



**Urbanna Town Council  
Work Session  
AGENDA  
Town Council Chambers  
390 Virginia Street Suite B  
Thursday, September 26, 2024 6:00 PM**

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Approval of Agenda
5. Public Comment
6. Council Comment
7. Action Items
  - a. Minutes
  - b. Marina lease action
  - c. Meadow Lane water line upgrade
8. Project Updates/Discussion Items
  - a. Delinquent water account collection
9. Announcements
10. Adjourn



## **Agenda Item Summary September 26, 2024**

**Agenda Item: 4-**Approval of Agenda

**Staff Recommendation:** Approve

**Council Action Requested:** Yes

**Sample Motion:** Motion to approve agenda as presented.



## **Agenda Item Summary September 26, 2024**

**Agenda Item:** 7a-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 May 9, 2024 meeting and the May 23, 2024 work session as presented.

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

**Town of Urbanna  
Town Council  
Monthly Meeting  
Council Chambers-390 Virginia St. Suite B  
May 9, 2024**

**CALL TO ORDER & ROLL CALL**

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

**Present-Members of Council**

Mayor Bill Goldsmith  
Marjorie Austin  
Larry Chowning (arrived at 6:17pm)  
Alana Courtney  
Merri Hanson  
Beth Justice  
Sandy Sturgill

**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 Austin made a motion to approve the agenda as presented.**

**Councilmember Hanson seconded.**

**Austin, Courtney, Hanson, Justice, Sturgill, and Goldsmith voted yes  
Motion passed 6-0**

**SPECIAL RECOGNITION-FRIENDS OF URBANNA ESSAY CONTEST WINNER**

- Lazarus Doiron, a 6<sup>th</sup> grader at Saint Claire Walker Middle School was recognized as the winner of the Friends of Urbanna (FOU) John Mitchell Essay Contest.
- Peni Roberts of FOU distributed their quarterly report and informed council they would be receiving a report regarding the museum and FOU activities every quarter.

**MINUTES**

**Councilmember Austin made a motion to approve the minutes of the January 11, 2024 organizational meeting.**

**Councilmember Sturgill seconded.**

**Austin, Courtney, Hanson, Justice, Sturgill, and Goldsmith voted yes  
Motion passed 6-0**

## **REPORTS**

### **Town Administrator**

Mr. Costin reported the following:

- Pool had to be drained and cleaned of debris, but will be ready for opening.
- 4<sup>th</sup> of July contracts moving forward.
- No Parking signs for Virginia Street draft presented.
- Cameras installed in Town Hall.
- Remaining cameras will be installed next fiscal year.
- No progress with Verizon on moving lines on poles, will follow-up.
- Continues to work with state agencies to get the No Wake signs replaced.
- No progress on Comp Plan, but continues to work on possible solutions (hiring an intern).
- Uptick in complaints regarding grass and general maintenance throughout the town.
- Town Attorney will update council on building purchase.

Discussion took place regarding the draft “No Parking” sign proposed by Mr. Costin. Different options were discussed, including separate sign for directional indicators, and a “use at your own risk”.

Andrea Erard, Town Attorney, updated council on the closing of the purchase of 390 Virginia Street, Town Hall. She explained there were issues that occurred before the originally scheduled closing, which has delayed it. Closing may be broken into two parts, the building first, then the remaining property. Closing may take place in the next week.

### **Treasurer**

Ms. Hutton presented the Treasurer’s report to include:

- Town made \$500 from the Lewis & Clark Circus.
- Due to the date and time it was scheduled, it did not generate as much income as last year.

Councilmember Chowning made a point to thank the Oyster Festival Foundation for the use of their property next to Taber Park for the circus.



# Treasurer's Report

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

Account Balance thru <b>3/31/2024</b>	Prior Year <b>3/31/23</b>	Prior Month <b>2/29/24</b>	Statement Date <b>3/31/24</b>
Primis Bank General Operating Bank Account	799,760.39	959,677.59	910,471.10
Renter Water Deposits	-15,386.66	-17,226.66	-17,326.66
Net Operating General Bank Account	791,354.71	956,238.66	910,090.83
C&F Bank Historic Trust (new 3/1/2023)	32,903.96	48,262.05	48,775.97
C&F Bank - Water Fund Reserve (11 mo CD) 1/17/24	114,700.27	115,433.93	Interest 4/15/24
C&F Bank - General Fund Reserve (11 mo CD) 1/17/24	95,121.06	95,500.91	Interest 4/15/24
C&F Bank -Operating Reserve (11 mo CD) 1/17/24	n/a	400,000.00	Interest 4/15/24
Primis Bank DMV	1,439.46	3,079.58	4,403.02
Primis Bank USDA Well Replacement-new 10/14/22	2,503.49	2,510.41	2,511.01
Taber Trust – Account Value	857,356.55	962,972.60	982,294.68
Taxes listed below are collected for prior month(s)	<b>3/31/23</b>	<b>2/29/24</b>	<b>3/31/24</b>
Meals Tax collected in March	7,459.65	10,765.55	10,188.85
Lodging Tax collected in March	1,298.55	681.66	2,406.02
Cigarette Tax collected in March	618.19	618.19	513.92

**EXPENDITURES:**

- \$

**REVENUE as of 3/31/2024**

- **Note:** Cig Tax is correct, ironic 3/23 & 2/24 are the same amount.
- **Projected interest on three CD's, April 15<sup>th</sup> = \$7,478.68**

### Lodging Tax

April 5, 2024  
11:52 AM

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: 04/05/24  
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	681.66	2406.02	0.00
<b>24763.82</b>											
<b>Fund Total</b>		4520.69	3970.51	3693.25	1955.01	2909.03	514.88	4112.77	681.66	2406.02	0.00
<b>24763.82</b>											
<b>Grand Total</b>	Count: 1	4520.69	3970.51	3693.25	1955.01	2909.03	514.88	4112.77	681.66	2406.02	0.00



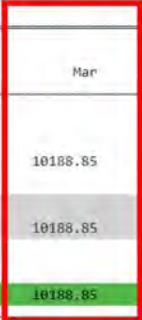
### Meals Tax

April 5, 2024  
11:54 AM

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: 04/05/24  
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	10765.55	10188.85	423.35
<b>138948.74</b>											
<b>Fund Total</b>		25538.77	18916.41	17037.21	14135.62	15123.86	5777.51	21041.61	10765.55	10188.85	423.35
<b>138948.74</b>											
<b>Grand Total</b>	Count: 1	25538.77	18916.41	17037.21	14135.62	15123.86	5777.51	21041.61	10765.55	10188.85	423.35



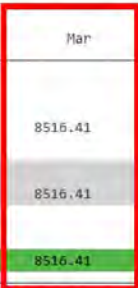
### Water Sales

April 5, 2024  
11:57 AM

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: 04/05/24  
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	52062.21	8516.41	0.00
<b>267983.04</b>											
<b>Fund Total</b>		6051.18	54319.81	20768.56	52703.73	14894.81	46378.62	12287.71	52062.21	8516.41	0.00
<b>267983.04</b>											
<b>Grand Total</b>	Count: 1	6051.18	54319.81	20768.56	52703.73	14894.81	46378.62	12287.71	52062.21	8516.41	0.00



## **Finance Committee**

Mayor Goldsmith reported:

- Marnie Harte is developing a policy for future use of the Taber Fund.
- Budget is being reviewed and will be presented to council at the next meeting.

## **Water Committee**

Mayor Goldsmith reported:

- Phase 2 of the of the new well, which includes the infrastructure, is currently being bid out, with bids being opened in June.
- Interim financing for well is up in September, and discussion is taking place about extending it or self-financing.

## **PUBLIC COMMENT**

Kristi Anzivino-spoke to request the sign at end of Virginia Street be in color and have the town seal included, the proposed site for the kayak launch at north side of marina, and move forward with establishing a park at the end of Virginia Street.

## **COUNCIL/STAFF COMMENT**

Councilmember Sturgill responded she is in favor of making the Virginia Street property a park, and commented that there had been progress made last year, but nothing went forward. The Payne Sisters should be honored, and an effort should be made to raise funds.

Discussion took place regarding possible future plans, including getting a group together, with Councilmember Austin adding she would lead an ad hoc committee. The discussion ended without making a final decision, with the mayor stating the matter would be discussed individually.

## **OLD BUSINESS**

### **Pool Rules**

Mayor Goldsmith and Mr. Costin explained the proposed pool rules had been developed based on the template council had discussed at the previous meeting, along with feedback from Signature Pools and VRSA (Town insurance provider).

**Councilmember Austin made a motion to accept the pool rules for the Marshall Community Pool at Taber Park as presented, and authorize staff to purchase the necessary signage.**

**Councilmember Hanson seconded.**

**Austin, Chowning, Courtney, Hanson, Justice, Sturgill, and Goldsmith voted yes**

**Motion passed 7-0**

### **Marshall Family Pool opening celebration**

Mr. Costin presented the plans for the Marshall Community Pool opening event.

**Councilmember Austin made a motion to direct staff to proceed with the implementation of the Pool Opening Event program as presented.**

**Councilmember Sturgill seconded.**

**Austin, Chowning, Courtney, Hanson, Justice, Sturgill, and Goldsmith voted yes**

**Motion passed 7-0**

### **Pickett-Special Use Permit**

Mr. Costin spoke to council regarding the public hearing and discussion for Special Use Permit 2024-SUP-01 for Shawn Pickett to allow for retail sales of food and drink together with arcade and board game access permitted with a special use permit by and subsequently a restaurant permitted with a special use permit.



The proposed conditions presented to council were developed after the public hearing and the applicant agrees with the conditions, with the exception of #9 which is a fencing requirement.

The parking condition was waived. While it is in the Town Code, it can be waived by the Zoning Administrator or Planning Commission, and was done so in this case.

Councilmember Austin questioned [condition #9] the reasoning behind requiring the privacy fence, since it is such a large expense, and no other businesses have had that condition imposed on them.

Mr. Costin responded he added that based on concerns by adjacent property owners. He commented the argument could be made for the adjacent property owners to erect their own fence.

Further discussion took place regarding the existing fencing, with council agreeing it wasn't a necessary condition.

Councilmember Courtney brought up her concerns regarding parking and safety in that area. With additional taking place about parking requirements in the Town Code.

**Councilmember Austin made a motion to approve this [2024-ORD-03 approving 2024-SUP-01] but exclude #9, and move the numbers up.**

**Councilmember Sturgill seconded.**

**Austin, Chowning, Courtney, Hanson, Justice, Sturgill, and Goldsmith voted yes**

**Motion passed 7-0**

ORDINANCE NO. 2024-03

ORDINANCE NO. 2024-03 GRANTS A SPECIAL USE PERMIT (2024 SUP Application 01) FOR 161 CROSS STREET AND ALLOWS A RESTAURANT, THE RETAIL SALE OF SNACKS, SODAS, BEER AND WINE FOR CONSUMPTION, ON AND OFF PREMISES, AS WELL AS AN ARCADE AND BOARD GAMES. THE PROPERTY IS LOCATED IN THE B-1 ZONING DISTRICT AND CONSISTS OF +/- .171 ACRES. [LOT 20A-17-8]

BE IT ORDAINED by the Urbanna Town Council, at the regularly scheduled meeting on May 9, 2024, that a Special Use Permit is hereby granted for LOT 20A-17-8, 161 Cross Street, to permit a restaurant, the retail sale of snacks, sodas, beer and wine for consumption, on and off premises, as well as an arcade and board games, subject to the following terms and conditions:

1. All federal, state and local laws shall be observed at all times.
2. This Ordinance shall be recorded in the Middlesex County Clerk's Office by the property owner; the property owner shall provide a stamped copy of the recorded Ordinance to the Town Administrator.
3. Hours of operation shall be between noon and 9:00PM three days a week, Thursdays through Saturdays and on Sundays between noon and 6:00PM.
4. No game shall be offered that results in the award of monetary prizes of any type, including, but not limited to, cash, gift cards, or credit.
5. The uses permitted by this Special Use Permit are only permitted on the inside of the existing structure. There shall be no outside food or drink service or consumption and no outside service seating shall be permitted. Likewise, no outdoor speaker system may be utilized and there shall be no noise from inside of the structure that is audible outside of the structure.
6. Outside lighting shall be utilized only to the extent necessary to allow safe egress and ingress; lighting of signage visible to the outside shall not exceed 450 lumens (40w).
7. Signage shall be limited to 100 square feet total and must be

attached or painted on the structure. There shall be no other signage.

8. The property shall be maintained in a clean and orderly manner at all times.

9. Trash containers shall be stored in the rear of the property and shielded from public view. Trash cans shall be securely covered at all times.

10. All vendor service deliveries shall be performed between the hours of 8:00 AM and 6:00 PM. Delivery vehicles shall park on the street and goods shall be carried into the structure.

11. Pursuant to Section 17-6.1 and 17-6.2 (1) the use is relieved of on-site parking space requirements.

12. If owner and/or applicant violates any of the conditions above or fails to adhere to the representations set forth in the application and supporting materials, this special use permit may be terminated upon notice being given the applicant and hearing by the Town Council.

Vote:

Sandy Sturgill	Aye
Merri Hanson	Aye
William Goldsmith	Aye
Larry Chowning	Aye
Beth Justice	Aye
Marjorie Austin	Aye

This Ordinance shall take effect upon adoption.

Mr. Pickett made a comment regarding supporting Friends of Urbanna, but was not recorded due to the conversation taking place from the floor.

## **NEW BUSINESS**

### **July 4<sup>th</sup> Contracts**

Mr. Costin presented invoices for Chapman’s Magic to provide carnival activities, and the band Dance Candy to perform.

**Councilmember Austin made the motion to allow the Town Administrator to approve the invoice from Chapman’s Magic for carnival activities as noted on the invoice, and also execute the contract with Dance Candy.**

**Councilmember Justice seconded.**

**Austin, Chowning, Courtney, Hanson, Justice, Sturgill, and Goldsmith voted yes.**

**Motion passed 7-0**

Mr. Costin noted there is a proposed ad for the July 4<sup>th</sup> activities that Councilmember Justice will format for publication.

### **Lindke v. Freed**

Town Attorney, Andrea Erard discussed the law as it relates to social media, and summarized a recent Supreme Court of the United States decision, Lindke v. Freed which has given clarity as to when you can delete comments on social media, and when you can’t.

Ms. Erard explained if [a public official] maintains their social media account as strictly personal, comments can be deleted. If official business is posted on their social media page, it crosses a line into becoming a public forum.

Her advice was to keep personal pages personal, if posting something government related then think of it as a public forum and have a rule to not delete comments.

In response to a question by Mayor Goldsmith, Ms. Erard explained from the court’s stand point are you chilling the exercise of free speech. Have a rule and be consistent. Keeping in mind the extent to which you post on your personal social media about public events and public matters, you could open yourself up to have a public forum.

Discussion took place regarding different scenarios which may or may not violate the FOIA meeting rules and may limit the freedom of speech of members of the public. Ms. Erard recommended keeping personal and town business email accounts separate, as well as keeping social media accounts separate.

Councilmember Justice commented, per Ms. Erard’s advice, she was stepping down as administrator of the “What’s Happening in Urbanna” Facebook page.

Further discussion took place regarding “blocking” on social media and other subjects in relation to the use of social media as a public official.

In response to Councilmember Hanson asking Ms. Erard what guidance she would recommend on how they should comport themselves, Ms. Erard advised council to act in a professional and courteous manner at all times, and put their best foot forward for the community. She reminded them, open conflict by the governing body may affect whether or not a business would locate to a locality, and can affect economic development. Manage conflict in a respectful way.

## **PUBLIC COMMENT**

From the floor, it was announced Paul Malone would be speaking at the Urbanna Baptist Church on May 31<sup>st</sup> at 2pm regarding his cancer journey.

## **ANNOUNCEMENTS**

Councilmember Austin thanked Billy Mayo for his assistance with the recent water main break.

**ADJOURN**

**Councilmember Austin made a motion to adjourn.**

**Councilmember Justice seconded.**

**Austin, Chowning, Courtney, Hanson, Justice, Sturgill, and Goldsmith voted yes.**

**Motion passed 7-0**

**Meeting adjourned at 7:14pm**

**Submitted by:**

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**Martha J. Rodenburg**

**Town Clerk**

**Approved by Town Council xx/xx/xxxx**

**Town of Urbanna  
Town Council  
Work Session  
Council Chambers-390 Virginia St. Suite B  
May 23, 2024**

**CALL TO ORDER & ROLL CALL**

**Members of Council**

**Present**

Mayor Bill Goldsmith  
Marjorie Austin  
Larry Chowning  
Alana Courtney  
Merri Hanson  
Beth Justice  
Sandy Sturgill

**Others Present**

Ted Costin-Town Administrator  
Martha Rodenburg-Town Clerk  
Members of the public and press

Mayor Goldsmith called the meeting to order at 6:01pm  
The mayor recognized Councilmember Chowning on his 75<sup>th</sup> birthday  
All present said the Pledge of Allegiance

**APPROVAL OF AGENDA**

**Councilmember Austin made a motion to approve the agenda as presented.**

**Councilmember Sturgill seconded.**

**Austin, Chowning, Courtney, Hanson, Justice, Sturgill, and Goldsmith voted yes**

**Motion passed 7-0**

**PUBLIC COMMENT**

- Kristi Anzivino presented council with a photo album documenting the construction of the Marshall Family Community Pool.

**COUNCIL COMMENT**

- Council thanked Ms. Anzivino for the gift.
- Discussion took place about the opening festivities for the Marshall Community Pool, which will take place on May 25 at 11:30am.

**PROJECT UPDATES/DISCUSSION**

**Museum-Security & Fire Alarm**

On behalf of Michele Hutton, Mr. Costin gave the background on the research she did regarding replacing the current fire and security system at the museum.

- Current provider is Johnson Controls, has issues maintaining a cellular signal.
- Multiple false alarms, which all have to be responded to.
- Instances of alarm activating, but no call received.

- Located in Hampton, Johnson takes several hours to respond.

Ms. Hutton has received a quote from Starbrite, located in Gloucester, to provide fire and security monitoring at a cost savings of over \$2,000 per year.

Asked by Councilmember Austin why Franktronics couldn't provide the services, Mr. Costin replied he would inquire into it, but believed they couldn't tie into 911 centers.

Mayor Goldsmith commented he was called at least once a week to reset the system.

Council concurred that it would be the right decision to change.

### **Budget-FY 2024-2025**

Mr. Costin presented the draft budget for discussion and thanked the Finance Committee for their assistance.

- The General Fund balance, as proposed, would be \$772,532 and he provided the breakdown of those numbers.
- The Water Fund balance, as proposed, would be \$725,000 and he provided the breakdown of those numbers.
- Other Water Fund Revenue is at \$0, but once a new water ordinance is in place, monies collected for reconnection fees and other water fees will increase that number.
- Water budget based on a 10% increase in in-town water rates; out-of-town rates will remain the same.
  - The gap between the rates needs to be closed in order to be eligible for certain grant money.
- The Taber Fund expenditures and Interest Income balances at \$30,000.
- Upton's Point Marina expenditures and revenue balance at \$71,600.
- Self-funding Community Activities balance at \$12,000.
- DMV Select is at \$0, due to its expected closing.

Mr. Costin spoke to the rationale behind closing the DMV.

- Operates at a loss.
- Town not financially able to meet the requirement for 2 employees to staff location.
  - A \$0.03-0.04 increase in real estate taxes would be required to meet this requirement.
- Under current contract, the town has 31 requirements, 26 sub-requirements, 3 additional requirements; DMV has 5 requirements.

Overtures made to DMV to keep the DMV Select here, but DMV said no.

- Staff seeking permission to advertise schedule for public hearings on budget.
  - Water increase will require separate ordinance and hearing.

Mayor Goldsmith spoke regarding the DMV Select closing and the staffing costs. Normal staffing costs should be 20-30% of revenue. DMV expected us to do it at a rate of 4-5%. Our DMV Select would need to have over \$1 million in revenue to break even. The DMV of Virginia is expecting the taxpayers of Urbanna to subsidize their outlet. He gave the example that, an owner of a \$300,000 home would pay \$100-200 more a year in taxes.

Councilmember Chowning spoke about the Finance Committee discussions, and agreed, while he doesn't want it to go, it's too expensive.

Councilmember Austin commented on the lack of advertising for DMV Select, adding the town isn't a money-making entity, and questioned what services are provided to the taxpayer.

Further discussion took place regarding the matter, with a reminder there would be a public hearing on the budget, and the public will have an opportunity to voice their opinions.

Mayor Goldsmith spoke regarding the in-town water rate increase, noting the town water rates are below average, according to the Draper-Aden report, which tracks small municipality water rates. He emphasized, due to the difference between in-town and out-of-town rates, Urbanna is not eligible for certain water grants through the Virginia Rural Water Authority.

Discussion took place regarding the need to raise rates. Lower than average rates don't show potential lenders and grant providers that we are doing our part to raise money for needed infrastructure upgrades.

Councilmember Austin questioned the thought process for not raising real estate or personal property tax rates. Mayor Goldsmith responded talked about it decided area where highest need in the long term to generate income for water infrastructure.

Additional discussion took place regarding the Finance Committee's rationale behind their recommendations.

**Councilmember Austin made a motion to authorize staff to proceed to advertise the proposed Fiscal Year 24-25 Budget.**

**Councilmember Justice seconded.**

**Austin, Chowning, Courtney, Hanson, Justice, Sturgill, and Goldsmith voted yes**

**Motion passed 7-0**

Discussion took place from the floor regarding water quality.

### **ACTION ITEMS**

There were no items on the agenda

### **ANNOUNCEMENTS**

Mayor Goldsmith reminded everyone of the pool opening on Saturday at 11:30am.

### **ADJOURN**

**Councilmember Austin made a motion to adjourn.**

**Councilmember Justice seconded.**

**Austin, Chowning, Courtney, Hanson, Justice, Sturgill, and Goldsmith voted yes**

**Motion passed 7-0**

**Meeting adjourned at 6:34pm**

**Submitted by:**

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**Martha J. Rodenburg**

**Town Clerk**

**Approved by Town Council xx/xx/xxxx**



**Agenda Item Summary**  
**September 26, 2024**

**Agenda Item:** 7b-Marina Lease.

**Background:** The Marina Manager advises the attached lease was entered into after consultation with a former, but sitting, mayor and was under the impression the issue was taken to council. No record of this action can be found, but for the lease and subsequent leases that were issued administratively in accord with the first lease which charged for one and one-half slips; not two, at the prevailing rent. Staff took the initiative to advise the lease holder the lease would not be renewed. Rationale for this action was the boat had not been moved out to test its ability to do so during hurricane season as had all other boats. The lease holder is objecting to this action citing engine repair. The Marina Manager advises repair on this vessel have been ongoing since its arrival.

As this is a lease outside normal operation, some role of council has been attributed to its development, and the leaseholder objects to the non-renewal notice, staff is seeking council's resolution of the matter.

**Fiscal Impact:** Loss of existing rent received, but potential increase in revenues as additional boats can be accommodated in both slips or full price charged.

**Staff Recommendation:** Enter no new/renewed lease with the current leaseholder.

In the alternative, enter a new lease for no more than three months with provisions in the lease being: 1. Vacating the slips for Oyster Festival (October 30 – November 3), 2. Completion of repairs so that the boat can be moved out under its own power if and as needed, and 3. Rate set as the going rate for both slips. If terms met, renew for up to one year.

**Council Action Requested:** Yes, adopt as presented below.

**Sample Motion:** I move to ratify staff's decision to not renew the lease for slips 22 and 23 at the town marina with the current lease holder.

In the alternative, I authorize the Town Marina Manager to execute a lease for slips 22 and 23 with the current lease holder for no more than three months beginning October 18, 2024 with provisions in the lease being: 1. Vacating the slips for Oyster Festival (October 30 – November 3), 2. Completion of repairs so that the boat can be moved out under its own power if and as needed, and 3. Rate set as the going rate for both slips.



## Urbanna Town Marina

210 Oyster Road

P.O. Box 179

Urbanna, Virginia 23175

(804) 758-5440

Email: [townmarina@urbannava.gov](mailto:townmarina@urbannava.gov)

### Slip Lease Agreement - Annual

Name: CHRISTOPHER M. CUMMINS Home/Cell #: 804-516-3291  
BERTICA CUMMINS Home/Cell #: 804-852-3561  
Address: 331 KNAPP ST URBANNA State: VA Zip: 23175  
Email: CHRISM CUMMINS@ICLOUD.COM Business Phone: 804-516-3291  
Liability Insurance Carrier: GEICO MARINE INSURANCE  
Policy Number: SYP1057283 Effective Date: 05-27-2020

(A current certificate of insurance must be presented to and filed by this Office)

Vessel Name: SEA AYRE V Manufacturer: HATTERAS  
Model: 68CPMY Year: 1986  
Length: 68' Beam: 18 Draft: 5'8"  
Boat Registration Number: 923838  
Slip Assignment: 22-23

#### In Case of Emergency Notify:

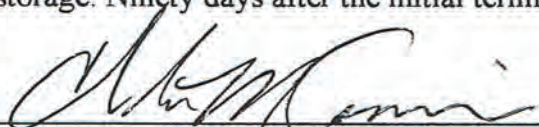
Name: CHRISTOPHER CUMMINS Home/Cell#: 804 516 3291  
Name: BERTICA CUMMINS Home/Cell#: 804 852 3561

The Town of Urbanna and lessee agree to a yearly rental of \$ 2800 due at the signing of the lease. The renewal must be done each year by the date of the original signing of the lease. A late fee of \$25.00 will be assessed each month the lease is not renewed. This fee will include minimum electric and water. Excessive use of electric and water over the minimum will result in additional fees. Urbanna Town Marina will not assign a new lease from September 1 through Oyster Festival.

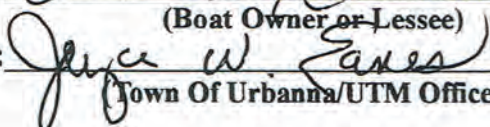
The Town shall have a possessor lien upon the vessel and its contents as provided by section 43-32 of the Code of Virginia for sums due or services, or for damage to facilities caused by the tenant. It is further agreed by the signature below that should collection of unpaid sums be required, the tenant will be responsible for all costs associated therewith. The Owner also agrees to pay the Town the daily transient rate for each day the vessel remains in the slip after termination of the lease.

TERMINATION:

1. The parties agree that this lease may be terminated at any time by the mutual written agreement of the parties, or as specified in sections 2 – 4 below.
2. The Owner agrees that this Slip Lease Agreement may be terminated and all rights forfeited upon breach of any of the foregoing conditions at the sole option of the Town of Urbanna. Upon notification of said breach, the Owner will remove his vessel from said slip within ten (10) days of notification. The Owner specifically consents and hereby authorizes the Town to board his vessel and remove the same from the slip to to any location whatsoever at the option of the Town, and the Owner does hereby agree to pay for all services reasonably chargeable for the removal of the vessel from the slip.
3. Owner agrees to pay the rent for the full term of the lease whether the slip is occupied or vacant. If the Owner abandons the slip without notice to the Town, the Town may take possession of the slip, and at the Towns election, terminate the lease without abatement of rent paid for any portion of the term, and may re-let the slip as agent of the Owner. Any rent recovered by the Town by re-letting the slip shall be applied to the indebtedness of the Owner owing the Town by way of mitigation. However, the Owner shall remain liable for any deficiency of rent or otherwise at the expiration of the lease term.
4. Failure to pay slip rental payments and all late charges for two consecutive months or the habitual failure to timely pay slip rental payments, shall result in the termination of this agreement at the sole option of the Town of Urbanna with Owner agreeing to pay the Town the daily transient rate each day the vessel remains in the slip after termination of the lease. The Owner will be responsible for all additional cost for hauling and dry storage. Ninety days after the initial termination a lien will be placed on the vessel.

ACCEPTED:   
(Boat Owner or Lessee)

DATE: 10-18-2020

ACCEPTED:   
(Town Of Urbanna/UTM Officer)

DATE: 10-18-2020



## **Agenda Item Summary**

**September 26, 2024**

### **Agenda Item:** 7c-Water Line Upgrade

**Background:** In response to low water pressure issues along Meadow Lane, staff secured a quote from Laneview Environmental which provided options. After review and presentation by staff, the Water Committee recommends moving forward as described in the attached; specifically, sections 1, 2, 5, 6, and 7 for a total price of \$7,245.

**Fiscal Impact:** \$7,245 from Water. However, recovery of costs via existing will occur within six years which is the typical capital improvements plan out time.

**Staff Recommendation:** Accept the quote from Laneview Environmental for sections 1, 2, 5, 6, and 7 for a total price of \$7,245.

**Council Action Requested:** Yes, in accord with the motion provided below.

**Sample Motion:** I move the Town Administrator be authorized to execute the proposal by Laneview Environmental to upgrade the Meadow Lane water line at a cost of \$7,245 as presented.

# ESTIMATE

Laneview Environmental  
569 Montague Rd  
Laneview, VA 22504

LaneviewEnvironmental@Gmail.com  
+1 (724) 880-6702



**Bill to**  
Town of Urbanna  
390 Virginia Street  
Suite B  
Urbanna, VA 23175

**Ship to**  
Town of Urbanna  
390 Virginia Street  
Suite B  
Urbanna, VA 23175

## Estimate details

Estimate no.: 1027  
Estimate date: 09/16/2024

#	Date	Product or service	Description	Qty	Rate	Amount
1.		<b>Location</b>	Meadow Lane	1	\$0.00	\$0.00
2.		<b>Services</b>	Replace existing water line with 1 1/2 " pvc from intersection Gornett Hill and Meadow Lane and tie existing water meter into new 1 1/2" line. Saw cut existing driveway and replace with hot asphalt.	1	\$0.00	\$0.00
3.		<b>Materials &amp; Labor</b>	First Section approx. 160'	1	\$3,265.00	\$3,265.00
4.		<b>Materials &amp; Labor</b>	Second Section approx. 380'	1	\$4,740.00	\$4,740.00
5.		<b>Materials &amp; Labor</b>	Third Section - new line whole way. Approx. 500'	1	\$6,980.00	\$6,980.00
6.			First Section 2 driveways to be repaired. Third Section 3 driveways to be repaired			
7.			Can install shutoff valve if town wants to add for an extra cost of \$265.00			
					<b>Total</b>	<b>\$14,985.00</b>

Accepted date

Accepted by

**Agenda Item Summary**  
**September 26, 2024**

**Agenda Item:** 8a-Delinquent Water Accounts.

**Background:** During and immediately subsequent to the COVID Pandemic, governmental financial assistance programs were available, but those have ended. Since the COVID Pandemic, accounts that have become delinquent have not been submitted to the customary notice of termination or actual termination. Staff has revised the application documents to close certain “loopholes” and revised the termination notice (pending and actual) to better align with state code (see following documents). Staff will walk through the documents to identify crucial changes.

**Fiscal Impact:** Positive, although as some renters have moved away 100% collection is not likely. Certainly, the delinquency amount will be lowered and future occurrences more limited.

**Staff Recommendation:** Direct staff to develop a policy reflective of the documents and state law and Implement on the following schedule:

Policy in place October 3, 2024

October through December Advertise (Website/Facebook/Public Notice Postings at Office/Marina/Museum) that On or About January 1, 2025 the Town will begin aggressive collection on past due water bills.

First week of January, first batch of letters go out. Top 15-20 account holders most delinquent. Once processed the next 15 – 20, and following.

**Council Action Requested:** At the next Town Council meeting, we request you direct staff to develop a policy and if need be, ordinance, reflective of the water application, notice of pending termination, actual termination documents and state law and implement the schedule as presented.



**TOWN OF URBANNA**  
390 Virginia Street, Suite B  
Post Office Box 179  
Urbanna, Virginia 23175  
(804) 758-2613  
Fax (804) 758-0389  
**Email Removed**

Date

Address Block

Account Number: Account Number

Premise Address: Premise Address

**NOTICE OF WATER ACCOUNT DELINQUENCY  
POSSIBLE WATER SERVICE DISCONNECTION/INTERRUPTION**

Greeting block,

This notice is being mailed to you at the address of record and a like notice delivered to the property noted above under the authority of Section 15.2-2119 Code of Virginia, 1950, as amended

The Town of Urbanna has been notified by the Hampton Roads Sanitation District Billing Service that you have a balance of \$**Total Balance associated with** your water/sewer account, which is now **greater than** 60 days past due, at the property noted above. We must request that the past due amount of \$\_\_\_\_\_ be paid in full by **11:00 a.m. on** \_\_\_\_\_ **1** \_\_, 20\_\_ or the Town of Urbanna will discontinue your service shortly thereafter.

Please bring your payment of no less than the past due amount (**CASH, CHECK, MONEY ORDER OR CASHIER'S CHECK MADE PAYABLE TO HRUBS**) directly to the Town of Urbanna Office at 390 Virginia Street, Suite B, and we will forward it to Hampton Roads Sanitation District. **Payment option removed.**

Payment must be received by **11:00 a.m. on** \_\_\_\_\_ **1** \_\_, 20\_\_, or your service will be discontinued. There will be a reconnection fee of \$50.00 paid directly to the Town of Urbanna in addition to your balance due before service will be restored.

**Please understand that your service will be terminated and collection will be turned over to the Town Attorney if payment has not been made by the date above. Service will not be restored until payment is received in full. The town will not be responsible for water usage or damage resulting from unattended water faucets, valves, or appliances.**

If you have any questions concerning this, please contact the Town Office at 758-2613 or by email to **TBD@urbannava.gov**

Thank you for your immediate attention to this matter.

Sincerely,

Town Administrator

**1**: Must be 10 days minimum from date of letter and weather permitting.



**TOWN OF URBANNA**  
Post Office Box 179  
Urbanna, Virginia 23179  
**WATER SERVICE AGREEMENT**

Print Name \_\_\_\_\_ SSN \_\_\_\_\_

Property Address \_\_\_\_\_

Security Deposit: Deposits are returned upon payment in full of the final bill. Deposit requirements: Residence - \$225.00, Restaurant - \$1,000.00, All Other Commercial - \$500.

( ) Property Owner

( ) Tenant Provide complete Property Owner Authorization Form understanding the property owner will be notified if account is delinquent past 60 days.

Mailing (Billing) Address: \_\_\_\_\_

Phone 1 ( ) \_\_\_\_\_ Cell Phone 2 ( ) \_\_\_\_\_

E-Mail \_\_\_\_\_

I hereby apply to the Town of Urbanna (herein known as "Town" for water service. I understand:

- That such service is to be provided subject to the rules, regulations, ordinances, terms and conditions as may be established now **or in the future** by the Town. I agree to provide a current mailing address and inform the Town in writing of any changes.
- I agree to pay **any** and all fees and charges associated with provision of such service in accordance with the rules, regulations, ordinances, terms and conditions as may be established now or in the future by the Town.
- I understand that my water service may be discontinued for any of the following reasons:
  - Nonpayment of water bill **after** sixty (60) days.
  - Tampering with service connections.
  - Failure to permit inspection of service connections or meter readings or interference or obstruction of the Town in rendering service or repairs.
  - Noncompliance with any provision of Chapter 15.1 of the Urbanna Town Code (1973), as amended, relating to water and water utility service.
- I further agree to pay any and all cost incurred by the Town including attorney fees, collection agency fees, and post-judgment interest at a rate of **20% (twenty)** percent) in the event the Town incurs any costs collecting any past due amount on my account.

**EMERGENCY NOTIFICATION SERVICE** – URBANNA OFFERS A NOTIFICATION SERVICE TO CUSTOMERS TO INFORM IN THE EVENT OF WATER OUTAGES AND OTHER PUBLIC SERVICE MESSAGES. WOULD LIKE TO UTILIZE THIS SERVICE? \_\_\_\_\_ Yes \_\_\_ No

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Applicant

Office Use

Deposit Amount \_\_\_\_\_ Receipt No. \_\_\_\_\_ Date Received \_\_\_\_\_





**PROPERTY OWNER AUTHORIZATION**

**FOR NEW TENANT**

**Property Information**

Property/Service Address: \_\_\_\_\_

Date Lease Effective: \_\_\_\_\_

**Provider Information**

Water Services: Provided by the Town of Urbanna – :390 Virginia St., Suite B, Urbanna, VA 23175  
Mailing address: PO Box 179, Urbanna, VA 23175

Sewer Services: Provided by Hampton Roads Sanitation (HRSD) – P.O. Box 71092, Charlotte, NC 28272  
Payments mailed to: HRUBS, PO Box 37097, Boone, IA 50037

**Tenant Information**

New Tenant(s): (please list the full names of all tenants on the lease for the property)

<i>Print Name(s):</i>	<i>Social Security Number:</i>	<i>Address:</i>
_____	_____	_____
_____	_____	_____

**Property Owner Information**

Property Owner(s): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

**Authorization**

Owner seeks a waiver of the security deposit requirement from the tenant due to the tenant’s receipt of rental assistance from local, state, or federal agencies. **Supporting documentation must be provided and attached to this authorization form.** Yes \_\_\_ No \_\_\_ The above person(s) **has/have** entered into a lease for the above property and is/are authorized to obtain water and sewer services at this address from the Town or Urbanna and/or its agent as my tenant/tenants. **I agree to pay the Town of Urbanna and/or HRSD all outstanding balances of Tenant to avoid disconnection of service at any time.**

\_\_\_\_\_  
Signature of Property Owner(s)

\_\_\_\_\_  
Date