

**Town of Onancock
Town Council Meeting
Monday, November 28, 2022
7:00 PM**

1) Call to order and Roll Call:

Mayor Fletcher Fosque called the meeting to order at 7:00 PM and roll was called. Mayor Fletcher Fosque and Councilmembers, Thelma Gillespie, Cindy Holdren, Joy Marino, Sarah Nock and Maphis Oswald were present. Councilmember Ray Burger was not present. A quorum was established. The roll was called for Planning Commission. Commissioner Bill Bagwell, Commissioner Brandon Brockmeier, Commissioner Fletcher Fosque, Commissioner Larry Frey, Commissioner Carol Tunstall, and Chairperson Scott Schreiber were present. Commissioner T Lee Byrd was not present. A quorum was established. Town Manager Matt Spuck and Town Clerk Debbie Caton were also present.

2) The Pledge of Allegiance was recited.

3) Consideration and Approval of October 24, 2022 Meeting Minutes:

Councilmember Oswald moved to approve the minutes with updated changes. Councilmember Marino seconded the motion. The motion was passed with a 5-0 vote. Councilmember Nock asked the minutes reflect the updates from October 24, 2022, meeting in reference to Special Use Permit application for 12 Lake St. The council did not pass the original vote of 2 yay, 4 abstain, and 0 nays. But according to Robert's Rule of Order, an abstention is not a nay; therefore, the vote passed. Mayor Fosque notified the applicant.

4) Public Hearings

a) Public Hearing was called to order at 7:06 PM – 71 Kerr St from R-1A to B-2. The original application was submitted in 2014 for a zoning change. No history of the approval was found in public records. No public comments. The planning commission recommends the application approval. The public hearing closed at 7:07 PM.

Councilmember Holdren moved to approve the application. Councilmember Gillespie seconded. The application was passed with a 5-0 vote.

b) Public Hearing was called to order at 7:08 PM – 18 Market St from R-1A to B-1. In 1984 the property was zoned B-1. About two years ago, (during COVID) the owner asked for a residential zoning so their children could live there during the pandemic. The property owner is asking for consideration to have the property rezoned to the original B-1 classification. Janet Fosque, owner, answered a few questions from residents. The planning commission recommends application approval. The public hearing closed at 7:11 PM.

Councilmember Holdren moved to approve the application. Councilmember Gillespie seconded. The application was passed with a 5-0 vote.

Planning Commission adjourned the Joint Public Hearing at 7:12 PM.

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5) Council discussion:

a) **Short Term Rental ordinance – 38-77** – clarifying the short-term rental language. The incorrect version of the approved ordinance was submitted to Municode. Subsequently, a new town attorney was hired by the Town of Onancock. The attorney updated the ordinance to help with clarifying the language about the number of Airbnb’s or short-term rentals an individual can own and operate within town limits. After council discussion, it was decided to update the ordinance with council suggestions and allow the attorney to review before going to Public Hearing.

6) Public Comments – Mayor Fosque reminded the audience about an information meeting being held at Historic Onancock School on December 14, 2022 at 7:00 PM.

- Sherry Morgan – 22 Ames St – Ms. Morgan has concerns about the Performance Pavilion project. The concerns are for citizens and neighbors who live In Onancock and the project will affect everyday living. The project was started without citizen notification. The citizens should have the right to express their opinion before the project started. Ms. Morgan also expressed concerns about town debt.
- Clark Williams – 5 Johnson St. – Mr. Williams feels shocked and dismayed to see the foundation for the Performance Pavilion is completed. The citizens do not have faith in the way this matter was handled.
- Jeff Albrechtson – 6 Johnson St – Mr. Albrechtson commented about concerns regarding the proposed Performance Pavilion project. Mr. Albrechtson presented the Town Council with a signed petition from 25 homeowners who are opposed to the project. He also suggested an open meeting between Town Council and HOS for residents to discuss their concerns.
- Norman Haggie -16 Holly St – Mr. Haggie has no interest in living next to a 500-seat stadium. He questioned if any environmental studies were performed before the project commenced.
- Glenn Smith - 12 Market St – Mr. Smith does not agree with any comments from the previous speakers. Mr. Smith attends most Town Council meetings. He applauded the Town Council in their transparency and open communication with all residents. He encourages other residents to also attend the meetings.
- Brenda Smith – 12 Market St – Ms. Smith tries to attend as many Town Council meetings as possible. Residents should not be surprised about any decisions Town Council makes. She is also in favor of the Performance Pavilion as it will bring people in town to help support business owners and restaurants. She

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reminded everyone events have been hosted at the HOS school in previous years. All these events have always been well planned and thought out.

- Jim Altadonna – owner of 54 Market St. He is speaking on behalf of Business Downtown Revitalization Grant. He asked the grant committee to consider a look back period along with more public notice so other businesses can take advantage of the grant money.
- Haydon Rochester – 39 King St – Mr. Rochester is the president of Friends of Onancock School. Since the request for a contribution to the capital campaign from the Town of Onancock, the question of debt seems to be a source of confusion. Mr. Rochester explained the request of \$100,000 towards the capital campaign was made but the Town Council has not made any decisions to contribute. The Performance Pavilion debt is not town debt.
- Monica Gould – 1 Holly St – Ms. Gould asked the Town Council for approval to dock their sailboat at the Wharf during the holiday season. They will use electricity in exchange for decorated boats that will enhance the “Christmas in Onancock” festivities.
- Dr. Gregory Felthousen – 5 Ames St - Caleb Fowler, Lynne Fowler and Dr. Felthousen met with Town Manager Spuck and Mayor Fosque earlier in the week to discuss concerns about the Performance Pavilion project. Dr. Felthousen has no opposition to the school or any arts program. His two separate issues are 1- HOS needs to divulge the entire financial commitment and 2- The Town of Onancock is ultimately responsible for any debt as the owner of the building and land. He questions if the pavilion can generate enough income to enhance the building and pay for the necessary repairs.
- Mark St. Clair - 19142 Greenway Circle – Mr. St. Clair lives outside of Town limits, but he is in favor of the Performance Pavilion project as well as all arts on the Eastern Shore.
- Scott Schreiber – 6 Joynes St – Mr. Schreiber’s house is 3 doors down from the school and he is in favor of the Performance Pavilion.

7) Approval of decorated boats at the Wharf – this item was added to the agenda because of time restraints. Councilmember Marino moved to waive the fees to allow decorated boats to stay at the Wharf during the holiday season. Councilmember Gillespie seconded the motion. The motion passed 5-0 vote.

8) Committee Reports

- a) **Personnel** -Councilmember Marino – no report.

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- b) Planning Commission** – Mayor Fosque reported Planning Commission reviewed sign ordinance and property maintenance.
- c) Waterfront Committee** – no report.

9) Mayor's Report

- Mayor Fosque sent information to all council members about the VML conference on January 4, 2023.
- Christmas Parade – Town Council will participate in the parade.
- New Council Member appointment – resumes for any potential candidates will be submitted by mid-December with a January 2023 appointment.
- Parliamentarian – Town Council will investigate having a Parliamentarian at all meetings.

10) Town Manager's report – Town Manager Spuck's full report is available in the meeting packet.

- Town Manager Spuck wanted to clarify the 2022 tax billing delay. The tax file was received 17 days later than usual from Accomack County. Upon receipt, the tax rates were incorrect which required the tax book to be sent back for the corrected updates. Once the correct file was audited, it took 14 business days for the accounting software to perform a conversion. Per state code, the bills need to be mailed 14 days prior to the December 5, 2022 due date. This deadline was met, but Hefty, Wiley & Gore (HWG), the town attorneys suggested to delay applying penalties and interest until December 31, 2022.
- Town Manager Spuck spoke publicly about the Department of Social Services LIHWAP (low-income household water assistance program) water arrears grant. The grant information was mailed to residents and information was available at the Town Office. He encouraged all eligible residents to apply.

11) Town Council comments –

- Councilmember Holdren spoke with Town Manager Spuck about some typos in a few documents. She asked for corrections at the next meeting.
- Councilmember Marino asked when to expect the legal interpretation from HWG on the lease with Historic Onancock School. The lease is currently being reviewed by HWG.
- Councilmember Nock asked Town Manager Spuck about the new water lead test requirement from the VA Department of Health. Town Manager Spuck is working with VDH to ensure the Town's compliance.

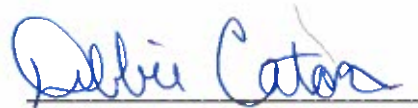
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12) Closed session – none

13) Adjourn – Councilmember Oswald moved to adjourn the meeting. Councilmember Gillespie seconded the motion. The motion was passed with 5-0 vote. The meeting adjourned at 8:35 PM.



Mayor, Fletcher Fosque



Town Clerk, Debbie Caton