

**Town of Urbanna  
Town Council  
Public Hearing  
Monthly Meeting  
Council Chambers-390 Virginia St. Suite B  
April 11, 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  
Alana Courtney  
Merri Hanson (left meeting at 6:47pm)  
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 amend the agenda to include an authorizing resolution to designate the signer of the documents for the sale of the building [390 Virginia St].**

**Councilmember Sturgill seconded.**

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

**Motion passed 7-0**

The resolution will be added to the agenda as item 9d, under Old Business.

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

**Councilmember Hanson seconded.**

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

**Motion passed 7-0**

## **PUBLIC HEARING**

### **Ordinance No. 2024-02-Street Signs**

**Councilmember Austin made a motion to open the public hearing with regard to the street sign ordinance.**

**Councilmember Justice seconded.**

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

**Motion passed 7-0**

Mr. Costin gave the background on Ordinance Number 2024-ORD-02 which would be a complete rewrite of Chapter 19 in the Town Code, which addresses road names, street and road signs, and building numbers. This ordinance mirrors the Middlesex County sign ordinance, and will allow Middlesex County to replace the Town's Street signs using monies collected by the County's 911 taxes. Mr. Costin has discussed this with the County Administrator, and he is anticipating passage of the ordinance. The acceptance of the ordinance will save the Town of Urbanna \$20,000 in street sign replacement costs.

### **Public Comment**

- Boyd Wiley-spoke regarding the uniqueness of the current signs
- Katie Wilson-asked what the street signs would look like
  - Mayor Goldsmith answered they would be the same, as they will be County signs, and gave the background on how the decision was made to go forward with the ordinance.

**Councilmember Austin made a motion to close the public hearing.**

**Councilmember Sturgill seconded.**

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

**Motion passed 7-0**

**Councilmember Chowning made a motion to approve Ordinance No. 2024-02 as presented.**

**Councilmember Austin seconded.**

Councilmember Chowning expressed his support for the ordinance.

To a question posed by Councilmember Austin, Mayor Goldsmith responded the signs would not have an oyster logo on them, as had previously been explored.

Discussion took place as to options on what to do with the old signs, including auctioning old signs and selling the poles for scrap metal.

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

**Motion passed 7-0**

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ORDINANCE NO. 2024-02

ORDINANCE NO. 2024-02 AMENDS CHAPTER 19, "PROPERTY NUMBERING," OF THE URBANNA TOWN CODE BY COMPLETELY REWRITING IT. ORDINANCE NO. 2024-02 CONTAINS GENERAL REGULATIONS REGARDING THE NAMING OF STREETS AND STREET SIGNS; VIOLATIONS OF THE ORDINANCE ARE A CLASS 4 MISDEMEANOR. ORDINANCE NO. 2024-02 MIRRORS THE ORDINANCE ADOPTED BY MIDDLESEX COUNTY AND WILL ENABLE THE TOWN TO ACCESS FUNDING FOR STREET SIGNS FROM MIDDLESEX COUNTY.

BE IT ORDAINED BY the Urbanna Town Council that the Urbanna Town Code, Chapter 19, "Property Numbering," shall be amended to read in its entirety as follows:

**"CHAPTER 19. ROAD NAMES, SIGNS AND BUILDING NUMBERS**

**Sec. 19-1. Road name index.**

The Town road name index to be adopted and filed in the office of the Town Administrator shall be the official listing of names for streets and roads in the Town and such streets and roads are hereby assigned the names listed therein. As used in the article, the terms "street" and "road" shall have the same meaning and shall also include avenues, boulevards, highways, lanes, ways, and similar street type.

**Sec. 19-2. Assignment of road and street names.**

The Urbanna Town Council or its duly authorized agent as may be appointed, shall have the authority to assign names to any public or private road or street in the Town which provides access to three or more occupied buildings.

**Sec. 19-3. Negotiating street name changes.**

The Town Administrator, or his duly authorized agent, is hereby authorized to negotiate with residents along streets or roads bearing duplicate or confusingly similar names in the Town. The changing of the names of such roads or streets to eliminate such duplications shall reside with the Town Council or its duly authorized agent as may be appointed.

**Sec. 19-4. Conditions for street name assignment.**

No street or road within the Town shall be assigned a name on a subdivision plat or otherwise until such name is registered with the Town Administrator, or his duly authorized agent, approved, and added to the Town road name index. The Town Administrator, with the concurrence of the Town Council, shall have authority to refuse registration of any name already in use, confusingly similar to a name already registered, or deemed confusing for purposes of emergency response.

**Sec. 19-5. Conditions for name implementation.**

No street or road name currently shown on a subdivision plat filed with the Town or otherwise shall be implemented by a subdivision owner until such name has been registered with the Town Administrator or his duly authorized agent, approved and added to the Town road name index; provided, however, that this section shall not apply to any road or street presently constructed on which street signs have been placed prior to the effective date of the ordinance from which this article is derived. The Town Administrator, with the concurrence of the Town Council, shall have the right to refuse registration of any name already in use, confusingly similar to a name already registered, or deemed confusing for purposes of emergency response.

**Sec. 19-6. Requirement for new street name signs.**

- a) All new street signs erected within the Town shall be in conformance with the specifications of this section, unless a variance is granted by the Virginia Department of Transportation (VDOT) or the Town Council. Street name signs for use on primary routes and collector secondary roads shall have a minimum height of nine inches, a minimum width of 30 inches and a maximum width of 48 inches. Widths greater than 48 inches may be allowed in special cases upon approval of the VDOT district traffic engineer. The standard letter height shall be six-inch Series C letters for the street name. The standard letter height of the suffix and prefix (if any) shall be three-inch Series C letters. Non-standard letter height may be allowed in special cases upon approval of the VDOT district traffic engineer. A blank space at least 2.50 inches high and 12 inches wide shall be provided in the lower righthand corner of the sign to accommodate a decal containing the appropriate route number. VDOT shall be responsible for the fabrication and installation of the decal, which shall be white with a black legend consisting of two-inch letters/numerals and may be non-reflectorized.
- b) Name signs for use on local secondary roads, subdivision streets and private roads assigned names under this article shall have a minimum height of six inches, a minimum width of 24 inches and a maximum width of 42 inches. Widths greater than 42 inches may be allowed in special cases upon approval of the VDOT district traffic engineer. The standard letter height shall be four-inch Series C letters for the street name. The standard letter height of the suffix and prefix (if any) shall be two-inch Series C letters. Non-standard letter heights may be allowed in special cases upon approval from the VDOT district traffic engineer. A blank space at least 1.25 inches high and eight inches wide shall be provided in the lower right-hand corner of the sign to accommodate a decal containing the appropriate route number. VDOT shall be responsible for the fabrication and installation of the decal, which shall be white with a black legend consisting of one-inch letters/numerals and may be non-reflectorized.
- c) All street name signs in the Town shall be fabricated with high intensity reflectorized sign sheeting. All sign text and numerals shall be white and the background of all signs shall be green. Signs at intersections of all public and private roads assigned names under this article shall be mounted atop galvanized metal posts with the signs appearing at a height of not less than seven feet above grade.

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**Sec. 19-7. Placement of signs.**

The Town Administrator for the Town of Urbanna is hereby authorized to direct the placement of street signs at intersections within the Town, the initial costs of such signs to be appropriated from 911 telephone taxes as approved by the Town Council.

**Sec. 19-8. Requirements for subdivision owners.**

The owner of any subdivision or other development shall erect or cause to be erected street signs in conformance with this article at any and all intersections within such subdivision or development upon the construction of any street on or after the effective date of the ordinance from which this article is derived. Where any subdivision owner is currently required to erect street signs but has failed to do so, the future erection of street signs shall be in conformance with this article.

**Sec. 19-9. Reference to uniform numbering system.**

All properties or parcels of land within the Town shall hereafter be identified by reference to a uniform numbering system, as shown on maps filed in the office of the Town Administrator. Said maps and the explanatory matter thereon are hereby adopted and made a part of this article.

**Sec. 19-10. Numbers assigned to all houses and buildings.**

A house or building number shall be assigned to each dwelling or other building in the Town. The combination of such numbers and the road or street name shall be the official address of such dwelling or building. Such location shall serve as the official mailing address for postal patrons receiving home or rural delivery.

**Sec. 19-11 Placement of numbers on buildings.**

- a) When each house or building has been assigned its respective numerical street address, the owner, occupant, or agent shall place or cause to be placed upon each house or building controlled by him the number or numbers assigned under the uniform numbering system. The number or numbers shall be placed in accordance with the provisions as are herein contained. Such numbers shall be placed on existing buildings within 60 days of notification of the assigned address.
- b) Numerical street addresses shall be placed on new buildings prior to the issuance of a certificate of occupancy for the structure by the building official. Such addresses shall be placed in accordance with the provisions as contained herein. The cost of posting the address shall be the responsibility of the property owner.

**Sec. 19-12. Number requirements for residences.**

Street address numbers for residences shall be at least three inches in height and shall be made of a durable and clearly visible material. The numbers shall be conspicuously placed on, above, or at the side of the main entrance so that the number is discernible from the street. Whenever a residence is more than 75 feet from the street, or when the entrance is not visible from the street, the number shall be placed along a walk, driveway, or other suitable location so that the address number is discernable from of street signs the street. Street address numbers shall be of a contrasting color to the background on which they are mounted.

**Sec. 19-13. Numbers for commercial and industrial structures.**

Street address numbers for commercial and industrial structures shall be at least four inches in height if located within 75 feet of a roadway or at least ten inches in height if located greater than 75 feet from the street. The number shall be placed above or on the main entrance to the structure when possible. If such number is not visible from the street, the number shall be placed along a driveway or on a sign visible from the street.

**Sec. 19-14. Placement of address numbers.**

Apartments and similar complexes assigned a single building number shall display address numbers on each assigned structure using numbers having a minimum height of eight inches. Trailer parks and similar complexes assigned a single building number shall display the assigned number at the main entranceway using numbers having a minimum height of eight inches. Numbers or letters for individual apartments, trailers, or units within these complexes shall be displayed on, above, or to the side of the main doorway of each apartment, trailer, or unit, and shall be at least three inches in height.

**Sec. 19-15. Property owner duties.**

Whenever any house, building, or structure shall be erected or located after the initial establishment of the uniform numbering system as provided herein, it shall be the duty of the property owner to procure the correct number or numbers for the said property and to affix said numbers to said building in accordance with this article. An application for a building permit for a new building shall be considered an application for an address assignment. The building official shall coordinate the application with the designated agent of the Town Administrator responsible for the assignment of addresses, and forward the assigned address to the applicant not later than 60 days following issuance of said permit. The applicant shall be required to furnish such measurements in relation to other properties or intersections as shall be deemed necessary for assignment of a valid address.

**Sec. 19-16. Authority to make minor adjustments.**

In applying the guidelines specified herein, the Town Administrator, or his authorized agent, shall have the authority to make minor adjustments and modifications to ensure a logical and efficient street address system.

**Sec. 19-17. Notice of violation.**

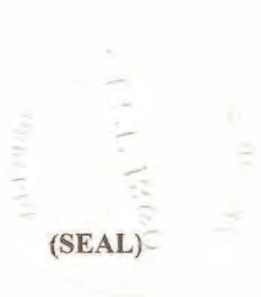
Whenever the Town Administrator, or his authorized agent, has reason to believe there has been or there exists a violation of this article, he shall give written notice of such violation to the person failing to comply, and order said person to take corrective measures within 30 days from the date of notification. If such person fails to comply with the duly issued order, the Town Administrator, or his agent, shall initiate necessary actions to terminate the violation through criminal or civil measures.


**Sec. 19-18. Penalty.**

Any violation of this article shall constitute a Class 4 misdemeanor. Subsequent to the 30-day period violation through criminal or civil measures.”

This Ordinance shall take effect upon adoption.

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



  
Martha J Rodenburg  
Town Clerk  
4/17/2024

**Ordinance No. 2024-03 regarding 2024-SUP-01**

**Councilmember Austin made a motion to enter public hearing to consider Ordinance No. 2024-03 regarding Special Use Permit Application 1-SUP-2024.**

**Councilmember Hanson seconded.**

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

**Motion passed 7-0**

Mr. Costin presented the staff report on the application by Shawn Pickett to allow for retail sales of food and drink together with an arcade and board game access permitted with a special use permit by and subsequently a restaurant permitted with a special use permit, to be located at 161 Cross Street. Retail sales of food and drink are permitted by right, it's the arcade and board games along with future restaurant that require the special use permit.

Discussion took place regarding the lot size, with a correction being made to the draft of the proposed ordinance included in the meeting packet. The lot size is +/- .171 acres.

Parking, traffic, and safety concerns were discussed.

The applicant, Shawn Pickett, presented his application to council, including his long-term goal of opening an oyster bar,

which would serve Virginia wines and beers. They will start with arcade and board games with pre-packaged food for sale. He addressed parking concerns, previously brought up at the Planning Commission hearing, including the offer to purchase reserved parking signs for the office building parking lot across the street.

In response to questions from council, Mr. Pickett explained the arcade games would include “old school” games like PacMan and Frogger. They would start out slow with arcade games and snacks, with plans to apply for an ABC license to serve Virginia wines and beer.

#### **Public Comment**

- Katie Wilson spoke in support of the application.
- Wanda Hollberg spoke to address her concerns regarding parking.
- Bill Breeden spoke to address his concerns with parking, noise, and who will oversee management of complaints at the property, since the owner does not live locally.
- Brenda Wiley spoke to address her concerns with parking, traffic sight lines, and trash.

Mr. Pickett responded he would be available to managed the concerns brought forth by the public.

Mr. Costin informed council after speaking with the Town Attorney, staff recommends they defer their decision until their next meeting in order to modify conditions as presented.

Mayor Goldsmith agreed council should be business friendly, but listen to public concerns in recrafting the conditions.

Ms. Erard informed council and the public, additional public input regarding the ordinance can be conveyed by contacting the Town Administrator.

**Councilmember Austin made a motion to close the public hearing.**

**Councilmember Sturgill seconded.**

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

**Motion passed 6-0**

**Councilmember Austin made a motion to defer their decision until their next regular meeting.**

**Councilmember Justice seconded.**

Councilmember Chowning spoke to the need for more parking in town.

Further discussion took place regarding the parking issue.

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

**Motion passed 6-0**

#### **REPORTS**

##### **Town Administrator**

Mr. Costin reported the following:

- Town Clerk, Martha Rodenburg, completed the course for Certified Planning Commissioners.
- Has met with Councilmember Chowning regarding public access for watermen.
- Fireworks will not be taking place due to insurance restrictions.
- Committee is planning other events for the Independence Day holiday.
- Met with Delegate Hodges to discuss current Short Term Rental legislation.
- Closing of sale of Town Hall should take place next week.
- Electrical service contract at pool.
- Cameras being installed at pool and Town Hall.
- Verizon project taking place to move lines in order to move forward with the project to remove old Dominion Electric poles.



- Has not heard from VCU regarding comprehensive plan, but has heard from ODU regarding a potential intern.
- Addressed water leaks that have taken place throughout the week due to weather changes and old pipes.
- Application for grants to address water system upgrades has been denied due to current water rates being too low.

**Treasurer**

Michele Hutton presented the Treasurer’s Report for February 2024.



**Treasurer’s Report**

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

Account Balance thru 2/29/2024	Prior Year 2/28/23	Prior Month 1/31/24	Statement Date 2/29/24
Primis Bank General Operating Bank Account	834,760.97	921,502.25	959,677.59
Renter Water Deposits	-19,451.66	-16,326.66	17,226.66
Net Operating General Bank Account	826,030.29	922,993.92	956,238.66
C&F Bank Historic Trust (new 3/1/2023)	(Trust) 32,285.77	47,295.41	48,262.05
C&F Bank - Water Fund Reserve (11 mo CD) 1/17/24	114,622.39	115,433.93	Interest 4/15/24
C&F Bank - General Fund Reserve (11 mo CD) 1/17/24	95,080.68	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 Water Fund Reserve			Closed 1/17/24
Primis Bank General Fund Reserve			Closed 1/17/24
Primis Bank DMV	100.00	1,101.22	3,079.58
Primis Bank USDA Well Replacement-new 10/14/22	2,502.85	2,509.81	2,510.41
Taber Trust – Account Value	871,833.31	932,715.71	962,972.60
Taxes listed below are collected for prior month(s)	<b>2/28/23</b>	<b>1/31/24</b>	<b>2/29/24</b>
Meals Tax collected in February	2,294.10	21,041.61	10,765.55
Lodging Tax collected in February	2,851.18	4,112.77	681.66
Cigarette Tax collected in February	417.09	577.22	618.19

**EXPENDITURES:**

- \$

**REVENUE as of 2/29/2024**

- 2/5/24 Received \$100,000 from UBI for pool donations

**Delinquent as of 3/11/2024:**

Real estate - \$8,615.11

Personal Property - \$12,825.06

**Comparison for 2023/2022**

Collected Real Estate:

- 2023 - \$254,344.86
- 2022 - \$254,513.61

Delinquent RE:

- 2023 - \$5,875.70
- 2022 - \$3,573.10

Collected Personal Property:

- 2023 - \$10,069.78
- 2022 - \$13,835.06

Delinquent PPT:

- 2023 - \$488.51
- 2022 - \$264.21

**Oyster Fest Meals Tax :**

Every vendor paid - no outstanding

- 2023 - \$18,003.90
- 2022 \$16,860.21

March 7, 2024  
11:02 AM

**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: 03/07/24  
Subtotal CAFR: No

Account No	Description	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
100-12100-0001	Lodging Tax	4520.69	3970.51	3693.25	1955.01	2909.03	514.88	4112.77	681.66	0.00
22357.80										
<b>Fund Total</b>		4520.69	3970.51	3693.25	1955.01	2909.03	514.88	4112.77	681.66	0.00
<b>Grand Total</b>	Count: 1	4520.69	3970.51	3693.25	1955.01	2909.03	514.88	4112.77	681.66	0.00

March 7, 2024  
11:01 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: 03/07/24  
Subtotal CAFR: No

Account No	Description	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
100-12110-0001	Meals Tax - Local	25538.77	18916.41	17037.21	14135.62	15123.86	5777.51	21041.61	10765.55	0.00
128336.54										
<b>Fund Total</b>		25538.77	18916.41	17037.21	14135.62	15123.86	5777.51	21041.61	10765.55	0.00
<b>Grand Total</b>	Count: 1	25538.77	18916.41	17037.21	14135.62	15123.86	5777.51	21041.61	10765.55	0.00

**Water Sales**

March 7, 2024  
10:56 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: 03/07/24  
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	0.00	0.00
259466.63											
<b>Fund Total</b>		6051.18	54319.81	20768.56	52703.73	14894.81	46378.62	12287.71	52062.21	0.00	0.00
<b>Grand Total</b>	Count: 1	6051.18	54319.81	20768.56	52703.73	14894.81	46378.62	12287.71	52062.21	0.00	0.00

### **Water Committee**

Mayor Goldsmith reported:

- In order to get grants needed for infrastructure upgrades, competitive water rates need to be in place, and the in-town versus out-of-town differential needs to be closed.
- Collection of delinquent accounts requires an updated ordinance, but the current state code can be used.

### **Finance Committee**

Mayor Goldsmith reported:

- Finalizing budget.
- Lowering real estate tax negatively affected the amount of bank franchise tax collected.
- Council work session being planned to discuss budget.

### **Planning Commission**

Mr. Costin reported on the Planning Commission's April 9 meeting:

- Public hearing regarding 1-SUP-2024
- Discussion took place regarding Comprehensive Plan and Short-Term Rentals.

### **PUBLIC COMMENT**

- Kristi Anzivino spoke regarding the important need for water and sewer upgrades and long-term solutions, including applying for grants from the Rural Water Authority.

### **COUNCIL/STAFF COMMENT**

- Councilmember Chowning agreed with Mrs. Anzvinio's comments.

### **OLD BUSINESS**

#### **Wi-Fi Policy**

**Mayor Goldsmith and Ms. Hutton spoke to the proposed WiFi policy as presented to council on March 28, 2024.**

**Councilmember Austin made a motion to approve the WiFi Provided by the Town of Urbanna-Acceptable Use Policy. Councilmember Sturgill seconded.**

Discussion took place to clarify there is no cost for this, but will protect the town from any possible litigation.

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

**Motion passed 6-0**

### **Wi-Fi Provided by The Town of Urbanna**

This service enables people visiting the Urbanna Town Hall, the Urbanna Town Marina and the Urbanna Museum to access the Internet through their own wireless-enabled devices, such as laptops and PDAs. There is no charge for this service, however, customers must have their own equipment, wireless card, software and agree to the Acceptable Use Policy.

Citizens are discouraged from conducting confidential transactions (such as online banking, credit card transactions, etc.) over any public wireless network.

#### **Acceptable Use Policy**

I understand and agree to comply with all of the following conditions, without exception or right to appeal.

1. My use of the Town's wireless Internet access is a privilege. My failure to comply with these procedures in their entirety can result in revocation of these privileges from as little as one day to permanent loss, at the reasonable, legal discretion of any Urbanna Town staff member.
2. The Town may change these policies at any time and without notice. I agree to comply with such modified policies as an integral part of my conditions of use. My failure to read and/or understand these conditions in their entirety does not constitute an acceptable reason for my failure to comply with them. No Town staff member may alter or waive any condition of this Acceptable Use Policy.
3. I may not access sexually explicit sites or display sexually explicit materials on any device I connect to the WiFi. I agree to this condition, whether or not filters are effective in blocking such sites. I will cease my use of the WiFi and leave immediately if asked to do so for violating this condition.
4. I will not violate any local, state or federal statute regarding copyright, pornography or obscenity. My use of the WiFi and my use of my station to reproduce information or data files is my acknowledgement of my responsibility for compliance with all copyright laws.
5. I will comply with all other local, state and federal laws, as well as Town policies and procedures.
6. The Internet contains information, both written and pictorial, that may be offensive or harmful to me or to others. The Town does not supervise children's use of the Internet and such use is a parent/guardian's exclusive responsibility. I, therefore, release and hold harmless the Town of Urbanna from any and all liabilities whatsoever associated with my or my child's exposure to any information, machine-readable file, picture or graphical representation I may encounter while using Town WiFi, or while in the presence of others using it.
7. I create, store and use personal files/electronic documents at my own risk, whether created, accessed or stored locally or remotely. I agree that the Town is not responsible for the loss or

damage to such local or remote personal electronic documents, or the diskettes, files or any other media upon which they are stored. These conditions apply to all media that I bring into a WiFi access point or that I purchase from the Town.

8. WiFi is a public-use network. I am fully responsible and assume all risks for any breaches of security to, or violation of, my privacy that may arise from my use of the WiFi. In particular, I acknowledge and agree that my use of this network involves the transmission of radio signals from my device to the Town's wireless transceivers, during which time unauthorized parties may intercept such signals. I further acknowledge and agree that unauthorized third parties also may intercept my data stream at any other point along the Town's network, as well as on the Internet itself.

9. I agree to use the WiFi "as is." Town staff cannot provide assistance in configuring my equipment or diagnosing its performance other than furnishing current Town published documentation.

10. The Town may set reasonable limits on my use, including, but not limited to, bandwidth, session lengths and total usage time.

11. The Town's Web pages contain links to other Web pages. The Town does not control the content of such linked pages nor is the Town responsible for the accuracy of the information on such pages.

12. Users are responsible for running up-to-date anti-virus software on their wireless devices.

13. Users should be aware that connecting to the Internet by using the WiFi can expose their devices to worms, viruses, intrusions, packet-sniffing, and other abuses by third-party bad actors.

14. Connecting to "Peer to Peer" file sharing networks is prohibited.

15. Attempting to circumvent or subvert system security measures is prohibited. Running programs designed to find or create security loopholes, decrypt intentionally secured data, or gain unauthorized access to any system is prohibited.

16. Forging the identity of a user or machine in an electronic communication is prohibited.

17. Spamming or phishing or spoofing while using the WiFi is strictly prohibited. Attempting to decode or obtain restricted passwords is also prohibited.

#### Definitions:

Access (noun): The act of any user's displaying of, downloading through or uploading to the Town Wireless Network of any digital or analog data, as well as any willful attempt of any such activities.

Access (verb): To establish, or to attempt to establish, a connection to the Town Wireless Network.

Town Wireless Network (“WiFi”): The physical and logical components that constitute the Town furnished system that allows a user to connect to the Internet through wireless technology, currently WiFi, but including any future connection means.

Town Wireless Internet Access: Any willfully established connection to the Town Wireless Network, whether to access the Internet or to use any network asset.

Town Wireless Network (“WiFi”): A synonym for the Town Wireless Network Device: Any customer-operated hardware component that serves as a display or presentation fixture while using the Town Wireless Internet Access. “Devices” can include, but are not limited to, laptop and desktop computers, hand-held computing devices, such personal digital assistants and intelligent phones, audio devices such as MP3 players and iPods.

Use (noun): Same as “Access (noun)” above.

Use (verb): Same as “Access (verb)” above.

### **Trash Contract**

Mr. Costin gave the background on how council had come to the determination to accept the contract from Laneview Environmental for trash collection.

- Contract would begin July 1, 2024.
- Annual fee of \$90,600.
- Twice a week pick-up from April 1-November 11, with once-a-week pick-up the remainder of the year.

Councilmember Austin questioned why the mayor would be authorized to execute the contract, rather than the Town Administrator.

Discussion took place regarding the matter.

**Councilmember Austin made a motion to authorize the Town Administrator to execute the contract with Laneview Environmental for trash collection services.**

**Councilmember Sturgill seconded.**

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

**Motion passed 6-0**

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## AGREEMENT FOR SOLID WASTE COLLECTION SERVICES

THIS AGREEMENT is dated as of the of 11th day of April 2024, by and between the Town of Urbanna, a municipal corporation of the Commonwealth of Virginia (the "Town") and Laneview Environmental, a Virginia corporation ("Laneview Environmental").

That in and for consideration of the mutual covenants hereinafter set forth, the receipt of which is acknowledged, the parties agree as follows:

### SECTION I: WORK

Laneview Environmental shall complete all work as specified or indicated in the Contract Documents. The Work is generally described as follows:

- Laneview Environmental shall provide all labor and equipment to conduct twice weekly collection of residential solid waste within the corporate limits of the Town on Tuesdays and Fridays from July 1, 2024 to the November 8, 2024 of each year and weekly collection of residential solid waste within the corporate limits of the Town on Tuesdays from November 11, 2024 through March 31, 2025. In the event of an extreme weather event (including but not limited to snow and ice), Laneview Environmental will not provide refuse collection, but will use best efforts to resume refuse collection as soon as possible.
- Laneview Environmental shall collect at each collection all refuse acceptable for collection including but not limited to garbage, food containers, paper, cloth, floor covering, rubber, leather, toys, small appliances, newspapers, magazines, cardboard, yard, and bagged garden trimmings (including bagged leaves), and items of wood, metal and plastic that are placed in the garbage cans and located at the curb. There is a limit of two cans per residence with a maximum weight limit of 50 pounds.
- Refuse unacceptable for collection shall include building materials, brick, masonry, drywall, dirt, structural lumber, furniture, mattresses and bed springs, large appliances, tires, automotive batteries and parts, sheet metal, animal carcasses, human and animal waste, and hazardous substances such as poisons, acids, caustics, explosives, and containers of flammable liquids.
- Refuse collection shall be made between the hours of 8 a.m. and 5 p.m.

### SECTION II: PERFORMANCE STANDARDS

- Laneview Environmental shall complete all collection activities in a prompt and courteous manner.
- Laneview Environmental shall complete all collection activities in a neat and orderly manner.



- Laneview Environmental shall generally begin collection during morning hours, but in no case shall collection begin prior to 8:00 a.m.
- Laneview Environmental shall collect from all trash cans owned by residents of the Town of Urbanna.
- In the event that Laneview Environmental fails to collect from any customer during the time of collection on a scheduled collection day, Laneview Environmental will return to make the collection provided that Laneview Environmental is notified by the Town by 4:00 pm. on that day. If Laneview Environmental fails to return on that day, or if notification of a missed collection is not provided by 4:00 pm., then Laneview Environmental will return and make the collection on the following business day.
- Laneview Environmental shall maintain collection vehicles in a safe and properly working manner so as to provide for safe and efficient operation and to avoid any leaks and spills of refuse or mechanical fluids. Laneview Environmental shall ensure that vehicles are maintained according to standards of cleanliness as may reasonably be required by the Town. Spills and leaks from collection vehicles shall be immediately cleaned from streets, alleys, and driveways. Vehicles shall at all times comply with applicable state and local inspection and licensing requirements.
- Laneview Environmental shall maintain adequate records indicating the time and date of collection operations, and the weight of refuse collected. Reasonable requests by Town to verify weight collected shall be honored by Laneview Environmental.

### SECTION III: CONTRACT TERMS

- The term of this agreement shall be for a period of one year commencing on July 1, 2024 and concluding on June 30, 2025.

### SECTION IV: CONTRACT PRICE

- In consideration of the services herein mentioned, Town agrees to pay Laneview Environmental the annual amount of at the rate of \$90,600.00, which will be invoiced monthly in the amount of \$7,550.00

### SECTION V: PAYMENT PROCEDURES

- Payment shall be made in equal monthly installments upon presentation of a bill for services to the Town Treasurer. Bills should be presented on or before the 25th of every month for approval and payment on the first Friday of the next month.
- If during any month Laneview Environmental fails to provide work in accordance with this Agreement, the Town may reduce the amount of payment by an amount proportional to the reduction in work performed by Laneview Environmental, or by an amount equivalent to the actual cost of replacement collection service, whichever is greater.

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## ARTICLE VI: LANEVIEW ENVIRONMENTAL'S REPRESENTATIONS

- Laneview Environmental has examined and carefully studied the Contract Documents.
- Laneview Environmental has visited the Town and environs and become familiar with and is satisfied as to the general, local, and site conditions that may affect cost, progress, performance or furnishing of work.
- Laneview Environmental is familiar with and is satisfied as to all federal, state, and local laws and regulations that may affect cost, progress, performance and furnishing of the work.
- Laneview Environmental will comply with all federal, state, and local laws and regulations.

## SECTION VII: CONTRACT DOCUMENTS

- The Contract Documents which comprise of the entire agreement between the Town and Laneview Environmental concerning the work of the following:
  - This Agreement;
  - Certificate of Insurance; and
  - Contractor's Proposal documents.

These documents are attached to this Agreement and specifically incorporated by reference. There are no other contract documents other than those listed above.

## SECTION VIII: AMENDMENTS

- This Agreement may be amended to provide for additions, deletions and revisions in writing and signed by mutual consent of the parties.
- After the first 12 months either party to this Agreement may request to renegotiate the contract price and the other party shall not delay in accommodating a reasonable and justifiable amendment to the contract price in accordance with section 8.. Any amendments to contract price must be finalized by June 1 of each year for incorporation into the Town's next fiscal year budget.

## SECTION IX: INSURANCE AND INDEMNIFICATION

- Laneview Environmental shall defend, indemnify, and hold harmless the Town from any claim, loss, liability, cost, or expense that results from Laneview Environmental's activities.

- Town shall hold harmless Laneview Environmental from any claim, loss, liability, cost, or expense that results from Town's activities if said claim, loss, liability, cost, or expense is the result of Town's grossly negligent acts and/or omissions.
- Laneview Environmental shall defend, indemnify, and hold harmless the Town from any claim, loss, liability, cost, or expense that results from Laneview Environmental's breach of this Agreement.
- Town shall hold harmless Laneview Environmental for any claim, loss, liability, cost, or expense that results from the Town's breach of this Agreement.
- Laneview Environmental shall carry general commercial liability insurance in an amount of not less than \$1,000,000.00, motor vehicle insurance and worker's compensation insurance in an amount mutually acceptable to the parties. Certificates of insurance shall be filed with the Town annually.

#### SECTION X: WARRANTY

- Laneview Environmental warrants that this work will be performed in accordance with the Contract documents and accepted industry standards.
- Whenever the Town believes that Laneview Environmental is not meeting the obligations of this Agreement, the Town will notify Laneview Environmental in writing. Laneview Environmental shall have five (5) days to respond to the Town's notice. The response shall be in writing and shall explain why Laneview Environmental disagrees with the Town or explain how the obligations of this Agreement will be met or how the complaint will be resolved.

#### SECTION XI: EQUAL OPPORTUNITY

- Laneview Environmental shall comply with all state and federal laws pertaining to nondiscrimination in employment and the workplace.

#### SECTION XII: MISCELLANEOUS

- The parties agree that there shall not be any third-party beneficiaries of this Agreement.
- If any provision of this Agreement is held to be invalid or unenforceable, such provision shall be modified consistent with the original intent of the parties to be enforceable, and the remainder of the Agreement shall remain in full force and effect.

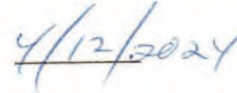
[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

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IN WITNESS WHEREOF, the Town and Laneview Environmental have affixed the signatures of their duly authorized representatives. All portions of the Contract Documents have been identified and acknowledged by the Town and Laneview Environmental.



Town of Urbanna  
P.S.T. (Ted) Costin, Town  
Administrator



Date

\_\_\_\_\_  
Laneview Environmental, LLC  
(James Boone)

\_\_\_\_\_  
Date

**Fireworks-rescind contract with Francisco Display Fireworks, LLC**

Mr. Costin gave the background regarding this issue. Due to the insurance provider for Rosegill not allowing fireworks to be launched from the property, Mr. Costin requested council to rescind their previous approval of the contract.

**Councilmember Austin made a motion to rescind the contract with Francisco Display Fireworks, LLC as agreement could not be reached among all involved due to insurance concerns.**

**Councilmember Sturgill seconded.**

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

**Motion passed 6-0**

**Authorizing Resolution**

Ms. Erard explained our settlement agent has specifically requested a specific name be authorized to sign settlement documents regarding the purchase of 390 Virginia Street.

**Councilmember Austin made a motion to accept the authorizing resolution.**

**Councilmember Sturgill seconded.**

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

**Motion passed 6-0**

**Authorization Resolution**

WHEREAS the Town of Urbanna seeks to purchase the property located at 390 Virginia Street.

NOW THEREFORE BE IT RESOLVED by the Urbanna Town Council at its regular meeting on April 11, 2024, that the Honorable William Goldsmith, Mayor of the Town of Urbanna, is authorized by the Urbanna Town Council to sign any and all documents related to the transfer and financing of the property located at 390 Virginia Street on behalf of the Town of Urbanna.

Vote:

<b>Name</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
<b>Austin</b>	x			
<b>Courtney</b>	x			
<b>Chowning</b>	x			
<b>Hanson</b>				x
<b>Justice</b>	x			
<b>Sturgill</b>	x			
<b>Goldsmith</b>	x			

Copy Teste:



Martha Rodenburg,  
Clerk

**NEW BUSINESS**

There was no new business.

**PUBLIC COMMENT**

Katie Wilson spoke the positive impact a new business on Cross Street could have to other adjacent businesses.

**ANNOUNCEMENTS**

Michele Hutton announced it was the last day for military banner sales. There were only enough sold to place them on Virginia Street, not Cross Street.

Tickets for the circus are available for sale in Town Hall and online.

Councilmember Austin announced 2<sup>nd</sup> Saturdays would begin May 11<sup>th</sup>.

**ADJOURN**

**Councilmember Austin made a motion to adjourn**

**Councilmember Sturgill seconded**

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

**Motion passed 6-0**

**Meeting adjourned at 7:32pm**

**Submitted by:**



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**Martha J. Rodenburg**

**Town Clerk**

**Approved by Town Council 9/12/2024**