

TOWN OF WACHAPREAGUE TOWN COUNCIL MEETING

February 10, 2022

COUNCIL PRESENT:

Fred Janci Mayor,
Robert Williams,
Robert Bilicki,
Stephen Joseph
Glenn Schagelin,
Margo Digan

Absent: Sandie Puchalski, Vice Mayor

I. Town Council Meeting

Meeting began at 7:00 PM

Councilman Glen Schagelin prayed.
Pledge of Allegiance

TOWN OF WACHAPREAGUE COUNCIL MEETING

- Mayor Fred Janci called the meeting to order.

I. Public comments

Bonnie Munn asked if the town has started to check the sign for feedback regarding speeding and when it takes place. Councilman Glenn Schagelin stated that the sign is helping. About 50% of the speeders have slowed down. Councilman Bob Williams said not yet because he hasn't had the time. He stated this will happen. They will be reporting to the sheriff regarding speeding activity.

Mayor Fred Janci asked about putting a camera or strobe light on top of the sign.

Councilman Bob Williams said VDOT will not allow it. The sign sits in VDOT's jurisdiction.

- Jim Bell inquired about surveyors along route 180 for the sewage line.
Mayor Fred Janci said we had no funding at this time.
Councilman Bob Bilicki stated it is in their contract to come into within 3 miles of Wachapreague whether we hook up or not.
- Donald Motto inquired about what was happening with the easement that connects his two properties.
He stated that someone was doing a survey there now.
Mayor Fred Janci stated that the baseball field fence is actually encroaching on other properties.
Town Clerk Charlie interjected that Michael Starling was doing the survey.
Don Motto present the information he had regarding the easement.
Don Motto said he had a title search that went back to 1930.
Councilman Bob Bilicki suggested that the council get together with Donald and have a meeting at the location.

Donald Motto said he wants use of the easement due to safety reason.

Several conversation ensued.

It was decided to meet Donald at the easement site on Sunday 1:00.

Donald Motto said the easement is clearly marked. It was agreed to meet at the baseball field.

Donald had copies of the title search. Town Clerk Charlie left the meeting to make copies for all the councilman.

Town Clerk Charlie stated there were copies of the survey included in their meeting packet.

Donald Motto had another survey. Town Clerk Charlie left and made copies to circulate amongst the council members.

- Aileen Joeckel stated that there would be a meeting of the zoning appeals board Tuesday February 15th at the fire hall, 7:00pm.
- Emily Patrick inquired about whether the town was considering a public restroom. Emily spoke about her plans at the General Store. She is not able to have a restroom there. She stated it would be very beneficial to her business and visitors in town to have access to one. Bonnie Munn inquired about the public bathrooms at the park. Councilman Margo stated that Vice Mayor Sandie has keys to the restrooms at Powel Park. She has given keys to the pickle ball players. She does not keep them open all the time because she cleans and maintains the bathrooms. Council Bob Bilicki stated that should be a job for maintenance. It was stated that the marine restrooms are shut down for the winter because they are winterized. Mayor Fred said we could look into making them available year round. Councilman Stephen Joseph said we could install a mini split in the restrooms so that they could be used full time. Councilman Stephen Joseph spoke about the restrooms at Saxis. They are heated and air conditioned. Mayor Fred Janci said we will put public restrooms needs on the agenda for next meeting.

II. Town Council Meeting

- January 13^h 2022, minutes were reviewed. Councilman Bob Bilicki motioned to accept the minutes; Margo 2^{nded} the motion. All agreed.

III. Review of Financial Report

- Mayor Fred Janci asked to review the town budget. Councilman Bob Bilicki wanted to see the details for the tourism budget. Mayor Fred Janci said we would have the tourism budget itemized and emailed to all the councilman. Councilman Bob Williams asked if we were sending letters to everyone who owed the town money. Questions were asked regarding money owed by different homeowners. Town Clerk Charlie stated that letters were mailed regarding taxes due. A 10% fine had been levied. She stated another letter will be sent with an additional \$30.00 added to the bill and that several people on the list have paid. Mayor Fred Janci asked if the Denise Johnson's bill was from multiple years. Town Clerk Charlie said, "yes, it was taxes, and tags combined for Denise Johnson. She also reported that VIMS has a different way of paying. The town is waiting for William's and Mary's approval. VIMS will pay their \$750.00 trash bill once their new payment system is working for the town. Town Financials were not approved.
- Mayor Fred Janci asked to review the marina financials: Profit and Loss VS actual. Councilman Bob Bilicki motioned to accept the marina financials. Councilman Glen Schagelin 2^{nded}. All agreed.

IV. Unfinished Business

A. Ordinance

- Councilman Bob Williams spoke about ordinances. He said one of the doctrines he read states that Accomack's ordinances do not apply to incorporated towns.
Councilman Margo stated that if we have an ordinance, *dogs at large as an example*, and if a residence calls animal control, they will not respond since it is written as a town ordinance. She went on to say if we adapt the county ordinance, they will respond when help is requested.
Councilman Bob Williams said he hoped to have this clarified by the next meeting.
Conversation between council ensued as to how we enforce town ordinances.
Councilman Bob Bilicki said would it be better if we weren't an incorporated town.
Mayor Fred Janci responded that town would be a very small cog on a great big wheel. We would be at the mercy of the county's budget. Anything we would want to do in this town would be at the hands of the board of supervisors. We control our own destiny as an incorporated town.
Councilman Stephen Joseph suggested we look at the enforcement of ordinances in other incorporated towns.

B. Grants

- Councilman Bob Williams spoke about 50 /50 grant. He stated there was no reason to apply for them because the town can't come up with their 50%.
Councilman Bob Bilicki inquired about the ARPA grant. He asked if we were getting an additional \$89,000.
Town Clerk Charlie replied "yes, sometime in June."

C. HRSD

- Councilman Bob Bilicki stated that we are waiting for the general assembly to meet regarding the 3.6 million dollar allocation needed for the HRSD project. He said according to Rob Duma's study we can do the project for 2.7 million if the hook up is deferred to the property owner.
- Councilman Bob Bilicki reported that Chief of Staff for Elaine Luria wants to schedule a hard hat tour of VIMS for late March or early April with Town Council, Linwood Lewis, Rob Bloxom, and A-NDCP. He thought the tour should take 35 to 45 minutes. Councilman Bob Bilicki stated this is in conjunction with HRSD.
- Councilman Glen Schagelin asked, " if we start the HRSD project and it goes over the amount projected what happens?"
Mayor Fred Janci stated that there is a 5% to 15% contingency.

D. Marina

- Vice Mayor Sandie Puchalski was absent. Town Clerk Charlie reported for her. She stated that that Vice Mayor Sandie Puchalski sent out the slip renewals to the past owners. Charlie also reported that we had gotten several responses to renew.

E. Town Maintenance

- Councilman Glenn Schagelin received quotes from Davis Disposal. It will cost \$17.00 per container and an additional \$10.00 if an extra container is needed.
Councilman Glen Schagelin has been trying to get a second estimate but has not been successful with the company he has been contacting. No response from them.
Davis Disposal wants a 3- year contract.
He said he checked to see what the tonnage was for the town from Public Works.
Councilman Glen Schagelin stated this will give the guys an extra day to work in town.

- Aileen Joeckel was concerned about the extra \$204.00 annually. This will add to the residents' bills. She also had concerns about an additional sewer bill being added. Mayor Fred Janci said we are not expecting anyone to pick up a sewer bill. The sewer is only for commercial water front and for those where the sewer line is running by to hook up on a volunteer basis.

F. Powell Park

- Mayor Fred Janci asked Councilman Glen Schagelin to have the guys to clean up the tree limbs that fell down in the dog park. Councilman Margo Digan asked if someone could trim the tree limbs that are just hanging on the tree that dropped all the branches. Councilman Schagelin said he would have the guys go out on Monday.

G. Seaside Park

- Council Margo Digan asked if the town wanted to approve the estimate she had from Charles Elliott for removal of a strip of vegetation that ran parallel to the gazebo to Atlantic Ave. at Seaside Park. Price is \$500.00. The Cedars would remain. Councilman Bob Williams motioned to spend the \$500.00 for Seaside Park. Councilman Bob Bilicki 2nd. All agreed.
- Councilmen Margo Digan asked that a town council member get estimates for mowing. Councilman Glen Schagelin agreed to take over that roll.

H. Beautification

- Seaside Park and Beautification were combined under Seaside Park.

I. Tourism

- Councilman Bob Bilicki spoke about the CB riders. He will be meeting with the CB's board. Councilman Bob Bilicki is hoping to have a fall ride. He would like to have a spaghetti dinner with the fire company as a fund raiser the night before the ride. Councilman Bob Bilicki reported as a post party and fund raiser for the town he would like to have tickets sold and have a band play. This is all in the works. He feels it will take 6 month to accomplish this.
- Councilman Bob Bilicki will be attending an Eastern Shore Tourism meeting. He invited Chris and Nickie Wardius and Greg Brittingham.
- Councilman Glen Schagelin asked how many riders will be attending the CB ride. Councilman Bob Bilicki stated historically it has been around 1000. Councilman Schagelin asked about the possibility of selling T shirts for this event.
- Councilman Bob Bilicki said the Nature Conservatory wants to donate the bird watching station land to the town. He stated that the town takes care of it now. He will report back next meeting regarding this situation.

J. Derelict Properties

- Councilman Bob Bilicki asked about Patricia Braggs home.
Mayor Fred Janci reported that her permit has been renewed.
Councilman Margo Digan inquired as to whether she has a septic system.
Mayor Fred Janci stated that she will have to go to Accomac for a permit.

K. Safety and Security

- Councilman Bob Bilicki inquired about the new LED light that had been installed at the pole by the fire company.
Councilman Bob Williams had a light replaced by the fire company. Someone had complained the light was burned out so he called ANEC and they took care of it.
Councilman Bob Bilicki was planning on installing a light to light up the flag. He wondered if that would be enough light. If the other light needs to remain, he would prefer a halogen light instead of the LED. He asked, “do we need a light there?”
Mayor Fred Janci said we need to speak with the fire company before anything is done.

L. Zoning

- Mayor Janci said he had nothing to report.

M. Streets and Drainage

- Councilman Bob Williams said this would be a great time of year to vacuum out the ditches.
Councilman Glen Schagelin will talk to the guys regarding cleaning the ditches.
- Councilman Bob Bilicki said that the VIM’s construction site has been difficult. They are working at grading the areas around the construction areas. He said if anyone has any concerns to send them to him.
They have photographs of the road before construction started. He said the asphalt has no base. He said all it has is a 2- inch base on sand. Councilman Bob Bilicki stated it is clean at the curbs but the road has “alligatored”? at the main.
Councilman Bob Bilicki said there will probably be issues with the asphalt after the construction is finished.

N. Planning Commission

- Aileen Joeckel said they have two new members for the planning commission. They need to be voted in.
Councilman Margo Digan inquired about how long they would be on the committee. She had told them they were taking over other member’s terms which would end 2023. She sent emails to see if they would like to take over a 5 year term instead of ending in 2023.
Aileen Joeckel said the new members wanted to know what they were specifically commissioned to do by town council. Are they here to work toward advance plans for the town’s future? They also want to know if they had been voted in and how long their terms would be.
Aileen reported that Greg said that the planning commission should also be involved in the zoning. He said that is paramount to making this work.
Aileen said the entire team would like to send a questionnaire to the people in town as to what they would like to see happen in the town.
- Question # 1 What 3 things do you value about the town of Wachapreague?
- Question # 2 What are the strengths of those values?
- Question #3 What would you like to see happen in the next 5 years?

These questionnaires would be distributed at the post office first and later mailed to people who own homes here but are not a full-time residence and people who rent here.

Aileen asked for Town Clerk Charlie's assistance on getting addresses for the people out of town.

Town Clerk Charlie stated she has the addresses in a book that she uses for taxes.

Once these questions have been answered Greg is going to put the results on a spread sheet and there will be a town meeting to discuss the results.

Aileen Joeckel asked for the council's approval.
Council liked the idea.

- Aileen Joeckel announced that there was going to be a public meeting Tuesday at 7:00 at the fire company regarding the situation: Glen and Susan Schagelin's transient rental.
- Mayor Fred Janci said we need to vote on the new planning commissions members.
James Bell and Greg Brittingham are the members being voted to complete the term.
Councilman Margo motioned.
Councilman Bob Williams 2nded.
All agreed.

Discussion ensued as to the need for one more member for the zoning board of appeals.
Councilman Stephan Joseph both said the zoning board would be interested.
Councilman Margo Digan questioned as to whether a council member could be on the zoning board appeals.
A motion was made by Councilman Bob Williams that if Councilman Stephen Joseph could be on the zoning board.
He motioned for him to be approved.
Councilman Margo Digan 2nded the motion.
All agreed.

O. Meals Tax

- Councilman Stephan Joseph motioned to raise the meals tax to 5% to match the county.
Mayor Fred Janci asked if we were going to raise the transient taxes also.
Councilman Joseph thought we should raise the transient taxes.
Councilman Bob Williams stated that the extra money should be put into a capital improvement fund.
He spoke about the fact that most grants are a 50/50 and it would be good to have the money in an account to use.

Mayor Janci said the first 2% is split 25% toward tourism and the other 75% toward the town.
The additional 3% would be used towards putting toward a reserve fund for capital expenses.

Councilman Stephen Joseph motioned to increase the meals tax to 5%.
Council Bob Bilicki 2nded the motion.
All agreed.

There was discussion about making sure the increase of the meals tax be advertised in the local paper for a public hearing

Councilman Stephen Joseph motioned the transient tax be raised to 5%.
Councilman Margo Digan 2nded the motion.
All agreed except for Councilman Bob Bilicki who abstained.

Town Clerk Charlie Gibble stated she would advertise a public meeting to raise the meals tax and the transient tax to 5%. Meeting will be at the next council meeting 3/10/2022.

- Discussion ensued as to the zoning in the town of Wachapreague. It was stated that there is spot zoning throughout the town. Some of the council would like the entire town be zoned for air bnbs? while others thought all of Main St. should be.

Mayor Fred Janci said the major problem is parking.

Councilman Stephen Joseph stated the properties across the street from Glen and Sue Schagelin is zoned residential commercial. He said there is no problem with parking there. Why doesn't the town extend the zoning to across the street?

Councilman Stephen Joseph asked, "how do we change the zoning to commercial neighborhood?"

Mayor Janci said the planning commission can suggest changes, but the council gets the final say.

Councilman Margo said there has to be a public hearing regarding zoning changes.

Mayor Fred Janci said, " if the town's people do not like what the council does, they will just not vote you back into office."

Councilman Bob Bilicki stated the reason the Schagelin's are going for a variance is because it is illegal where it is located and not in the proper zone.

Councilman Stephen Joseph explained Councilman Bob Bilicki is trying to say the whole town should be zoned to be eligible to allow all properties to be transient rentals.

Aileen Joeckel said small town that allow short term rentals are having problems. She said there are a lot of part time residences here. They could all rent their homes and you could possibly have a different neighbor every week.

Councilman Bob Bilicki said he did not mean to have the entire town to be zoned for transient rentals. He stated across the street from the Schagelins it is zoned commercial neighborhood. There is a transient rental across the street from them. He stated, " it behooves me as to why we can't extend the zoning to across the street."

Mayor Janci stated that would involve a public hearing. We need to be careful.

Councilman Bob Bilicki stated he had suggested that Brian Collins get a permit to make his home a commercial neighborhood. He stated that it is boxed in my VIMS.

Mayor Fred Janci said he feels that Brian should stay zoned residential. His feelings were the area around him should also be residential.

Mayor Fred Janci said they had looked into making all of Main St. commercial. The concern was parking.

He stated, "the white line along the road means no parking, but nobody listens." He spoke about people parking on the sidewalks. Mayor Janci reported the state has said they will not repair our sidewalks if they are being parked on.

Councilman Stephen Joseph asked, " if we want to make zoning changes, how do we go about it?"

Mayor Janci said the planning board is supposed to make the 5- year plan to give the general direction of the town. The Town Council can accept or reject anything the planning board sends. Theirs is not written in law.

Councilman Bob Bilicki and Councilman Stephen Joseph questioned if we like part, but not all of what the planning commission suggest, what can council do?

Mayor Fred said there's is a suggestion as to what they are projecting for the town. Whatever they propose can be amended. The spirit of it is a direction for the town.

Mayor Fred Janci stated, In the end the council and the citizens have the final say.

- Councilman Bob Bilicki stated that VIMS will be working on the aquaculture center and the interior of the dorms until 9:00 PM. He stated they will probably be making noise off-hours. He said there will be no radio playing in the dorms, no exterior, or interior saws. He would like a gentleman's agreement with Mary, Williams and Gresham that if there is a problem after 9:00, this will be revoked.

Councilman Stephen Joseph motioned to adjourn.

Council Margo Digan 2nd

All agreed.