

**TOWN OF IRVINGTON, VIRGINIA**

**TOWN COUNCIL SPECIAL CALLED MEETING**

**IRVINGTON BAPTIST CHURCH**

**THURSDAY, SEPTEMBER 23, 2021; 5:00 PM**

**AGENDA**

1. **CALL TO ORDER**

Frances Westbrook: This meeting is called to order. This is the Irvington Town Council Special Called Meeting held at Irvington Baptist Church, Thursday, September 23rd at 5:00. If we could have a roll call please.

1. **ROLL CALL**

Dudley Patteson, present.

Bonnie Schaschek, present.

Wayne Nunnally, present.

Frances Westbrook, present.

Jackie Brown, present.

Chris Braly, present.

**Staff Present:**

Justin Nelson, Zoning Administrator.

Laurel Taylor, Town Clerk & FOIA Officer.

Nancyellen Keane

1. **APPROVE AGENDA**

Frances Westbrook: The next item is approve agenda. I would like for us to entertain the notion of amending this agenda which requires a unanimous vote to add the proposed CUP Schedule and we want to get that done tonight if possible so that we can go ahead and move forward with the date that this happened.

Bonnie Schaschek: So moved.

Chris Braly: Where would you like to put it on the agenda.

Frances Westbrook: I think Justin, you and I were just talking about the 14th?

Justin Nelson: Yes.

Frances Westbrook: Does that suit you?

Justin Nelson: Yes.

Chris Braly: Where on the agenda do you want to add the cup schedule?

Frances Westbrook: I beg your pardon. Let’s put that immediately after we approve the agenda and get that taken care of. I’m sorry Chris. Okay so…

Bonnie Schaschek: So, I made the motion.

Wayne Nunally: Second.

Frances Westbrook: Second, all in favor?

Group: Aye.

**VOTE**

Dudley Patteson, aye.

Bonnie Schaschek, aye.

Wayne Nunnally, aye.

Jackie Brown, aye.

Chris Braly, aye.

Frances Westbrook: All opposed? We have a unanimous vote to amend the agenda to include the CUP Schedule.

**Motion (*Bonnie Schaschek)* Made To Amend The Agenda To Include the CUP Schedule ~ Motion Passes 5-0.**

Chris Braly: May I also add the brief announcement immediately following. May I add an announcement to the agenda immediately preceding the CUP Schedule?

Frances Westbrook: Is that a motion?

Wayne Nunnally: So moved that he be allowed to make a motion.

Bonnie Schaschek: No, he be allowed to say…

Frances Westbrook: Make an announcement.

Chris Braly: I’d like to make a motion so I can make an announcement.

Frances Westbrook: Thank you, second please.

Bonnie Schaschek: Second.

Frances Westbrook: All in favor?

Group: Aye.

**VOTE**

Dudley Patteson, aye.

Bonnie Schaschek, aye.

Wayne Nunnally, aye.

Jackie Brown, aye.

Chris Braly, aye.

Frances Westbrook: All opposed? Unanimous decision. Motion passes.

**Motion (*Chris Braly*) Made To Allow Chris Braly To Make An Announcement ~ Motion Passes 5-0.**

Frances Westbrook: Alright the next item on the Agenda is Chris Braly.

1. **STATEMENT BY CHRIS BRALY**

Chris Braly: Brief announcement here for anyone who has not read the paper. On Friday, September 17th, I filed paperwork with Lancaster County indicating that I am withdrawing my candidacy for the vacant Irvington Town Council seat. After much deliberation, I have decided that I cannot devote the time and energy required to effectively represent the residents of Irvington. I am actively involved with my children’s activities and have come to the realization that I do not have the time needed to serve on the Irvington Town Council. I will continue to work as an interim member of Town Council through December 31st, 2021. I would like to encourage any resident of Irvington who can make the substantial time commitment required to serve on Town Council to launch a write-in campaign for the vacant seat. Thank you.

1. **CUP SCHEDULE**

Frances Westbrook: Your welcome. Alright, moving along the next item on the agenda is to appropriate $250…

Jackie Brown: The CUP Schedule.

Frances Westbrook: The next item on the amended agenda is to approve the CUP Schedule. Do you all have any questions.

Chris Braly: We need to add the public hearing, joint public hearing.

Frances Westbrook: That’s what I was just talking about.

Justin Nelson: Yes, that’s a little senior moment by your zoning administrator.

Frances Westbrook: Welcome to the club, alright so we are going to add this October 14th, the meeting, the Town Council Meeting starts at 6:30, so shall we do this at 6:00 or start at 6:30 as we normally do with the public hearing and then our meeting immediately following.

Chris Braly: There is also a Budget & Finance workshop on October 14th which would need to be before the joint public hearing. I don’t think the time has been set for that workshop.

Frances Westbrook: How about if we schedule the public hearing at 6:30 with the Town Council Meeting immediately following.

Chris Braly: Okay.

Frances Westbrook: Pardon?

Female: Regular meeting?

Frances Westbrook: Yes. I think it says in our ordinance that the Mayor can from time-to-time can change the time and place.

Bonnie Schaschek: It definitely does.

Frances Westbrook: I think it does.

Bonnie Schaschek: It does.

Frances Westbrook: Okay, so, we can choose to start it at 6:00.

Chris Braly: I would say 6:00.

Bonnie Schaschek: Does the public hearing have to be for the first reading or can it be for the second.

Frances Westbrook: Well, the problem with it being for the second in this instance is that this will be the first time they have heard anything, they will have had a first reading at the Planning Commission Meeting.

Chris Braly: Why don’t we, I’ll discuss with Anthony but if we have a workshop at 5:00 for Budget & Finance, 6:00 Public Hearing, 6:30 meeting.

Bonnie Schaschek: That’s fine.

Dudley Patteson: Sounds good to me.

Wayne Nunnally: Works for me to. If it’s good for Jackie?

Jackie Brown: Pardon me?

Wayne Nunnally: Good for you to, to have it in that order?

Jackie Brown: Yeah, fine.

Frances Westbrook: So, we’ll say 6:00 then.

Bonnie Schaschek: And the meeting is 6:30.

Frances Westbrook: So, if the public hearing wraps up early then we sit and wait. Anything else, any other comments on this CUP Schedule?

Wayne Nunnally: Now that we amended it, I move we approve it.

Frances Westbrook: Second?

Bonnie Schaschek: Second.

Frances Westbrook: Thank you. All in favor?

Group: Aye.

**VOTE**

Dudley Patteson, aye.

Bonnie Schaschek, aye.

Wayne Nunnally, aye.

Jackie Brown, aye.

Chris Braly, aye.

Frances Westbrook: All opposed? Motion carries.

**Motion (*Wayne Nunnally)* Made to Approve the CUP Schedule– Motion Passes 5-0.**

1. **APPROPRIATE $250 TO BAY TRANSIT TROLLEY**

Frances Westbrook: Now I can do the Bay Transit Trolley appropriation $250. It is in our budget under Community Events. So if I might have a motion please.

Wayne Nunnally: So moved.

Frances Westbrook: Second?

Chris Braly: Second.

Frances Westbrook: Thank you, all in favor?

Group: Aye.

**VOTE**

Dudley Patteson, aye.

Bonnie Schaschek, aye.

Wayne Nunnally, aye.

Jackie Brown, aye.

Chris Braly, aye.

Frances Westbrook: All opposed? Motion carries.

**Motion (*Wayne Nunnally) Made to Appropriate $250 to Bay Transit Trolley ~ Motion Passes 5-0.***

1. **DISCUSSION: MEMORIAL FOR ALEX FLEET**

Frances Westbrook: The next item is discussion for a memorial contribution for Mayor Alex Fleet who recently passed away. I think I floated the idea with each of you of $200 perhaps to the Irvington Baptist Church of which he was a very long-time member, very active here and in the church. Any discussion on this, any comments anyone wishes to make?

Bonnie Schaschek: I agree whole-heartedly.

Chris Braly: I agree that a donation in memory Mr. Fleet is appropriate. Are we allowed to donate to a church?

Frances Westbrook: We can donate.

Chris Braly: Okay.

Bonnie Schaschek: We can donate as a memory.

Frances Westbrook: We can’t pay, well we have to be careful. Huh?

Nancyellen Keane: You cannot donate.

Frances Westbrook: We cannot donate.

Nancyellen Keane: You can pay for services rendered or for products you purchased.

Frances Westbrook: Well then how do we do this?

Chris Braly: Can we purchase something in memory of him?

Female: You can do it from the Mayor’s Fund.

Frances Westbrook: Well, yeah, there is a Mayor’s Discretionary Fund.

Nancyellen Keane: You can’t donate any money that is taxpayer money.

Dudley Patteson: We can create a plaque or something to talk about how much we appreciated his service to the Town of Irvington and describe it and we can present to the church.

Wayne Nunnally: Or we could give it to the church, give it to the church and tell them to buy something. Can you buy something.

Frances Westbrook: I think it is the actual transfer of funds that is the rub. Cay?

Cay Bradley: Can I just also add that Mayor Fleet was instrumental in the museum and you can donate to the museum.

Frances Westbrook: Well now, that’s a thought.

Bonnie Schaschek: And it was, very.

Frances Westbrook: He was a founding member if I’m not mistaken.

Bonnie Schaschek: Yes he was.

Cay Bradley: Yes he was.

Wayne Nunnally: That’s an excellent idea.

Bonnie Schaschek: I’ll go with that.

Chris Braly: I move to donate what’s it $200?

Frances Westbrook: Yeah.

Chris Braly: To Steamboat Era Museum in memory of Mayor Alex Fleet.

Cay Bradley: We are nonprofit….

Frances Westbrook: They are nonprofit.

Cay Bradley: We are nonprofit and not religious.

Frances Westbrook: They are a 501C3 or 3C.

Wayne Nunnally: Second.

Frances Westbrook: Alright the motion is to donate $200 to Steamboat Era Museum in memory of Alex Fleet. Any other discussions? All in favor?

Group: Aye.

**VOTE**

Dudley Patteson, aye.

Bonnie Schaschek, aye.

Wayne Nunnally, aye.

Jackie Brown, aye.

Chris Braly, aye.

Frances Westbrook: All opposed? Alright, motion carries.

**Motion (*Chris Braly)* Made To Donate $200 To Steamboat Era Museum in Memory of Alex Fleet ~ Motion Passes 5-0.**

1. **DISCUSSION: BUDGET & FINANCE RECOMMENDATIONS IN REFERENCE TO CORRECTIONS TO FINANCIAL REPORT.**

Frances Westbrook: Next we have discussion Budget & Finance recommendations regarding any corrections to financial report or whatever else you may have to say.

Chris Braly: So, we the balance sheet, the journal entries for the property holdings have been reversed. Those have been completed. We are still working on the adjustments for the CARES Act. So, there is no recommendations at this time. We are still combing through those transactions.

Frances Westbrook: Alright, thank you.

1. **DISCUSSION: HIRING NEW TOWN ATTORNEY**

Frances Westbrook: Alright, next discussion of hiring new town attorney. Dudley if you want to lead that, kick it off please.

Dudley Patteson: We at our last meeting we approved a job position for posting. We subsequently realized that we needed to think about the process and which is why we are meeting today. We have several candidates that have submitted their resumes or further expressed interest to us and will submit resumes and I do feel that we are a pubic body and I think it is appropriate that we do post at least in our newspaper the fact that we are offering a position but at the same time with three candidates we can also narrow the timeline of waiting for people to respond to the post and move forward and so I suggest we proceed with the posting to the Rappahannock Record.

Bonnie Schaschek: Say the last sentence again.

Dudley Patteson: I suggest we proceed with a posting of the position to the Rappahannock Record.

Wayne Nunnally: I move that we put an ad in the Rappahannock.

Bonnie Schaschek: We’ve never done it in the past for a town attorney.

Wayne Nunnally: Yeah, but you don’t want to fight him. He wants to do it so.

Dudley Patteson: I think it’s appropriate.

Wayne Nunnally: Maybe, we’ll ask him to pay for it.

Frances Westbrook: What, I’m….

Bonnie Schaschek: Ask him to pay for it.

Frances Westbrook: Any other comments or questions or, we do have it looks like three candidates at this point, or three, we have actually one resume and two that have voiced very strongly some interest in this, so….

Dudley Patteson: I also would like to suggest that Bonnie and I as Human Resources Committee collect the resumes and review them and at least have an initial conversation with each of them to determine their qualifications and what the cost might be for each of them.

Frances Westbrook: And that’s where I was going, thank you. That Town Council should consider tasking HR perhaps to make initial contact with these people and make sure we have a resume from each of them, and maybe do an initial interview personally. I think that these candidates probably should interview in front of Town Council. This is a very important decision and we would like to see the interview process, be a part of it, kind of gauge the working relationship we are going to have with them and I think first impressions often say a lot. So, I would like for Town Council to consider being a part of the interview process. If there are three candidates it can be done in one evening and we space them you know 45 minutes apart or whatever the appropriate time is we can get it done all in one sitting perhaps, but, I throw that out there for you all to think about and to consider.

Wayne Nunnally: Madam Mayor, with all due respect, I don’t think we need to prolong it any longer than we can. Bonnie and Dudley are capable of comprising and making a recommendation and I say they just, I move it, so we can get it on, bring us a recommendation and then we can interview that guy on that recommendation rather than all of us interviewing everybody. I don’t see any point in that.

Jackie Brown: I think they can conduct the interviews, but if they are to listen to the answers I think that is appropriate. I think that is a good idea. We don’t have to be involved in asking the questions but we can listen to the questions and the responses.

Frances Westbrook: Well we do have to be careful because if there is more than two, which is the HR Committee then it becomes a Town Council Meeting and the two of them constitute as a committee meeting, it would have to be a committee meeting I would assume it would be a closed session.

Bonnie Schaschek: It has to be a closed session, yeah.

Frances Westbrook: So, there is those FOIA ramifications there. So, it seems we need to you know.

Dudley Patteson: I think Bonnie and I recognize the fact that this position is one that needs good scrutiny, and we need to give you a thorough report back.

Frances Westbrook: Okay, any other comments.

Chris Braly: I do agree with Dudley, I think putting it in the paper, I mean, how, the three candidates we have, how did they know about it? I mean, are they local?

Frances Westbrook: Word of mouth, uh huh.

Chris Braly: I would think…

Bonnie Schaschek: I think we already agreed it was going to go….

Chris Braly: In the paper?

Bonnie Schaschek: Yes.

Jackie Brown: You think what?

Bonnie Schaschek: I thought we agreed it was going to go…

Frances Westbrook: Yes, so.

Dudley Patteson: Okay, good.

Frances Westbrook: Alright, if I may have a motion to that effect please.

Wayne Nunnally: I move that Dudley put the ad in the paper for the Town Attorney.

Bonnie Schaschek: No, let Laurel put the ad.

Wayne Nunnally: And that it run for 1 week.

Frances Westbrook: Yes.

Dudley Patteson: Yeah.

Frances Westbrook: Add to your motion to, we direct HR to get in touch with these three candidates and conduct the initial interview.

Wayne Nunnally: I accept that amendment.

Jackie Brown: Concurrently right.

Chris Braly: Yes. Second.

Frances Westbrook: Second. Any further discussion? All in favor?

Group: Aye.

**VOTE**

Dudley Patteson, aye.

Bonnie Schaschek, aye.

Wayne Nunnally, aye.

Jackie Brown, aye.

Chris Braly, aye.

**Motion Made (*Wayne Nunnally)* To Place An Ad In the Paper to Advertise for the position of Town Attorney and also to have Dudley Patteson and Bonnie Schaschek do the initial interviews of the three candidates presented. ~ Motion Passes 5-0.**

Frances Westbrook: All opposed. Motion passes. Thank you Wayne.

1. **DISCUSSION: TOWN COUNCIL RETREAT**

Frances Westbrook: The last item here is the discussion on Town Council Retreat. I received the document from Mrs. Erard who is in Urbana, I think she keeps an office also in Richmond, but she is in Urbana, and she is the legal for the Town of Urbana and there is another small town or two that she represents also, but she does these retreats and has been doing for quite some time. Her name also came to me by Michelle Gouty [sp] at VML. She seems to be a little bit more on the same track perhaps as you Chris when you first mentioned that maybe we should wait until after the new body comes on board and the more she talked to me about that, the more I started leaning in that direction. So, she would suggest two sessions, one would be talking about the Council per se, the people on Council and our strengths and weaknesses and what have you and then the second session would be more of what she calls nuts and bolts of local government, very similar to discussions that Nancyellen had with incoming new Council people. So, she is looking at cost wise for both sessions about $1,500, that’s $750 per session. She also feels pretty strongly that the retreat would be held, not here at the church, it needs to be held somewhere where it is neutral territory for everybody. She prefers like the other gentleman, Mr. Whitley preferred that it be out of Irvington just so that everybody is away from the day-to-day stuff here and that we are there solely to concentrate on the topics for the retreat. You all have the information on Mr. Whitley, we did talk about him one other time and then there was the information that Chris had and are there any other details on the company that you looked at that we might need to know about?

Chris Braly: Nothing new, no.

Frances Westbrook: Nothing new. So.

Wayne Nunnally: Madam Mayor, let me understand, if you are persuaded that we should wait until the election, shouldn’t we just postpone this discussion until then?

Frances Westbrook: Whatever your pleasure is.

Dudley Patteson: I think that’s appropriate.

Wayne Nunnally: I move that we postpone the discussion on Council Retreat until after the upcoming election.

Dudley Patteson: Second that.

Frances Westbrook: Any other discussion? All in favor?

Group: Aye.

**VOTE**

Dudley Patteson, aye.

Bonnie Schaschek, aye.

Wayne Nunnally, aye.

Jackie Brown, aye.

Chris Braly, aye.

Frances Westbrook: All opposed?

**Motion Made (*Wayne Nunnally)* To Postpone The Discussion Concerning The Town Council Retreat Until After The Upcoming Election. ~ Motion Passes 5-0.**

1. **ADJOURN**

Wayne Nunnally: Move that we adjourn.

Frances Westbrook: Motion carries. We have a motion to adjourn. Is there a second?

Chris Braly: Second.

Frances Westbrook: All in favor?

Groupe: Aye.

**VOTE**

Dudley Patteson, aye.

Bonnie Schaschek, aye.

Wayne Nunnally, aye.

Jackie Brown, aye.

Chris Braly, aye.

Frances Westbrook: All opposed? No one ever opposes that. Thank you Council.

**Motion Made (*Wayne Nunnally)* To Adjourn. ~ Motionpasses 5-0.**