

Town of Onancock
Town Council Meeting
July 27, 2020
7:00 p.m.

Call to Order and Roll Call:

Mayor Fosque called the meeting to order at 7:00 p.m. and roll was called. Mayor Fletcher Fosque and Councilmembers Robert Bloxom, Joy Marino, Maphis Oswald and Shyreka Riley were present. Councilmembers Catherine Krause and Ray Burger were absent. A majority of members were present, and a quorum was established.

The Pledge of Allegiance was recited.

Consideration and Approval of Meeting Minutes:

- a. May 28, 2020 Regular Town Meeting:
- b. June 22, 2020 Regular Town Meeting:

Mayor Fosque asked if there were any corrections, additions or changes to minutes as presented.

Councilmember Bloxom made a motion to approve both sets of minutes as presented. Councilmember Oswald seconded the motion.

Councilmember Marino mentioned that in the June 22, 2020 meeting minutes it was stated that Councilmembers Ray Burger, Robert Bloxom and Maphis Oswald were sworn in with a term end date of June 30, 2022 which is incorrect. Mrs. Fiege clarified that a correction has been made and all members have since been re-sworn in with the correct terms of office.

With no further discussion, the motion passes by unanimous voice vote.

Public Business:

- a. Accept the Recommendation made by Planning Commission at the 5/28/20 Joint Public Hearing to Rezone the Property Located at 58 Market Street from Business Downtown (B1) to Residential (R1A) – Matt Spuck, Town Manager: Mr. Spuck clarified that this issue was heard during a joint public hearing with the Planning Commission on May 28, 2020. Unfortunately, council failed to approve the recommended rezone for this property before moving on to approve the special use permit for the property. Mr. Spuck explained Town Council's approval tonight will clear up the error.

Councilmember Marino made a motion to approve RZ01:20. Councilmember Oswald seconded the motion. With no further discussion, the motion was passed by unanimous voice vote.

- b. Increase the Special Use Permit Application Fee – Matt Spuck, Town Manager: Mr. Spuck explained that this issue was first heard at the March 12, 2020 Budget Workshop Meeting. Initially, staff recommended that the fee be increased from \$125 to \$250. During the Workshop Meeting some of the discussion center around passing along the advertising fee to the applicant as well as increasing the permit application fee. At the June 22, 2020 meeting some council members raised concerns about increasing the fee to \$250 and passing the advertising fee along to the applicant as it seemed excessively high. The item was tabled for further consideration.

Mr. Spuck explained that in this proposal the fee would increase to \$150 and all additional costs would be passed to the applicant. Mr. Spuck shared with council what other localities on the Eastern Shore of Virginia charge for their special use permits.

Councilmember Bloxom made motion approve the amendment to Article XV. Special Use Permits, Section 24-93 to a fee of \$150 permit fee and require the applicant to reimburse the Town for all costs incurred. Councilmember Oswald seconded the motion. With no further discussion, the motion passed by unanimous voice vote.

- c. Add an additional Assessment to Each Criminal or Traffic Ticket – Matt Spuck, Town Manager: Mr. Spuck explained that this item had a public hearing during the June 22, 2020 council meeting. Mr. Spuck further explained that it is the general belief among police chiefs in Virginia that e-summons will be required by State Law in the next few years. Adoption of this statute will allow the police department to add the \$5.00 fee to all criminal or traffic tickets. Those funds will be kept in a separate bank account and can only be used to fund the purchase of an e-summons system. The town issues approximately 300-400 tickets annually. This program will not fund the entire cost of the project, but it will help alleviate some of the financial burden once this is required by State Law.

Councilmember Oswald asked if the system was portable. Mr. Spuck stated that, currently, it is not a portable system and it will need to be in all of the vehicles that perform traffic stops.

Councilmember Bloxom made a motion that the Town of Onancock approve the creation of Section 13-23. Electronic Summons System in Chapter 13. Motor Vehicles & Traffic of the Town Code.

Council discussion followed. Councilmember Marino asked if Onancock would be the first to initiate this program. Mr. Spuck confirmed that Onancock would. Councilmember Marino stated that she would rather wait until Accomack County adopted this program. Mr. Spuck shared that the Court asked Police Chief Eric Williams to get this program in place as others are planning on implementing as well. This is in an effort to get all localities in line with each other when processing summons.

Councilmember Marino seconded the motion. With no further discussion, the motion passed by unanimous voice vote.

- d. Remove Approval for Easement in Town Park for Civil War Trail Sign – Matt Spuck, Town Manager: Mayor Fosque explained that this has been an ongoing issue and recently the Eastern Shore Public Library pulled its support of the project and that the Onancock Business and Civic Association (OBCA) has as well.

Mr. Spuck explained that, to the best of his knowledge, OBCA has not officially rescinded its support for the project but that it is on a future agenda for discussion. Councilmember Oswald stated that if council took away the permit that the project would not happen regardless of whether OBCA was still in support of it. Councilmember Bloxom stated that the world has changed drastically since council last discussed this item. Councilmember Marino asked who has possession of the \$6,000 for this project. Mr. Spuck explained that OBCA has it.

Councilmember Marino made a motion that the Town of Onancock rescind the Permission for Temporary Easement/Entry Agreement endorsed by the Town Manager of Onancock on August 28, 2019. Councilmember Bloxom seconded the motion.

Councilmember Oswald asked a clarifying question about the word “temporary” in the motion. Mr. Spuck explained that it is listed like that in the motion because that was the name of the document that was signed by the town manager on August 28, 2019.

With no further discussion, the motion passed by unanimous voice vote.

- e. COVID-19 Personnel Policy Requirement as per Virginia Safety and Health Codes Board Adopted SSSSS 16 VAC 25-220, Emergency Temporary Standard, Infectious Disease Prevention: SARS-CoV-2Virus That Causes COVID-19. Request that the Personnel Committee Review the Attached Policy – Matt Spuck, Town Manager: Mr. Spuck stated that last week, July 15, 2020, the Governor of Virginia was promulgating emergency temporary standards for all employers in Virginia, standards that will be enforceable any time during the week of July 27, 2020. To date, the Governor has not shared what those rules will entail. Virginia Occupational Safety and Health (VOSH) has released what they think the mandates from the Governor’s Office will look like; items such as required training for all employees and the protection of all employees relating to the COVID-19 pandemic. Mr. Spuck included the VOSH language in the council packet for their review. Mr. Spuck explained that he is asking that council send the proposed policy to the Personnel Committee for review and subsequent recommendation to council for vote.

Councilmember Oswald mentioned that she did see any financial support for employees mentioned in the language. Mr. Spuck explained that the Personnel Policies need to be reviewed and that no council action was required at the moment except passing it along to the Personnel Committee for review.

Mayor Fosque stated that the committee should schedule a meeting soon.

- f. Establish Town Council Committee Structure:
- a. Waterfront (Town Council Representative: Robert Bloxom) – Mr. Spuck shared that the Waterfront Committee already has Councilmember Bloxom as the council representative. Mr. Spuck continued, explaining that this committee has some major projects on the horizon; projects such as the ramp repair and review the economic situation at the marina. Mr. Spuck shared that the rules for the bid process changed as of July 1, 2020 and if the project is expected to exceed \$200,000 then it must be a sealed bid. Getting the request for proposals ready for the ramp project will need to include engineering specs and will need to be reviewed by the committee. Mr. Spuck also shared that the transient boating revenue was down \$31,000 last fiscal year.
 - b. Planning Commission (Town Council Representative: Robert Bloxom) – Mr. Spuck shared that the Planning Commission has Councilmember Bloxom as the council representative. Mr. Spuck continued, explaining that the Planning Commission is working on updating the town’s Comprehensive Plan. Mr. Spuck shared that there is currently an opening on the commission, and it has been advertised on social media and the town’s website.

Councilmember Bloxom explained that the commission hopes to fill that position sooner rather than later and that he hopes to bring a recommendation to the August council meeting. Councilmember Oswald asked who was on the Planning Commission. Councilmember Bloxom named the commissioners. Councilmember Oswald shared that Mr. Jeffrey Barrett had expressed interest in being on the commission in the past, suggesting that they reach out to him as well.

- c. Personnel Committee (Town Council Representative: Catherine Krause) - Mr. Spuck stated that this committee needs a new member. Mayor Fosque explained that this committee is not open to the public, it has to be a council member. The committee currently consists of Mayor Fosque, Councilmember Krause and Town Manager, Matt Spuck. Councilmember Marino said that she would join the committee.

Councilmember Oswald made a motion to put Councilmember Marino on the Personnel Committee. Councilmember Bloxom seconded the motion. The motion passed by unanimous voice vote.

- d. NEW: HRSRD (Town Council Representative: Robert Bloxom) – Mr. Spuck explained that once the town starts moving forward with the transfer of the sewer plant to the Hampton Roads Sanitation District (HRSRD) a formal committee will need to be initiated. Councilmember Bloxom has agreed to be the council representative. Councilmember Bloxom and Mr. Spuck stated that they would get together to identify the other potential members of the committee for council approval.
- e. NEW: Strategic Planning (Town Council Representative: TBD) – Mr. Spuck stated that he feels that this new committee is important to start setting the boundaries and vision for the future of the town. That way the town can start applying for grants that align with the town’s vision which will incorporate the Comprehensive Plan and Main Street goals.

Councilmember Oswald asked if this should fall under the direction of the Town Manager. Mr. Spuck explained that it is council’s job to set the vision and goals of the town and that it is his job to achieve it.

Councilmember Bloxom asked if there was a council representative already identified and stated that he believed that the Mayor should be guiding this committee. Mayor Fosque suggested that the committee be small. Mayor Fosque shared that Ms. Carol Tunstall has already expressed an interested in participating in this committee although she does not want to lead it. Councilmember Bloxom stated that he believes that Councilmember Krause also expressed an interest in being on this committee. Mayor Fosque stated that this will be discussed further at the next meeting.

- f. NEW: Marketing and Communication (Town Council Representative: TBD) – Mayor Fosque asked that this committee be discussed further at the next meeting. Mr. Spuck shared that this committee will partner well with the Onancock Main Street Initiative.

Public Comment:

None.

Committee Reports:

No additional reports were heard.

- a. HRSD – Robert Bloxom
- b. Waterfront – Robert Bloxom
- c. Planning Commission – Robert Bloxom
- d. Personnel Committee – Catherine Krause

Mayor's Report:

Mayor Fosque asked when the United States of America flags were coming down, stating that council should weigh in about leaving them up so long. Mr. Spuck stated that the flags will come down after Labor Day. Councilmember Oswald asked why the town needed to budget for a 1/3 of the replacement costs for new flags annually. Councilmember Oswald suggested that they be replaced as needed.

Town Manager's Report:

Mr. Spuck reviewed some highlights of his report with council.

- Mr. Spuck shared that the Onancock Small Business Grants have been evaluated and all grants have been distributed. Mr. Spuck thanked council for their support of this program which gave out 38 grants to town businesses. Councilmember Oswald stated that she applauded Mr. Spuck for his efforts with the program. Councilmember Bloxom thanked Mrs. Fiege for taking the first cut at getting the program started.
- Mr. Spuck outlined the recodification process for council; stating that the purposes of recodification is to update the footnotes and State Code references along with updating town procedures to current standard operating practices. Once these items are updated, the Town Code will come before council to review and approval. Mr. Spuck will also start bringing chapters before council to have a systematic review for any substantive changes. Next month council will be reviewing the Chapters on Animals and Bicycles.
- The Accomack County's petition to the Circuit Court to allow Accomack County to be a part of HRSD's service area will be back on the docket again soon now that the courts are back open.
- Mr. Spuck shared that he is in the process of writing the invitation to bid for the ramp project at the wharf.
- Mr. Spuck shared that he met with Mr. Chris Isdell, VDOT, to discuss the transfer of town streets. One street will be ready for council's approval to turn over to VDOT at the August meeting. Two other streets, once repaired, will be transferred not long after. Councilmember Marino asked how any streets can be transferred a year. Mr. Spuck explained that the town can transfer a quarter mile a year. Mr. Spuck further explained that he hopes to work on a few streets in the Northeast section with the Community Development Block Grant.
- Mr. Spuck shared that the town is paying for a portion of the Smart Scale application for the road diet which was approved at the June 22, 2020 Town Council Meeting. This application needs to be completed in August so that it can be done with VDOT's repaving efforts. The

County hired an engineer to prepare the Smart Scale application. The town is paying a portion of that cost.

Councilmembers Marino and Bloxom thanked Mr. Spuck for his report.

Councilmember Oswald asked about a watering system for the Samuel Outlaw Blacksmith Shop for their landscaping project that is coming this fall. Councilmember Oswald stated that a well may make more sense so that the cost of a water bill is not an issue. Councilmember Bloxom stated that the property is an asset of the towns and therefore maybe a cost sharing agreement can be entered into with the 501(c)(3). Mr. Spuck said that he would speak with Mr. Gerald Boyd to discuss their options. Mayor Fosque asked Mr. Clinton Strand if he knew how water was handled at that property when Mr. Outlaw owned it. Mr. Strand stated that he had a hand pump.

Council Comments:

Councilmember Marino asked that everyone do a rain dance since it has been so dry and hot recently.

Councilmembers Oswald and Riley stated that they had no comments.

Councilmember Bloxom thanked Mrs. Fiege again for her hard work on the small business grant program. Councilmember Bloxom also thanked Mr. Spuck for hitting the ground running in his new position with the town.

Mayor Fosque stated that he would not be at the next meeting.

Closed Session, if needed:

None was needed.

Adjourn:

Councilmember Bloxom made a motion to adjourn. Councilmember Marino seconded the motion. The motion passed by unanimous voice vote.

The meeting adjourned at 8:08 p.m.



Fletcher Fosque, Mayor



Lisa Fiege, Deputy Clerk