

TOWN COUNCIL MEETING  
February 5, 2013

**PRESENT**

Fred Janci, Mayor  
Selina Coulbourne  
Aileen Joeckel  
John Joeckel  
Bonnie Munn  
Val Vincent

Absent: Stuart Bell

Town Clerk, Diana Brown

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- I. *Guest*
  - A. Joe Zager, who served for nine years as the Administrator and is now the VP for Development at Riverside Shore Memorial Hospital was present to update the Council and Public on the new hospital. He presented drawings and discussed plans for the hospital. They had thought to start construction by May 2013; however there are design issues with the office building so now look to break ground by August-September 2013 with a completion date in 24 months, August-September 2015. Nassawadox will still be an outpatient medical complex with diagnostic services - Xray, some labs, Mammography and Cardiac Rehab. Some physicians will remain. There is discussion of whether to move the Cancer Center, but that is not yet decided. Questions and discussion followed.
- II. *Introduction of New Mayor*
  - A. Fred Janci introduced himself as the Interim Mayor. He plans to be in Town Hall on Saturdays during Public hours.
- III. *Public Comments*
  - A. Mayor Janci reviewed the Guidelines for Public Comments that were approved by a previous Town Council on July 7, 2009. A copy is attached hereto to these Minutes.
  - B. Jackie Zang spoke of her concern regarding the basketball goal at John Carr's resident on Main Street with children playing in the street and its being a hazard. Val Vincent noted that she wanted to discuss this issue during the meeting.
  - C. Jeffrey Pitts stated he understands the Public Comment rules specify two minutes for each person to speak but that in the past it has usually been five minutes at the Mayor's discretion.
  - D. Jeffrey Pitts as Chief of the Fire Company ask the Town to once again consider an annual donation of \$1000 to the Fire Company.
  - E. Randy Powell understands the Council will vote on the Meals Tax at this meeting and once again urged them not to approve it. His reasoning is that there is a new business in Town that is trying to build and grow and in all the discussions he has not heard of any cost cutting ideas and thinks this is the first thing that ought to be considered before putting in a new tax.
- IV. *Call to Order*

Mayor Fred Janci called the Town Council Meeting to order at 7:40 p.m. Tuesday, February 5, 2013 in the Wachapreague Town Hall.
- V. Pledge of Allegiance – Mayor Janci opened the meeting by leading the Council and Public in the Pledge of Allegiance.

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### VI. *Appointment of Vice Mayor*

Councilman John Joeckel made a motion to appoint Bonnie Munn as Vice Mayor. Councilman Selina Coulbourne seconded the motion. There being no discussion, the motion was voted on and passed unanimously.

### VII. *Approval of Minutes*

- A. Councilman Selina Coulbourne made a motion to approve the Minutes for the January 3, 2013 Town Council Meeting and the January 16, 2013 Special Town Council Meeting.

### VIII. *Review of Financial Report*

- A. Mayor Janci asked for clarification on certain areas of the Financial Report. Discussion followed. The Financial Report was accepted to file for Audit.
- B. Town Clerk advised that FY2013 Audit is complete and all is in order. The fee for the Audit was higher than last year.

### IX. *Old Business*

#### A. MARINA –

1. Surveillance Camera - Mr. Joeckel reported that Harbor Master has obtained an estimate from U.S. Electric in the amount of \$750.00 for an additional security camera. He agrees with the Harbor Master that this is a good idea because of the theft last year and that it looks directly down the boat ramp. Mr. Joeckel made a motion to approve \$750.00 for the purchase and installation of an additional surveillance camera at the Town Marina. Bonnie Munn seconded the motion. A Roll Call vote was taken and passed unanimously. The Motion and Roll Call Vote are attached hereto to these Minutes. Town Clerk will inform the Harbor Master of approval.
2. Annual Slip Rentals - Mr. Joeckel reported that the applications have been mailed.

#### B. TOWN MAINTENANCE/GARBAGE –

1. Councilman Bonnie Munn reported no problems with garbage/trash.
2. Ms. Munn reported that there had been a burst water pipe in the Maintenance Room at the Town Park. She turned off water main and had Mr. Bradshaw check on building.

#### C. TOWN HALL BEAUTIFICATION/MAINTENANCE

1. Exterior Repairs – Councilman Val Vincent reported that Chris Wardius will provide an estimate for replacing wood on West side of building and replacing gutters on rear of building. He said it should not be more than \$1000. Will look to include this in FY2014 Budget.

#### D. STREETS AND DRAINAGE–

1. Street Signs - Councilman Aileen Joeckel has three calls into County. Still no response. Will continue to follow up.
2. Basketball Goal – Council discussed the problem. Mayor Janci will approach Mr. Carr and ask him to move it.
3. Cars Parking on Sidewalk – Ms. Vincent noted the problem of cars parking on sidewalks. Suggestions were discussed. The first step will be to place flyers on windshields. Ms. Joeckel will also call VDOT.

#### E. SAFETY/SECURITY

1. Councilman Selina Coulbourne not aware of any issues.

#### F. 911 SYSTEM

1. Ms. Coulbourne reported still in progress.

#### G. POWELL MEMORIAL TOWN PARK

1. Ms. Munn reported that Wayne Burton has still not provided paint. She has other issues to follow up with him as well, i.e. broken fence and

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replacement refrigerator and sink. She will pursue with Mr. Burton as spring approaches. Mayor Janci offered a replacement sink. Ms. Munn will have Mr. Bradshaw follow up to see if would fit.

### H. SEASIDE PARK

1. Ms. Vincent stated that the Maintenance Crew will need to water the new plants once there is not so much rain. The Park needs ongoing maintenance. The Town has tried to use volunteers, but it is too much work and needs to make provision to hire someone or have the Maintenance Crew work on it.

### I. TOURISM

1. Ms. Joeckel reviewed the January 23<sup>rd</sup> article in the Eastern Shore News on revenue in Accomack as a result of Tourism.
2. Tourism Working Group – The group met on January 31<sup>st</sup>. Katrina Neal has joined the group and they are looking for a Charter Boat Captain to participate. She reviewed the Minutes (attached hereto to these Minutes). She reiterated that the Committee wants to become a Business & Tourism Advisory Board not just an Ad Hoc Committee.

### J. CHANNEL DREDGING

1. Mr. Joeckel distributed the Corps of Engineers schedule update. He has concern about the delay but feels it is going forward. His further concern is that in 5-10 years there will be same problem and no plans in place. He will work toward a plan with Corps and DEQ and come together for a meeting.

### K. *DELINQUENT REAL ESTATE TAXES AND TOWN TAGS/DECALS*

1. Town Clerk advised that the 2012 delinquent Real Estate Tax Bills have been mailed.
2. Review and discussion followed regarding the delinquent taxpayer bills. The Mayor will talk with the Town Attorney regarding the four most delinquent accounts which date back to 2010 and 2011 as well as 2012.

### L. *DERELICT/BLIGHTED BUILDINGS*

1. Council briefed the Mayor on the situation and previous efforts. No further action to date. The Mayor will review.

### M. PLANNING COMMISSION & BZA APPOINTMENTS

1. Mr. Joeckel briefed the Mayor on the status and reviewed the requirements. The Town is out of compliance. The BZA has one (1) member, Randy Lewis Sr., whose term expires December 2013. Two other terms have expired but the regulations state they are still members until new members are appointed. Two members are deceased. The Board should have five (5) members appointed by the Circuit Court who serve for five (5) years. There are four (4) current BZA vacancies.
2. The Planning Commission had six members; all terms expired. Terms expire September 30. The Planning Commission can have 5-15 members appointed by the Governing Body and serve on staggered terms up to four (4) years. Mr. Joeckel recommends keeping the board to 5-7 members. Need a working Commission to develop a Comprehensive Strategic Plan. Ms. Vincent noted there was a notice in the Post Office but no response.
3. Discussion followed regarding potential members.

### N. BZA Appointments –

1. See N.

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### O. MEALS TAX

1. Mr. Joeckel stated that the Meals Tax has been discussed since August 2012 at Town Council Meetings and a Public Hearing. Mr. Joeckel made a motion to adopt the Prepared Food and Beverage Tax Ordinance. Bonnie Munn seconded the motion. Discussion followed. Ms. Vincent asked the Council to wait and vote on this next year and take this year to study it. There has been too much opposition and people are against it. She thinks the Council needs to talk and listen to people, set up a committee to consider it and invite people who will be impacted to express their opinions. Ms. Joeckel disagreed and states it has been talked to death, not everyone is against it and expenses are going up. She does think anybody's mind will be changed. Other towns are doing it. Mayor Janci thinks this has created a public relations nightmare. He thinks that there is a need for revenue but at 2%, does not think there will be that much revenue from the tax. He thinks Council needs to address the public relations issue and asked Council to wait for one month to vote to give him time to review and talk to people. Mr. Joeckel appreciated his opinion but it has been debated for months and there has been a Public Hearing. He thinks it is time to move to a vote. A Roll Call Vote was taken with four (4) voting for – Ms. Coulbourne, Ms. Joeckel, Mr. Joeckel and Ms. Munn. Ms. Vincent voted against the Ordinance. The Motion, Roll Call Vote and Prepared Food and Beverage Tax Ordinance are attached hereto to these Minutes.

### P. Golf Cart Ordinance

1. Mr. Joeckel announced that the exemption was out of the Transportation Committee and Senate Transportation subcommittee and is now in the Senate Transportation Committee. He anticipates that we will have the exemption at the end of the General Assembly.
2. Mr. Joeckel distributed a draft ordinance for Council's information, which is modeled on Saxis', with minor revisions and will need to be finalized. He outlined the procedure as follows:
  - a. After it is signed, a Resolution by Council is needed.
  - b. Resolution sent to VDOT. It will take approximately one month for their approval.
  - c. Install signs – Approximate cost \$500.00, \$250.00-300.00 for materials plus Labor.
  - d. Decide on Fee
  - e. Hopefully by May, all will be in place.
3. There was a question if there needs to be a Public Hearing for the Golf Cart Ordinance. Mr. Joeckel will consult with Town Attorney.

### Q. FY2014 Audit Update – See VIII

### X. *New Business*

#### A. Proposed Town Council Meeting Date Change

Ms. Joeckel explained that one of the new Council Members cannot attend meetings on the first Tuesday of the month. Aileen Joeckel made a motion to change the Town Council Meeting date to the second Tuesday of each month. Selina Coulbourne seconded the motion. The motion was voted upon and passed by majority vote with one abstention – Val Vincent. Mr. Pitts suggested checking the Town Charter to make certain the date is not specified. If so would be changing the Charter. Ms. Joeckel will verify. In the meantime will set the March Town Council meeting for second Tuesday, March 12<sup>th</sup> and post for Public. If permanent change, will need to advertise.

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- B. Val Vincent's Resignation – Councilman Vincent read her letter of resignation. Mayor Janci expressed his sorrow in her decision.
- XI. *Executive Session*
  - A. Adoption of Motion for Closed Session. The Motion and Roll Call Vote are attached hereto to these Minutes.
  - B. Resolution to Reconvene Open Meeting. The Motion and Roll Call Vote are attached hereto to these Minutes.
  - C. Following the Executive Session, Mayor Janci requested that Town Clerk request an invoice from former Town Attorney John Hopkins for services to the Town from July – December 2012. He has not previously presented the Town with a billing over and above his monthly stipend and there were several items that he consulted on during that period.
- XII. Announcements
  - A. Mr. Joeckel requested that the Mayor and Town Clerk sign the Meals Tax Ordinance. Mayor Janci stated he would take the five (5) days allowed by Charter to sign.
  - B. Town Clerk announced that Council would need to address reassignment of Council members' Areas of Responsibility at the March meeting.
- XIII. *Adjournment*

Selina Coulbourne made a motion to adjourn the meeting. Aileen Joeckel seconded the motion. The motion was voted upon and passed unanimously. The meeting was adjourned at 10:15 p.m.

DFB  
02/06/2013

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MAYOR

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CLERK