

TOWN COUNCIL MEETING, WORK SESSION  
AND PUBLIC HEARING  
APRIL 28, 2008  
6:00 P.M.

AMENDED

TOWN COUNCIL MEMBERS PRESENT:

Duke Shannahan  
Kathyanne Runniger  
Fletcher Fosque

Kay Wescott  
George Miles  
Maphis Oswald

OTHERS PRESENT:

Bruce Paone, Mayor  
Susan D. Scott, Town Mgr.  
Bill Bagwell  
Travis Bradley  
Vera T. Bruton  
Joseph Caffrey, Hospice Bd. Member  
Mike Carpenter  
Cheryl Cashman  
Cynthia Downing  
Caleb & Lynne Fowler  
Sandra Fox

Karen Simpson, Admin. Asst.  
David Rowan, Town Atty.  
Valena Gibb  
Russell Jones  
Ben Kidd  
Kris LaMontagne  
Lynn Lindsay, Hospice  
Anne Nock  
Mike Truitt, OVFD  
Buck Walters  
Shirley Zamora

- I. A Council Work Session was held at 6:00 p.m. onsite at the green grassy area behind the former BB&T bank building where the Ethel Lewis is berthed. Due to inclement weather, Council members adjourned to Council Chambers to discuss the property. The necessity of an appraisal was suggested - \$250 for each of two (2) lots, with three (3) lots being \$750. Saleable frontage was discussed. There is more waterfront footage than parking lot footage (320 ft.). There are at least two (2) buildable lots. Buck Walters will advise Council of the cost of a survey. Councilwoman Oswald feels the lots should be sold to

take down the Town's debt. Travis Bradley will talk to his father, Kendall, regarding evaluating the grassy area.

Reference was made to the presentation by Hill Studio a couple of years ago to use the Town parking lot area for a farmers and craft market, outdoor entertainment stage, etc. The buildable lot on Market Street alongside the cable office was discussed. Kris LaMontagne thought that balancing what the property is worth vs. what we would save by paying down the debt was an important consideration. The Town Attorney opined that because the Town would be creating a street (how long, how big, where?), it would have to be referred to the Planning Commission to determine whether that comports to the Town Plan. Then the Commission would recommend to the Council and draft a Town Ordinance regarding dedication of the street. Landowners with rights to the street would have to sign off if their property touched the existing right-of-way relinquishing their rights to the right-of-way in exchange for a legitimate, dedicated public street. This is a non-issue if the street runs into a cul-de-sac. The only reason the street is being considered is to make the lots buildable. Caleb Fowler advised that if a change was made in the right-of-way, he would not be able to access his driveway coming from Ames Street Bridge because of the current angle.

- II. After a five-minute recess, the Joint Public Hearing was called to order. The newspaper advertisement was read for the rezoning request by Habitat for Humanity to rezone a lot (Tax Map No. 085A3-4-4-8) on Boundary Avenue from Business Highway to Residential 1-B. Commissioner Kidd gavelled the Planning Commission meeting to order. There was no public comment. The Planning Commission had no problems with the application. The Planning Commission meeting was ordered closed. Mayor Paone closed the joint public meeting.
- III. Mayor Paone called the regular Town Council meeting to order, after which the Pledge of Allegiance and invocation were recited.
- IV. Consideration of March 24, 2008 Minutes. The reading of the minutes was waived. *Councilman Miles made the motion to approve the March 24, 2008*

*Town Council minutes, Councilman Shannahan seconded the motion, and it passed unanimously.*

- V. Mayor Paone introduced Lynn Lindsay, Director of Operations for Hospice, who in turn introduced Joseph Caffrey, a business broker and Hospice Board member. Ms. Lindsay explained that Hospice takes care of terminally ill people. They are funded through Medicare, Medicaid, private health insurance and private funding. They take care of 60% of the deaths on the Shore. They offer 13 support groups and a program for those not terminally ill. They have 115-125 patients daily and over 100 employees. Hospice is moving to the old Meatland building in Onancock and will use 19,000 sq. ft. of the total 25,000 sq. ft., renaming it "The Peninsula Center". The Thrift Shop will use the right half of the building, Hospice offices will be in the left half and ADCO will use a smaller area where they are currently. Occupancy will be early October for the Thrift Store and early November for the offices. Interior demolition has begun. Ms. Lindsay presented conceptual drawings of what the finished product will look like. There will be a 120-person conference chamber.
- VI. Public Comment. Cindy Downing advised that the Friends of Onancock School will hold an open annual meeting on June 26<sup>th</sup> - the first of three. She invited everyone to walk the Onancock School property to see what the naturalists have accomplished at the waterfront. The goal is to install a handicap accessible walkway along the water and a path for runners. FOS has applied for two grants. A grant has been applied for to restore the dock for kayak launching. The back north wing is taken up by Accomack CommUNITY Band and the E.S. Orchestra. Roberta Dean will be in the front corner of the north wing. There is one tenant in the south wing, leaving room for two more.

Cheryl Cashman opposes the part of the Town Ordinance that states the landowner is responsible for a tenant's water/sewer bill if not paid. She quoted State Code sections, some of which did not apply. She feels that the Town's policy does not follow our ordinance, and thinks our practices are illegal. The Town Attorney will look into this matter and see if the Town is following State law.

Shirley Zamora reminded Town Council that the Town had not looked at the State law before starting collection of real estate taxes.

- VI. Disposition of Public Hearing. Commissioner Kidd gaveled the Planning Commission to order and stated that the Planning Commission recommends that Council approve the special use permit application of Habitat for Humanity. Councilman Miles made a motion that Council approve the special use permit application of Habitat for Humanity to rezone Tax Map No. 085A3-4-4-8 on Boundary Avenue from Business Highway to Residential 1-B, Councilwoman Runniger seconded the motion, and it passed unanimously. The Planning Commission meeting was adjourned.
- VII. Mayor's Comments. The Mayor is pleased about Hospice's move to Onancock. He also complimented all the wonderful work done by the naturalists and volunteers along the water at the Onancock School site.
- VIII. Town Manager's Report.
- i. Correspondence: a) letter from VDOT recommending installation of "No Parking" signs on King Street as soon as their schedule permits; b) letter from Bagwell Oil regarding the proposed increase in the BPOL cap; c) confirmation from USDA Rural Development of the \$38,700 loan funds and \$50,000 Economic Impact Initiative grant funds have been approved for purchase of police cars; d) Tourism Commission report.
  - ii. Tree Board terms of office: Councilman Miles made a motion to reappoint to the Tree Board Tony Kluis and Anne Nock to another three-year term each to expire January 1, 2011 and to reappoint Sharon Wills to another three-year term to expire January 1, 2010, Councilman Shannahan seconded the motion and it passed unanimously.
  - iii. Public notification from FEMA of proposed modifications in Base Flood Elevations. If finalized, they will become the basis for the floodplain management measures that Onancock must adopt or show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program. An opportunity to appeal will be provided.
  - iv. Report submitted regarding Onancock Landing. The Town Manager is currently working with VDOT on contract forms required and the

format. VDOT review of plans will take 60-90 days, bid review will take up to 90 days, bid advertising will take 3 weeks, bid opening procedures and tabulation will take at least 30 days, and after bid awarding the usually has at least 30 days to begin the project.

- v. A letter signed by many downtown businesses requested rescheduling of the Onancock Christmas Parade. Due to such nonsupport, by authority of the Recreation Board, the Christmas Parade was cancelled for 2008. After pro and con discussion, Vera Bruton advised that no matter what day, date or time previous parades have been scheduled, there have always been complaints by the downtown businesses. The Recreation Board has dissolved and past volunteers are not interested this year. After further discussion, it was decided that a public service announcement be published asking for volunteers to run the parade.
- vi. May 2008 activities:
  1. May 6<sup>th</sup> - Election Day.
  2. May 7<sup>th</sup> - Earth Day @ Town Sq. 10 a.m. - Rural Development.
  3. May 8<sup>th</sup> - Public Session Wharf Improvements - 6:30 p.m. A PSA will be published addressing issues in order of preference and what has previously been discussed.
  4. May 10<sup>th</sup> - Super Saturday - Downtown merchants & town-wide yard sale.
  5. May 18<sup>th</sup> - March of Dimes Walk.
  6. May 19<sup>th</sup> - Tax Rate Public Hearing /Town Council meeting 6:30 pm
  7. May 20<sup>th</sup> - Planning Commission meeting - 7:00 p.m.
  8. May 21<sup>st</sup> - FY 08/09 Public Hearing - 6:30 p.m.
  9. May 26<sup>th</sup> - Memorial Day Holiday - Town Office closed.

IX. Mayor and Town Council Comments. Councilman Fosque asked about the status of acquiring users of the wastewater treatment plant and our potential agreement with Onley. The Town Manager advised that the Blue Ribbon Committee is finishing up their report to be presented to the Board of Supervisors on May 8<sup>th</sup>, of which each Council member will receive a copy. When we go out to bid to see how much it will cost us, we can go out and solicit users. We are going out to bid on May 5<sup>th</sup> and the bids will be in by June 17<sup>th</sup>. The funding agencies will review the bids before Council awards the winning bid. A meeting will then be set up with the Board of Supervisors and Town Council.

Councilman Shannahan asked if a replacement for the Capt. Eulice has been found, to which he was answered "no", but hopefully there is a person possibly interested.

Councilman Miles advised that Richard and Saundra Bagwell of Boundary Avenue have long had problems with drug and gun use in front of their home by out-of-town people between 5 p.m. and 3 a.m. They have requested that "no parking" signs be installed from the old barber shop to Spady Lane and to increase police patrols there. Resurrecting the Neighborhood Crime Watch was mentioned. After discussion, the Town Manager said extra patrols would be ordered.

Councilman Miles made the motion to adjourn, Councilwoman Runniger seconded the motion, and all approved.

The meeting adjourned at 8:10 p.m.

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Susan D. Scott  
Town Manager

Bruce Paone  
Mayor

Attachments:

Check Register & Financial Report  
Police Report  
Wastewater Plant Report