

The Town Council of Urbanna held a scheduled work session on September 10, 2020 at 10:00 a.m. by virtual means using the Go To Meeting online platform. Mayor Gravatt called the meeting to order and asked for a roll call. Ms. Gailey called the roll and the following members were present: Wiley, DeVries, Hartley, Goldsmith, Smith and Chowning. Also attending the meeting virtually was Town Administrator- Holly Gailey, Zoning Administrator- John Gill and Town Attorney-Andrew Bury and 3 persons joining by phone.

The first item of business was public comment. Ms. Gailey asked if there were any callers that wished to speak during the public comment. There were no public comments and Mayor Gravatt moved into committee reports.

Bill Smith offered a Water Committee report. He stated that the committee met on September 8, 2020 and discussed the EPA Sustainability with a revised debt service and noted that the rates look sustainable until 2025 but that the rates would be discussed annually based on reports like the Draper Aden Annual Report. The purpose of this discussion was relative to the replacement of both wells at the same time. Smith updated the council on flushing equipment that was previously discussed and that the recommendation was to purchase a flow kit H-SK5 \$765.95 and that this equipment would be owned by the town. He also noted that it is the recommendation of the committee that the town purchase several seal kits for each type of fire hydrant that are present in the town to keep in inventory so that repairs can be immediate if there is an issue. He stated that these would cost roughly \$250.00 each. Smith pointed out that for less than \$3000.00, the town could gain this equipment which will allow for the flush test and have repair kits available for repairs. Smith also updated council on the Asset Management Plan was not delivered yet and that John Gill was following up with AH Environmental to find out when the town could expect the document. He also stated that a meeting with AH Environmental was still in the works to discuss professional engineering services and that a rate structure was being sought by the others already interviewed (Bowman and Kimley-Horn). Smith asked the town attorney to complete his review of the continuing services agreement so that the committee could move forward. He also stated that he was trying to coordinate a meeting with Ray Burch, Larry Chowning and SERCAP to go over the flushing program and discuss the recommendations for additional fire hydrants to have better protection throughout town.

Next, Bill Goldsmith offered an update from the finance committee. He stated that the staff was working to close out the previous fiscal year. He noted that meals tax was up a bit over last year for the same time frame. Ms. Gailey noted that there were some issues with retirement which was keeping them from closing out the prior fiscal year. Ms. Gailey also informed council of significant financial transactions: surplus of Bank Franchise Tax of 11k over last year, Sales Tax increase of nearly 5k over the normal annual amount and Meals Tax bringing in a surplus of nearly 30k. She noted that even during the pandemic, businesses in Urbanna have worked extremely hard to keep their doors open and people of the community shopped local and assisted in the process of the success during this difficult time of COVID-19.

Moving into agenda items, Ms. Gailey explained the new pieces of playground equipment that were chosen at the last meeting were sent out for an estimate for the pieces and the installment of those

additions to Taber Park. The council approved no more than 30K be expensed and the estimate came in just over that threshold but the company issued a discount which brought the total to roughly 29K. Ms. Gailey also noted that the funds had already been requested from the Taber Fund. At this time, she also stated that an additional \$10k was requested from the Taber Fund in order to fulfill the rescue squad contribution. She stated that at a previous meeting Larry Chowning mentioned he had been asked when the town would issue the contribution and it was noted that it would be October/ November timeframe. Ms. Gailey stated that in order to stay in that time line, the additional monies were requested at the same time as the funds for Taber Park playground equipment.

At this time, the conversation continued concerning the playground. George DeVries asked about the timing of the installation of the new equipment. John Gill stated that the zip line was in high demand and would likely take a bit longer to receive but the other components could be in as early as next week in terms of delivery. Bill Smith asked if we could move ahead with mulch even if we are waiting on components to arrive because even though the park is closed and locked, the children are jumping the fence and enjoying the playground. He noted that we needed to install the mulch so the children won't get hurt. It was noted by John Gill that waiting to have all the components installed was the proper movement forward. Bill Smith stated he understood that but felt that the playground should be open even if not complete as opposed to not opening for 3-4 months. Barbara Hartley asked if the park could be open in the meanwhile. Bill Smith stated that the mulch would have to be put down before we could open the playground. John Gill noted there was a great deal of work yet to be completed before the playground would be safe to open. Ms. Hartley was having technical difficulties but relayed a message to Ms. Gailey that stated that it would be winter before we got all of this completed and that the park should just be opened. There was a discussion about the Governor's Orders specific to playgrounds and Ms. Gailey noted she would review the orders. Bill Goldsmith noted he would be in favor of opening if the town was in compliance with the orders of the Governor's office. Ms. Gailey asked if everyone was aware of the children jumping the fence, why the town staff had not been notified. She also stated that the town staff will follow through with the will of council concerning the park. She noted that it would take several weeks to get the mulch ordered and delivered and that the playground can't be open while the new pieces are installed because they will require concrete to set in place and having the playground open would not be beneficial during the process. Town Attorney, Andy Bury stated that if anyone saw the outrageous crowds at the Rosegill Beach over the weekend without masks and social distancing that considering opening a park asking patrons to follow guidelines without being monitored would likely produce the same result as the beach. Bill Goldsmith stated that he felt that likely the guidelines were strict and that the town would not be able to comply. It was a consensus that if the town could meet the guidelines, the park should be open.

Moving on to the next item on the agenda, which was a discussion on the Blue Water Trail concept that was presented back in September, Mayor Gravatt explained the concept. She stated that this is a water trail that would be just like the Museums in the Streets concept except the signs would be buoys in the creek referencing points of historic interest along the creek. Mayor Gravatt asked Larry Chowning to explain further. He stated that he and John Gill have identified approximately 14 locations of importance (historical significance) along the creek. He noted that a map has already been developed and that John

Gill will be working with VMRC about the regulatory process for the placement of buoys. The trailhead would be located at the base of Virginia Street and informational kiosks or brochures will also be onsite. Mayor Gravatt mentioned some of the historic places along the creek: Donaldson's Wharf, a Civil War hospital site, Hurley's Oyster Shucking House & Hotel, Burton's Wharf, Steamboat Wharf, skating rink, fossil beds at Rosegill and a confederate sunken vessel that lies on the bottom of the creek. Mayor Gravatt stated that this would be an asset to the town that would go along with the Museum in the Streets and it might spark a business opportunity for kayak, paddle boards or canoe rentals and would open the touring of the creek. She stated that she was seeking a designation for the property at the base of Virginia Street for the Blue Water Trail so that the work could begin on the project noting that there is a lot of work that needs to be done. Boyd Wiley asked for clarification about what this means for the property. Mayor Gravatt stated that this would be the location for the trail head and would be where everyone started their adventure. Barbara Hartley stated that she felt that the concept was good but didn't want to interfere with any other uses that may come up later and keeping the option for a dock for the LUNA. Larry Chowning stated that this is just the launch site for the floating devices that would be used for the trail. John Gill noted that there would be an area of kayak launchers and recovery areas as well as a map of the trailhead and an area for parking possibly. It was noted that the project might cost 5k-7k for the buoys etc. George DeVries made a motion to approve the purpose of the site at the base of Virginia Street as the trailhead for the Blue Water Trail. This was seconded by Boyd Wiley. Ms. Gailey called the roll and the following responded affirmatively: DeVries, Wiley, Hartley, Smith, Goldsmith and Chowning.

The next item on the agenda was to establish a public hearing date for the Chesapeake Bay Protection Act update and to hear public comments on the proposed Airbnb Ordinance. Ms. Gailey explained that the Planning Commission will hold a public hearing to hear comments on the update and the review of the town council was also necessary. She asked that the public hearing be scheduled at the October 22, 2020 town council meeting if amenable to the members of council. Bill Smith made the motion to establish the public hearing for October 22, 2020. This was seconded by Bill Goldsmith. Those confirming in a roll call vote were Smith, Goldsmith, Chowning, Wiley, Hartley and DeVries.

Moving on, Ms. Gailey updated town council on the CARES funding that is available for COVID -19 related expenses. She noted that businesses are not taking advantage of the funding and it would be a tragedy to have to turn all the funding back in at the end of the year simply because businesses won't apply. Goldsmith inquired if the town had applied and Ms. Gailey noted that the town had not yet applied. There was a general conversation concerning the CARES funding.

The next item for discussion was the new concept lighting for Cross Street. John Gill stated that the sample light will be set up so that we can see the space that is lit up to determine how many lamps will be needed to adequately light the walking path as well as to see if the light meets the expectation. Gorge DeVries asked where the sample will be set up and it was noted to be in the back parking lot of town hall. It was discussed that this was in an effort to give continuity to the businesses on Cross Street with Virginia Street. John Gill mentioned that the low hanging lines along Cross Street might limit the spacing of the lights but we will not know until we see how the light is dispersed.

Next, John Gill offered an update on the paver resetting on Virginia Street. He noted that the estimate that was received was quite a bit higher than expected at \$15k. The project was estimated to cost much less. Mr. Gill noted that additional quotes will be sought after and this will come back to town council at a later date. It was noted that this settling was caused by a poorly compacted base before the original installation of the brick.

At this time, Bill Goldsmith noted that he had several items for discussion based on information provided in the packet concerning the pool. He stated that there was an engineering study that was released in September 2018 that was discussed in council but possibly not discussed publicly and that he felt this informs council on what to do with the old pool moving forward seeing that this town council has not taken up the results of the report as it was completed before this council took office. He stated that the study was possibly discussed in private but that when the town paid for the study, the document should have been made public. He informed council that the report showed two areas of concern that needed immediate attention such as the diving board having insufficient water depth, the requirement of swim team members to sign waivers concerning flip-turns and the water being too shallow to safely flip. In addition, the report noted water quality issues, circulation speed issues, water turn over issues, structural issues associated with the side of the pool walls and trip hazards on the decking. Goldsmith continued to say that because the report is a public document and has been available, it fits into the category of before we knew what was in this report, we could say, we didn't know but now that we know it, we have to find a way to replace that pool. He noted that he wasn't looking for discussion today but he wanted council to have this information. He also supplied a sample document from the Deltaville Community Pool. Town Attorney, Andy Bury stated that Goldsmith was suggesting that the town kept this secret and that was not true. He continued to say that this was discussed in open session many times with deficiencies with that pool. He also stated that if anyone would have filed a FOIA request, the document would have been provided. Barbara Hartley noted that the new pool was in a different location and that the new pool could be under construction while the other pool remains open. She noted that there have been discussions on a year round pool and that looking for partners in this process would be beneficial such as YMCA, Health Care, Red Cross, schools etc. She feels this project needs to be a regional effort. She also mentioned that this could be a fitness and wellness center, attract more people and create year round jobs. John Gill announced that the town had already received an estimate for the new pool, which came in at roughly \$500,000. The total project estimate was \$1.7 million, which includes all the components (tennis courts, pickle ball courts, playground, splash ground, concessions, and changing rooms/bathhouses). Larry Chowning pointed out that we now know how much the project is going to cost, the town must consider if it can afford to complete this magnitude of project. John Gill noted that the RFP was ready to send out to potential companies. After discussion, town council decided on a 45 day turn around on the RFP.

On a separate note, Bill Goldsmith mentioned that the volunteers have done a great job on Waterman's Park. He noted that at the time, the will of council was that any cost associated with the project would not be reimbursed by the town (labor or materials). Goldsmith stated that with the increased amount meals tax he would like council to reimburse the volunteers for materials such as mulch and gravel. He noted that they (the volunteers) have not asked for anything but that this was something he felt needed

to be considered as they have worked extremely hard making the park look better than it has in years. Boyd Wiley stated that he spoke to one of the volunteers and told them that the town would purchase the mulch and gravel, noting that he may have misspoke but he never thought the town would not supply those materials. Bill Smith also noted that he felt strongly that the individuals should be presented with a Certificate of Appreciation and be publicly recognized for their contribution to beautification of Urbanna. Mayor Gravatt discussed the purchase coming straight from the town and not be treated as a reimbursement. Ms. Gailey noted that it is much easier to pay directly as opposed to reimbursing. Larry Chowning commented positively about the volunteers and the town paying for materials and noted this is the type of partnership the town wants to be involved in. Boyd Wiley made a motion and it was determined that a motion was not necessary. Ms. Gailey thanked the council for the consideration.

Under announcements, Mayor Gravatt stated that she has two items that require an executive session for discussion with town council. She noted that the meeting would be recessed and then recommended reconvening at 1:00p.m. in the council chambers of town hall. Barbara Hartley stated she could not attend at that time. Boyd Wiley stated that he also would not be in attendance at the regular meeting.

At this time, Barbara Hartley asked why it is alright to meet face to face in a closed session and we are still doing virtual for regular meetings, noting that it makes no sense. Bill Smith stated that he felt it was about public access meaning that the public can participate in the virtual meeting but would be limited if meetings were held in chambers. He continued to say that he was not willing to put his health at risk and would support the governor's orders until and if they change. At this time, Andy Bury brought to the councils attention that the resolution was set to expire at the end of September and that council will need to decide what will be done moving forward. He noted that the statute denotes that it automatically expire in 6 months and if executive orders still exist from the governor, the council must act on a new resolution concerning public meetings. He also noted that he would be looking at the governors orders closely to see if the authority to continue on with a new resolution.

Mayor Gravatt continued announcements stating that meetings minutes would be sent out to everyone for review. Ms. Gailey read a letter to council from a marina patron who was offered praise for Joyce Eanes, the Marina Manager.

As there was no further business, George DeVries made a motion to adjourn. This was seconded by Barbara Hartley. Those in favor of adjournment and answering aye to the roll were DeVries, Hartley, Chowning, Smith, Goldsmith and Wiley. The meeting was adjourned at 11:45a.m..