

**Town of Urbanna
Town Council
Public Hearings
Monthly Meeting
Council Chambers-390 Virginia St. Suite B
June 13, 2024**

CALL TO ORDER & ROLL CALL

Mayor Goldsmith called the meeting to order at 6:01pm

Present-Members of Council

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

Absent

Merri Hanson

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 Sturgill seconded.

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

Motion passed 6-0

PUBLIC HEARINGS

Ordinance No. 2024-ORD-04/Water Rates

Councilmember Austin made a motion to open the public hearing.

Councilmember Sturgill seconded.

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

Motion passed 6-0

Mr. Costin gave the background on the reasoning for requesting the increased in-town water rates.

Aging water infrastructure needs to be replaced.

Hydrant flow test showed low water pressure in the business district.

The town has been denied funding for low in-town rates, and disparity between in-town and out-of-town rates.

Plan to decrease gap incrementally.

Staff recommends approving the ordinance as presented.

A letter supporting this ordinance from Urbanna resident, John Anzivino, was distributed to council.

Discussion took place regarding how much the average bill will go up and current number of arrearages (approximately \$30,000).

Mayor Goldsmith discussed the water infrastructure upgrade plans, which are separated into five phases. As there is access to additional funds, phase one (through business district) would start.

Discussion took place about one reason we were not awarded a grant was due to the in-town rates were too low. Closing the gap between in-town and out-of-town rates will improve chances of being awarded future grants and low-interest loans.

There was no public comment regarding Ordinance No. 2024-ORD-04.

Councilmember Austin made a motion to adopt Ordinance No. 2024-04, which would raise Town of Urbanna bi-monthly Water Rates for in-town customers to \$49.74 for minimum usage up to 6000 gallons and \$4.62 per 1000 gallons over 6000 effective July 1, 2024.

Councilmember Sturgill seconded.

Councilmember Austin asked when the town would be applying for grants and loans, with Mr. Costin responding we would do so as they become available. Grants and low-interest loans are available on a revolving basis.

Councilmember Chowning asked staff to take every opportunity to apply. Councilmember Sturgill commented she didn't want to vote for the increase unless there were assurances they moved forward with getting the funds to do the upgrades. Councilmember Austin inquired about whether or not assistance from Virginia Rural Water Authority, with Mr. responding they had not.

In response to a question from Councilmember Austin, Mr. Costin said there may be at least one or two future increases.

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

Courtney voted no

Motion passed 5-1

ORDINANCE NO. 2024-04 - UNCODIFIED ORDINANCE

BE IT ORDAINED by the Urbanna Town Council at its regular meeting on June 13, 2024 that the following service rates shall be effective as of July 1, 2024:

Residential and Commercial Water Rate Schedule

In-Town Water Rates:

<u>Gallons</u>	<u>Current Rate</u>	<u>Rate with Proposed increase</u>
0-6,000	\$45.22 minimum	\$49.74 minimum
6,001 & Up	\$4.20/1,000 gal over 6,000	\$4.62/1,000 gal over 6,000

Adopted: June 13, 2024

Certified to be true and accurate:



Martha Rodenburg, Town Clerk

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

FY 2024-2025 Budget Resolution 2024-RES-002

Mayor Goldsmith opened the public hearing.

Mr. Costin gave the background and rationale for the proposed budget, and went over the revenue and expense breakdowns, including:

- Personal Property and Real Estate taxes will remain the same.
- Increase in water rates will show a commitment for the long-term care of the system.
- Other Water Income at \$0, but with a new water ordinance, being crafted by the Town Attorney, that number is expected to grow with collections.
- Reallocation of percentage of employees paid through water fund.
- Second Saturdays is not being cut from budget, despite rumors to the contrary.
- DMV Closure
 - Operated at a \$30,000 loss, even with the town not meeting contract requirements.

- Terms and conditions favor DMV, with 5 requirements per the contract, and the town with approximately 60 items.
- A second employee is required by DMV contract, and would require a \$0.03-0.04 real estate tax increase.
- Only Town resident taxes fund the DMV Select, even though it provides a service to surrounding communities.
- Discussions were held with DMV to negotiate conditions that would not cost the town as much money, but DMV turned it down.
- A continuation was requested, but was not accepted.
- Maribel Kimble will remain as a valued town employee, and take on water operations.
- Emails from citizens have been distributed to council.

Councilmember Austin commented Ms. Kimble is a town employee and has performed other duties other than DMV, and showing her salary as being one of the reasons for DMV financial loss is a misrepresentation.

Mr. Costin responded, that while Ms. Kimble has provided assistance in other areas, her main focus was DMV.

Discussion took place concerning the budgeting of Ms. Kimble’s salary, and it was explained her salary was partly budgeted for Mr. Kime, who retired. Half of Ms. Kimble’s salary will now come from the water fund.

Should the town keep DMV, the cost to the tax payer may be as high as an additional \$0.07 in real estate taxes to cover the additional employee, and to cover the financial loss of the DMV Select, due to the large percentage of revenue the Virginia DMV takes from the town.

Middlesex County had declined to take on the DMV Select in the past, and declined again when approached by Mr. Costin.

Discussion continued regarding the matter.

Public Comment-Budget

- Billy Mayo-spoke in favor of keeping DMV Select.
- Roy Kime-spoke regarding the DMV Select, and its limitations in growing business from car dealerships.
- AB Gravatt-spoke in favor of raising taxes to support the DMV Select.

Councilmember Sturgill commented that, over two years, the DMV Select had cost the taxpayers approximately \$60,000.

Discussion continued regarding going to Middlesex County for funding, reasons for lack of advertising, and efforts made by Ms. Kimble to generate business.

By law, the budget resolution could not be voted on until the next meeting of council.

Special Use Permit 2024-SUP-02-Carts, Inc.

Presentation by Staff

Mr. Costin gave the staff report and background on 2024-SUP-02, to allow for sale/service of recreational vehicles (golf carts).

- Applicant has worked to bring signage and lighting into compliance.
- Planning Commission recommended approval for the application, but amended conditions number 9 to state “No occupancy of any recreational vehicle on site will occur, with the exception of Oyster Festival Week. (Sunday before to Sunday after)” and the requirement to move the golf cart display inside during non-operating

hours.

Discussion to place regarding occupancy of RVs on the property, why SUPs are being brought before council, and building not located in historic district, therefore signage is not subject to HARB approval.

Presentation by Applicant

Nick DiStasio, representative of Carts, Inc., addressed council.

- Never approached regarding lighting.
- Flashing and colored lights have been brought into compliance.
- Lights on building were there previously.
- Spoke positively of working with town.
- Disagrees with condition #9, regarding RVs. A fifth-wheel style camper in use due to lack to places to stay. He or an employee may occupy on a night or two, gave options. Wants to be able to stay the night on occasion.

Councilmember Courtney, wants a limit on number of nights the RV can be occupied, with council discussion on the matter.

Mr. Costin informed council the Planning Commission was not told by the applicant of their plans to use the RV for employees to use overnight. Mr. Costin further explained it was an enforcement issue, and should the condition stand, it's a slippery slope to allowing this type of use in the future. He recommended to either use #9 or scrap it.

Mr. DiStasio countered others who want to occupy their RVs could get SUPs. Discussion took place.

Public Comment

- Susan Smith spoke in favor of the application. Lighting on building adds security. Business is good for the town.
- Amin Ogden spoke in favor of the application. Lighting on building adds security.
- Kristi Anzivino spoke to enforcing zoning ordinance.
- Eric Johnson spoke in favor of allowing overnight stays in RVs as a special use.
- Crystal Tate spoke about her concerns of the lighting and approving the potential sales of RVs.

Mr. DiStasio responded to public concerns, and will address the lighting that may be shining into resident homes.

Mr. Costin addressed council to recommend either keeping condition #9 or dropping it. The current zoning ordinance does not allow for occupancy of RVs, and to make a special exception is a "slippery slope", which would be hard to manage.

Further discussion took place regarding the matter, including the issues that may arise by allowing occupancy of the RV, allowing occupancy for a finite time until the business is established.

After several members of council indicating they were not ready to vote at that time, Ms. Erard inform council they were not required to vote on the matter at this meeting. Mr. Costin followed up to let council they could vote to confirm, deny, or defer the decision, and recommended council put the matter on the agenda for their next meeting.

Councilmember Austin made a motion to defer Special Use Permit [2024-SUP-02-Carts, Inc.] for 2024-05 [Ordinance Number 2024-ORD-05].

Councilmember Justice seconded.

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

Motion passed 6-0

PUBLIC COMMENT

There was no public comment

MINUTES

Councilmember Austin made a motion to approve the minutes of the January 25, 2024 meeting.

Councilmember Justice seconded.

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

Motion passed 6-0

Councilmember Austin asked why they were approving minutes from January in June.

Ms. Rodenburg explained she was behind due to classes (VCU-LUEP Certified Planning Commissioner course) and having problems going through recordings.

REPORTS

Town Administrator

Mr. Costin presented his report:

Office would be closed Wednesday, June 19th in observance of Juneteenth.

VDOT informed Mr. Costin that road resurfacing of roads in town would begin the following day.

Pool opening took place, with operational issues being addressed as they arise.

Anticipating partnering with the library as they begin their summer reading program.

A YMCA proposal is under review.

Swim team is practicing.

Town residents are entitled to three passes and can obtain at the town office during regular business hours.

July 4th and 6th events scheduled and being advertised.

Met with Department of Water Resources (DWR) staff regarding the "No Wake" signs in Urbanna Creek.

Town currently holds the active permit.

Once establishing readable signs, DWR staff can enforce the "Now Wake" designation.

Permit is assignable to another party if there is interest to do so.

Meeting was held with Church View to inform them they were not selected to continue trash collection past June.

Has had several meetings regarding financing of Phase II of the water project.

Hydrant flow testing was performed by Middlesex County without informing Town of Urbanna staff.

This was done to improve the county's Insurance Services Office (ISO) rating.

Treasurer

Ms. Hutton presented the April Treasurer's report.

While the report was not in the packet, it had in fact, been mailed by Ms. Hutton to council the previous week. The report not being in the packet was an oversight by Ms. Rodenburg.

Donation income for 2nd Saturdays was discussed, with Ms. Hutton and Councilmember Austin explaining the town does not fund the event, it is a completely self-funded event. This is the case with the military banner program as well.

Military banner dedication to be held Friday, June 21st at 6pm. The dedication will take place at the fire department.



Treasurer's Report

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

Account Balance thru 4/30/2024	Prior Year	Prior Month	Statement Date
	4/30/23	3/31/24	4/30/24
Primis Bank General Operating Bank Account	769,420.31	910,471.10	996,065.21
Renter Water Deposits	-15,361.66	-17,326.66	-17,101.66
Net Operating General Bank Account	768,314.63	910,090.83	992,328.50
C&F Bank Historic Trust (new 3/1/2023)	33,566.84	48,775.97	49,412.78
C&F Bank - Water Fund Reserve (11 mo CD) 1/17/24	114,770.66	115,433.93	116,847.00
C&F Bank - General Fund Reserve (11 mo CD) 1/17/24	95,157.54	95,500.91	96,669.97
C&F Bank -Operating Reserve (11 mo CD) 1/17/24	n/a	400,000.00	404,896.55
Primis Bank DMV	2,901.50	4,403.02	CLOSED 4/22
Primis Bank USDA Well Replacement-new 10/14/22	2,504.07	2,511.01	CLOSED 4/22
Taber Trust – Account Value	857,356.55	982,294.68	
Taxes listed below are collected for prior month(s)	4/30/23	3/31/24	4/30/24
Meals Tax collected in April	3,862.77	10,188.85	13,237.36
Lodging Tax collected in April	1,982.71	2,406.02	2,812.03
Cigarette Tax collected in April	662.88	513.92	636.81

EXPENDITURES:

- First payment (April) to Signature Pools \$12,100.00

REVENUE as of 4/30/2024

UBI – Pool donation received \$40,000.00
 Interest Earned: Water Reserve \$1,413.07. General Fund Reserve \$1,169.06 and Operating Fund reserve \$ 4,896.55 total 3 CD's = \$7,478.68

Notes:

- 4/22/24 Closed DMV acc't transferred to operating
- 4/22/24 Closed USDA well replace acc't transferred to operating

May 3, 2024
09:39 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: 05/03/24
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	2812.03
27575.85											
Fund Total		4520.69	3970.51	3693.25	1955.01	2909.03	514.88	4112.77	681.66	2406.02	2812.03
27575.85											
Grand Total	Count: 1	4520.69	3970.51	3693.25	1955.01	2909.03	514.88	4112.77	681.66	2406.02	2812.03
27575.85											

May 3, 2024
09:38 AM

Meals Tax

Town of Urbanna
2024 Revenue Summary by Month

Range of Accounts: 100-12110-0001 to 100-12110-0001 Start Month: July Start Year: 2023
Type: Revenue Activity Includes Accounts with Zero Activity: N Year To Date As Of: 05/03/24
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	13237.36
151762.75											
Fund Total		25538.77	18916.41	17037.21	14135.62	15123.86	5777.51	21041.61	10765.55	10188.85	13237.36
151762.75											
Grand Total	Count: 1	25538.77	18916.41	17037.21	14135.62	15123.86	5777.51	21041.61	10765.55	10188.85	13237.36
151762.75											

Water Sales

May 3, 2024
09:37 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: 05/03/24
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	71388.42
339371.46											
Fund Total		6051.18	54319.81	20768.56	52703.73	14894.81	46378.62	12287.71	52062.21	8516.41	71388.42
339371.46											
Grand Total	Count: 1	6051.18	54319.81	20768.56	52703.73	14894.81	46378.62	12287.71	52062.21	8516.41	71388.42
339371.46											

Planning Commission

Mr. Costin presented the Planning Commission report:

Distributed copies of the revised business licenses to council.

All business licenses will now be reviewed by Mr. Costin for zoning approval.

Under the current zoning ordinance, all home occupation businesses must have Special Use Permits (which cost \$300 for the applicant, as well as public hearings before the Planning Commission and Town Council), when it should be an administrative matter. Mr. Costin recommended council have an ordinance amendment changing Home Occupancy Permits (HOP) to a by-right usage if the applicant meets certain criteria, if the criteria is not met, then they would have to apply for an SUP.

Councilmember Austin made a motion to direct staff to prepare a zoning ordinance to modify the requirements for a home occupation, as outlined by the Town Administrator.

Councilmember Sturgill seconded.

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

Motion passed 6-0

OLD BUSINESS

Museum Security

Ms. Hutton followed up on her previous report regarding the problems with Johnson Controls and presented pricing options to contract with Starbrite Security.

Councilmember Austin made a motion to authorize the Town Administrator to execute a yearly contract, not to exceed \$4,700.00, with Starbrite for fire and security monitoring at the Scottish Factor Store/Museum.

Councilmember Justice seconded.

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

Motion passed 6-0

NEW BUSINESS

There was no new business.

PUBLIC COMMENT

Billy Mayo spoke regarding a letter he received from the town stating he needed a business license, and disputed the requirement that he should have one.

Discussion took place with council telling Mr. Mayo how much his services and contribution to the community are appreciated, but the under the current ordinance, his business requires a business license. Mayor Goldsmith stated staff was enforcing the ordinance. Councilmember Chowning spoke regarding Middlesex County business license requirements and limitations, and recommended possible revisions to the ordinance. Councilmember Austin informed Mr. Mayo that donations had been raised to pay his business license fees. Additional discussion took place regarding reported requirements as told to Mr. Mayo by the county attorney.

ANNOUNCEMENTS

Councilmember Austin attended the VML Small Town Conference in Abingdon, VA. She spoke highly of the conference and gave information to Mr. Costin for different programs for economic development.

ADJOURN

Councilmember Austin made a motion to adjourn.

Councilmember Justice seconded.

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

Motion passed 6-0

Meeting adjourned at 8:02pm

Submitted by:



Martha J. Rodenburg

Town Clerk

Approved by Town Council-November 14, 2024