



**TOWN OF IRVINGTON, VIRGINIA  
TOWN COUNCIL REGULAR MONTHLY MEETING MINUTES  
IRVINGTON BAPTIST CHURCH  
THURSDAY, July 10, 2025; 6:30 p.m.**

**AGENDA –**

**A. CALL TO ORDER – 6:30**

**B. ROLL CALL**

F. Johnson, present  
W. Nunnally, present  
P. Robinson, present  
M.C. Bradley, present  
S. Van Saun, present  
F. Westbrook, present  
J. Harris, present

**C. APPROVE AGENDA**

**Motion made by M.C. Bradley to approve the agenda.  
Seconded by F. Westbrook.  
Motion carried unanimously.**

**D. APPROVE MINUTES**

June 12, 2025 Town Council Regular Called Meeting

**Motion made by S. Van Saun to approve the minutes of the June 12, 2025 Town Council Regular Called Meeting.  
Seconded by M.C. Bradley.  
Motion carried unanimously.**

**E. FINANCIAL REPORT**

- Treasurer's Report was accepted.

**F. PUBLIC HEARING**

- Roll Call for Planning Commission  
Members Present: R. Fuller, A. Whitaker, S. Strait, J. Taylor, and D. Clarke  
Absent: T. Chapman and M. Smith



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**Joint Public Hearing**

Conditional Use Permit application #2025.Sommardahl (79 Cedardale Lane) - 1<sup>st</sup> Reading

- Mr. Nelson stated that the Conditional Use Permit (CUP) pertains to redevelopment within the Resource Protection Area (RPA).
- Ms. Bradley inquired about the square footage of impervious surface being either added or removed as part of the project.
- Mr. Nelson responded that this information was included in the drawing provided in the meeting packet.
- Ms. Bradley requested that the square footage detail also be included directly in the CUP application, if feasible, noting that it was difficult to read on the drawing.
- For helpful context, Mr. Robinson also noted that the town's website includes features that allow users to enlarge documents for better readability.

Conditional Use Permit application #2025.Kerner (128 Steamboat Rd) - 1<sup>st</sup> Reading

- Mr. Nelson stated that the Conditional Use Permit (CUP) application pertains to the operation of a short-term rental.
- Ms. Bradley noted that the owner's listed address is in Williamsburg and inquired whether the Town Administrator had confirmed that the designated representative would be within the required sixty-minute response time.
- Mr. Nelson confirmed that the owners indicated they can reach Irvington within sixty minutes.
- N. Von Merveldt (Steamboat Road): Ms. Von Merveldt commented that the property had previously been operated as a short-term rental and, due to her previous experience as a neighbor, requested that management be locally based under the new CUP. She also asked that consideration be given to the property's location within a residential area and inquired about which regulations would apply.
- B. Pettey (Steamboat Road): Ms. Pettey joined Ms. Von Merveldt in asking which regulations govern short-term rentals.
- Ms. Westbrook directed both residents to the Town's ordinances, which are available on the town website.
- Mr. Nelson added that he could also be available to meet with the residents to discuss applicable ordinances on weekdays between 9:00 a.m. and 1:00 p.m.



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- Mayor Harris requested that Mr. Nelson confirm whether the Williamsburg address provided by the applicant meets the sixty-minute travel requirement.
- Mr. Nunnally joined the Mayor in recommending that the owner establish a contingency plan with a local contact, in case circumstances prevented them from reaching Irvington within the required timeframe.
- Mr. Nelson said he would follow up.
- Ms. Van Saun expressed appreciation for the residents' feedback and thanked them for taking the time to participate in the process.

**G. PUBLIC COMMENT**

- H. Sheehan (Railway Rd): Ms. Sheehan, speaking on behalf of the Village Improvement Association (VIA), thanked the Town for its support and participation in the VIA's Fourth of July activities. She also expressed appreciation for the Town's agreement to assume financial responsibility for the permanent porta-potties located on the Town Commons, which allows the VIA to allocate resources toward additional temporary units for their events. In reference to the Capital Budget, Ms. Sheehan encouraged the Town to consider a more permanent restroom solution for the Town Commons. Speaking as a resident, she also requested that the Town explore the possibility of installing additional sidewalks in West Irvington, specifically between the Tides Inn and the Aqua property.
- Mr. Johnson commended the VIA for the success of its events and requested that the VIA and the Town collaborate on improving traffic flow from the North Commons, to help reduce congestion as vehicles exit the parking area during future events.
- M. Schmid (The Lane): Mr. Schmid reported that the internet service in Irvington experienced a significant outage over the July 4th weekend, which resulted in revenue loss for local businesses. This and other recent incidents were discussed by the recently formed Planning Commission Subcommittee on Broadband and Wi-Fi. Mr. Schmid noted that the incidents have led to increased community frustration with Breezeline. In response, the subcommittee has deployed monitoring devices throughout the Town to record when internet outages occur. The goal is to collect objective data demonstrating that the connectivity issues are not limited to individual homes or modems, but represent widespread service outages across the Town. This data will help residents document and report systemic issues to Breezeline more effectively. If residents would like to participate in this effort to gather data, the device only costs about \$150, and the subcommittee can install in homes. The subcommittee is also exploring alternative broadband solutions and plans to publish related information on the Town's website to assist residents in evaluating other service options.



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- Mr. Nunnally remarked that this year's Fourth of July celebration was the best he has experienced in Irvington. He praised the event as well-organized and enjoyable, noting that everyone seemed happy. He also commended the VIA for consistently doing a wonderful job and expressed appreciation for their efforts.

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

- The Mayor, speaking on behalf of the Council, extended her thanks to Luanne Davis and all the volunteers who contributed to making the Hometown Fourth of July Parade a success. A round of applause was given in appreciation of their efforts.
- Presentation by John Guzak – Excessive Vacancy and Blighted Property Tax Initiative
  - Mr. Guzak, a resident of Kilmarnock, presented a proposal to address excessive vacancies and blighted properties through a state-authorized tax initiative.
  - His objective was to gain support from localities for a bill he plans to present to the Virginia General Assembly in 2026.
  - He described the negative impact of vacant and blighted properties, including reduced tax revenues, hindered commercial growth, limited housing opportunities, strain on code enforcement, and diminished community aesthetics.
  - He outlined a proposed process for the tax initiative:
    1. The locality would notify the property owner of the issue and potential tax.
    2. A lack of response or inadequate action would lead to a court petition.
    3. If upheld by the court, a tax (approximately 3% of assessed value) would be levied until the issue is resolved. The tax would be intended primarily as a motivational tool, not a punitive measure.
  - Mr. Guzak reported that recent state legislation (effective July 1, 2025) has allowed localities to acquire certain blighted properties via court-appointed commissioners.
  - He also shared that Delegate Kent advised him to seek support from area municipalities. To that end, he requested informal feedback from Council.
  - Ms. Westbrook noted that she was not prepared to comment, but it was agreed the matter could be added to a future meeting agenda for further discussion and thought.
  - Mr. Robinson also noted that it would be difficult to determine a definition of "blight."



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**I. REPORT FROM TOWN ATTORNEY, *K. Kemp***

- Ms. Kemp noted that there were several new laws effective July 1, 2025 that had implications for local governments and towns. She stated her plan to distribute a *Legislative Update* after the meeting which would summarize the new laws for Council. (*Note: Ms. Kemp's update has since been added as an addendum to the materials published on the Town website for the July 10, 2025 TC Meeting*).

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

- Mr. Nelson reported that tree planting has begun on the Town Commons as part of the Town's grant partnership with Friends of the Rappahannock.
- He announced that a follow-up meeting has been scheduled regarding the Town's partnership with the Alliance for the Chesapeake Bay to research stormwater management issues.
- He noted that the Town Office relocation is scheduled for August.
- Mr. Nelson also reported meeting with VDOT to review sidewalk conditions. He stated that many driveway cut-ins do not meet Americans with Disabilities Act (ADA) standards. VDOT has indicated they may have funds available to address deficiencies on sidewalks maintained by the Town. Additionally, he noted that the Transportation Alternatives Program, which could support sidewalk improvements in areas such as West Irvington, is approximately two years away from a new grant cycle.

**K. REPORT FROM PLANNING COMMISSION, *T. Chapman***

- Ms. Fuller reported that the Planning Commission unanimously approved a motion to adopt its annual Remote Participation Policy.
- She noted that at the Commission's previous meeting, Marston Smith provided an update on the early work of the Traffic Calming and Public Safety Subcommittee, including a significant meeting with VDOT scheduled for July 3rd. A progress report from the subcommittee was included in the Town Council's meeting packet.
- Also at the prior meeting, Tom Chapman reported on the first meeting of the Broadband and Cell Service Subcommittee. Michael Schmid is leading the broadband efforts, and Phil Robinson is leading the cell service efforts.

**L. OLD BUSINESS**

- Recap of July 4<sup>th</sup> Parade, *S. Van Saun*
  - Ms. Van Saun provided a recap of the 2025 Hometown July 4th Parade, noting its overall success and smooth execution.



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- She reported that, as of one week prior to the event, 66 participants had registered, with the final number closer to 80-85 entries. There was strong representation across all parade categories, and favorable weather contributed to the event's success.
  - She noted that having a parade coordinator was extremely helpful for managing logistics and supporting volunteers. A final report, including budget details, is being compiled by the coordinator. Although the position was originally estimated at 40 hours, the actual time commitment exceeded that.
- Discussion of Capital Projects for FY25-26, *P. Robinson*
  - Mr. Robinson opened the discussion by noting that not all projects need to be completed within a single fiscal year. Some may require setting aside funds for future, larger investments. The goal of the current discussion was to identify and eliminate lower-priority items from the list.
  - Mayor Harris referenced the previous prioritization exercise that was done in February and wondered if that work would be incorporated into the continued conversation.
  - The Council agreed to revisit their previous capital project prioritization and, considering any updates or changes, each compile a list of six top priorities. Ideally, each list will include three near-term projects (generally under \$50,000) and three longer-term strategic investments. The discussion would continue at the August meeting.
- Discussion of Christmas Decorations, *F. Westbrook*
  - Ms. Westbrook reported that the Capital Budget includes \$50,000 allocated for holiday decorations.
  - Most Council members reviewed the sample wreath provided by Mosca Designs and felt it appeared too large. However, Ms. Westbrook shared feedback from Nina Scherotter, Mosca's sales representative, who believes the size is proportionally appropriate. Though significantly wider, the sample wreath is approximately the same height as the lanterns the town has previously used.
  - The next available size down is one with a 4 foot diameter, which is lighter and more manageable compared to the 5-foot wreath, which weighs approximately 130 lbs and would require a bucket truck and additional staff to install.
  - Installation of new decorations would also require updated strapping and mounting plates for the poles.
  - Ms. Westbrook recommended that the Town use its existing lantern decorations for one more season, noting that ordering new decorations in





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January would qualify the Town for a discount. She requested that the Council revisit the matter in September.

- In the meantime, Mr. Nelson proposed that he move forward with plans to hire local high school students to help rewire the existing lantern decorations with lights and lightly refurbish them for use for another year.
- Ms. Bradley expressed concern about whether or not the cost of refurbishing the lanterns would fit into the current budget.
- Ms. Westbrook and Mr. Johnson agreed to inspect the existing decorations to propose a realistic refurbishment budget.

**M. NEW BUSINESS**

- Motions or recommendations by Town Council Members
  - A motion was introduced, amended, and withdrawn regarding a proposal to provide financial support to a local softball team that was fundraising to attend a regional championship. The topic was introduced by the Mayor, and the original motion was made by Mr. Johnson.
  - While the Council expressed general support for the initiative, Ms. Bradley noted that such a contribution would represent an unplanned expense not currently included in the FY25–26 budget.
  - After further discussion, the Council agreed that supporting the team was important, even if unplanned, and decided it would revisit and amend the FY25–26 budget in the fall to allow for modest changes to charitable donations (and other pertinent line items).
  - A revised motion was then reintroduced and brought to a vote.

**Motion made by M.C. Bradley for the Town to make a \$1,000 donation to the Youth Club of Lancaster County in honor of the Senior Softball Team's participation in the Southeast Regional Championship.**

**Seconded by W. Nunnally.**

**Motion carried unanimously.**

**Motion made by F. Westbrook to appropriate the funds, from the charitable donations line item of the budget, to support the \$1,000 donation to the Youth Club of Lancaster County.**

**Seconded by M.C. Bradley.**

**Motion carried unanimously.**



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**Motion made by S. Van Saun to appropriate the \$600 in the current budget, from the July 4<sup>th</sup> line item, for paying the remaining fee due to the Parade Coordinator.**

**Seconded by W. Nunnally.**

**Motion carried unanimously.**

- Draft of updated Town Commons Usage Policy, *M.C. Bradley*
  - Ms. Bradley noted that, at the request of the Town Clerk, she had reviewed and updated the Town Commons Rules of Use, originally adopted in 2008, to better reflect current practices. Serving as the Council's representative for the Town Commons, she submitted an updated draft of the rules for review and indicated her plan to present it for a vote at the August meeting.
  - Following discussion, a request was made to reinsert language requiring dogs to remain on leashes during events held at the Town Commons.
  - Ms. Westbrook added that, separate from the Commons rules, she would like the Town to revisit the possibility of adopting a town-wide leash law. She recalled that such a law previously existed but was removed at some point in the town's history. She requested that the topic be placed on the agenda for a future meeting.
- Certificates of Deposit Maturities and Motions for Renewals, *M.C. Bradley*
  - After a brief discussion of town CDs that were set to mature, Ms. Bradley made a series of motions related to the Budget and Finance committee's recommendations.

**Motion made by M.C. Bradley that during the course of renewing CDs in July 2025, the previously co-mingled Lockey Funds used to support donations to the Lancaster Community Library, be unmingled. This means a dedicated CD for the Lockey Funds in the amount of \$17,000 (rounding up from the 16,472.40 which results from deducting 2022/23, 2023/24, and 2024/25 donations from the \$26,472.60 mingled in June 2023).**

**Seconded by S. Van Saun.**

**Motion carried unanimously.**





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**Motion made by M.C. Bradley that during the course of renewing CDs in July 2025, the previously co-mingled Bike Trail CD be unmingled. This means a dedicated CD for the Bike Trail in the amount of \$6,000 (5873.54 in July 2023 rounded up) should be established.**

**Seconded by W. Nunnally.**

**Motion carried unanimously.**

**Motion made by M.C. Bradley that the Budget and Finance Committee be tasked with making decisions regarding the renewal of CDs at Chesapeake Bank and Atlantic Union Bank, which are up for renewal in July 2025. At least one CD would be of the shortest period of time to provide access to funds if necessary.**

**Seconded by F. Johnson.**

**Motion carried unanimously.**

- Continuing her update, Ms. Bradley reported that the Budget and Finance Committee would be meeting the following day and would document their discussions and decisions in summary minutes to be posted on the Town website.
- She noted that representatives from Chesapeake Bank would attend the meeting to discuss how the Town might better utilize the bank's services.
- The Committee plans to publish a final FY2025–26 budget on the website in July. As outlined in the June motion adopting the budget, the Committee will make any necessary adjustments to the Capital Budget to ensure the Town does not operate in deficit for capital expenses this fiscal year.
- Guidance on Committee Meetings
  - Ms. Bradley inquired whether members of the Town Council who do not serve on a specific committee are permitted to attend that committee's closed sessions.
  - Ms. Kemp advised that a committee may determine who is allowed to participate in its closed session discussions.
  - *Note: after the meeting, the Town Clerk conducted additional research into the relevant provisions of the Virginia Freedom of Information Act and shared his interpretation with Ms. Bradley that, while a committee may limit who participates in its closed session discussions, members of the parent body (i.e., the Town Council) are legally entitled to attend closed sessions of subordinate committees in an observational capacity, even if they are not members of that committee. See § 2.2-3712 (G).*



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**N. ANNOUNCEMENTS**

- Next Town Council Regular Called Meeting will be August 14, 2025; 6:30 p.m. at Irvington Baptist Church.

**O. CLOSED SESSION** pursuant to State Code §2.2-3711(A)(1) for discussion related to town personnel.

**A resolution to go into closed session, pursuant to State Code §2.2-3711(A)(1), was presented by Mayor Harris.  
Resolution passed by unanimous vote.**

**P. RETURN TO OPEN SESSION** – The Council certified that to each members' knowledge that only public business matters lawfully exempted by Virginia Law were discussed in closed session and only such public business matters that were identified in the motion convening the closed session were heard and discussed by the board. There were no members that believed there was a departure from the requirements cited to go into closed session. The vote to certify was as follows:

I, Frederick Johnson, so certify.  
I, Wayne Nunnally, so certify.  
I, Phil Robinson, so certify.  
I, Mary Cary Bradley, so certify.  
I, Samantha Van Saun, so certify.  
I, Frances Westbrook, so certify.  
I, Julie Harris, so certify

**Q. ADJOURN** – call to adjourn was made at approximately at 8:30 p.m.

**Motion made by W. Nunnally to adjourn.  
Seconded by P. Robinson.  
Motion carried unanimously.**