



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, MAY 11, 2023; 6:30 p.m.**

AGENDA –

A. CALL TO ORDER

J. Harris: Mr. Nunnally would like to participate electronically as he is in the hospital.
Approved unanimously.

B. ROLL CALL

G. del Rio, present.
J. Brown, present.
P. Robinson, present.
D. Patteson, present.
J. Penniman, present.
J. Harris, present.
W. Nunnally, present electronically.

C. APPROVE AGENDA

Motion made by G. del Rio to approve the agenda.
Seconded by D. Patteson.
Motion carries unanimously.

D. APPROVE MINUTES

- April 13, 2023, Town Council Regular Called Meeting Draft Summary Minutes held at 6:30 p.m.

Motion made by G. del Rio to approve 04/13/2023 summary minutes.
Seconded by P. Robinson.
Motion carries unanimously.

E. FINANCIAL REPORT

- Treasurer's Report – Accepted with no objections.

F. PUBLIC HEARING

- CUP McNeely for redevelopment in the RPA, 69 Chinnis Lane.

No comments, public hearing is closed.

G. PUBLIC COMMENT – (limit 3 minutes per speaker)

G.Kuper: STRs are changing the nature of our town, especially this one. Parking is an issue. This particular STR is nothing but a party house. STRs have taken affordable housing off the planet. No longer a friendly atmosphere in the town including members in this room.

H. Kindle: Property will be used for family and there will be effective monitoring software to monitor noise. This is not represented as a party home. It will be a vacation home for my family and friends and not just a STR. Representation of the home is not fair. We have effectively



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addressed all concerns. We are addressing the parking issue with VDOT and is the only issue left. The town has regulations (10 x 20') as for parking was also discussed.

P. Robinson: Town requires 2 parking spaces be provided but does allow on-street parking so it would have to same would have to be allowed for everyone.

A. Pollard: A culvert may be required.

J. Taylor: The stairway access was not discussed and was a requirement to be discussed. Stairway needs to be installed before any approval. Property was renovated as 2 units. Questions only having one CUP for two units.

J. Greico: Support reconvening of STR Committee and there needs to be members that have a balanced view. Irvington has different STRs than others. Strongly urge the committee to not increase the STR numbers. Definition of guests should be sorted out such as "family as a guest" or transient guests.

D. Fowle: Unfair assumption was made of anyone who is going to rent in Irvington such as this STR being a "party house".

E. Griffin: Appreciate the influx of guests. Have been seeing the improvements being made. Our private trash cans are being used by the community. Pet waste and car trash has been placed in our trash cans. There are no waste containers on the main street. Trash cans should be considered in town improvements.

J. Greico: Irvington has a dog park, unleashed dogs are not acceptable. No leash law, we have codes.

J. Trollip: While getting the budget done, need to consider that the Tides Inn will be closing down to 40% during renovations so it should be accounted for in the town's budget. Possibly December through April.

M. Shane: Aside from timing difference, the town office amount is \$500,000 instead of \$400,000.

A. Eubank: Encouraging everyone to honor their veterans with garden flags and join with White Stone (\$75.00 for the flag and maintenance). Deadline is May 31st.

Public Comment is closed.

H. REPORT FROM THE MAYOR, J. Harris

Busy and exciting month. Playground equipment passed inspection. Patrol car has been delivered. Patrols will begin June 1, if not sooner. Sidewalk improvements have been started. Water access committee has been formed. New businesses have been welcomed with ribbon-cutting ceremonies. The most prominent comments on the survey were resident needs and trust working together to get what the residents need.



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I. REPORT FROM TOWN ATTORNEY

Andrew McRoberts: MOU with the Sheriff's department has been signed by the Sheriff and the Mayor.. Transient occupancy tax should be discussed. Things are being done and ordinances need to be in order.

J. REPORT FROM THE ZONING ADMINISTRATOR, *J. Nelson*

Three new permits. More receipts received from Mr. Fisher. Complaint of STRs advertising fire pits. Three were identified, two propane and one wood burning one will be removed.

K. COMMITTEE REPORTS

- Planning Commission Update, *T. Chapman – Chair*

STR cups: 277 Steamboat Road recommended approval with conditions. 205 Steamboat Road recommended approval with off street parking. McNeely CUP recommended approval. Need a standard procedure regarding code enforcement such as first a call from zoning administrator, second is a letter, third is a letter from the lawyer. This is being worked on and will be presented.

- Budget & Finance Report, *J. Penniman & G. del Rio*

Meals tax: We need by next month for Andrew to have a draft ready. Largest source of revenue is from Tides Inn which will be reduced during the months discussed. There are a number of improvements in the future that a meals tax can be used for. Will be helpful for the town when applying for a possible mortgage for a new town office. Discussion of where the money from a meals tax should go to such as town office, sewer. Review at 1 year will be had.

A. McRoberts: Really can't bind this money to any future purpose legally. Need to make sure everyone is aware and have a lead-in time. Suggested that what is used across the state be used such as Kilmarnock. Have to be careful with exemptions. Must tax equally.

G. del Rio: Suggested having someone responsible for collecting the meals tax. Procedures should be in place. There may be a cost associated with achieving this. A form should be provided such as to food truck vendors, etc.

J. Brown: Do not agree with this meals tax until something is done about the real estate tax that was promised to go away when the Tides Inn didn't go out of business. Nothing happened. Mr. Nunnally has made the motion and this recommendation has been discussed and promised to the community and nothing has ever happened. Now we are adding a new tax and still have the property tax. I feel this tax should be delayed. We do not need to accumulate money. The residents have made it clear they are against new taxes and new debt as mentioned in the survey.



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J. Penniman: It was discussed reducing the property tax, not just doing away with it at this time.

G. del Rio: Council cannot make promise into the future to get what you want today.

A. McRoberts: Discussed Sunset Clause for the meals tax.

- Charter, Codes & Ordinances Committee, *J. Brown & P. Robinson*

Meeting was held. Suggestion to approve Version 1 of the Charter. Further discussion regarding both versions was held. Version 1 will be read in June and July and voted on in August.

- H. R. Committee, *D. Patteson & W. Nunnally*
Rules and procedures at meetings dealing with controversial situations and how everyone best conducts themselves. A committee will meet in May to begin developing these guidelines.
- Facilities Committee, *J. Brown & P. Robinson*
Steamboat Road sidewalk repairs are complete. Reassessment will be done once a year. There are 4 options regarding the town office that were discussed. Would like to decide on a path by September, lease is up in 2 years. Quantify what is needed for storage. Odd Fellows building is going to be painted, etc.

P. Robinson made a motion to look for office space only.

Seconded by J. Brown.

Motion carries unanimously.

J. Brown made a motion to replace the current sewer advisory panel with a selection committee composed of Tom Chapman as Chairman, Albert Pollard, Jr., Jeremy Taylor, Phil Robinson and Jackie Brown and a nonvoting member Aaron Brown.

Seconded by G. del Rio.

Motion carries unanimously.

- Community & Special Events Committee, *J. Penniman & D. Patteson*
No report.
- Playground & Commons Committee, *J. Penniman & W. Nunnally*
No report.



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L. OLD BUSINESS

- CUP Clearview to operate a STR Business at 277 Steamboat Rd. This CUP requires completing parking requirements.

Motion made by P. Robinson to pass with 2 parking spaces per town requirements to be completed.

Seconded by G. del Rio.

Roll Call Vote

P. Robinson, yes.

J. Brown, yes.

G. del Rio, yes.

J. Penniman, yes.

D. Patteson, yes.

W. Nunnally, no.

Motion passes 5-1.

- CUP Harding-Boyd to operate a STR Business at 205 Steamboat Rd.

Motion made by G del Rio to approve.

Seconded by P. Robinson.

Roll Call Vote

P. Robinson, yes.

J. Brown, yes.

G. del Rio, yes.

J. Penniman, yes.

D. Patteson, yes.

W. Nunnally, no.

Motion passes 5-1.

- Renew River Realm Funding for FY-2024
- StartSmall/ThinkBig - *J. Penniman*
- Reconvene STR Committee – *P. Robinson*
- Transient Occupancy Tax information regarding payments monthly – *A. McRoberts*

Motion made by G. del Rio to approve and renew River Realm Funding, to initiate StartSmall/ThinkBig, Reconvene STR Committee.

Seconded by P. Robinson.

Motion carries unanimously.

Andrew McRoberts: Asking for a ratification of waiver of the second reading on the transient occupancy tax amendment of December 8, 2022.



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Motion made by P. Robinson for ratification of waiver.

Seconded by J. Penniman.

Motion carries unanimously.

M. NEW BUSINESS

- Bank CDs

Not an urgent matter at this time. There will be fees to move the CD's. The cost to move is less than the incremental difference and immediately worth it.

Motion made by G. del Rio to move the CD's and consolidate into one CD for just under \$250,000 within Chesapeake Bank

Seconded by P. Robinson.

Motion carries unanimously.

- Organic Green

Motion to approve Organic Green.

Seconded by J. Penniman.

Motion carries unanimously.

N. ANNOUNCEMENTS

- Unfinished Business Committee Workshop, May 15, 2023, at 1:30 p.m. at the Irvington Town Office
- Next Town Council Regular Called meeting, June 8, 2023, at 6:30 p.m. at Irvington **BAPTIST** Church will include a Public Hearing regarding the meals tax.

O. CLOSED SESSION

Under State Code 2.2-3711 (A) (3) for discussion or consideration of the acquisition of real property- disclosure would adversely affect bargaining position for a Town Office and Storage Unit.

P. RETURN TO OPEN SESSION

Certifying only such public business matters exempted from the Freedom of Information Act's open meeting requirements and identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the closed meeting.

G. del Rio, so certify.

J. Brown, so certify.

A. Pollard, so certify.

P. Robinson, so certify.



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**D. Patteson, so certify.
J. Penniman, so certify.
J. Harris, so certify.
W. Nunnally, so certify.**

Q. ADJOURN

**Motion made to adjourn.
Motion carries unanimously.**