



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

AGENDA –

A. CALL TO ORDER

B. ROLL CALL

Phil Robinson, present.
Dudley Patteson, present.
Judy Penniman, present.
Wayne Nunnally, present.
Bonnie Schaschek, present.
Cay Bradley, present.
Julie Harris, present.

C. APPROVE AGENDA – (Amended at the table)

C. Bradley asked how the agenda is developed and recommended the committee report section not include an action by Town Council such as a motion. Items requiring actions could be included as Old or New Business.

Motion made by C. Bradley to amend the agenda to add the charter as old business item.

Seconded by P. Robinson.

Motion carries unanimously.

W. Nunnally objects to going to closed session concerning acquisition of property.

Motion made by W. Nunnally to deny going to closed session concerning the acquisition of real estate.

Seconded by J. Penniman.

Roll Call Vote

J. Penniman, no.
D. Patteson, no.
P. Robinson, no.
C. Bradley, abstain.
W. Nunnally, yes.
B. Schaschek, no.

Motion does not carry 1-4-1.



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

**Motion made by P. Robinson to approve the amended Agenda.
Seconded J. Penniman.
Motion carries unanimously.**

D. APPROVE MINUTES

- November 9, 2023, Town Council Regular Called Meeting - Amended

**Motion made by C. Bradley to amend the minutes to reflect her comments.
Seconded by W. Nunnally.
Motion carries unanimously.**

E. FINANCIAL REPORT

- Treasurer's Report – Accepted.

F. PUBLIC COMMENT –

- Update on County Parks Development presentation- *Bruce Julian & Bill Smith*

Discussed all projects that are in the works in the area such as boat ramps, water access, restroom, etc.

- Comments from citizens on any topic – none received.

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

Mayor asked for committee reports for the January meeting as to what each committee was requested by Council to accomplish in 2023 unless a different timeline completion date was requested, report what was done and give the timeline to complete the expected duties. Each chairperson, please define your responsibilities as you understand them while doing the work of the Town.

**H. REPORT FROM TOWN ATTORNEY – *A. McRoberts*
Merry Christmas!**

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

Two zoning permits, new dock, and new house.

Year-end recap: 28 permits, 5 new homes, 3 redevelopments in the RPA using CUP's, one new construction that encroached in the RPA, 6 new/rebuild of docks and one meeting of Board of Zoning Appeals.



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

J. COMMITTEE REPORTS

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

Meeting was held earlier in the month to start the reclassification of some expenses. List will be included in the January packet. Next meeting Jan. 8, 2024, 12:00.

Motion made by B. Schaschek to appropriate funds for the sidewalks (repair/maintenance), \$75,000.

Seconded by P. Robinson.

Motion carries unanimously.

- Charter, Code & Ordinances Committee, *P. Robinson & B. Schaschek*
A Public Hearing will be held during the January 11, 2024, Town Council meeting.

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

W. Nunnally: Town administrator topic was reviewed. HR committee raised the possibility of changing Justin's title from Zoning Administrator and expanding his duties to fulfill what is outlined in the resolution. After discussion, Council opted not to take any action at this time.

D. Pattenon: The objective of bringing in a town administrator was to bring in someone that is experienced in managing a municipality. This person should also have experience in grants and subsidies. The resolution is dated and does not support what town council needs as far as a town administrator. The process can begin to find a candidate.

A meeting of HR Committee will be held in January to compose a job description for a town administrator.

C. Bradley: Had a question about a code of conduct which the Rules and Procedures Committee was addressing. The Mayor said three plans had been looked at, but the matter was tabled and will be revisited in 2024.

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

The engineer indicated changes to the plan for new sidewalks to Vineyard Grove are needed to accommodate people with mobility issues, particularly going across the Florist gravel parking lot.

Sewer committee will meet on Monday with Bowman to look at the report draft/numbers, etc.



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

C. Bradley: Asking to respect committees. It was brought up that Town Council members not on Budget & Finance approached Museum boat and staff regarding the town purchasing the museum. This conversation was stopped and revisited under Old Business.

- Community & Special Events Committee, *J. Penniman & D. Patteson*
Winners of decorations contest were announced.

Thankful to Steve Kimmeth for all his hard work that he does for the town, he should be voted "volunteer of the year". Tennis courts/pickle ball courts are open.

- Commons Revitalization Committee, *J. Penniman & W. Nunnally*
Meeting with Drew Harrigan/Four Winds on Wednesday, Jan. 10, 2024, at the town office to discuss landscaping for the Commons. Time to be determined.

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

Committee met in closed session and will meet with council tonight with a recommendation.

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

Meeting canceled due to lack of attendees. No pressing issues.

K. OLD BUSINESS

- Transient Occupancy Tax Return forms to review.

The goal is create a form that can be completed and paid online. The state provided form is a fillable PDF that must be downloaded and submitted to the appropriate locality. The Town Attorney provided a copy of the state form with unnecessary sections identified.

Motion made by W. Nunnally to accept Attorney McRoberts version of the transient occupancy Tax Return form.

Seconded by P. Robinson.

Motion carries unanimously.

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

C. Bradley restarted her concerns about Town Council members approaching the Museum regarding selling the Museum to the Town. The Museum has made it clear they are not interested in that approach. Additionally, it would cost the Town more money. She requests that all Council members respect the work of the committees and our partners. It is disrespectful to continue to approach people associated with the Museum when their position is clear.



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

W. Nunnally acknowledged he has approached people associated with the Museum regarding selling the Museum to the Town, resulting in a large increase to the Museum's endowment. He thinks this approach would be a good working relationship with the museum. He intended no disrespect.

D. Patteson: The Town needs to move forward and not backtrack.

P. Robinson: May have an architect's proposal in January. Any further comments, he asks that it be an Agenda item for January.

- Questions and Answers about FOIA & Committees. The Mayor announced that FOIA training will be held for all Town Council and Planning Commission members on Thursday, February 8 at 5:30 p.m. prior to the regular Town Council meeting at 6:30 p.m.
- Committee Reports: The Mayor asked for committee reports for the January meeting as to what each committee was requested by Council to accomplish in 2023 unless a different timeline completion date was requested, report what was done and give the timeline to complete the expected duties. Each chairperson please define your responsibilities as you understand them while doing the work of the Town
- Discuss Charter (amendment at the table).
Public Hearing will be held in January. Asking to have February voting (version 2E).

L. NEW BUSINESS

- There was no new business.

M. **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. For Personnel, pursuant to State Code §2.2-3711(A)(1) to discuss Staff Christmas bonus.

N. RETURN TO OPEN SESSION

- J. Penniman, I so certify.
- D. Patteson, I so certify.
- C. Bradley, I so certify.
- W. Nunnally, I so certify.
- B. Schaschek, I so certify.
- P. Robinson, I so certify.
- J. Harris, I so certify.



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

**Motion made by W. Nunnally to grant holiday bonus of \$650.00
Seconded by D. Patteson.
Motion carries. 5 – 0 - 1.**

B. Schaschek, yes.
W. Nunnally, yes.
D. Patteson, yes.
P. Robinson, yes.
C. Bradley, yes.
J. Penniman, abstain.

**Motion made by D. Patteson to authorize appraiser for no more than \$5,000.
Seconded by B. Schaschek.
Motion does not carry 3-0-3.**

B. Schaschek, abstain.
W. Nunnally, abstain.
C. Bradley, abstain.
D. Patteson, yes.
P. Robinson, yes.
J. Penniman, yes..

**Motion made by P. Robinson to revise the previous motion to table the
authorization of the appraiser until January.
Seconded by W. Nunnally.**

B. Schaschek, yes.
W. Nunnally, yes.
C. Bradley, yes.
D. Patteson, yes.
J. Penniman, no.
P. Robinson, yes.

Motion carries 5-1-0.

O. ANNOUNCEMENTS

- Ordinance Updating Process Meeting, January 11, 2024; 5:30 p.m. prior to regular Town Council Meeting, open to all. The Planning Commission Chair, Tom Chapman, Mayor Julie Harris, Atty. McRoberts and members of the Charter, Codes and Ordinance committee members, Bonnie Schaschek and Phil Robinson will be discussing the process.



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

- Next Town Council Meeting, January 11, 2024: 6:30 p.m. at Irvington Baptist Church
- Office closed for Martin Luther King, Jr.'s Day, January 15, 2024
- FOIA training, 5:30 p.m., Thursday, February 8, 2024, prior to regular Town Council meeting.

P. ADJOURN

Motion made by W.Nunnally to adjourn.

Seconded by P. Robinson

Motion carries unanimously.

The summary Minutes of the December 14, 2023, were approved at the Town Council Regular Called Meeting of February 8, 2024. Motion made by P. Robinson. Seconded by B. Schaschek.
Motion carries 6- 0.

	Yea	Nay	Absent
W. Nunnally	X		
B. Schaschek	X		
P. Robinson	X		
J. Penniman	X		
D. Patteson	X		
M. C. Bradley	X		

Julie W. Harris

Julie W. Harris, Mayor *Mayor*

Attest:

Laurel S. Taylor

Laurel S. Taylor, Town Clerk





TOWN OF IRVINGTON, VIRGINIA
Town Council Regular Called Meeting
Thursday, December 14, 2023; 6:30 p.m.
at the Irvington Baptist Church

Sign In Sheet

Name	Address
1. <i>Carolyn & Alan Elliott</i>	<i>650 King Carter Drive</i>
2. <i>Theresa Ransone</i>	<i>424 King Cart Dr</i>
3. <i>John Brebrand</i>	<i>ICN</i>
4. <i>May Burgess</i>	<i>22 VARD</i>
5.	
6.	
7.	
8.	
9.	
10.	
11.	
12.	
13.	
14.	



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, NOVEMBER 9; 6:30 p.m.**

***Note – Summary Minutes approved with amended comment on page 4 in Waterfront.**

A. CALL TO ORDER

B. ROLL CALL

J. Penniman, present.
C. Bradley, present.
P. Robinson, present.
B. Schaschek, present.
D. Patteson, present.
J. Harris, present.
W. Nunnally, absent.

C. APPROVE AGENDA

**Motion made by B. Schaschek to approve agenda.
Seconded by J. Penniman.
Motion carries unanimously.**

D. APPROVE MINUTES

- October 12, 2023, Town Council Regular Called Meeting

**Motion made by P. Robinson to approve October 12, 2023, minutes.
Seconded by D. Patteson.
C. Bradley abstained from vote.
Motion carries 4-0.**

E. FINANCIAL REPORT

- Treasurer's Report, accepted.

F. PUBLIC COMMENT –

- Comments from citizens on any topic, (limited to 3 minutes).

J. Nelson: Stettinius application, noted that the two-story pool house has been removed from the application.

S. Van Saun: At the September meeting, D. Patteson asked the IVBA to create a sign committee. Last week a meeting was convened. A report will be provided, but some of the points were that Irvington doesn't want too much signage. Too much signage greatly affects the effectiveness overall. Traffic calming and signs go together and should be discussed with PC. Would like to see signage only for primary business districts in the



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, NOVEMBER 9; 6:30 p.m.**

town only. The IVBA sign committee would like signage simplified. We would like a simple design and feel that would reflect the character of Irvington. We think some VDOT signs in town may not be necessary.

L. Schneider: Commons committee – Pointed out the landscape architect chosen, Drew Harrigan, is a James River hero, well aware of shoreline issues.

G. Kuper: Agenda time is expanded, but public comment is shrunk. STR was brought up and first, we need to protect official lodgings, like Tides Inn. Secondly, grass and weed regulations may be impacted by STR non-residents. Third, the deputy motion was arbitrarily passed, cutting hours for deputies. Hours should be determined by need as brought up by citizens feedback or complaints.

J. Trollip: Renovations have been started on the Chesapeake dining room (4-5 months' worth of work); have moved into the smaller dining room so, suggest visitors make a reservation, not go in as a walk-in. Traffic coming to Tides Inn is increased due to renovations and encourages that the deputies be aware and control as necessary. Rooms have been reduced by 25 rooms for renovation. Spa is still there.

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

Welcome C. Bradley to Council and welcome back to B. Schaschek. There are some changes to committees due to the addition of the two new Council members, reflected on the agenda.

On October 25th, mayors of White Stone, Kilmarnock and Irvington participated in a forum at Rappahannock Westminster Canterbury to share projects and events in their respective towns and the forum was well attended by all residents.

No longer will long motions be received at the table without time for review. A seven-point motion was presented at the table during the October meeting without opportunity for prior review. Under these circumstances, Town Council did not have time to consider the entire motion and make a thoughtful vote. A councilperson participating electronically could not even see the motion. So, this motion will be something we need to consider at a later time.

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

Question came up about the procedure for appointing a council member in the event of a vacancy. There is no statutory authorized or required procedure. Simply stated, council may appoint, and there is a timeline, but Council may use any procedure they wish, or no procedure, both completely legal. Grass and weed ordinance had additional language suggested by the Tides Inn horticulturalist. Electronic participation in meetings ordinance is in place and does not need to be readopted yearly. Transient state occupancy tax form was amended to the state form with several tweaks. Several reviews that were



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, NOVEMBER 9; 6:30 p.m.**

made as asked by Town Council to the sign ordinance, the charter version 2B, and the enforcement by the Zoning Administrator in day-to-day business was brought up, noting that the Planning Commission has no enforcement role. Commercial signage can be regulated under the first amendment but must be content neutral. The sign ordinance needs a lot of work to comply. Recommends sending back to PC.

Motion made by P. Robinson to refer the sign ordinance to the PC.

Seconded by D. Patteson.

Motion carries unanimously.

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

Received a new permit (2023-26) to rebuild a dock. The Board of Zoning Appeals reviewed an addition at 25 Hundley Lane and reversed the Zoning Administrator's denial. Receipts from Mr. Fisher continue to be received. Zoning administrator monitors progress at Tides Inn daily. Water issues at the well on King Carter causing multiple pump failures and slow flow were reported to Aqua Virginia and were fixed.

J. COMMITTEE REPORTS

- **Budget & Finance Report, *B. Schaschek & C. Bradley***
Klaus Schaschek has resigned from this committee. A number of items will be sent back to Council and the budget should be amended. Standing budget finance committee meeting will be held every month starting December 4, 2023, and the first Monday of the month starting in January 2024. Capital budget items list is being reviewed.
- **Charter, Codes & Ordinances Committee, *P. Robinson & B. Schaschek***
No report except version 2B of the Charter. Put it on agenda for next month. C. Bradley brought up that ordinances should be consistent throughout and be cleaned up.
- **H. R. Committee, *W. Nunnally & B. Schaschek***
No meeting was held due to scheduling. The preliminary job description of Town administrator is being considered.
- **Facilities Committee, *P. Robinson & C. Bradley***
Continued consideration on town office. Sidewalk to Vineyard Grove is at VDOT for review. At the end of the year all sidewalks will be evaluated. Any issues should be reported by citizens to the Zoning Administrator.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, NOVEMBER 9; 6:30 p.m.**

- Community & Special Events Committee, *J. Penniman & D. Patteson*
Illuminate Irvington 12/07/2023 at 5:30 was detailed along with all activities. Residential and business decorations will be judged 12/03/2023. Taste by the Bay is coming up November 18 and parking was requested at the North Commons by Joanna Marchetti.

Motion made by J. Penniman to approve the North Commons for use of parking for Taste by the Bay but must have a plan for traffic.

Seconded by C. Bradley.

Motion carries unanimously.

- Commons Committee, *J. Penniman & W. Nunnally*
Tennis court project had a change of contract due to problems with the subbase. Four Winds, Drew Harrigan, was chosen as landscape architect. Walking strip and a public restroom are being considered.

Motion made by J. Penniman to accept the Four Winds (Drew Harrigan) contract.

Seconded by D. Patteson.

Motion carries unanimously.

- Waterfront Committee, *D. Patteson & J. Penniman*
C. Bradley raised concerns about the charge of the committee and whether they were charged by Council to discuss property. D. Patteson responded that the committee presented a Vision Statement and based on that began working on identifying properties that would help the Town achieve that vision.
- Planning Commission Update, *T. Chapman – Chair*
The Commission recommends approving the STR Ordinance as written. Updates on comprehensive plan have been made.

K. OLD BUSINESS

- 2023-04 STR Ordinance Amendment– second reading.

Motion made by P. Robinson to approve the ordinance amendment.

Seconded by J. Penniman.

Discussion about amendment.

Roll Call Vote

P. Robinson, yes.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, NOVEMBER 9; 6:30 p.m.**

- D. Patteson, yes.**
- B. Schaschek, yes.**
- C. Bradley, yes.**
- J. Penniman, yes.**

Motion carries 5-0.

- 2023-05 Grass Cutting Ordinance – second reading.
Motion made by J. Penniman to accept the ordinance.
P. Robinson made a motion to amend Section H to include the words “continuously and actively maintain.”
Seconded by D. Patteson.

Roll Call Vote

- P. Robinson, yes.**
- D. Patteson, yes.**
- B. Schaschek, yes.**
- C. Bradley, yes.**
- J. Penniman, yes.**

Motion carries 5-0.

- Revisit Deputy motion.
Ongoing revision. Salary to date \$12,272.46. Insurance - \$394.00 monthly (\$1,000,000 coverage), automobile coverage \$231.00 monthly. Repairs from July to October YTD \$381.66, gas \$545.93. Deputies have been notified for 40 hours per month. Hours can be revisited as needed. Residents are concerned that with reducing hours with the deputies the truck traffic on King Carter Drive is increasing and speeding on Route 200 is returning. The empty car is being placed and there is concern that it doesn't help when an empty car is sitting there, it cannot enforce speeding when it occurs.
- CUP Stettinius – vote.
Pool house was removed.

Motion made by J. Penniman to approve the Stettinius CUP.
Seconded by D. Patteson.
Motion carries unanimously.

L. NEW BUSINESS

- Centric Business new contract for copier, *L. Taylor*.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, NOVEMBER 9; 6:30 p.m.**

Contract is up December 10, 2023, and a proposal by Centric Business has been provided with several options.

**Motion made by P. Robinson to lease the Sharp copier.
Seconded by B. Schaschek.
Motion carries unanimously.**

- Town Office-Steamboat Era Museum discussion – *P. Robinson*
Decided to start down a path to approach/reach an agreement with the Museum to put a town office in the Museum. Construction will need to be done. Discussions are ongoing. Rough draft has been presented to the Museum and changes were recommended and has been presented thus far. Museum is not open year-round. There are limited hours (20 hours per week) in season. Ballpark figure \$325,000 to \$350,000 project. There are options that could be cheaper, but this would help the Museum and the Town.
- Appropriate and ratify change order in tennis court expenses.
**Motion made by J. Penniman to ratify tennis court expense due to inadequate subbase to \$28,890.00 for a total of \$173,400.00.
Seconded by P. Robinson.
Motion carries unanimously.**

M. ANNOUNCEMENTS

- Illuminate Irvington, December 7, 2024 – 6 p.m. at the Town Christmas Tree
- Next Town Council Meeting, December 14, 2023: 6:30 p.m. at Irvington Baptist Church
- Office closed for Christmas, Monday, December 25, 2023, through Monday, January 1, 2024 - reopening Tuesday, January 2, 2024.

N. ADJOURN

**Motion made by J. Penniman to adjourn.
Seconded by B. Schaschek.
Motion carries unanimously.**



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, NOVEMBER 9; 6:30 p.m.**

The summary Minutes of November 9, 2023, were approved at the Town Council Regular Called Meeting of December 14, 2023. Motion made by C. Bradley to approve Minutes of November 9, 2023. Seconded by W. Nunnally
Motion carries 6- 0.

	Yea	Nay	Absent
W. Nunnally	X		
B. Schaschek	X		
P. Robinson	X		
J. Penniman	X		
D. Patteson	X		
M. C. Bradley	X		


Julie W. Harris, Mayor

Attest:


Laurel S. Taylor, Town Clerk



TC RCM

sign in

Thursday, November 9, 2023

~~Alan & Carolyn Elliott~~

~~650 King Charles Drive~~

~~Jim & Sherry McBratney~~

~~220 Sanders Lane~~

~~George Kupch~~

~~Apple Hill~~

~~JOHN BRABRAND~~

~~ICW~~

~~Mary Burgess~~

~~20 VARD~~

~~Sandy & Peter Porteous~~

~~222 Steamboat~~

~~Prentiss & Mark Lay~~

~~200 Steamboat~~

~~Jason Trohli~~

~~Sam Van Sam~~

~~24 The Pony Pasture~~

~~Gary Hooper~~

~~656 Glebe Rd~~

~~Gita Pagano~~

~~143 Broadway~~

~~Lucy Schneider~~

~~303 Queens Trwl~~

~~Cary~~

~~"~~

~~"~~

~~"~~

~~"~~

~~Jeremy TAYLOR~~

~~60 Nestham Cir~~

~~Allison Childress~~

~~Clay Dingleline~~

~~Renee & John Randle~~

~~732 Chesapeake Dr.~~



TOWN OF IRVINGTON, VIRGINIA
Town Council Regular Called Meeting
Thursday, September 14, 2023; 6:30 p.m.
at the Irvington Baptist Church

Sign In Sheet

Name	Address
1. Robin Camell	461 KC Drive
2. Michele Coiron	334 King Carter Dr
3. Mary Cary Bradley	991 KING CARTER
4. Mary Burgess	22 VARD
5. S.W. Dawson	5104 Irvington Road
6. Klaus D. Schaschke	394 KING CARTER DR
7. Bonnie Schaschke	394 King Carter Dr.
8. Sam Van Sann	24 The Pony Pasture
9. David Cheek	226 OMC Rd.
10. Maura Getty	189 Broadway
11. Linda Carter	5160 Irvington Rd
12. Jason Trohls	572 King Cart, Irvington.
13. Alan + Carolyn Elliott	650 King Carter Drive
x14. ALISON Ross, Ross Family	49 SPRING ST Rep restative - TIGHT ID.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, OCTOBER 12, 2023, 6:30 p.m.**

Note: A closed session meeting was held prior to this meeting beginning.

AGENDA –

A. CALL TO ORDER

B. ROLL CALL

- W. Nunnally, present.**
- J. Brown, present.**
- P. Robinson, present.**
- D. Patteson, present.**
- J. Penniman, present (via telephone).**
- J. Harris, present.**

**Motion made by W. Nunnally to appoint B. Schaschek for the del Rio vacancy.
Seconded by J. Brown.**

Roll Call Vote

- P. Robinson, no.**
- W. Nunnally, yes.**
- D. Patteson, no.**
- J. Penniman, no.**
- J. Brown, yes.**

Motion does not carry 2-3.

**Motion made by P. Robinson to elect M. C. Bradley to Town Council.
Seconded by D. Patteson.**

P. Robinson withdraws his motion for further discussion.

**Motion made by J. Brown to accept both candidates to Town Council and she will
resign tonight.
Seconded by W. Nunnally.**

**A. McRoberts was consulted about process, and advised that no advertisement is
necessary, but asks Council to make a motion to accept J. Brown's resignation so
it is a matter of record.**

J. Brown states she resigns from Town Council.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, OCTOBER 12, 2023, 6:30 p.m.**

Motion made by P. Robinson that we accept J. Brown resignation.
Seconded by J. Penniman.

Roll Call Vote

P. Robinson, yes.
W. Nunnally, no.
D. Patteson, yes.
J. Penniman, yes.
J. Brown, yes.

Motion carries 4-1.

Motion made by W. Nunnally to elect M. C. Bradley and B. Schaschek to the vacancies on town council.
Seconded by P. Robinson.

Motion amended by W. Nunnally to elect M. C. Bradley to replace del Rio vacancy and B. Schaschek to replace J. Brown vacancy.

(Both seats will be up for election in November 2024, del Rio's position is regular election, and J. Brown's position is a special election. This clarification provided by A. McRoberts)

Seconded by P. Robinson.

Roll Call Vote

P. Robinson, yes.
W. Nunnally, yes.
D. Patteson, yes.
J. Penniman, yes.

Motion carries 4-0.

Mr. Nunnally leaves due to an emergency.

Motion made by P. Robinson to accept the application of Robin Camillo for Planning Commission.

Seconded by D. Patteson.

Roll Call Vote

P. Robinson, yes.
W. Nunnally, absent.
D. Patteson, yes.
J. Penniman, yes.

Motion carries 3-0.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, OCTOBER 12, 2023, 6:30 p.m.**

C. **SWEARING IN APPOINTEES**- R. Camillo for Planning Commission and B. Schaschek for Town Council. J. Nelson also confirmed that there were three new appointees to Board of Zoning Appeals – Mr. Jeffrey Schroeder, Mr. Robert Fleet III, and Mr. Jeremy Taylor. All three members term begins Oct. 5, 2023 and ends October 5, 2025.

D. **APPROVE AGENDA**

Motion made by P. Robinson to approve the Agenda.

Seconded by D. Patteson.

Motion carries unanimously – 4 – 0.

E. **APPROVE MINUTES**

- September 14, 2023, Town Council Regular Called Meeting

Motion made by P. Robinson to approve September 14, 2023, minutes.

Seconded by D. Patteson.

Motion carries unanimously – 4 - 0

F. **FINANCIAL REPORT**

- Treasurer's Report accepted with a few clarifications.

G. **PUBLIC HEARING**

- CUP Stettinius – redevelopment in the RPA
No comments were made.

H. **PUBLIC COMMENT –**

- Comments from citizens on any topic

B. Estes: It is the time of year to plant grass. Will do some planting on the Commons.

J. McGeorge: Welcome B. Schaschek back. The deputies have made a difference and should be a priority. A new town office is also a priority.

P. Heffernan: Opposition of the CUP at Chesapeake Drive.

M. Ralls: Spoke on what the attorney said, not a zoning issue.

M. Little: Comments on grass and weeds and landscape. Ordinance should include well maintained landscape language. Needs clarification.

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

Irvington Baptist Church picnic date is now going to be inside, no date change, just that the use of the Commons will not be needed.

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

No report.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, OCTOBER 12, 2023, 6:30 p.m.**

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

- 2023-25, new deck 171 Park Place;
- 2023-26, rebuild dock at 114 Fleet Lane;
- Received an application for an addition at 25 Hundley Lane which was denied because of setback ordinances; that has been appealed and will be heard by the Board of Zoning Appeals.
- Water testing has been completed by Aqua Virginia on King Carter.
- The two STR applications will be voted on tonight, one from Bristol and one from Ralls which will bring us to the limit of 35 STRs.

L. COMMITTEE REPORTS

- Budget & Finance Report,
Add line item for meals tax.

- Charter, Codes & Ordinances Committee, *P. Robinson*
Need to decide on what version of charter.

Motion made by P. Robinson for Mr. McRoberts to review version 2.

Seconded by J. Penniman.

Motion carries unanimously.

- H. R. Committee, *W. Nunnally*
No report.

- Facilities Committee, *P. Robinson*
 - WiFi not currently working perfectly. Broadband Telecom will be given two months to correct issues and will not bill the Town during November and December.
 - Christmas pole ornaments are now in Extra Space storage unit.
 - Sidewalk beginning at Accents Flower Shop to the edge of White Fences Road at Vineyard Grove discussed.

- Community & Special Events Committee, *J. Penniman & D. Patteson*
Illuminate Irvington date is set for December 7 at 6 p.m. in conjunction with the IVBA.

- Commons Committee, *J. Penniman & W. Nunnally*
Construction has begun on the tennis courts and pickleball courts.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, OCTOBER 12, 2023, 6:30 p.m.**

Seeding and mulching quotes were presented from three firms.

**Motion made by J. Penniman to accept the quote of \$3,315.80 from Drew Ransone.
Seconded by D. Patteson.
Motion carries unanimously.**

Landscape quote by Drew Harrigan – Four Winds for revitalization of the Commons (note: to be discussed in November meeting.)

- Waterfront Committee, *D. Patteson*
No report.
- Unfinished Business Report.
No report.
- Planning Commission Update, *T. Chapman – Chair (not present)*.
Approval of Bristol CUP for STR.
PC approval of Ralls CUP for STR.

M. OLD BUSINESS

- Sign Ordinance Proposed Changes.
How to enforce/control temporary signs. Have to be up during business hours only. Seasonal businesses will pose a problem for temporary signs. Mr. McRoberts stated he didn't think temporary signs are allowed.
- Conditional Use Permit application; Bristol.2023 to operate a Short-Term Rental at 52 York Road, Irvington, VA 22480.

**Motion made P. Robinson to accept the Bristol CUP.
Seconded by D. Patteson.**

Roll Call Vote

D. Patteson, yes.
P. Robinson, yes.
B. Schaschek, yes.
J. Penniman, no.

Motion carries 3-1.

- Conditional Use Permit application: Ralls.2023 to operate a Short-Term Rental at 294 Chesapeake Drive, Irvington, VA 22480.

Some conditions were discussed. Parking was discussed.

Motion made by P. Robinson to accept the Ralls CUP with no conditions.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, OCTOBER 12, 2023, 6:30 p.m.**

Seconded by J. Penniman.

Roll Call Vote

D. Patteson, yes.

P. Robinson, yes.

B. Schaschek, no.

J. Penniman, yes

Motion carries 3-1.

- Bid for Christmas decorations and flags – Entertainment Systems was the only bid received. J. Penniman asked for more details.

Motion made by P. Robinson to accept the Entertainment Systems contract due to the shortness of time. Bill Cronheim of ESC is to provide more details.

Seconded by B. Schaschek.

Motion carries unanimously 4 - 0

- 2023-04 STR Ordinance Amendment– first reading.
- 2023-05 Grass Cutting Ordinance – first reading.

N. NEW BUSINESS

- Captain Marty Shirilla, Records Manager for Lancaster Sheriff's Office, discussed the use of Central Square. Central Square benefit is the ability to share records amongst localities such as crime reports, etc. The appropriate code needs to be on tickets when written.
- Deputy Implementation Plan Outline, Payroll record and Timesheet template
MOU discussed. Speeding has been reduced as well as other moving violations. Shifts at least 4 hours. Each deputy would like 20 hours per month. Cap on hours was discussed and chain of command. P. Robinson presented and read at the table a seven-part motion, a portion of which is summarized below:

Motion made by P. Robinson beginning November 1, 2023, the deputy hours will not exceed 40 hours per month unless authorized by Town Council. Mayor and staff will manage the deputies. Deputy hours will be revisited at a later time.

Seconded by J. Penniman.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, OCTOBER 12, 2023, 6:30 p.m.**

Roll Call Vote

- D. Patteson, yes.**
- P. Robinson, yes.**
- B. Schaschek, no.**
- J. Penniman, yes.**

Motion carries 3-1.

O. ANNOUNCEMENTS

- Next Town Council Meeting, November 9, 2023: 6:30 p.m. at Irvington Baptist Church
- Thanksgiving, November 23, 2024 – office will be closed Thursday and Friday.

P. CLOSED SESSION closed session is 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 the Town Office.

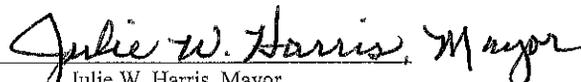
Q. RETURN TO OPEN SESSION

R. ADJOURN

**Motion made to adjourn by D. Patteson.
Seconded by B. Schaschek.
Motion carries unanimously.**

The summary Minutes of October 12, 2023 were approved at the Town Council Regular Called Meeting of November 9, 2023. Motion made by P. Robinson to approve Minutes of October 12, 2023. Seconded by D. Patteson Motion carries 5 – 0 with one member absent

	Yea	Nay	Absent
W. Nunnally			X
B. Schaschek	X		
P. Robinson	X		
J. Penniman	X		
D. Patteson	X		
M. C. Bradley	X		


Julie W. Harris, Mayor

Attest:


Laurel S. Taylor, Town Clerk

**TOWN OF IRVINGTON
ORDINANCE AMENDMENT # 2023- 04**

An Ordinance Amendment to the Town Short Term Rental Ordinances

WHEREAS, Town Council re-authorized the Short Term Rental ("STR") Committee to consider how better to regulate short term rentals in the Town of Irvington, a sufficient time having passed since the original adoption of the STR ordinance; and

WHEREAS, the STR Committee met many times over many weeks, debated widely and considered the matter, and produced a report and recommendation dated August 1, 2023; and

WHEREAS, Town Council seeks to better regulate STRs in the Town of Irvington;

WHEREAS, the legal authority for the proposed amendment is the Town Charter and §§ 15.2-2201, 15.2-2280, 15.2-2285 and 15.2-2286 of the Code of Virginia (1950), as amended.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, that the Town Council of the Town of Irvington, Virginia does hereby amend the Town Code and zoning ordinances as follows:

TITLE XV: LAND USAGE

Chapter 154. ZONING

....

154.004 - Definitions.

(A) For the purpose of this chapter, certain words and terms used herein shall be interpreted or defined as follows. Words used in the present tense include the future, words in the singular number include the plural, and the plural, the singular, unless the natural construction of the word indicates otherwise; the word "lot" includes the "parcel;" the word "shall" is mandatory and not directory; the word "approve" shall be considered to be followed by the words "or disapproved;" any reference to this chapter includes all ordinances amending or supplementing the same; all distance and areas refer to measurement in a vertical or horizontal plane.

(B) For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

....

STR or short term rental. The provision of a room or space that is suitable or intended for occupancy for dwelling, sleeping, or lodging purposes, for a period of fewer than 30 consecutive days, in exchange for a charge for the occupancy.

STR operator. The owner or proprietor of any dwelling, lodging, or sleeping accommodations offered as a short-term rental, whether in the capacity of owner, lessee, sublessee, mortgagee in

possession, licensee, or any other possessory capacity. An STR operator may or may not be the landowner of the STR property.

STR, owner-occupied. An STR which the STR operator owns and occupies as his or her primary dwelling for a minimum of 285 days per year, with a maximum of four STR stays, and an aggregate maximum of 20 nights of STR stays per year.

....

SHORT TERM RENTALS

§ 154.180 - Purpose and intent.

(A) Short term rentals are common in America today, including in the town. However, given that they are commercial uses which must co-exist with residential uses and often in neighborhoods, limits and regulations are needed. This ordinance is intended to be the "specific enabling action" envisioned in § 154.050 (statement of intent for R-1 and R-2 zones) to allow these certain limited commercial uses in town residential zoning districts.

(B) The regulations for short term rentals are designed to accommodate an STR operator's limited commercial use in a way that is safe for the guests, meets town requirements, does not change the character of the town and fits in with the neighborhoods in which the STRs operate.

(C) To this end, a cap is placed on the number of short term rentals that more or less equals ten percent of the parcels in the town, health and safety regulations are imposed, and nuisances and disturbances are prohibited.

(D) This ordinance is intended to work in tandem with the town's short term rental registration requirements and the town's business license permit requirement as a measure for the town to keep track of the number of STRs and enforce the cap and other regulations.

(Ord. No. 2022-10, § 1, 9-13-2022)

§ 154.181 - Short term rental special regulations.

Unless exempted, the regulations of §§ 154.180 through 154.185 shall apply to every short term rental in the town.

(Ord. No. 2022-10, § 1, 9-13-2022)

§ 154.182 - Cap on short term rentals.

(A) The number of short term rentals in the town shall not exceed 35.

(B) If an application is completed and filed which, if approved, would exceed this cap, together with any pending referred applications for STRs, the application shall not be referred to the planning commission or considered for approval until it would no longer exceed the cap if approved.

~~(C)~~ Short term rentals with a conditional use permit to operate as an inn, hotel, motel, or tourist home are exempted from this cap, but shall be subject to its conditional use permit and the other provisions of the Zoning Ordinance.

~~(D)~~ Owner-occupied STRs operated for up to four stays per year maximum are exempt from this cap but shall comply with the other provisions of the Zoning Ordinance. Each stay under this exemption shall be a minimum of two nights each.

(Ord. No. 2022-10 , § 1, 9-13-2022)

§ 154.183 - Occupancy limits in short term rentals.

(A) Short term rental occupancy for overnight guests shall be limited to a maximum of two persons and one child per bedroom or other place equipped for guests to sleep. The number of bedrooms or other place equipped for guests to sleep under this subsection shall either be permitted by the Virginia Department of Health or approved by the zoning administrator.

(B) Maximum short term rental occupancy for overnight guests shall be no more than ten persons.

(C) Maximum overall short term rental occupancy, whether or not guests staying overnight, shall not exceed 20 persons without a specific condition adopting a different limit in a conditional use permit.

(D) Occupancy of a short term rental shall not exceed the limit, if any, set by the Uniform Statewide Building Code or local building official.

(E) An inn, hotel, motel or tourist house with a valid conditional use permit is exempted from the occupancy limits contained in subsections (A)—(C), above. In such cases, occupancy limits shall solely be determined by the Uniform Statewide Building Code or local building official.

(Ord. No. 2022-10 , § 1, 9-13-2022)

§ 154.184 - Safety and insurance requirements for short term rentals.

(A) One working smoke detector shall be installed for each bedroom as provided in conformance with the provisions of the Uniform Statewide Building Code. Such smoke detectors shall be maintained in accordance with the Statewide Fire Prevention Code (Code of Virginia, § 27-94 et seq.) and Code of Virginia, § 36-105(C)(6), Part III of the Uniform Statewide Building Code. Smoke detectors shall be inspected and tested at least quarterly to ensure they are in good working order.

(B) In short term rentals with propane, a working carbon monoxide (CO) detector shall be installed and maintained per the manufacturer's recommendations on each floor or level equipped for guests to sleep overnight.

(C) At least one working fire extinguisher shall be provided and maintained per the manufacturer recommendations in the short term rental. A fire extinguisher shall be located in or near the kitchen or any other area equipped for heating of food, and any other area which has any flame (including any wood-burning fireplace). At least quarterly, the STR operator, his or her employee, or an authorized independent contractor shall inspect all fire extinguishers to ensure their charge or pressure gauge needle points to the green "charged" zone and the extinguisher is otherwise in good working order.

(D) STR operators shall maintain a commercial general liability insurance policy, specifically endorsed for short term rentals, for a minimum limit of \$500,000.00, from a firm licensed to provide insurance in Virginia. A certificate of insurance shall be provided with the STR registration, or if exempt, with the business license permit application.

(E) The STR operator, his or her employee, or an authorized independent contractor shall be able to respond to a guest, law enforcement or local official in order to address any issues within 60 minutes.

(F)The STR operator shall post or display in a prominent place in the STR the foregoing regulations of this § 154.184 in a minimum of 12 point font and certify thereon that all regulations therein have been met.

(Ord. No. 2022-10 , § 1, 9-13-2022)

§ 154.185 - Prohibited activity at short term rentals.

(A)No commercial uses. Commercial uses, other than expressly permitted in this Zoning Ordinance, are prohibited. Inns, hotels, motels and tourist homes with a conditional use permit issued by the town are not subject to this prohibition in § 154.185(A).

(B)No nuisances. No nuisances are permitted at an STR. No STR operator or other person shall cause or allow a disturbance or nuisance that significantly affects the surrounding neighborhood.

(C)No disruptive parties. No STR operator or other person shall allow, cause or participate in a disruptive party or other disruptive event at any short term rental.

(D)No "open invite" parties or events. No parties or events without a set list of guests are permitted. No parties or events advertised on social media or otherwise, to the public or large groups of people are permitted.

(E)No inconsistent noise or activity. The noise and activity at a short term rental shall not be inconsistent with the typical level of noise and activity of the neighborhood in its vicinity.

(F)Quiet hours. Quiet hours at an STR shall be from 11:00 p.m. to 7:00 a.m. During those hours, there shall be no noise audible at the property line of the STR. A violation of this subsection is declared to be a misdemeanor.

(G)No trespass. It is expressly forbidden for guests or visitors at an STR to trespass on the lands or property of another. A violation of this subsection is declared to be a misdemeanor.

(H)Wood burning fire pits. Guests and visitors at an STR may not use a wood burning fire pit.

(I)[Regulations on display.] The STR operator shall post or display in a prominent place in the STR the foregoing regulations of this § 154.185 in a minimum of 12-point font, to fully inform the STR's guests and visitors of this prohibited activity.

(Ord. No. 2022-10 , § 1, 9-13-2022)

§ 154.186 – Transient Occupancy Fee, STR Registry and Business Professional Occupational License Compliance

(A) All STRs and their owners and managers shall be compliant with all applicable transient occupancy tax, STR registry and business professional occupational license requirements.

(B) Any advertisement or public written statement about an STR shall include the town-issued transient occupancy tax account number.

(C) Penalties for non-compliance with this section, in addition to any penalties otherwise provided by law or ordinance, shall be (i) seven-day oral warning (written warning may be substituted for oral in the discretion of the zoning administrator), then (ii) seven-day written warning, and then (iii) \$500/day civil penalty until compliance is achieved.

§ 154.187 – STR Density

(A) Without limiting any other authority to regulate STRs in the Town, appropriate STR density may be regulated by denial or conditioning approval of a conditional use permit for an STR.

(B) In the R-1 and R-2 zoning districts only, no STR shall be operated nor shall a conditional use permit for an STR be granted on a parcel on both sides of a parcel which has an occupiable structure. Adjacency and “sides” shall be judged at the point at which the parcel boundary adjoins the public street or private street or right of way.

BE IT FURTHER ORDAINED AND ENACTED, that this ordinance shall take effect immediately.

ADOPTED: This 9th day of November 2023.

AYES:5 NAYS:0

ABSTENTIONS:

ABSENT:1 *W. Munnally*

ATTEST:

Julie W. Harris, Mayor

Julie Harris, Mayor
Irvington, Virginia

Laurel S. Taylor

Laurel S. Taylor, Clerk



TOWN OF IRVINGTON
ORDINANCE # 2023-05
ADOPTING REGULATIONS ON GRASS AND WEEDS

WHEREAS, the Town of Irvington regulates various nuisances in the Town Code, but does not specifically regulate grass and weeds at this time; and

WHEREAS, complaints have arisen about the failure to maintain certain lots and parcels of land in a manner that properly serves the public health and safety; and

WHEREAS, authority for the Town of Irvington to regulate grass and weeds is contained in Article IX ("Additional Powers") of the Town Charter and in the Code of Virginia section 15.2-901 (1950), as amended; and

WHEREAS, the Town Council wishes to adopt specific regulations on the cutting of weeds and grass in the Town.

NOW, THEREFORE, THE TOWN CODE OF THE TOWN OF IRVINGTON IS HEREBY AMENDED AS FOLLOWS:

CHAPTER 91: NUISANCES

PROPERTY SAFETY; PUBLIC WELFARE

91.01 - Purpose and intent.

(A) The purpose of this subchapter is to provide for the repair, closing or demolitions of buildings within the town which are unsafe for human habitation or occupancy, or use, or which are otherwise dangerous or inimical to public safety, health or welfare of the residents of the town; defining such buildings or property; providing for remedies and procedures thereto; providing for assessment of costs of such remedies and proceedings against the owner, or owners of the land, premises or property affected thereby.

(B) It should be the further intent of this subchapter to correct, repair or remove serious property hazards identified by the zoning administrator and the council of the town as dangerous open holes, pits, uncapped wells, hazardous waste and materials, unsafe and unsanitary septic systems, and storage of inoperable, deteriorated construction equipment, trailers and other such vehicles in disrepair.

(C) It shall also be the intent of this subchapter to minimize infestation of vermin such as mice, rats, and other rodents which could constitute a health hazard, by regulating or eliminating attractive habitats for such pests within the town.

91.02 - Auto, boats, boat trailers, other marine vehicles, graveyard prohibitions.

(A) It shall be unlawful for any person to keep, except within a fully enclosed building or structure or otherwise shielded or screened from public view, on any property located within the town and zoned for residential or commercial purposes, any motor vehicle, trailer, semitrailer, boat or other marine vehicle, as such defined in Code of Virginia, § 46.2-100, which is inoperative.

(B) For the purpose of this section, the following definition shall apply unless the context clearly indicates or requires a different meaning.

Inoperative motor vehicle. Any motor vehicle or marine vehicle or trailer, which is not in operating condition; or which, for a period of 90 days or longer, has been partially or totally disassembled by the removal of tires and wheels, the engine or other essential parts required for operation of the vehicle; and for which there is no valid license plate and inspection sticker.

(C) (1) ~~The town council~~ code enforcement officer shall serve notice on the owner of such property to cause such vehicle to be removed within seven days. If the owner of such property is a resident, such notice shall be mailed to his or her local address.

(2) If the owner is a nonresident, notice shall be served upon the owner's agent in charge thereof, or upon the owner by publishing such notice in at least two issues of a newspaper published or having general circulation in the town.

(3) The cost of such publication shall be collected from the owner of such premises, in addition to the expense of making such removal.

(4) If any motor vehicle, trailer or semitrailer of such condition is permitted to remain on any property after the expiration of time specified in the notice referred to in this division (C), ~~the town council~~ code enforcement officer shall cause such motor vehicle, trailer or semitrailer of such condition be removed at the expense of the owner of such property and shall assess the cost of such remedy to the owner, or owners, of the property affected thereby, and such assessment shall be collected in the same manner in which town tax levies upon real estate are authorized to be collected.

Section 91.03. Cutting of weeds and grass required.

(A) In furtherance of section 91.01 (C), it shall be a nuisance for the owner, or any occupant or other person who is responsible for the maintenance and upkeep of any developed or undeveloped property within the town limits, to permit weeds more than 12 inches in height within 150 feet of any occupiable structure, adjacent property, or public street or sidewalk.

(B) For the purpose of this section, the following definition shall apply unless the context clearly indicates or requires a different meaning:

“Weeds” will include grass, fescue, wire grass, weeds, hay, sod, poison ivy, poison oak, or any other foreign growth other than trees, actively tended flowers and shrubs, actively tended garden vegetables, and commercially farmed produce.

(C) This section shall not apply to land more than 50 feet from the boundary line of property developed for residential use if such land is enrolled in and follows a state or federal conservation program and is more than two acres in size.

(D) This section shall not apply to land in a public utility transmission easement that is more than 50 feet from the boundary line of property developed for residential use or from public streets or sidewalks.

(E) This section shall not apply to land within the RPA.

(F) This section shall not apply to any land zoned for or in active agricultural operation, as determined by an authorized official.

(G) This section shall not apply to undisturbed or natural woodlands and undisturbed or natural brushlands as determined by an authorized official, or to any natural slope whose grade exceeds 30 degrees.

(H) This section shall not apply to a Managed Natural Landscape, as defined.

a. “Managed Natural Landscape” is defined as a planned, intentional, and continuously and actively maintained planting of native or non-native grasses, wildflowers, forbs, ferns, shrubs, or trees, including but not limited to rain gardens, Meadow Vegetation (as defined), and ornamental plantings. Managed Natural Landscapes meeting this definition may include plants and grasses of any height and which have gone to seed. Managed Natural Landscapes shall not include any plant identified by any applicable government agency as a noxious weed, or that, due to location and/or manner of growth, constitute a hazard to the public.

b. “Meadow Vegetation” is defined as grasses and flowering broad-leaf plants that are native to, or adapted to, and that are commonly found in local meadow and prairie plant communities.

(State law reference—Authority to prohibit weeds, Code of Virginia, § 15.2-901)

91.03 91.04 - Investigation procedures.

(A) Where it shall be found that there does exist buildings unfit for human habitation, or occupancy, or use, due to dilapidation, disrepair, structural defects increasing the hazards of fire, accidents or other calamities, or property containing conditions unsafe, unsanitary and detrimental to the health and safety of the residents of the town, the county building official will upon receipt of a written request/complaint from the zoning administrator, investigate and make decisions in accordance with Code of Virginia, § 15.2-906.

(B) If a preliminary investigation shall disclose to the said public officer a basis for the charges filed, he or she shall issue and cause to be served upon the owner of the parties in interest in such building a complaint stating the charges in that respect.

(C) The owner and parties in interest shall have the right to file an answer to the complaint, or appear in person before the governing body in response to said conditions; or correct the conditions to comply with the provisions of this subchapter.

(D) If the owner fails to comply with an order to repair, alter or improve, or at the option of the owner, to vacate and close the building or property, the governing body may cause such building or property to be repaired, altered or improved, or to be vacated and closed. Assessment of costs of such remedy shall be made to the owner, or owners of the property affected thereby.

(E) Nothing in this subchapter shall be construed to abrogate or impair the powers of appeal to the courts.

(Ord. passed - -)

REMOVAL AND ABATEMENT OF NUISANCES

§ 91.15 - Removal and abatement.

(A) ~~Pursuant to Code of Virginia, § 15.2-1115, as amended, the town~~ A code enforcement officer may compel:

(1) The abatement or removal of all nuisances, including, but not limited to, trash, garbage, refuse, litter, lumber, junk, debris, implements, equipment or other personal property including, but not limited to, furniture, appliances, boats and other watercrafts, and similar personal property which is unused or unusable and is in view, unsheltered, uncovered or unhoused;

(2) The trimming, mowing or removal of weeds from private and public property and snow from sidewalks;

(3) The covering or removal of offensive, unwholesome, unsanitary or unhealthy substances allowed to accumulate in or on any place or premises;

(4) The raising or draining of grounds subject to be covered by stagnant water; and

(5) The razing or repair of all unsafe, dangerous or unsanitary public or private buildings, walls or structures which constitute a menace to the health and safety of the occupants thereof or the public.

(B) (1) Whenever there exists any such condition or nuisance upon any property or premises in the town as set forth hereinabove, the code enforcement officer shall ~~serve notice on~~ notify the owner or occupant of the property or premises in writing that such condition or nuisance must be abated or obviated within seven days of the receipt of such notice.

(2) If the owner or occupant of such property or premises is a resident, notice shall be ~~served on~~ given to him or her personally or left at their last known address or sent by certified mail.

(3) If the owner or occupant is a nonresident, notice ~~shall~~ may be served upon provided to the owner's or occupant's agent in charge thereof in person or left at their last known address or sent by certified mail, or ~~upon~~ the owner or occupant may be notified by either publishing such notice in at least two issues of a newspaper published or having general circulation in the town.

(4) The cost of such publication shall be collected from the owner or occupant of such property or premises.

(C) If after seven days of the receipt of such reasonable notice, as described in division (B) above, the owner or occupant of the property or premises affected by the provisions of this section shall fail to abate or obviate the condition or nuisance, the code enforcement officer shall cause any such condition or nuisance to be abated or obviated at the expense of the owner or occupant of such property or premises, and the town may charge and collect the cost thereof from the owner or occupant of the affected property in any manner provided by law for the collection of state or local taxes, including making said charges a lien upon the affected property.

(D) (1) Every charge authorized by this section in excess of \$200.00 which has been assessed against the owner of any such property or premises and which remains unpaid for 30 days shall constitute a lien against such property.

(2) Such liens shall have the same priority as other unpaid taxes and shall be enforceable in the same manner as provided in Code of Virginia, §§ 58.1-3940 et seq. and Code of Virginia, §§ 58.1-3965 et seq. of Code of Virginia, Title 58.1, Chapter 39, as may be amended from time to time.

(3) The town council may waive any such liens in order to facilitate the sale of the property. Such liens may be waived only as to a purchaser who is unrelated by blood or marriage to the owner and who has no business association with the owner.

(4) All such liens shall remain a personal obligation of the owner of the property at the time the liens were imposed.

(E) If a code enforcement officer determines that there is a violation of Section 91.04 (Cutting of weeds and grass required), then in lieu of the above procedure, a code enforcement officer shall provide a verbal warning in person, by phone, email or other means, and then, if necessary, a written warning, no sooner than 14 days after the verbal warning. If the nuisance has not been mitigated 14 days after the written warning, then the violation shall be subject to a civil penalty, not to exceed \$50 for the first violation before warning within 12 months, and \$150 for each day of continuing violation within 12 months of the written warning for the first violation. Each day during which a violation exists after warning until mitigation shall constitute a separate offense. In no event shall a series of specified violations existing after warning and before mitigation result in civil penalties that exceed a total of \$3,000 in a 12-month period.

(State law reference—Authority to prohibit weeds, Code of Virginia, § 15.2-901)

BE IT FURTHER ORDAINED AND ENACTED, that this ordinance shall take effect immediately.

ADOPTED: This 9th day of November, 2023.

AYES: 5

NAYS: 0

ABSTENTIONS:

ABSENT: 1 *W. Nunnally*

ATTEST:

Julie W. Harris, Mayor
Julie Harris, Mayor
Irvington, Virginia

Laurel S. Taylor
Laurel S. Taylor, Clerk





TOWN OF IRVINGTON, VIRGINIA

Town Council Regular Called Meeting

Thursday, October 12, 2023, 6:30 p.m.

at the Irvington Baptist Church

Sign In Sheet

	Name	Address
1.	BEN ESTES	171 CHASES COVE LN
2.	F. Westbrook	395 KING CARTER
3.	Mary Burgess	22 VARD
4.	Robin Daniels	461 KC
5.	Michele Conn	334 KC
6.	Barbara Hensel	Margold Ln Wrens
7.	Patrick Hoffmann	378 " "
8.	Bonnie Thomas Spenser	394 King Carter
9.	Viv Ralls	830 King Carter
10.	Mark Ralls	" "
11.	Jane McGeorge	200 Sanders
12.	Alan & Carolyn Elliott	650 King Carter Drive
13.	Steve & Beth Burkdale	682 King Carter Drive
14.	Fran Arnoldy	183 King Carter Dr.



TOWN OF IRVINGTON, VIRGINIA
Town Council Special Called Meeting – CLOSED SESSION
Thursday, October 12, 2023 6:00 p.m.
at the Irvington Baptist Church

Sign In Sheet

	Name	Address
1.	F. Westbrook	395 King Carter
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		



**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.



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

**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



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

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 to 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. Patteson & 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. Patteson 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 giving authority to the mayor.



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

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.



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

- 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 able 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.



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

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



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

- 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**

The summary Minutes were approved at the Town Council Regular Called Meeting of October 12, 2023.

Motion made by P. Robinson to approve Minutes of September 14, 2023.

Seconded by D. Patteson

Motion carries unanimously:

	Yea	Nay	Absent
W. Nunnally			X <i>left due to family emergency</i>
B. Schaschek	X		
P. Robinson	X		
J. Penniman	X		
D. Patteson	X		
M. C. Bradley			X <i>out-of-town</i>

Julie W. Harris

Julie W. Harris, Mayor

Attest:

Laurel S. Taylor

Laurel S. Taylor, Town Clerk



TOWN OF IRVINGTON, VIRGINIA
Town Council Regular Called Meeting
Thursday, September 14, 2023; 6:30 p.m.
at the Irvington Baptist Church

Sign In Sheet

	Name	Address
1.	Rachin Camille	461 KC Drive
2.	Michele Coiron	334 King Carter Dr.
3.	Mary Cary Bradley	991 KING CARTER
4.	Mary Burgess	22 VARD
5.	S.W. Dawson	5104 Irvington Road
6.	Alan & Schaschuk	394 KING CARTER DR
7.	Sonnie Schaschuk	394 King Carter Dr.
8.	Sam Van Saun	24 The Pony Pasture
9.	David Cheek	226 OMC Rd.
10.	Melva Getty	189 Broadway
11.	Kinda Carter	5160 Irvington Rd
12.	Jason Trohly	572 King Cart, Irvington.
13.	Alan & Carolyn Elliott	650 King Carter Drive
x14.	ALISON ROSS, Ross Family	49 SPRING ST Rep roasting - THT + TO.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, AUGUST 10, 2023; 6:30 p.m.**

AGENDA – (Amended at the table)

A. CALL TO ORDER

B. ROLL CALL

G. del Rio, via phone.

J. Penniman, here.

D. Patteson, here.

P. Robinson, here.

W. Nunnally, here.

J. Brown, here.

J. Harris, here.

C. APPROVE AGENDA

Motion made by J. Penniman to amend the agenda.

Seconded by D. Patteson.

Motion carries unanimously.

D. APPROVE MINUTES

- July 13, 2023, Town Council Regular Called Meeting

Motion made by W. Nunnally to approve minutes of 07/13/2023.

Seconded by P. Robinson.

Motion carries unanimously.

E. FINANCIAL REPORT

- Treasurer's Report – Accepted.

F. PUBLIC HEARING

- Proposed Conditional Use Permit application; Bristol.2023 to operate a Short-Term Rental at 52 York Road, Irvington, VA 22480. – Application was not fully completed.
- Proposed Conditional Use Permit application: Ralls.2023 to operate a Short-Term Rental at 294 Chesapeake Drive, Irvington, VA 22480.

G. PUBLIC COMMENT –

- Comments from citizens on any topic

J. Swartz: Letter was sent to say that the town should retain at least 2 tennis courts due to the use of the tennis courts. Save the existing tennis courts and add pickle ball courts.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, AUGUST 10, 2023; 6:30 p.m.**

A. Meekins: Marketing Director IVBA]: Bill Mitchell Memorial sign/directory. Wants approval to place the directory. The Town will have use of this as well.

Motion made by W. Nunnally for approval placement of the directory.

Seconded by J. Penniman.

Motion carries unanimously.

Ben Estes: Speaking on behalf of resurfacing the tennis courts as well as the use of nets for both pickle ball and tennis. Also spoke about fall planting in the common area.

J. Marchetti: 41 Cedar Circle: Speaking about keeping 2 tennis courts. Currently people are waiting to play on the tennis courts and no need to take courts away.

E. Burton: Speaking on tennis courts/pickle ball courts. He suggested 2 tennis courts and 4 pickle ball courts. Would be willing to pay \$5,000 toward two pickle ball nets.

A. Marchetti: Supports 2 tennis courts and supports the addition of pickle ball courts but not at the cost of the tennis courts. If you were to purchase adjustable nets that would be an option. Town sewer and meals tax was discussed. Irvington should be set up for success for the future. Very disappointed in the comments that he has heard from residents. Everyone wants to protect Irvington, but change is inevitable, The Town's character can be preserved. Supports viable sewer options as well as the meals tax. These would be beneficial to the town for improvements.

M. Bradley: Recommends getting info from multiple places. Suggest signing up for emergency emails. Crab festival tickets available.

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

The speeding in town and no-through trucks was discussed. Since the deputies began June 1st there have been 59 stops with 11 warnings, 48 stops resulted in summons to include reckless driving and DUI's. Speeding from trucks has been reduced.

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

No report.

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

Aqua well drilling discussed. McNeely received permit to tear down his house. Steamboat Road businesses will be submitting a drawing for a sign at next month's meeting. Temporary signs should be removed every 14 days which will prompt them to move faster for a permanent sign. How would this be enforced and regulated? Need a solution to this.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, AUGUST 10, 2023; 6:30 p.m.**

Motion made by P. Robinson for the temporary sign ordinance be referred to the PC on an expedited basis.

Seconded by D. Patteson.

Motion carries unanimously.

K. COMMITTEE REPORTS

- Budget & Finance Report, *G. del Rio & J. Brown*
No report.
- Charter, Codes & Ordinances Committee, *J. Brown & P. Robinson*
Discuss and vote on version 2. Term limits should be discussed. A workshop is needed before the September meeting.
- H. R. Committee, *D. Patteson & W. Nunnally*
No report.
- Facilities Committee, *J. Brown & P. Robinson*
- Community & Special Events Committee, *J. Penniman & D. Patteson*
No report.

Church has requested use of the commons on Oct. 29, from 12-2 for a church picnic.

Motion made by W. Nunnally.

Seconded by D. Patteson.

Motion carries unanimously.

- Commons Committee, *J. Penniman & W. Nunnally*
 - Tennis Court Package – Two options were discussed. After hearing tonight's concern tennis courts should not be decreased in number. New design is needed.
- Waterfront Committee, *D. Patteson & J. Penniman*
Have met several times. Vision statement from 2019 was read and they feel it should be carried through currently. Waterfront is rapidly disappearing. A beautiful waterfront is wanted.
- Unfinished Business Report – *J. Brown*
Workshop is needed and will be held before next month's meeting. There was some discussion of requiring pools in RPA to be salt water.
- Planning Commission Update, *T. Chapman – Chair*
No report.

L. OLD BUSINESS

- Second Reading of Proposed Amendment to the Transient Occupancy Tax Ordinance.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, AUGUST 10, 2023; 6:30 p.m.**

Motion made by P. Robinson to approve proposed amendment to transient occupancy tax.

Seconded by J. Brown.

Motion carries unanimously.

- VIA letter regarding the Steamboat Era Museum.
- Bids (3) on removing fallen tree on the North Commons.

Motion made by J. Penniman to accept Phil Hinson's bid.

Seconded by J. Brown.

Motion carries unanimously.

M. NEW BUSINESS

- VRSA email – discuss additional Deputy to the rotation. Budget is for 4 hours per week. Charges should be written under town ordinance. The point for the Deputy is to make Irvington safer, not as a revenue source.
 - IVBA sign to go on the Commons.

Motion made by W. Nunnally to allow the IVBA sign to be installed.

Seconded by D. Patteson.

Motion carries unanimously.

N. ANNOUNCEMENTS

- Labor Day, office closed, Monday, September 4, 2023
- Next Town Council Meeting, September 14, 2023: 6:30 p.m. at Irvington Baptist Church. Workshop starting at 5:30.

O. 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.

P. RETURN TO OPEN SESSION

Certification read by Mayor Harris.

I, Wayne Nunnally, so certify.

I, Jackie Brown, so certify.

I, Judith Penniman, so certify.

I, Dudley Patteson, so certify.

**TOWN OF IRVINGTON
ORDINANCE AMENDMENT # 2023-02**

**An Ordinance Amendment
Regarding Transient Occupancy Taxes**

WHEREAS, Town Council levies a transient occupancy tax on transients staying at lodgings and accommodations in the Town of Irvington; and

WHEREAS, state laws have changed about collection and remittance of certain transient occupancy taxes and information received about best practices in this regard, and Town Council wishes to amend its ordinance as a result and at the same time, make other non-substantive changes; and

WHEREAS, the legal authority for the proposed amendment is the Town Charter and § 15.2-1427 of the Code of Virginia (1950), as amended, and the Town Charter; and

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, that the Town Council of the Town of Irvington, Virginia does hereby amend the Town Code as follows:

- 1. The following amendments are hereby adopted:**

TRANSIENT OCCUPANCY TAX

§ 34.01 STATEMENT OF INTENT.

A transient occupancy tax to be collected as set forth in this portion of the Town Code (§§ 34.01, *et seq.*), for the general good and benefit of the citizens and the town; to better the life for its citizens and, among other things, to maintain and improve its infrastructure; said funds to be allocated and disbursed as solely determined by the Town Council.

§ 34.02 DEFINITION.

For the purpose of this portion of the Town Code (§§ 34.01, *et seq.*), the following definition shall apply unless the context clearly indicates or requires a different meaning.

Accommodation means any room or space for which tax is imposed on the retail sale pursuant to this portion of the Town Code (§§ 34.01, *et seq.*) and includes but is not limited to, any public or private hotel, inn, apartment, hostelry, tourist home or house, motel, rooming house, or other lodging place within the town offering lodging, and the owner and operator thereof, who for compensation, furnishes lodging to any transients as hereinafter defined.

“Accommodations fee” shall mean the room charge less the discount room charge, if any; provided, that the accommodations fee shall not be less than \$0.00.

“Accommodations intermediary” shall mean any person other than an accommodations provider that (i) facilitates the sale of an accommodation and (ii) either (a) charges a room charge to the customer, and charges an accommodations fee to the customer, which fee it retains as compensation for facilitating the sale; (b) collects a room charge from the customer; or (c) charges a fee, other than an accommodations fee, to the customer, which fee it retains as compensation for facilitating the sale. For purposes of this definition, "facilitates the sale" includes brokering, coordinating, or in any other way arranging for the purchase of the right to use accommodations via a transaction directly, including via one or more payment processors, between a customer and an accommodations provider.

“Accommodations intermediary” does not include a person:

1. If the accommodations are provided by an accommodations provider operating under a trademark, trade name, or service mark belonging to such person;
2. Who facilitates the sale of an accommodation if (i) the price paid by the customer to such person is equal to the price paid by such person to the accommodations provider for the use of the accommodations and (ii) the only compensation received by such person for facilitating the sale of the accommodation is a commission paid from the accommodations provider to such person; or
3. Who is licensed as a real estate licensee pursuant to Article 1 (§54.1-2100 et seq.) of Chapter 21 of Title 54.1, when acting within the scope of such license.

“Accommodations provider” shall mean any person that furnishes accommodations to the general public for compensation. The term “furnishes”

includes the sale or disposition of use or possession or the sale or disposition of the right to use or possess.

"Person" shall mean, but is not limited to, individuals, firms, partnerships, associations, corporations, persons acting in representative capacity, and combinations of individuals of whatever form and character.

"Retail sale" shall mean the sale or charges for any room or rooms, lodgings, or accommodations furnished to transients for less than 90 continuous days by any hotel, motel, inn, tourist camp, tourist cabin, camping grounds, club, or any other place in which rooms, lodging, space, or other accommodations are regularly furnished to transients for a consideration.

"Room charge" shall mean the full retail price charged to the transient for the use of the accommodations, before taxes. "Room charge" includes any fee charged to the customer and retained as compensation for facilitating the sale, whether described as an accommodations fee, facilitation fee, or any other name. Any additional charges made in connection with the charging for accommodations are deemed to be a part of the charge for the room and are subject to the tax. For example, additional charges for movies, local telephone calls and similar services are subject to the tax.

Town Treasurer means the Town Treasurer, an agent thereof, or other person designated by the Council to administer the transient occupancy tax for the town.

Transient means any person who, for a period of fewer than thirty (30) consecutive days, either at their own expense or at the expense of another, obtains the use or possession of a room or space occupied for lodging in any accommodations as hereinabove defined for which lodging or use of space a price is charged.

§ 34.03 AMOUNT OF LEVY.

There is hereby imposed and levied by the town on each transient a transient occupancy tax in the percentage of gross receipts or amount set by Council from time to time of the total charge made for each room or space occupied for lodging by or for any such transient to any accommodations. Such tax shall be

collected from such transient at the time and in accordance with this portion of the Town Code (§§ 34.01, et seq.) and applicable state law.

§34.04
COLLECTION.

- (1) For any retail sale of accommodations not facilitated by a lodging intermediary, the accommodations provider shall collect the tax levied pursuant to this portion of the Town Code (§§ 34.01, et seq.) from the transient, or from the person paying for the lodging, at the time that payment for the lodging is made, shall remit the same to the town and shall be liable for the same.
- (2) For any retail sale of accommodations facilitated by an accommodations intermediary, the following shall apply:
 - a. the accommodations intermediary shall be deemed to have made the retail sale of an accommodation and is responsible for collecting the tax levied pursuant to this portion of the Town Code (§§ 34.01, et seq) from the transient or the person paying for the lodging, at the time that payment for the accommodations is made. The accommodations intermediary shall collect the tax imposed pursuant to this portion of the Town Code (§§ 34.01, et seq.), computed on the room charge and shall remit the same to the town and shall be liable for the same. Nothing herein shall relieve the accommodations provider from liability for retail sales and use taxes on any amounts charged directly to the customer by the accommodations provider that are not collected by the accommodations intermediary.
 - b. For any transaction for the retail sale of accommodations involving two or more parties that meet the definition of accommodations intermediary, nothing in this section shall prohibit such parties from making an agreement regarding which party shall be responsible for collecting and remitting the tax, so long as the party so responsible is registered as a dealer with the locality. In such an event, the party agreeing to collect and remit the tax shall be the sole party liable for the tax, and the other parties to such agreement shall not be liable for such tax.
- (3) For any retail sale of accommodations facilitated by an accommodations intermediary, nothing herein shall relieve the accommodations provider from liability for any taxes on any amounts charged directly to the customer by the accommodations provider that are not collected and remitted to the town by the accommodations intermediary.

- (4) In any retail sale of any accommodations in which an accommodations intermediary does not facilitate the sale of the accommodations, the accommodations provider shall separately state the amount of the tax in the bill, invoice, or similar documentation and shall add the tax to the total price paid for the use or possession of the accommodations. In any retail sale of any accommodations in which an accommodations intermediary facilitates the sale of the accommodation, the accommodations intermediary shall separately state the amount of the tax on the bill, invoice, or similar documentation and shall add the tax to the room charge; thereafter, such tax shall be a debt from the customer to the accommodations intermediary, recoverable at law in the same manner as other debts.
- (5) The taxes collected by any person shall be deemed to be held in trust for the town by the person required to collect them, until they have been remitted to the town as provided in this portion of the Town Code (§§ 34.01, et seq.).

§ 34.05 REPORTS AND REMITTANCES.

- (1) Every person collecting any tax levied by this portion of the Town Code (§§ 34.01, et seq.) shall make out a report thereof, upon such forms and setting forth such information as the Town Treasurer may prescribe and require, showing the total room charge paid by the customer for the use or possession of a room or space occupied for lodging by or for a transient and the tax required to be collected, and shall sign and deliver the same to the Town Treasurer together with a remittance of such tax, made payable to the Town of Irvington. The requirements of this section shall expressly apply to an accommodations intermediary, in addition to others collecting the tax.
- (2) The Town Treasurer shall determine whether the report is in proper form, accept the tax on behalf of the town, promptly deposit in the proper town bank account, and make an accounting to Council monthly.
- (3) Accommodations intermediaries shall include the property addresses and monthly gross receipts for each of the accommodations in the town which they facilitate. Such information shall be submitted monthly. For auditing and accuracy purposes, a combined or collective

amount of gross receipts does not comply with the report and remittance requirements of this section.

- (4) Said reports and remittances shall be made on or before the twentieth day of the month following each month and covering the amount of tax collected during the preceding month. Provided, however, any person making reports and remittances not involving either accommodations facilitated by an accommodations intermediary, or accommodations in hotels, inns, motels or tourist houses under a conditional use permit under the zoning ordinance, may instead elect to make such reports and remittances quarterly (on or before January 20, April 20, July 20, and October 20) covering the amount of tax collected during the preceding quarter (January 1 – March 31, April 1 – June 30, July 1 – September 30, and October 1 – December 31, as applicable).

§ 34.06 FAILURE TO REMIT TAXES OR MAKE REPORTS.

(a) Penalties. If any person, whose duty it is to do so, shall fail or refuse to make a report and/or remit the tax as required by this portion of the Town Code (§§ 34.01, *et seq.*) within the time and in the amount required, there shall be added to such tax by the Town Treasurer on the day after the report and remittance is due a penalty in the amount of ten (10) percent of such tax, or a minimum of two dollars (\$5.00 Such penalty shall be added to, and considered part of, the taxes due.

(b) Interest. Beginning on the day after the report and remittance is due, or taxes are otherwise due, interest shall accrue on all taxes due and unpaid at the rate of ten (10) percent per annum of the amount of taxes due and unpaid.

(c) Estimate of Assessment. If any person, whose duty it is to do so, shall fail or refuse to collect the tax imposed under this article and make timely report and/or remittance thereof, the Town Treasurer shall proceed in such manner as is practicable to obtain facts and information on which to base an estimate of the tax due. As soon as the Town Treasurer has procured such facts and information as may be obtainable, upon which to base the assessment of any tax payable by any person who has failed to collect, report or remit such tax, the Town Treasurer shall proceed to determine and assess

against such person the tax, penalty and interest provided in this article, and shall notify such person by certified or registered mail sent to their last known address, of the amount of such tax, penalty and interest, and the total amount thereof shall be payable within ten (10) days from the date such notice is sent.

- (d) Collection. It shall be the duty of the Town Treasurer to ascertain the name of every accommodations provider and accommodations intermediary providing lodging in the town, liable for the collection of the tax imposed by this article, who fails, refuses or neglects to collect such tax or to make the reports and remittances required by this portion of the Town Code (§§ 34.01, et seq.). The Town Treasurer may cause to be issued for such person a summons or warrant, which may be served upon such person in the manner and proceed as provided by law.

§ 34.07 RECORDS REQUIRED.

It shall be the duty of every accommodations provider or lodging intermediary liable for taxes under this portion of the Town Code (§§ 34.01, et seq.) or for the collection and remittance of any tax imposed by this portion of the Town Code (§§ 34.01, et seq.), to keep and preserve for the current year and the three (3) prior years such suitable records as may be necessary to determine the amounts paid for lodging, and tax thereon for which that accommodations provider or lodging intermediary may have been responsible for collecting and paying to the town.

Accommodations providers who have the taxes owed on their accommodation collected by a third party such as a accommodations intermediary are also obligated to keep records under this section on the amounts that were collected on their behalf by said third party. All records kept under this section should be sufficient to identify each individual accommodation from which the charges were collected, and the tax owed for transient stays at that accommodation, including the accommodation's address and, where taxes were collected and remitted by a accommodations intermediary, identifying the accommodations provider connected with the accommodation on whose behalf the taxes were collected. The Town Treasurer or other town agent shall have the right to inspect all such records at any reasonable time.

§ 34.08 DUTY OF COLLECTOR GOING OUT OF BUSINESS.

Whenever any person required to collect and remit to the town any tax imposed by this portion of the Town Code (§§ 34.01, et seq.) shall cease to operate or



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, AUGUST 10, 2023; 6:30 p.m.**

I, Phil Robinson, so certify.
I, Gabe del Rio, so certify.
I, Julie Harris, so certify.

Q. ADJOURN

**Motion made by W. Nunnally to adjourn.
Seconded by D. Patteson.
Motion carries.**

The summary Minutes were approved at the Town Council Regular Called Meeting of September 14, 2023.

Motion made by J. Penniman to approve Minutes of August 10, 2023.

Seconded by D. Patteson

Motion carries unanimously with one member absent:

	Yea	Nay	Absent
W. Nunnally	X		
G. del Rio	X		
P. Robinson	X		
J. Penniman	X		
D. Patteson	X		
J. Brown	X		



Julie W. Harris, Mayor

Attest:



Laurel S. Taylor, Town Clerk





TOWN OF IRVINGTON, VIRGINIA
Town Council Regular Called Meeting
Thursday, August 10, 2023; 6:30 p.m.
at the Irvington Baptist Church

Sign In Sheet

	Name	Address
1.	Sam VanSam	24 The Pony Pasture
2.	Anthony Marchetti	41 Cedar Cir
3.	Joanna Marchetti	41 Cedar Cir
4.	Michele Coiron	334 King Carter
5.	Jesse Swartz	334 King Carter
6.	Ann D. Decker	41 Seed Lane Cottage
7.	Mary Cary Bradley	991 King Carter
8.	Lori Clarke	477 The Lane
9.	Rob. Brown	122 Old Mill Lane
10.	David W. Cheek	226 OMC Rd.
11.	James Ferguson	78 BUSSELLS LN.
12.	Geoffrey Goff	242 The Lane
13.		
14.		



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON UNITED METHODIST CHURCH
THURSDAY, JULY 13, 2023; 6:30 p.m.**

A. CALL TO ORDER

B. ROLL CALL

Wayne Nunnally, here.
Judy Penniman, here.
Dudley Patteson, here.
Phil Robinson, here.
Gabe del Rio, here.
Jackie Brown, here.
Julie Harris, here.

C. APPROVE AGENDA

J. Penniman corrected the Agenda to remove her name from the budget committee and to insert second reading of the meals tax.

W. Nunnally: Objection.

Motion made by J. Penniman to amend the Agenda with changes to budget committee and second reading of meals tax.

Seconded by G. del Rio.

Motion passes 4-2.

D. APPROVE MINUTES

- June 8, 2023, Town Council Public Hearing

Motion made by D. Patteson to approve the 06/08/2023 public hearing minutes.

Seconded by G. del Rio.

Motion carries 6-0.

- June 8, 2023, Town Council Regular Called Meeting – continued to 06/15/2023.

Motion made by D. Patteson to approve the 06/08/2023 Town Council Regular Called meeting minutes.

Seconded by J. Penniman.

Motion carries 6-0.

- June 15, 2023, Town Council Regular Called Meeting conclusion.

Motion made by D. Patteson to approve 06/15/2023 reconvened Town Council meeting.

Seconded by P. Robinson.

Motion carries 6-0.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON UNITED METHODIST CHURCH
THURSDAY, JULY 13, 2023; 6:30 p.m.**

E. FINANCIAL REPORT

- Treasurer's Report. – Accepted.

F. PUBLIC COMMENT –

- Presentation by Jennifer Sagan, Oyster Restoration Specialist. Discussed all the restoration that will be coming to Carter's Creek. Discussed the importance of oyster restoration to all sea life.
- Comments from citizens on any topic
 - S. Kimmeth: Reported on July 4th weekend activities. Farmer's Market was sold out and the Air Force Band had the largest attendance in 30 years.
 - K. Schaschek: Meals tax discussion. Recommends waiting on sewer survey.
 - F. Sanford: People spoke out 14-4 against meals tax at the recent Public Hearing. Town Council needs to listen to the people's vote.
 - G. Kuper: Spoke on his suggestions for Charter revision. Feels there should be a referendum for spending beyond a certain amount.
 - R. Fuller: Remind Council that there are many residents that do not come to the meetings and the survey provided answers.
 - W. Thompson: No meals tax needed. Another survey is as worthless as the first survey because Town Council did not listen to the first survey.
 - M. Bradley: Listen to the data. We have not heard from the businesses concerning the meals tax and it is an important data fact that is missing.
 - J. Trollip: Second half is not looking as good as the first half. Can go either way on the meals tax.
 - D. Cheek: Would like for Council to tell us why we need a meals tax. One is not needed now, but maybe in the future. A tax that is put on never comes off.

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

VDOT will be conducting traffic counts, July 10 through August 11th.

VRSA advised \$500 grant will be available August 1.

VIA and the Special Events Committee were thanked for a successful July 4th celebration weekend. VIA was also thanked for the donation of a flag for the main Commons in memory of resident, Jay Alga.

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

No report.

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

Permits were issued for a new expanded deck at 413 The Lane. A re-issued permit which had expired was made for apartment space at 70 Rappahannock Road. A sign permit was issued for Accent at 4265 Irvington Road. More receipts were received from Mr. Fisher.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON UNITED METHODIST CHURCH
THURSDAY, JULY 13, 2023; 6:30 p.m.**

J. COMMITTEE REPORTS

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

Ms. Penniman has resigned from this committee.

Motion made by W. Nunnally to appropriate funds \$2,500 for Irvington Crab Festival.

Seconded by D. Patteson.

Motion carries 6-0.

G. del Rio stated that an amended budget is not required if you add revenue, so if the meals tax is added an amended budget is not required. We have money from COVID grants, not from revenue.

- Charter, Codes & Ordinances Committee, *J. Brown & P. Robinson*
Recommendations of having ordinances written in plain English. Town Council needs to think about whether we need an ordinance on historic properties.
- H. R. Committee, *D. Patteson & W. Nunnally*
The Clerk lost her husband, and his service is on Friday, July 14.
- Facilities Committee, *J. Brown & P. Robinson*
Proposal for AES for sidewalk \$13,700. Recommend accepting this proposal. Storage options for flags and Christmas decorations were discussed.

P. Robinson made a motion to accept this proposal.

Seconded by W. Nunnally.

Motion carries 6-0.

P. Robinson made a motion to authorize the Clerk to get a rental space for storage.

Seconded by W. Nunnally.

Motion carries 6-0.

- Community & Special Events Committee, *J. Penniman & D. Patteson*
July 4th parade discussed. It was a great success and volunteers were thanked.
- Commons Committee, *J. Penniman & W. Nunnally*
Tennis court repairs and pickle ball courts were discussed.
- Waterfront Committee, *D. Patteson & J. Penniman*
Third meeting to be held shortly.
- Unfinished Business Report – *J. Brown*
May vote on some topics in August.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON UNITED METHODIST CHURCH
THURSDAY, JULY 13, 2023; 6:30 p.m.**

- Planning Commission Update, *T. Chapman – Chair*
Working on enforcement of ordinances. Harper_CUP was approved.

K. OLD BUSINESS

- First Reading of Proposed Amendment to the Transient Occupancy Tax Ordinance
Andrew McRoberts: Amendment is good to use. Cleaner version.
- Second Reading of Charter V.1 and vote.
 - Discuss suggested revisions for Charter V.2
Internet broadband for town discussed as an addition. Two-year terms for council instead of four-year terms, were discussed, but not accepted. Having a referendum for large expenditures was also discussed.

Motion made by W. Nunnally to include a referendum for \$150,000 in any matter concerning taxes.

Motion was not seconded.

Motion amended by J. Brown to reflect a referendum for \$1,000,000 on all new tax matters and sums over \$1,000,000.

Seconded by W. Nunnally.

G. del Rio, no.

J. Penniman, no.

J. Brown, yes.

D. Patteson, no.

W. Nunnally, yes.

P. Robinson, no.

Motion does not pass 2-4.

G. del Rio made a motion to approve the second reading of the meals tax as proposed with the sunset.

Seconded by D. Patteson.

G. del Rio wants the record to show that Mr. Nunnally asked the town attorney if this exists in any other town and was told no, not that he is aware of.

- Meals tax
J. Brown made a motion to table the meals tax until Council has the information to justify spending the money.
Seconded by W. Nunnally.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON UNITED METHODIST CHURCH
THURSDAY, JULY 13, 2023; 6:30 p.m.**

D. Patteson, no.
W. Nunnally, yes.
J. Brown, yes.
J. Penniman, no.
G. del Rio, no.
P. Robinson, no.
Motion does not pass 2-4.

Motion made by G. del Rio to approve the second reading of the meals tax as read with the sunset clause included.

Seconded by D Patteson.

D. Patteson, yes.
W. Nunnally, no.
J. Brown, no.
J. Penniman, yes.
G. del Rio, yes.
P. Robinson, yes.

Motion carries 4-2.

- Harper_CUP – redevelopment in the RPA

Motion made by G. del Rio to approve.

Seconded by J. Penniman.

Motion carries 6-0.

- Whitney Law-startsmall.THINK BIG
Discussion regarding signing contract. Further details of the scope of work are needed. D. Patteson will work with W. Law on what will be included on the website.

L. NEW BUSINESS

- Bowman Proposal Sewer Report- *P. Robinson*
Motion made by P. Robinson to move forward with Bowman proposal.
Seconded by W. Nunnally.
Motion carries 6-0.

M. ANNOUNCEMENTS

- Next Town Council Meeting, August 10, 2023: 6:30 p.m. at Irvington Baptist Church



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON UNITED METHODIST CHURCH
THURSDAY, JULY 13, 2023; 6:30 p.m.**

N. ADJOURN

**Motion made to adjourn by W. Nunnally.
Seconded by D. Patteson.
Motion carries 6-0.**

The summary Minutes were approved at the Town Council Regular Called Meeting of August 10, 2023.

Motion made by W. Nunnally to approve Minutes of July 13, 2023.

Seconded by P. Robinson

Motion carries unanimously:

	Yea	Nay	Absent
W. Nunnally	X		
G. del Rio	X		
P. Robinson	X		
J. Penniman	X		
D. Patteson	X		
J. Brown	X		



Julie W. Harris, Mayor

Attest:



Laurel S. Taylor, Town Clerk





TOWN OF IRVINGTON, VIRGINIA

Town Council Regular Called Meeting

Thursday, July 13, 2023; 6:30 p.m.

at the Irvington United Methodist Church

Sign In Sheet

	Name	Address
1.	Steve Kimmey	10 CEDAR CIRCLE
2.	Fred Surfard	70 Lee Lane
3.	Klan S. Schaschel	394 KING CARTER DR
4.	Margaret Dabney	85 Rowes Point Rd
5.	Ann Arnold	295 Old Mill Cove Rd.
6.	Jen Sagan (FOR)	_____
7.	Michele Carion	334 King Carter
8.	Jasa Trellip	572 King Carter Dr
9.	Charles Glenn	492 Chesapeake Dr.
10.	Elvin Spruill	45 Lee Lane
11.	Rob & Ginger Brown	122 Old Mill Cove Rd
12.	Dan Serio	PO Box 10 IRVINGTON VA
13.	Jim & Leah Golden	32 Waller Drive
14.	Mary Burgess	22 VARD

15. Mary Cary Bradley 991 King Carter

16. Ruth Fuller 341 The Lane

17. _____

18. _____

19. _____

20. _____

21. _____

22. _____

23. _____

24. _____

25. _____

26. _____

27. _____

28. _____

29. _____

30. _____

31. _____

32. _____

33. _____

34. _____

35. _____



**TOWN OF IRVINGTON, VIRGINIA
RECONVENED – TOWN COUNCIL REGULAR MONTHLY
MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, JUNE 15, 2023; 6:30 p.m.**

AGENDA –

A. CALL TO ORDER

B. ROLL CALL

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

C. APPROVE AGENDA

**Motion made by D. Patteson.
Seconded by P. Robinson.
Motion carries unanimously.**

D. APPROVE BUDGET

• **Operating budget.**

W. Nunnally and J. Brown stated that after listening to the comments of their constituents, they do not think we need to implement a meals tax at this time. After much discussion regarding the value and timing of a meals tax, P. Robinson made a motion to adopt the Operating Budget without the meals tax.

**Motion made by P. Robinson to pass the operating budget as presented without the meals tax.
Seconded by J. Penniman.**

D. Patteson, yes.
P. Robinson, yes.
J. Penniman, yes.
G. del Rio, yes.
W. Nunnally, no.
J. Brown, yes.

Motion carries 5-1.

Discussion about capital improvement budget, one by the Planning Commission and the other by Budget and Finance Committee.



**TOWN OF IRVINGTON, VIRGINIA
RECONVENED – TOWN COUNCIL REGULAR MONTHLY
MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, JUNE 15, 2023: 6:30 p.m.**

**W. Nunnally made a motion to accept the capital improvement budget as presented by the Planning Commission.
Seconded by J. Brown.**

D. Patteson, no.
P. Robinson, yes.
J. Penniman, no.
G. del Rio, no.
W. Nunnally, yes.
J. Brown, yes.
Motion is a tie 3-3.

More discussion is had concerning this capital improvement budget.

**Motion made by G. del Rio to pass the capital budget as proposed by the committee without the town office line item.
Motion was not seconded.**

**Motion made by W. Nunnally to approve the Planning Commission's capital budget as proposed.
Seconded by J. Brown.**

D. Patteson, no.
P. Robinson, yes.
J. Penniman, no.
G. del Rio, no.
W. Nunnally, no.
J. Brown, yes.

Motion does not carry 2-4.

**Motion made by W. Nunnally to adjourn.
No second was made.**

Motion made by G. del Rio to approve the Committee capital budget with a reduction of town office from \$400,000 to \$100,000.

Seconded by D. Patteson.

Motion not voted on after more discussion

Motion made by G. del Rio to amend the motion to reduce \$100,000 for drainage issues and town office is removed.

Seconded by D. Patteson.

Motion not voted on after more discussion



**TOWN OF IRVINGTON, VIRGINIA
RECONVENED – TOWN COUNCIL REGULAR MONTHLY
MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, JUNE 15, 2023; 6:30 p.m.**

Motion made by G. del Rio to amend the motion to reduce drainage to \$50,000, \$100,000 for town office, remove traffic calming study.
Seconded by P. Robinson.

D. Patteson, yes.
P. Robinson, yes.
J. Penniman, yes.
G. del Rio, yes.
W. Nunnally, yes.
J. Brown, yes.

Motion carries 6-0.

Motion to adopt resolution 2023-04 made by D. Patteson.
Seconded by G. del Rio.

D. Patteson, yes.
P. Robinson, yes.
J. Penniman, yes.
G. del Rio, yes.
W. Nunnally, yes.
J. Brown, yes.

3

Motion carries 6-0.

Motion to adopt resolution 2023-05 made by G. del Rio.
Seconded by D. Patteson.

D. Patteson, yes.
P. Robinson, yes.
J. Penniman, yes.
G. del Rio, yes.
W. Nunnally, no.
J. Brown, yes.

Motion carries 5-1.

Motion to adopt resolution 2023-06 made by G. del Rio.
Seconded by P. Robinson.

D. Patteson, yes.
P. Robinson, yes.
J. Penniman, yes.



TOWN OF IRVINGTON, VIRGINIA
RECONVENED – TOWN COUNCIL REGULAR MONTHLY
MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, JUNE 15, 2023: 6:30 p.m.

G. del Rio, yes.
W. Nunnally, no.
J. Brown, yes.

Motion carries 5-1.

Council asked the Mayor to have a 1st Reading of the meals tax.

E. ANNOUNCEMENTS

- Monday, June 19th, the office will be closed in observance of Juneteenth.
- STR Committee meeting is Monday, June 26, 2023, at 6:30 at the town office.
- July 13th meeting will be at the Methodist Church.

F. ADJOURN

Motion made by W. Nunnally to adjourn.
Seconded by J. Penniman.
Motion carries unanimously.

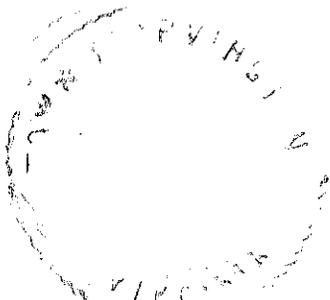
The summary minutes of June 8, 2023 Town Council Reconvened Regular Called Meeting were approved at the Town Council Regular Called meeting on July 13, 2023. Vote was unanimous, 6 – 0 – 0

4

Julie W. Harris, Mayor

Attest:

Laurel S. Taylor, Clerk





TOWN OF IRVINGTON, VIRGINIA
Reconvened Town Council Regular Called Meeting
at the Irvington Baptist Church
Thursday, June 15, 2023; 6:30 p.m. at the Town Office

Sign In Sheet

	Name	Address
1.	Klaus J. Schaschek	374 King Carter Dr.
2.	Mary Cary Bradley	991 King Carter Dr
3.	Marsha Chapman	62 OMC
4.	Thomas Cleary	62 OMC
5.	Peter & Sandy Porteous	222 Steamboat Rd.
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, JUNE 8, 2023; 6:30 p.m. to be continued
THURSDAY, JUNE 15, 2023; 6:30 p.m.**

AGENDA --

A. CALL TO ORDER

B. ROLL CALL

J. Brown, present.
G. del Rio, present.
D. Patteson, present.
P. Robinson, present.
J. Penniman, present.
W. Nunnally, arrived late (during public comment concerning STR's).
J. Harris, present.

C. APPROVE AGENDA

**Motion made by G. del Rio to approve the Agenda.
Seconded by D. Patteson.
Motion carries unanimously (minus Mr. Nunnally, as he arrived after this vote).**

D. APPROVE MINUTES

- May 11, 2023, Budget and Finance Workshop Draft Summary Minutes.

**Motion made by G. del Rio to approve May 11, 2023 B&F Summary minutes.
Seconded by D. Patteson.
Motion carries unanimously (minus Mr. Nunnally, as he arrived after this vote).**

- May 11, 2023, Town Council Regular Called Meeting Draft Summary Minutes held at 6:30 p.m.

**Motion made by P. Robinson to approve May 11, 2023 Town Council Regular Called Meeting Summary minutes.
Seconded by D. Patteson.
Motion carries unanimously (minus Mr. Nunnally, as he arrived after this vote).**

E. FINANCIAL REPORT

- Treasurer's Report – Accepted.

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

- STRs
- Other items

STR Public Comments



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, JUNE 8, 2023; 6:30 p.m. to be continued
THURSDAY, JUNE 15, 2023; 6:30 p.m.**

P. Robinson: If you have comments, please make them at this time. The next meeting will not be open for public comment.

I. Ormsher: The protection of communities and neighborhoods is not adequately addressed. STR's can totally disrupt this. The committee should consider this.

M. Bradley: Look at the data. Are there complaints. The ordinance concerning owner-occupied provision needs look at this concerning the 20-day cap and 3-day minimum.

Any other public comments

S. Kimmeth: Outline of the VIA summer schedule was given. Thanks to the landscape committee for their work.

G. Kuper: Charter revisions are greatly needed. Good governing requires checks and balances. This was raised to the committee without a good response. A majority affirmative vote of registered residents should be incorporated. This charter needs to be updated to the current situation according to livability of our town.

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

Christopher Taylor, husband of Laurel Taylor has passed away.

Police car has arrived, and the off-duty deputies have been on duty. Some tickets have been given and hopefully this will help the speeding issue going through town.

H. REPORT FROM TOWN ATTORNEY

He is at a conference and will call in via phone around 7:00. No report at this time.

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

#2023-16, new house tax map #33-254 & 33-254A; 2023-17 dead tree in RPA; 2023-18 replace dock on Cedardale Lane; review new home application on Old Mill Cove with PC.

An STR CUP for York Road and a CUP for redevelopment in the RPA have been received

J. COMMITTEE REPORTS

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

Capital budget numbers match the PC budget it's just a matter of timing. The amount for the town office is there in case of need. It was brought up that it doesn't match for a year-to-year budget. It was stated everything goes for a vote. Every municipality in our county has a meals tax. We are using the same language as every other municipality in the State of Virginia. It makes sense to have a long-term revenue source. You cannot target a revenue source legally per the town attorney.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, JUNE 8, 2023; 6:30 p.m. to be continued
THURSDAY, JUNE 15, 2023; 6:30 p.m.**

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

First reading of version 1 of the Charter. Any comments/changes should be expressed via email, etc. to see if we will have a version 2 at the next meeting.

- H. R. Committee, *D. Patteson & W. Nunnally*

The passing of Laurel's husband discussed such as PTO, and it was decided to send flowers from the Town Council and Planning Commission.

Rules and procedures are being focused on as far as decorum, and ordinances, etc.

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

Have numbers from engineering for sidewalk, Vineyard Grove (\$14,000 - \$15,000). Will be presented next time.

- Community & Special Events Committee, *J. Penniman & D. Patteson*
Advertising for participants for the 4th of July parade was discussed.

- Commons Committee, *J. Penniman & W. Nunnally*
Searching for a landscape architect. We have 3 names so far and will schedule appointments to meet with them. Two bids in for tennis courts and pickle ball courts.

- Waterfront Committee, *D. Patteson & J. Penniman*
Meeting was held and a few sites discussed. A vision statement will be put on paper and will inform the town what the committee feels should be considered. Will have public input as well.

- Planning Commission Update, *T. Chapman – Chair*
Land use ordinances were discussed and do need updating. Comprehensive plan update discussed. Hope to present draft of Comprehensive Plan by September

K. OLD BUSINESS

- CUP_McNeely for redevelopment in the RPA, 69 Chinnis Lane

Removing the existing home and building a new one.

Motion made by J. Penniman to accept the CUP-McNeely.

Seconded by J. Brown.

P. Robinson, approved.

J. Brown, approved.

G. del Rio, approved.

W. Nunnally, approved.

J. Penniman, approved.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, JUNE 8, 2023; 6:30 p.m. to be continued
THURSDAY, JUNE 15, 2023; 6:30 p.m.**

D. Patteson, recused himself.

Motion carries 5-0 with 1 recusal.

- Version 1, Charter – first reading.

Question was asked of the town attorney by P. Robinson that whatever is approved then has to be brought before the State Legislature, who is responsible for the mechanics of making that happen.

L. NEW BUSINESS

- Chris Henley Presentation – New Town Website

Mr. Nunnally had to leave the meeting.

Mr. Henley expressed that the website does need updating to a newer platform for better navigation. Current website has limitations. Possible online payments may be available. Moving toward Irvington.gov is wanted.

- Business license committee – Heather Sheehan, a member of the Business License Committee, stated that there are challenges for doing business presently online. We support the full construction and moving to the Irvington.va.gov domain. Current platform is very outdated and limits the residents as to what can be done online. .gov is the only official government domain and would remove any concerns from visitors as to whether it was a “real” domain. If additional funds are needed it is not difficult to amend the current budget to accommodate this.

Motion made by J. Brown to upgrade the town website.

Seconded by P. Robinson.

Passed unanimously 5-0.

M. ANNOUNCEMENTS

- Unfinished Business Committee Workshop, June 12, 2023, at 4:00 p.m. at the Irvington Town Office
- The Fourth of July Parade Committee will meet June 12, 2023, at 5:30 p.m. at the Irvington Town Office
- Waterfront Committee, June 13, 2023, at 4:00 p.m. at the Irvington Town Office
- Reconvened - Town Council Regular Called meeting, June 15, 2023, at 6:30 p.m. at Irvington **BAPTIST CHURCH** to vote on the budget proposals.
- Monday, June 19, 2023, the Town Office will be closed in observance of Juneteenth.
- STR Committee Meeting, Monday, June 26, 2023, at 6:30 p.m. at the Irvington Town Office



TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, JUNE 8, 2023; 6:30 p.m. to be continued
THURSDAY, JUNE 15, 2023; 6:30 p.m.

- Town Council Regular Called meeting, July 13, 2023, at 6:30 p.m. at the Irvington UNITED METHODIST CHURCH

O. CONTINUED TO THURSDAY, JUNE 15, 2023, (reconvened from June 8, 2023 meeting)



JUNE 8, 2023

TOWN OF IRVINGTON, VIRGINIA
PUBLIC HEARING – 5:30 p.m.
TOWN COUNCIL REGULAR CALLED MEETING – immediately following
At the IRVINGTON BAPTIST CHURCH

Sign In Sheet

	Name	Address
1.	Robbie Camillo	461 Ke Dr.
2.	BOB WESTBROOK	395 KING CARTER
3.	Fran Westbrook	395 King Carter
4.	Laura Ann Cline	660 Chesapeake Dr.
5.	Bruta Schasch	394 King Carter Dr.
6.	Marsha Chopra	OMC Rd.
7.	Tom Chy	OMC Rd
8.	Terri Westman	King Carter 10 1-
9.	Julien Patterson	
10.	Raney Anderson	The Lane
11.	Anders Anderson	" "
12.	Mary Cole Dobney	85 Bowes Point
13.	George Kuper	River Hill
14.	Michele Corvo	334 King Carter

56. Linda Corn 5160 Livingston Rd
57. Lucy + Cary Schneider 303 Quails Irvington
58. Mary Burgess 22 VAND
59. Carol Biscontini 60 The Pine Pasture
60. Tara Thurston 45 Spring St
61. Klaus D. Schaschek 394 KING CARTEL DR
62. Bonnie Schaschek — u —
63. _____
64. _____
65. _____
66. _____
67. _____
68. _____
69. _____
70. _____



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
THURSDAY, JUNE 8, 2023; 5:30 p.m. to be continued**

AGENDA –

A. CALL TO ORDER

B. ROLL CALL

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

C. APPROVE AGENDA

**Motion made by W. Nunnally to approve the Agenda for the Public Hearing
Seconded by P. Robinson.
Motion carries unanimously.**

D. PUBLIC HEARING

There will be a 3-minute limit for all speakers.

CUP_Harper – for redevelopment in the RPA.

Brief synopsis was given regarding this by J. Nelson.

Meals tax.

Tax rate for FY 2023-2024.

Budget FY 2023-2024.

Planning Commission Budget

M. Chapman: Opposes meals tax as it is unwarranted for capital projects at this time. We do not have a reasonable wait and see period. This tax will never go away. Council should respect what their residents say. This is taking the cart before the horse.

H. Sheehan: Discussion regarding the above matters. Testing and understanding the meals tax does not mean public sewer or high-density development is coming to town. Talk regarding a meals tax being equated with debt or overdevelopment is a failure of logic, and lack of understanding of governmental processes and lack of faith in elected representatives. Everyone's property values will suffer if we don't keep up with modern living and community standards. Urges moving forward with the above.

D. Cheek: You need to wait for the financial feasibility study to be complete before you move forward. You should never lay a tax before feasibility numbers come in. You may



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
THURSDAY, JUNE 8, 2023; 5:30 p.m. to be continued**

find out it's not enough or you don't need it at all. Against the meals tax, and sewer project. I'm asking the Town to hold off on the meals tax.

B. Starrett: Supports the meals tax to help fund future projects. Updating the current amenities of Irvington does not mean you are changing the essence of the town. We cannot be afraid to update things because we are afraid of change.

L. Cline: Disagree with the meals tax and agrees that a more logical and thought-out plan is what is needed. Unless a specific project is in mind, you should not start with a meals tax. Look at the data and analytics to decide how to move forward and listen to your constituents.

T. Golden: Opposes meals tax. Tax should be tied directly to a governmental service or governmental project. There is nothing in the budget that requires a meals tax. It should not be to generate a surplus.

M. Shane: We are the only town around here that doesn't have one. It's irresponsible to not move forward with this meals tax knowing the town will need money.

M. Smith: Opposes the meals tax as it is written and in general. It is definitely putting the cart before the horse. It has been well stressed that unless there was a specific need for the meals tax it is not necessary. There needs to be a specific use.

I. Ormesher: Wanted to discuss the budget. The budget should cover the fiscal year only to be in compliance with the Code of Virginia. Concerned that if the budget is passed it will not be in compliance.

I. Cheney: Would like to step back a little bit from things that are not necessary at the current time. The downside is greater than the upside. The comprehensive plan is the guide to help with this and so I am against adding a tax at this time without having a long-time comprehensive plan. It's our responsibility to improve with an understanding of what we are doing.

M. Bradley: We need to use the data available to use and problem solve. There is more common ground than there are differences. We need to find common ground.

G. Kuper: Against the meals tax at this time. It may be appropriate in the future. In the absence of a well-defined purpose, it is not needed at this time. It's a cavalier attitude to impose a meals tax just because we are the only town without one. I oppose the budget as it stands. These actions of proposing a surplus of money before having a defined need as well as other behind-the-scenes activity gives rise to distrusting the actions of council.

M. McMahon: We need a vibrant waterfront. Concerned about negative prospects of Short-Term Rentals. I support the sewer.

K. Schaschek: Against the meals tax. I provided information that there is an alternative to a meals tax. Sunset date is appreciated. Who are we going into multi-million-dollar debt for?



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
THURSDAY, JUNE 8, 2023; 5:30 p.m. to be continued**

F. Westbrook: Opposes the meals tax. There is a missing component in the budget. The Tides Inn contributes 60% of the town's revenue. This puts us into the 60% risk bracket. There needs to be a contingency fund set aside should the Tide's Inn shut down for an extended period. The town council should plan for anything that could potentially affect the town's budget.

R. Simmons: Opposes the meals tax at this time. Should be considered when we need it.

B. Westbrook: Against the meals tax. It may be needed in the future and can adopt one at that time. Need to know what capital improvements are going to cost first. Need the answers to the questions first. Have a few concerns about the budget. Not in favor of an overreaching government. Comparing past budget with current budget, there are questions. We should underestimate revenue and overestimate expenditures. There are overestimates of revenue. Employee expenses - there is a big jump. Need to be reasonable and explain how these values were reached.

W. Nunnally: Thanked the crowd for coming out. We have differences but we all love this town.

E. ADJOURN

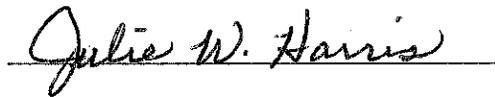
Motion made by P. Robinson to adjourn.

Seconded by W. Nunnally.

Motion carries unanimously.

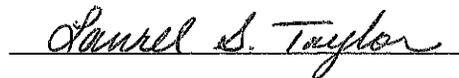
3

The summary minutes of June 8, 2023 Town Council Public Hearing were approved at the Town Council Regular Called meeting on July 13, 2023. Vote was unanimous, 6 - 0 - 0



Julie W. Harris, Mayor

Attest:



Laurel S. Taylor, Clerk



**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



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

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.



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

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.



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

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.



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

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.



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

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.



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

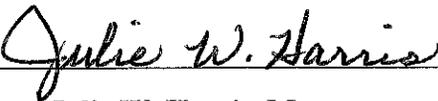
D. Patteson, so certify.
J. Penniman, so certify.
J. Harris, so certify.
W. Nunnally, so certify.

Q. ADJOURN

Motion made to adjourn.
Motion carries unanimously.

The summary minutes of May 11, 2023, were approved at the Town Council Regular Called meeting on June 8, 2023. Motion: (P. Robinson) Second: D. Patteson

Vote was 5 – 0 – 1 W. Nunnally was absent until after the vote was taken.



Julie W. Harris, Mayor

Attest:



Laurel S. Taylor, Clerk





May 11, 2023

TOWN OF IRVINGTON, VIRGINIA
BUDGET & FINANCE WORKSHOP - 5:30 p.m.
TOWN COUNCIL REGULAR CALLED MEETING - immediately following
At the IRVINGTON BAPTIST CHURCH

Sign In Sheet

	Name	Address	Budget	Regular
1.	J. Westbrook	595 K. Carter	✓	✓
2.	B. Schaschek	394 King Carter	✓	✓
3.	J. Trollip	572 King Carter	✓	✓
4.	MICHAEL STANE	5144 IRVINGTON RD	✓	✓
5.	JAWN FOWLE	5144 IRVINGTON RD	✓	✓
6.	Fred Sanford	70 Lee Lane	✓	✓
7.	Al Black	48 Steamboat	✓	✓
8.	S. Van Saun	24 The Pony Pasture		✓
9.	Sandy Porteous	222 Steamboat Rd.		✓
10.	Emily Griffin	4337 Irvington Rd.		✓
11.	Ann Arnold	295 Old Mill Cove Rd.		
12.				
13.				
14.				



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, APRIL 13, 2023; 6:30 p.m.**

AGENDA –

A. CALL TO ORDER

B. ROLL CALL

J. Brown, present.
J. Penniman, present.
G. del Rio, present.
D. Patteson, present.
P. Robinson, present.
W. Nunnally, present via phone.

C. APPROVE AGENDA

**Motion made by G. del Rio to approve the Agenda.
Second by D. Patteson
Motion carries unanimously.**

D. APPROVE MINUTES

- March 9, 2023, Town Council Regular Called Meeting Draft Summary Minutes held at 6:30 p.m.

**Motion made by D. Patteson to approve Summary Minutes 03/09/2023.
Second by J. Penniman.
Motion carries unanimously.**

E. FINANCIAL REPORT

- Treasurer's Report accepted without objection.

F. PUBLIC HEARING

- CUP_CLEARVIEW to operate a STR BUSINESS at 277 Steamboat Road.
- CUP_HB to operate a STR BUSINESS at 205 Steamboat Road.

J. Grieco (131 Park Place): Supports both STRs.

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

K. Schaschek- 394 King Carter Drive: Meals tax discussion is in regards to the sewer project. All other capital projects can be managed without the meals tax. A decision of this magnitude requires public decision.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, APRIL 13, 2023; 6:30 p.m.**

J. Grieco- (131 Park Place): TC should have received 9 recommendations regarding opposition of approving Crabtrap STR. If this CUP is approved 42% of Vineyard Grove would be STRs. The number of STRs in Vineyard Grove is of great concern.

B. Bragg- (72 Creekview Drive): Speaking as a citizen and a real estate company, I do have an issue with not allowing property owners to supplement their income with an STR. I am concerned as a taxpayer in the event a suit ensues against the town due to the STR ordinance.

J. Harris: Question regarding that one of the CUPs was previously a STR.

J. Nelson: It was a grandfathered STR, operated for approximately 8 years by previous owner.

A. Pollard (318 Steamboat Road): Some letters that came in had accusations that were inappropriate. Need to turn the volume down a little bit.

R. Pagano – (Vineyard Grove): Ordinance that was created was to maintain the Town's character. My wife and I volunteered a lot of time with cleaning up the community. Four neighbors have sold their homes in the last year due to the STRs. Much discussion was had at the last meeting regarding a 4' tall fence changing the character of the town when in fact it is the STRs themselves that are changing the character of our town.

J & K Pfund- (31 Spring Street): There are 35 STRs allowed and 5 are still outstanding. Vineyard Grove HOA does not have a limit on STRs. Surprised by all the opposition about this STR. Would like the fair thing to be done and rule on the CUP application based on current Town rules.

R. Thurston (lives next door to 31 Spring Street): We do rent out our home as a grandfathered STR. House next door is an STR and have had no issues. I'm speaking now apprehensively as a public citizen and was very uncomfortable with some of the language used in the letters. Everyone can have opinions but accusations should not be thrown out against volunteers and paid staff members. Our brand of our home was peace, rest and quiet as well as the Irvington brand of being neighborly. Thanks for time and your service.

J. Pagano- (143 Broadway): I am a full time resident of Vineyard Grove. Aggressive letters were just passionate letters for stressed homeowners. Asking for patience. STRs are a matter of the Town, not the HOA. Impact of transient homes is felt by every homeowner.

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

Business license committee met and was very productive. We want IT (Chris Henley) to help with making the website to be able to handle business license applications online. Appoint a water access committee to be announced in about a week or so to include Town



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, APRIL 13, 2023; 6:30 p.m.**

Council, PC, residents. Word Cloud discussed. The biggest words are *residents* and *need*. Resident's needs should be considered the top priority.

I. REPORT FROM TOWN ATTORNEY

Off-duty deputy plan: Sheriff identified some potential issues, one being a written agreement. It is about 98% complete and should be final to be voted on for the next meeting. Town Council can authorize a representative such as the Mayor to sign the MOU on the Council's behalf with a form approved by the Town Attorney without having to wait until the next meeting.

Motion made by J. Brown to appoint the Mayor to sign the MOU on behalf of the Town Council.

Seconded by P. Robinson.

Motion carries unanimously.

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

More receipts have been received from Mr. Fisher. Sidewalk contracts have been received. Two interns have been assigned to the office and every single file has been gone through by hand and has been refiled by tax map number. The next step will be to be digitized.

K. COMMITTEE REPORTS

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

Meeting was held to go over the capital plan. Two recommendations to allocate a donation to the Kilmarnock Fire Department (\$10,000 recommendation).

Motion made by G. del Rio to allocate a \$10,000 donation to Kilmarnock Fire Dept. for equipment for oxygen.

Seconded by J. Penniman.

Motion carries unanimously.

Meals tax was discussed at the meeting and am asking Town Council to discuss this and agree to a percentage and a timeline so it can be put in the budget. If a percentage can be agreed on Andrew can draft a tax ordinance and can be read and voted on.

After much discussion, Council decided on recommending a 3% meals tax.

Council members J. Brown and P. Robinson suggested that Council list priorities, rather than just say that the funds are for Capital Improvement Projects.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, APRIL 13, 2023; 6:30 p.m.**

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

Two copies of the charter for Council to look at. Workshop in 2 weeks for the Charter.

- H. R. Committee, *D. Patteson & W. Nunnally*

D. Patteson - no report.

J. Harris: Rules and Procedure committee (HR members) will find another time for meeting, as Council will have a Budget & Finance workshop at 5:30 before the May 11 meeting.

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

New sidewalks in front of The Office thanks to VDOT. Estimates were given for further sidewalk improvements (\$11,500) on Steamboat Road.

P. Robinson made a motion to allocate funds.

Seconded by J. Penniman.

Motion carries unanimously.

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

July 4th parade – Monday, July 3, 2023, 11:00 a.m.

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

G. del Rio: Passing the hat, things are underway, playground is done. Ms. Penniman will be chair. Mr. Nunnally will be co-chair.

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

Copy of report provided. STRs discussed. Proposed language changes recommended by zoning administrator regarding use of CUPs in the business district. Capital improvements discussed.

L. OLD BUSINESS

- Adopt Resolution 2023 – 03, Northern Neck Regional Hazard Mitigation Plan

Copy in office, very lengthy.

Motion made by W. Nunnally to adopt the plan.

Seconded by J. Brown.

Motion carries unanimously.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, APRIL 13, 2023; 6:30 p.m.**

- Occupancy Tax form – discussion to continue monthly or change to quarterly or annually

Discussion about this being monthly, quarterly or yearly. This will affect STRs only. The Tides Inn and Hope and Glory Inn will continue to pay monthly.

Andrew McRoberts: There is a way to prove what was made, such as 1099s.

Motion by J. Brown to change to quarterly payments to include 1099 for STRs, if available.

Seconded by W. Nunnally.

Motion carries unanimously.

- Sign Ordinance - Zoning Administrator approval

Current sign ordinance in place and Council approves or denies the sign. Want to change wording to allow zoning administrator to make the approval if requirements have been met.

Motion made J. Harris to change one sentence in sign ordinance to state zoning administrator can approve signs if all requirements are met.

Seconded by W. Nunnally.

Motion carries unanimously.

- CUP_HERNDON to operate a STR BUSINESS at 42 Steamboat Rd – vote

Motion made by G. del Rio to approve.

Seconded by J. Penniman.

W. Nunnally, approve.

D. Patteson, approve.

G. del Rio, approve.

J. Brown, approve.

J. Penniman, approve.

P. Robinson, approve.

Motion carries unanimously.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, APRIL 13, 2023; 6:30 p.m.**

- CUP_CRAB TRAP to operate a STR BUSINESS at 31 Spring Street – vote

D. Patteson: I want to avoid any inference of a possible conflict or impropriety on my part.

G. del Rio: Could you please vote, I mean honestly, Dudley. there is no conflict of interest just because you hang a license somewhere that sold the property and we have legal opinion that says that, not that we needed it but we have it.

D. Patteson: I still wish to recuse myself without validating anything out there.

Motion made by G. del Rio to approve.

Seconded by J. Brown

W. Nunnally, approve.

D. Patteson, recused.

G. del Rio, approve.

J. Brown, approve.

J. Penniman, approve.

P. Robinson, approve.

Motion carries 5-0, 1 recused.

- Fire Department Grant – decide how to distribute \$15,000 grant discussed.

M. NEW BUSINESS

- Livi's Market Sign

Motion by G. del Rio to approve.

Seconded by D. Patteson.

Motion carries unanimously.

- Maintenance of Commons pine tree
 - Viking Pride
 - Bartlett Tree Service

Motion made by J. Brown to accept Bartlett Tree Service estimate.

Seconded by G. del Rio.

Motion carries unanimously.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, APRIL 13, 2023; 6:30 p.m.**

N. ANNOUNCEMENTS

- Next Town Council Regular Called meeting, May 11, 2023, at 6:30 p.m. at Irvington **BAPTIST** Church. Budget workshop 5:30.

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.

J. Harris: Invited Mr. Albert Pollard , Jr. to be in closed session as a member of the search committee.

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, I so certify.

P. Robinson, I so certify.

Albert Pollard, I so certify.

J. Penniman, I so certify.

J. Brown, I so certify.

J. Harris, I so certify.

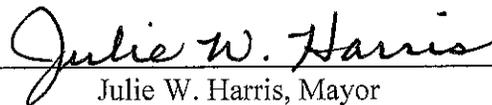
Q. ADJOURN

Motion made by P. Robinson to adjourn.

Seconded by G. del Rio.

Motion carries unanimously.

The summary minutes of April 13, 2023, were approved at the Town Council Regular Called meeting on May 11, 2023. Motion: (G. del Rio) Second: W. Nunnally
The vote was unanimous. 6 - 0 - 0


Julie W. Harris, Mayor

Attest:


Laurel S. Taylor, Clerk



TOWN OF IRVINGTON, VIRGINIA
Town Council Regular Called Meeting and
Joint Public Hearing
IRVINGTON BAPTIST CHURCH
Thursday, April 13, 2023; 6:30 p.m.

Sign In Sheet

	Name	Address
1.	Mary Cary Brandy	991 King Carter
2.	Mary Burgess	22 VARD
3.	Klaen R. Schaschek	324 KING CARTER
4.	Janice & Kmt Pfund	31 Spring St.
5.	John Grieco	131 Park Place
6.	Thomas Harlow & Lini Justis	34 Golf Course Dr.
7.	Robert & Gita Pagano	143 Broadway
8.	Jud Bunker	155 Park Pl.
9.	Kathy Walshy	380 Steamboat
10.	MICHAEL SHANE	5144 IRVINGTON ROAD
11.	DAWN FOWLE	5144 IRVINGTON ROAD
12.	Albert Black	48 Steamboat

13. Roxanne GLOBIS THURM 45 Spring St
14. Laran Brown The Times Inn
15. Jeta Treulb II II II
16. Camille & Bo Bragg 77 crack view
17. Maria Getaff 189 Broadway
18. Ruth Fuller 341 The Lane

19. _____

20. _____

21. _____

22. _____

23. _____

24. _____

25. _____

26. _____

27. _____

28. _____

29. _____

30. _____

31. _____

32. _____

33. _____

34. _____



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, MARCH 09, 2023; 6:30 p.m.**

AGENDA –

A. CALL TO ORDER

B. ROLL CALL

Gabe del Rio, present.
Dudley Patteson, present.
Wayne Nunnally, present.
Phil Robinson, present.
Jackie Brown, present.
Judy Penniman, present.
Julie Harris, present.

Staff

Andrew McRoberts (present electronically).
Laurel Taylor, present.
Justin Nelson, present.

C. APPROVE AGENDA

Motion by W. Nunnally to approve Agenda.
Seconded by D. Patteson.
Motion carries unanimously.

D. APPROVE MINUTES

- February 9, 2023, Joint Public Town Hall Meeting/Workshop Draft Summary Minutes held at 5:30 p.m.

Motion by G. del Rio to approve 02/09/2023 PTH meeting/workshop.
Seconded by P. Robinson.
Motion carries unanimously.

- February 9, 2023, Town Council Regular Called Meeting Draft Summary Minutes held at 6:30 p.m.

Motion by W. Nunnally to approve 02/09/2023 RCM meeting.
Seconded by D Patteson.
Motion carries unanimously.

E. FINANCIAL REPORT

- Treasurer's Report as of 02/28/2023 accepted.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, MARCH 09, 2023; 6:30 p.m.**

F. PUBLIC HEARING

- CUP_HERNDON to operate a STR BUSINESS at 42 Steamboat Rd
- CUP_CRAB TRAP to operate a STR BUSINESS at 31 Spring Street

W. Nunnally asked how many STRs are currently on Steamboat Road. Zoning Administrator was not certain. W. Nunnally clarified that Spring Street is in Vineyard Grove.

J. Penniman: Who is the manager for Herndon?

J. Nelson: No manager, they will do it themselves. They will have to obtain a business license and then will also have to list an agent, where they are and a phone number.

P. Robinson: They are close to 2 hours away on the other side of Richmond. I would inquire to make sure they understand what the rule is.

J. Pagano: 143 Broadway, Vineyard Grove. I manage my sister-in-law's STR and am concerned with care. Six months is peaceful – the other 6 months is different. The character of the community is changing. My husband and I object to the application.

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

A. Pollard: Reminder that he can give rental for the storage of decorations until September 2023.

M. Schmid: Ordinance regarding business license. Questions as to whom this applies to. Question about business and written notice requirement and fine. Suggests that Town temporarily suspends business license.

H. Sheehan: Speaking as private citizen. Lack of clarity regarding business license such as people working remotely from their homes, contractors, home crafter's, etc. Council should consider exempting businesses that have no zoning impact (no store front, no signage, no parking, etc.). Ordinance should be suspended until final clarity. Town needs to move toward payment via electronic methods.

Robin Camillo: Survey regarding sidewalks. She is not happy with due to loss of trees, foliage. Will not allow their trees and foliage to be taken down.

K. Vail: Moved to Irvington for the nice little town. Don't want city sidewalks. STR's are great but need to have a minimum of 2-3 night stays.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, MARCH 09, 2023; 6:30 p.m.**

M. Chapman: Meals tax should be further considered. Important information needs to be collected for projects such as sewer project. Best interest for the town needs to be made. Taking on debt and relying on meals tax is not good for the Town.

I. Ormsher: STR and business tax discussed. Irvington has changed significantly over the last 25 years, but changes proposed by this Council are fundamentally different to the past changes which were done with private money. Changes being discussed currently are with public money. Surveys were inconclusive. Council should pursue further and Council needs to pay attention to the residents of Irvington.

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

The town office cannot extend its lease beyond March 2025. Owners do not want to sell or rent beyond the current lease. Storage area lease is up September 2023. Due to upcoming deadlines, I am appointing a committee to search for properties. The need to curb speeding has become even more concerning as a result of a hit and run vehicle accident.

To have meetings run efficiently and respectfully, the HR Committee, the Town Attorney and the Mayor will be on a committee to develop Rules of Procedure which will guide the conduct for all meetings.

I. REPORT FROM TOWN ATTORNEY

Andrew McRoberts: Zoom meeting is a very important resource. Appreciate comments from citizens regarding business license. Change is difficult. Business licenses have a multitude of reasons for existence. There are definitions for all types of businesses. Vendors should not be made to jump through hoops to attend events in Irvington. An ordinance is being drafted to address the vendors at the Farmer's Market.

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

Expanding parking lot behind Dredge, new pool house on King Carter Drive, new dock on the Lane, garage expansion on Edgewood and new pool on Chase's Cove. Currently have 28 STR's. Market in the gas station is open. Clothing store will be opening in the old town office.

K. COMMITTEE REPORTS

- Budget & Finance Report, *J. Penniman & G. del Rio*
Draft budget is put together. Capital improvement/budget is out to PC for recommendations. We are running a positive net revenue. Healthy budget. We are nowhere near close to spending 101% of the capital budget. Attorney fees and other funds were discussed with the Treasurer. Next B&F Committee is April 11, 2023, 1:30 p.m.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, MARCH 09, 2023; 6:30 p.m.**

- Charter, Codes & Ordinances Committee, *J. Brown & P. Robinson*
Committee meeting for Town Council for unfinished business will be held April 3, 2023, 1:30 p.m. Ordinance Amendment 2023-01 was distributed. Provision added that relates to the Farmer's Market and Taste By The Bay. Consideration for internet workers, etc. are needed. This needs to be digested and there are other things that need to be considered. Need to suspend the current Ordinance.

G. del Rio made motion due to lack of clear language and definition to suspend the ordinance for business license fee, and to create a committee to work with the town attorney and IVBA and business members to make an amended ordinance to present to Town Council hopefully within the next 6 months, business as usual until then.

Seconded by D. Patteson.

Motion carries unanimously.

Motion made by G. del Rio to reimburse the 6 business license fees back.

Seconded by J. Penniman.

Motion carries unanimously.

A committee will be formed (2-IVBA, 1- independent business person, 1 council member, 1 VIA) to review the business license and fee.

- H. R. Committee, *D. Patteson & W. Nunnally*
Defer until closed session tonight. Review of staff.
- Facilities Committee, *J. Brown & P. Robinson*
Sidewalk on Irvington Road discussed. Get revised proposal to see what it would look like on the other side of the road. Sidewalk to Vineyard Grove needs to be assessed at some point.
Don't need a new committee for search for town office. Facilities Committee is an obvious choice.
- Community & Special Events Committee, *J. Penniman & D. Patteson*
No report.
- Playground & Commons Committee, *G. del Rio & W. Nunnally*
Committee meeting was held, received proxy votes and decision was made to purchase the playground equipment (used) from Kilmarnock. This was purchased at a great discount at \$10,000. It will need some refurbishment.

Motion made by G. del Rio to bid and purchase the playground equipment.

Seconded by W. Nunnally.

W. Nunnally, yes.

D Patteson, yes.

J. Brown, yes.

P. Robinson, no.

J. Penniman, yes.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, MARCH 09, 2023; 6:30 p.m.**

**G. del Rio, yes.
Motion passes 5 – 1 - 0.**

Inspections will be made, and safety will be addressed. Deadline for removal of Kilmarnock equipment has been extended. We have a bid for removal of the equipment.

Motion made by W. Nunnally to accept \$9,000 contract to remove and install the newer equipment.

Seconded by J. Penniman.

W. Nunnally, yes.

D Patteson, yes.

J. Brown, yes.

P. Robinson, yes.

J. Penniman, yes.

G. del Rio, yes.

Motion carries unanimously.

- **Planning Commission Update, T. Chapman – Chair**
STR amendments were discussed. It was recommended that STR's should have adequate off-street parking.

Comprehensive plan update is coming along. Capital improvement is moving along as well. Something needs to be written down concerning notices of enforcement.

Motion made by J. Brown for Planning Commission to write notices for administrative enforcement procedures.

Seconded by W. Nunnally.

Motion carries unanimously.

CUP requirements for business changes were discussed.

L. OLD BUSINESS

- **StartSmallThinkBig social media contract.**
Motion made by J. Brown to accept the contract.
Seconded by J. Penniman.

Roll Call Vote

W. Nunnally, no.

D. Patteson, yes.

J. Brown, yes.

P. Robinson, no.

J. Penniman, yes.

G. del Rio, yes.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, MARCH 09, 2023; 6:30 p.m.**

Motion carries 4-2.

- Library disbursement - \$5,000.
Motion made by W. Nunnally to approve the disbursement.
Seconded by J. Brown.
Motion carries unanimously.

- Boys & Girls Club disbursement - \$1,500.
Motion made by W. Nunnally to make the disbursement to the Boys & Girls Club.
Seconded by G. del Rio.
Motion carries unanimously.

- Blue Ridge CD, L. Taylor
Manager at Blue Ridge wants to keep the Town's business, has 15-month CD at 4.5%, a new exception was made for the Town.

New signatories will be the Mayor, Julie Harris, Vice Mayor, Wayne Nunnally and Town Clerk, Laurel Taylor. Will leave it where it is right now.

Motion made by P. Robinson that the new signatories for all bank accounts will be Mayor, Julie Harris, Vice Mayor, Wayne Nunnally and Town Clerk, Laurel Taylor.

Seconded by G. del Rio.
Motion carries unanimously.

- Off-duty deputy/Patrol Car.
We will hire off-duty deputies to patrol the concerned areas at a rate of \$40.00 per hour. County will sell a patrol car for \$500.00. It will be equipped with radar ready to use. Calibration will be done by the County. Irvington would be responsible for routine maintenance and fuel. Revenue from speeding tickets will come to the Town.

Motion made by J. Brown to hire the off-duty deputies for at least 4 hours per week, not to exceed the budget.

Seconded by P. Robinson.
Motion carries unanimously.

Motion made by D. Patteson to pay \$40.00 per hour for off-duty deputy.

Seconded by W. Nunnally.
Motion carries unanimously.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, MARCH 09, 2023; 6:30 p.m.**

- Sign Ordinance – content discussion.
All existing signs that are lawful will continue to remain. New signs will have to comply with the current ordinance. Should rooftop signs be regulated? All exemptions need to be stricken from the ordinance. Monuments, statute, and art needs to be still included.

Motion made by W. Nunnally to accept the sign ordinance contents.

Seconded by D. Patteson.

Motion carries unanimously.

- Fence Ordinance – content discussion.
There is a need for a fence ordinance. Need to review the fence ordinance from the County.

Motion made by W. Nunnally to defer the fence ordinance until further information is gathered.

Seconded by D. Patteson.

Motion carries unanimously.

- CUP_GEIER to operate a STR BUSINESS at 4524 Irvington Rd

Motion made by P. Robinson to accept the Geier CUP.

Seconded by J. Penniman.

Roll Call vote

W. Nunnally, yes.

D. Patteson, yes.

J. Brown, yes.

P. Robinson, yes.

J. Penniman, yes.

G. del Rio, yes.

Motion carries unanimously.

M. NEW BUSINESS

- Discussion of Vineyard fence
It has been investigated and it was determined it would not be feasible to save the vines. W. Nunnally had a discussion with Scott Ukrop concerning the painting of the fences. Ms. Taylor sent an email to Mr. Ukrop regarding the condition of the fences.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, MARCH 09, 2023; 6:30 p.m.**

Motion made by W. Nunnally to formally notify Scott by letter that we consider the condition of the fence a nuisance and if it is not repaired/painted in 90 days, the Town will take care of it. This will be discussed at the April meeting.

Seconded by J. Brown.

Motion carries 5-0, D. Patteson abstains.

- Meals tax roundtable discussion
W. Nunnally – does not favor a meal tax unless the rescinding the real estate tax.
J. Penniman – In favor of a meals tax. She thinks a meals tax would be beneficial for the Town.
- Replacing the Zoning Administrator desktop.
Motion made by W. Nunnally to replace the Zoning Administrator desktop.
Seconded by G. del Rio.
Motion carries unanimously.

N. ANNOUNCEMENTS

- Playground/Commons Committee meeting, March 16, 2023, at 4:00 p.m. at the Irvington Town Office
- Joint Public Meeting of Planning Commission & Town Council with EPR-PC, March 23, 2023, at 5:30 p.m. at the Irvington Baptist Church
- Next Town Council Regular Called meeting, April 13, 2023, at 6:30 p.m. at Irvington BAPTIST Church

O. CLOSED SESSION

- Under State Code 2.2-3711 (A) (1) for discussion regarding performance and salaries of staff personnel.

P. RETURN TO OPEN SESSION

- Certifying only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the closed meeting.

Certification vote

W. Nunnally, absent (left early).

D Patteson, so certify.

J. Brown, so certify.

P. Robinson, so certify.

J. Penniman, so certify.

G. del Rio, so certify.

J. Harris, so certify.



TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, MARCH 09, 2023; 6:30 p.m.

Motion made by G. del Rio to approve the raises for staff as recommended by HR Committee and be entered into the budget for 2023/2024.

Seconded by Judy Penniman.

Motion carries 5-0, 1 absent (W. Nunnally)

Q. ADJOURN

Motion made by J. Brown to adjourn.

Seconded by P. Robinson.

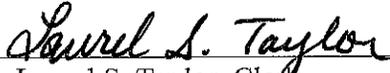
Motion carries 5-0, 1 absent (W. Nunnally).

The summary minutes of March 9, 2023, were approved at the Town Council Regular Called meeting on April 13, 2023. Motion: (D. Patteson) Second: J. Penniman
The vote was unanimous. 6 - 0 - 0



Julie W. Harris, Mayor

Attest:



Laurel S. Taylor, Clerk





TOWN OF IRVINGTON, VIRGINIA
Town Council Regular Called Meeting
IRVINGTON BAPTIST CHURCH
Thursday, March 9, 2023; 6:30 p.m.

Sign In Sheet

	Name	Address
1.	Mary Burgess	22 VARD
2.	Sam VanSann	24 The Pony Pasture
3.	Mary Cary Bradley	991 King Carter
4.	Robert Camillo	461 King CARTER
5.	Jane McGeorge	720 SANDRO LANE
6.	MICHAEL STANE	5144 IRVINGTON ROAD
7.	DAWN FOWLE	5144 IRVINGTON ROAD
8.	Kimberly Vail	31 Rappahannock Road
9.	Albert Pollock	418 Steamboat Rd
10.	Klaam Shasul	394 KING CARTER
11.	Scott Frazier	Kilmorynck
12.	Jud Burke	155 Park Pl
13.	Barbara Cousins	11
	Jasen Troth	480 King Carter Dr
	Angie Everett	King Carter Drive

35. Roxanne Glorbs Thurston 45 Spring St
36. Marsha Chapman 62 OMC
37. Thomas Chapman 62 OMC
38. Leo Taylor 4504 Irvington Rd
39. Bo Bragg 72 Clerkview
40. Janice Pond 31 Spring
41. Robert & Gita Pagano 143 Broadway
42. Michael Schurd 341 The Lane
43. _____
44. _____
45. _____
46. _____
47. _____
48. _____
49. _____
50. _____
51. _____
52. _____
53. _____
54. _____
55. _____
56. _____



**TOWN OF IRVINGTON, VIRGINIA
JOINT PUBLIC TOWN HALL MEETING/WORKSHOP
IRVINGTON BAPTIST CHURCH
THURSDAY, FEBRUARY 9, 2023
5:30 PM TO 6:00 PM; PUBLIC TOWN HALL
6:00 PM to 6:30 PM; WORKSHOP**

AGENDA

A. CALL TO ORDER – J. Harris, Mayor

B. ROLL CALL for PLANNING COMMISSION

Tom Chapman, present.
Lee Capps, present.
David Clarke, present.
Dawn Fowle, present.
Jeremy Taylor, present.
Ruth Fuller, present via phone.
Albert Pollard, Jr., present (late).

C. ROLL CALL FOR TOWN COUNCIL

Julie Harris, present.
Dudley Patteson present via phone.
Wayne Nunnally, absent (unable to be reached).
Gabe del Rio, present.
Jackie Brown, present.
Judy Penniman, present.
Phil Robinson, present.

Motion (J. Harris) to allow D. Patteson to participate via phone due to illness).
Motion passed unanimously.

Motion (J. Harris) to allow W. Nunnally to participate via phone as he is away on business.

Motion passes unanimously.

D. PUBLIC COMMENT (5:30 to 6:00 p.m.)

J. Harris – The mayor welcomed everyone and stated that Irvington is at a critical point in its history. Decisions need to be made for long-range plans for the next 3, 5, 10 years and beyond. These decisions should not be made by a small group of representatives but by the community as a whole.



**TOWN OF IRVINGTON, VIRGINIA
JOINT PUBLIC TOWN HALL MEETING/WORKSHOP
IRVINGTON BAPTIST CHURCH
THURSDAY, FEBRUARY 9, 2023
5:30 PM TO 6:00 PM; PUBLIC TOWN HALL
6:00 PM to 6:30 PM; WORKSHOP**

E. CAPITAL IMPROVEMENT PROJECTS (limit of 3 minutes per person on these topics)

S. Spencer – Need to repair sidewalks that we currently have. Does not want sidewalks in West Irvington. Waterfront access is not a priority. The town office should not be on the plan. Current accommodations work perfectly. Traffic calming should be on the list. The playground may need to be updated. We should keep what we have and maybe embellish it some. Do not need an amphitheater. Tennis court is convenient where it is currently, but may need updating.

G. Kuper – There are alternatives to sidewalks such as walking paths. Real cost for sewer should be determined. Waterfront access – do nothing. Should leave the playground as is and resurface the tennis courts. Concerning the town office - negotiate purchasing the building that is currently being leased.

C. Elliott – The playground equipment should be kept and refurbished and made safe. Renovations such as adding bathrooms, amphitheater, etc. are not needed. Information (cost analysis) should be provided to residents concerning sewers to make a decision. Supports sidewalk improvements but would like to know the cost.

L. Caron – The number of children in our population does not support spending the large amount of money on the playground. Safety and maintenance measures are the main concern. Resurfacing the tennis courts should be considered. Installing new bathrooms is a large expense and will have to be maintained regularly. Do not want a meal tax.

J. McGeorge – New town office benefits all the residents. Waterfront property access is expensive to purchase and maintain and is not needed. Do not need sidewalks in East Irvington.

M. Chapman – Money is the problem – burning a hole in pockets to spend. Taxes have been increased. Signing a long term debt obligation is worrisome. Only minor improvements to Irvington are necessary.

K. Schaschek – Totally against meals tax. Sidewalk repairs should be done with ARPA funds.

G. Kuper – There is opposition to the improvements in the Commons. Just maintenance of what we have is all that is needed.

D. Cheek – Sidewalk improvements are needed. Residents do not need sewer, just businesses. A new town hall could be put on the back burner, there are other options. Improvements should be made to the Commons, not change it. Sometimes massive projects can get out of hand. Vineyard property needs to be improved.



TOWN OF IRVINGTON, VIRGINIA
JOINT PUBLIC TOWN HALL MEETING/WORKSHOP
IRVINGTON BAPTIST CHURCH
THURSDAY, FEBRUARY 9, 2023
5:30 PM TO 6:00 PM; PUBLIC TOWN HALL
6:00 PM to 6:30 PM; WORKSHOP

J. Trollip – Small changes need to be made. Does not recommend the town to take out huge loans. Tides does not need a town sewer. Sidewalks and playgrounds just need to be maintained. Should not spend \$1,000,000 on a playground.

D. Serio – Playground/Commons is satisfactory, some improvements can be made but doesn't need major improvements. Safety regarding waterfront access is important. Not really needed. Like to keep Irvington the great place it is to live in.

J. Friday – Playground is sufficient. Most sidewalks are sufficient, don't need to spend lots of dollars on this.

Please base comments on the listed topics only. Additional Public Comments can be made at the Town Council Regular Called Meeting beginning at 6:30.

F. WORKSHOP (6:15 TO 6:30 p.m.)

- **Planning Commission/Town Council begin discussion for possible Capital Improvement Projects. Determination needs to be made as far as unique qualities of Irvington are concerned.**
- J. Taylor – Big changes are not wanted.
- G. del Rio - Irvington is very different now than what it was. Change will happen. Changes over the last 20 years have made Irvington what it is today. Change is not evil. Slow positive changes are warranted.
- P. Robinson – Change is inevitable, we can't stay still. We wouldn't have what we have now if change hadn't happened. Sidewalks need to be maintained.
- J. Penniman – Certain changes need to happen to improve and refine. Change is not bad.
- A. Pollard – Need to be cautious relying on one business such as the Tides. Traffic calming can be accomplished.
- T. Chapman – We don't have large amounts of money for capital improvements and we do not need to raise taxes.
- D. Patteson - If there is a list of capital improvements there must be a cost for each. We need to have costs in order to make an educated decision. The sewer is something that we certainly need to consider. We need to get some info from professionals on what the cost would be. Right now, we don't have anything to work with. Reinstate the sewer panel to develop an RFP for a feasibility study.

Motion (D. Patteson) to reinstate the sewer panel to write an RFP and to get bids from engineering firms in regard to sewer. The funds should come from ARPA funds.



TOWN OF IRVINGTON, VIRGINIA
JOINT PUBLIC TOWN HALL MEETING/WORKSHOP
IRVINGTON BAPTIST CHURCH
THURSDAY, FEBRUARY 9, 2023
5:30 PM TO 6:00 PM; PUBLIC TOWN HALL
6:00 PM to 6:30 PM; WORKSHOP

Second G. del Rio.
Motion passed unanimously.

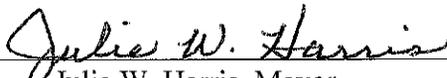
Gabe del Rio - A workshop is needed prior to next meeting. However, we will not have better numbers. Have to turn assumptions to knowledge. Capital budget is needed by April.

G. ADJOURN

Motion (D. Patteson)
Second: G. del Rio
Motion to adjourn passes unanimously.

The summary minutes of the Joint Public Meeting and Workshop of February 9, 2023, were approved at the Town Council Regular Called meeting on March 9, 2023. The vote was 6 - 0 - 0

Motion: (G. del Rio) Seconded by J. Brown

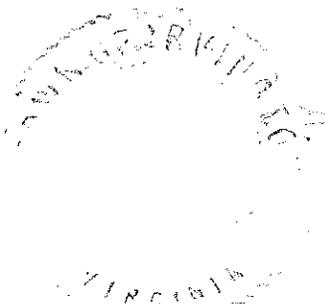


Julie W. Harris, Mayor

Attest:



Laurel S. Taylor, Clerk





TOWN OF IRVINGTON, VIRGINIA
Town Council & Planning Commission
TOWN HALL & WORKSHOP
IRVINGTON BAPTIST CHURCH
Thursday, February 9, 2023; 5:30 p.m.

Sign In Sheet

	Name	Address
1.	GEORGE KUPER	Raydon Hall
2.	Danielle Kuper	64 Haydon Hall Lane
3.	Mary Burgess	22 VA Rd
4.	Michelli Corin	334 King Carter
5.	mary Carter Dabney	35 Bowes Point Rd
6.	June & Snowy McGeary	720 Sanders Lane
7.	Don Sena	66 WESTMAN CIRCLE
8.	STEVE KIMMEL	10 CEDAR CIRCLE
9.	Klan D. Shaschul	394 KING CARTER
10.	Jasen Trollip	480 King Carter Dr
11.	Michael Shane	5144 Irvington Rd
12.	Dawn Fawke	5144 Irvington Rd

13. Kim Hillstrand 81 Carter Crest RD
14. Jessie Hillstrand & '1
15. Nancy Bradley 991 King Carter
16. Maska Chapin 62 OMC Rd.
17. Ed Fessenden 278 OMC Rd
18. Linda Carson 5100 Irvington Rd.
19. Maria Eretoff 189 ~~St~~ Broadway
20. Matt Cottle 480 King Carter Dr
21. _____
22. _____
23. _____
24. _____
25. _____
26. _____
27. _____
28. _____
29. _____
30. _____
31. _____
32. _____
33. _____
34. _____



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, FEBRUARY 09, 2023; 6:30 p.m.**

AGENDA –

A. CALL TO ORDER, J. Harris.

B. ROLL CALL

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

C. APPROVE AGENDA

Motion (J. Penniman) to approve the agenda.

Second G. del Rio.

Motion passed unanimously.

D. APPROVE MINUTES

- January 12, 2023, Joint Town Council & Planning Commission Public Hearing Draft Summary Minutes held at 5:30 p.m.

Motion (J. Penniman) to approve the January 12, 2023, JTC & PC PH minutes.

Second J. Brown.

Motion passed unanimously.

- January 12, 2023, Town Council Regular Called Meeting Draft Summary Minutes held at 6:30 p.m.

Motion (G. del Rio) to approve the January 12, 2023, TC_RCM minutes.

Second P. Robinson

Motion passed unanimously.

E. FINANCIAL REPORT

- Treasurer's Report

Treasurer's Report is accepted.

F. PUBLIC HEARING

- CUP_BAKER to operate a STR BUSINESS at 125 Edgewood Lane
- CUP_GEIER to operate a STR BUSINESS at 4524 Irvington Road
- CUP_HONEY to operate a Yoga/Pilates retail store at 301 Steamboat Road



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, FEBRUARY 09, 2023; 6:30 p.m.**

- CUP_TIDESFARM to operate an agricultural farm on parcel #33-307C by New Tides LLC
- CUP_HILLENBRAND to operate a STR at 81 Carter's Creek Road
- CUP_KINDLE to operate a STR at 277 Steamboat Road

Colleen Sweeney - Edgewood Lane – The Baker property will not be a frequent Short Term Rental. Based on this she is withdrawing her objection.

Geier – What kind of rental? No one is present to answer questions regarding type of rental.

F. White – Chase's Cove Lane – Several concerns in regard to the Tides, such as water pressure, parking, access, etc.

M. Little, Tides Inn Horticulturist – Tides farm is currently a vacant property. Wanting to use to grow plants to be used by Tides. Will be foot traffic. Sketch was provided. Working on irrigation issues. There will be drip lines.

G. PUBLIC COMMENT (limit 3 minutes per speaker)

S. Kimmeth – listed upcoming events for the Village Improvement Association.

M. Shane – Traffic calming discussed. Speed cameras discussed in school zones.

F. Sanford – Discussed implementation of a temporary tax. This “temporary tax”, discussed years ago, is still in place.

G. Kuper – 277 Steamboat Road CUP, sent in a letter in opposition. There are no checks and balances for Council. Chesapeake National Recreation Area is being created and we need to see how this affects Irvington and its history.

C. Bradley – Speaker series starts Saturday. Public comments should be acknowledged and addressed at some point. Questions about budget discussed. Legal expenses are over budget.

J. Harris – The budget is an estimate from past year's expenses. Expenses are coming down.

M. Getoff – STR ordinance discussed. Density is a concern.

Town Clerk, L. Taylor – read an email from resident A. Lowery – A. Lowery had objections to elaborate plans for Commons. Purchasing new playground equipment, not needed.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, FEBRUARY 09, 2023; 6:30 p.m.**

Replacement of tennis courts is not needed. Portable toilets are suitable for now. Amphitheater is not needed nor is walking trail. Funds for part-time police presence is more important.

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

Plaques honoring Jackie Burrell has been placed by Sandra Matthews.

I. REPORT FROM TOWN ATTORNEY.

No report.

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

West Irvington sidewalk engineering project is complete. Tides Inn has received VDOT approval for the new access road.

K. COMMITTEE REPORTS

- Budget & Finance Report, *J. Penniman & G. del Rio*
Two meetings held. Moving along. Haven't started on Capital Improvement budget. Meals tax should be on next month's meeting agenda. .
- Charter, Codes & Ordinances Committee, *J. Brown & P. Robinson*
Motion (J. Brown) to have a workshop for Council to discuss past issues.
Second J. Penniman.
Motion passes unanimously.
- H. R. Committee, *D. Patteson & W. Nunnally*
Budget for next fiscal year for staff.
- Facilities Committee, *J. Brown & P. Robinson*
P. Robinson – Complaints on sidewalks. Town is responsible for some sidewalks and VDOT is responsible for other sidewalks. Government funding program is available, up to 80% will be paid back for sidewalk projects.
- Community & Special Events Committee, *J. Penniman & D. Patteson*
4th of July parade, Monday July 3, 2023.
- Playground & Commons Committee, *G. del Rio & W. Nunnally*
Next meeting will be Thursday, February 23, 2023, 4:00 p.m., open meeting.
- Planning Commission Update, *T. Chapman – Chair*
CUP's and STR's discussed. Sign ordinance.

L. OLD BUSINESS

- CUP_BAKER to operate a STR at 125 Edgewood Lane

Motion (J. Brown) to approve Baker CUP.

Seconded by P. Robinson

Motion passes unanimously.

- CUP_HONEY to operate a Yoga/Pilates retail store at 301 Steamboat Road



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, FEBRUARY 09, 2023; 6:30 p.m.**

Motion (J. Brown) to accept HONEY CUP.

Seconded by D. Patteson.

Motion passes unanimously.

- CUP_TIDESFARM to operate an agricultural farm on parcel #33-307C by New Tides LLC

Motion (J. Penniman) to accept TidesFarm CUP.

Seconded by D. Patteson.

Motion passes unanimously.

- CUP_HILLENBRAND to operate a STR at 81 Carter's Creek Road

Motion (J. Penniman) to accept Hillenbrand CUP for house only.

Seconded by P. Robinson.

Motion passes unanimously.

- CUP_KINDLE to operate a STR at 277 Steamboat Road

P. Robinson – Objects to contacts living/working in Virginia Beach. No issue with parking.

Motion (J. Brown) to deny granting Kindle CUP.

Seconded by P. Robinson.

Motion passes 4-1-0. D. Patteson abstained.

27 STR's at present.

- STR Ordinance Amendment.

All CUP's will have to comply with these. Business license - Expiration shall occur after written notice and 30 days without compliance.

G. del Rio - There should be a remedy period. Pushback about business license. There are a lot of folks that don't know about this.

Motion (P. Robinson) to accept modified language of ordinance and to accept previously approved CUP's.

Seconded by J. Brown

D. Patteson, yes.

J. Penniman, yes.

J. Brown, yes.

G. del Rio, yes.

P. Robinson, yes.

Motion passes unanimously.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, FEBRUARY 09, 2023; 6:30 p.m.**

**Motion (G. del Rio) to send back to PC with the amendments to go through the process to make a formal amendment to the ordinance in the interest of health, safety and welfare and practices of the Town.
Seconded by J. Penniman.**

**D. Patteson, yes.
J. Penniman, yes.
J. Brown, yes.
G. del Rio, yes.
P. Robinson, yes.
Motion passes unanimously.**

M. NEW BUSINESS

- Banking Resolutions 2023-01 and 2023-02 to appoint new signatories for Chesapeake Bank and Blue Ridge Bank. Mr. Nunnally would be added as Vice Mayor.

**Motion (J. Brown) to approve to add new signatories.
Seconded by G. del Rio.**

**D. Patteson, yes.
J. Penniman, yes.
J. Brown, yes.
G. del Rio, yes.
P. Robinson, yes.
Motion passes unanimously.**

- CD at Blue Ridge Bank – close and deposit to Atlantic Union CD for 4%.

**Motion (G. del Rio) to approve closing and depositing to Atlantic Union CD.
Second J. Brown.**

**D. Patteson, yes.
J. Penniman, yes.
J. Brown, yes.
G. del Rio, yes.
P. Robinson, yes.
Motion passes unanimously.**

- VIA Events – *S. Kimmeth*
2023 Event calendar in packet.
**Motion (J. Brown) for use of Town Commons for VIA event calendar.
Seconded by G. del Rio.
Motion passed unanimously.**



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, FEBRUARY 09, 2023; 6:30 p.m.**

- Request for Town sponsorship of SEM Crab Fest
Information for budget planning. Information about donation.
- Historic Designation – There was extensive work done to get this designation.
Decisions need to be made as to use of this designation.

N. ANNOUNCEMENTS

- Town Office closed February 20, 2023, for Presidents' Day
- Next Town Council Regular Called meeting, March 9, 2023, at 6:30 p.m. at
Irvington **BAPTIST** Church

O. ADJOURN

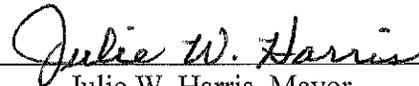
Motion (J. Brown) to adjourn.

Seconded by D. Patteson

Motion passes unanimously.

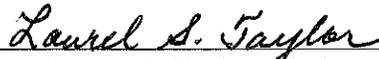
The summary minutes of February 9, 2023 were approved at the Town Council Regular Called meeting on March 9, 2023. The vote was unanimous. 6 – 0 - 0

Motion: (W. Nunnally) Seconded by G. del Rio



Julie W. Harris, Mayor

Attest:



Laurel S. Taylor, Clerk



BANKING RESOLUTION 2023 – 01

To adopt new signatories at Chesapeake Bank

WHEREAS the Irvington Town Council desires to authorize certain individuals to conduct banking business for the Town of Irvington ("Town"); and

WHEREAS financial institutions may require evidence of such authorization.

NOW THEREFORE, the Town Council RESOLVES that:

- (1) Julie Harris, The Mayor; R. Wayne Nunnally, Vice Mayor; and Laurel S. Taylor, Town Clerk; are hereby authorized to conduct banking business for the Town of Irvington as signatories at all depository financial institutions of the Town from time to time ("Signatories").
- (2) This authorization includes checking, savings, certificates of deposit and money market accounts.
- (3) All transactions require two Signatories to conduct business.
- (4) Nothing herein authorizes a Signatory to (i) obtain a loan, or to sign, execute, deliver notes or evidence of indebtedness in the name of the Town, (ii) mortgage, transfer, assign, endorse, or pledge assets of the Town, or (iii) lease, rent, maintain, access, or terminate a Safety Deposit Box for the Town.
- (5) This Resolution shall take effect February 10, 2023.

I, Julie Harris, Mayor of the Town of Irvington, do hereby certify that the above is a true copy adopted at a regular meeting of the Town Council of Irvington, Virginia, held on February 9, 2023, at which a quorum was present and voting. The vote was as follows:

In Favor: **5** Opposed: **0**

W. Nunnally - *absent*
P. Robinson
J. Brown
J. Penniman
D. Patteson
G. del Rio

✓
✓
✓
✓
✓

Julie W. Harris, Mayor
Julie W. Harris, Mayor

ATTEST: *Laurel S. Taylor*
Laurel S. Taylor, Town Clerk



BANKING RESOLUTION 2023 – 02

To adopt new signatories at Blue Ridge Bank

WHEREAS the Irvington Town Council desires to authorize certain individuals to conduct banking business for the Town of Irvington ("Town"); and

WHEREAS financial institutions may require evidence of such authorization.

NOW THEREFORE, the Town Council RESOLVES that:

- (1) Julie Harris, The Mayor; R. Wayne Nunnally, Vice Mayor; and Laurel S. Taylor, Town Clerk; are hereby authorized to conduct banking business for the Town of Irvington as signatories at all depository financial institutions of the Town from time to time ("Signatories").
- (2) This authorization includes checking, savings, certificates of deposit and money market accounts.
- (3) All transactions require two Signatories to conduct business.
- (4) Nothing herein authorizes a Signatory to (i) obtain a loan, or to sign, execute, deliver notes or evidence of indebtedness in the name of the Town, (ii) mortgage, transfer, assign, endorse, or pledge assets of the Town, or (iii) lease, rent, maintain, access, or terminate a Safety Deposit Box for the Town.
- (5) This Resolution shall take effect February 10, 2023.

I, Julie Harris, Mayor of the Town of Irvington, do hereby certify that the above is a true copy adopted at a regular meeting of the Town Council of Irvington, Virginia, held on February 9, 2023, at which a quorum was present and voting. The vote was as follows:

In Favor: 5 Opposed: 0

W. Nunnally	- absent	
P. Robinson		✓
J. Brown		✓
J. Penniman		✓
D. Patteson		✓
G. del Rio		✓

Julie W. Harris, Mayor
Julie W. Harris, Mayor

ATTEST: Laurel S. Taylor
Laurel S. Taylor, Town Clerk



TOWN OF IRVINGTON, VIRGINIA
Town Council Regular Called Meeting
IRVINGTON BAPTIST CHURCH
Thursday, February 9, 2023; 6:30 p.m.

Sign In Sheet

	Name	Address
1.	Steve Kinnert	10 Cedar Circle
2.	Alan & Carolyn Elliott	650 King Carter Drive
3.	Joni Carter	755 King Carter Dr.
4.	David Cheek	226 Old Rd.
5.	Nancy Friday	84 Edgewood Lane
6.	John Friday	" "
7.	Harry Wells	358 Bails Trail
8.	Jane Wells	" " "
9.	Tim Golden	32 Walker Dr
10.	Fred Sanford	70 Lee Lane
11.	Ann Meekins	41 Lee Lane Cottage
12.	Kim Hillerbrand	81 Carters Creek Rd
13.	Jessie Hillerbrand	" "

- 14. Gene Edmonds 204 Old Mill Cove
- 15. Mary Ann Bradt 991 King Carter ✓
- 16. Maisha Chapman 62 Mill Cove Rd.
- 17. Melaine Carter-Maguire 121 Chases Cove Lane
- 18. Frank Maguire 121 Chase Cove Lane
- 19. Emerald Keyser 390 Chesapeake Dr
- 20. Starrowla Hachmowicz 82 Chases Cove Ln
- 21. _____
- 22. _____
- 23. _____
- 24. _____
- 25. _____
- 26. _____
- 27. _____
- 28. _____
- 29. _____
- 30. _____
- 31. _____
- 32. _____
- 33. _____
- 34. _____



**THE TOWN OF IRVINGTON
JOINT TOWN COUNCIL & PLANNING COMMISSION PUBLIC HEARING**

**IRVINGTON BAPTIST CHURCH, IRVINGTON, VA
Thursday, January 12, 2023; 5:30PM**

- 1. Call to order – Tom Chapman**
- 2. Roll Call of Planning Commission**
- 3. Roll Call of Town Council**
- 4. Approval of Agenda**

Motion to approve the Agenda.
Motion carries.

5. Playground Committee Presentation – G. del Rio

The committee met to investigate playground options, cost, and timeline. Several options were off-the-shelf versus custom built. The custom option was more favorable due to design. Committee was also asked to look at the amenities offered at the Commons area. Local theme would be preferred, multiage use as well as handicap accessible. Restrooms need to be addressed. Several designs were discussed/shown. Could be planned in phases as grants are available.

Swearing in Ceremony of Town Council Members-

Jacquelyn Y. "Jackie" Brown – Term from January 1, 2023, and ending December 31, 2026

Philip A. Robinson – Term from January 1, 2023, and ending December 31, 2026

R. Wayne Nunnally - Term from January 1, 2023, and ending December 31, 2026

Gabe del Rio – Term from November 18, 2022, and ending December 31, 2024

Playground Committee presentation was resumed -

Questions regarding drainage issues, permanent restrooms (necessity for grants) and surfaces for parking and walkway areas. Discussion of how Tri-Way Trail will come into play. Discussion of purchasing additional land. This is the beginning of the process. New town office was discussed. The improvements are not to bring in more events/children. It is for the benefit of Irvington residents.

- 6. Proposed CUP #2022.Honey (First reading).
Proposed CUP #2022.TidesFarm (First reading).**

Proposed CUP #2022.Hillenbrand to operate a Short-Term Rental to be located at 81 Carters Creek Road (First reading).

Proposed CUP #2022.Kindle to operate a Short-Term Rental located to be located at 277 Steamboat Road (First reading).

7. Adjournment

Motion to Adjourn.

So moved Dudley Patteson.

Second.

Motion carries.

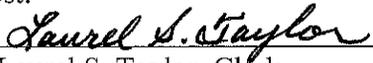
Motion to approve minutes: Judy Penniman seconded by Jackie Brown

The minutes of the Joint Public Hearing held January 12, 2023, were approved at the Town Council Regular Meeting on February 9, 2023. The final vote was 5 – 0 – 0 with W. Nunnally absent.



Julie W. Harris, Mayor

Attest:



Laurel S. Taylor, Clerk



TOWN OF IRVINGTON, VIRGINIA
Town Council and Planning Commission Joint Workshop
IRVINGTON BAPTIST CHURCH
Thursday, January 12, 2023; 5:30 p.m.

Sign In Sheet

	Name	Address
1.	Buddy & Sue Spencer	33 Reynolds Ldy
2.	Alan & Evelyn Elliott	650 King Carter Drive
3.	Stavroula Alachnowicz	Ed Chases Cove Ln
4.	Kristin Cheyne	Haydon Hall Lane
5.	Ian Cheyne	Haydon Hall Lane
6.	Russell King	81 KING CARTER
7.	Aaron Brown	The Tides Inn
8.	Fred Sanford	70 Lee Lane
9.	Melanie Carter-Maguire	121 CHASES COVE LANE
10.	LINDA CARON	5160 Irvington Rd
11.	Sandyt Peter Porteous	222 Steamboat Rd.
12.	Sam Van Saun	Pony Pasture
13.	Jasen Trolyp	572 King Cart Dr. Inv.
	Klan D. Slaughter	3709 King Carter Dr.
	Gail Feddeman	278 Old Mill Cove Rd

14. Lily Schnerd 303 Quails Trail
15. Cary Sanich " " "
16. Kim Hillenbrand 81 Carters Creek
17. Maryann Bradley 991 Kim Carter
18. Mary Burgess 22 VA RD
19. Jeff Ewing 732 Chesapeake
20. Michael Shane 5144 Irvington Rd
21. Dawn Fowle 5144 Irvington Rd

22. _____
23. _____
24. _____
25. _____
26. _____
27. _____
28. _____
29. _____
30. _____
31. _____
32. _____
33. _____
34. _____



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, JANUARY 12, 2023; immediately following Joint
Meeting regarding Playground & Commons**

AGENDA –

A. CALL TO ORDER

B. ROLL CALL

Wayne Nunnally, present.
Jackie Brown, present.
Phil Robinson, present.
Dudley Patteson, present.
Judy Penniman, present.
Gabe del Rio, present.
Julie Harris, present.

Staff Present

J. Nelson.
L. Taylor.
Town Attorney, absent.

C. APPROVE AGENDA

Motion (W. Nunnally) to approve Agenda.
Second J. Penniman.
Motion carries 6-0.

D. APPROVE MINUTES

December 8, 2022, Town Council Regular Called Meeting Draft Summary Minutes

Motion (W. Nunnally) to approve 12/08/2022 minutes.
Second J. Brown.
Motion carries 5-0-1.
Phil Robinson abstained.

E. FINANCIAL REPORT

- Treasurer's Report – Accepted as of 12/31/2022.

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

- **I. Cheyne:** Significant amount of money to spend. Another step is to document why Irvington is a special place before changes are made, such as open space.



TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, JANUARY 12, 2023; immediately following Joint
Meeting regarding Playground & Commons

- **B. Estes:** Playground should not be placed across the road due to a safety issue and liability to the Town. Need to think hard about replacing the playground.
- **B. Spencer:** Safety is of utmost importance in the town as regards speeding, trucks, etc. The playground equipment is sufficient, doesn't need to be replaced.
- **L. Caron:** Question regarding parking.
- **S. Spencer:** Playground should not be moved. No amphitheater needed. Speeding is a very big concern and needs to be addressed.
- **S. Kimmeth:** Farmer's market parking issue is big (need greater than 125 spaces).
- **C. Bradley:** Second Saturday Speaker's Series, 2nd, Saturday of the month. Legal fees exceeding budgeted amount.
- **W. Nunnally:** Public needs to contact Lancaster Board of Supervisors.

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

- The Mayor gave a State of the Town address which highlighted the accomplishments of the Planning Commission, Town Council and various committees throughout 2022. Everyone was thanked for all their hard work. Included in these accomplishments were the following:
 - Speeding and Lancaster County Sherriff – more work will be done.
 - Microphones – purchased and in current use.
 - New flags and flag poles – purchased and in use.
 - EPR-PC – Town survey conducted, and follow-up meetings are ongoing. Revision of the Comprehensive Plan is underway. Selection of the Capital Improvement Projects for Irvington.
 - Short Term Rental Committee – was formed and led by Phil Robinson. Their recommendations, formed in working closely with the Town Attorney, resulted in an Ordinance which has served as a model for Kilmarnock, Lancaster County and Northumberland County.
 - Town Attorney worked on a Business License and Short-Term Rental registry and Transient Occupancy Tax revision.
 - Town Attorney and Charter, Code and Ordinance Committee revision of the Charter – work ongoing.
 - Fourth of July celebration – Judy Penniman and the Special Events Committee held a parade and music by the Air Force Band.
 - New flag for the Commons – donated by Bill Penniman.
 - Repaired lighting for the U. S. flag at the Commons – thank you to Elbourn Electric.
 - Stump Grinding at North Commons – this was completed which allows for grass cutting, providing increased visibility and safety at the corner of Chesapeake Drive.
 - Tides Inn expansion – public comments in several months of meetings conducted in order to thoughtfully work together.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, JANUARY 12, 2023; immediately following Joint
Meeting regarding Playground & Commons**

- Sidewalks – a feasibility study by an engineering firm is being done in connection with the Tides Inn expansion to increase safety for pedestrians in West Irvington.
- Painting playground equipment – several residents volunteered to paint existing equipment.
- The Playground Committee was formed to consider possible expansion.
- Sewer Committee – formed early in 2022 and presented their findings. A feasibility study has been recommended.
- Records Officer – Clerk Laurel Taylor was designated to this position by Town Council and appointed by the Library of Virginia to review and organize Town Records.
- Interns – hired to assist with sorting Fiscal, Administrative and Land Use files. The task is 95% complete.
- Zoning Administrator, Justin Nelson and the clean-up of Fisher's Pit – work is ongoing with regular reports and tickets being provided by Mr. Fisher along with a variety of other Zoning projects.
- Zoning records – all records are being put in tax-map number order with the assistance of the Interns and Justin Nelson, Zoning Administrator.
- Broadband Telecom – still being installed and fine-tuned throughout Irvington to provide WiFi for residents, businesses, and visitors for potential emergency needs.
- Survey focus groups being developed by EPR-PC to allow a deeper dive into the survey results and to help determine Capital Improvement Projects.
- Planning Commission – tasked with updating the Sign and Fence Ordinance.
- MuniCode – implemented by signed contract in December. This allows staff to research and draft ordinances to be reviewed by the Town Attorney, which will be a cost savings to the Town.
- Budget & Finance Committee – has been formed and is currently meeting.

H. REPORT FROM TOWN ATTORNEY

- No report.

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

- Zoning permits (rebuilding a boathouse, dock, renovations). Total 28 STR's.

J. COMMITTEE REPORTS

- Budget & Finance Report, *J. Penniman*
Budget process begins and meetings to come. Outline due in April.
- Charter, Codes & Ordinances Committee, *J. Brown*
National Trust Designation discussed; nothing has been done to date.
- H. R. Committee, *D. Patteson*
Everyone's happy.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, JANUARY 12, 2023; immediately following Joint
Meeting regarding Playground & Commons**

- Facilities Committee, *W. Nunnally - Chair*
No report.
- Community & Special Events Committee, *J. Penniman*
Christmas activities were held and were successful. Decorations were wonderful.
July 4th parade will be Monday July 3, 2023.
- Playground & Commons Development Committee, *G. del Rio*
The Mayor thanked G. del Rio for all the work on the design of the Commons and North Commons. This design will be considered with other Capital Improvement projects.
- Planning Commission Update, *T. Chapman - Chair*
STR ordinance discussed. Capital improvement budget. Wireless/internet discussed.

K. OLD BUSINESS

- MuniCode
Now participating, 24/7 use.
- Placement of Jacqueline Burrell plaque
Placement needs to be decided.
Motion (W. Nunnally) to place on the big tree on King Carter.
Second G. del Rio.
Motion passes 6-0.

L. NEW BUSINESS

- Elect Vice Mayor
J. Brown nominated W. Nunnally.
D. Patteson, J. Penniman, G. del Rio (joint) second.
Motion passes 6-0.
- New Committee Appointments
HR – D. Patteson, W. Nunnally.
Charter – J. Brown, P. Robinson.
Special Events – J. Penniman, D. Patteson.
Facilities – J. Brown, P. Robinson.
Playground – G. del Rio, W. Nunnally.
Budget & Finance – G. del Rio, J. Penniman, J. Harris, and another new member to be announced next month.
- Appoint Planning Commission Member (closed session).
- CPA Report – No report.
- Mover, Billy Williamson of Gotta Have It – estimate.
Motion (D. Patteson) to hire Billy Williamson to finish office cleanup.
Second P. Robinson.
Motion passes 6-0.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, JANUARY 12, 2023; immediately following Joint
Meeting regarding Playground & Commons**

M. ANNOUNCEMENTS

- Town Office closed January 16, 2023, for Martin Luther King, Jr. Day
- Next Town Council Regular Called meeting, February 9, 2023, at 6:30 p.m. at Irvington **BAPTIST** Church

N. CLOSED SESSION – Under State Code 2.2-3711 to go into closed session for discussion, consideration of appointment to Planning Commission.

O. RETURN TO OPEN SESSION

I, Wayne Nunnally, so certify.
I, Gabe del Rio, so certify.
I, Phil Robinson, so certify.
I, Dudley Patteson, so certify.
I, Judy Penniman, so certify.
I, Julie Harris, so certify.

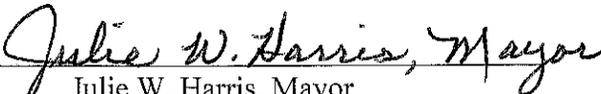
**W. Nunnally makes a motion to appoint Dawn Fowle to the Planning Commission.
Second G. del Rio.
Motion passes 6-0.**

P. ADJOURN

**W. Nunnally makes a motion to adjourn.
Second J. Penniman.
Motion passes 6-0.**

Motion to approve: Gabe del Rio, seconded by Jackie Brown

The minutes of January 12, 2023, were approved at the Town Council Regular Meeting on February 9, 2023. The final vote was 5 – 0 – 0 with W. Nunnally absent.


Julie W. Harris, Mayor

Attest:


Laurel S. Taylor, Clerk



**TOWN OF IRVINGTON, VIRGINIA
Town Council Regular Called Meeting
IRVINGTON BAPTIST CHURCH**

Thursday, January 12, 2023; immediately following the Joint Public Meeting

Sign In Sheet

	Name	Address
1.	Mary Cary Bradley	991 King Carter
2.	Kim Hillerbrand	81 Carters Creek
3.	Mary Burgess	22 VARD
4.	Jeff Ewing	732 Chesapeake
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		