

The Urbanna Town Council held its scheduled meeting on October 24, 2019 at 7:00p.m. in the Council Chambers of Town Hall. Mayor Gravatt called the meeting to order and led the Pledge of Allegiance. Members present and answering aye to the roll call were: Mayor Gravatt, Bill Goldsmith, Bill Smith, Larry Chowning, Barbara Hartley, and Boyd Wiley. George DeVries was absent. Also present were Holly Gailey-Town Administrator, Michele Hutton-Town Treasurer and Andy Bury- Town Attorney. Also in attendance were 9 guests.

At this time, Mayor Gravatt noted several changes to the agenda. Bill Smith made the motion to add the additional items to the agenda. Bill Goldsmith seconded the motion. Responding to the roll call vote affirmatively was: Smith, Goldsmith, Chowning, Hartley and Wiley.

The first item of business was public comment. Town resident Kristi Anzivino offered alternatives for lease agreements for antenna on the water tower. She added that a municipality owned water storage tower is a physical asset and is generally used by other companies for antenna's and is a source of revenue for the localities. She presented several localities that have these types of leases that bring in over 100k to the local government annually. She also identified two companies that will work through the lease agreement and regulations, which can be cumbersome, rather than have the town attorney and town staff negotiate the agreement.

The second public comment was offered by the Chief of the Central Middlesex Volunteer Fire Department, Ray Burch. He voiced concerns about the current status of the water distribution system and the movement forward in repairing the towns system. He voiced concerns about the safety of his firemen and their ability to fight fires safely and effectively with a sufficient water supply.

Continuing under public comment, Dolly Thrift thanked town council for attending the Oyster Festival Dinner. She also wanted to ask about the Taber Park project and where the town was in the planning process.

Next, Steve Hollberg talked about the buzzards that are located in several areas in town and the importance of having remediation to eliminate damages to property. He also commended council for attempting to take care of the street bump-outs and offered his opinion on how to proceed with future plans for the bump-outs with a certified landscaper. Mr. Hollberg also asked council to table the water rate increase to be voted on until there was a better understanding of how the water committee arrived at the rate structure that is recommended. Mr. Hollberg also mentioned that percentages of town staff salaries were split between the general fund and the water fund and some attention should be given to renegotiate some portion of that back to the general fund.

Moving on, the Mayor asked for a motion to approve the consent agenda. Bill Goldsmith made a motion to approve the consent agenda. Bill Smith seconded the motion. Ms. Gailey called the roll to which the following responded aye: Goldsmith, Smith, Chowning and Wiley. Barbara Hartley abstained from the vote.

At this time, Mayor Gravatt asked Water Committee Chairman Bill Smith to make a brief overview of the water rate increase proposal. Smith stated that the review took over 9 months and that a great deal of work was done to arrive at the recommended rate increase amount. The rate increase would increase the revenue approximately \$76,000.00 over what it is now. This will allow for infrastructure upgrades to the distribution system. He noted that the mapping of the system will begin on November 4, 2019, and following that completion, the Asset Management Plan would be able to be completed.

Allowing public questions, Kristi Anzivino stated concerns about raising rates before having completed information on the system. She stated that would not be beneficial as customers would not be happy if the town had to raise rates again next year because not enough analysis was given to reviewing the rates. Ms. Anzivino also stated that the presentation in its entirety should have been made available to the public in the town office for review. Smith responded by stating that the documentation required was available in the town office for review and that the presentation was also available through FOIA. At this time realizing that there were public comments, Mayor Gravatt opened the public comments. Steve Hollberg asked for clarification on dollar amount in the water fund reserve. He also noted that the single largest user on the system should be paying a different fee from residential and smaller commercial properties. He also noted that he felt that further study should be done before raising the rates. At this time, Larry Chowning stated that he didn't want to raise the water rates however; he understands the need to raise them and stated that he will be voting to approve the increase in water rates. Barbara Hartley also spoke in favor of the increase noting that she really didn't want to have to but understood the need for progression. Seeing there were no further public comments, Mayor Gravatt closed the public hearing. At this time, Bill Goldsmith made a motion to approve Resolution No. 2019-RES-012 which was seconded by Barbara Hartley. Bill Smith read the resolution and it is attached as part of the minutes. A roll call vote was recorded for the resolution. Answering aye to the roll call vote was: Goldsmith, Hartley, Chowning, Smith and Wiley. George DeVries was absent from the vote.

At this time, Larry Chowning asked for clarification on changes to billing. Ms. Gailey noted that the town would remain on the HRUBS bill until after the implementation of the new accounting software which will allow the town to separate and bill for just water consumption. Barbara Hartley asked if there is a plan to go to monthly billing as opposed to the current bi-monthly billing. Ms. Gailey stated that during the process of separating billing, there will be multiple decisions that would be made, one of which was billing periods.

At this time there was a Treasurers Report. Ms. Hutton noted that the town was still awaiting the reimbursement for the dredge project and a transfer from the water fund to the water fund reserve.

Under old business, Ms. Gailey stated that in an effort to be in a position to approve the upcoming years fiscal budget earlier in the year, letters will be going out earlier this year to 501(c)(3) groups and any other entities that generally request funding from the town with a deadline of January 15th. She stated that budget talks will resume in January 2020 in hopes to have a completed draft budget by March to early April. All budget requests will be considered by the Finance Committee and members of the town council.

Ms. Gailey noted that the Boating Infrastructure Grant requires the governing body to acknowledge that when funds are used from this grant, the facility must also abide by the guidelines provided through this program for a period of 10 years. The town has utilized funding before 2019 and therefore the town was already tied to 2025. Ms. Gailey also explained that the remaining funds from the dredge were unfortunately not going to be available to the town. The town is expecting a new award from the program in 2020 that could be used for the previously discussed items for the marina (ice machine and WIFI). At this time, Barbara Hartley read Resolution No. 2019-RES-11 and by doing so made the motion. This motion was seconded by Larry Chowning. Answering aye to the roll call vote was: Hartley, Chowning, Smith, Goldsmith and Wiley.

Moving to the next item, Ms. Gailey asked for the council to consider the request from the Oyster Festival Foundation in conjunction with Middlesex County Economic Development for a \$1000.00 donation to help promote the town in the publications that would be placed in Virginia Welcome Centers across the state. At this time, Larry Chowning made a motion to make the donation of \$1000.00. This was seconded by Bill Goldsmith. Answering aye to the roll call vote was: Chowning, Goldsmith, Smith, Hartley and Wiley.

At this time, Ms. Gailey informed town council that all the tree work throughout town properties was complete. Ms. Gailey also updated council on the request for an extension for the VMRC Permit by stating that no response had been received as of the date of this meeting and that she had reached out again for an update on the approval or disapproval of the extension. She stated that the response was that this request was being reviewed by committee and the town would be notified as soon as a decision was reached. Ms. Gailey made a brief statement regarding the closing of FY 18/19 by stating that budget amendments would not be necessary as there was not a deficit in the budget requiring the movement of funds.

Mayor Gravatt introduced the Lewis & Clark Legacy Trail to council. This concept is to be presented at the General Assembly and there was a request for the Town of Urbanna to be supportive of this initiative. Larry Chowning noted that there is some belief that this history has ties to Urbanna and the Gressitt House. In show of support, Barbara Hartley made a motion to officially extend support to the Lewis & Clark Trail initiative, which was seconded by Bill Goldsmith. During a roll call vote, the following responded aye: Hartley, Goldsmith, Smith, Chowning and Wiley.

Under New Business, there was a motion by Barbara Hartley to approve Ms. Gailey to engage the USDA in Buzzard Remediation throughout the town. This motion was seconded by Bill Goldsmith. Ms. Gailey called the roll to which the following answered aye: Hartley, Goldsmith, Chowning, Wiley and Smith.

At this time, Bill Smith updated council on the movement forward with AH Environmental by stating that they will begin the field work on November 4th and that this work will take approximately 3 weeks to complete as long as weather permits and then the office work would take 3 weeks to compile the information gathered. He also stated that there was a kick-off meeting with AH Environmental and everything is pressing forward.

Ms. Gailey noted that she was working on the new LED replacement lights on Virginia Street. She stated that there were voltage issues as well as water intrusion issues. Birdseed Electric has been engaged to remove the retrofit LED kits from the lights that are not working and replace them with a new LED bulb technology that will better suit the town. This work will be completed prior to the Oyster Festival.

Ms. Gailey also informed the council about damage or vandalism at Taber Park specifically the fencing and playground pieces. She stated that the gate hardware had been broken 3 separate times since the end of summer. Ms. Gailey noted that she had spoken with Sherriff Bushey about the vandalism and what steps the town could take to diminish the damage. It was determined that security cameras may be the answer.

Moving into the second public comment, Kristi Anzivino stated that the new town sign looks fantastic. Steve Hollberg asked if the vine growing up the town hall could be removed as he felt that it did not look good attached to the building. He also added comments about the LED lighting on Virginia Street.

In response to public comment, Larry Chowning stated that he agreed with Ms. Anzivino's comment concerning rental of space on the water tower and that the town would negotiate with the owners of the antenna. He also stated that he agrees that town staff time be charged to the water fund or split between the water fund and the general fund. Mr. Chowning stated it was a positive thing and that he feels that it is still good to review the hours spent on water and charges the time accordingly.

Ms. Gailey noted that a contract had been located in relation to the current company with antenna on the water tower that was signed in 2007 but that more research is warranted to establish a new agreement.

With there being no further business, Hartley made a motion to adjourn. This was seconded by Goldsmith. Ms. Gailey called the roll to which the following answered aye: Hartley, Goldsmith, Smith, Wiley and Chowning. The meeting was adjourned at 8:47PM.



Clerk

RESOLUTION No. 2019-RES-011

A RESOLUTION BY THE URBANNA TOWN COUNCIL REGARDING THE USEFUL LIFE OF UPTON'S POINT MARINA

WHEREAS, the Town of Urbanna, is the owner of fee simple real property with improvements thereon known generally as Urbanna Town Marina at Upton's Point, 210 Oyster Road, Urbanna, Virginia; and

WHEREAS, Town of Urbanna, acting as sub-recipient of the Virginia Department of Health Marine Programs, conducted a dredging project at the Urbanna Town Marina with funds from the Boating Infrastructure Grant Program; and

WHEREAS, the dredging project occurred in the area designated as transient slippage for transient vessels funded under a previous Boating Infrastructure grant; and

WHEREAS, pursuant to the grant agreement between the Town of Urbanna and the Commonwealth of Virginia, Department of Health (the "Agreement") dated February 22, 2017, Agreement Number VDH-17-102-0114, a copy of which is filed at the offices of the Virginia Department of Health, 109 Governor Street, 5th Floor, Richmond, Virginia 23219;

NOW THEREFORE, BE IT RESOLVED, by this Resolution, the Town of Urbanna, desires to acknowledge the existence of the Agreement and its obligation to abide by the terms and conditions thereof. The Town of Urbanna confirms it's obligations with regard to the Agreement as it relates to the Property, including the obligation of the Town of Urbanna to provide long-term maintenance of the property until December 31, 2035.

Adopted: October 24, 2019

Mr. Chowning	<u>Aye</u>	Nay	Abstain	Absent
Dr. Goldsmith	<u>Aye</u>	Nay	Abstain	Absent
Dr. DeVries	Aye	Nay	Abstain	<u>Absent</u>
Ms. Hartley	<u>Aye</u>	Nay	Abstain	Absent
Mr. Smith	<u>Aye</u>	Nay	Abstain	Absent
Mr. Wiley	<u>Aye</u>	Nay	Abstain	Absent

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 1

A TRUE COPY:

TESTE: 
TOWN CLERK

RESOLUTION No. 2019-RES-012

AN APPROPRIATIONS RESOLUTION OF THE URBANNA TOWN COUNCIL ADOPTING THE WATER RATE CHANGES FOR FISCAL YEAR 2019-2020 WATER FUND BUDGET FOR THE TOWN OF URBANNA, VIRGINIA

WHEREAS, Section 15.1-3.5, Urbanna Town Code (1973), as amended, provides that a schedule of water rates shall be established by resolution of the Town Council: and

WHEREAS, Section 15.1-1.1 Urbanna Town Code (1973), as amended, provides that bills shall be rendered every other calendar month or as otherwise established by resolution of the Urbanna Town Council for furnished during the previous billing period; and

WHEREAS, Section 15.1-2.11, Urbanna Town Code (1973), as amended, provides there shall be an installation charge for water service as provided by resolution of the Town Council from time to time; and

WHEREAS, Section 15.1-3.4 and 15.1-3.6, Urbanna Town Code (1973), as amended, provides that the Town Council may require any applicant for water service or renewal of water service to make a cash deposit in advance of approval of such application, to secure the payment by the applicant of the monthly charge and any other charges imposed as incident to such service, and such deposit shall be established by resolution of the Town Council; and

WHEREAS, Section 15.1-3.11 and 15.1-3.15, Urbanna Town Code (1973), as amended, provides that consumers in whose name water service is furnished or is available for service shall be liable for the charges therefore until such service is discontinued or disconnected in his/her name. A water disconnection charge of \$50.00 shall be added to the total when water service is disconnected for nonpayment of water bill; and

WHEREAS, the members of the Water Committee of the Town of Urbanna have proposed certain changes to the water rates and other water fee schedules and the Urbanna Town Council established a public hearing to be held on October 24, 2019 at 7:00 p.m. or as soon thereafter as the Mayor can call for the public hearing on that date; and

WHEREAS, the Town Administrator published a notice in the Southside Sentinel for two consecutive weeks on October 3, 2019 and October 10, 2019 in accordance with the applicable provisions of the Code of Virginia, 1950, as amended.

NOW, THEREFORE, BE IT RESOLVED, that the Urbanna Town Council does hereby establish the following water rate schedule pursuant to Section 15.1-3.5, Urbanna Town Code (1973), as amended:

A. Water rates bi-monthly for customers inside the corporate limits of the Town of Urbanna shall be as follows:

0-6000 Gallons	\$39.70
Over 6000 Gallons	\$3.69 per thousand gallons

B. Water rates bi-monthly for customers outside the corporate limits of the Town of Urbanna shall be as follows:

0-6000 Gallons	\$76.57
Over 6000 Gallons	\$7.37 per thousand gallons

BE IT FURTHER RESOLVED, that, pursuant to Section 15.1-3.16, Urbanna Town Code (1973), as amended, the billing period shall be bi-monthly; and

BE IT FURTHER RESOLVED, any existing commercial or residential building which has more than one leasable space and in which only one water meter exists, will be assessed a minimum equal to twice the current minimum charge. Any new construction after January 1, 2020 will require separate water meters per unit and/or business; and

BE IT FURTHER RESOLVED, that, pursuant to Section 15.1-2.11, Urbanna Town Code (1973), as amended, the water installation charge shall be four thousand dollars (\$4000.00), plus any and all cost for materials and labor incurred by the Town related to such installation; and

BE IT FURTHER RESOLVED, that such cash deposit requirements by category for tenants of real estate owned by another person who is establishing or renewing water service with the Town of Urbanna Water Utility shall be: 1) In-Town Water Service, \$225.00; 2) Out-of-Town Water Service, \$110.00; 3) Restaurants, \$1000.00; and 4) Commercial Business-non restaurant, \$500.00; and

BE IT FURTHER RESOLVED, that such cash deposits shall be refunded to Hampton Roads Sanitation District to be applied to the final account balance upon termination of such services; and

BE IT FURTHER RESOLVED, that the Urbanna Town Council may amend the Water Fund Budget from time to time pursuant to Section 15.2-2507, Code of Virginia. The Urbanna Town Council establishes the following fee schedule:

A. 10% Interest (outstanding balance on past due accounts)	
B. Disconnection Fee (for suspended service request, minimum water charges apply)	\$15.00
C. Reconnection Fee (for suspended service for a determined period of time)	\$20.00
D. Re-read Meter (customer requested)	\$25.00
E. Water Consumption History Report	\$25.00
F. Replacement of Water Meter (customer request) plus cost of meter if appropriate	\$150.00
G. Water Meter Accuracy Test (customer request) plus cost of test	\$150.00
H. Water Pressure Test (customer request)	\$25.00
I. Chemical Analysis of Water (customer request)	\$50.00
J. Equipment Damage (customer caused)	Actual Cost plus 10%
K. Emergency Call-Out (customers side)	\$100.00
L. New Service Line Construction (including meter)	Actual Cost plus 10%
M. Sub-Meter Installation (including meter)	Actual Cost plus 10%

Upon a motion by Dr. Bill Goldsmith, Seconded by Ms. Barbara Hartley, this Resolution was duly and legally passed by the Urbanna Town Council to be effective on January 1, 2020.

Mr. Chowning	<u>Aye</u>	Nay	Abstain	Absent
Dr. Goldsmith	<u>Aye</u>	Nay	Abstain	Absent
Dr. DeVries	Aye	Nay	Abstain	<u>Absent</u>
Ms. Hartley	<u>Aye</u>	Nay	Abstain	Absent
Mr. Smith	<u>Aye</u>	Nay	Abstain	Absent
Mr. Wiley	<u>Aye</u>	Nay	Abstain	Absent

AYES: 5 NAYS: 0 ABSTAIN: _____ ABSENT: 1

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