

**Town of Onancock
Town Council Meeting
Monday July 24, 2023
7:00 PM**

1) Call to order and Roll Call:

Mayor Fosque called the meeting to order at 7:00 PM and roll was called. Mayor Fletcher Fosque, Councilmembers Brandon Brockmeier, Ray Burger, Cynthia Holdren, Joy Marino, Sarah Nock and Maphis Oswald were present. Town Manager Matt Spuck and Town Clerk Debbie Caton were also present.

2) The Pledge of Allegiance was recited.

3) Approve minutes from June 26, 2023, meeting – Councilmember Nock moved to approve the minutes as amended. Councilmember Holdren seconded the motion. Councilmember Oswald and Councilmember Marino requested more comments and clarity on a few points. The updated minutes will be emailed to the council members for review. The motion passed with a 6-0 vote.

4) Public Hearings

- a. **None Scheduled**

5) Public Presentation

- a. **None Scheduled**

6) Council Action:

- a) **Personnel Policies** – Councilmember Holdren reported the personnel policy was reviewed by the former attorney, Rachel Kellam and the current attorney, Hefty, Wiley, and Gore. The personnel committee updated the handbook with the recommended changes.
 - Councilmember Oswald asked what source was referenced for the holiday schedule? Councilmember Holdren stated the holiday schedule came from the Code of Virginia. The two changes included adding Juneteenth because it is a federal holiday, and a staff request for Christmas Eve.
 - Councilmember Nock recommended a few grammatical changes. Her other questions were answered via email with Town Manger Spuck before the meeting.

Councilmember Holdren moved to adopt the personnel policies with the amendments discussed. Councilmember Oswald seconded the motion. The motion passed with a 6-0 vote.

**Town of Onancock
Town Council Meeting
Monday July 24, 2023
7:00 PM**

7) Council discussion

- a) **Hill Studios next steps** – Town Manager Spuck explained Hill Studios was retained to design signs, lighting, and parking for the Town.
- i. **Signs** - The list below indicates the type of sign and the status of each phase of the design.
 - Wayfinding signs – the design is approved. Currently waiting for the specifications for fabrication. Before any signs are bought, Town Council will have the final approval.
 - Entry way sign– the design is not approved. Hill Studios asked Town Manager Spuck for a benchmark or ideas to help with the design process.
 - Street signs – the design is approved. The specs were sent over to a vendor so (1) sign can be ordered and installed. The street sign at Market/Ames needs to be replaced and the new sign will go there.
 - Destination signs – the design is on hold until the entry way sign is approved to allow for continuity.
 - ii. **Lighting** – The list below indicates the type of lighting and the status of each phase of the design.
 - Downtown streetlights – the design is approved. The specifications have been approved and Town Manager Spuck is currently shopping vendors for pricing.
 - Residential streetlights - the design is not approved. Hill Studios is working on another design.
 - Fixtures in front of Town Hall – Hill Studios is looking for a fixture that will complement the architectural style of the building.
 - Gazebo lights –a new design for landscaping and hardscapes is being created. The fixtures at the gazebo will not work with the downtown streetlights; therefore, Hill Studios is looking for a pole that will complement the downtown streetlights and gazebo.
 - Wharf lighting – this design received the most positive feedback from residents.

**Town of Onancock
Town Council Meeting
Monday July 24, 2023
7:00 PM**

- iii. **Parking** – It was suggested for College Ave to be nose-in parking. Mayor Fosque suggested a work session to follow up and discuss the parking study.

8) Public Comment –

- a) Patsy Felthousen – 5 Ames St – Mrs. Felthousen wished to discuss the omission of Article IX in the current town code. Haydon Rochester presented Article IX into the minutes at June 2023 meeting stating Article IX gave Historic Onancock School (HOS) the zoning status of Cultural, Recreational, and Community Facility. Mrs. Felthousen stated, “within this zoning status, it gave Friends of Onancock School (FOS) the authority to operate and do whatever they want, and Article IX is not part of new codes recodified on January 25, 2021. Article XIII which is in the town code designates HOS as Parks and Open Space. “
- Mayor Fosque agreed there is a conflict and confusion with the ordinance. After speaking with the town attorney, Article IX was approved in 2008 but never put in the code. Planning Commission will adopt a new statute for Cultural, Recreational, and Community Facility or rewrite it.
- b) Dr. Greg Felthousen – 5 Ames St. –Dr. Felthousen comments are in alignment with what was already discussed in reference to Article IX. Dr. Felthousen’s written comments will be part of the approved minutes. He stated, “a Special Use Permit (SUP) is the proper way for this issue to be resolved.” - Dr. Felthousen’s written comments are attached.
- c) Rosemary Paparo – 9 Holly St – Ms. Paparo stated, “despite 16 years of operation, the Friends of Onancock (FOS) have yet to achieve the benchmark under the lease to the town. The town is still helping with expenditures including \$7,000 annually for property insurance. This is 40% of what the town allocates to assist the Onancock Volunteer Fire Department which is more important. The town also assists with the sewer/water bill which is pursuant to the lease. In the zeal to sustain the school, the town has directed its resources from Market Street and North Street where business owners have substantial personal interest. Other small towns recognize the importance of the downtown district, Onancock is doing the opposite. “
- d) Greg Temple – 76 Market St – Mr. Temple stated, “everyone should start thinking differently when debating the SUP and Article IX, the future of the school should be a part of the process as well as how to change the relationship between the town and FOS. “
- e) Norman Haggie – 16 Hall St – Mr. Haggie received an article about seven charming towns in Virginia. Onancock was listed #3. The article emphasized the small knit

**Town of Onancock
Town Council Meeting
Monday July 24, 2023
7:00 PM**

- f) Mark Sinclair – 19142 Greenway Circle – Mr. Sinclair complimented the new sound system and suggested a microphone for the Town Manager. Mr. Sinclair listed several things he did not understand including Onancock Resident’s Group (ORG) not updating their website since March 2023, parliamentary procedures are not followed according to Robert’s Rules of Order, he does not understand how a council person can vote on the lease of FOS, the special zoning applied to the FOS grounds, and the construction of a performance pavilion to only say they did not understand what they were voting for. And lastly, he does not understand how the pavilion can make any money if half of the performances will be free.

9) Committee Reports

- **Personnel – (Cindy Holdren)-** Councilmember Holdren reported the personnel committee met to finalize Town Manager Spuck’s evaluation. The evaluation will be delivered in August.
- **Onancock Main Street –(OMS) (Cindy Holdren) –** Councilmember Holdren updated on the following OMS projects:
 - Gift card promotion - \$6,120 was purchased in gift cards. \$5,000 was spent downtown. Approximately \$1,100 has not been redeemed. Currently, there is \$7,000 available for purchase in the bonus cards.
 - Muralist – Curtis Goldstein arrived in town to begin work on the North Street Playhouse mural. The theme of this mural is “History of the Performing Arts in Onancock.”
 - Main St Volunteer hours – from January 2023 – June 2023 OMS recorded 1140 hours in volunteer time. Many volunteers do not record all the hours worked; therefore, the volunteer hours are underreported. The Department of Housing and Community Development values the hourly rate at \$31.80/hour which totals \$36,252 in volunteer time donated to the Town.
 - Visitor apps – OMS would like an opportunity to work with Town Manger Spuck on the visitor apps that are being created.
 - Grants – In 2022 OMS identified and wrote grants for \$73,000 that went to the Town. The administrative fees for these grants were not reimbursed to OMS. Because the town submitted and will be the recipient of the \$1,000,000 grant for the Lilliston Building those administrative fees will be reimbursed to the town.
 - Office space at 38 Market St. – Because the rent is increasing, OMS would like to ask for a commitment from the Town Council to consider

**Town of Onancock
Town Council Meeting
Monday July 24, 2023
7:00 PM**

offering space in the Chandler Building. OMS has a small amount of money available to help renovate the space.

Council discussion ensued.

Councilmember Marino asked how much space would OMS want or need? Councilmember Holdren responded that OMS needs a locked office and access to a conference room.

Councilmember Marino expressed concerns with being asked for a commitment without all the facts or data to make an informed decision. She requested the reference material regarding how other town's budget and/or fund their Main Street programs.

Councilmember Marino would like a town policy for how the town will help other non-profit organizations particularly with the request for free office space in a town building.

Councilmember Brockmeier asked if OMS will have an open-door policy and can assist with visitors? Councilmember Holdren responded OMS could work out a schedule.

Councilmember Nock stated whatever policy is developed, it should be recognized that OMS is in a unique partnership with the town and is not any random non-profit.

Councilmember Oswald does not want to commit to renting the space until the original project (public bathrooms and welcome center) is complete.

Janet Fosque, President of Onancock Main Street asked to speak. (NOTE: this was not during public comments). Mrs. Fosque stated OMS works strictly for the benefit of the town. Renting office space at the Historic Onancock School (HOS) was a temporary solution and the reason it has come up is because the rent is increasing. OMS will not ask the town to spend money on their space. They have money to provide furnishings and other things needed. If the town develops a policy to help non-profits, you should think broader than OMS because the town already heavily assists OBCA events with labor, police presence and moving equipment.

**Town of Onancock
Town Council Meeting
Monday July 24, 2023
7:00 PM**

Councilmember Holdren moved that town council offer space for OMS at 38 Market St. Councilmember Nock seconded the motion.

Councilmember Brockmeier - nay
Councilmember Burger - yea
Councilmember Holdren - yea
Councilmember Marino - nay
Councilmember Nock - yea
Councilmember Oswald - nay
Mayor Fosque voted "yea" to break the tie vote. The motion passed.

After the motion passed, Councilmember Oswald asked Mayor Fosque if he should have recused himself from the vote because his wife is the President of OMS.

Mayor Fosque responded "no."

Councilmember Marino stated, "there is conflict of interest and there is the appearance of conflict of interest. We need to be more aware of the appearance of conflict of interest. "

- **Historic Onancock School (HOS) - (Sarah Nock) –**
 - a. The Eastern Shore Tourism commission poll voted the HOS galleries as one of the top picks for the upper eastern shore.
 - b. Despite weather delays, the ice cream social was a successful event.
 - c. Over three hundred people attended the "Blooms and Brush" and the "Jam for the Arts" fundraising events.
 - d. Youth Works is a volunteer service group working at the school doing outdoor landscaping and other painting tasks. Paul Nolz is holding the annual soccer camp July 24, 2023, through July 28, 2023.
 - e. The membership drive kick-off is August 2, 2023, during Wine Wednesday.
- **Planning Commission – (Brandon Brockmeier)-** The planning commission did not meet because of the July 4th holiday.
- **Waterfront – (Fletcher Fosque) –** Mayor Fosque did not attend the Waterfront Committee meeting; therefore, Town Manager Spuck gave the report. The committee discussed the Boating Infrastructure Grant (BIG). The plan is to apply for grant money to assist with handicap accessibility after hours, a new fuel pump, a new pump-out station, new deck boards and support with advertising dollars. The committee also discussed FY 23 year-end revenue and expenses.

**Town of Onancock
Town Council Meeting
Monday July 24, 2023
7:00 PM**

10) Mayor's Report –

- a) Town Council will task the planning commission to produce a new zoning for the HOS. Although, the planning commission meetings are open to the public it operates as an independent advisory board. Their role is to report to the Town Council any recommendations for zoning and ordinances.
- b) Because Mayor Fosque does not personally or financially gain from OMS, he did not consider his earlier vote a conflict of interest. OMS works for the town so the town is the only beneficiary.

11)Town Manager's Report

a) Manager's Report

- i. HRSD transition – VDOT has approval for the Jefferson St. project but still waiting for approval from Accomack County. DPW is ready with all the necessary supplies to run the water lines.
- ii. Street repairs – VDOT has scheduled the Holly Street culverts for late summer.
- iii. Northeast Revitalization Project – Town Manager Spuck has a meeting Tuesday, July 25, 2023. Police Chief Williams asked to pursue brighter lights for Boundary Ave. Part of the grant allows for new poles with brighter lights. Town Manager Spuck is collaborating with the engineer and ANEC for a solution.
- iv. OBCA purchased two dog shades for the dog park. They will be installed soon.
- v. Security cameras – Town Manager Spuck and Police Chief Williams are working with the manufacturer to troubleshoot a few issues.
- vi. Samuel Outlaw Blacksmith Shop is registered with the National Park Service as a national registered listing.

- b) Financial Report – See attached report.

12) Town Councilmember comment

- a) Councilmember Marino thanked Town Manager Spuck for his detailed monthly reports. She asked when will the Economic Development Authority (EDA) board members will be appointed? Town Manager Spuck responded that after the contract with the Town, EDA, and the developer of the Lilliston Building is complete and

**Town of Onancock
Town Council Meeting
Monday July 24, 2023
7:00 PM**

approved by the attorney, he can then write the loan documents. When the EDA is in place the money can move. Town Manager Spuck estimates this to happen in 60 days. Town Manager Spuck will post an ad on the website for potential board members.

- b) Councilmember Oswald noted the corner of Riley St./ Parker St. and the corner of North/King St has overgrown vegetation and is obstructing the line of vision for drivers.
- c) Councilmember Nock – A few business owners have submitted reimbursements for the Façade Improvement Grant. These business owners have been reimbursed.

Councilmember Marino moved to a closed session to discuss real estate matters as permitted by 2.2-3711 (A) (3). Councilmember Nock seconded the motion. The motion passed with a 6-0 vote. The closed session opened at 9:01 AM.

13) Closed session

- a) Real Property – 2.2-3711 (A)(3)

Councilmember Marino moved to reenter public session and with a roll call vote to certify that no matter was discussed other than that mentioned in the motion to enter closed session. Councilmember Holdren seconded the motion.

Councilmember Brockmeier – yes
Councilmember Burger – yes
Councilmember Holdren – yes
Councilmember Marino – yes
Councilmember Nock – yes
Councilmember Oswald – yes

14) Public session – Action Taken during closed session.

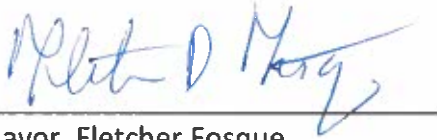
Councilmember Marino moved that we reject the offer to sell the piece of town property along the creek behind 4 Market St. Councilmember Brockmeier seconded the motion. The motion passed with a 4-2 vote.

Councilmember Brockmeier – yea
Councilmember Burger – yea
Councilmember Holdren – yea
Councilmember Marino – yea

**Town of Onancock
Town Council Meeting
Monday July 24, 2023
7:00 PM**

Councilmember Nock – nay
Councilmember Oswald - nay

15) Adjourn – Councilmember Marino moved to adjourn the meeting. Councilmember Brockmeier seconded. The motion passed with a 6-0 vote. The meeting adjourned at 9:31 PM.



Mayor, Fletcher Fosque



Town Clerk, Debbie Caton

Good evening,

I am Greg Felthousen.....5 Ames Street, Onancock. I would appreciate incorporating my comments into the council minutes in full.

I would like to further the discussion concerning Article IX that was brought up by a previous speaker and by Mr. Rochester at the last Town Council meeting.

I wish to give highlighted copies of Article IX to the council members. I have highlighted two important issues. First, the mention of **“Community”** is written repeatedly. “Community” specifically means, the townsfolk of Onancock proper. Secondly, as the Article is written, under permitted uses, Sec. 24-57 b. pertains to commercial events **within** the structure of the HOS whereas Sec 24-57 c. refers to “Outdoor recreational use” which are to be **“temporary”**.

This being said, it is also very clear that this entire Article IX is **NOT** in any of the present town codes and can **NOT** be construed to give the FOS the ability to create a commercial music pavilion. In fact, it is my opinion, based upon legal counsel, that the vote held March of 2022 that allowed the FOS permission to construct the pavilion was granted under misleading circumstances and should be rescinded.

The proper way for this issue to be resolved is clear. It is to use the legal format of a “Special Use Permit”.

This allows input from **all** parties. It requires review by the town’ Planning Commission with input from the community via open public hearings. The Planning Commission after further

consideration would then present recommendations to the Town Council.

Members of the Town council must then consider these recommendations and modify them as needed, again based upon input from town citizens. The voices of the citizens should be considered foremost.

There are many issues that rightly concern the citizens of Onancock regarding the Historic Onancock School. I will stress again that it is my belief that the FOS has done an outstanding job in keeping the old school standing. That said, I also fully believe that the pavilion is a distraction from the true issue. There is no business plan. Funds to move forward to complete construction are NOT available. The town' cherished sledding hill has been destroyed. The sanctity of wildlife has been and will continue to be violated.

It is time for our Town Council to step forward and begin to seriously consider and move forward with a **community** based solution for the school property. This issue has been kicked down the road for far too long.