

**Town of Urbanna
Town Council Working Session Minutes
Public Hearing-Joining Tax Commission
Public Hearing-Cigarette Tax
Council Chambers-45 Cross St
July 8, 2021**

CALL TO ORDER & ROLL CALL

Mayor Hartley called the meeting to order at 6:31pm

Present

Mayor Barbara Hartley
Council Members
 Marjorie Austin
 Larry Chowning
 Bill Goldsmith
 Steve Hollberg
 Bill Smith
 Merri Hanson-arrived at 7:59pm during executive session
Garth Wheeler-Town Administrator
Roy Kime-Zoning Administrator
Martha Rodenburg-Town Clerk
Multiple members of the public

All present said the Pledge of Allegiance

Mayor Hartley announced all meeting going forward would be live. Due to technical difficulties, hybrid meetings with public participation via Zoom were not possible. Once AV equipment delivered and installed, Town Council meetings would be aired live streaming.

Garth Wheeler recommended amendments to agenda

 Move item VIII, Public Comment, to follow item V, Minutes

 Per request of Councilmember Smith, add discussion of a land deal proposal to Executive Session

There were no objections

MINUTES

Councilmember Austin made a motion to approve the minutes of the March 25, 2021 and June 24, 2021 Monthly Meetings

Councilmember Smith seconded

Austin, Chowning, Goldsmith, Smith, Hollberg voted yes

Hanson was absent

Motion passed 5-0

PUBLIC COMMENT

Tammy Putney-36 Meadow Lane (owns property on Linden Lane)

- Spoke regarding purchase of property on Linden Lane by HRSD
- Concerned about lack of communication to residents/property owners
- Urged council to take time and communicate with neighbors

Councilmember Smith commented

- Goal is to put current sewage treatment plant out of service
 - Pumping station would hook into Mathew's treatment plant
- HRSD originally wanted pumping station in Tabor Park but wasn't feasible
 - Purchasing/leasing land owned by Oyster Festival not allowed
- Per HRSD, pumping stations in residential areas are not uncommon
 - "Aesthetically pleasing"
 - Mostly underground
 - Sound generated by generators turned on 1x/month for 30 minutes
- Agrees HRSD should have communicated with Town and residents

Councilmember Hollberg commented

- Issues with smell at pumping station near Rose home on Rappahannock
- [Council] should prevent this from occurring in residential areas

Garth Wheeler commented

- Town administration not aware of HRSD purchase
- Roy Kime now in contact with HRSD's attorney
 - Will ask HRSD to speak with residents and present plans/renderings
- Property has been purchased
- Per HRSD-no plans to tear house down
 - Possible rental property
 - Pumping station will be in portion of yard

Councilmember Hollberg asked if special use permit was required

- Roy Kim responded it was his understanding as property is zoned R01, it was a matter of right
- Roy Kime commented he had been contacted by Ms. Woodward, owner of neighboring property
 - She has been given name of HRSD attorney for contact

Bill Hight-resident

- Concerned about future use of waterfront
- Doesn't want Town's right of way at end of Virginia St to be impediment to growth of Latney's marina project
 - Better dockage needed for larger boats
- Wants pool plan to be done responsibly
- Would like to speak about Town Marina future within a private meeting or committee
- Urged Council to use money wisely

Mayor Hartley thanked Mr. Hight and welcomed him and others to discuss his ideas further

PUBLIC HEARING

Joining Chesapeake Bay Region Cigarette Tax Board

Mayor Hartley opened hearing

Garth Wheeler gave the background and purpose of the CBRCTB and recommended Town join Board and impose \$0.40 tax on cigarette sales

- Urbanna Market is aware of proposal and would rather Town receive taxes than Middlesex

Bill Smith commented on his concerns regarding Town's potential liability to Town due to wording in CBRCTB agreement

- The matter was discussed further
- Town is covered by insurance
- Fiduciary responsibility of Council to increase revenue

Tammy Putney expressed his opposition to additional taxes being levied

- It was clarified by Councilmembers and staff members, the cigarette tax will be imposed and collected by Middlesex County if the Town does not participate

Town of Urbanna Cigarette Tax Ordinance

- Mayor Hartley opened hearing
- Garth Wheeler summarized the ordinance
- Councilmember Smith noted the short title in ordinance, "Town of Urbanna Tax Ordinance" was ambiguous
- Members of Council and Mr. Wheeler agreed it should read and be changed to "Town of Urbanna Cigarette Tax Ordinance"
- Garth Wheeler read letter from National Association of Tobacco Outlets opposing tax

REPORTS

Town Administrator

Independence Day Celebration

- Friday, July 2, 2021
- Successful event with much positive feedback
- Mr. Wheeler would like to contact American Fireworks and schedule them for next year

VDOT

- Met with VDOT representatives
- Shown future sidewalk repairs
- Given recommendations for funding assistance for various town sidewalk and road repairs

Town Attorney Search

- Interviews conducted with 4 candidates by the Town’s Personnel Committee
- Process is moving forward

Trash Pick-up

- Continuing with process of obtaining a contract
- Will be discussed in executive session

Museum

- Open to the public Friday, Saturday, and Sunday 11:00 AM – 4:00 PM
 - If available, docents can open upon request
- 3 docents working-2 paid, 1 volunteer
- “Friends of Urbanna” received a grant for \$9,000.00 to have an architectural study of the Scottish Factor building

Chesapeake Bay Buy Boats

- Weekend of July 30
- Approximately 14 Buy Boats
- Docking at Town Marina
- Tours of boats available on Saturday

Cross Street Light Project

- Lights and equipment ordered and being delivered
- Receiving bids for installation
- Anticipated completion by end of July
- Joint effort with UBI
- Mr. Wheeler expressed his appreciation for UBI and George DeVries for their work

May Daze in July

- Scheduled for Saturday, July 10th
- All events at Taber Park
- Farmers Market at 9:00 AM
- Car show at 11:00 AM
- Corn hole contest at noon
- Music and entertainment at 8:00 PM

Beautification Committee

- Volunteers have done wonderful job planting & tending to various flower beds around town
- Currently working on a flower beds at the Welcome sign on Virginia Street and Town Marina
- Thank you to Councilmember Austin for restarting “Yard of the Month”

Trolley

- Began operating Friday, July 2
- Operating hours
 - Fridays- 12pm-9pm
 - Saturdays- 10am– 9pm

- Free to passengers
- Thank you to Bay Aging for providing this service this year at no cost to the town (previous years the Town has split \$9,000 cost with Bay Aging)

Coffee With Town Administrator

- Held Tuesday, June 29th at Virginia Street Café
- Opportunity to introduce town staff to residents
- Approximately 12 residents and non-residents attended
- Current issues facing Urbanna were discussed

Treasurers Report

There was no Treasurer's report

Finance Committee

- Councilmember Goldsmith reported budget passed at last meeting
 - Budget amendments will be needed
 - Michele Hutton, Town Treasurer in process of reconciliation of last year

Water Committee

Councilmember Smith reported

- Meeting on 5/3
- Cartegraph system
 - Library and resource information in process of being populated
 - Training to begin in August
- Grants & loans
 - Income survey complete and initial activities submitted to Housing & Community Development
 - Response via email received acknowledging submission and stating application has been pushed to review team
 - Survey did not result in income percentage of required 51%, but as Town is against an unfunded mandate for a new well, it may push us to get an exemption

Planning Commission

Roy Kime reported at initial meeting on June 22, 2021

- Councilmember Merri Hanson selected as Chair
- Next meeting scheduled for July 13, 2021
 - Will discuss economic development

OLD BUSINESS

Cigarette Tax Ordinance

Councilmember Hollberg made a motion to approve the Town of Urbanna Cigarette Tax Ordinance Section 7.1-57 through Section 7.1-72

Councilmember Austin seconded

Councilmember Smith stated the short title, Article 9 should have "cigarette" added

Councilmember Hollberg amended his motion to adopt the Town of Urbanna Cigarette Tax Ordinance with the amendment to clarify Article 9 to clarify it is "Town of Urbanna Cigarette Tax Ordinance"

Councilmember Austin seconded

Austin, Chowning, Goldsmith, Smith, Hollberg voted yes

Hanson was absent

Motion passed 5-0

Councilmember Hollberg made a motion to join the Chesapeake Bay Region Cigarette Tax Board

Councilmember Austin seconded

Austin, Chowning, Goldsmith, Smith, Hollberg voted yes

Hanson was absent

Motion passed 5-0

Meeting Times (not on agenda)

Councilmember Austin made a motion to move all meeting times to 7:00pm (instead of 6:30pm one Thursday and 7:00pm another Thursday)

Mayor Hartley asked why the change

Garth Wheeler and Councilmember Austin responded it gave uniformity to schedule

Councilmember Chowning seconded

Austin, Chowning, Goldsmith, Smith, Hollberg voted yes

Hanson was absent

Motion passed 5-0

EXECUTIVE SESSION

Councilmember Smith made a motion to go into executive session pursuant to Section §2.2-3711(A)(1), Code of Virginia for the following purpose: Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of Town of Urbanna; and And pursuant to Section §2.2-3711(A) (29), *Code of Virginia* for the following purpose: Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body.

Councilmember Hollberg seconded

Austin, Smith, Chowning, Goldsmith, Hollberg, voted yes

Hanson was absent

The council entered executive session

Councilmember read the certification of executive session:

Whereas, the Urbanna Town Council has convened an Executive Session meeting 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 2.1-344.1 of the Code of Virginia requires a certification by the Urbanna Town Council that such executive meeting was conducted in conformity with Virginia law; Now, Therefore Be It Resolved that the Urbanna Town Council hereby certifies that to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies, and (i) only such public business matters as were identified in the motion convening the executive session were heard, discussed or considered by the Urbanna Town Council.

Councilmember Austin seconded

Hanson, Austin, Smith, Chowning, Goldsmith, Hollberg voted yes to certify
The council re-entered open session

NEW BUSINESS

Mayor Hartley read a letter received from the Commonwealth of Virginia that the Town of Urbanna is entitled to receive \$475,182 under the Corona Virus State and Local Fiscal Recovery Funds

- Funding to be distributed in two tranches
 - Tranche 1-distributed June 30, 2021 via check in the amount of \$237,591 (as of July 8, 2021, this check has not been received)
 - Tranche 2-to be distributed in approximately 12 months

Councilmember Hanson asked if it was earmarked for something specific

- Mayor Hartley read further from the letter that eligible use of the funds and information can be found on the Treasury's website

Further discussion took place to include depositing funds in a separate account

Employee COLA salary increase

Councilmember Goldsmith made a motion to give designated staff a 5% Cost of Living Adjustment (COLA) increase (Designated staff being all full- and part-time employees, excluding contract employees)

Councilmember Austin seconded

Smith, Goldsmith, Hollberg, Hanson, Chewning, and Austin voted yes

Motion passed 6-0

Trash Contract

Councilmember Goldsmith made a motion to accept the proposal provided by Church View to continue trash service for a one-year contract

Councilmember Austin seconded

Councilmember Hollberg asked about having a notice provision in contract

Garth Wheeler responded that would be addressed in finally contract with draft to be sent to Council prior to execution

Councilmember Goldsmith withdrew his motion

Councilmember Austin withdrew her second

Councilmember Goldsmith made a motion to approve Garth Wheeler to move forward with a one-year contract with Church View Septic for the continuation of our trash service with them

Councilmember Austin seconded

Austin, Chewning, Goldsmith, Smith, Hollberg, Hanson, voted yes

Motion passed 6-0

ADJOURN

Councilmember Austin made a motion to adjourn

Councilmember Smith seconded

Smith, Chewning, Goldsmith, Hollberg, Hanson, Austin voted yes

Motion passed 6-0

Meeting adjourned at 9:00pm

Submitted by:



**Martha J. Rodenburg
Town Clerk**