

Town of Onancock
Town Council Meeting
October 24, 2016
7:00 PM

Call to Order and Roll Call:

Mayor Jones called the meeting to order and roll was called. Mayor Russell Jones and Councilmembers Robert Bloxom, Catherine Krause, T. Lee Byrd, Ray Burger and Fletcher Fosque were present. Councilmember Joshua Bundick was absent. A majority of members were present and a quorum was established.

The Pledge of Allegiance was recited.

Consideration and Approval of the Minutes from the Regular Meeting on September 26, 2016:

Mayor Jones asked if there were any corrections, additions or changes to the September 26, 2016 meeting minutes as submitted.

With none, Councilmember Bloxom made a motion to approve the minutes as submitted. Councilmember Byrd seconded the motion. The motion passed by unanimous voice vote.

Public Business:

- a. Public Hearing, Special Use Permit – Onancock Holdings Corporation – Mr. Kerbin explained that this special use permit relates the property at 30 North Street and would be an extension of the current special use permit that allows the Inn at Onancock to operate. This extension would allow the new owners to continue that use since special use permits do not transfer with the property.

Mayor Jones opened the public hearing and asked if council had any questions regarding this request. With none, Mayor Jones asked for public comment.

Mrs. Judith Grier, North Street, spoke in support of the special use permit as long as the use continues without change.

Mrs. Kitty Croke, former resident, spoke in support of the special use permit.

Mr. Spencer Gurney, North Street, spoke in support of the special use permit.

With no other comments, Mr. Kerbin recommended that council approve this special use permit which would allow the new owners of the Inn at Onancock to continue operating as a bed and breakfast.

Mayor Jones closed the public hearing.

Councilmember Byrd made a motion to approve the special use permit SUPO3:16. Councilmember Krause seconded the motion. The motion passed by unanimous voice vote.

- b. Public Hearing, Proposed Addition to Town Code for Regulating Homestays – Mayor Jones opened the public hearing.

Councilmember Fosque shared that the language before council is a draft proposal from the Planning Commission regarding regulating Airbnbs (Homestays) in town. Once feedback is given from council Councilmember Fosque will return to Planning Commission to discuss any possible changes council requested. After that a joint public hearing will need to be scheduled for final passage of the proposed language. Councilmember Fosque read the proposed language aloud.

Mayor Jones stressed to council that this proposal would not allow those with second homes in town to rent them out on a short-term basis.

Councilmember Fosque shared that he believes that this will help level the playing field between homestays and regular bed and breakfasts. Councilmember Fosque also explained that these restrictions will assist to protect the rights of those landowners in the R1 zones. Councilmember Fosque expressed his concern that those absentee landowners will not have as much stake in the community as an owner occupied homestay would.

Councilmember Burger stated that he feels that the owner occupied language is too restrictive.

Councilmember Bloxom asked about the no more than six overnight guests section of the proposed language. Is this something that the town needs to regulate? The home may have more bedrooms which could accommodate more overnight guests.

Councilmember Fosque said that the Planning Commission could remove that requirement, amend the language to state that the number of overnight guests will be regulated by the special use permit.

Mr. Haydon Rochester, King Street, stated that he believes that this language is a good place to start. Mr. Rochester expressed his concern that if these homestays are not owner occupied then corporate America could start buying up vacant homes in town and renting them out to anyone.

Mayor Jones asked Councilmember Fosque those if town already operating as a homestay will they be grandfathered in. Councilmember Fosque confirmed that they would.

Ms. Ann Nock, Market Street, expressed her concern that this ordinance will not be enforced.

Mr. Haydon Rochester, King Street, asked if short-term renters will be allowed to bring animals along when they travel to Onancock. Mr. Rochester also asked about the parking that will be available to these individuals.

Mr. Paul Weitzel, Meadville Drive, asked council to be sensitive to those properties owners in town.

Mayor Jones closed the public hearing.

- c. Proposal for a Sculpture at the Onancock Landing Park – Mr. Steve Johnsen, Ames Street, shared that he and his wife are donating an eight (8) foot stainless David Turner sculpture of great blue heron to the Town of Onancock. The sculpture will be erected in the Onancock Landing Park. Mayor Jones asked if there was to be permanent lightening on the sculpture. Councilmember Fosque explained that it would only be lit during the holidays at this time . Mayor Jones clarified for council that once the sculpture has been permanently affixed to the concrete slab it will stand 12 feet tall.

Councilmember Burger asked why the sculpture was not going to be centered. Councilmember Fosque explained that the federal government in 2007 put a geo point in the center and it cannot be removed.

Ms. Ann Nock, Market Street, shared that from a distance the sculpture will look centered.

Councilmember Krause expressed her excitement for the sculpture, the great blue heron is a great symbol of Onancock.

Mr. Haydon Rochester, King Street, expressed his concern for any future permanent lighting.

Mayor Jones asked council to approve the gift from Mr. & Mrs. Johnsen. All were in verbal agreement.

- d. Public Hearing, Proposed addition to Town Code; allow for Onancock Volunteer Firefighters access to Town Ramp for free – Mayor Jones opened the public hearing.

Mr. Kerbin explained that fire fighters currently receive a free vehicle decal from the town for their service on the Onancock Volunteer Fire Department. Apparently, over the years those individuals were also granted free access to the town's boat ramp. Mr. Kerbin continued to say that currently there is no code allowing free access to the boat ramp. The proposed amendment to the town code would allow those individuals that live in town to get a free trailer decal as well as a vehicle decal for their service.

Councilmember Byrd expressed his concern for the residency requirement listed in the proposed language. Stressing that all individuals that volunteer with the Onancock Volunteer Fire Department should be allowed to free boat ramp access. Councilmember Krause agreed with Councilmember Byrd's concerns, stating that it should not matter where they live. Councilmembers Burger and Fosque also agreed that the proposed language should include all members of the Onancock Volunteer Fire Department.

Mr. Adam James, Onancock Volunteer Fire Department – Fire Chief, explained that only seven members of the fire company actually live in town limits and that free boat ramp access has always been privilege afforded to all of the members of the Onancock Volunteer Fire Department. Mr. James continued on to say that out of their 31 members only 13 members own a boat. Mr. James estimated that the town would only lose about \$354 of revenue from this proposal. Mr. James shared that free boat ramp access is a nice selling point when trying to recruit volunteers.

Mayor Jones stressed that council should to be careful when handing out entitlements since the town has been operating at a deficit. Mayor Jones continued on to share that the Town of

Onancock already shows a deep level of commitment to the Onancock Volunteer Fire Department by contributing \$22,500 to them a year.

Mayor Jones closed the public hearing.

Councilmember Byrd made a motion adopt the Ramp and Dockage Fee Waiver Ordinance with the amendment stating that: all members of the Onancock Volunteer Fire Department will not be charged for a trailer decal. Councilmember Bloxom seconded the motion. The motion passed by unanimous voice vote.

Councilmember Byrd clarified the process with Mrs. Lisa Fiege, Office Manager. Since the Onancock Volunteer Fire Department produces a list roster yearly of their members and remits it to town hall, all members are come to town hall to receive their free trailer decal. Councilmember Byrd stressed how important this process will be so that the Harbormaster and Assistants can easily acknowledge their right to access the boat ramp for free.

- e. Public Hearing, Proposed Addition to Town Code; Inspections by County Fire Officials – Mr. Kerbin explained that the town does not have a code enforcement officer and has been relying on Accomack County. Accomack County recently added a fire official to inspect buildings to make sure they are up to the state fire code. This ordinance would provide the county fire official with the authority to conduct these inspections in accordance with town code.

Mayor Jones opened the public hearing.

Mr. Adam James, Onancock Fire Chief, asked the language be expanded asking that the town fire chief be notified when an inspection is schedule to be done in town.

Mayor Jones closed the public hearing.

Councilmember Bloxom made a motion to adopt the following amended ordinance which grants authority to the county fire official for the fire prevention code:

The Virginia Statewide Fire Prevention Code shall prescribe rules and regulations to be compiled with and for the protection of life and property from the hazards of fire or explosion and for the handling, storage and use of explosives or blasting agents in the town, and shall supersede fire prevention regulations heretofore adopted by the Town Council. The Virginia Statewide Fire Prevention Code as promulgated by the Virginia Department of Housing and Community Development shall be enforced in the town by the county fire official.

The Accomack County Fire Inspector is to alert the Onancock Volunteer Fire Department's Fire Chief prior to any and all inspections that take place in the Town of Onancock.

Councilmember Fosque seconded the motion. The motion passed by unanimous voice vote.

- f. Tree Board, Update and Appointments – Mr. Bill Burnham, Kerr Street/Tree Board Chairman, shared that the list before council is the names of those individuals that have asked for a reappointment to the Onancock Tree Board. Mr. Burnham explained that they are not looking for new members at this time and that the board is governed by regulations set forth by the

town's Tree City designation. Mr. Burnham also shared that the Tree Board ordinance is in need of updating as well.

Mayor Jones asked Councilmember Burger to be the council liaison for the Tree Board committee. Councilmember Burger agreed to the post.

Councilmember Bloxom made a motion to appoint the following individuals to the Town of Onancock Tree Board: Bill Burnham (Chair); Ann Nock; Shannon Gordon; Heather Silverman; Jay Davenport; Joani Donohoe, and Councilmember Ray Burger. Councilmember Byrd seconded the motion. The motion passed by unanimous voice vote.

Public Comment:

Mr. Mike Onufry, Ames Street, asked if the police report was required by town code or merely busy work for the Police Chief. Mr. Onufry asked if the process/report could be simplified. Mayor Jones shared that the report is not in fact busy work, that the police department has to maintain detailed reports for everything they handle. Mayor Jones continued on to say that the report use to be very detailed and several pages long and in the interest of simplification the Police Chief was asked to condense it down. Mayor Jones suggested that the Police Chief get in touch with Mr. Onufry to answer any additional questions he may have about the report.

Mr. Adam James, Onancock Volunteer Fire Department, shared that they also have a budget to follow and that they are in the middle of the \$40,000 kitchen renovation at the fire house. Their other costs such as equipment maintenance have also been steadily on the rise.

Mr. Richard Freeman, Liberty Street, thanked the Onancock Volunteer Fire Department for everything they did for him when he fractured his back in several places.

Planning Commission Report:

Councilmember Fosque nominated Mr. Scott Schreiber to fill a vacancy left by Mr. Ben Kidd on the Planning Commission.

Councilmember Fosque made a motion nominate Scott Schreiber for the Planning Commission. Councilmember Bloxom seconded the motion. The motion passed by unanimous voice vote.

Waterfront Committee Report:

Councilmember Byrd shared that they had a meeting on October 11th, 2016 and off-season rates were discussed. Harbormaster Melcher has been working diligently to fill slips with off-season renters. Councilmember Byrd shared that the bulkhead cap at the wharf was recently replaced by Kesteral Marine. Councilmember Byrd also thanked the Onancock Business Civic Association volunteers again for offering rides to the marina guests. Councilmember Byrd also shared that the wharf will continue operating in the coming months but on a more reduced schedule.

Personnel Committee Report:

No report.

Holiday Committee Report:

Councilmember Krause shared that the committee has several new items ordered for this year's holiday decorations. Councilmember Krause also mentioned that the committee is looking for elves to assist with the decoration prep. Councilmember Krause encouraged those interested to let those in town hall know so they can forward the list to the committee.

Mayor's Report:

No report.

Town Manager's Report:

Mr. Kerbin shared with council some of the items he has been working on over the past month.

- The continuation of the Samuel Outlaw Building revitalization project with Mr. Gerald Boyd. Mr. Kerbin shared that a proposal has been submitted to the Virginia Foundation for the Humanities asking that this structure be placed on the African American history tour of the Eastern Shore of Virginia.
- Mr. Kerbin has been looking into the town procuring some downtown revolving loan funds and that he recently met with Mr. George Bryan who has offered some technical assistance to the town with those funds.
- Mr. Kerbin met with Mr. Chris Isdell with the Virginia Department of Transportation (VDOT) to discuss drainage issues on some of the streets in town. Mr. Kerbin also informed council that the Bagwell Bridge will be closed to traffic this coming February. VDOT will be replacing the decking. Mr. Kerbin shared that these discussions with Mr. Isdell have also included what will be required of the town to begin to turn over some of the town owned streets to VDOT.
- Office 365 installation has been completed.
- Mr. Kerbin shared that he attended a Virginia Municipal League conference at the beginning of October.
- Mr. Kerbin shared that town staff has been preparing for the 2016 tax season and that the new tax bills will be in the mail no later than November 1st, 2016.

Closed Session (if needed):

None.

Adjourn:

Councilmember Byrd made a motion to adjourn. Councilmember Krause seconded the motion. The motion passed by unanimous voice vote.

The meeting adjourned at 8:42 PM.



Russell Jones, Mayor



Lisa Fiege, Deputy Clerk