



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, SEPTEMBER 14; 6:30 p.m.**

AGENDA –

A. CALL TO ORDER

B. ROLL CALL

Motion made by J. Penniman to allow G. del Rio to participate.

Mr. Nunnally brought up the point that the Charter states to be a council member you must be a resident and Mr. del Rio has sold his home. Mr. McRoberts stated the statute requires domicile and intention to remain. This is the question. Mr. del Rio stated he was unsure at this time whether he would be staying in Irvington. Mr. McRoberts stated at this point to allow him to participate in the meeting until further investigation. Mr. del Rio has had discussions with folks about his replacement.

Mr. Nunnally due to a doctor's recommendation would like to participate by phone.

Motion made by D. Patteson to follow the advice of counsel and allow Mr. del Rio to participate (by phone) in this meeting tonight and then do further investigation regarding domicile and residency.

Seconded by J. Penniman.

Motion carries unanimously.

Motion made by J. Penniman for Mr. Nunnally to participate by phone due to doctor's recommendation.

Seconded by D. Patteson.

Motion carries unanimously.

P. Robinson, present.

D. Patteson, present.

J. Penniman, present.

J. Brown, absent.

J. Harris, present.

G. del Rio, present via phone.

W. Nunnally, present via phone.

C. APPROVE AGENDA

Motion made by W. Nunnally to approve the agenda.

Seconded by D. Patteson.

Motion carries unanimously.

D. APPROVE MINUTES

- August 10, 2023, Town Council Regular Called Meeting

Motion made by J. Penniman to approve 08/10/2023 Town Council RCM minutes.



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**Seconded by D. Patteson.
Motion carries unanimously.**

E. FINANCIAL REPORT

- Treasurer's Report – Balance sheets as of August 31, 2023.

Comments concerning deputies' salary was discussed and where it is entered on the budget. Deputies are a great idea but must stay within a budget.

**Motion made by W. Nunnally to accept the balance sheets as of 08/31/2023.
Seconded by P. Robinson with notation that the treasurer be instructed to add deputies under safety line, not salary line.
Motion carries with noted comments.**

F. PUBLIC COMMENT –

- Comments from citizens on any topic.

S. Van Saun: Just as Mr. Bugg was allowed to stay and finish G. del Rio should be allowed to tie up loose ends and finish up the good work he has done. Sign for Steamboat Road is supported. All businesses should be supported. It was brought to everyone's attention Mr. Bugg had a rental house after selling his residency.

D. Cheek: Dismayed about purchase of deputy car, however it has been effective in slowing down drivers. The town should be receiving the money from tickets written.

C. Bradley: Crab Festival Saturday, \$6,000 worth of raffle prizes.

R. Camillo: Traffic situation is greatly improved but is concerned that the money is coming back into Irvington.

J. Pagano: I am not a US citizen and am not allowed to vote. Mr. del Rio should suspend himself until he knows his intentions. Spoke on the corkscrews, one is missing.

J. Trollip: 25 rooms will be closing beginning November 25th, it will be a 45-room hotel for about 5 months. Will also be closed Tuesday/Wednesday from the 27th of November. The main dining room will be closed at the beginning of November. Everything will reopen on April 1st. Fish Hawk will remain open during the winter.

L. Caron: 516 Irvington Road. Is happy with the deputies presence. May be helpful to be present on Old Man Cove. Speed bumps may be helpful.

G. REPORT FROM THE MAYOR, J. Harris

Issues with sprinkler system on the triangle. Golf carts and cars have been parked there and this may be causing broken sprinkler pipes. Planning Commission vacancy that will be advertised and filled by next month. Longtime resident Doug Monroe has recently



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passed. There is a request from his son-in-law to use the Commons for parking for the service (to be discussed during facilities portion of the meeting).

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

No report.

Mr. Nunnally mentioned concern over the use of the word “client” on invoices.

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

One new permit – Art Studio. Several sites were visited. 33 STRs at this moment. Pricing for new sidewalks will be presented at the next meeting. The Town has no authority over AQUA.

J. COMMITTEE REPORTS

- Budget & Finance Report, *G. del Rio & J. Brown*
Comments regarding recategorizing the deputies. Occupancy tax collected is low as well as legal spending is high. There’s a need for a Town Manager as recommended by the audit and a new budget would be needed. A new line item for Meals Tax will be added in revenue beginning Oct. 20, 2023.
- Charter, Codes & Ordinances Committee, *J. Brown & P. Robinson*
Reschedule meeting for October.
Possible grass cutting ordinance. Suggested changes to nuisance ordinance given. If it is considered a nuisance, it can be regulated. Should there be a higher penalty. Council can define the fines. An option is Town mowing the lawn and then put a lien on the property. Suggestions were discussed.
- H. R. Committee, *D. Pattenon & W. Nunnally*
Rules of procedure will be discussed next month.
Would like to add an administrator (part-time) to the town staff. A position description will be posted and advertised.

Motion made by D. Pattenon to start the search for a part-time town administrator.

W. Nunnally: Stated that 50% of HR Committee does not agree. Should give extra hours to the current staff. Another layer of bureaucracy is not needed. Mayor needs to be the mayor. No more expense to the town is needed. We need to be conservative. A town manager would violate the Charter.

O’Hagan Meyer report suggested a town manager, but the Charter would have to be revised. Also suggested to give authority to the mayor.



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Motion made by D. Patteson to start the search for a part-time town administrator.

Seconded by

Mr. Nunnally protests this idea.

Motion made by W. Nunnally to investigate the possibilities of giving our current staff more hours to accommodate our needs before considering a town manager.

Seconded by J. Penniman.

Judith Penniman, no.

Dudley Patteson, no.

P. Robinson, no.

G. del Rio, no.

W. Nunnally, yes.

Motion does not carry 4-1.

Amended motion made by D. Patteson to begin the process of investigating the possibility of considering a part-time town administrator. In this process we will give full attention to our present staff to see if additional hours can accomplish the goals that we have for the town.

Seconded by J. Penniman.

Judith Penniman, yes.

Dudley Patteson, yes.

Phil Robinson, yes.

Gabe del Rio, yes.

Wayne Nunnally, yes.

Motion carries unanimously.

- Facilities Committee, *J. Brown & P. Robinson*

Grass was discussed. WIFI is down. Recommendation to not pay the bill. Storage unit is in place (White Stone) and things have been moved in. Racks need to be built. Some decorations are not in good shape. Sidewalk is being laid out. Sewer committee meeting was held this week, public meeting to be held on 09/28/2023. Funeral for Doug Monroe discussed, and parking space is requested from family. Council says parking on North Commons only. Mr. Nunnally stated that it should not just be limited to the North Commons. Park at North Commons first, then the Commons, if necessary.



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- Community & Special Events Committee, *J. Penniman & D. Patteson*
The corkscrews have been removed.
- Commons Committee, *J. Penniman & W. Nunnally*
 - Tennis Court Proposal presented. Ben Rennolds Company was recommended. \$146,000. The timetable for payment is on the contract. Will take 5-6 weeks.

Motion made by J. Penniman that the town accept Ben Rennolds proposal and we move forward with this project.

Seconded by W. Nunnally.

Motion carries unanimously.

- Waterfront Committee, *D. Patteson & J. Penniman*
A meeting was held and a second meeting will be held soon.
- Unfinished Business Report – *J. Brown*
Committee intends to meet at 6:00 before the October 12th Town Council meeting.
- Planning Commission Update, *T. Chapman – Chair*
Resignation of the secretary (Dawn Fowle) mentioned and needs to be reappointed. Bristol and Ralls STR/CUP more info needed. Hold on additional STR's as these two would make 35. Town meeting will be held late October/November to look at the Comprehensive Plan Update.

K. OLD BUSINESS

- Deputy hours.
This is a new program initiated after a year of negotiations with the County and the Town and Attorney to curb speeding in the Town. For many years, residents have expressed concerns about the traffic issue. The Mayor stated that funding for this program was underestimated. Now that the Town has statistics for 3 months of this fiscal year, the budget should be allocated according to the number of hours that the off-duty deputies work each month, not a lump sum for the year. Residents and businesses have expressed appreciation for instituting deputies. The Mayor stated that if the Town uses a software vendor such as CentralSquare, the Town can receive an ORI number which would allow the Town to receive monies from ticket fines.

Motion made by W. Nunnally to authorize the mayor to contract Central Square to establish us to be in a position to receive the fines so that an ORI number can be granted and is authorized to spend up to \$10,000 to secure the contract.



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Motion (amended) made by W. Nunnally to authorize the mayor to contact Central Square to give us a written proposal on what they will provide.

Seconded by D. Patteson.

Motion carries unanimously.

- Storage of Christmas decorations.
They have been moved and shelving is needed.
- Social Media Update – *D. Patteson*
- Whitney Law: Social media posts have been done over the last month. A few spotlights will be done. Moving toward giving Irvington an identity/persona.
- Conditional Use Permit application; Bristol.2023 to operate a Short-Term Rental at 52 York Road, Irvington, VA 22480
- Conditional Use Permit application: Ralls.2023 to operate a Short-Term Rental at 294 Chesapeake Drive, Irvington, VA 22480
- Short Term Rental Committee update – *P. Robinson*
Final recommendations have been submitted and posted.

Motion made by P. Robinson to accept the recommendations.

Seconded by W. Nunnally.

Motion carries unanimously.

L. NEW BUSINESS

- Elbourn resignation. Requesting new bids for flags/Christmas.
- Proposed Steamboat Road business sign – *J. Nelson*
Sign is very tastefully done and should include all businesses and galleries and will create a cohesiveness to the town. Directional signs are needed. Should there be a town-wide design or standard. Strategic planning should be for each sign. Consistency should be maintained and should be by the town.

Motion made by J. Penniman to approve this sign with these designs and look into the town picking up the cost for the uniform frame and businesses will contribute (pay for) their own individual shingles.

Seconded by D. Patteson.

Motion carries unanimously.

M. ANNOUNCEMENTS

- Public Information Meeting for Citizens & Stakeholders, regarding the potential Sewer Project, Thursday, September 28, 2023, 6:00 p.m. at Irvington Baptist Church
- Columbus Day, office closed, Monday, October 9, 2023



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- Next Town Council Meeting, October 12, 2023: 6:30 p.m. at Irvington Baptist Church

N. **CLOSED SESSION** pursuant to 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.

O. **RETURN TO OPEN SESSION**

Certified by:

P. Robinson

J. Brown

J. Penniman

W. Nunnally

G. del Rio

D. Patteson

P. **ADJOURN**

DRAFT