



TOWN COUNCIL
Public Hearing, Special Meeting,
Work Session & Executive Session
August 6, 2020
Cape Charles Civic Center
6:30 PM

1. Call to Order
 - A. Roll Call
 - B. Establish quorum
2. Moment of Silence and Pledge of Allegiance
3. Public Hearing:
 - A. Filing of USDA Rural Development application for financial assistance to purchase equipment
4. Close Public Hearing
5. Public Comments on Agenda Items Only (3 minutes per speaker)
6. Special Meeting Order of Business:
 - *A. USDA Rural Development Application
7. Town Manager Comments
8. Mayor & Council Comments (5 minutes per speaker)
9. Recess to Work Session
10. Work Session Order of Business:
 - A. Community Trail Phase 3
 - B. Parking on Mason Avenue
 - C. Interim Wayfinding Signs
 - D. November and December Council Meetings
11. Recess to Closed Session

Code of Virginia § 2.2-3711-A, Paragraph 3: Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

Code of Virginia § 2.2-3711-A, Paragraph 29: 9. Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body.

Specifically: Discussion and negotiation of a Harbor Management Agreement with the Cape Charles Yacht Center, to include scope items such as operations, minor maintenance, and marketing; the potential leasing of Town harbor infrastructure; and compensation scenarios involving the use of public funds.

Code of Virginia § 2.2-3711-A, Paragraph 7: Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body.

Specifically: Update on Pending Legal Matter

12. Return to Open Session

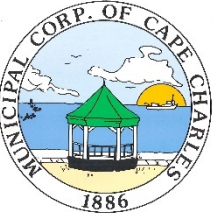
Certification to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the public body. Roll call vote.

13. Adjournment

Cape Charles Town Council Public Hearing

The Town of Cape Charles will file an application with the USDA Rural Development for financial assistance to purchase equipment. The Cape Charles Town Council will hold a public hearing on Thursday, August 6, 2020, beginning at 6:30 p.m. at the Cape Charles Civic Center located at 500 Tazewell Avenue to solicit public comments and discuss the proposed projects.

Libby Hume, Town Clerk

 TOWN OF CAPE CHARLES	AGENDA TITLE: USDA Rural Development Grant-Loan Requests for Fiscal Year 2021		AGENDA DATE: August 6, 2020
	SUBJECT/PROPOSAL/REQUEST: Public Hearing Information – USDA Rural Development Grants and Loans		ITEM NUMBER: 6A
	ATTACHMENTS: Capital Project Schedule, Resolution 20200806		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Deborah Pocock	REVIEWED BY: John Hozey, Town Manager	

BACKGROUND:

At the May 28, 2020 Council meeting the Town Council approved the 2020-2021 budget. The budget included several capital projects to be funded with USDA Rural Development grants and loans. The attached schedule lists the approved projects.

DISCUSSION:

Staff will submit 2 applications, the first for funding available this summer for the general fund projects. The lawn mowing equipment is urgently needed by the public works department, and the code enforcement software is obsolete. The second application for the water projects, if approved, will be awarded sometime after September 30th.

The total of the grant proceeds for both applications is \$78,026, and loan proceeds total will be \$144,905.

The maximum interest rate is expected to be no more than 3.5%.

Prior to submittal of the applications, Council must adopt Resolution 20200806 authorizing Town Manager John Hozey to execute the necessary documents.

RECOMMENDATION:

Staff recommends Council hear public comments followed by discussion of proposed projects for the USDA-RD funding, and if deemed appropriate, adoption of Resolution 20200806.

CAPITAL PROJECTS - USDA Grant/ Loan Funded	BUDGET	USDA RD GRANT 35%	USDA RD LOAN 65%	Estimated debt service/5 year term
<u>GENERAL FUND</u>				
POLICE				
Police Vehicle, including outfitting	38,940	13,629	25,311	8,345
CODE ENFORCEMENT				
Permit Software - replace obsolete system	7,000	2,450	4,550	1,500
PUBLIC WORKS				
Grounds Maint. Equipment, replaces most of Landscape contract	22,240	7,784	14,456	4,766
Portable ADA Equipped Restroom Trailer	35,000	12,250	22,750	7,500
Video Surveillance System	35,000	12,250	22,750	7,500
TOTAL GENERAL FUND	138,180	48,363	89,817	29,611
WATERWORKS				
Remote Read Water Meters - starter setup	51,985	18,195	33,790	11,140
Pickup Truck, replacement	32,766	11,468	21,298	7,022
TOTAL UTILITY FUND	84,751	29,663	55,088	18,162
TOTAL USDA LOAN/GRANT REQUEST	<u>222,931</u>	<u>78,026</u>	<u>144,905</u>	47,773

RESOLUTION 20200806

OF GOVERNING BODY OF THE TOWN OF CAPE CHARLES

The Town Council of the Town of Cape Charles, consisting of six members, in a duly called meeting held on the 6th day of August 2020, at which a quorum was present **RESOLVED** as follows:

BE IT HEREBY RESOLVED that in order to facilitate obtaining financial assistance from the United States of America, United States Department of Agriculture, Rural Development (the Government) in the purchase of equipment, the Governing Body does hereby adopt and abide by all covenants contained in the agreements, documents, and forms required by the Government to be executed.

BE IT FURTHER RESOLVED that the Town Manager of the Town of Cape Charles be authorized to execute on behalf of the Town Council the above-referenced agreements, documents, and forms and to execute such other documents including, but not limited to, debt instruments, security instruments, and/or grant agreements as may be required in obtaining the said financial assistance.

This Resolution is hereby entered into the permanent minutes of the meetings of this Council.

TOWN OF CAPE CHARLES

By: _____
William "Smitty" Dize
Mayor

Attest: _____
Libby Hume, Town Clerk

CERTIFICATION

I hereby certify that the above Resolution was duly adopted by the Governing Body of the Town of Cape Charles in a duly assembled meeting on the 6th day of August 2020.

Secretary/Clerk

Community Trail, Phase 3 Potential Changes & Way Ahead

1

Overview

- Community Trail Plan approved by Council in 2007.
 - Phase 1 – Central Park
 - Phase 2 – North Peach Street & Washington Avenue
 - Phase 3 – South Peach Street
 - Phase 4 – Bay Avenue
 - Future Phases – TBD
- Funded 80% by VDOT Transportation Alternatives Program (Federal money) and 20% Town match.
- No funding included in FY 2021 budget for Phase 3 construction.

2

Overview of Phase 3

- Peach Street, between Randolph & Mason:
 - Wide sidewalks & parallel parking (11 spaces)
 - Pull in diagonal parking median (18 spaces)
 - Pedestrian and median lighting
 - ADA access to sidewalk on south side of Mason
 - Two ADA parking spaces at NW corner of Peach & Mason
- Peach Street entrance to Central Park:
 - One way exit from alley to improve safety
 - Semi-pervious parking area
 - Pedestrian lighting

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Previous Construction Bids

- Base Bid was Randolph - Mason; Bid Alternate was Park entrance.
- Two bids received in November 2019.
- Low bid was 24% more than engineer's estimate.
- Exceeded Town's budget by about \$100K.
- Low bidder disqualified for failure to timely submit DBE materials.
- Other bid was over \$100K more.
- No contract award.

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Reevaluation

- Council requested the project be reevaluated for cost reduction.
- Value engineering effort started with Land Studio in March.
- Potential changes shared with adjacent property owners; no input.
- Coordinated with the two general contractors and vendors.
- Identified about \$80K of cost reduction.

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Potential Changes

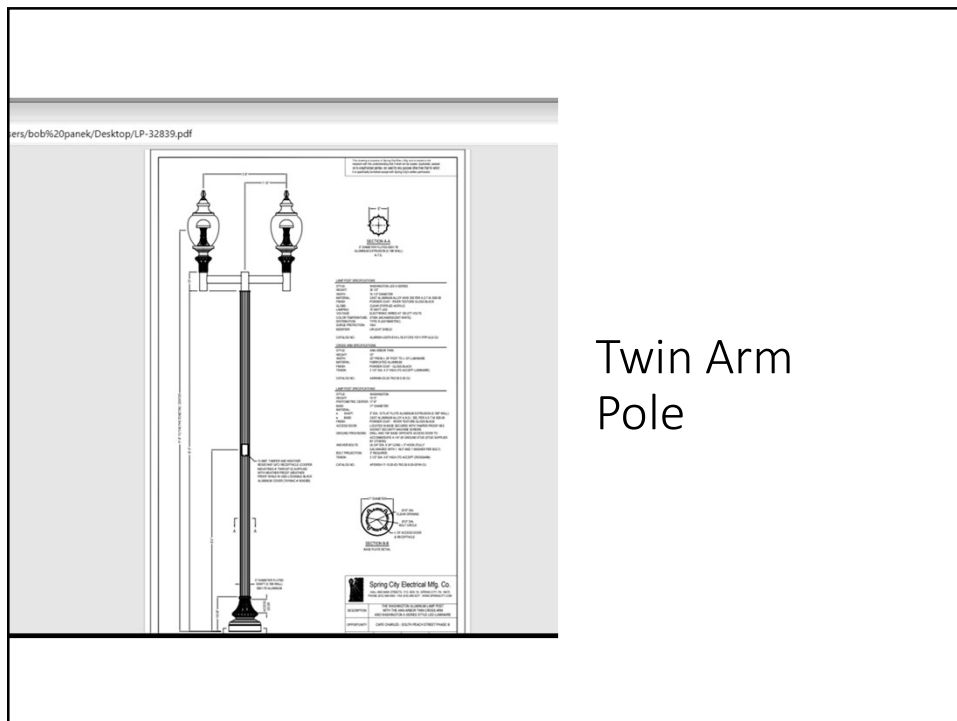
• Delete 4 up-lights from median	\$ 4,000
• Simplify median plantings	3,000
• Delete driveway apron & gutter, south side Mason	3,000
• Clarify Jellyfish filtration configuration	40,000
• Change pedestrian lighting mix on Peach	<u>15,000</u>
Total Base Bid	\$65,000
• Delete two light poles at park entrance (Bid Alt)	<u>\$15,000</u>
Total Estimated Savings	\$80,000

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Pedestrian Lighting Mix on Peach

- Current - 11
 - 4 single poles on east side
 - 3 single poles on west side
 - 4 single poles on median
 - All 10' high
- Proposed – 7
 - 2 single poles on east side, 12' high
 - 2 single poles on west side, 12' high
 - 3 twin arm poles on median, 15' high
- Improves photometrics and reduces cost.

7



Twin Arm Pole

8

Updated Estimate

	<u>Base</u>	<u>Base & Alt</u>
Low Bid	\$722,226	\$809,299
Changes	<u>- 65,000</u>	<u>- 80,000</u>
	657,226	729,299
Contingency (5%)	32,861	36,465
ANEC pole relocation	10,000	10,000
CE&I (VDOT/LS, 15%)	105,013	116,365
VDOT Admin. (2%)	<u>16,102</u>	<u>17,843</u>
Total	\$821,202	\$909,972

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Town Match

	<u>Base</u>	<u>Base & Alt</u>
Updated Estimate	\$821,202	\$909,972
LS ineligible cost	<u>- 25,000</u>	<u>- 25,000</u>
	\$796,202	\$884,972
Match Percentage	<u>x 0.2</u>	<u>x 0.2</u>
	\$159,240	\$176,994
Plus LS	<u>+ 25,000</u>	<u>+ 25,000</u>
	\$184,240	\$201,994

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Additional Potential Savings

- Better bidding climate? ~ \$35,000
- Oil tank contingent costs ~ \$22,000
- These may occur in project execution; can't be reflected in estimate.

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Timing

- Construction must start NLT early January to complete in May.
- Contract award – December
- Award recommendation to VDOT – November
- Bid opening – October
- Advertise IFB – September
- Revisions to VDOT for approval – August

12

Options for Consideration

- Limit work to Randolph – Mason.
- Update plans, submit to VDOT for approval, advertise IFB.
 - Land Studio contracted to do this.
 - IFB needs to be advertised before post-season budget review.
 - Commitment to fund in October should sufficient resources be available.
- Update plans and defer construction another year.
- Abandon Phase 3 project in favor of smaller improvements.
 - Sidewalks, curbs & gutters.
 - No parking median, lighting, landscaping.
 - Don't use TAP?
- Abandon Trail Plan.
 - Forgo about \$1.7M in TAP grants.

 TOWN OF CAPE CHARLES	AGENDA TITLE: November and December Council Meeting Date Changes		AGENDA DATE: August 6, 2020
	SUBJECT/PROPOSAL/REQUEST: Visit the possibility of changing the Regular & Special meetings for the holidays		ITEM NUMBER: 10D
	ATTACHMENTS: None		FOR COUNCIL: Action () Information (X)
	STAFF CONTACT (s): Mayor William "Smitty" Dize	REVIEWED BY: Town Manager John Hozey	

BACKGROUND:

Over the past two years I have noticed that it is difficult around the November & December holidays for all of us to get together especially with the current two meeting per month system that we are currently using.

DISCUSSION:

Since I know that Council feels the same as me regarding the importance of having a full Council to make decisions together as a complete government body, I had sent an email out to each one of you with recommendations for a scheduled meeting change over the holidays and heard back from all of you. Below is my recommendation along with other options that Council members had mentioned.

RECOMMENDATION:

For Council to discuss and reach a general consensus on one of the following options below. Action will be taken at a future meeting based on this evening's discussion.

1. Move November's Regular meeting from the 19th to the 12th, cancel the December 3rd special meeting, and move the December 17th Regular meeting to replace the special meeting on January 7th.
2. Move November's Regular meeting from the 19th to the 12th, cancel the December 3rd special meeting, and move the December 17th Regular meeting to December 10th.
3. Move November's Regular meeting from the 19th to the 12th and move the December 17th Regular meeting to December 10th.
4. Cancel December's meetings all together and leave everything else alone.
5. Leave everything as is (no motion necessary).