



**Minutes of the
Colonial Beach Town Council
Work Session held on
Thursday, April 13, 2017 at 6:00 p.m.**

Colonial Beach Town Center
22 Washington Avenue
Colonial Beach, VA 22443

Present

Mayor, Eddie Blunt
Member, Frank Alger III
Member, Bill Dellar
Member, Phil Rogers
Member, Burkett Lyburn

Absent

All Council Members were present with the exception of Mr. Leamon and Mr. Cirbee.

Also Present

Town Manager, Val Foulds
Town Attorney, Andrea Erard
Town Clerk, Kathleen Flanagan

Call to Order

Mayor Blunt called the meeting to order at 6:00 p.m.

Roll Call of Members

Mayor Blunt noted that all council members were present with the exception of Mr. Leamon and Mr. Cirbee.

All Council Members were present except Mr. Leamon and Mr. Cirbee.

Presentations/Interviews

■ Daniel Kossler, Applicant for Planning Commission

Resolution #21-17, Appoints Daniel Kossler to the Planning Commission

Mr. Lyburn made a motion to adopt Res #21-17 as written. Mr. Alger seconded the motion.

Mayor Blunt invited Mr. Kossler to the podium. Mr. Kossler thanked Council for the opportunity.

Mayor Blunt called for a roll call vote. Mr. Alger voted “aye,” Mr. Lyburn voted “aye,” Mr. Dellar voted “aye,” Mr. Rogers voted “aye,” and Mayor Blunt voted “aye.” They ayes have it, Resolution #21-17 was adopted.

Resolution #21-17 was adopted by a unanimous vote of council members present.

RESOLUTION #21-17, APPOINTS DANIEL KOSSLER TO THE COLONIAL BEACH PLANNING COMMISSION

WHEREAS, there is a vacancy on the Colonial Beach Planning Commission; and

WHEREAS, Daniel Kossler has indicated his willingness to serve on the Planning Commission and has submitted an application and participated in an interview by the Planning Commission; and

WHEREAS, the Planning Commission has considered the submitted application and recommends that Daniel Kossler be appointed to serve on the Colonial Beach Planning Commission.

NOW, THEREFORE, BE IT RESOLVED that the Town Council, meeting in a work session on Thursday, April 13, 2017 hereby appoints Daniel Kossler to the Colonial Beach Planning Commission for a four-year term expiring on April 30, 2021.

Town Manager Update

Ms. Foulds requested CFO Joan Grant to speak to revenues.

Ms. Grant reported that overall revenues are on target at 51% complete, but wanted to bring a few items to council’s attention.

Because of the re-assessment in December, \$85,000 had to be rebated on real estate taxes. Also, homes sold in the most recent delinquent tax sale sold for much less than anticipated.

Mr. Dellar asked what the overall numbers look like as compared to last year – the receipts. Ms. Grant noted “we are on target, we are at 51%.”

Ms. Grants also thinks there may be a revenue shortfall due to the re-assessment. Ms. Grant noted that delinquent collections from business licenses should be able to offset that.

Mayor Blunt discussed recent real estate numbers from the FARR Report that indicate that, from March 2016 to March 2017, sold dollar volume went up 49% and the median sold price went up 13%.

Ms. Foulds noted that on the expense side, other than a couple of unexpected emergencies, we should come in under budget.

Ms. Foulds then requested Council authorize a one-year extension of the contract held by Brown Edwards, the current auditors. In January of 2018 the town will issue an RFP and search for new auditors.

Mr. Dellar asked if a more ‘unqualified’ audit could be conducted; a more robust audit where they look at policies, procedures and ‘look under the covers’ if you will with regard to spending funds.

Ms. Foulds replied that financial policies and procedures are currently part of the audit, such as capitalization policy, procurement policy, fund balance policy, and IT policy.

Monthly Department Reports

Mr. Dellar asked Ms. Foulds if all vehicles on the report are currently operational.

Ms. Foulds answered that most of them are and noted that two vehicles that are marked “spare” are used for parts.

Old Business

(A.) Fracking Ordinance is currently under review by the Planning Commission.

(B) Revision of Town Ordinance, Chapter 2, Administration – Ord No. 681. There will be a public hearing on April 19th.

(C.) Piers

Mr. Blunt noted a discussion is needed to determine whether the town will sell, license or lease pier property.

Mr. Dellar had prepared a flow chart that noted pros and cons of both leasing and selling piers.

Mr. Dellar noted that selling the piers would be a heavy administrative burden initially without yielding substantial revenue to the town.

Mr. Dellar concluded the most prudent option would be to continue with either a lease or license arrangement with everyone on the same payment schedule.

Mayor Blunt noted he agrees with Mr. Dellar's conclusion.

Mayor Blunt asked Council to direct staff to, (1), conduct a study and provide a proposed plan to license piers, including, but not limited to, a timeline and an estimate of cost; to include the legal rights and responsibilities of the town the lease and, (2), identify any other issues that could be a potential obstacle for the Council or that should be considered by the Council, and, (3), same language, but for the sale, and, (4) is any other options that Council might consider, such as a hybrid option.

Mayor Blunt recommended six months, which will take it to November, for staff to provide a report.

Mr. Dellar asked who is the responsible party. Mayor Blunt responded "The Town Manager is always the responsible party."

Mr. Alger, Mr. Lyburn, Mr. Rogers and Mr. Dellar all agreed with Mayor Blunt.

Ms. Erard requested a vote be taken and recorded.

Motion to Direct

Mr. Rogers made a motion, as read by Ms. Erard "to direct staff to conduct a study regarding piers. Staff should be prepared to provide the Council a proposed plan to license piers, including, but not limited to timeline and an estimate of costs, including the legal rights and responsibilities for the town and the user of the pier, identify any other issues that could be a potential obstacle for Council or that should be considered by Council and a proposed plan to lease piers, including, but not limited to timeline and an estimate of costs, including the legal rights and responsibilities for the town and the pier lessee, and identify any other issues that could be a potential obstacle for Council or that should be considered by Council and, a proposed plan to sell piers, including but not limited to a timeline, an estimate of costs, sale price per square foot, the number of piers proposed to be sold and the estimated tax effects of the property owners. Include the legal rights and responsibilities for the town and the pier owner and identify any other issues that could be a potential obstacle for Council or that should be considered by Council. And, lastly, any other options that Council should consider."

Mr. Dellar seconded the motion.

Mayor Blunt called for a roll call vote. Mr. Alger voted "aye," Mr. Lyburn voted "aye," Mr. Rogers voted "aye," Mr. Dellar voted "aye," and Mayor Blunt voted "aye."

The Motion to Direct passed with a unanimous vote of council members present.

(D) The sunken boat. According to Mr. Dellar, Officer Deemer of VMRC has completed his investigation and has determined that a gentleman by the name of Brad Martin was the last owner of the boat by Bill of Sale. Officer Deemer issued a summons on March 30th to Brad Martin with a court date of May 2nd.

Mr. Martin since then has pumped out the boat and the boat is now sitting on the dock and is no longer sinking, which caused VMRC to wash their hands of it.

Mr. Dellar noted the town owns the dock where the boat is sitting and he was advised the town needs to issue a criminal trespass.

Mr. Dellar proposed sending a letter providing Mr. Martin to remove the boat within two weeks or that criminal trespass charges will follow.

Mayor Blunt noted the boat is, again, back on the bottom and is sinking.

Mayor Blunt suggested the Town Attorney send a letter to Mr. Martin.

Ms. Robin Schick noted that June 3rd is “Save the Bay Day” and offered to help organize volunteers to raise the boat.

Mr. Rogers, Mr. Lyburn, and Mayor Blunt all agreed with Mr. Dellar that the Town Attorney send a letter to Mr. Martin giving him two weeks to remove the boat.

(E) VMRC Citations. Ms. Foulds noted there has been communication between all but one person. Out of four violations, two are in the process of obtaining permits.

(F) Status of Eleanor Trailer Park. Mr. Dellar noted Council requested a “four stake” survey with overlays depicting maximum building potential. Ms. Foulds responded that a proposal is being prepared.

(G) Marketing of school property. Mr. Dellar noted he and Ms. Foulds met with representatives of Coldwell Banker and discussed listing the school properties, specifically the water tower properties, the large lot immediately adjacent to town hall and the two lots at the bottom of the hill. The suggested list price for the water tower properties was \$574,000, although they recommended marketing the property as lots. The large lot adjacent to town hall was suggested at \$299,000. The two lots at the bottom of the hill were each suggested to list at \$79,000. The total potential revenue is \$1,031,000.00.

Coldwell Banker recommended leaving the zoning at the water tower at R-2 and changing the zoning for the lot adjacent to town hall to Commercial Residential and then keeping the lots at the bottom zoned at CR.

Ms. Erard noted she had provided Council with revisions to the listing agreement. Ms. Foulds noted she would forward those changes to Coldwell Banker.

Ms. Schick requested to speak. Mayor Blunt agreed.

Ms. Schick noted the two lots at the bottom of the hill are not part of the lots to be sold, as they are owned by the town. One lot is a playground and a garden.

Mayor Blunt noted someone is interested in purchasing a small piece of one of the lots. Ms. Foulds responded that in speaking to the School Board Chair, they are not in favor of subdividing.

Council agreed that, after cancelling the two lots that are owned by the town, Ms. Foulds would send the revised listing agreements to Coldwell Banker.

Mayor Blunt noted that if the zoning is changed from R-2 to CR, it would open the field of potential purchasers.

Mr. Dellar recommended Council proceed to change the zoning on the property adjacent from town hall from R-2 to CR.

Mr. Alger, Mr. Lyburn, and Mayor Blunt agreed with Mr. Dellar to change the zoning on the lot adjacent to town hall to CR.

(I.) Bikefest 2017. Mr. Rogers and Mr. Leamon are continuing to review sales tax and meals tax figures over the last several years during the month of October.

Mr. Dellar asked if Council wishes to continue consideration of an itinerant merchants ordinance.

Ms. Erard suggested Mr. Dellar discuss this with Ms. Grant.

Mr. Dellar explained that rather than a vendor getting a business license, they would be identified as an itinerant merchant and the town can charge up to \$500 to grant that status.

Mr. Rogers suggested charging a nominal fee of \$50.00.

Ms. Erard noted some localities structure fees for vendors as an ‘umbrella’ and other localities collect fees from each individual vendor.

Ms. Erard suggested Council enact an ordinance and then have a separate agreement with the Chamber where they take responsibility for collection of those fees.

Mayor Blunt would like to streamline the process and keep it simple and give citizens a sense that the town is collecting money on their behalf.

Ms. Erard noted she would get started on an itinerant merchants ordinance. Ms. Erard further noted an itinerant merchant would pay meals’ tax in addition to an itinerant merchant fee.

Council agreed that Ms. Erard would begin working on an itinerant merchant ordinance.

(I.) Yard debris. Ms. Foulds noted pickups would be scheduled quarterly and not as a “call for services.”

Mayor Blunt questioned whether or not the town should open up a drop off site for yard debris as he continues to see a lot of leaf bags around town that have been sitting around for several weeks.

Mayor Blunt asked Ms. Foulds to provide an amount of what it would cost to offer yard debris pickup on a regular, unscheduled basis along with regular trash pickup.

Council agreed that the Town Manager would research pickup of yard debris in other localities and report back to Council.

(J.) Street Signs. Ms. Foulds reported that the town is systematically replacing a certain number of signs each year as part of VDOT maintenance funds.

(K.) Lawn ordinance. Public hearing to be held on April 19th.

(L.) North end of the boardwalk. Ms. Foulds noted crews did a cleanup and asked Council to pick a day they would like to visit the area.

(M.) Dog Park, Robin Grove. Mr. Dellar noted there is an erosion mitigation plan for Robin Grove Park in the CIP.

Mayor Blunt noted he had requested Ms. Erard to determine what Council could do to turn Robin Grove into a dog park, which would be maintained by volunteers with the town responsible for cutting the grass.

(N.) Out of state tags. Chief Plott had recommended a review of certain chapters, which he would send to Council.

New Business

(A) Shoreline maintenance agreement. There was no information provided.

(B) Douglas Avenue, revert to 2-way traffic. Ms. Foulds reported that staff has recommended keeping the road one way because it provides handicap accessibility for visitors to town hall.

Items from Planning Commission ready for Town Council review

(A) Amendment to Housing Section. The Planning Commission has made revisions and recommended passage of the Housing Section, as amended.

Mr. Dellar suggested reading the version that is not red-lined. The first four pages is all new. The original document begins on 1-47.

(B) Best Use Ball Field Property. Mr. Rogers noted he has heard from citizens that they do not want to sell this property.

- 2017 Capital Improvement Plan
- Amendments –Article 12, Ms. Erard will be sending revisions to Council for review.
- Amendments –Article 13, Ms. Erard will be sending revisions to Council for review.

■ **For Future Discussion**

Amendments –Article 24, Landscaping

Amendments –Article 10, Agricultural

Vacant Property Study – Wilder Avenue Parking Lot

Vacant Property Study – Town Hill

Vacant Property Study – Water Tower

Adjournment/Recess

Mr. Lyburn made a motion to adjourn. Mr. Rogers seconded the motion.

At 7:57 p.m. the meeting was adjourned.

Kathleen Flanagan, Town Clerk