

Onancock Town Council Meeting – May 24, 2021

Town of Onancock
Town Council Meeting
May 24, 2021
7:00 p.m.

Call to Order and Roll Call:

Mayor Fosque called the meeting to order at 7:00 p.m. and roll was called. Mayor Fletcher Fosque and Councilmembers Robert Bloxom, Joy Marino, Ray Burger, Maphis Oswald and Thelma Gillespie were present. All members were present, and a quorum was established.

The Pledge of Allegiance was recited.

Consideration and Approval of the Town Council Meeting Minutes from April 26, 2021:

Mayor Fosque asked for any changes, corrections, or additions to the minutes as submitted.

Councilmember Marino stated that on page 8, the reference to the “event” was vague. Mr. Spuck said that he would make the appropriate adjustment to the minutes.

Councilmember Bloxom made a motion to accept the minutes with the edit. Councilmember Marino seconded the motion. The motion passed by unanimous voice vote.

Public Business:

- a. Public Hearing – Special Use Permit, 4 Sturgis Street, Homestay: Mayor Fosque opened the public hearing at 7:03 p.m. Mr. Spuck shared the content of the application for a homestay at 8 Sturgis Street. Mr. Spuck explained that the adjacent property owner letters were sent out and that no one reached out to him about the application for a homestay at 8 Sturgis Street. Councilmember Oswald asked if Mr. Spuck sent the adjacent property owner letters to the properties behind 8 Sturgis Street. Mr. Spuck stated that he had not.

Mrs. Susan Haycox, applicant, spoke on behalf of her application, stating that she had reached out to her neighbors before applying for the permit to make sure everyone was on board with the use. Mrs. Haycox shared with Town Council that she and her husband live in Cashville and split their time between that house and their house in Onancock, they were hoping to offset some of the expenses with short-term rental income.

Mayor Fosque asked for public comment. With none, Mayor Fosque closed the public hearing at 7:07 p.m.

Councilmember Bloxom made a motion to approve SUP08:21 with the following requirements:

- *All guests must park in the off-street spaces provided.*
- *The owner agrees with the Transient Occupancy Tax code as detailed in sections 16-72 and 16-81.*

Councilmember Oswald seconded the motion. The motion passed by unanimous voice vote.

Councilmember Oswald asked about the ordinance, stating, what happens if the stay is longer than the ordinance’s 3-weeks maximum allowable time. Is three-weeks the right way to go with

this ordinance? Mr. Spuck stated that he was unsure how the town would be able to monitor length of stays. Councilmember Marino shared that on the Airbnb website a guest can potentially save on a longer length of stay.

Mr. Spuck shared that the Planning Commission will be reviewing the Town's ordinance in the coming months. Councilmember Oswald stated that there are definite pluses and minuses with these types of rentals, sharing that they are a wonderful way to travel. Mayor Fosque asked how many were in Town. Mr. Spuck stated that there are 11. Mayor Fosque asked if the Town was meeting the need by having X number of short-term rentals available.

Councilmember Bloxom asked that Mr. Spuck add language to the Transient Occupancy Tax form certifying the business is in compliance with Town Code.

Council Discussion:

- a. American Rescue Plan (ARPA) of 2021: Mr. Spuck shared that he has had many conferences with different groups throughout the State on the guidelines for expending the ARPA funds. Onancock will receive approximately \$550,000 twice over the next two-years. Onancock is considered a Non-Entitled Unit (NEU), since it is not a DHCD designated community. The state must release the funds to the NEU's within 30-days of receipt of the funds from the federal government. Our funds need to be designated by December 31, 2024. Mr. Spuck stated that he would be putting an outline together for how the funds can be spent for council to review. Mr. Spuck shared that he has met with his leadership team to come up with potential projects that the Town could use the ARPA funds on. Mr. Spuck shared that he is looking forward to hearing public input on how the Town should spend the funds.

Town Council decided to hold a Town Hall meeting on June 7th at 6:00 p.m. Mr. Spuck stated that he would advertise the meeting in the Eastern Shore Post.

- b. Transportation Alternative Program (TAP) grant – Bike and Pedestrian Path: Mr. Spuck updated Council on the TAP preliminary grant application which had recently been submitted. The grant proposal was for \$528,000. Mr. Spuck noted that he had added several contingencies throughout the application.

Mayor Fosque asked for an update on the Road Diet which had been previously submitted to VDOT through the Smart Scale grant program. Mr. Spuck shared that while the Smart Scale grant was a no go, the project was more than likely going to be funded through a larger transportation project. Councilmember Marino verified that the bike/pedestrian path was to start on Hill Street and end at the Caldwell Banker property. Mr. Spuck stated Councilmember Marino was correct, sharing that this route was part of phase one of the Town's application. Councilmember Marino asked if this project's route was parallel to the Road Diet and if so, does the Town need both. Mr. Spuck explained that the preapplication, which was recently submitted, does not obligate the Town to do the project, sharing that there are several conversations to be had about this matter. Mr. Spuck suggested that Town Council wait to see

what happens with the Town's preapplication. Mr. Spuck explained that this project could help the Town be a part of a larger transportation project on The Shore, Rails to Trails, which would have a bike path behind the Little League ball field.

Mr. Steve Johnsen, Ames Street, shared that through his involvement with VDOT on the State level he is 99.9% confident the Road Diet will be approved in June. It will be in the 6-year improvement plan and it will not cost the Town anything.

- c. Financial Policies: Mr. Spuck reviewed his proposed financial policies for Council's review, stating that Town Council has a fiduciary responsibility for the use of public funds (funds collected through taxation). Mr. Spuck shared his cash/reserve report with Council.

Councilmember Marino asked what happens to the sewer reserves once HRSD takes over the sewage plant. Mr. Spuck shared that the Town gets to keep the funds. Mr. Spuck explained that it is important for the Town financial policies to be in place so that there is guidance on how best to utilize the fund reserves, all dollars have a purpose. Mayor Fosque asked how the Town ended up with these reserves. Mr. Spuck stated that over the past few years the Town has underspent the budget which creates a positive fund balance.

Councilmember Oswald asked about the user fees. Mr. Spuck explained that it means that the Town can charge a fee for its services (i.e. business licenses) which is something we already do. Councilmember Marino asked Mr. Spuck to define the "Town". Mayor Fosque stated that it means Town Council.

Councilmember Oswald asked about the Town's ability to invest. Mr. Spuck explained that government is governed closely on what they can and cannot do with investments. Councilmember Bloxom stated that local government investing is governed by State Code.

Councilmember Bloxom asked that under the Auditing and Accounting Section for Mr. Spuck to add that the "Town Manager would be in charge with implementing corrective action." Councilmember Oswald stated that she wants Council to be kept apprised of the remedies. Councilmember Bloxom also stated that it has been a while since the Town has put the auditors out to bid. Mr. Spuck stated that was a perfectly responsible request and that he would add "put out to bid every five years" in that section. Mr. Spuck shared that while the auditing firm the Town uses has not changed in a while, the management team within the firm has.

Councilmember Bloxom stated that under the Urgent Need Expenditure section he would like the words "at the direction of the council" added. Councilmember Bloxom also asked about the \$10,000 threshold, for when a purchase becomes a capital expense. Councilmember Bloxom stated that it seems high. Mr. Spuck stated that he would review it further.

Councilmember Bloxom made a motion to approve the policy as written with the couple of edits which Council has discussed. Councilmember Oswald seconded the motion. The motion passed by unanimous voice vote.

- d. HRSD Budget Amendment: Mr. Spuck explained that Town Council will need to hold a public hearing to adopt a sewer budget since it was not a part of the original budget public hearing. The proposed sewer budget is the exact same to the current year's budget. There are no fee or staffing changes. Mr. Spuck has scheduled this meeting to coincide with the Town Hall on June 7, 2021.

Public Comment:

No public comment was heard.

Committee Reports:

HRSD, Councilmember Robert Bloxom: Deferred to Mr. Spuck.

Waterfront Committee, Councilmember Robert Bloxom: Councilmember Bloxom shared that the transient bookings are going well, and that gas sales have been soft. Councilmember Bloxom asked that the Town look into purchasing a longer hose so that gas sales can be made in the parking lot. Mr. Spuck said that he would look into that.

Mayor Fosque mentioned that there have been several emails circulating about the dust situation down at the Marina. Mr. Spuck shared that he has fielded several calls about the dust that is in the air when T&W Block move and/or haul gravel from their lot. Mr. Spuck has met with T&W Block's leadership team to discuss dust mitigation plans. The thought is that they will water the gravel down as it is being unloaded either by water provided from the Town's water service or by water withdrawal from the creek. Paying for Town water services is not their first choice and water withdrawal from the creek requires DEQ permissions. There has also been some discussion about installing plantings to help reduce the dust as well. Mr. Spuck shared that he wants to resolve this issue in partnership with T&W Block. Another issue that has been brought up is their current hours of operation. T&W Block is working on hiring someone who can work mostly during normal business hours and not operate on Sundays at all.

Ms. Sarah Nock, Market Street, explained that in her opinion the issue is not simply the dust in the air but an issue of what is in the dust which may be a carcinogen. Ms. Nock thanked Mr. Spuck for working towards a resolution with T&W Block.

Planning Commission, Councilmember Robert Bloxom: Councilmember Bloxom shared that the Comprehensive Plan went through its final revision at the last Planning Commission meeting. The final draft will be on Council's June agenda. Councilmember Bloxom shared that there are two items that have led to additional discussions: one – should the Town have a dark sky policy; and, two – should the Town limit the number of short-term rentals and if so how best to do that.

Personnel Committee: Mayor Fosque shared that with Catherine Krause's leave of Town Council, there is now an opening on this committee. Councilmember Marino shared that she had met with Mrs. Krause about this committee and it was indicated that they should start working on the Town Manager evaluation. Councilmember Marino also asked for a definition of the scope of the individual committees so that members can be aware of their tasks. Councilmember Oswald asked that Town Council be made aware of staff changes. Mr. Spuck stated that all staff changes have been shared with Town Council in his reports. Mr. Spuck explained that the Personnel Committee's purview is to review and change policies that govern town staff. Councilmember Bloxom suggested that they create committee charters.

Councilmember Oswald stated that she feels that the Water Committee should do more than hear complaints from customers over water bill disputes, stating that she feels not fully informed on the minutia of Town operations. Mayor Fosque stated that the Water Committee's only task is to hear billing disputes. Mr. Spuck explained that it is the Town Manager's job to deal with the day to day minutia and that Town Council's job is governance.

Strategic Planning, Mayor Fletcher Fosque: No meeting.

Mayor's Report:

No report.

Town Manager's Report:

Due to time restrictions, Mr. Spuck only touched on few items in his report, they are highlighted below:

- Mosquito spraying is starting the week of May 28, 2021 and it will be Monday, Wednesday, and Fridays at 5:30 a.m. It will stay three days a week through June, then it will reduce to two days a week through September.
- The boat ramp completion has been pushed back another four-weeks. Staff is pushing them as hard as we can.
- Liberty Street extension will be tar and chipped in the next 30-days. Councilmember Marino asked how the residents on Jackson Street were responding to this. Mr. Spuck explained that there are two potential resolutions to fixing Jackson Street. One, is related to HRSD building the gravity line up from Nassawadox to Onancock. The gravity line will be installed under Jackson Street which means that the road on top will need to be repaired once the line underneath is complete. The Town could also potentially use its ARPA funds to repave the road once the water line underneath is repaired. The other issue that Jackson Street has is storm water drainage, which is costly to repair.

Council Comments:

Councilmember Gillespie shared that she does not feel the Onancock Police Department is serving her neighborhood very well and when they do come to the neighbor their attitude is very nonchalant. Councilmember Gillespie shared, that while responding to the recent shooting in the northeast section of Town it took them 20 minutes to show up and when they did finally show up, they questioned the wrong group of people. Mayor Fosque suggested that the Town Manager schedule a meeting with the Police Chief and Councilmember Gillespie, Town Manager Spuck and Mayor Fosque.

Councilmember Oswald shared that she would like to see another location for the public restrooms. Our current ones are in an alley. Councilmember Oswald also stated that the conditions of the park in the northeast section are deplorable. The trash needs to be dealt with more frequently. Councilmember Oswald also expressed her concern that Town Hall was closed for lunch during 1:00 p.m. – 2:00 p.m., stating that it is inconvenient for residents. Staff schedules should be rotated to accommodate the doors being open all day.

Closed Session, if needed:

Councilmember Marino made a motion to enter closed session as authorized by §2.2-371(A)(3) to discuss the sale of real property located at 23656 North Street, Onancock, VA 23417. This sale is related to the

transfer of the wastewater treatment plant and collection system to HRSD and all contract terms directly related thereto. Councilmember Bloxom second the motion. A roll call vote was taken.

<i>Bloxom</i>	<i>YEA</i>	<i>Marino</i>	<i>YEA</i>
<i>Burger</i>	<i>YEA</i>	<i>Oswald</i>	<i>YEA</i>
<i>Gillespie</i>	<i>YEA</i>		

Town Council entered in Closed Session at 9:21 p.m.

Town Councilmember Bloxom made a motion to resume the public meeting and certify that only items mentioned in the motion to enter this closed session were discussed. Councilmember Gillespie seconded the motion. A roll call vote was taken.

<i>Bloxom</i>	<i>YEA</i>	<i>Marino</i>	<i>YEA</i>
<i>Burger</i>	<i>YEA</i>	<i>Oswald</i>	<i>YEA</i>
<i>Gillespie</i>	<i>YEA</i>		

Town Council reconvened open session at 9:46 p.m.

Adjourn:

Councilmember Marino made a motion to adjourn. Councilmember Oswald seconded the motion. The motion passed by unanimous voice vote.

The meeting adjourned at 9:47 p.m.



Fletcher Fosque, Mayor



Lisa Fiege, Deputy Clerk