



**Urbanna Town Council
Work Session
AGENDA
Town Council Chambers
390 Virginia Street Suite B
Thursday, August 11, 2022 7:00 PM**

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Approval of Agenda
5. Public Comment
6. Public Comment Response
7. Matters of the Town Council
 - a. Reports
 - i. Town Administrator
 - ii. Planning Commission
 - b. Property Standards Ordinance/Inspections*
 - c. Water accounts
8. Action Items
 - a. Minutes-July 28, 2022*
 - b. Fund Transfer-Pool fund replacement reserve
 - c. Fund Transfer-Water fund reserve
 - d. VDH funding application for water infrastructure upgrades
9. Closed Meeting
 - a. *Pursuant to Section §2.2-3711(A) (3), Code of Virginia -Discussion or consideration ...of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Town of Urbanna.
-Sale of 45 Cross Street*
10. Open Meeting
11. Announcements
12. Adjourn

*Document included in meeting packet

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**Agenda Item Summary
August 11, 2022**

Agenda Item: #4-Approval of Agenda

Fiscal Impact: NA

Staff Recommendation: Approve

Council Action Requested: Yes

Sample Motion(s):

Motion to approve agenda as presented

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**Agenda Item Summary
August 11, 2022**

Agenda Item: #7a-Reports

Council Action Requested: None

The following reports will be presented to Council:

- Administrator's Report-Garth Wheeler
- Planning Commission-Merri Hanson

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Agenda Item Summary August 11, 2022

Agenda Item: #7b-Property Standards Ordinance/Inspections

Background:

Town staff will be conducting property evaluations over the next several weeks, going street by street reviewing any potential Town code and ordinance violations including, but not limited to, buildings without required permits, unregistered or inoperable vehicles, trash and clutter, and tall grass.

Letters and photographs will be sent to property owners in violation of Town codes and ordinances. and staff respectfully requests these violations be remedied as soon as possible. Failure to comply with the code and ordinances may result in town officials taking all corrective actions permitted by law.

Staff is also proposing the Town adopt an updated ordinance outlining certain standards and enforcement procedures.

Fiscal Impact: NA

Staff Recommendation: Council review and discuss ordinance in preparation of future action

Council Action Requested: Not at this time

**Proposed ordinance is attached*

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1 Adopted: _____
2
3

4 ORDINANCE NO. _____
5

6 ORDINANCE NO. ___ PROHIBITS TALL GRASS AND WEEDS
7 AND REQUIRES THE REMOVAL OF GARBAGE, TRASH
8 REFUSE AND CLUTTER; IT AUTHORIZES THE CUTTING OF
9 TALL GRASS AND WEEDS AND REMOVAL GARBAGE,
10 TRASH, REFUSE AND CLUTTER BY THE TOWN AFTER
11 NOTICE TO THE PROPERTY OWNER; THE PROPERTY
12 OWNER IS RESPONSIBLE FOR THE COST AND EXPENSE
13 AND SUCH MAY BE COLLECTED AS TAXES ARE
14 COLLECTED OR RECORDED AS A LIEN AGAINST THE
15 PROPERTY. ORDINANCE NO. ___ IS AUTHORIZED BY
16 THE GRANT OF AUTHORITY CONTAINED IN VA. CODE §
17 15.2-901.
18

19 BE IT ORDAINED by the Urbanna Town Council that the Urbanna Town Code
20 Chapter ___, "_____", Section ___, "_____" be amended to read as follows:

21 "___ **Cutting and removal of grass, weeds and foreign growth from property.**

22
23 A. It shall be unlawful for a property owner to have trash, garbage, refuse, litter, clutter, except
24 on land zoned for or in active farming operation, and other substances that might endanger
25 the health or safety of other residents of the Town on his/her property. For purposes of this
26 section, "clutter" includes mechanical equipment, household furniture, containers, and
27 similar items that may be detrimental to the well-being of a community when they are left
28 in public view for an extended period or are allowed to accumulate. Clutter is further
29 defined miscellaneous items, including but not limited to trash, appliances or furniture that
30 are scattered in and about a yard and/or on a porch; a disordered collection of items in a
31 yard or on a porch or up against an accessory structure; items that collect water, are
32 rusted, inoperable or no longer usable.

33 B. Trash, garbage, refuse, litter, clutter, except on land zoned for or in active farming
34 operation, and other debris shall be disposed of in personally owned or privately owned
35 receptacles that are provided for such use and for the use of the persons disposing of such
36 matter or in authorized facilities provided for such purpose and in no other manner not
37 authorized by law.
38

39 C. Upon notice from the Town by letter to a property owner, mailed by first class mail, to the
40 property address and any such other address provided by the property owner for the
41 purpose of receiving tax bills, the property owner shall promptly remove any and all trash,

42 garbage, refuse, litter, clutter, except on land zoned for or in active farming operation, and
43 other substances that might endanger the health or safety of other residents of the Town.
44

- 45 D. If a property owner does not promptly remove any and all trash, garbage, refuse, litter,
46 clutter and other substances that might endanger the health or safety of other residents of
47 the Town within seven (7) days of the date of the notice, the Town may have such trash,
48 garbage, refuse, litter, clutter and other like substances, removed by its own agents or
49 employees, in which event the cost and/or expenses shall be chargeable to and paid by the
50 property owner and may be collected as taxes are collected.
51
- 52 E. The owners of occupied or vacant developed or undeveloped property, including such
53 property upon which buildings or other improvements are located, shall keep the grass,
54 weeds and other foreign growth, including running bamboo, on the property, or any part
55 thereof, cut. No grass, weeds and other foreign growth, including running bamboo shall
56 exceed twelve (12) inches in height.
57
- 58 F. Upon one notice per growing season, by letter from the Town, to a property owner, mailed
59 by first class mail to the property address and any such other address provided by the
60 property owner for the purpose of receiving tax bills, the property owner shall promptly
61 cut the grass, weeds and other foreign growth, including running bamboo, on the property,
62 or any part thereof remove any and all trash, garbage, refuse, litter and other substances
63 which might endanger the health or safety of other residents of the Town.
64
- 65 G. If a property owner does not promptly cut the grass, weeds and other foreign growth,
66 including running bamboo, on the property, or any part thereof remove any and all trash,
67 garbage, refuse, litter and other substances which might endanger the health or safety of
68 other residents of the Town within seven (7) days of the date of the notice, the Town may
69 have such grass, weeds and other foreign growth, including running bamboo, on the
70 property, or any part thereof, cut and removed by its own agents or employees, in which
71 event the cost and/or expenses shall be chargeable to and paid by the property owner and
72 may be collected as taxes are collected.
73
- 74 H. Every charge authorized by this section with which the owner of any such property shall
75 have been assessed and which remains unpaid shall constitute a lien against such property
76 ranking on a parity with liens for unpaid local real estate taxes and enforceable in the same
77 manner as provided in Articles 3 (§ 58.1-3940 *et seq.*) and 4 (§ 58.1-3965 *et seq.*) of
78 Chapter 39 of Title 58.1 of the Code of Virginia, 1950, as amended. At the option of the
79 Town of Urbanna, a lien may be waived in order to facilitate the sale of the property to a
80 purchaser who is unrelated by blood or marriage to the owner and who has no business
81 association with the owner. All such liens shall remain a personal obligation of the owner
82 of the property at the time the liens were imposed.”
83

84 This Ordinance shall take effect upon adoption.
85
86



Agenda Item Summary August 11, 2022

Agenda Item: #7c-Water accounts

Background: The Town has many water accounts in arrears. Staff will be discussing options to collect on these accounts including, but not limited to shutting off water and attaching liens on properties.

Fiscal Impact: The total of outstanding balances is approximately \$30,000

Staff Recommendation: Council review and discuss options to collect past due balances

Council Action Requested: Not at this time

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**Agenda Item Summary
August 11, 2022**

Agenda Item: #8a-Minutes

Background: Minutes of the July 28, 2022 monthly meeting

Fiscal Impact: NA

Staff Recommendation: Approve

Council Action Requested: Yes

Sample Motion(s):

Motion to approve the minutes of the July 28, 2022 monthly meeting as presented

**Draft minutes attached*

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**Town of Urbana
Town Council
Monthly Meeting
Council Chambers-390 Virginia St. Suite B
July 28, 2022**

CALL TO ORDER & ROLL CALL

Mayor Hartley called the meeting to order at 7:00pm

Present

Mayor Barbara Hartley
Council Members
 Larry Chowning
 Bill Goldsmith
 Merri Hanson
 Steve Hollberg
 Bill Smith
Garth Wheeler-Town Administrator
Roy Kime-Zoning Administrator
Andrea Erard-Town Attorney
Michele Hutton-Town Treasurer
Martha Rodenburg-Town Clerk
Members of the public

Absent-Councilmember Marjorie Austin

All present said the Pledge of Allegiance

APPROVAL OF AGENDA

Garth Wheeler requested the agenda be amended to add under Old Business, item B, Montague Marina Modification
Councilmember Hanson made a motion to accept the agenda as amended
Councilmember Goldsmith seconded
Chowning, Goldsmith, Hanson, Hollberg, Smith, and Hartley voted yes
Motion passed 6-0

APPROVAL OF MINUTES

Councilmember Smith made a motion to approve the July 14, 2022 minutes as presented
Councilmember Hanson seconded
Chowning, Goldsmith, Hanson, Smith, and Hartley voted yes
Hollberg abstained
Motion passed 6-0-1

REPORTS

Town Administrator

Garth Wheeler reported the following

- Audit
 - Davis & Associates have completed the audits for 2019, 2020, and 2021
 - Audits will be posted on Town website

- Boundary Line Adjustment
 - Mr. Wheeler, Andrea Erard, Roy Kime, and Martha Rodenburg met with Matt Walker, Middlesex County Administrator, and Heather Lewis, Middlesex County Attorney on July 28.
 - A plan of action is being developed
- Old Town Hall appraisal has been received at \$367,000. The full report will be forwarded to Council.
- Removal of old power poles
 - Breezeline submitted work order to transfer line to new poles
 - Verizon transfer will take place when that is completed
 - After all lines have been moved, Dominion will remove old poles and the Town will make necessary repairs to sidewalks
- Cigarette Tax
 - Received \$1,087.41 for May and \$1,150.72 for June
 - All funds placed in account for the Scottish Factor/Museum
- Pool committee
 - Committee met with Wayne Savage from Bay Design
 - Soil samples have been taken
 - Plan has changed to now fill in old pool site and re-locate pool closer to playground
 - Will allow bathrooms, pump house, and concession stand to be better situated for park-side access for bathrooms
 - Motion filed with court to allow use of Taber Funds for pool construction
 - Concern on the part of Mr. Savage the Memorial Day 2023 opening date may be delayed due to DEQ issues; Ward Hamilton of Paddock Pools is sticking with Memorial Day timeline

Councilmember Hollberg questioned if the DEQ approval would focus on the quality of water that goes into the pool, or was it relative to the whole site and run-off

Mr. Wheeler and Mr. Kime responded that it was in regards to the whole site and run-off

Councilmember Chowning asked which court we were dealing with in regards to the Taber money

Ms. Erard responded it was filed with Middlesex Circuit Court

Treasurer's Report

Michele Hutton, Town Treasurer gave the Treasurer's Report to include:

- Lodging tax uptick due to successful efforts in collecting overdue funds
- Ms. Erard is assisting with a problem caused by a short-term management firm that remits payments in lump sums without referencing the individual properties
- Requested funds (\$58,000) from Taber Trust money market reserve not yet received
- Cost of painting at museum transferred from the Historic Trust

Councilmember Hollberg and Ms. Hutton discussed and clarified the funds transferred from the Taber Trust money market would, when received, be placed in the Trust Bank Pool Fund reserve.

Councilmember Chowning stated the need to have an accurate account of the number of short-term rentals in the Town
 Ms. Hutton explained her process for ensuring all short-term rentals are accounted for
 Discussion took place regarding monitoring the number of short-term rentals and possible action to be taken in the future

Discussion took place among Council regarding a published statement the Town Marina made a \$2,300 profit in the prior fiscal year. Councilmember Hollberg contended this amount should be closer to \$20,000, as it did not accurately reflect the \$17,000 for the boat ramp was a capital expenditure, not a regular expense.



Treasurer's Report

Account Balance thru 7/31/2022	Prior Year	Prior Month	Statement Date
	7/31/21	6/30/22	7/31/22
Primis Bank General Operating Bank Account	591,997.20	693,832.66	639,319.37
Renter Water Deposits	14,551.66	15,876.66	16,101.66
Net Operating General Bank Account	524,624.26	671,950.71	613,689.21
TRUIST Historic Trust	18,045.57	20,182.25	21,333.14
TRUIST Pool Replacement Account	36,761.26	36,764.60	36,764.91
Primis Bank Water Fund Reserve	113,747.30	114,083.22	114,133.07
Primis Bank General Fund Reserve	94,608.08	94,799.42	94,825.78
Primis Bank Cares Local Recovery	237,591.65	237,700.70	475,302.77
Primis Bank DMV	n/a	2,540.19	4,289.45
Taber Trust – Account Value	1,471,259.67	1,361,671.49	
	7/31/21	6/30/22	7/31/22
Meals Tax collected in July	14,800.26	14,078.74	14,635.00
Lodging Tax collected in July	3,166.70	4,699.43	3,422.19
Cigarette Tax collected in July	n/a	1,087.41	1,150.72

JULY EXPENDITURES:

\$5,875.00 for Pool Geotechnical report

REVENUE as of 7/31/2022

- Taber Trust Funds of \$58,000 deposited to Truist Bank, Pool Replacement Acc't 8/1/2022
- Continue to work on delinquent accounts. Personal Property past due mailed 8/1/2022

MEALS

August 1, 2022
04:21 PM

Town of Urbanna
2023 Revenue Summary by Month

Page No: 1

Range of Accounts: 100-12110-0001 to 100-12110-0001 Start Month: July Start Year: 2022
 Type: Revenue Activity Includes Accounts with Zero Activity: N Year To Date As Of: 08/01/22
 Subtotal CAFR: No

Account No	Description	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Total	Jul											
100-12110-0001	Meals Tax - Local											
14635.00	14635.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Fund Total		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
14635.00	14635.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Grand Total	Count: 1	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
14635.00	14635.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

LODGING

August 1, 2022
04:22 PM

Town of Urbanna
2023 Revenue Summary by Month

Page No: 1

Range of Accounts: 100-12100-0001 to 100-12100-0001 Start Month: July Start Year: 2022
 Type: Revenue Activity Includes Accounts with Zero Activity: N Year To Date As Of: 08/01/22
 Subtotal CAFR: No

Account No	Description	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Total	Jul											
100-12100-0001	Lodging Tax											
3422.19	3422.19	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Fund Total		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
3422.19	3422.19	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Grand Total	Count: 1	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
3422.19	3422.19	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

WATER SALES

August 1, 2022
04:28 PM

Town of Urbanna
2023 Revenue Summary by Month

Page No: 1

Range of Accounts: 500-17010-0001 to 500-17010-0001 Start Month: July Start Year: 2022
 Type: Revenue Activity Includes Accounts with Zero Activity: N Year To Date As Of: 08/01/22
 Subtotal CAFR: No

Account No	Description	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
500-17010-0001	Water Sales Charges	2878.78	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2878.78													
Fund Total		2878.78	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2878.78													
Grand Total	Count: 1	2878.78	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2878.78													

UTC Meeting 7/28/2022 DRAFT

Pool Committee

Addressed in Administrator's report

Water Committee

Councilmember Smith reported the following

- No meeting held in July
- Well #6 has been staked and location approved by VDH (Virginia Department of Health)
 - Next steps are DEQ permit and bid documents for Town and USDA to review
- Five-phase water system upgrades application received for review
 - Meeting with engineers via zoom on August 2, 2022 to discuss application and answer any questions
 - Application amount-\$7.6 million for all 5 phases

Planning Commission

Councilmember Hanson reported

- Internet survey results reported with copies distributed to all and available to the public
- High points included:
 - Internet only
 - Peak times 5-10pm
 - 57% have Breezeline equipment
 - 61% not satisfied or somewhat satisfied
 - 8/86% were very satisfied
 - 80.97% lost connectivity daily
 - Complaints about business disruptions
 - Inadequate speed
 - Long wait for customer service
- Councilmember Hanson learned via a Breezeline technician a relay was replaced and they are awaiting another part that, once in place, should improve connectivity and speed
- VATI (Virginia Telecommunication Initiative) funds are being used to place fiber optic lines to areas of Middlesex that do not have internet access
 - Ms. Erard noted there were certain requirements for receiving these funds, and would share the document with Councilmember Hanson
- The Town of Urbanna application to join the Exploring Main Street program has been accepted

PUBLIC COMMENT & PUBLIC COMMENT RESPONSE

No members of the public registered to speak during public comment

PRESENTATION

Town Attorney, Andrea Erard briefed Council on the legislative updates from the 2021 Virginia General Assembly

OLD BUSINESS

Boundary Line Adjustment

Referenced during the Town Administrator's report-no action taken

Latane Montague Marina Modification

Mr. Montague has requested to make modifications to marina his marina currently under construction. VMRC requires that Town Council be notified. The modifications are to the roofline and does not change the footprint of approved plan.

Councilmember Chowning made a motion to support the modifications as submitted by Mr. Montague

Councilmember Hollberg seconded

Chowning, Goldsmith, Hanson, Hollberg, Smith, and Hartley voted yes

Motion passed 6-0

NEW BUSINESS

Yearly Report

Mr. Wheeler notified Council a yearly report for fiscal year 2021-2022 is being compiled by staff and Patty Wheeler. This report will show activities and financial status of the Town, and should be presented at the August 25, 2022 Town Council meeting.

ADJOURN

Councilmember Smit made a motion to adjourn

Councilmember Goldsmith seconded

Chowning, Goldsmith, Hanson, Hollberg, Smith, and Hartley voted yes

Motion passed 6-0

Meeting adjourned at 8:10pm

Submitted by:

Martha J. Rodenburg

Town Clerk

Approved by Town Council xx/xx/xxxx

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Agenda Item Summary August 11, 2022

Agenda Item: #8b-Fund transfer-Pool fund replacement reserve

Background: Councilman Hollberg is requesting the surplus generated from operations at close of year 05/31/2022 be transferred to the pool fund replacement reserve account at Truist. The amount is approximately \$20,000 but can be provided by Mssrs. Wheeler and Kime at the Town Office.

Fiscal Impact: Moves \$20,000 from the general fund to the pool replacement fund

Staff Recommendation: Matter should be considered by the Finance Committee

Council Action Requested: Yes

Sample Motion(s):

Councilman Hollberg moves to take the surplus generated from operations at close of year 05/31/2022, to increase the pool fund replacement reserve account at Truist.

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Agenda Item Summary
August 11, 2022

Agenda Item: #8c-Fund Transfer-Water fund reserve

Background: Councilman Hollberg moves to take the surplus generated from the water operations at close of year 05/31/2022, to increase the water fund reserve account by \$150,000

Fiscal Impact: Moves approximately \$150,000 from the water fund to the water fund reserve account

Staff Recommendation: Matter should be considered by the Finance Committee

Council Action Requested: Yes

Sample Motion(s):

Councilman Hollberg moves to take the surplus generated from the water operations at close of year 05/31/2022, to increase the water fund reserve account by \$150,000

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Agenda Item Summary August 11, 2022

Agenda Item: #8d-VDH funding application for water infrastructure upgrades

Background: AH Environmental Consultants have completed a funding application to VDH for Urbanna's water system upgrades. Authorization needs to be given by council to allow Roy Kime to sign the application on the town's behalf.

Fiscal Impact: NA

Staff Recommendation: Approve

Council Action Requested: Yes

Sample Motion(s):

Motion to authorize Roy Kime to sign as the town's representative the VDH funding application as prepared by AH Environmental Consultants.

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