian Bugg. Steven Reese, this is my letter of support for Gabe Del Rio as interim mayor of Irvington. Gabe has the qualifications and experience to serve our community in a thoughtful and responsive process. Steven Reese. Andrea Latel, Jerry and Jerry Latel are in support of Gabe Del Rio as mayor, again, Andrea and Jerry Latel, one more, from Jamie Crissy, support for Fran, interim mayor, I would like to offer my support for Fran Westbrook to be appointed interim mayor based on her many years of community and town government experience. I appreciate her devotion to Irvington and her desire to be our town's caretaker. Her service of 7+ years on town council and extensive work in our community as described in her letter demonstrates her devotion to having the town's best interest at heart. Additionally her background in accounting and past work on the budget and finance committee will be an asset to the town in helping implement the corrections from the audit. Jamie Crissy.

Mayor Bugg: Thank you Sharon and thank you council for your patience as we had a little bit of time to go ahead and get those, I'm sure there will be more coming in at the next meeting. The next thing I have is my final announcement, O'Hagen Meyer, counsel conducting an investigation has asked me to schedule a meeting for next Thursday, May 20th at 6:00 p.m. the purpose of presenting to counsel in closed session the results of the investigation. Please let me know whether each of you is available for that.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 6:30 PM**

Frances Westbrook: The 20th.

Mayor Bugg: The 20th, which is one week from today, alright.

Frances Westbrook: At what time?

Mayor Bugg: 6:00 p.m.

Wayne Nunnally: That's closed session?

Mayor Bugg: Closed session. Does that work for everyone.

Frances Westbrook: It's good for me.

Mayor Bugg: Okay I need we need to vote on it, so can I have a motion for that to have a special called meeting, closed session to be at 6:00 p.m. on May 20th.

Wayne Nunnally: Motion.

Mayor Bugg: Second?

Female: Second.

Mayor Bugg: Any further discussion? All in favor?

Group: Aye.

Mayor Bugg: Motion passes with that we will...

Vote:	Frances Westbrook	Aye
	Bonnie Schaschek	Aye
	Dudley Patteson	Aye
	Jackie Brown	Aye
	Anthony Marchetti	Aye
	Wayne Nunnally	Aye

THE MOTION TO HOLD A SPECIAL CALLED MEETING ON MAY 20TH AT 6PM IS PASSED 6-0.

Wayne Nunnally: Adjourn.

Mayor Bugg: 6:00 correct.

N. **ADJOURN**



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
TUESDAY, MAY 13, 2021 6:30 PM**

Mayor Bugg: Is there a second to adjourn? All in favor?

Group: Aye.

Mayor Bugg: Opposed. Adjourn. Thank you everyone.

Vote: Frances Westbrook Aye
Bonnie Schaschek Aye
Dudley Patteson Aye
Jackie Brown Aye
Anthony Marchetti Aye
Wayne Nunnally Aye

Respectfully submitted,
Sharon L. Phillips, Clerk

Albert D. Bugg, III Mayor



TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL SPECIAL CALLED MEETING
THURSDAY MAY 20, 2021 6PM
IRVINGTON BAPTIST CHURCH

A. ALL TO ORDER

Mayor Bugg: I call this meeting to order. This is a special called meeting of the Irvington Town Council on Thursday May 20, 2021 at the Irvington Baptist Church.

B. ROLL CALL

Mayor: Mayor Bugg present.

Council: Frances Westbrook present.

Bonnie Schaschek present.

Jackie Brown present.

Dudley Patteson present.

Anthony Marchetti present.

Nunnally here.

Staff Present: Nancyellen Keane, Town Attorney

Lara Brown, Zoning Administrator

Sharon Phillips, Town Clerk

Guests Present: See attached sign in sheet.

Mayor Bugg: We are all present. Thank you everyone for being here this evening. Before I get going I need to ask legal a question. Do we need to address this emergency item in open session or do we address that in closed?

Nancyellen Keane: Closed.

Mayor Bugg: Well then with that I will turn it over to the vice mayor for the reading.

C. CLOSED SESSION

1. Pursuant to §2.2-3711A.8 of the Code of Virginia for the purpose of consultation with legal counsel for specific legal matters.

Frances Westbrook: I Frances Westbrook move to go into closed session pursuant to Section 2.2-3711(A)(8) of the Code of Virginia for the purpose of consultation with legal counsel for specific legal matters.

Wayne Nunnally: Second.

Mayor Bugg: Is there any further discussion? All in favor? Opposed?

Vote:	Frances Westbrook:	Aye
	Bonnie Schaschek:	Aye
	Jackie Brown:	Aye
	Dudley Patteson:	Aye
	Anthony Marchetti:	Aye
	Wayne Nunnally:	Aye

THE MOTION TO GO INTO CLOSED SESSION IS PASSED 6-0.



TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL SPECIAL CALLED MEETING
THURSDAY MAY 20, 2021 6PM
IRVINGTON BAPTIST CHURCH

D. RETURN TO OPEN SESSION

Frances Westbrook: Whereas the Town of Irvington has convene a closed session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and whereas, Section 2.2-3712 of the Code of Virginia requires a certification by the Board that such closed session was conducted in conformity with Virginia law; Now, there, be it resolved that the Board hereby certified that to the best of each member's knowledge (i) only public business matters lawfully exempted from open session requirement by Virginia law were discussed in closed session to which this certification resolution applies and (ii) only such public business matters were identified in the motion convening the closed session were heard, discussed or considered by the Board. Is there any member who believes that there was a departure from the motion to go into a closed session? If so, so please state the departure.

I, Mayor Bugg, so certify.

I, Wayne Nunnally, so certify.

I, Fran Westbrook, so certify.

I, Dudley Patteson, so certify.

I, Bonnie Schaschek, so certify.

I, Jackie Brown, so certify.

I, Anthony Marchetti, so certify.

Mayor Bugg: We are in open session. Excellent that will leave us with the last item. Is there a motion?

Wayne Nunnally: Motion to authorize the town attorney, Keane Law, PLLC to file an action in Lancaster County Circuit Court on behalf of the Town of Irvington in conjunction with the County of Lancaster should it be necessary to enforce violations of the above referenced state law and town code with respects to Tax Map 28-207A and 34-5 known as "Fishers Pitt".

Jackie Brown: Second.

Mayor Bugg: Further discussion? All in favor? Opposed?

Vote:	Frances Westbrook:	Aye
	Bonnie Schaschek:	Aye
	Jackie Brown:	Aye
	Dudley Patteson:	Aye
	Anthony Marchetti:	Aye
	Wayne Nunnally:	Aye

THE MOTION TO AUTHORIZE THE TOWN ATTORNEY, KEANE LAW PLLC, TO FILE AN ACTION IN LANCASTER COUNTY CIRCUIT COURT ON BEHALF OF THE TOWN OF IRVINGTON IN CONJUNCTION WITH THE COUNTY OF LANCASTER SHOULD IT BE NECESSARY TO ENFORCE VIOLATIONS OF THE ABOVE REFERENCED STATE LAW AND TOWN CODE WITH RESPECTS TO TAX MAP 28-207A AND 34-5 KNOWN AS "FISHERS PITT" IS PASSED 6-0.



TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL SPECIAL CALLED MEETING
THURSDAY MAY 20, 2021 6PM
IRVINGTON BAPTIST CHURCH

E. ADJOURN

Wayne Nunnally: Motion to adjourn.

Dudley Patteson: Second.

o

Mayor Bugg: All in favor? Opposed. We are adjourned.

Respectfully Submitted,

Sharon Phillips, Town Clerk

Albert D. "Tripp" Bugg, III



Town of Irvington Zoning Administrator Report
Prepared for Planning Commission and Town Council
Prepared For: June 8 and June 10, 2021 Meetings
Staff Contact: Lara M. Brown, Zoning Administrator

Zoning Permits

Conditional Use Permit Application

2021.CUP02_Quarles/Pollard – Applicant(s) seek to amend current CUP to allow a use for boat storage on existing gravel parkway and office space in existing building. Property is under contract for purchase by Albert C. Pollard, Jr.

Notice of Violation Update

Fisher's Pit – an amended order from DMME (Department of Mines Minerals and Energy) was issued to landowner. More information is forthcoming but not available at the time of this report.

North Commons Update

Bay Design Group will be at the June 10th meeting to share a Conceptual Plan for development of a Town Hall, parking area(s), septic field, and storage structure.

VDOT Work Request(s)

#1427621 - Update requested for completion date concerning culvert on Railway. VDOT reported back to the Town that the pipe is cleared.

Tall grass near Aqua tower - Several citizens have called the Town complaining about the tall grass along King Carter near the Aqua parcels. I spoke to VDOT since this area is in their ROW (Right Of Way), and they are scheduled to start cutting secondary roads the week of June 7th. Secondary roads ROW's are mowed twice per season.

Traffic Study re: Speed in Irvington – VDOT contacted Lara to update on the traffic study schedule. Late July or early August, VDOT will set up their equipment to track data on speed along King Carter and Steamboat Roads. This traffic study was requested during the No-Thru Trucks discussions. **What will this traffic study tell us?** If 85% or more vehicles are recorded moving greater than 35 mph, than Irvington would qualify for Traffic Calming Measures. What are Traffic Calming Measures? What are our options? David Beale with VDOT has shared their Traffic Calming Measures handbook which the link is attached here:
<http://www.virginiadot.org/programs/resources/Traffic-Calming-Guide-For-Neighborhood-Streets.pdf>

JOB NO. 21001-03

THIS DRAWING IS THE PROPERTY
OF BAY DESIGN GROUP
AND IS NOT TO BE REPRODUCED
OR USED FOR ANY PROJECT IN
WHOLE OR IN PART WITHOUT
EXPRESS WRITTEN PERMISSION.

PROJECT MANAGER:
WAS/WBB

DESIGNED:
WAS/JWR

CAD:
JWR

CHECKED:
WAS

FILED:
G1-21001-CONCEPT

DATE:
MAY 26, 2021

REVISED:

REVISED:



www.baydesigngroup.com

40 CROSS ST.
P.O. BOX 51
URBANIA, VA 23175
(804) 693-2993



PROJECT:

IRVINGTON TOWN HALL

TOWN OF IRVINGTON
LANCASTER COUNTY, VA
SHEET:

CONCEPT PLAN

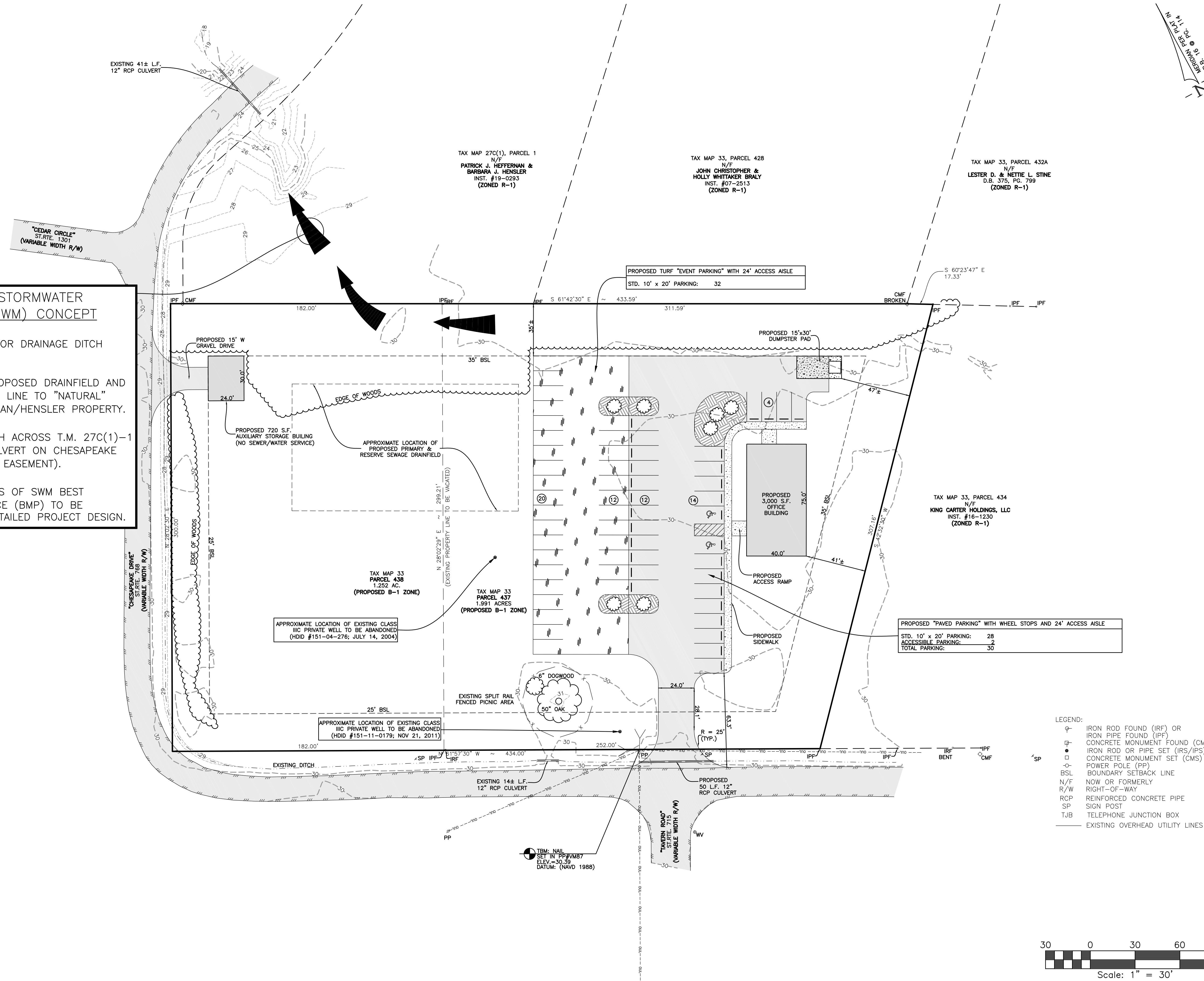
SHEET NO.:

G1

JOB NO. 21001-03

DRAINAGE & STORMWATER MANAGEMENT (SWM) CONCEPT

- PROVIDE PIPED AND/OR DRAINAGE DITCH FROM PARKING AREA.
- LOCATE BETWEEN PROPOSED DRAINFIELD AND NORTHERN PROPERTY LINE TO "NATURAL" OUTFALL AT HEFFERNAN/HENSLER PROPERTY.
- CLEAR/IMPROVE DITCH ACROSS T.M. 27C(1)-1 TO EXISTING 12" CULVERT ON CHESAPEAKE DRIVE (MAY REQUIRE EASEMENT).
- TYPE/LOCATION/LIMITS OF SWM BEST MANAGEMENT PRACTICE (BMP) TO BE DETERMINED WITH DETAILED PROJECT DESIGN.



JOB NO. 21001-03

THIS DRAWING IS THE PROPERTY OF BAY DESIGN GROUP AND IS NOT TO BE REPRODUCED OR USED FOR ANY PROJECT IN WHOLE OR IN PART WITHOUT EXPRESS WRITTEN PERMISSION.

PROJECT MANAGER:

WAS/WBB

DESIGNED: WAS/JWR

CAD: JWR

CHECKED: WAS

FILED: G1-21001-CONCEPT

DATE: MAY 26, 2021

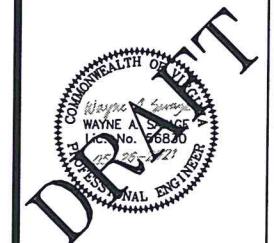
REVISED: 06/02/21

REVISED:



Engineering Surveying & Land Planning
www.baydesigngroup.com

40 CROSS ST.
P.O. BOX 51
URBANIA, VA 23175
(804) 693-2993



PROJECT:

IRVINGTON TOWN HALL

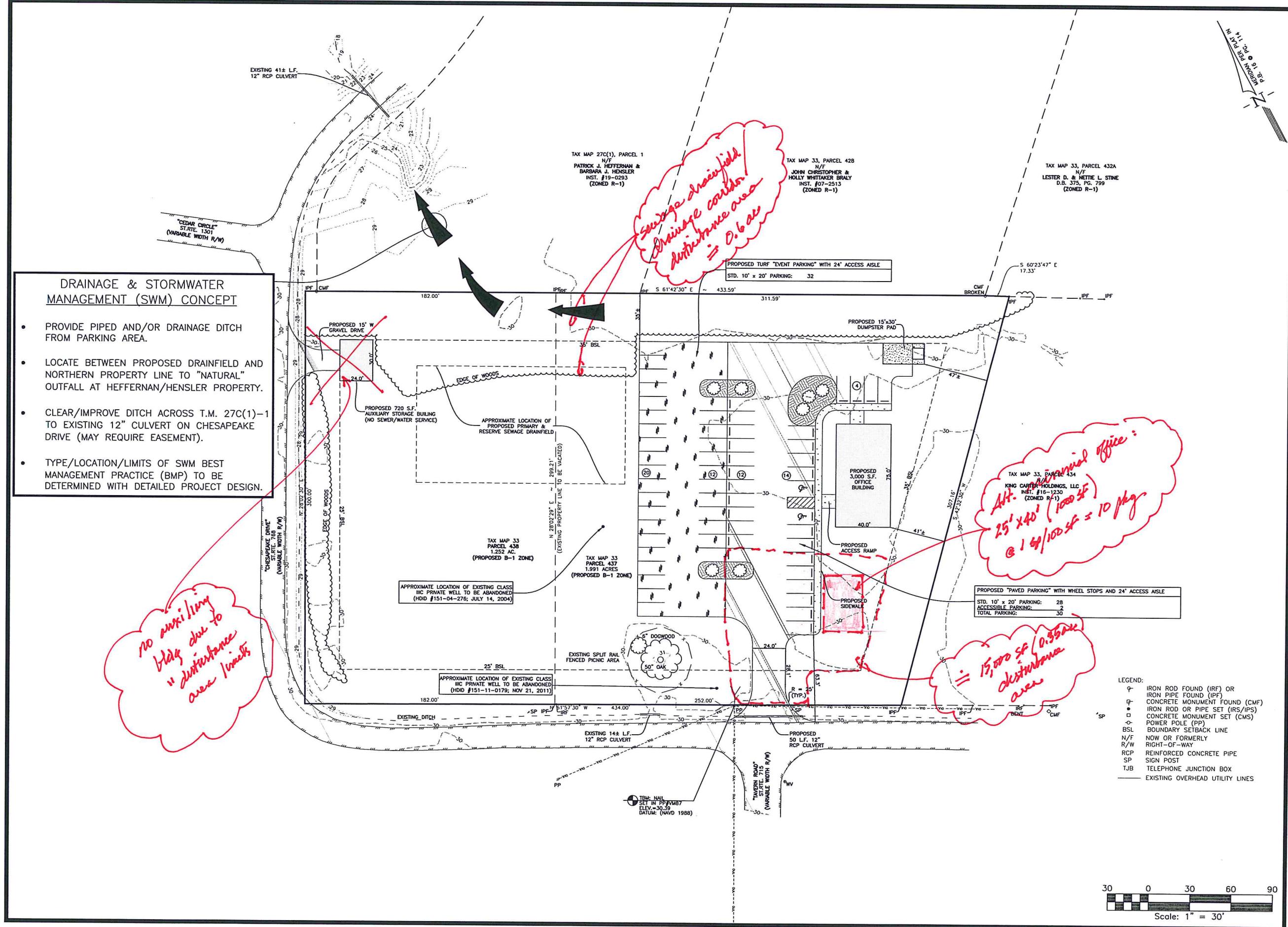
TOWN OF IRVINGTON
LANCASTER COUNTY, VA
SHEET:

CONCEPT PLAN

SHEET NO:

G1

JOB NO. 21001-03



ORDINANCE 2021-03. uc
ADOPTING 2021-22 FEE RATE SCHEDULE

WHEREAS, the Irvington Town Council (“Council”) desires to re-adopt the attached FY 2021-22 Fee Rate Schedule of certain administrative and zoning fees.

WHEREAS, this Ordinance was advertised in the Rappahannock Record on April 29 and May 6, 2021; and

WHEREAS, the public had an opportunity to comment on this Ordinance in a public hearing on May 13, 2021; and

WHEREAS, this Ordinance was considered at two readings by Council on May 13, 2021 and June 10, 2021.

BE IT ENACTED AND ORDAINED BY THE TOWN OF IRVINGTON, VIRGINIA:

1. Council hereby adopts Ordinance 2021-03.uc, with the attached FY 2021-22 Fee Rate Schedule, incorporated herein by this reference, with effect from July 1, 2021.
 2. Council hereby re-classifies Sections 2 and 3 of Ordinance 2020-07.uc from uncodified to codified.
 3. This Ordinance is effective upon passage.

BE IT FURTHER ORDAINED BY THE TOWN OF IRVINGTON, VIRGINIA that the Town of Irvington shall place this uncodified Ordinance in the Minutes of its June 10, 2021 meeting.

Attachment – Fee Rate Schedule

Certification

I, Albert D. Bugg, III, Mayor, do hereby certify that Ordinance 2021-03.uc was adopted at its June 10, 2021 Meeting, at which a quorum was present and voting. The Vote was:

IN FAVOR OF OPPOSED

Jackie Brown
Anthony Marchetti
R. Wayne Nunnally
Dudley M. Patteson
Bonnie Schaschek
Frances Westbrook

Albert D. Bugg, III, Mayor

ATTEST:

Sharon Phillips, Town Clerk

TOWN OF IRVINGTON

FY 21/22 FEE RATE SCHEDULE

ADMINISTRATIVE	FEE
• Precious Metals Dealer Registration	• \$200
ZONING RELATED PERMITS	
• Sign	• \$20
• Subdivision	• \$200 + \$30/LOT
• Zoning	• \$100
• Board of Zoning Appeals	• \$300
ADDITIONAL ORDINANCES	
FEE	
• Golf Cart	FEE
○ Individual	• \$25
○ Commercial	• \$200
• Conditional Use Permit	• \$200

*Anyone who applies for a permit after the fact for zoning will be charged double the original fee.

ORDINANCE 2021-04. uc

ADOPTING TRANSIENT OCCUPANCY TAX RATE

WHEREAS, the Irvington Town Council (“Council”) adopted an ordinance authorizing a levy of taxes for transient occupancy in Irvington, on July 18, 2002, with effect from January 1, 2003, codified on February 12, 2015 as Town Code Sections 34.01 *et seq.*; and

WHEREAS, Council desires to re-adopt the current transient occupancy tax rate of 4%; and

WHEREAS, this Ordinance was advertised in the Rappahannock Record on April 29 and May 6, 2021; and

WHEREAS, the public had the opportunity to comment on this Ordinance in a public hearing on May 13, 2021; and

WHEREAS, this Ordinance was considered at two readings by Council on May 13, 2021 and June 10, 2021.

BE IT ENACTED AND ORDAINED BY THE TOWN OF IRVINGTON, VIRGINIA:

Council hereby adopts the following:

1. Council hereby adopts Ordinance 2021-04.uc which re-adopts the rate of 4% of the charge made for each room rented, with effect from July 1, 2021.
2. This Ordinance is effective upon passage.

BE IT FURTHER ORDAINED BY THE TOWN OF IRVINGTON, VIRGINIA that the Town of Irvington shall place this uncodified Ordinance in the Minutes of its June 10, 2021 meeting.

Certification

I, Albert D. Bugg, III, Mayor, do hereby certify that Ordinance 2021-04.uc was adopted at its June 10, 2021 Meeting, at which a quorum was present and voting. The Vote was:

IN FAVOR OPPOSED

Jackie Brown
R. Wayne Nunnally
Anthony Marchetti
Dudley M. Patteson
Bonnie Schaschek
Frances Westbrook

Albert D. Bugg, III, Mayor

ATTEST:

Sharon Phillips, Town Clerk

ORDINANCE 2021-05. uc

ADOPTING REAL ESTATE TAX RATE

WHEREAS, the Irvington Town Council (“Council”) adopted an ordinance authorizing a levy of real estate taxes on March 17, 2016, now codified as Town Code Sections 34.30-34.34; and

WHEREAS, the Council desires to re-adopt the current real estate tax rate for the 2021-22 fiscal year; and

WHEREAS, this Ordinance was advertised in the Rappahannock Record on April 29 and May 6, 2021; and

WHEREAS, this Ordinance was considered at a May 13, 2021 public hearing, and two readings by Council on May 13 and June 10, 2021.

BE IT ENACTED AND ORDAINED BY THE TOWN OF IRVINGTON, VIRGINIA:

1. Council hereby adopts Ordinance 2021-05.uc, which re-adopts the rate of \$.03 per \$100 assessed value, with effect from July 1, 2021.
2. This Ordinance is effective upon passage.

BE IT FURTHER ORDAINED BY THE TOWN OF IRVINGTON, VIRGINIA that the Town of Irvington shall place this uncodified Ordinance in the Minutes of its June 10. 2021 meeting.

Certification

I, Albert D. Bugg, III, Mayor, do hereby certify that Ordinance 2021-05.uc was adopted at the June 10, 2021 Meeting, at which a quorum was present and voting. The Vote was:

IN FAVOR OPPOSED ABSENT

Jackie Brown
Anthony Marchetti
R. Wayne Nunnally
Dudley M. Patteson
Bonnie Schaschek
Frances Westbrook

Albert D. Bugg, III, Mayor

ATTEST:

Sharon Phillips, Town Clerk

ORDINANCE 2021-06. uc

ADOPTING FY 2021-22 BUDGET

WHEREAS, the Irvington Town Council (“Council”) proposes to adopt a FY 2021-22 Budget for Irvington; and

WHEREAS, a synopsis of the proposed FY 2021-22 Budget and a notice of a public hearing on the Budget were advertised in the Rappahannock Record on April 29 and May 6, 2021 pursuant to VA Code Ann. Section 15.2-2506; and

WHEREAS, a public hearing on the proposed FY 2021-22 Budget was held on May 13, 2021 and the public also had the opportunity to speak about the FY 2021-22 Budget at meetings on May 13 and June 10, 2021; and

WHEREAS, this Ordinance was read twice before approval, at the May 13 and June 10, 2021 Council meetings.

**BE IT ENACTED AND ORDAINED BY THE TOWN OF IRVINGTON, VIRGINIA, AS
FOLLOWS:**

1. Council hereby adopts Ordinance 2021-06 uc Adopting FY 2021-22 Budget, with a copy of the full Budget attached hereto and incorporated herein by this reference.
 2. This Ordinance is effective upon passage.

BE IT FURTHER ORDAINED BY THE TOWN OF IRVINGTON, VIRGINIA that the Town of Irvington shall place this uncodified Ordinance, and the attached FY 2021-22 Budget, in the Minutes of its June 10, 2021 meeting.

Attachment – FY 2021-22 Budget

Certification

I, Albert D. Bugg, III, Mayor, do hereby certify that Ordinance 2021-06.uc was adopted at the May 13, 2021 meeting at which a quorum was present and voting. The Vote was:

Jackie Brown
R. Wayne Nunnally
Anthony Marchetti
Dudley M. Patteson
Bonnie Schaschek
Frances Westbrook

Albert D. Bugg, III, Mayor

ATTEST:

Sharon Phillips, Town Clerk

Town of Irvington							
Budget FY 2021/22 Worksheet							
	FY 2019/2020		FY 2020/21			FY 2021/22	
Cities and Towns Chapter 25 - Budgets, Audits and Reports §15.2-2504. What Budget to Show	Budget Jul 2019 Jun 2020	Actuals Jul 2019 Jun 2020	Budget Jul 2020 Jun 2021	Amended Budget Jul 2020 Jun 2021	Actuals Jul 2020 Jun 2021 YTD Mar 2021	Proposed Budget Jul 2021 Jun 2022	
Revenue	\$203,689	\$191,692	\$203,689	\$312,790	\$171,437	\$346,471	
Occupancy Tax 4%	\$70,000	59,464	\$70,000	\$98,000	\$69,719	\$196,521	
Real Estate Tax	\$64,239	62,615	\$64,239	\$63,000	\$59,788	\$60,000	
Local Retail Sales Tax	\$27,000	29,068	\$27,000	\$25,000	\$26,904	\$25,500	
PP Tax (Auto/Golf Tags)	\$10,000	10,256	\$10,000	\$10,000	\$9,280	\$9,500	
Bank Franchise	\$10,000	11,455	\$10,000	\$12,000		\$12,000	
Cable TV / Communications	\$2,200	2,052	\$2,200	\$2,000	\$1,421	\$1,700	
Town Property Rental	\$1,000	500	\$1,000	\$1,000	\$1,000	\$1,000	
Permit / Zoning / Registration Fees	\$1,200	760	\$1,200	\$2,500	\$2,365	\$2,000	
Interest Income	\$6,000	5,522	\$6,000	\$1,500	\$960	\$1,000	
ATL Fire Grant	\$10,000	10,000	\$10,000	\$10,000		\$10,000	
Lokey Wiley Fund	\$2,000		\$2,000	\$2,000		\$2,000	
Misc. Income	\$50		\$50	\$50		\$250	
VA Tourism Grant				\$15,250			
COVID-19 Cares Act				\$70,490			
Prior Year Net Assets (COVID Funds)						\$25,000	

Cities and Towns Chapter 25 - Budgets, Audits and Reports §15.2-2504. What Budget to Show	Budget Jul 2019 Jun 2020	Actuals Jul 2019 Jun 2020	Budget Jul 2020 Jun 2021	Amended Budget Jul 2020 Jun 2021	Actuals Jul 2020 Jun 2021 YTD Mar 2021	Proposed Budget Jul 2021 Jun 2022
Operating Expenses	\$154,457	\$134,955	\$154,457	\$256,952	\$143,800	\$244,760
Employee Expense	\$64,478	\$63,019	\$64,478	\$65,000	\$39,569	\$72,000
Professional Services	\$15,000	\$15,000	\$15,000	\$25,000	\$14,281	\$34,000
Insurance (Insurance (VML))	\$4,189	\$4,189	\$4,189	\$4,500	\$4,884	\$5,000
Public Safety & Code Enforcement	\$10,500	\$10,000	\$10,500	\$11,000	\$10,000	\$10,500
Office Expenses	\$12,940	\$10,416	\$12,940	\$15,500	\$16,444	\$18,500
Municipal Expense	\$13,400	\$8,744	\$13,400	\$11,000	\$10,057	\$17,000
Town Council	\$3,000	\$865	\$3,000	\$2,000	\$3,667	\$3,000
Planning Commission	\$1,850	\$507	\$1,850	\$1,850	\$1,272	\$33,000
Utilities	\$13,600	\$12,447	\$13,600	\$15,000	\$12,562	\$15,000
Town Maintenance	\$15,500	\$9,768	\$15,500	\$15,500	\$5,488	\$15,000
Mayor's Discretionary Fund	\$750	\$726	\$750	\$2,000	\$255	\$1,000
COVID-19 Cares Act				\$70,490	\$25,321	
Town Office Rent				\$8,112		\$9,400
Reimburse Contingency Fund				\$10,000		\$11,360

Cities and Towns	Budget Jul 2019 Jun 2020	Actuals Jul 2019 Jun 2020	Budget Jul 2020 Jun 2021	Amended Budget Jul 2020 Jun 2021	Actuals Jul 2020 Jun 2021 YTD Mar 2021	Proposed Budget Jul 2021 Jun 2022
Chapter 25 - Budgets, Audits and Reports						
§15.2-2504. What Budget to Show						
Community Support and Tourism Promotion	\$26,150	\$20,969	\$26,900	\$48,400	\$30,616	\$27,950
Charitable Donations						
Fire and Rescue	\$2,500	\$2,100	\$2,500	\$2,500		\$2,500
Steamboat Era Museum	\$2,500	\$2,500	\$2,500	\$2,500	\$2,500	\$2,500
Lancaster Library	\$2,000	\$2,000	\$2,000	\$2,000	\$2,000	\$2,000
Other						
Community Events	\$10,000	\$4,489	\$10,000	\$10,000		\$5,000
Flags & Banners, Christmas	\$3,200	\$4,190	\$3,200	\$4,200	\$4,070	\$10,000
SEM Irvington Crab Festival	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200
Wi-Fi	\$500	\$240	\$500			
Trolley	\$250	\$250	\$250			\$500
Virginia River Realm	\$2,000	\$2,000	\$2,000	\$2,000	\$2,000	\$2,000
VA Tourism Grant Expenses				\$22,000	\$16,846	
Mayor's Discretionary Fund 1			\$750			
Misc Support						\$250
Irvington Mayor's Golf Tournament	\$2,000	\$2,000	\$2,000	\$2,000	\$2,000	\$2,000
1 Moved to General Operating Budget						
Prior Year Net Expend (COVID Funds)						\$25,000
Capital Budget Contribution	\$23,082	\$35,768	\$22,332	\$7,438	(\$2,979)	\$48,761
Total Revenue	\$203,689	\$191,692	\$203,689	\$312,790	\$171,437	\$346,471
Total Expenditures	\$203,689	\$191,692	\$203,689	\$312,790	\$171,437	\$346,471
	\$0	\$0	\$0	\$0	\$0	\$0

CAPITAL IMPROVEMENT BUDGET WORKSHEET	2021/2022	2022/2023	2023/2024	2024/2025	2025/2026		
<i>Balance Fwd Previous Year</i>		\$251,741	\$195,000	\$0	\$0		
Cash Assets On Hand 03/31/2021	\$425,715						
YE Contributions (Net Income)	\$48,761	\$150,000					
Restricted Funds (Lokey & Bike Path CDs)	(\$32,235)						
COVID-19 Cares Act Fund	(\$45,000)					70,490 - 25,321 = 45,169	
Contingency Fund	(\$80,000)						
Sale of Town Hall (Steamboat Rd)	\$82,000						
Loan Town Office & Community Hall		\$715,000					
Total Funds Available	\$399,241	\$865,000	\$0	\$0	\$0		
 The Commons							
Improvements (Shed)	\$50,000					Storage	
Playground Feasibility Study	\$7,500					Deposit	
 New Town Office & Community Hall							
Surveying/Engineering & Master Site Plan	\$15,000						
Architectural	\$20,000	\$63,000					
Septic	\$40,000						
Building & Construction		\$475,000					
Parking Lot		\$66,000					
Furniture, Fixtures, Technology		\$40,000					
Debt Service (P&I)		\$26,000	\$52,000	\$52,000	\$26,000		
Town Sewer Feasibility Study	\$15,000						
 Total Capital Improvements	\$147,500	\$670,000					
Ending Balance per Year	\$251,741	\$195,000	\$0	\$0	\$0		
 Line items moved to Gen Operating Budget:							
Flags & Banners							
Xmas Decorations							
Muni-Code							
Contingency Fund reimbursement							