



**Minutes of the
Colonial Beach Town Council
Work Session held on
Wednesday, March 2, 2022 at 6:00 p.m.**
Colonial Beach Town Center
22 Washington Avenue

Present

Robin Schick, Mayor
Vicki Roberson, Vice Mayor
Andrea Clement, Council Member
Thomas Moncure, Council Member
Kenneth Allison, Council Member
David Williams, Council Member

Absent

All Council Members were present.

Staff Present

India Adams Jacobs, Town Manager
Gregory Deaver, Chief of Police
Vivian Seay Giles, Town Attorney
Rob Murphy, Director of Public Works, Deputy Town Manager
Robert Duke, Director of Parks and Recreation
Nathan Sulya Management Fellow
J.C. LaRiviere, Grant Writer/Coordinator
Heather Oliver, Town Clerk

Call to Order

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

Roll Call of Members

Mayor Schick noted that all Council Members were present.

Approval of the Agenda

Dr. Self Sullivan made a motion to approve the agenda as presented. Ms. Roberson seconded the motion.

Mayor Schick called for a vote. All members of council present voted aye.

The motion to approve the agenda, as written passed with a unanimous vote of council members present.

Council Liaison and Committee Reports

Councilmember Self Sullivan

Dr. Self Sullivan summarized the following NGO report.

Alliance of CB Community Organizations – Contact cballiance2021@gmail.com

- April 19th Resume Quarterly Alliance Meetings
- Continue to update Alliance Calendar here <https://www.cballiance.info/calendar>
- Voted to Join the Chamber.
- Continue to work on *Keep CB Beautiful* Campaign – logo coming soon!
- Continue to work on *Love in the Park – We Still Do* Recommitment Ceremony on June 4th
- Get Involved: Send email to get on Volunteer Opportunities Email List or join <https://www.facebook.com/groups/1126818601478490/>

Coming to the Table CBVA – Contact CTTT.CBVA@gmail.com

- Successful MLK BHM event with 110 in-person and 175 online viewers. View it online here https://youtu.be/kpu7VTRPu_Q.
- April 26th Reading *Cousins* by Betty Kilby Baldwin & Phoebe Kilby in March & April. CTTT-CBVA has 10 copies of the book to lend. The authors of *Cousins* will join us via Zoom for a book discussion on April 26th.

James Monroe Birthplace – Contact Bucky Doerr (804) 224-0459

- Looking for student volunteers for the Summer. Already received letters of interest from King George High School.
- Added 2 new books to lending library by local authors: *Uprooted & Transplanted* by Lillian McGuire, and *Never Pleasing to the World* Peggy Patterson Garland.
- April 2nd Ericka Morgan is hosting an “Easter Through the Years” Celebration Family Event including “In Your Easter Bonnet with All the Frills Upon it” Parade.
- April 10th Birthplace will be OPEN in support of The Osprey Festival in CB
- April 23rd Annual Monroe Birthday Observance with Tours & Refreshments

Colonial Beach Community Foundation – Contact info@cbcommunityfoundation.org

- Received 7 Beautification Grant Applications – Awards will be made ASAP
- Successful Wine & Chocolate Fundraiser with 25 attendees
- Successful Meetup at Colonial Beach Games & Soda Fountain w/25 attendees
- March 17th Monthly Meetup at Ice House Brewery, TM Adams-Jacobs will be Guest Speaker
- Continued work on *Keep CB Beautiful* Campaign and *Love in the Park – We Still Do* Recommitment Ceremony at Eleanor Park

Colonial Beach Civic Groups – Contact Patti Hansley pathansley@aol.com

- American Legion Post 148 - meets on 2nd Saturday of the Month at 10:00 AM
- VFW Post 10574 - Veterans Day March 29th
- Moose Lodge - Dart Tournament March 3-5
- Eagles 4315 - Aerie meets on 2nd and 4th Tuesday of the Month; Auxiliary meets on 1st and 3rd Tuesday

Colonial Beach Greenspace – Contact cbgreenspace@gmail.com

- Working with Parks & Rec on Oyster War Highway Marker, Earth Day Community Cleanup, Walter Kern Memorial Fund, benches for Eleanor Park, and Adopt a Park Program

Colonial Beach Historical Society – Contact Mitzie Saffos mitzisaffos@yahoo.com

- Museum reopens in April on Saturdays and Sundays from 1:00 to 4:00 PM
- Memories of Colonial Beach Meetup on Saturday March 19th 1:00 PM at Hunan

Colonial Beach Artists Guild – Contact Kathie Moran morankath@msn.com

- March 11th 2nd Friday Art Walk Resumes
- New Venues this season include St. Mary's Parish Hall and Peddler's Market

Downtown Colonial Beach – Contact info@downtowncolonialbeach.org

- Successful CB Strategic Marketing Workshop led by Matt Wagner from Nation Main Street on February 21-22. Dr. Wagner concluded CB would benefit most through the following strategies:
 - Building an entrepreneurial ecosystem and infrastructure to help existing and new businesses.
 - Placing emphasis on e-commerce capabilities to help businesses improve profits and overcome seasonality issues.
- April 9th Osprey Festival – Businesses & Organizations are encouraged to participate on Town Hill as a sponsor/vendor/exhibitor.
- Plan to apply for Community Business Launch Program Grant to recruit local entrepreneurs to participate in business development training culminating in a contest and cash prize. DCB is looking for partner to complete application & administer grant.

- DCB recruiting a qualified Treasurer with bookkeeping, accounting, or finance background. Contact Jeff Crook
jcrook@downtowncolonialbeach.org

Colonial Beach Chamber of Commerce – Contact info@colonialbeach.org

- 2022 Visitor Guide in final review stages. Contact ASAP to proof or add information.
- Meeting scheduled with Town to review & finalize 2022 Events
- April 16th Easter Egg Hunt on Town Hill 10:00 AM
- April 23rd – 24th NEW Boat Show on Town Hill – Planning meeting in March
- EDC making progress on 10 goals set for 2022 – interest in Food Truck Court is positive from existing and new vendors. Currently 8 vendors in discussion.

Councilmember Williams

Mr. Williams reported the Robin Grove Shoreline Project is complete. The contractor provided a warranty on the percentage of grass growth by the end of spring. There is a project called Safe Routes to School and our Mr. LaRiviere will be looking into the possibility of that grant. The demolition of the T Dock on the Town Pier is complete, and rebuilding will begin. Castlewood Park's fencing will start in about 6 weeks. The planning of the Central Drainage area is about fifty percent complete with engineering drawings with a start date in the fall.

Councilmember Allison

Mr. Allison reported the Parks and Recreation Advisory Commission would like to provide a formal endorsement of the Linear Park or any other grants. They support both the Northside Park and Linear Park. A work session for the Advisory Commission is scheduled Tuesday, March 15. They will discuss events that are upcoming and soccer popups, basketball tournaments, tennis popups and movie nights. Please attend and provide input so they have an idea of what the citizens would be interested in.

Councilmember Clement

Ms. Clement did not have an update from the schools. She congratulated the Lady Drifters Basketball team for winning the Northern Neck District Championship.

Councilmember Moncure

Mr. Moncure stated he asked the Chief of Police to report on the conviction on a past murder case and the pending case of shots that were fired at our police officer. He noted he had two thoughts. First, this shooting case is a reminder of the danger and unpredictability of serving as a police officer. Second, that our town is not immune to random lawlessness and as much as we wish not, there are vial and malicious people among us.

Mr. Moncure further stated the suspect that fired at the police officer should be convicted of multiple offenses. This shooter has demonstrated a callous disregard for human life and proven himself unfit for membership in this society. It is my hope that upon conviction and sentencing he will be removed from our community for an extended amount of time and spend many years behind bars where he will be prevented from causing any more harm.

Councilmember Roberson

Ms. Roberson noted the Finance Department was working on the budget all day and will continue to do so until completion.

Mayor Schick

Mayor Schick thanked the Fraternal Order of Eagles for their St. Jude Event. The Martin Luther King, Jr. and Black History day was incredible and hopes the tradition will continue.

Mayor Schick recognized March is Women's History Month.

Presentations

Recognition of Retirement, Pam Warner, Public Works Administrative Assistant

Town Council presented a certificate and a gift in recognition of Ms. Warner's retirement.

Public Safety, Chief Deaver, Colonial Beach Police Department

Chief Deaver reported on two major incidents that involved the Colonial Beach Police Department in the last two weeks. The first incident was an officer being shot at on February 17th during a patrol. The suspects were found on 7th street and approximately four shots were fired at the police officer. The officer did not fire back at the individuals. State Police and Westmoreland County Sheriff's Department responded to provide mutual aid. Westmoreland County was requested to handle the investigation to provide transparency. It is an ongoing investigation. The second incident or case is the Flores case that started a few years ago. Captain Lombrana was the lead investigator on that case.

Captain Lombrana reported on the timeline on the Flores Case. Mr. Flores was arrested on April 3, 2020 due to a welfare check that found a deceased victim. Mr. Flores was sentenced on charges of first degree murder, use of firearm in committing a felony, and maliciously discharging a firearm in an occupied building. Mr. Flores was sentenced to 73 years with 23 years suspended leaving Mr. Flores to serve approximately 50 years in prison. The sentencing is above the high end of the Virginia State sentencing guidelines that recommend a sentence of no more than 40 years.

Chief Deaver noted he received an email from a federal attorney that was in the courtroom that complimented the professionalism of the case and Captain Lombrana that ultimately led to the conviction of Mr. Flores.

Chief Deaver reported on two projects that were started prior to his arrival. Project One started with Interim Chief Miller, and that is Lexipol. Lexipol is a law enforcement specific program with subject matter experts that help provide law enforcement agencies develop policies and procedures. The second project is Mobile Data Terminals also known as MDTs. They are the mobile terminal that are seen countrywide in the police vehicles. These terminals help officers obtain and provide information without reporting back to the station. Reduces desk time and increases visibility around town.

Citizen Input

Jeff Crook, Downtown Colonial Beach stated he appreciated the ongoing support from Town Staff and Town Council to Downtown Colonial Beach and the Main Street Program. The Town has granted Downtown Colonial Beach since fiscal year 2019 with a \$2,000 every annual grant. These funds give DCB the ability to maintain overhead cost with maintaining their 501c3 status. He would like to see this support continued in the new fiscal year.

Mr. Crook noted he has heard about the Town hiring an Economic Development Director and it is a concept DCB has been supportive of because it has a lot of benefits. When new businesses are attracted it serves the citizens better and attracts visitors to become new residents. He is open to the concept of DCB splitting the salary of the Economic Development Director and would have a better idea of what DCB could afford after some of their upcoming events.

Mr. Crook further noted Downtown Colonial Beach's support to the idea of an outdoor refreshment area. It is a great way to create an integrated walkable downtown area. Wonderful idea that has been used in municipalities around the Commonwealth including Towns with Main Street affiliation. Downtown Colonial Beach hopes the Town Council will support the project.

Mike Fitzpatrick, Chamber of Commerce noted the Chamber of Commerce is also supportive in the hiring of an Economic Development Director. He believes it is essential in the growth of our town. He believes it will be a position that will end up paying for itself in the end. The Chamber of Commerce and himself in huge support of the DORA concept. It will make a big difference in terms of supporting the businesses and entice new businesses to the Town.

Mr. Fitzpatrick stated the Economic Development Committee is continuing to work on the apprenticeship program in collaboration with Rappahannock Community College and the High School. In addition, they have focused on business recruitment and land inventory in town to have a better understanding on what is there to offer businesses wanting to come to town.

Old Business

New Business

Resolution #14-22, Appointment of Will Nuckols to the Planning Commission

Mr. Nuckols introduce himself and stated he has been a resident for a couple of years, fairly new in comparison to most residents. He noted his background in coastal community development hazard mitigation, climate change and weather hazard. He is excited to use that knowledge and help the Town by serving on the Planning Commission.

Dr. Self Sullivan made a motion to approve Resolution #14-22, as presented. Ms. Roberson seconded the motion.

Mayor Schick called for a vote. All council members present voted aye.

Resolution #14-22, as presented passed with a unanimous vote of council members present.

Resolution #14-22, Appoints William Nuckols, III to the Colonial Beach Planning Commission

WHEREAS, a vacancy on Planning Commission opened when Maureen McCabe's term ended on December 31, 2021; and

WHEREAS, the Planning Commission received two applications for the vacancy; and

WHEREAS, the applications submitted were considered and the Planning Commission recommends Mr. William Nuckols, III to the Town Council for the vacant seat; and

WHEREAS, William Nuckols, III has continuously expressed his willingness to serve on the Planning Commission.

NOW THEREFORE BE IT RESOLVED that the Colonial Beach Town Council at the meeting held on March 2, 2022 hereby appoints William (Will) Nuckols, III to the Colonial Beach Planning Commission for a four-year term beginning on March 1, 2022 and expiring on March 1, 2025.

Resolution #15-22, Appointment of Spencer Ligon to the Colonial Beach Redevelopment and Housing Authority

Mr. Ligon introduced himself and noted he was an architecture student and works for Public Works. He has contractor experience and believes serving on the Colonial Beach Redevelopment and Housing Authority would be beneficial for the Town and himself. He looks forward to learning from the members on the board.

Dr. Self Sullivan noted Mr. Ligon is a hardworking young person and excited that he will be serving on the Housing Authority.

Mr. Allison made a motion to approve Resolution #15-22, as presented. Ms. Clement seconded the motion.

Mayor Schick called for a vote. All council members present voted aye.

Resolution #15-22, as presented passed with a unanimous vote of council members present.

Resolution #15-22, Appoints Spencer Ligon to the Colonial Beach Redevelopment and Housing Authority (CBRHA)

WHEREAS, there has been a vacancy on the Redevelopment and Housing Authority; and

WHEREAS, Spencer Ligon submitted an application for the vacant seat and has expressed his desire to serve on the CBRHA; and

WHEREAS, the application was reviewed, and the Redevelopment and Housing Authority recommends Spencer Ligon to serve as a member on the Colonial Beach Redevelopment and Housing Authority; and

NOW THEREFORE BE IT RESOLVED that the Colonial Beach Town Council at the meeting held on March 2, 2022 hereby appoints Spencer Ligon to the Colonial Beach Redevelopment and Housing Authority for a four-year term beginning on March 1, 2022 and expiring on March 1, 2025.

Discussion on Proclaiming Osprey the Town Bird

Mayor Schick reported there was a request from Downtown Colonial Beach to proclaim the Osprey as the Town bird. It is a celebrated bird in Town with the Osprey Festival and multiple nests throughout town.

Mr. Williams asked if there was a current Town bird.

Mayor Schick stated not to her knowledge, and she also asked Ms. Seay Giles if there were any legal obligations to proclaim an official Town bird.

Ms. Seay Giles noted there were no obligations.

There were no suggestions for any other bird.

Mayor Schick asked if there was a consensus to proclaim the Osprey as the Town bird at the regular meeting on March 16th.

All council members present agreed to proclaim the Osprey as the Town bird at the regular meeting on March 16th.

LOVE Signage Update

Ms. Clement reported the Colonial Beach Artists' Guild was spearheading an initiative to make Colonial Beach the town with the most love signs. Eight LOVE signs will need to be created and the funding would be through a grant from the Virginia Department of Tourism.

Examples of LOVE works signs were presented.

Ms. Clement noted this is going to be an exciting project and great opportunity for visitors to enjoy.

North Park Site Tour Update

Ms. Adams Jacobs reported that about a week ago, Town Council, Chief of Police, Director of Parks and Recreation, Director of Public Works, and herself went and toured the proposed sites for parks on the North side of Town. First stop on the tour was the bike/golf cart path. Upgrades to Bike/Golf Cart Path have been included in the 2023-2027 Capital Improvement Program. Phase 1 of those improvements would be to address the safety concerns, which would include the

installation of lighting and bollards on the path. Phase Two would include the repaving and widening of the path. Second stop on the tour was the proposed site of the North Side Park Playground. On both projects the Director of Parks and Recreation and the Grant Writer will be working together to pursue grant funding for these projects. We hope to have these projects completed within in the next two years.

Mayor Schick noted it was a productive tour and being able to see the sites that are discussed often in relation to North Side parks.

Mr. Williams stated he was surprised on how open the areas are and there could possibly be room for a piece of playground equipment at the intersection of 9th Street and the path. It made more sense after going on the tour and seeing the site, that the option to have various pieces of recreational equipment along the path is possible. Also, pursuing a linear park grant could help fund actual improvements needed along the path to provide a safer path for the residents.

Mayor Schick noted another item that was discussed was the possibility of partnering with the Rehabilitation Center on sponsoring some outdoor fitness equipment at the end of the trail. It would be accessible for the Rehabilitation Center to use for their patients.

Article 29, Planned Unit Development Residential (PUD-R) District

Mr. Allison provided an update on the PUD-R. The Planned Unit Development is used to describe a type of development in the regulatory process that permits a developer to meet community density and land use goals without being bound by existing zone requirements. Benefits of this are more effective site designs and preservation of amenities.

Mr. Allison stated a request to have Planning Commission to review this ordinance as it is over 20 years old. It needs to be updated to today's standards.

Mayor Schick asked if there was a consensus to send Article 29, Planned Unit Development Residential (PUD-R) to the Planning Commission for their review and recommendation.

All council members present agreed to send Article 29 to the Planning Commission.

Town of Colonial Beach Code of Ordinances

Mr. Moncure reported he originally thought the code of ordinances would need a full reorganization, but with online access it is user friendly and searchable. A reorganization would not be justified due to that reason.

Mr. Moncure proposed a three step approach to updating the ordinances. Step one would be to eliminate irrelevant, redundant and obsolete ordinances, while retaining sections numbers as placeholders for future ordinances. The next step would be to revise a number of ordinances and look at policy matters contained in the ordinances. The last step would be to take seasonal fees out and have them established by resolution and not by ordinance.

Food Truck & Vendor Program

Mr. Williams presented on the background, current state of the program, Colonial Beach vs. Towns, Discussion points for Town Council and recommendations. The purpose of bringing the discussion forward was to establish a food truck program that would benefit the town.

Mr. Williams noted there was not a distinction between Food Trucks and Vendors. The Town ordinance refers to food trucks under the Vendor Program on Municipal properties. Any vendor that needs a health inspection would be charged \$750 for the year and have no time limits on how long they can be on municipal property during that year.

Mr. Williams reviewed the differences between the Town of Colonial Beach and other small towns that have a similar program to the Town's vendor program. The information he obtained from the other towns brought forth discussion points about the Vendor Program. Discussion points included rules, policies, hours of operation, specific program and definition for Food Trucks and finding out how much money the Town is losing having Food Trucks.

Mr. Williams recommended to update the current ordinance, designate locations, establish days and hours of operation, including cost of utilities in the program or requiring food truck to be self sustained and make sure the program is set up to benefit the town.

Ms. Clement and Mr. Allison were in favor of a having a designated Food Truck Court area.

Mayor Schick requested a staff report as the next step to address the future locations for Food Trucks. Including, impact to parking and what areas need these types of service and adding a goal to have a diversity of vendors.

Multiple discussions on type of vendor, vendor fees and special event vendors.

Ms. Adams Jacobs noted that as part of the strategic plan, included were the Food Truck and Vendor Program. Staff needs a direction as there are competing interests related to this topic. Our current vendors are being displaced due to development and Mr. Fitzpatrick has procured approximately three additional vendors. There are many parts that need to be considered. In completing a staff report, she noted it would be helpful to work with Dr. Accordino from VCU who worked on the market study before, and Mr. Fitzpatrick can provide his information. Mr. Duke can look at our benchmarking peers that were used in the special event process to provide guidance on this issue since they are most similar to our locality.

Ms. Adams Jacobs further noted an Economic Strategic Plan is being worked on in collaboration with Downtown Colonial Beach and Chamber of Commerce that should be completed by September 25th. This issue can be added into that plan and implemented for next season. We are in the midst of the season; vendor applications have been signed and those vendors will be moved in the June to July timeframe. Public Works and Mr. Duke have begun obtaining quotes for the relocation of the food trucks. From the staff's view it will be complicated given all the moving parts to change anything with the vendor program this fiscal year.

Mayor Schick stated it was not the intention to redo the current program. We have a policy in place at this time. This discussion was just a start to reorganizing the vendor program.

Mr. Williams stated his intention was just to get the process started and did not expect a solution this season.

Designated Outdoor Refreshment Area

Ms. Adams Jacobs introduced the Designated Outdoor Refreshment Area and provided background on DORA. Last year during a presentation from the Virginia Department of Housing Community Development it was discussed that this initiative was a successful business tool in alignment with the Main Street Model. After research and benchmarking analysis with localities that include the City of Danville and Town of Edmonton, staff is bringing forward the DORA item in collaboration with Downtown Colonial Beach and the Chamber of Commerce.

Ms. Adams Jacobs provided a summary of the presentation. DORA is a new special events permit offered by the Alcoholic Beverage Control due to the pandemic that they have extended because of its success. Staff recommends that the Town Council direct the Town Attorney to draft the necessary ordinance and to give authorization to the municipal government to apply for the relevant ABC license.

Ms. Adams Jacobs described what the Designated Outdoor Refreshment Area would allow. It would allow consumers to purchase alcohol beverages in disposable containers from permanent retail establishments and walk in a designated outdoor area with their purchased beverages. DORA aligns with the Main Street economic development and tourism principles. It has proven to have extreme success in other localities.

Ms. Adams Jacobs noted specifics for DORA. Only permanent retail establishments are allowed to sell alcohol in the DORA zone and only on designated DORA days. Alcohol must be sold in disposable plastic cups, no larger than sixteen ounces and the establishments must have their logo on the cup. In one locality up to three DORA zones can be established and can be connected. Each zone cannot be greater than a half of a square mile.

Ms. Adams Jacobs reviewed the benefits for the business community. Benefits would include increased business activity, increased food and beverage sales for permanent retailers, increased patronage of shops and advertisement for the businesses. DORA would also provide benefits to the Town's economic development and tourism strategic goals by enhancing the Downtown experience to tourist and residents. DORA would increase business viability in off-season while capitalizing on summer opportunities and support the attraction of new businesses while retaining current businesses.

Mr. LaRiviere stated the DORA initiative greatly aligns with Main Street philosophies. It would greatly improve the downtown experience for residents and visitors. It is really important for small towns competing in the current market to use the experience to connect to the people living in and visiting the town. Connection is a small town's main competitive advantage, also called Main Street's Secret Sauce by Dr. Wagner of National Main Street. DORA will give the town the opportunity to leverage our unique local assets such as our newly designated downtown historic commercial district and being a beach resort community with a boardwalk.

Mr. LaRiviere reported staff had spoken with several localities that have implemented DORA successfully and one locality had saw downtown visitation rise by seven hundred percent. One concern from other localities was the potential of increases crime rates. After implementation, there were no increases in the crime rate. Businesses partnered and split the cost of the cup productions. There were increased needs of restroom facilities and trash receptacles in the downtown area.

Mr. LaRiviere presented a map of the proposed DORA zone. The mapped showed the DORA zone creating an area from Southside of Colonial Avenue to Northside of Boundary Street and then from the Boardwalk to the Eastside of Washington Avenue.

Multiple discussions of stretching the map across Washington Ave and Alcoholic Beverages on the beach.

Mr. LaRiviere stated an established safety plan is required for implementation of the DORA zone.

Ms. Adams Jacobs stated in addition to the safety plan there will be signage and increased police presence during these events to deter people from taking alcoholic beverages outside of the DORA zone.

Multiple discussions on what is and is not allowed under the DORA license.

Dr. Self Sullivan asked if adjusting the map to end at the pier would help with enforcement. This way when participants reach the pier, they dump their cups.

Ms. Adams Jacobs stated she could have town's GIS analyst adjust the map to stop at the Town Pier.

Ms. Adams Jacobs asked for direction on any more edits to the map that was presented.

Multiple discussions on public safety issues of having the zone cross over Washington Ave, to include the three restaurants on the Westside of Washington Ave.

Mayor Schick asked if it could be possible to require paper cups and not plastic cups.

Mr. LaRiviere stated it was possible to require only paper disposable cups be used during the DORA events.

Mr. Williams asked if adjusting the zone is a difficult process.

Mr. LaRiviere stated if granted the permit, the town would be limited to the boundaries that were submitted to ABC. We would have the authority to make it smaller within the submitted boundary but not larger.

Mr. LaRiviere continued to report on the requirements for the DORA licensing process. Including the requirements to be included in the ordinance. The ordinance must include the hours that DORA will be active, disposable cup provision, clearly identify designated areas and provide a signage plan, prohibit alcohol consumption on religious property, school buildings and other similar properties. Finally, once adopted send the ordinance to ABC. In addition, there will be a fee, license must be held by the municipality and the number of DORA events need to be included.

Mr. LaRiviere stated the staff recommendation was to move forward with the application process.

Mr. Williams asked if there was a liability with the town or additional insurance coverage that the town would need to purchase.

Mr. LaRiviere stated it was not required in the DORA regulations or permit, beyond that he would ask advice from the Ms. Seay Giles the town attorney.

Ms. Seay Giles noted the insurance localities keep in related to locality owned properties. As far as general insurance and liability in streets and other areas as a locality have sovereign immunity. Speaking very generally the town is not subject to liability, with exceptions of course with respect to specific acts.

Mayor Schick noted this would be a great opportunity for the trolley to extend hours to accommodate residents and visitors the transportation to get to and from Downtown on the DORA events.

Mr. Allison asked if town staff had reached out to the businesses to see if they are willing to participate and invest in the program.

Mr. LaRiviere stated the businesses approached him about the opportunity and have been incredibly supportive.

Dr. Self Sullivan asked if there were any other events partnering with DORA that made it so successful.

Mr. LaRiviere noted some localities had themed DORA events, partnered with community events or had live music.

Mayor Schick asked about how long it would take to obtain the ABC DORA License.

Mr. LaRiviere stated the length of time would be sixty to ninety days.

Dr. Self Sullivan asked if staff was looking for a consensus from Town Council to move forward.

Ms. Adams Jacobs stated a consensus tonight or at the March 16th meeting is preferred. A consensus on the DORA zone map would be preferable for tonight so staff can move forward with that part of the process.

Multiple discussions on extending the map and hours of the DORA dates.

Mayor Schick asked for consensus on amending the DORA zone map to include the beach from the statue at the end of Colonial Avenue to the beginning of the Pier and crossing Washington Avenue to include the Oomboon, Hunan Diner, Raven's Point and Monroe Bay Winery Tasting Room.

A majority of council members present agreed to the amendments of the map for the purpose of the application for the ABC DORA License and to move forward with \$3,000 DORA License option.

Closed Meeting

Dr. Self Sullivan made a motion to go into closed meeting pursuant to VA code 2.2-3711 (A)(8) for consultation with legal counsel employed regarding specific matters requiring legal advice from counsel for development and real estate contract analysis and pursuant to VA code § 2.2-3711(A)(7) for consultation with legal counsel pertaining to pending litigation, where such consultation in open meeting would adversely affect the litigation posture of the public body in pending court cases in the Westmoreland County Circuit Court. Mr. Allison seconded the motion.

Mayor Schick called for a vote. All council members present voted "aye."

Town Council moved into closed meeting at 8:38 PM.

Reconvened

Mr. Williams made a motion to reconvene in open meeting. Mr. Allison seconded the motion.

Mayor Schick called for a vote. All council members present voted "aye."

Council reconvened in open meeting at 9:37 PM.

Certify

Dr. Self Sullivan made a motion to certify that only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the meeting by the Council and no action was taken in closed meeting. Mr. Williams seconded the motion.

Mr. Moncure, Ms. Roberson, Dr. Self Sullivan, Mr. Allison, Mr. Williams, Ms. Clement, and Mayor Schick all certified.

Council Action

Dr. Self Sullivan made a motion to adopt Ordinance No. 722, Approving the Sale and Conveyance of Town Real Property with Deed (Phase 2) and amend the related agreements to include amendment to the 1st amended development agreement by striking paragraph 3 (beginning with Phase 3 Improvements) section “ii” and changing “iii” to “ii” and to amend the second combined amended and restated agreement for the purchase of real estate to include the effective date be this day the “2nd day of March, 2022,” amend paragraph 5 section A(i) to be reworded to say “purchase of the Phase 2 property shall take place no more than 30 days following the effective date of this agreement.” and further amend paragraph C(iv) to change the word “temporary” referring to certificate of occupancy to “final” in all three (a,b,c) subsections. Ms. Roberson seconded the motion.

Mayor Schick called for a roll call vote. Ms. Clement voted “aye,” Mr. Moncure voted “aye,” Ms. Roberson voted “aye,” Dr. Self Sullivan voted “aye,” Mr. Williams voted “aye,” Mr. Allison voted “aye,” and Mayor Schick voted “aye.”

Motion to approve Ordinance No. 722 and the above amendments passed with a unanimous vote of council members present.

Adjournment/Recess

Dr. Self Sullivan made a motion to adjourn the meeting. Ms. Roberson seconded the motion.

Mayor Schick called for a roll call vote. Ms. Clement voted “aye,” Mr. Moncure voted “aye,” Ms. Roberson voted “aye,” Dr. Self Sullivan voted “aye,” Mr. Williams voted “aye,” Mr. Allison voted “aye,” and Mayor Schick voted “aye.”

At 9:42 p.m., Mayor Schick adjourned the meeting.

Heather Oliver

Heather Oliver, Town Clerk (*approved on August 3, 2022*)