

TOWN COUNCIL MEETING  
JULY 23, 2007  
7:00 P.M.

CORRECTED

TOWN COUNCIL MEMBERS PRESENT:

Duke Shannahan  
Kathyanne Runninger  
George Miles

Fletcher Fosque  
Kay Wescott  
Maphis Oswald

OTHERS PRESENT:

Bruce Paone, Mayor  
Susan D. Scott, Town Manager  
David Rowan, Town Attorney  
I.W. Bagwell  
Harry Brough  
Vera Bruton  
Mary & Bill Burnham  
Mike Carpenter  
Joani Donohoe  
Valena Gibb  
Judith Grier  
Ben Kidd  
Kris LaMontagne

Karen Simpson, Admin. Asst.  
Eric Williams, Police Officer  
Charlie Landis  
Laura Lucas  
Eliza McBride  
Anne Nock  
Haydon Rochester  
Roland & ~~Jane~~ Janet Stahl  
Terry Swain  
David Tweedie  
Wesley Vincik, Youthworks  
Clark Williams

- I. The meeting was called to order by Mayor Paone, and the Pledge of Allegiance and invocation were recited.
- II. Consideration of June 25<sup>th</sup> Town Council Minutes and July 16<sup>th</sup> Work Session Minutes. The "October 23<sup>rd</sup>" date in the last paragraph on pg. 2 should be changed to "August 27<sup>th</sup>". Councilman Miles made a motion to accept the minutes

as corrected, Councilwoman Wescott seconded the motion, and it passed unanimously.

- III. Public Comment. Charlie Landis read a prepared statement reiterating issues he has with the Town's debt.

Clark Williams presented a petition in support of the Town Manager, Susan Scott with 92 signatures. This petition acknowledges Mrs. Scott for all of the good work she has done in the past and currently for the Town. The petition fully supports Mrs. Scott and concurs that she is doing a great job, that the Town is being properly managed, that Mrs. Scott is an asset and that the time and hard work she has provided the Town is appreciated.

Kris LaMontagne of the OBCA thanked the Town for rallying behind the Ice Cream Social, which was a very nice evening and a great success. Other successes include the new Town brochure; public relations and marketing through the Delmarva Quarterly and Essential magazine; and that Onancock was featured in May at the Welcome Center at the Chesapeake Bay Bridge/Tunnel. He feels that collaboration between the Town and OBCA is extremely beneficial to both.

- IV. Planning Commission Report. Councilman Fosque reported that the Commission discussed the definition of "apartment", and will get back with Council on that issue. The question about the noise ordinance was tabled until the Commission could look at other Town's noise ordinances, as some are too cumbersome and difficult to enforce. The Commission felt that we can handle the problems by talking to the people creating the noise. Police Officer Williams stated that he had not had any noise complaints. The current ordinance states anything over 100 ft. at any time.

- V. YouthWorks. Wesley Vincik explained that YouthWorks is a non-profit organization based in the Minneapolis/St. Paul area, and that he is the Director of the Onancock mission site where 75 students descend on Market Street United Virginia Methodist Church each summer to help out in the community and the elderly by painting and doing yard work, helping out at the Food Bank, working with children at the Town Square, and working with Hospice and The Hermitage. He thanked Onancock for being so gracious and

for helping speed up the construction crew on Market Street when they started their program at Town Square. 35,000 youth help out at about 75 mission sites in the United States and Puerto Rico. The Town Manager and the Mayor announced that the youth have helped out several older residents doing yard work and household chores, which is much appreciated, and that they are an asset to the Town.

- VI. Friends of Onancock School. Terry Swain announced that David Steelman has instigated a fund-raiser picnic for FOS on September 2<sup>nd</sup> with barbeque pork and all the trappings and a concert by Accomack CommUNITY Band. VML advised the Town Manager that if Council approves this function and FOS takes reasonable care, the event will be covered. Councilman Miles made the motion to approve the FOS fund-raiser picnic on Onancock School grounds, Councilwoman Runniger seconded the motion, and it passed unanimously.

Mrs. Swain advised that they have had good success with the school business, and they are pleased with what the Town offered them. FOS agreed to all changes the Town spoke of. Councilman Miles made a motion to go out to bid on the Onancock School Lease by publishing a notice for two (2) weeks. There will be a deadline for bids, after which all bids will be open and the winner announced. A complete bid package will be afforded FOS and any other interested parties.

The Town Manager called for a Special Meeting of Council on August 20<sup>th</sup> at 6:00 p.m. to open and award the Lease bids for Onancock School and to hold a public hearing for the proposed general obligation bond and/or wastewater system revenue bond issuances by the Town in the estimated maximum amount of \$12,200,000 to finance the expansion and improvement of the wastewater plant and related capital improvements to the wastewater system. The previous motion was amended as such: Councilman Miles made a motion to go out to bid on the Onancock School Lease by publishing a notice for two (2) weeks, to set a Special Meeting to open the Lease bids, to set a Public Hearing regarding the Lease bids, after which the bids will be awarded, and to set a Public Hearing regarding the wastewater bond issues for August 20, 2007 at 6:00 a.m., Councilman Shannahan seconded the motion, and it passed unanimously.

- VII. Legal information - David Rowan. Mr. Rowan presented a copy of the Virginia Conflict of Interests Act, which would trump anything Town Council

can pass. He recommended that Council recognize this act. Some of the onerous reporting requirements for elected officials do not apply to Towns with under 3,000 citizens. The law requires that every time a Town Council member is elected, they are supposed to receive a copy of the FOIA within two weeks, but not the same with the Conflict of Interests Act. The Town has the freedom to pass an ordinance setting monetary limits on gifts that an officer/employee of the Town can accept.

Mr. Rowan has presented Little League's attorney with a bare-bones Lease for the Hartman Avenue ball fields for review, but this will have to be revisited if the full-scale plans shown in the newspaper come to fruition in the future. We need to contact Little League to see what their real plan is regarding the ballfields, therefore, more due diligence on our part regarding the Lease would be necessary.

Councilman Fosque brought up the previously discussed subject of an ordinance being written prohibiting a Town employee from holding a Town public office. David Rowan said he needed to research this, and that it might be handled in the Personnel Manual. If elected to a Town office, an employee would have to resign their job with the Town. By Council consensus, David Rowan was asked to research this matter and to speak to Mark Flynn of VML.

- VIII. Mayor's Report. Mr. Paone feels that the golf cart ordinance needs to be revisited, as he spent \$775 to make his golf cart street legal according to our ordinance. Police Officer Williams advised that a Town golf cart has to have the slow-moving marker, head and taillights, turn signals, and brakes (everything a car must have). He suggested a yellow strobe light on top be required. A flag is not required. Discussion followed.
- IX. Town Manager's Report. The Town Manager showed a book, "Tidewater Towns. City Planning in Colonial Virginia and Maryland." given to the Town by Anne Nock. Onancock is one of the first Towns listed.
- i. Correspondence: Charlie Landis e-mails.
  - ii. Rural Development application letter for wastewater plant upgrades and resolution to sign and submit such application. When we receive approval, we will receive a letter of conditions, which Council will have

- to accept. Councilman Miles made a motion to adopt Resolution 2007-1 authorizing the Town Manager and Mayor to sign all documents necessary to expedite the application to Rural Development regarding the wastewater plant, Councilman Shannahan seconded the motion, and it passed unanimously.
- iii. Councilman Miles made a motion to authorize the Town Manager to spend up to \$2,500 on a golf cart for the Harbormaster, Councilwoman Runninger seconded the motion, which motion passed unanimously after discussion. Councilman Miles made a further motion to take the \$2,500 for a golf cart out of the wharf line item of repair, maintenance and supplies in the budget, Councilman Shannahan seconded the motion, and it passed unanimously. It is suggested that the golf cart be used to transport people from the wharf to the downtown area, when possible, as well as other Harbormaster functions.
- iv. Wharf improvement information. Councilman Miles made a motion to direct the Town Manager to send a letter to Kat Edwards of A-NPDC requesting her services for community meetings and draft for application for DOT T-21 funds in November, Councilman Fosque seconded the motion, and it was approved unanimously.
- v. August activities: Aug. 17<sup>th</sup> & 18<sup>th</sup> - "To Frame a Place" at Town Square.  
Aug. 20<sup>th</sup> - Lease Bid opening, Public Hearings and Town Council Meeting at 6:00 p.m.  
No Planning Commission meeting in August.
- vi. The Onancock branch of BB&T will be closing September 28<sup>th</sup> and is will be auctioned. The Town needs to acquire the parking area behind the bank. Councilwoman Wescott made a motion for the Town Manager to request BB&T bank to give the Town the aerial photograph at the Onancock branch, Councilman Miles seconded the motion, and it passed unanimously.
- vii. The Town Manager is extremely appreciative and very humbled by the petition of support presented to Council by Clark Williams.
- X. Mayor and Council Comments. Councilwoman Wescott advised that Faye Ralston will help clean the Purple Martin houses in March. She was advised that the transient boat fee is \$1.25 per foot. The Town Manager suggested waiting until the Harbormaster's building is upgraded before considering increasing the rate. Councilwoman Wescott mentioned a billboard for

Onancock restaurants to be installed by the Town with the meals tax money the Town receives from the restaurants each month. The current billboard costs \$370 a month, and a deal has just been made to re-vinyl it within the next month for over just under \$500. Councilman Shannahan suggested highlighting each of Onancock's restaurants each month with a "pastie" put on our current billboard. Councilman Fosque will get with the OBCA regarding working on this together.

Councilman Miles complimented Clark Williams on getting the petition to support the Town Manager. He mentioned that the grass at the Armory is too high. He was informed that a contractor is going to give a price on doing the sidewalk between Pine and Boundary on Kerr Street.

Councilman Shannahan advised that Chuck Wheat will be taking the Captain of the "Godspeed" out the creek July 24<sup>th</sup>.

Councilwoman Oswald commented on the rocks flying up and hitting cars in the areas where the water pipes have been done. This was done for soil erosion purposes and could now be removed. She also wanted to know about the joint meeting with Onley. The Town Manager will write the Mayor of Onley to set up a joint work session.

Councilman Shannahan and Mayor Paone will be attending at least part of the VML Conference.

Councilman Miles made a motion to adjourn, Councilwoman Runniger seconded the motion, and it passed unanimously.

The meeting adjourned at 8:20 p.m.

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Susan D. Scott  
Town Manager

Bruce Paone  
Mayor

Attachments: Wastewater Plant Monthly Report  
Hill Construction Progress Meeting Notes  
Police Report  
Financial Report  
Check Registers  
Wharf Report