**AGENDA –**

1. **CALL TO ORDER**
2. **ROLL CALL**

J. Penniman, here.

W. Nunnally, here.

D. Patteson, here.

J. Brown, here.

G. del Rio, here.

B. Schaschek, here.

J. Harris, here.

1. **APPROVE AGENDA**

**Motion (W. Nunnally) to approve the Agenda.**

**Second (J. Brown).**

**Motion passes 6-0.**

1. **APPROVE MINUTES**

September 6, Joint Public Meeting draft minutes

**Motion (W. Nunnally) to approve minutes for 09/06/2022).**

**Second (J. Brown).**

**Motion passes 6-0.**

September 8, Town Council Regular Called Meeting Draft Summary Minutes

**Motion (G. del Rio), to approve minutes 09/08/2022).**

**Second (B. Schaschek).**

**Motion passes 6-0.**

1. **FINANCIAL REPORT**
* Treasurer’s Report

Treasurer’s report and balance sheets as of 09/30/2022 is accepted.

1. **PUBLIC COMMENT**

**S. Kimmeth:** New picnic tables to arrive in approximately 4 weeks.

**L. Taylor:** Halloween committee meeting was held to discuss events for 10/31/2022, 5-6:30 p.m. Costume parade instead of judging. VIA will distribute candy.

**C. Elliott:** Discussion concerning revisions to Tides Inn CUP.

* She agrees with the bamboo eradication procedure.
* She does not agree with the fence proposal. Requesting that an additional fence be installed from the screening fence end point to the creek to distinguish property lines.
* She expressed that the service road entrance on King Carter Drive will be a safety concern.
* She hopes that Town Council will consider all items presented before voting on the CUP to maintain the Hall/Elliott real estate value.

**C. Bradley:** Letter of thanks regarding the Crab Festival, 09/16/2023. Calls have been made on a regular basis regarding the dumpster. They are doing everything to get it removed ASAP.

**H. Ginn:** One thing that has not been addressed is a permanent entrance off Lancaster Road and we do not want this.

**B. Spencer:** Reiterate commercial access in a residential neighborhood is just not acceptable. Very concerned what this will do for the Town and future projects. You must consider whether you want to open this Pandora’s box.

**A. Brown:** Overall master plan that has been presented is the Tide’s Inn’s long-term vision of making sure the resort remains sustainable for the future both preserving the history of the what the Tide’s Inn is at the present as well as remaining relevant to draw guests from all over the country. This must include improving the facility for the guests as well as employees as well as improves the experience of the neighbors/neighborhood. We have tried to accommodate all neighbors with respect to privacy/lighting/safety/landscape, etc., while maintaining efficiency.

**M. Smith:** Significant items have been addressed over the last 3 months. We stand where we are for consideration. Traffic study was performed. King Carter had 1,497 vehicles, Steamboat Road had 1,100. King Carter had 28 multiple axels; Steamboat had 72. Tractor-trailers King Carter 53, Steamboat 114. Tide’s Inn averages about 7 deliveries on a “July” day. So one in and one out counts as two, so that’s 14 which is 26.4% of the overall truck traffic on King Carter Drive. VDOT reports shows that the highest traffic is on Steamboat not King Carter Drive. We need to grow. We have engaged with good faith with our neighbors. We have been good neighbors and are not asking for additional use beyond what we already do.

1. **REPORT FROM THE MAYOR,** *J. Harris*

Chesapeake Bank has requested use of part of the Commons for 11/2/2022 for their booth’s local campaign. Hazard Mitigation committee continues to meet hoping for report by January 2023.

1. **REPORT FROM TOWN ATTORNEY,** *A. McRoberts*

Mr. McRoberts was not able to join via phone, he wanted it conveyed he is awaiting feedback regarding the Charter. He is working with staff on implementing the STR ordinances and will review transient occupancy ordinance.

1. **REPORT FROM THE ZONING ADMINISTRATOR,** *J. Nelson*

Two zoning permits, in addition to a Rowe’s Point home and replacing a pier on The Lane. Mr. Fisher is continuing to bring receipts. New signage on gas station. Proposed changes to STR ordinance in November. An amendment to sign ordinance in November as well as instituting a fence ordinance which we do not have at the moment.

1. **COMMITTEE REPORTS**
* Budget & Finance Report, *B. Schaschek*

Additional reports year-to-date versus actual July – September. All was included in the packet. Possible summaries are important by year, more work needs to be done by vendor for more detailed reports, (G. del Rio).

* Charter, Codes & Ordinances Committee, *J. Brown*

No vote on charter tonight. J. Brown wants thorough consideration about what we are doing with the charter concerning giving up authority. Workshop is needed for decision.

* H. R. Committee, *D. Patteson*

Report will be in November.

* Facilities Committee, *J. Brown, Co-Chair*

Broadband Telecom: Equipment has just arrived. Will be installed and running by end of October 2022.

* Community & Special Events Committee, *J. Penniman*

Christmas: Motion/discussion Christmas Tree lighting on Thursday, 12/01/2022, time to be decided. Lighting by the Mayor and will include golf cart parade. Christmas caroling should be done at the lighting as always. Discussion on Christmas decorations, homes, etc.

**Motion (J. Penniman) for Christmas Tree lighting on 12/01/2022.**

**Second (B. Schaschek).**

**Motion passes 6-0.**

Time suggestion 5:00 (church bells ring) for lighting and all festivities after that.

Christmas Eve 5:30.

Christmas decoration (residential and business) judging done by community people (chosen by Mayor).

Golf Cart parade and Santa will be present.

* Playground Committee, *G. del Rio*

The Mayor thanked VIA for donation of swings and painting of equipment.

G. del Rio states that the Committee met and priorities discussed were safety, usable, use for full age range (toddlers through adult). Need direction on budget. Packet includes suggestions for low/high range plan, scope from $50,000 to $200,000.

* Planning Commission Update, *T. Chapman – Chair*

Tides Inn CUP – Substantial agreements are documented in the amendment. King Carter is considered a minor collector road by VDOT. Town survey discussion and committee agreed that the comprehensive plan doesn’t need to be totally rewritten just updated. Should have a Town Hall meeting (possibly early November) to give residents another opportunity now that the results are in.

1. **OLD BUSINESS**
* Discussion of Tides CUP

G. del Rio discussed board fencing and service road along with safety issues regarding tractor-trailers, employee traffic.

D. Patteson said this has gone through the correct process and has been approved by the Planning Commission 6-1. The Tides has been here since 1947. Improvements are not only for the guests but for the Town. They need improvements to be a viable business. Concessions have been made.

W. Nunnally is concerned about unclear wording such as about, around. Why is the opposition to the 5’.

Tides (A. Brown/M. Smith) explained, the opposition to the 5’ is to have maintenance only on the Tides side. They do not want to have to access the Elliott’s property to maintain. Trying to avoid ongoing issues in the future. The landscaping is done by a full time Tides Inn employee.

B. Schaschek stated that we have a choice, it gets documented and goes back to the PC.

G. del Rio suggested we add conditions to the CUP and we can pass it with those conditions.

J. Harris stated that this needs to be decided upon and move forward.

W. Nunnally wants a VDOT response to the service road off King Carter Drive.

**Upon motion by J. Penniman, seconded by G. del Rio, the proposed Tides Inn CUP with the conditions listed below was approved by Council.**

**Screening Fence**

The 8’ fence will be moved 5’ farther into the Tides Property. The fence will begin 30’ from King Carter Drive and end at the last parking lot in the service area. A rail fence (to include acoustic material on Tides side to absorb sound) will continue from there to the water’s edge. Trees, shrubs and bushes shall be planted on both sides of the screening fence, to hide fence and help with sound and beautification of fence area.

**Lancaster Road**

After construction work is completed, the access road will be under lock and key only used for emergency purposes.

**Master Plan (checks and balances)**

Minor deviations from the interpretation of the master plan may be made by the Town Zoning Administrator without further Town Council proceedings or approval but must seek concurrence with the chairman of the Planning Commission and the Mayor for their approval.

Council also requested as a courtesy that the Tides Inn report back to Council with the VDOT recommendations regarding the proposed service road entrance on King Carter Drive.

* Plaque for Jacqueline Burrell options.

Figure - $869.18.

**Motion (J. Penniman) to approve plaque.**

**Second (W. Nunnally)**

**Motion passes 6-0.**

1. **NEW BUSINESS**
* Updated Sign Ordinance was discussed. No decision. – *J. Nelson*
* Updated Fence Ordinance was discussed. No decision. – *J. Nelson*
* Sign Request was withdrawn
* No parking signs for Taste of the Bay event. In process.
* Request for use of the Commons for yoga mat classes

**Motion (G. del Rio) to approve use of Commons for yoga mat classes.**

**Second (J. Penniman).**

**Motion passes 6-0.**

1. **ANNOUNCEMENTS**
* Town Office closed, Tuesday, November 8, 2022, for Election Day
* Next Town Council Regular Called meeting, November 10, 2022, at 6:30 p.m. at Irvington **BAPTIST** Church
* Town Office closed, Friday, November 11, 2022, for Veteran’s Day
* Town Office closed Thursday and Friday, November 24 & 25, 2022, for Thanksgiving.
1. **ADJOURN**

**Motion (W. Nunnally).**

**Second (D. Patteson).**

**Motion passes 6-0.**