**AGENDA**

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

Wayne Nunnally, here.

Judy Penniman, here.

Gabe del Rio, here.

Dudley Patteson, here.

Jackie Brown, here.

Julie Harris, here.

Bonnie Schaschek, absent.

Staff Present

Justin Nelson.

Laurel Taylor.

Andrew McRoberts.

1. **APPROVE AGENDA**

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

Second, (**J. Penniman).**

**Motion passes 5-0.**

1. **PUBLIC HEARING on FLOODPLAIN –** *J. Nelson*

W. Nunnally: Why is the Ordinance needed?

A. McRoberts: It is required by Federal and State Law (short answer). If we don’t have it then the Federal Government will not write reimbursement checks if storms hit Irvington.

No public comments were received.

Public Hearing Closed.

This will be adopted under Old Business.

1. **APPROVE MINUTES**

* July 14. 2022, Town Council Regular Called Meeting Summary Minutes

**Motion (W. Nunnally) to approve July 14, 2022 Summary Minutes.**

**Second, (J. Penniman).**

**Motion passes 5-0.**

1. **FINANCIAL REPORT**

* Treasurer’s Report

**J. Harris: Financial Report accepted.**

1. **PUBLIC COMMENT**
2. **Pollard:** Opened Refuel Irvington. Tree Challenge discussed. Trees have been mapped (18 species).

**S. Kimmeth:** Aug. 28th, Jazz band coming. Insurance and ABC policy given to Clerk.

**C. Bradley:** Crab Festival Sept. 17. Tides Inn CUP concerns (access road concerns), hoping the Town gives it the time and consideration needed.

**M. Burgess:** Abutting property owner to Tides Inn – Spoken with all other abutting property owners – asking nothing to be done with CUP until ample opportunity has been given to discuss their concerns and negotiate with the Tides Inn.

**M. Smith:** Abutting property owner to Tides Inn & Director of Development for Tides Inn – Concerns have been received and time is needed to go through and receive comments and concerns. Will produce some images or renderings of what the entrance will look like. In 2 weeks all concerns will be addressed before the Sept. 8th, meeting. Breaking of zoning ordinance comments being expressed are just not true. Been a good process and will address concerns especially C. Elliott. Buffer will be a cedar fence with additional landscaping trees and marsh grasses.

**J. Penniman:** Some other material other than cedar fence may need to be considered due to upkeep and may be more effective as a sound barrier.

**C. Elliott:** I have not spoken with M. Smith, only received an email. Phase 1 – Borderline should be installed first. Family’s concerns are with construction process and end result.

**Letter to Justin Nelson was read from July 25, 2022)**

* Bamboo: Their bamboo needs to be removed from our property as well. This was not planted by our family; it is bamboo that has spread from the Tide’s Inn. Thousands of our personal dollars have been spent to combat the bamboo.
* Noise: Service Road – Mechanical equipment, trash compactors, dumpsters, trucks beeping, sewage treatment noise are all going to be a problem. Dumpsters: Problem with smell and buzzards.
* Fence/Landscaping: 10’ Fence will be constructed and will be of the same material as the present fence. Cedar fence is now being considered along with other landscape materials/plants. This will not be sufficient to block noise/headlights. Service road should be moved 15-20’ which would allow the fence to be moved over onto the Tides Inn property.
* Parking Lots: Discrepancy with respect to parking spaces. Parking light lighting will not be blocked by a 10’ fence from their property. Picnic benches provided for employees to congregate will cause excessive noise and nuisance.
* Storm water: Due to significant parking lots there will be excessive storm water runoff.
* Letter from her E. Hall (mother) dated Aug. 2, 2022: Grandparents bought property April 1, 1891; members of the family have lived there constantly for 131 years. Heartbroken that The Tides Inn will destroy the peace and tranquility of their property.

**D. Cheek:** Addressed concerns of closed sessions, they should be rare, not the normal. This causes rumors when too many are being held. More transparency is needed. Local trust is important and paramount. Does feel that minutes of closed sessions should be taken to protect the Town Council.

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

**Aug. 8, 2022:** Met with adjacent property owners to Tides Inn (C. Elliott & E. Hall). Other Town Council members have walked the property as well as other PC members. There is a Hazard Mitigation Planning Group for the Northern Neck. The Mayor and L. Taylor are members of this group. Reports will be presented at the end of the work group meetings.

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

**A. McRoberts:** Several ordinances are being addressed. Please share concerns.Working on part-time deputy program and is moving forward. Electronic participation policy amendment. Disclosure of closed session topics discussed.

**G. del Rio:** Survey discussed, regarding the process. How to get on top and get things moving. Need a process and organization for moving forward.

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

Two new permits issued, both to do with dead tree removal in the RPA.

1. **COMMITTEE REPORTS**

* Budget & Finance Report, *B. Schaschek*

Contract awarded to Organic Green. There was a stipulation of having a sprinkler system. Need to see if it is in working order so contract can be signed (J. Penniman).

* Charter, Codes & Ordinances Committee, *B. Schaschek (J. Brown).*
* *Charter Review, update awaiting draft*
* H. R. Committee, *D. Patteson*

No report.

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

*- Contract for Broadband with Broadband Telecom president Jeff Beekhoo*

**W. Nunnally/J. Penniman:** Why is it needed.

**G. del Rio:** Basic service that is needed and the Town can provide.

**D. Patteson:** Will this affect the strength of other WIFI services for other businesses.

**J. Beekhoo, President of Broadband Telecom:** Will not affect other businesses. Equipment will be on the sides of buildings. It will be commercial grade WIFI.

**Motion (J. Brown) to move forward with Broadband, using infrastructure grant money.**

**Second (G. del Rio).**

**Motion passes: 5-0.**

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

No report.

* Planning Commission Update, *R. Fuller – Vice Chair*

**P. Robinson:** Tide’s Inn CUP process was discussed. There will be a Public Hearing on Tuesday, September 6 at Irvington Baptist Church at 5:30 p.m. followed by the Planning Commission regular meeting. Survey was discussed stating the process to present the raw data results from EPR-PC with next steps to be discussed at a date in September.

1. **OLD BUSINESS**

* 2nd Reading Ordinance 2022-06 (modified)– An Ordinance Amendment to Prohibit Utility Scale Solar Facilities and Motorized Skateboards and Scooters for Hire, and to Update Zoning Definitions of Variance and Accessory Use and Unpermitted Uses

**Motion (W. Nunnally) to accept Ordinance 2022-06.**

**Second J. Brown.**

**Motion passes 5-0.**

* 2nd Reading Ordinance 2022-08 to Clarify Readings.

**Motion (W. Nunnally).**

**Second J. Penniman.**

**Motion passes 5-0.**

* 1st Reading of Parallel Traffic Ordinance 2022-09.
* 2nd Reading of Ordinance 2022-07- Floodplain.

**Motion (W. Nunnally).**

**Second J. Penniman.**

**Motion passes 5-0.**

* Short Term Rental Draft Ordinance / Council to set a date for reconvening this current meeting to August 17 rather than calling a special workshop.

**Motion (W. Nunnally) to have a reconvened meeting on Aug. 17, 2022, 5:00. This will be at the Town Office.**

**Second G. del Rio.**

* Social Media update, *L. Taylor*

Info has been given to Whitney Law. Info from 2 other sources have been received, more expensive.

* No Thru Trucks- *D. Patteson*

Moving forward to provide info to Board of Supervisors.

**G. del Rio:** Some other things can be put in place to discourage thru trucks such as calming island which would make it more difficult for the trucks. Possibly make speed limit 25 through the town.

* Stump grinding estimates – *L. Taylor*

Three estimates received for 62 stumps.

**Motion (J. Penniman) to contract Alfred Davis for stump removal.**

**Second G. del Rio.**

**Motion passes 5-0.**

* Welcome to Irvington Signs, *L. Taylor*

Spoke to Ms. Matthews, three existing signs, good shape, poles just need to be painted.

**G. del Rio:** Bill Mitchell signs should be preserved.

**Motion (W. Nunnally) to allow L. Taylor to get poles painted.**

**Second J. Penniman.**

**Motion passes 5-0.**

1. **NEW BUSINESS**

**W. Nunnally:** Brass plaque for oak tree (Jackie Burrell), not been done, needs to be done. Clerk will follow up.

1. **ANNOUNCEMENTS**

* Aug. 17, Reconvene Town Council Meeting at town office at 5:00 p.m.
* Labor Day, Monday, September 5 – the Town Office will be closed
* Joint Public Hearing- Tides Inn Cup, to be held at Irvington Baptist Church, Tuesday, September 6, 2022, at 5:30 p.m. immediately followed by the Planning Commission Regular Called Meeting. Please note this is a change of location.
* Next Town Council Regular Called meeting, September 8, 2022, at 6:30 p.m. at Irvington **BAPTIST** Church.

1. **MEETING RECESSED**