



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, JANUARY 11, 2024; 6:30 p.m.**

AGENDA –

A. CALL TO ORDER, Julie Harris

B. ROLL CALL

Motion made by P. Robinson to allow Mr. McRoberts and W. Nunnally to participate via Zoom.

Seconded by D. Patteson

Motion passed unanimously.

Bonnie Schaschek, present.

Phil Robinson, present.

Cay Bradley, present.

Judith Penniman, present.

Dudley Patteson, present.

Julie Harris, present.

Wayne Nunnally, present via zoom.

Andrew McRoberts, present via zoom.

C. APPROVE AGENDA –

Motion made by D. Patteson to approve the Agenda.

Seconded by P. Robinson.

Motion carries unanimously.

D. APPROVE MINUTES

- December 14, 2023, Town Council Regular Called Meeting - Amended.

Motion made by C. Bradley to table those minutes until February.

Seconded by B. Schaschek.

Motion carries unanimously.

E. FINANCIAL REPORT

- Treasurer's Report – Accepted.

F. PUBLIC HEARING

- Proposed Conditional Use Permit application #2023. Tides to amend previously approved CUP to relocate fence to property line located at 480 King Carter Drive by New Tides LLC. Petitioning to move the fence back 1' as opposed to 5'.



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C. Elliott: Concern that the CUP is being brought up again after being previously approved. We will not permit a permanent easement. Temporary access to property will be granted for maintenance, nothing more. No objection to the original CUP approved 10/13/2022.

B. Spencer: Tides Inn wishes to reduce the fence setback or eliminate it altogether. Specifications need to be clearer regarding plantings, maintenance, etc. Water lines and electric line placement was bought up.

G. Davis: Introduced himself as the attorney for the Tides Inn. He is taking careful notes and looks forward to communications in the coming weeks.

- Comments regarding Charter Revision

G. Kuper: There are missing checks/balances. Town's financial future is heavily dependent on the Tide's Inn's financial fortunes. Irvington residents are responsible for town's indebtedness.

G. PUBLIC COMMENT –

- Resolution in Recognition of a Volunteer – Will be done in February.
- Update on new Website – *C. Henley*
 - Chris Henley stated that the new website is coming along nicely. Finalizations need to be made with the Business License Committee and with the Town Attorney.

B. Schaschek: Need monthly updates on how the website is progressing.

- Comments from citizens on any topic

Keith Kehlbeck, President of the Steamboat Era Museum: Introduced new Executive Director, Gus S. Kasper.

G. Kasper: Asks that the town allow the use of the Town Commons on September 21, 2024, for the annual Crab Festival.

Motion made by P. Robinson to allow use of Town Commons on 09/21/2024 by Steamboat Era Museum for the annual Crab Festival. Contingency added by J. Penniman that the tent be taken down within 3 days after the event.

Seconded by B. Schaschek.

Motion carries 5-0. C. Bradley recused.

H. REPORT FROM THE MAYOR, *J. Harris*

To keep the Town Attorney expenses down, the Mayor reminded all Planning Commission and Town Council members to contact the Maor before contacting the Town Attorney. Expenses must also be clear coming from the Attorney. Expenses listed as “inquiries” or “the client” will not be honored.



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The Mayor pointed out that electronic meetings will now be via Zoom.

A new website for the Town is being developed.

A police car has been purchased by the Town and off-duty Lancaster County deputies have been hired to help curb speeding. Progress in reducing speeding has been made with 150 summons and 53 warnings issued from June to December 2023.

I. REPORT FROM TOWN ATTORNEY – *A. McRoberts*

No report.

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

Two STR spots are now available. Four applications are on the waiting list.

K. COMMITTEE REPORTS

- Budget & Finance Report, *B. Schaschek & C. Bradley*

On January 8, 2024, the Committee met, and reports were generated. Because this was a new committee, it started by looking at the current budget to understand how it was created and see where it was going. Highlights were on categories and capital including some year-to-year items that were dropped. Letters will be sent to hotels, restaurants and annual donation recipients to help with budget estimates going forward. The Chart of Accounts and reclassification of items into proper categories has been one focus, and some projects proposed for this year are not going to be able to move ahead. Budget for 2024/2025 has been started. Next committee meeting is Monday, Feb. 5, 2024. Workshop is planned for Thursday, March 14th, ahead of the Town Council meeting.

- Charter, Codes & Ordinances Committee, *P. Robinson & B. Schaschek*

In 2023, meetings were held concerning the brand and image of Irvington. MuniCode was implemented. Ordinances and Code updates and Charter revisions were considered. Ordinances for Grass Cutting and for Short Term Rental were done in 2023.

In 2024, as the Charter revision is completed, the Clerk and the Attorney will format and the Mayor will contact the State Delegate for sponsorship. At that point it will come back to Council for a vote of approval and adoption.



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- H. R. Committee, *W. Nunnally & B. Schaschek*

In 2023, comments were made, both positive and negative, concerning Town Council. A review of citizen comments will be tracked in 2024. C. Bradley questioned the status of a Code of Conduct for Town Council which began in 2023 and the Mayor responded that this was being revisited in 2024. A Leesburg, VA document is serving as a pattern, however the Irvington version will need to have “teeth” in it.

- Facilities Committee, *P. Robinson & C. Bradley*

2023; Town office options include renting, buying an existing property, or pursuing the MOA in a preliminary manner with the Steamboat Era Museum/Town Office to share space. In 2024 during the 1st quarter, the MOA is being prepared for the Mayor’s signature.

Sidewalks annual survey was completed and is at VDOT showing problems on Steamboat Road. Some issues are the responsibility of VDOT and some are the Town’s responsibility. In 2023, VDOT replaced a damaged sidewalk in front of the Office Bistro. There is a large financial cost involved with sidewalks, partly because they must be moved 6 feet further from the street, so this project is on hold.

In 2023 town storage was obtained at Extra Space Storage facility in White Stone

- Community & Special Events Committee, *J. Penniman & D. Patteson*

July 4, 2024, the parade will be held on the actual Fourth of July. Plans for Illuminate Irvington and other Christmas activities are already under consideration. A Christmas candlelight tour may be included in 2024. If Town Council decides not to be involved on Christmas Eve, it needs to be made clear that the event will not be supported and someone else needs to step in.

Motion made by J. Penniman that Town Council support Christmas Eve and a Town Council member be designated or assigned to conduct the event.

Seconded by B. Schaschek.

Motion carries unanimously.

- Commons Revitalization Committee, *J. Penniman & W. Nunnally*

Amenities bring vibrance to a small town. During 2023, additional playground equipment was added and painted, and the tennis courts were rebuilt, plus pickleball courts were added. In 2024, landscaping will be improved.

Waterfront Committee, *D. Patteson & J. Penniman*

Town Council asked for a waterfront vision statement and that was done and completed.

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

Accessory Dwelling Units were described by the Chairman as small buildings of 600 to 800 square feet on existing R-1 and R-2 properties, commonly called “granny flats.” There is a lot of controversy about this type of dwelling throughout the country and if our zoning ordinances are



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changed to adopt it, that it would be a radical change. With varying opinions, discussions continue regarding how appropriate the ADUs actually are for the Town.

A Public Hearing will be held in February about the Comprehensive Plan to report to residents with a follow-up Joint Planning Commission and Town Council Workshop to determine changes and refinements to the document.

L. OLD BUSINESS

- Review of Steamboat Era Museum MOA – *P. Robinson*

It is in general agreement some minor changes are needed. If the museum decides to sell, would the town get first refusal and would town get credit for money spent to increase the value of the museum? The buyer would have to agree to the lease.

Motion made by P. Robinson that after finalization and approval by the Town Attorney and Facilities Committee, we authorize the Mayor to sign the MOA when it is available.

Seconded by C. Bradley.

Motion carries 5-1.

- Charter discussion

Few comments were received regarding changes. There is no enforcement mechanism presently. Must be very accurate as to what language is going in and coming out.

Motion made by P. Robinson to remove the general language of the Charter concerning removing that the Clerk be responsible for receiving fees for CUPs, and removing the language limiting the amount of expenditures.

Seconded by C. Bradley.

Motion carries unanimously.

- Broadband Telecom Update

More time has been asked to get this completed by February for the current company and Mayor Harris wants to explore other options and gather different options from other companies.

Motion made by C. Bradley that we terminate services with the current company immediately and request that current equipment be taken down from buildings in Irvington.

Seconded by W. Nunnally.

Motion carries unanimously.

- Town Administrator position

Town Attorney to review the resolution in place currently as well as what D. Patteson submitted.



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B. Schaschek made a motion to take the town Resolution that we currently have and keep it in place.

Seconded by W. Nunnally.

Motion carries unanimously.

M. NEW BUSINESS

Meals tax will be reviewed by Budget and Finance Committee as to whether to continue.

N. CLOSED SESSION pursuant to State Code §2.2-3711(A)(3) for discussion or consideration of the acquisition of real property for waterfront – disclosure would adversely affect bargaining position.

W. Nunnally opposed going into closed session as he doesn't think it is proper.

O. RETURN TO OPEN SESSION, certification for return to open session.

J. Harris, so certify.

P. Robinson, so certify.

C. Bradley, so certify.

J. Penniman, so certify.

D. Patteson, so certify.

B. Schaschek, so certify.

W. Nunnally, so certify.

Motion made by C. Bradley for the Waterfront Committee to gather data to help them develop estimates related to purchasing waterfront property in the Town of Irvington, without spending any town dollars to collect information.

Seconded by P. Robinson.

Motion carries unanimously.

P. ANNOUNCEMENTS

- Office closed for Martin Luther King, Jr.'s Day, January 15, 2024.
- FOIA training for all Town Council and Planning Commission members, 5:30 p.m., Thursday, February 8, 2024, prior to regular Town Council meeting
- Next Town Council Meeting, February 8, 2024: 6:30 p.m. at Irvington Baptist Church.

Q. ADJOURN

Motion made by P. Robinson to adjourn.

Seconded by W. Nunnally.

Motion carries unanimously.