

Town of Port Royal

“Behold Us Rising”



Established 1744

Port Royal Town Council
Meeting Minutes
September 19, 2023
6:00 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

JOINT MEETING OF THE PLANNING COMMISSION AND TOWN COUNCIL

CALL TO ORDER OF THE TOWN COUNCIL

Alex Long, Mayor, opened the Town Council Meeting at 6:01 p.m. and noted a quorum was present.

Town Clerk called roll.

Members Present: Mayor Alex Long, Vice-Mayor Donna Wilkerson, Angela Golden, J.P. Wilkerson, Justin McArdle.

Members Absent: None

Others Present: Allyson Finchum, Town Manager/Town Clerk; Honorable Nancy Long, Caroline County Board of Supervisors; Kerri Holland, President, Historic Port Royal; Bryan Hower, resident.

Mayor Long noted the resignation of Planning Commission Chair Meagan Freiwald, effective immediately, due to scheduling/time conflict with new employment.

AMENDMENTS TO THE AGENDA

On the motion of Justin McArdle, seconded by Donna Wilkerson, which carried a vote of 5-0, the Town Council voted to adopt the proposed agenda with an amendment to add an item to appoint a new Planning Commissioner.

Voting Aye: Mayor Alex Long, Vice-Mayor Donna Wilkerson, Angela Golden, Justin McArdle and J.P. Wilkerson.

Opposed: None.

Absent: None.

Motion passed unanimously. No further discussion.

APPOINTMENT TO THE PLANNING COMMISSION

On the motion of Donna Wilkerson, seconded by Angela Golden, which carried a vote of 5-0, the Town Council voted to appoint Jonni Hower of 227 King Street, Port Royal to the Planning Commission to fill a vacant position effective immediately from September 19, 2023, to December 31, 2024.

Voting Aye: Mayor Alex Long, Vice-Mayor Donna Wilkerson, Angela Golden, Justin McArdle and J.P. Wilkerson.

Opposed: None.

Absent: None.

Motion passed unanimously. No discussion.

CALL TO ORDER OF THE PLANNING COMMISSION

Vice-Chair Nathaniel Ulfers opened the Planning Commission meeting and noted a quorum was present.

Town Clerk called roll.

Members Present: Nathaniel Ulfers, Shannon McArdle, Alex Long, and Jonni Hower.

Members Absent: Rick Chenault.

Others Present: Allyson Finchum, Town Manager/Town Clerk,

PUBLIC HEARINGS – JOINT PLANNING COMMISSION & TOWN COUNCIL

1)TXT-03-2023 - An ordinance to amend the Zoning Ordinance of Port Royal by amending Chapter 25, Zoning–Original Incorporated Lands, Article II, Definitions; Article III, Residential District, R-1; Article IV, Residential District, R-2; and Chapter 26, Zoning–Boundary Adjustment Lands, Article III, Definitions.

The Town Manager reviewed the amendment with the Planning Commission and Town Council. The purpose of this revision is to clarify the difference in the definitions of mobile home, manufactured home, and single-family dwelling, to remove mobile homes as an intended use in residential districts and allow manufactured homes in the R-2 District.

2)TXT-04-2023 – An ordinance to amend the Zoning Ordinance of Port Royal by amending Chapter 25, Zoning–Original Incorporated Lands, Article IV, Residential District, R-2.

The Town Manager reviewed the amendment with the Planning Commission and Town Council. The purpose of this revision is to correct/clarify the boundaries of the existing mobile home parks (MHP) and correct the current number of existing mobile homes from nine (9) to five (5) identified in MHP parcel #s 13A-1-A-12 & 13A-1-B-15 where a portion of the land in that mobile home park was previously zoned MHP and contained four (4) mobile homes but no longer is part of the mobile home park and has been rezoned and the mobile homes removed. Therefore, boundaries and the number of existing/allowable mobile homes has changed but density has not changed.

The Town Manager certified that proper notification was provided for all amendments by written document posted in the post office and Town Hall and legal advertisement in the Free-Lance Star, a paper of local distribution, published on September 5, 2023, and September 12, 2023.

Public Hearing Opened

Vice-Chair Nathaniel Ulfers brought the Planning Commission to order.

Vice-Chair Ulfers opened the public hearing for TXT-03-2023 and TXT-04-2023.

Nancy Long, Resident, 201 Frederick Street, Port Royal, spoke in support of the amendments noting that aging mobile homes cause problems, and this amendment will improve residential use.

The Town Manager read into the record two letters in support of the amendment from Jeff and Joy Isaacs, and Clara Woody.

Mayor Long read a third letter from James and Elizabeth Heimbach.

Public Hearing Closed

Vice-Chair Nathaniel Ulfers closed the joint public hearing.

Recommendation of Planning Commission

Discussion ensued amongst the Planning Commission supporting the amendment for the betterment of the Town and to promote a balance of residential land uses.

The draft ordinances had also been reviewed at a joint meeting with the Planning Commission and Town Council on August 22, 2023.

On the motion of Alex Long, seconded by Shannon McArdle, which carried a vote of 4-0, the Planning Commission voted to forward TXT-03-2023 and TXT-04-2023 with a recommendation of approval.

Voting Aye: Nathaniel Ulfers, Shannon McArdle, Jonni Hower, and Alex Long.

Opposed: None.

Absent: Rick Chenault.

Motion passed unanimously.

3)TXT-05-2023 – An ordinance to amend the Zoning Ordinance of Port Royal by amending Chapter 25, Zoning–Original Lands, Article V, Business District B-1 and Chapter 26, Zoning–Boundary Adjustment Lands, Article V, Business District, B-1.

The Town Manager reviewed the amendment with the Planning Commission and Town Council. The purpose of this revision is to allow Single-Family Residential use in the Business District in limited situations where a structure originally built as a single-family dwelling had not previously been converted to commercial use.

The Town Manager certified that proper notification was provided for the amendment by written document posted in the post office and Town Hall and legal advertisement in the Free-Lance Star, a paper of local distribution, published on September 5, 2023, and September 12, 2023.

Public Hearing Opened

Vice-Chair Ulfers opened the public hearing for TXT-05-2023.

Kerri Holland, President, Historic Port Royal spoke in support of amendment. Continuing the success of Town preservation and allowing options in land use for owners who are restoring structures in Town.

Nancy Long, resident, 201 Frederick St., Port Royal, spoke in support of the ordinance. Suggests additionally to have conditions to protect exterior historic character.

Public Hearing Closed

Vice-Chair Nathaniel Ulfers closed the joint public hearing.

Recommendation of Planning Commission

Discussion ensued amongst the Planning Commission. Planning Commissioners affirmed that the historical character of structures should be closely defined and preserved. Keeping structures intact is important. Mayor Long noted the Town Council's dedication and successful effort to expand the state and federal historic district designation throughout the entire Town for structures of various decades. The Planning Commission expressed immense interest in additional guidelines and standards in the Town code for exterior appearance of structures and property.

The draft ordinances had also been reviewed at a joint meeting with the Planning Commission and Town Council on August 22, 2023.

On the motion of Shannon McArdle, seconded by Jonni Hower, which carried a vote of 4-0, the Planning Commission voted to forward TXT-05-2023 with a recommendation of approval.

Voting Aye: Nathaniel Ulfers, Shannon McArdle, Jonni Hower, and Alex Long.

Opposed: None.

Absent: Rick Chenault.

Motion passed unanimously.

Decision of Town Council

Mayor Alex Long brought the Town Council to order.

Mayor Long asked if anyone would like further explanation of any of the proposed ordinances.

Public Hearings Re-Opened

Mayor Long opened the public hearings for any additional comments on any of the amendments.

Kerri Holland, President, Historic Port Royal stated support for the amendments.

Public Hearings Closed

Mayor Long closed the public hearings.

Decision by Town Council on TXT-03-2023 and TXT-04-2023

1)TXT-03-2023 - An ordinance to amend the Zoning Ordinance of Port Royal by amending Chapter 25, Zoning–Original Incorporated Lands, Article II, Definitions; Article III, Residential District, R-1; Article IV, Residential District, R-2; and Chapter 26, Zoning–Boundary Adjustment Lands, Article III, Definitions.

2)TXT-04-2023 – An ordinance to amend the Zoning Ordinance of Port Royal by amending Chapter 25, Zoning–Original Incorporated Lands, Article IV, Residential District, R-2.

Discussion of the matter ensued amongst Town Council. The Town Council considered the proposed ordinances, public opinion, and the comments and recommendations of the Planning Commission.

At the request of the Town Council, the Town Manager provided clarification of the difference between mobile, manufactured and modular homes.

The Town Council asked if mobile homes can be replaced, and the Town Manager stated that replacement cannot occur, but restoration of existing structures may occur with conformance of the existing non-conforming use regulations. Manufactured homes may be replaced in R-2 mobile home parks in conformance with the ordinance.

On the motion of Angela Golden, seconded by Donna Wilkerson, which carried a vote of 5-0, the Town Council voted that to further the public health, welfare, and safety it is resolved by the Town Council of Port Royal that amendments to the Zoning Ordinance of Port Royal 1) TXT-03-2023 amending Chapter 25, Zoning–Original Incorporated Lands, Article II, Definitions; Article III, Residential District, R-1; Article IV, Residential District, R-2; and Chapter 26, Zoning–Boundary Adjustment Lands, Article III, Definitions be approved as presented and 2)TXT-04-2023 – amending Chapter 25, Zoning–Original Incorporated Lands, Article IV, Residential District, R-2 be approved as presented.

Voting Aye: Mayor Alex Long, Donna Wilkerson, Angela Golden, Justin McArdle and J.P. Wilkerson.

Opposed: None.

Absent: None.

Motion passed unanimously. No further discussion.

Decision by Town Council on TXT-05-2023

3)TXT-05-2023 – An ordinance to amend the Zoning Ordinance of Port Royal by amending Chapter 25, Zoning–Original Lands, Article V, Business District B-1 and Chapter 26, Zoning–Boundary Adjustment Lands, Article V, Business District, B-1.

Discussion ensued amongst Twon Council. The Town Council considered the proposed ordinances, public opinion, and the comments and recommendations of the Planning Commission.

On the motion of Angela Golden, seconded by Justin McArdle, which carried a vote of 5-0, the Town Council voted that to further the public health, welfare, and safety it is resolved by the Town Council of Port Royal amendment to the Zoning Ordinance of Port Royal TXT-05-2023 – An ordinance to amend the Zoning Ordinance of Port Royal by amending Chapter 25, Zoning–Original Lands, Article V, Business District B-1 and Chapter 26, Zoning–Boundary Adjustment Lands, Article V, Business District, B-1 be approved as presented.

Voting Aye: Mayor Alex Long, Donna Wilkerson, Angela Golden, Justin McArdle and J.P. Wilkerson.

Opposed: None.

Absent: None.

Motion passed unanimously. No further discussion.

Planning Commission Meeting Adjourned

The Planning Commission closed the meeting at 7:31 pm.

JOINT MEETING OF THE PLANNING COMMISSION AND TOWN COUNCIL CONCLUDED

Town Council Meeting Proceeded

REPORTS FROM TOWN COUNCIL MEMBERS

Donna Wilkerson, Vice-Mayor – None.

Angela Golden – None.

J.P. Wilkerson – None.

Justin McArdle – None.

Alex Long, Mayor – None.

9-11 CONSENT AGENDA

Approval of Meeting Minutes of the August 15, 2023 Town Council Meeting

On the motion of Angela Golden, seconded by Donna Wilkerson, which carried a vote of 5-0, the Town Council voted to adopt the minutes of the August 15, 2023, Town Council Meeting.

Voting Aye: Mayor Alex Long, Donna Wilkerson, Angela Golden, Justin McArdle and J.P. Wilkerson.

Opposed: None.

Absent: None.

Motion passed unanimously. No discussion.

9-12 Financials – August 2023

On the motion of Donna Wilkerson, seconded by JP Wilkerson, which carried a vote of 5-0, the Town Council voted to accept the August 2023 Financials with the mayor reserving the right to reexamine the financial statement at a later time.

Voting Aye: Mayor Alex Long, Donna Wilkerson, Angela Golden, Justin McArdle and J.P. Wilkerson.

Opposed: None.

Absent: None.

Motion passed unanimously. No discussion.

9-13 Report of the Town Attorney

None.

9-14 Report of the Town Clerk/Town Zoning Administrator/Report of the Town Manager

A written report of August/September activities was provided.

9-15 Board/Commissions/Agency Representatives and Public Hearings

None

9-16 ACTION ITEMS

9-16.1 Approval of Town Christmas Party

Town Council discussed various details. The event will be held at the Port Royal Fire Station on December 15, 2023, from 6-8 pm. Notice should be posted at the post office and Town Hall to invite all residents within zip code 22535. Establish a committee of Donna Wilkerson, Angela Golden and Allyson Finchum to organize the event with funds up to \$1,000. If the event exceeds the safe number of attendees, then the Town must seek a new venue.

On the motion of Donna Wilkerson, seconded by Angela Golden which carried a vote of 5-0, the Town Council voted to approve the annual Christmas Party as discussed.

Voting Aye: Mayor Alex Long, Donna Wilkerson, Angela Golden, Justin McArdle and J.P. Wilkerson.

Opposed: None.

Absent: None.

Motion passed unanimously. No further discussion.

9-16.2 Approval of Chesapeake Bay Act Consent Agreement

The Department of Environmental Quality has given a consent agreement requiring the Town of Port Royal to adopt necessary ordinances and plans for compliance with the Chesapeake Bay Act.

On the motion of JP Wilkerson, seconded by Donna Wilkerson which carried a vote of 5-0, the Town Council voted to sign the agreement.

Voting Aye: Mayor Alex Long, Donna Wilkerson, Angela Golden, Justin McArdle and J.P. Wilkerson.

Opposed: None.

Absent: None.

Motion passed unanimously. No further discussion.

Council Member Angela Golden left the building and did not participate for the remainder of the meeting.

9-16.3 Appointment to the Planning Commission

Appointment occurred previously in the meeting.

9-16.4 Appointment to the Board of Zoning Appeals

On the motion of JP Wilkerson, seconded by Donna Wilkerson which carried a vote of 5-0, the Town Council voted to recommend to the Circuit Court _____ for appointment to the Board of Zoning Appeals.

Voting Aye: Mayor Alex Long, Donna Wilkerson, Justin McArdle and J.P. Wilkerson.

Opposed: None.

Absent: Angela Golden.

Motion passed unanimously. No further discussion.

9-17 DISCUSSION ITEMS

None.

9-18 INFORMATION ITEMS

None

OTHER MATTERS

None.

ADJOURNMENT

On the motion of JP Wilkerson, seconded by Donna Wilkerson, which carried a vote of 5-0, the Town Council voted to adjourn the May 16, 2023, Town Council meeting at 8:04 p.m.

Voting Aye: Mayor Alex Long, Donna Wilkerson, Justin McArdle and J.P. Wilkerson. Angela Golden absent.

SECRETARY'S CERTIFICATE

I certify that the foregoing is a true and correct copy of the minutes approved by the Town Council.

Allyson Finchum, Town Manager/Clerk

Date