



**Urbanna Town Council
Monthly Meeting
AGENDA
Town Council Chambers
390 Virginia St., Suite B
Thursday, July 11, 2024 6:00 PM**

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Approval of Agenda
5. Minutes
6. Reports
 - a. Town Administrator
 - b. Treasurer
7. Public Comment
8. Council Comment
9. Old Business
 - a. DMV Select Discussion
 - b. Kayak Launch
10. New Business
11. Public Comment
12. Announcements
13. Adjourn



Agenda Item Summary July 11, 2024

Agenda Item: 4-Approval of Agenda

Staff Recommendation: Approve

Council Action Requested: Yes

Sample Motion(s): Motion to approve agenda as presented.



Agenda Item Summary
July 11, 2024

Agenda Item: 5-Minutes

Background: Draft minutes attached

Fiscal Impact: NA

Staff Recommendation: Approve

Council Action Requested: Yes

Sample Motion(s): Motion to approve the minutes of the February 22, 2024 work session and public hearings and the March 14, 2024 monthly meeting.

Note: If changes are requested at the meeting, approval of the minutes will be postponed to the next meeting.

**Town of Urbanna
Town Council
Public Hearing
Work Session
Council Chambers-390 Virginia St. Suite B
February 22, 2024**

CALL TO ORDER & ROLL CALL

Members of Council

Present

Mayor Bill Goldsmith
Marjorie Austin
Larry Chowning
Merri Hanson
Beth Justice

Absent

Alana Courtney
Sandy Sturgill

Others Present

Ted Costin-Town Administrator
Martha Rodenburg-Town Clerk
Michele Hutton-Town Treasurer
Andrea Erard-Town Attorney (via Zoom)
Members of the public and press

Mayor Goldsmith called the meeting to order at 6:01pm
All present said the Pledge of Allegiance

APPROVAL OF AGENDA

Councilmember Austin made a motion to approve the agenda as presented

Councilmember Justice seconded

Austin, Chowning, Hanson, Justice, and Goldsmith voted yes

Motion passed 5-0

PUBLIC HEARING

Proposed issuance of a bond or note by the Town pursuant to Virginia Code Section 15.2-2606 of the Public Finance Act

Andrea Erard explained the public hearing was required by the Virginia Constitution and State law for the issuance of a bond or note obligating the Town for an estimated maximum amount of \$1,020,000 for the purchase of 390 Virginia St., and the surrounding property identified as Tax Map Number 20-26.

While not a true bond, it is a note, it is treated like a bond under the Public Finance Act.

Councilmember Austin made a motion to open the public hearing to consider a proposed issuance of a bond or note by the Town, pursuant to Virginia Code Section 15.2-2606 of the Public Finance Act.

Councilmember Hanson seconded

Austin, Chowning, Hanson, Justice, and Goldsmith voted yes

Motion passed 5-0

Mayor Goldsmith opened the public hearing.

Joe Heyman spoke to inquire about the financing.

- Mayor Goldsmith and Ms. Erard explained between CARES money, proceeds from the sale of old Town Hall, and rent payments which would go towards the purchase of 390 Virginia St., the amount borrowed would only be approximately \$500,000.

Mayor Goldsmith closed the public hearing.

Deed of Trust

Mayor Goldsmith opened the public hearing.

There was no public comment.

Roy Kime, member of the Finance Committee and former Zoning Administrator, addressed Council to discuss the building cost assessment using various mortgage calculations. One scenario, based on a balance of approximately \$540,000 to be financed at 5% over 15 years, would be monthly payments of \$4,278, which would be offset by tenant rent. Another calculation put the monthly payment at \$4,007. The total cost would not exceed \$1,000,020.

Mayor Goldsmith closed the public hearing.

Councilmember Austin made a motion to approve the resolution as presented.

Councilmember Hanson seconded.

Austin, Chowning, Hanson, Justice, and Goldsmith voted yes

Motion passed 5-0

RESOLUTION AUTHORIZING THE ISSUANCE OF A NOTE IN A PRINCIPAL AMOUNT NOT TO EXCEED \$1,020,000.00 OF THE TOWN OF URBANNA AND PROVIDING FOR THE FORM, DETAILS AND PAYMENT OF THE NOTE, AND AUTHORIZING CERTAIN RELATED DOCUMENTS AND ACTIONS

The Council of the Town of Urbanna, Virginia (the "Council") has determined it necessary and expedient to finance a portion of the cost of acquiring certain real property and to issue a note of the Town to the seller of the real property, for such purpose.

The Council has held a public hearing on the issuance of the note and a public hearing on securing the note by a deed of trust on the real property, in accordance with Sections 15.2-2606 and 15.2-1800 of the Code of Virginia of 1950, as amended.

BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF URBANNA, VIRGINIA:

Section 1. Authorization of Borrowing. The Town Council ("Council") of the Town of Urbanna (the "Town") authorizes to be issued a note (the "Note") in a principal amount not to exceed \$1,020,000 (the "Maximum Amount") to finance a portion of the cost of acquiring real property located at 390 Virginia Street, Urbanna, Virginia (the "Property").

Section 2. Authorization of Note. To the extent permitted by Section 15.2-2601 of the Public Finance Act of 1991 (Chapter 26, Title 15.2, Code of Virginia of 1950, as amended) (the "Act"), the Council elects to issue the Note under the provisions of the Act without regard to the requirements, restrictions or other provisions contained in any charter or local or special act.

Section 3. Details of the Note.

(a) The Note shall be issued as a fully registered note without coupons. Each of the Mayor and Town Manager of the Town (the "Authorized Officers") is authorized to establish the principal amount of the Note; however, the amount shall not exceed the Maximum Amount.

(b) The outstanding principal of the Note shall bear interest at the per annum rate of 5.00%, and the principal of and the interest on the Note shall be due and payable on dates determined in accordance with (c) below.

(c) Each of the Authorized Officers is authorized to determine and approve all of the other final details of the Note, including, but not limited to, its dated date, original principal amount, and payment dates of principal and interest. However, the original principal amount of the Note shall not exceed the Maximum Amount, and the maturity date shall not be later than fifteen years after the Note's dated date. Such officer's determination and approval of the final details of the Note shall be evidenced conclusively by such officer's execution and delivery of the Note in accordance with this resolution.

Section 4. Execution of Note. The Note shall bear the manual signature of an Authorized Officer and the manual signature of the Clerk or Deputy Clerk of the Town. In case

any officer whose signature shall appear on the Note shall cease to be such officer before the delivery of the Note, such signature shall nevertheless be valid and sufficient for all purposes, the same as if he had remained in office until such delivery. The Note may be signed by such persons as at the actual time of the execution thereof shall be the proper officers to sign the Note although at the date of the Note such persons may not have been such officers.

Section 5. Form of Note. The Note shall be in substantially the form of the attached Exhibit A, with such variations, insertions and omissions as shall be consistent with this resolution, the execution and delivery of the Note constituting conclusive evidence that any variations, insertions, or omissions are consistent with this resolution. The Authorized Officers and the Clerk or Deputy Clerk of the Town are authorized and directed to take all proper steps to have the Note prepared and executed in accordance with the terms of this resolution and to be delivered to the seller of the Property upon closing of the acquisition of the Property by the Town.

Section 6. Authorization of Deed of Trust. The Council approves a deed of trust on the Property from the Town to secure the Note (the "Deed of Trust"), the form of which has been made available to the Council. Each Authorized Officer is authorized to execute on behalf of the Town the Deed of Trust in substantially such form, with such changes, insertions or omissions as may be approved by the Authorized Officer executing them, whose approval shall be evidenced conclusively by the execution and delivery of the Deed of Trust. The Authorized Officers and any other officer of the Town are authorized to execute and deliver on behalf of the Town such other instruments, documents or certificates, and to do and perform such things and acts, as they shall deem necessary or appropriate to carry out the transactions authorized by this resolution or contemplated by the Note or the Deed of Trust, and all of the foregoing, previously done or performed by such officers of the Town, are in all respects approved, ratified and confirmed.

Section 7. Payment of Note. The Town shall pay promptly the principal of and interest on the Note as the same become due in accordance with the Note. It is covenanted and agreed with the holder of the Note that so long as any of the installments of principal or interest on the Note are outstanding and unpaid the Town will levy and collect annually an ad valorem tax on all the taxable property in the Town, without limitation as to rate or amount, sufficient to pay when due the principal of and interest on the Note to the extent other funds of the Town are not lawfully available and appropriated for such purpose. Nothing in this resolution or in the Note shall be deemed to create or constitute an indebtedness of or a pledge of the faith and credit of the Commonwealth of Virginia or any county, city, town or other political subdivision of the Commonwealth other than the Town.

Section 9. Authority of Officers and Agents. The officers and agents of the Town shall do all acts and things required by them of this resolution and the Note for the complete and punctual performance of all the terms, covenants and agreements contained therein. The appropriate officers of the Town are further authorized and empowered to take such other action as they may consider necessary or desirable to carry out the intent and purpose of this resolution, and the issuance of the Note.

Section 10. Limitation of Liability of Officials of Town. No covenant, condition or agreement contained herein shall be deemed to be a covenant, agreement or obligation of an

officer, employee or agent of the Town in his or her individual capacity, and no officer of the Town executing the Note or Deed of Trust shall be liable personally on the Note or Deed of Trust or be subject to any personal liability or accountability by reason of the issuance thereof. No officer, employee or agent of the Town shall incur any personal liability with respect to any other action taken by him or her pursuant to this resolution, provided he or she acts in good faith.

Section 11. Conditions Precedent. Upon the issuance of the Note, all acts, conditions and things required by the Constitution and statutes of the Commonwealth of Virginia or this resolution to have happened, exist and to have been performed precedent to or in the issuance of the Note shall have happened, exist and have been performed.

Section 12. Headings. Any headings in this resolution are solely for convenience of reference and shall not constitute a part of the resolution nor shall they affect its meaning, construction or effect.

Section 13. Severability. If any court of competent jurisdiction shall hold any provision of this resolution to be invalid and unenforceable, such holding shall not invalidate any other provision hereof.

Section 14. Effective Date. This resolution shall take effect immediately.

Section 15. Filing of Resolution. The Clerk is authorized and directed to see to the prompt filing of a certified copy of this resolution with the Circuit Court of Middlesex County, Virginia.

EXHIBIT A
FORM OF NOTE

UNITED STATES OF AMERICA
COMMONWEALTH OF VIRGINIA
TOWN OF URBANNA

Note

Dated: April 1, 2024

The Town of Urbanna, a municipal corporation of the Commonwealth of Virginia (the "Town"), for value received, acknowledges itself indebted and promises to pay to Thurston Properties, LLC, or registered assigns (the "Noteholder"), the principal sum of

Five Hundred Forty Thousand, Eight Hundred Ninety-Seven AND 00/100 DOLLARS
(\$540,897.00)

and to pay to the Noteholder interest on the unpaid principal from the date of this Note until payment of the entire principal sum at rate of 5.00% per annum.

Interest shall be computed on the basis of a 360-day year consisting of twelve 30-day months.

On April 1, 2024, and the same day of each subsequent month, the Town shall pay an installment of principal of and interest on this Note in the amount of \$4,278.03, until this Note is paid in full. If not sooner paid, the principal of and accrued but unpaid interest on this Note shall be due and payable on the fifteenth (15th) anniversary of its dated date. Any payment on this Note shall be applied first to interest accrued to such payment date and then to principal.

Principal and interest shall be payable in lawful money of the United States of America to the registered owner, at 45 Watling Street, P.O. Box 1250, Urbanna, Virginia 23175, or such other address as the Noteholder may designate in writing to the Town as its address for payments. Upon final payment, this Note shall be surrendered to the Treasurer of the Town, who has been appointed Registrar, for cancellation.

This Note is subject to prepayment at the option of the Town, in whole but not in part, before its stated maturity at any time upon thirty (30) days prior written notice to the Noteholder, upon payment of the outstanding principal plus all accrued but unpaid interest to the date of prepayment, without prepayment penalty or premium.

This Note is issued pursuant to the Constitution and applicable statutes of the Commonwealth of Virginia, including the Public Finance Act of 1991 (Chapter 26, Title 15.2, Code of Virginia of 1950, as amended) (the "Act") and a resolution duly adopted under the Act by the Council of the Town on February 22, 2024 (the "Resolution"). A copy of the Resolution is on

file at the office of the Registrar. Reference is made to the Resolution for the provisions, among others, describing the pledge and covenants securing this Note, the nature and extent of the security the terms and conditions upon which this Note is issued, the rights and obligations of the Town and the rights of the Noteholder.

Both principal of and interest on this Note are payable from ad valorem taxes to be levied without limitation as to rate or amount on all property in the Town subject to taxation to pay the installments of principal and interest on this Note to the extent other funds of the Town are not lawfully available and appropriated for such purpose, and the full faith and credit of the Town are pledged for such payment.

Each of the following constitutes an event of default (“**Event of Default**”) under this Note:

- a) The Town fails to make any installment of principal and interest when due under this Note and such failure continues for fifteen (15) days after the Noteholder gives the Town written notice of such failure.
- b) The Town fails to comply with or to perform any other term, obligation, covenant or condition of the deed of trust securing this Note and such failure continues for forty-five (45) days after the Noteholder gives the Town written notice of such failure.

At any time after an Event of Default has occurred, the Noteholder may declare the entire unpaid principal balance under this Note and all accrued unpaid interest immediately due and payable.

This Note shall be governed by and construed in accordance with the laws of the Commonwealth of Virginia.

All acts, conditions and things required by the Constitution and statutes of the Commonwealth of Virginia to happen, exist or be performed precedent to and in the issuance of this Note have happened, exist and have been performed.

IN WITNESS WHEREOF, the Town of Urbanna has caused this Note to be signed by the manual signature of its Mayor, and attested by the manual signature of its Clerk, and this Note to be dated the date stated above.

TOWN OF URBANNA

By: [NOT FOR SIGNATURE-FORM OF NOTE]
Mayor, Town of Urbanna

ATTEST:

[NOT FOR SIGNATURE-FORM OF NOTE]
Clerk, Town of Urbanna

The undersigned Town Clerk of the Town of Urbanna, Virginia, certifies that:

- (a) the foregoing is a true, complete and correct copy of a resolution adopted by the Council of the Town at a meeting of the Council held on February 22, 2024;
- (b) the meeting was a duly called, noticed and held regular meeting;
- (c) during the consideration of the foregoing resolution, a quorum was present; and
- (d) the name of each member of Council voting on the adoption of the foregoing resolution and his or her vote were recorded at the meeting as follows:

<u>Member</u>	<u>Attendance</u>	<u>Vote</u>
William Goldsmith, Mayor	Present	Yes
Marjorie Austin	Present	Yes
Larry Chowning	Present	Yes
Alana Courtney	Absent	--
Merri Hanson	Present	Yes
Beth Justice	Present	Yes
Sandy Sturgill	Absent	--


Town Clerk

(SEAL)

PUBLIC COMMENT

There was no public comment

COUNCIL COMMENT

Councilmember Chowning thanked Mr. Mullins for the opportunity to purchase the building.

ACTION ITEMS

Lewis & Clark Circus Contract

Mr. Costin gave the background regarding the circus, which had successful performances the previous year. They were proposing a total of four shows over April 24th and 25th at Taber Park. Due to the cancellation of the February 8, 2024 Town Council meeting, a verbal consensus was given by Council to Mr. Costin to execute the contract to avoid losing the opportunity to have the circus on those dates.

Last year’s show earned the Town approximately \$2,400, with the only expense being minimal water usage.

Councilmember Austin made a motion to ratify the Town Administrator’s execution of the contract with Lewis and Clark Circus for a circus to be held at 5 and 7pm on April 24 and 25, 2024 at Taber Park.

Councilmember Justic seconded.

Austin, Chowning, Hanson, Justice, and Goldsmith voted yes

Motion passed 5-0

*** LEWIS AND CLARK CIRCUS ***
A GREAT AMERICAN FAMILY CIRCUS
PO BOX 808– Liberty, SC 29657 PHONE: 864-419-9249, 864-617-3976

SPONSOR’S AGREEMENT.

This agreement entered into by and between Lewis & Clark Circus (hereinafter referred to as Circus) and Town of Urbanna (hereinafter referred to as Sponsor) on 02/09/2024

Hold Harmless Agreement for the property owner. The Circus agrees to protect, indemnify, and hold the Town of Urbanna harmless from any and all claims of loss, damage, liabilities, or expense whatsoever, either directly or indirectly, except any loss, damage injury, or other claim arising from Town of Urbanna gross negligence or intentional act.

Circus Agrees to:

1. A complete circus performance including equipment and personnel.
2. Maintain liability insurance covering Sponsor and property owner.
3. Furnish all advertising materials and tickets.
4. To leave the grounds clean.

Sponsor Agrees to:

1. Provide a show venue at 425 Bonner St in Tabor Park.
2. Obtain all local permits for Circus if any are required.
3. Furnish a water spigot adequate to Circus needs. (A spigot to connect a water)
4. Not sell concession.

The Sponsor Will Share in Ticket Sales as Follows:

1. 25% of the first \$1,500.00(100 tickets) and 40% thereafter of all advance tickets sold prior to 12:00 pm on Circus day. All unsold tickets will be returned to the Circus before 12:00 pm (noon) on the day of the show.
2. 10% of General admission tickets sold at the Circus Box office on Circus Day and 10% of online tickets sold through the Circus’ website.

Ticket Prices:

Advance Tickets: Adults: \$15 Kids: 1 child free (12 and under) will be admitted with each adult ticket. Additional child is \$9
Online Tickets: Adults: First 100 - \$15.99, then \$19.99 Kid: 1 kid free with each paid adult and any after \$8.99 Day of Circus:
Adults: \$25 Kids: 1 child free (12 and under) will be admitted with each adult ticket. Additional child is \$15

Town: Urbanna, VA Location
ph. address: 425 Bonner St Date of
Event: April 24-25, 2024
Show Times: Wed and Thurs@ 5:00 and 7:30
Advertise as: Taber Park

Sponsor Representative

Signature: [Handwritten Signature] Date: 2/9/2020

Sponsor

Name: Town of Urbanna
Address: (mailing) PO Box 179 Urbanna, VA 20175/ (physical) 390 Virginia St, Suite B Urbanna, VA 20175
Phone/email: 804.758.2613 t.costin@urbannava.gov
Contact Person on the day of Circus (name and phone): Ted Costin 804.238.1051

Lewis & Clark Circus Representative: _

Olena Reis 864-617-3976 864-419-9249 cell
On day of Circus: Vandeir – (863)-521-8703

Fireworks Contract

Mr. Costin explained, after repeated many unsuccessful attempts to contact the fireworks contractor used in the past, he engaged in discussion with a new contractor, Francisco Display, out of Halifax County, Virginia.

The show will be 20 minutes long, using 800 shells of various sizes. The only date available is Friday, June 28th. Mr. Costin has signed the contract and is asking Council to ratify it. Unlike in years past, this contractor is requiring the owners of Rosegill to also sign the contract. This is still in process while certain issues are being addressed.

Councilmember Hanson asked how similar the show would be from those in the past. Mr. Costin responded that based on the contract from 2 years ago, it would be the same length of time, but with more shells.

Discussion took place regarding cost, which would be \$14,860, split between two fiscal years.

Councilmember Austin asked if a better date could be scheduled for next year, to which Mr. Costin responded he had already made that inquiry. Additional discussion took place regarding scheduling.

Councilmember Austin made a motion to ratify the Town Administrator's execution of the contract with Francisco Display Fireworks, LLC for a July 4th fireworks show on June 28, 2024 in and about the town's marina.

Councilmember Hanson seconded

Austin, Chowning, Hanson, Justice, and Goldsmith voted yes

Motion passed 5-0

PROJECT UPDATES/DISCUSSION

Comprehensive Plan

Mr. Costin presented an update on the current status of the Town's Comprehensive Plan.

- Current plan adopted in 2012
- Revision in 2019 to primarily address Chesapeake Bay Preservation Act (CBPA)
- Revision in 2023 to address CBPA concerns

While these revisions allow for a 5-year window for further updating, a complete updating should be done to factor in certain items including demographic changes and the recent Boundary Line Adjustment (BLA) which incorporates property not designated in the current Future Land Use section.

Staff has researched through the Middle Peninsula Planning District Commission, the following options:

1. Hiring an outside consultant perform a diagnostic of the current plan to determine compliance, focusing on changes in State law. This option could cost upwards of \$75,000.
2. Approach the Urban Studies or Urban and Regional Planning Departments of Virginia universities to see if updating our Comprehensive Plan could be taken on as a class capstone project.

Due to costs, staff would like to pursue option number 2.

The general consensus of Council was for Mr. Costin to pursue option number 2.

Discussion took place regarding the different types and timelines for a capstone project, incorporating the newly added property from the BLA into the land use section, and the need to add Economic Development into the plan.

Solid Waste Contract

Mr. Costin reported we have received two proposals for the solid waste contract and is waiting for a third. If the third contract is not received, the two contracts will be presented at the next meeting.

Security Cameras

Mr. Costin reported we have received three bids for security cameras. The highest bid received was due to their use of advanced technology, with the other bids being more competitive.

- In order to spread out costs, the project could be done in two phases, with Waterman’s Park, Taber Park, and the water tower being phase one, and Town Hall, the museum, and a second camera at the Town Marina.
- Based on information received, Mr. Costin recommended negotiating a contract with Franktronics for phase one.

Discussion took place regarding Franktronics improved performance.

Michele Hutton added the camera currently installed at the marina has already helped catch a thief.

Mayor Goldsmith explained the reasoning behind having the museum and marina be a part of phase two, was due to other security systems in place.

Councilmember Austin added it would make sense to do both phases at one time.

Councilmember Hanson asked who would own the cameras, which was answered the Town would.

Mr. Costin added one of the advantages to having Franktronics install the cameras would be they would be rolled into the maintenance contract currently in place.

Pricing was discussed, as well as how it would work into the current budget. Mayor Goldsmith explained the funding for phase one is there, with phase two being budgeted for the next fiscal year.

Mr. Costin informed Council he was not asking for them to take action at this time, but would come back to Council with a contract in the future.

Further discussion took place regarding funding, with Mayor Goldsmith adding funding for the camera at the water tower could come from the Water Fund.

Pool Operation

Mr. Costin reported he had three meetings regarding pool management.

- Company number one would have an on-site manager, can hire, train, and manage lifeguards, along with daily pool maintenance. However, they will not staff or run a concession stand.
- Company number two only performs maintenance to ensure the pool is operating properly.

Due to this being a fairly critical year for the pool, after being out of the pool business for a couple of years, Mr. Costin said he would like to pursue a contract with the first company.

The third meeting was with the Town’s insurance provider (VRSA). While they were happy with certain things around the pool, including the “No Diving” placards, they did have some concerns regarding the concession stand being wired up with extension cords.

In addition to pursuing a contract with a pool management company, Mr. Costin would like to proceed with getting the concession stand up to code.

Another item discussed was the different verbiage on the signage at Waterman’s and Taber Parks in regards to closing times. Mr. Costin would like to re-do the signs to state the parks close at half-hour after dusk, with the understanding there would be times when Town hosted events and swim meets would be allowed to go past that time.

Councilmember Hanson added there have been requests by residents to do this.

Mayor Goldsmith added, in regards to the pool management company, they also manage pools in the area, including campgrounds, which gives them more resources to pull from when it comes to staffing.

Mr. Costin informed Council that the Town received five inquiries about lifeguard jobs, but only received two applications. The management company said they would also consider local applications.

Bank Franchise Tax Overpayment

Mr. Costin reported to Council the Town had received notice the Bank Franchise Tax paid during the 2022-2023 fiscal year included the amount that should have been paid to Middlesex County, an overpayment of \$102,703.

The overpayment will need to be repaid, and it was negotiated with the bank that one half of the repayment would be made in the current fiscal year, with the second half being repaid during FY 2024-2025.

Discussion took place regarding the complications of repaying it all at once, due to the amount being approximately 5% of the budget, including how to reconcile it with the audit. Fortunately, the entire amount expected for the current FY had not been put in the budget, and has not been spent.

It was further explained by Ms. Hutton, when the initial check was sent to the Town, it did not come with any documentation detailing the payment.

ANNOUNCEMENTS

Council wished Councilmember Sturgill a happy birthday.

ADJOURN

Councilmember Austin made a motion to adjourn

Councilmember Hanson seconded

Austin, Chowning, Hanson, Justice, and Goldsmith voted yes

Motion passed 5-0

Meeting adjourned at 6:46pm

Submitted by:

Martha J. Rodenburg

Town Clerk

Approved by Town Council xx/xx/xxxx

**Town of Urbanna
Town Council
Monthly Meeting
Council Chambers-390 Virginia St. Suite B
March 14, 2024**

CALL TO ORDER & ROLL CALL

Mayor Goldsmith called the meeting to order at 6:00pm

Present-Members of Council

Mayor Bill Goldsmith
Larry Chowning
Merri Hanson
Beth Justice
Sandy Sturgill

Absent

Marjorie Austin
Alana Courtney

Other Attendees

Ted Costin-Town Administrator
Andrea Erard-Town Attorney
Michele Hutton-Town Treasurer
Martha Rodenburg-Town Clerk
Members of press and public

All stood for the Pledge of Allegiance

APPROVAL OF AGENDA

Councilmember Hanson made a motion to approve the agenda as presented.

Councilmember Sturgill seconded.

Chowning, Hanson, Justice, Sturgill, and Goldsmith voted yes

Motion passed 5-0

MINUTES

Councilmember Hanson made a motion to approve the minutes of the November 16, 2023 and December 14, 2023 meetings.

Councilmember Sturgill seconded.

Chowning, Hanson, Justice, Sturgill, and Goldsmith voted yes

Motion passed 5-0

REPORTS

Town Administrator

Mr. Costin reported:

- The floating dock has been returned and the money has been refunded.
- The owners of Rosegill cannot allow fireworks to launch due to their insurance carrier informing them they will lose their coverage if fireworks are launched from their property.
 - Staff has looked for alternative launch sites large enough to meet safety requirement, and were unable to find one.

- Launching from a barge is being researched (Barge must be at least 40'x60')
- Previous fireworks contract approved at last meeting is now void.

Discussion took place regarding alternative Independence Day activities.

Treasurer

Michele Hutton presented the Treasurer’s Report for January 2024



Treasurer’s Report

The Balances Below, Reflect Bank Statements as Of Month’s End.

Account Balance thru 1/31/2023	Prior Year 1/30/23	Prior Month 12/31/23	Statement Date 1/31/24
Primis Bank General Operating Bank Account	836,894.95	1,074,889.37	921,502.25
Renter Water Deposits	-19,451.66	-16,326.66	-16,326.66
Net Operating General Bank Account	826,192.28	1,073,031.70	922,993.92
C&F Bank Historic Trust (new 3/1/2023)	(Trust) 31,868.44	46,718.19	47,295.41
C&F Bank - Water Fund Reserve (11 mo CD) 1/17/24		N/A	115,433.93
C&F Bank - General Fund Reserve (11 mo CD) 1/17/24		N/A	95,500.91
C&F Bank -Operating Reserve (11 mo CD) 1/17/24		N/A	400,000.00
Primis Bank Water Fund Reserve	114,552.09	115,388.41	Closed 1/17/24
Primis Bank General Fund Reserve	95,044.22	95,477.37	Closed 1/17/24
Primis Bank Cares Local Recovery	475,423.90	239,659.92	Moved to operating
Primis Bank DMV	5,296.52	2,876.63	1,101.22
Primis Bank USDA Well Replacement-new 10/14/22	2,502.27	2,509.13	2,509.81
Taber Trust – Account Value	871,833.31	932,715.71	
Taxes listed below are collected for prior month(s)	1/30/23	12/31/23	1/31/24
Meals Tax collected in January	6,727.91	5,777.51	21,041.61
Lodging Tax collected in January	756.10	514.88	4,112.77
Cigarette Tax collected in January	666.60	402.20	577.22

EXPENDITURES:

- \$

REVENUE as of 1/31/2024 - Closed Primis Accounts and opened three 11-month Certificate of Deposits at C&F Bank at 5% interest with a one-time penalty free withdrawal.

- Water fund Reserve \$115,433.93
- General Fund Reserve - \$95,500.91
- Removed \$400,000.00 from operating account
 - Closed the Cares account at Primis and moved to the operating account.

February 14, 2024
12:35 PM

Lodging Tax

Town of Urbanna
2024 Revenue Summary by Month

Range of Accounts: 100-12100-0001 to 100-12100-0001 Start Month: July Start Year: 2023
Type: Revenue Activity Includes Accounts with Zero Activity: N Year To Date As Of: 02/14/24
Subtotal CAFR: No

Account No	Description	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr
100-12100-0001	Lodging Tax	4520.69	3970.51	3693.25	1955.01	2909.03	514.88	4112.77	0.00	0.00	0.00
21676.14											
Fund Total		4520.69	3970.51	3693.25	1955.01	2909.03	514.88	4112.77	0.00	0.00	0.00
Grand Total	Count: 1	4520.69	3970.51	3693.25	1955.01	2909.03	514.88	4112.77	0.00	0.00	0.00

February 14, 2024
12:34 PM

Meals Tax

Town of Urbanna
2024 Revenue Summary by Month

Range of Accounts: 100-12110-0001 to 100-12110-0001 Start Month: July Start Year: 2023
Type: Revenue Activity Includes Accounts with Zero Activity: N Year To Date As Of: 02/14/24
Subtotal CAFR: No

Account No	Description	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr
100-12110-0001	Meals Tax - Local	25538.77	18916.41	17037.21	14135.62	15123.86	5777.51	21041.61	217.66	0.00	0.00
117788.65											
Fund Total		25538.77	18916.41	17037.21	14135.62	15123.86	5777.51	21041.61	217.66	0.00	0.00
Grand Total	Count: 1	25538.77	18916.41	17037.21	14135.62	15123.86	5777.51	21041.61	217.66	0.00	0.00

Water Sales

February 14, 2024
02:34 PM

Town of Urbanna
2024 Revenue Summary by Month

Range of Accounts: 500-17010-0001 to 500-17010-0001 Start Month: July Start Year: 2023
Type: Revenue Activity Includes Accounts with Zero Activity: N Year To Date As Of: 02/14/24
Subtotal CAFR: No

Account No	Description	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr
500-17010-0001	Water Sales Charges	6051.18	54319.81	20768.56	52703.73	14894.81	46378.62	12287.71	0.00	0.00	0.00
207404.42											
Fund Total		6051.18	54319.81	20768.56	52703.73	14894.81	46378.62	12287.71	0.00	0.00	0.00
Grand Total	Count: 1	6051.18	54319.81	20768.56	52703.73	14894.81	46378.62	12287.71	0.00	0.00	0.00

Mayor Goldsmith noted the Taber Fund balance has gone up since moving some of the money into different funds.

Ninety-nine percent of real estate taxes have been collected, but personal property tax collections is a challenge.

Ms. Hutton reminded Council this year's military banners can be purchased until April 15th. There haven't been as many sold compared to prior years.

Water Committee

Mayor Goldsmith reported:

- Kimley-Horn has been engaged to produce phase 2 bid packages to complete new well.
- Dependent on timing, the interim loan may need to be extended.

Finance Committee

Mayor Goldsmith reported:

- Three bids for trash service have been received and will be presented to Council at the next meeting.
- Town Hall closing is moving forward.
- Pool management company quote is within budget requirements.
- Franktronics will be installing cameras at Taber Park, Waterman's Park, and the water tower.
- A protocol for future Taber Fund use and replenishment is being developed.
- Since the Bank Franchise Tax is tied to real estate tax rates, when Council lowered the real estate tax rates, the amount received from the Bank Franchise Tax was less than expected. Ms. Hutton has requested the bank provide her with their calculations used to determine the amount received.

Planning Commission

Councilmember Hanson informed Council Lewis Hall is now Chair of the Planning Commission, and the March meeting did not take place due to lack of a quorum.

Mr. Costin reported a Special Use Application has been received and a public hearing will be scheduled.

PUBLIC COMMENT

Tammy Putney addressed Council to inquire about several items, including:

- Removal of utility poles
- Kayak trail
- Sidewalk and curb repair
- Street sign replacement
- Short-term rentals
- B-1 ordinance change

COUNCIL/STAFF COMMENT

Mr. Costin and Mayor Goldsmith responded to Mr. Putney and updated him on the status of his concerns to include:

- Legislation recently passed by the General Assembly may affect local authority regarding the regulation of short-term rentals.
- Mr. Costin is in contact with Dominion. All of their lines have been moved to the new poles. Breezeline is in the process of moving theirs, but Verizon is the biggest hold-up.
- Most of the VDOT owned sidewalks have been repaired, the Town sidewalk repair will be put in the budget for next year as a capital project.
- Street signs will be replaced by Middlesex County using 911 tax funds, and the matter will be discussed late in the meeting during Old Business.
- The kayak trail map is online, but the website is not user friendly, but it is a work in progress.

- The B-1 ordinance is being reworked

Councilmember Chowning spoke more to the process of developing the kayak trail, and it will expand to Perkins and Robinson creeks.

Mayor Goldsmith added he is in contact with Dave Lipscombe about putting a more direct link on the Town website once it is more user friendly.

Councilmember Hanson inquired about the status of the kayak rental kiosk agreement, and relocating the kiosk closer to the water.

B-1 ordinance is being reworked.

Discussion took place regarding the Public Access Authority's recently hired grant writer. The share of the Town's cost is to be determined based on the number of localities who participate.

OLD BUSINESS

Ordinance Number 2024-01 Bad Check Fees

Mayor Goldsmith gave the background regarding the proposed ordinance which would increase the bad check fee from \$20 to \$50.

Councilmember Hanson made a motion to adopt Ordinance Number 2024-01 to increase the bad check fee from \$20 to \$50 with monies collected to be credited to the general fund.

Councilmember Sturgill seconded.

Discussion took place on the procedure Council would have to take, should they change the rate in the future.

Hanson, Justice, Sturgill, and Goldsmith voted yes

Chowning voted no

Motion passed 4-1

Ordinance 2024- 01

ORDINANCE NO. 2024-01 AMENDS THE URBANNA TOWN CODE, Chapter 2, "ADMINISTRATION", SECTION 2-5.1, "BAD CHECKS," PARAGRAPH 1, TO INCREASE THE BAD CHECK FEE FROM \$20 TO \$50, AND DIRECTS THE MONIES COLLECTED TO BE CREDITED TO THE GENERAL FUND

BE IT ORDAINED by the Urbanna Town Council, at its regular meeting on February 8, 2024, that Chapter 2, "Administration", Section 2-5.1, "Bad Checks" to be repealed and readopted to read as follows:


Section 2-5.1-Bad Checks

There shall be a fee of \$50.00 for the uttering, publishing or passing of any check or draft for payment of taxes, or any other sums due the Town, which is subsequently returned to the Town for insufficient funds or because there is no account or the account has been closed. Such fee shall be collected by the Town Treasurer and be credited to the general fund of the Town.

This Ordinance shall take effect upon adoption.

Adopted: March 14, 2024

Certified to be true and accurate:


Martha Rodenburg, Town Clerk

Ms. Austin	Aye	Nay	Abstain	√ Absent
Mr. Chowning	Aye	√ Nay	Abstain	Absent
Ms. Courtney	Aye	Nay	Abstain	√ Absent
Ms. Hanson	√ Aye	Nay	Abstain	Absent
Ms. Justice	√ Aye	Nay	Abstain	Absent
Ms. Sturgill	√ Aye	Nay	Abstain	Absent
Mayor Goldsmith	√ Aye	Nay	Abstain	Absent

Street Sign Ordinance

Andrea Erard gave the background on the proposed ordinance which would repeal the current ordinance and replace it with one that mirrors the language of the Middlesex County ordinance.

Once passed, the process will begin for Middlesex County to replace the Town’s current signs. Staff is requesting approval from Council to advertise a public hearing on the proposed ordinance.

Councilmember Hanson made a motion to authorize a public hearing on the proposed sign ordinance for the April 11th meeting of the Urbanna Town Council.

Chowning, Hanson, Justice, Sturgill, and Goldsmith voted yes

Motion passed 5-0

NEW BUSINESS

There was no new business.

PUBLIC COMMENT

There was no public comment.

ANNOUNCEMENTS

There were no announcements.

ADJOURN

Councilmember Hanson made a motion to adjourn

Councilmember Sturgill seconded

Chowning, Hanson, Justice, Sturgill, and Goldsmith voted yes

Motion passed 5-0

Meeting adjourned at 6:43pm

Submitted by:

Martha J. Rodenburg

Town Clerk

Approved by Town Council xx/xx/xxxx



**Agenda Item Summary
July 11, 2024**

Agenda Item: 9-Reports

Town Administrator-Ted Costin (report attached)

Treasurer-Michele Hutton (report attached)



TOWN OF URBANNA

390 VIRGINIA ST. SUITE B, PO BOX 179, URBANNA, VA 23175
PHONE: 804-758-2613, FAX: 804-758-0389

To: The Honorable Mayor and Members of the Town Council
From: P. S. T. (Ted) Costin, Administrator
Date: July 9, 2024
Subject: Monthly Report – July 2024

Since my last report I met with citizens, council members, and professionals in various combinations regarding the pool operations, July 4/6 events, DMV, and other topics.

As to the pool, operational and construction issues are being addressed as they arise. No substantiated complaints have been received concerning the services of the staff and one incident report was received for a scraped foot. The library kickoff of their summer reading program was held and approximately 60 persons participated. The YMCA started an exercise program today and the swim team hosted its first meet. With both events some first time issues arose. One home meet remains after this date as well as hosting championships. Adjustments to the schedule are needed and those have been announced via social media, website, and facility postings. I will remind everyone; town residents are entitled to three passes and those can be obtained at the office during regular hours.

As to July 4th/6th events, the schedule was cut back at times and cut short at times due to heat and thunderstorms. A post event assessment is requested involving the committee, marina staff, myself, the mayor and other key personnel. The one live band performance that was completely called off has been rescheduled for the evening of August 31 at Taber Park. This is the Saturday of Labor Day Weekend. Notices will be made.

No progress on “No Wake” for Urbanna Creek, but we are moving forward with Home Occupation amendments, the re-zoning application of the Boundary Line Adjustment land is being circulated and communications concerning the DMV Select status are ongoing.

A meeting was held on June 11 involving Bond Counsel, USDA, Davenport, and others. From that meeting a project schedule was devised to include a bond issuance hearing date and USDA provision of copies of council action to accept the bid as well as an updated USDA application which is in progress.

As always, if you have any questions or concerns, please bring them forward.

Thank you.



Treasurer's Report

The Balances Below, Reflect Bank Statements as Of Month's End.

Account Balance thru 5/31/2024	Prior Year	Prior Month	Statement Date
	5/31/23	4/30/24	5/31/24
Primis Bank General Operating Bank Account	902,493.13	996,065.21	1,001,375.91
Renter Water Deposits	-15,426.66	-17,101.66	-17,101.66
Net Operating General Bank Account	902,493.13	992,328.50	997,525.32
C&F Bank Historic Trust (new 3/1/2023)	34,668.28	49,412.78	50,639.82
C&F Bank - Water Fund Reserve (11 mo CD) 1/17/24	114,853.67	116,847.00	Next Int July
C&F Bank - General Fund Reserve (11 mo CD) 1/17/24	95,200.56	96,669.97	Next Int July
C&F Bank -Operating Reserve (11 mo CD) 1/17/24	n/a	404,896.55	Next Int July
Primis Bank DMV		CLOSED 4/22	N/A
Primis Bank USDA Well Replacement-new 10/14/22		CLOSED 4/22	N/A
Taber Trust – Account Value	842,572.55	982,294.68	\$965,792.34
Taxes listed below are collected for prior month(s)	4/30/23	3/31/24	5/31/24
Meals Tax collected in May	10,065.80	13,237.36	14,384.57
Lodging Tax collected in May	2,522.36	2,812.03	2,429.85
Cigarette Tax collected in May	863.97	636.81	782.04

EXPENDITURES:
 Business as usual

REVENUE as of 5/31/2024

- 5/29/24 Bank Franchise tax received \$42,024.00
- Pool Memberships \$8,100.00
- Daily \$332.00

Lodging Tax

June 14, 2024
03:54 PM

Town of Urbanna
2024 Revenue Summary by Month

Page No: 1

Range of Accounts: 100-12100-0001 to 100-12100-0001 Start Month: July Start Year: 2023
 Type: Revenue Activity Includes Accounts with Zero Activity: N Year To Date As Of: 06/14/24
 Subtotal CAFR: No

Account No	Description													
		Total	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
100-12100-0001	Lodging Tax													
30424.65		4520.69	3970.51	3693.25	1955.01	2909.03	514.88	4112.77	681.66	2406.02	2812.03	2429.85	418.95	
Fund Total		4520.69	3970.51	3693.25	1955.01	2909.03	514.88	4112.77	681.66	2406.02	2812.03	2429.85	418.95	
Grand Total	Count: 1	4520.69	3970.51	3693.25	1955.01	2909.03	514.88	4112.77	681.66	2406.02	2812.03	2429.85	418.95	

Meals Tax

June 14, 2024
03:55 PM

Town of Urbanna
2024 Revenue Summary by Month

Page No: 1

Range of Accounts: 100-12110-0001 to 100-12110-0001 Start Month: July Start Year: 2023
 Type: Revenue Activity Includes Accounts with Zero Activity: N Year To Date As Of: 06/14/24
 Subtotal CAFR: No

Account No	Description													
		Total	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
100-12110-0001	Meals Tax - Local													
166147.32		25538.77	18916.41	17037.21	14135.62	15123.86	5777.51	21041.61	10765.55	10188.85	13237.36	14384.57	0.00	
Fund Total		25538.77	18916.41	17037.21	14135.62	15123.86	5777.51	21041.61	10765.55	10188.85	13237.36	14384.57	0.00	
Grand Total	Count: 1	25538.77	18916.41	17037.21	14135.62	15123.86	5777.51	21041.61	10765.55	10188.85	13237.36	14384.57	0.00	

Water Sales

June 14, 2024
03:41 PM

Town of Urbanna
2024 Revenue Summary by Month

Page No: 1

Range of Accounts: 500-17010-0001 to 500-17010-0001 Start Month: July Start Year: 2023
 Type: Revenue Activity Includes Accounts with Zero Activity: N Year To Date As Of: 06/14/24
 Subtotal CAFR: No

Account No	Description												
Total	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	
500-17010-0001	Water Sales Charges												
346538.80	6051.18	54319.81	20768.56	52703.73	14894.81	46378.62	12287.71	52062.21	8516.41	71388.42	7167.34	0.00	
Fund Total													
346538.80	6051.18	54319.81	20768.56	52703.73	14894.81	46378.62	12287.71	52062.21	8516.41	71388.42	7167.34	0.00	
Grand Total	Count: 1												
346538.80	6051.18	54319.81	20768.56	52703.73	14894.81	46378.62	12287.71	52062.21	8516.41	71388.42	7167.34	0.00	

Agenda Item Summary
July 11, 2024

Agenda Item: DMV Select Discussion

Background: DMV has suspended removal of their supplies as the county is agreeable to consider supporting the service given more data. I have provided to the County Administrator three copies of the agreement as it existed, a copy of the town's budget relative to DMV, and the mayor's research on financial impact in comparison to other locales. Other activity has included the engagement by Council Member of Virginia Municipal League Executive Director Michele Gowdy who has communicated their thoughts in the attached. In addition, the Town Manager spoke with the Commissioner of the Revenue from New Kent County as suggested by Ms. Gowdy. Commissioner Ecimovic has indicated she will send some thoughts on the matter as she has experienced offering the DMV Select service in partnership with New Kent County. Her communication may include a copy of the three-party agreement New Kent has in place for the operation of the DMV Select; DMV (oversight), Commissioner's office (execution), and county (financial support). If not included before release of the packet it will be provided subsequently.

Fiscal Impact: TBD.

Staff Recommendation: Schedule a meeting between county representatives and town representatives and appoint the town representatives.

Council Action Requested: Name the Mayor, Council Member Austin, and the Town Administrator as Town representatives to a meeting with Middlesex County representatives to discuss re-establishing the DMV Select.

Sample Motions: I move that the Mayor, Council Member Austin, and the Town Administrator be appointed as the town's representatives to a meeting with Middlesex County representatives to discuss re-establishing the DMV Select in Urbanna's Town Offices.



BETTER COMMUNITIES THROUGH SOUND GOVERNMENT

Officers

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Chuckie Reid
Town of Farmville
Vice Mayor

Vice President

D. Dwayne Tuggle
Town of Amherst
Mayor

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Mayor

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Michelle Gowdy

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Virginia Town & City
eNews
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July 8, 2024

P.S.T. (Ted Costin)
Urbanna Town Administrator
P.O. Box 179
Urbanna, VA 23175

Re: DMV Select

Dear Ted:

I hope all is well. I wanted to let you know that Councilwomen Austin and I had a discussion about the DMV Select in Urbanna. Our discussion included how valuable a DMV Select can be and I reached out to the New Kent Commissioner of the Revenue who has the DMV Select there. She and I have been friends for a very long time.

If needed, I am happy to attend your meeting on Thursday, but I have no specialized expertise in this area. Happy to discuss further if needed.

Sincerely,

A handwritten signature in black ink, appearing to be "MG", written over a light blue rectangular background.

Michelle Gowdy

P.O. Box 12164
Richmond, VA 23241

804/649-8471
www.vml.org

Agenda Item Summary
July 11, 2024

Agenda Item: Kayak Launch

Background: A discussion was held on this matter as an added agenda item at council's last meeting. Mayor Goldsmith agreed to undertake follow-up action with Middle Peninsula Planning District Commission staff. Relatedly, the Town Administrator has scheduled a meeting with Department of Environmental Quality (DEQ) staff at the marina for next week.

Fiscal Impact: To be determined.

Staff Recommendation: Receive Mayor's report and develop action items as needed, but council may wish to delay developing action items until after the meeting with DEQ staff is held and reported out.

Council Action Requested: Receive Mayor's report and develop action items as needed, but council may wish to delay developing action items until after the meeting with DEQ staff is held and reported out.

Sample Motions: To be developed as and if needed.