

**Town of Onancock
Town Council Meeting
Monday August 28, 2023
7:00 PM**

1) Call to order and Roll Call:

Mayor Fosque called the meeting to order at 7:00 PM and roll was called. Mayor Fletcher Fosque, Councilmembers Brandon Brockmeier, Ray Burger, Cynthia Holdren, Joy Marino, Sarah Nock and Maphis Oswald were present. Town Manager Matt Spuck and Town Clerk Debbie Caton were also present.

2) The Pledge of Allegiance was recited.

3) Approve minutes from July 24, 2023, meeting – Councilmember Marino moved to approve the minutes. Councilmember Holdren seconded the motion. The motion passed with a 6-0 vote.

4) Approve minutes from June 26, 2023, meeting – Councilmember Marino moved to approve the minutes. Councilmember Burger seconded the motion. The motion passed with a 6-0 vote.

5) Public Hearings

- a. Community Development Block Grant Programs (CDBG) Northeast Neighborhood Funding** – The public hearing opened at 7:10 PM. Eric Luchansky with the Accomack & Northampton Planning District Commission (ANPDC) spoke to Town Council and audience members. Mr. Luchansky notified Town Council that ANPDC would be applying for supplemental grant funds to complete the community revitalization project in the Northeast District. The original grant funds were received in January 2022 for ditch cleanout and maintenance, sidewalk repairs, demolition of six homes and the rehabilitation of ten homes. Currently, there are bids out with a due date of September 15, 2023, for pricing to rehabilitate the homes. \$25,000 was allocated for this but upon receipt of the new bids, Mr. Luchansky will have an idea of how much supplemental grant money will be required. This will be reported to Town Council at the next public hearing.

Mayor Fosque asked Mr. Luchansky to explain the current grant funding. Mr. Luchansky explained the original grant was for \$978,000 and was designed to serve low to moderate income residents in the Northeast District of Onancock. The grant consists of demolishing (6) derelict homes, rehabilitate (10) homes, putting in a sidewalk to connect Pine Street to Market Street, repair culvert pipes and fix drainage issues, as well as lighting upgrades throughout the neighborhood. The public hearing closed at 7:14 PM.

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Points of clarity: This grant did not require any match from the Town of Onancock and will not require any additional funds from the town. The supplemental grant requires public hearings for updates.

- b. Ordinance change Article II: Financial Matters** – The public hearing opened at 7:19 PM. Town Manager Spuck explained the reason for an ordinance change to Article II – Financial Matters was being prompted by the investment firm Virginia Investment Pool. (VIP) VIP manages all investments for the Town of Onancock. After an audit at VIP, Town Manager Spuck was made aware that the current ordinance does not allow for VIP to manage the town’s investments. The updated ordinance was written by VIP’s attorney and reviewed by Hefty, Wiley, and Gore (Town of Onancock’s attorney). Per request, Mayor Fosque read the ordinance to audience members. The public hearing closed at 7:29 PM.

6) Public Presentation

- a. None Scheduled**

7) Council Action:

- a. Article II: Financial Matters** – Councilmember Nock moved to accept changes to Article II: Financial Matters. Councilmember Oswald seconded the motion. The motion passed with a 6-0 vote.
- b. Resolution: Application for IRF for 20 Market St** – Mayor Fosque recused himself from the council action and discussion for a conflict of interest as 20 Market St. is owned by Mayor Fosque and his wife. Town Manager Spuck explained that in October 2022 a resolution was approved by the Town Council for a planning grant with the Virginia Department of Housing and Community Development (DHCD). The planning grant was for a study at 51 Market St. (Wise Building) and 20 Market St. (House of Deals.) The purpose of a planning grant is to plan for what might be done to the properties if adequate resources were made available. The planning grant awarded \$64,000 to pay for architect fees, feasibility studies, planning studies and market studies to help establish what will work for the buildings and this town. An IRF loan application for 51 Market St was submitted but denied. This resolution allows the town to make an application for an Industrial Revitalization loan for \$1,000,000 for 20 Market St.

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Councilmember Holdren moved to adopt the resolution as presented for the \$1,000,000 in the Industrial Revitalization Loan Funds for 20 Market St. Councilmember Nock seconded the motion.

Council discussion ensued. The following roll call vote was recorded.

Councilmember Brockmeier - yea
Councilmember Burger -yea
Councilmember Holdren - yea
Councilmember Marino – nay
Councilmember Nock – yea
Councilmember Oswald - nay

Motion carries 4-2.

8) Council discussion

- a. Planning Commission: Article VIII A: Cultural, Recreational, and Community Facilities District –Eric Gregory with Hefty, Wiley, and Gore (Town of Onancock’s attorney) joined the meeting via Zoom to give procedural guidance. Mayor Fosque read the recommendation from the Planning Commission meeting held on August 7, 2023. Mr. Gregory recommended the town council revisit the notion of an ordinance providing for a special use permit for the entertainment use of the pavilion. The Friends of Historic School (FOS) and the Onancock Residents Group (ORG) have both presented guidelines for the special use permit that are not far off from each other. He suggested some guidelines such as the level of sound have recommendations from FOS and ORG to give an “suspenders and belt” approach to governing. Mr. Gregory explained a special use permit should be utilized for the pavilion, so the town can impose conditions. By allowing the FOS to operate the pavilion by right does not allow for any real controls. Moving forward, the recommendation is for the planning commission and town council to have separate public hearings so that the final process is transparent. It also allows people to participate fully. Town Manager Spuck received a copy of the proposed ordinance for review by Town Council.

Town Council reviewed the ordinance and discussion ensued.

Councilmember Holdren moved that the Town Council forward the recommended ordinance with the special use permit language as it has been presented to us tonight drafted by our attorney with the additional redaction of number one under

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Section 38-237 that we forward this to the Planning Commission for their recommendation at public hearing. Councilmember Burger seconded the motion.

After Council discussion, Councilmember Holdren changed her motion to leave in Section 38-237.

The following roll call vote was recorded:

Councilmember Brockmeier - yea
Councilmember Burger -yea
Councilmember Holdren -yea
Councilmember Marino -yea
Councilmember Nock - yea
Councilmember Oswald -yea

The motion carried with a 6-0 vote.

9) Public Comment –

- a. Janet Rochester – 39 King St – Mrs. Rochester’s requested her written comments be included in the minutes. See attached.
- b. Haydon Rochester – 39 King St – Mr. Rochester’s written comments are included in the minutes. See attached.
- c. Margie Labadie – 24 Kerr St – Ms. Labadie offered her support to everyone at the FOS for making the school a success. She mentioned several activities being conducted at the facility that benefit the community. She stated it would be a shame for the school to go away because ordinances were not followed because something was omitted.
- d. Pat Fleck –19398 Harris Lane – Ms. Fleck addressed comments regarding Article IV. The comment was made at the last meeting stating community is written several times in the ordinance. After her review of Article IV there is no definition of community. Her definition of community does not end at the town limits. This should include everyone in the Onancock zip code.
- e. Katherine Grier – 74 Market St –Ms. Grier’s written comments are included in the minutes. See attached.
- f. Greg Temple – 76 Market St – Mr. Temple attended the August 7, 2023, Planning Commission meeting and pointed out the commission voted on an ordinance without holding a public hearing. He believes they did not follow code. He also

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discussed the general attitude of the commission. He believes they did not deliberate the points as stated in the earlier letter read by Mayor Fosque. He thinks we can do things better at public meetings. Lastly, he urged the Town Council to listen to the community and the advice of the attorney and do the right thing by adopting the amendments as proposed.

- g. Greg Felthousen – 5 Ames St. – Mr. Felthousen thanked the council for their deliberations. He understands they are difficult and sensitive. He feels a special use permit will protect the town from anybody coming and deciding they want to do things in any given fashion. It is not meant to restrict FOS.
- h. Thelma Gillespie – 4 Watson St – Ms. Gillespie is part of the Northeast Block grant committee, and the committee is looking forward to next month with the start of demolition of derelict homes. She thanked council for the approval of the playground equipment for the Northeast Park. Ms. Gillespie thanked Mayor Fosque for breaking the tie vote at the July 2023 meeting that will allow Onancock Main Street (OMS) to utilize space at 38 Market St when the renovations are complete. She feels OMS does a good job for the town.
- i. Karyn Belknap – Ms. Belknap is a resident artist at the Historic Onancock School. (Ten Good Sheep) Her written comments are included in the minutes. See attached.
- j. Toni Nelson – owner of commercial buildings 44 and 25 Market St – Ms. Nelson currently lives in Onley, VA. Ms. Nelson has mixed feelings about the HOS because she appreciates the artist community as they have always benefited the community. The division in town is the pavilion. She does not think we need a performance pavilion to support HOS and the maintenance of the school property. The town does not need to be divided. Acoustic music performances or non-amplified music is a better solution.

10) Committee Reports

- **Personnel – (Cindy Holdren)-** The committee met to finalize the Town Manager’s evaluation. If there are agenda items, the committee will meet in September.
- **Onancock Main Street –(OMS) (Cindy Holdren) –**
 - i. The muralist is completing the mural at North Street Playhouse. The mural has been very well received by many people with the subject and the artist execution of the theme.
 - ii. Business Marketing Assistance - OMS received \$20,000 from Virginia Main St. The money is designated for downtown businesses only. OMS surveyed the downtown businesses about how best to allocate the money and their request was money for marketing. Each business will have the opportunity to receive \$450 and the HOS will receive

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\$2,000. HOS can decide how to allocate the funds for each artist. Councilmember Nock asked, “will there be a key for the mural?” Councilmember Holdren responded, “OMS will possibly print brochures or do a QR scan.” A narrative about the mural is posted on the OMS website.

- **Historic Onancock School (HOS) - (Sarah Nock)**
 - i. Until the questions about zoning and the special use permit are resolved, the performance pavilion construction is on hold and will remain on hold until it is resolved.
 - ii. In the July 2023 Town Council meeting, there was mention that the HOS lease benchmarks were not satisfied. This is incorrect. The benchmarks are satisfied.
 - iii. New nets and framework for the soccer goals were purchased.
 - iv. Upcoming events:
 - 1. September 6, 2023 – Wine Wednesday
 - 2. September 23, 2023 – Creekside Crawl and Public Lands Day
 - 3. November 12, 2023 – Champagne and Oyster Fundraiser
 - v. FOS is looking for new board members.
- **Planning Commission – (Brandon Brockmeier)** – The planning commission meeting was discussed during the council meeting.
- **Waterfront – (Fletcher Fosque)** – The committee did not meet.

11) Mayor’s Report –

- Mayor Fosque asked if Councilmembers are interested in attending the VML meeting October 9, 2023, in Norfolk, VA.
- A speaker during public comments stated the reason Article VIII was going back to the Planning Commission was because they did not follow code. This is incorrect. They forwarded the recommendation to council for a public hearing.

12) Town Manager’s Report –

- Jefferson St. project is adding sewer and water to thirteen parcels. The start date is around September 15, 2023. Once Town Manager Spuck meets with the construction company, he will publish the plan for traffic.
- The drainage issues at Holly St after a rainstorm is still on VDOT’s list.
- NE Revitalization project will have movement next month.
- ARPA projects:

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- i. DPW is trying to locate the sewer lines for 38 Market St. Once they find the lines, the plans can go to the County for permitting purposes.

- Financial Report – See attached report in the Town Council packet.

13) Town Councilmember comment –

Councilmember Brockmeier – no comment
Councilmember Burger – no comment
Councilmember Holdren - no comment
Councilmember Marino thanked the audience for their attendance.
Councilmember Nock -no comment
Councilmember Oswald thanked FOS for everything they have done but thinks the pavilion is a separate issue.

14) Closed session

- a) Personnel matters: 2.2-3711 (A)(1) –
The following applicants will be reviewed for consideration on the Onancock Economic Development Authority (OEDA) - Bill Chandler, Jake Dillon, Steve Johnsen, Rosemary Paparo, Katie Schwab, Carl Smith, Kendra Stern, Michael Ward, and Jeff Vernimb.

Councilmember Marino moved to enter closed session for the purpose of discussing personnel matters as allowed by state code section 2.2-3711 (A) (1) for the specific purpose of assigning personnel to the Onancock Economic Development Authority. Councilmember Nock seconded the motion. The motion passed with a 6-0 vote. Closed session began at 9:49 PM.

14) Public Session – Council Action

Councilmember Nock moved to reenter public session and with a roll call vote to certify that no matter was discussed other than that mentioned in the motion to enter closed session. Councilmember Holdren seconded the motion.

Councilmember Brockmeier – yes
Councilmember Burger – yes
Councilmember Holdren – yes

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Councilmember Marino – yes
Councilmember Nock – yes
Councilmember Oswald – yes

a) Appoint Onancock Economic Development Authority (OEDA) Board Members

Councilmember Nock moved to nominate the following slate of candidates to serve on the Onancock Economic Development Authority for terms to be determined by the by-laws. Councilmember Holdren seconded the motion.

Bill Chandler
Jake Dillon
Steve Johnsen
Rosemary Paparo
Katie Schwab
Joy Marino
Jeff Vernimb

The motion carried with a 6-0 vote.

16) Adjourn – Councilmember Nock moved to adjourn the meeting. Councilmember Marino seconded the motion. The motion carried with a 6-0 vote. The meeting adjourned at 10:13 PM.



Mayor, Fletcher Fosque



Town Clerk, Debbie Caton