

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

At approximately 6:30 p.m. Mayor William “Smitty” Dize, having established a quorum, called to order the Public Hearing, Special Meeting, Work Session and Executive Session of the Town Council. In addition to Mayor Dize, in attendance were Vice Mayor Bennett, Councilmen Bannon, Buchholz, Follmer and Grossman, and Councilwoman Holloway. Also, in attendance were Town Manager John Hozey, Capital Projects Manager Bob Panek, Treasurer Deborah Pocock, Community Relations Manager Jennifer Lewis, and Town Clerk Libby Hume. There were four members of the public physically in attendance, and 21 viewers on Facebook Live.

PUBLIC HEARING COMMENTS:

A. Filing of USDA Rural Development application for financial assistance to purchase equipment

There were no comments to be heard nor any written comments received prior to or during the public hearing.

Motion made by Councilman Grossman, seconded by Vice Mayor Bennett, to close the public hearing. The motion was approved by unanimous vote.

PUBLIC COMMENTS (REGARDING AGENDA ITEMS ONLY):

L.D. Davis, 112 Peach Street

Ms. Davis addressed Council regarding Phase 3 of the Community Trail. (Please see attached.)

There were no other comments to be heard nor any written comments received prior to or during the public comments period.

SPECIAL MEETING ORDER OF BUSINESS:

A. *USDA Rural Development Application:*

Treasurer Deborah Pocock stated that at the May 28, 2020 meeting, Town Council approved the fiscal year 2020-2021 budget which included several capital projects to be funded with USDA Rural Development grants and loans. Identified projects were i) a new police vehicle including outfitting; ii) permit software for the code enforcement department to replace an obsolete system; iii) grounds maintenance equipment which would allow staff to perform grounds maintenance duties in-house versus the work being contracted out; iv) a portable ADA-equipped restroom trailer; v) a video surveillance system; vi) remote read water meters – starter setup; and vii) a replacement pickup truck for the water plant. Two applications would be submitted, the first was available for funding this summer for general fund projects and the second application for water projects, if approved, would be awarded after September 30, 2020. The grant proceeds would total \$78,026 and the loan proceeds would total \$144,905. The closing documents had been received for the first application with a 2.25% interest rate. Council must adopt a resolution authorizing the town manager to execute the necessary documents.

Motion made by Vice Mayor Bennett, seconded by Councilman Buchholz, to adopt Resolution 20200806 to facilitate obtaining financial assistance from the USDA Rural Development for the purchase of equipment. Mayor Dize moved for adoption of Resolution 20200806 as noticed and forewent reading of the Resolution. The motion was approved by unanimous vote. Roll call vote: Bannon, yes; Bennett, yes; Buchholz, yes; Follmer, yes; Grossman, yes; Holloway, yes.

TOWN MANAGER COMMENTS:

Town Manager John Hozey commented as follows: i) He introduced Police Officers Andrew Spencer and Mike Charlton who were in attendance, adding that he neglected to introduce the two officers, Will Garrett and Tommy Lynch, who were in attendance at the last meeting. Mayor Dize thanked Officers Spencer and Charlton for their service; ii) The Town fared fairly well during the storm event though the track took the storm right over us. The only damage was that a tree fell on the fence around the tennis court. This fence would be an ongoing problem with the screens acting like sails. Public Works was pressuring for other options which would allow the wind to go through. This is an item that needs to be addressed; iii) He gave a shout out to the Police and Public Works Departments for the great job preparing for the storm. We ran through all three phases of the Incident Operations Plan (IOP) with Phase 1 on Monday preparing for the incident, Phase 2 on Tuesday with the actual incident and Phase 3 was the cleaning afterwards on Tuesday afternoon, Wednesday and today; iv) COVID-19 Update – We were still in Phase 2 of the COVID IOP. He was monitoring cases and saw a downward trend across the bay. It was still relatively high so he would monitor it for another week; v) Virginia issued new temporary standards with employer requirements regarding employees coming back to work under COVID-19. The requirements include mandatory training. Jodi Outland developed a program and we have 30 days to get everyone trained; vi) He would like to streamline some of the public processes. It currently takes forever for residents and business owners to get things done. In the past, Council and the Planning Commission held joint public hearings with votes taken on the same night for non-controversial issues. If a project was controversial, the process would be handled differently. Unless Council objected, he would like start holding joint public hearings again. He understood that in the past, the Council went to the Planning Commission meeting for the public hearings. The first joint public hearing with the Planning Commission would be at their September meeting. There was no objection from Council. The Planning Commission would discuss the application at their meeting following the public hearing and provide their recommendation to Council for action at the regular Council meeting in September; vii) He wanted to publicly recognize Bay Creek and Cape Marine Services who decided to do something special to recognize all Town employees by providing a free meal to all employees. He thanked them for doing this; viii) When the beach plan was developed it was planned until Labor Day, but it was noted that there would be people attending the beach after Labor Day. Unless Council wanted to close the beach after Labor Day, the cleaning contract would have to be extended and the beach attendants would have to continue until the end of September at an additional cost of about \$8,500, which had not been budgeted. The numbers would be adjusted at the October budget review; ix) He received notice about the second round of funding from the CARES Act. He reached out to Northampton County but had not heard back. He hoped to see additional funding to assist with costs for the revised beach plan; x) The people building the new YMCA requested an opportunity at the next meeting to address Council regarding their plans; xi) He would like to take the day off tomorrow as his household goods were being delivered. He would be available by phone, text and email; and xii) His wife had a windfall of time off from work so he would like to take some time off in September to travel to visit his kids and grandchildren. He would be out from September 9 to September 23 and would not be here for the September Council regular meeting.

MAYOR & COUNCIL COMMENTS:

Councilman Grossman noted that the Town was cleaned up almost immediately after the storm passed. It was good to have a heads up regarding trash collection being moved to another day.

Councilman Bannon stated that one of his trees fell in a neighbor's yard. Friends and neighbors saw the tree and got out their chainsaw and removed it to the street within an hour. The public works crew arrived this morning with a forklift and removed everything. The neighbors all helped, then the public works crew came in and did a fantastic job. Councilman Bannon added that it would have been good to have had a street sweeper to help with the clean up.

Councilwoman Holloway commented as follows: i) She heard officially that Cape Charles Main Street (CCMS) was awarded the \$10K WanderLove marketing grant from the Virginia Tourism Corporation; ii) CCMS and the Town submitted the Virginia Department of Housing and Community Development Community Development Block Grant application for COVID-19 relief for the business community. The funds could stretch to assist businesses outside the Town limits since Northampton County did not apply, but Cape Charles' businesses take priority. She appreciated the Town Council agreeing to

the public hearing on August 13. We should find out about the decision after the second public hearing which was scheduled for August 20; iii) The Rebuild Virginia grant, up to \$15K, was available for all Virginia businesses that were forced to close for the pandemic; and iv) The National Main Street grant came out and all businesses could apply for funding assistance as well. There was a lot of much needed assistance out there to help with rent or mortgage relief, utilities, and all other COVID-19 expenses.

Vice Mayor Bennett and Councilmen Buchholz and Follmer had no additional comments.

Mayor Dize commented as follows: i) He appreciated all staff who helped clean up after the storm. They always did a good job; ii) He was disturbed by an issue that happened over the past couple of weeks with a trailer parked in a property owner's yard for a catering business. We couldn't even get boat trailers off the streets and these property owners were told by staff that they couldn't park their trailer in their own yard to make a living. They had to move the trailer to Cheriton. Staff was doing their job, but the regulation needed to be revisited.

There was some discussion regarding this issue as follows: i) If an exception was made for one individual, the Town would have to do the same for all; ii) This could not have been handled as an exception under the emergency order since the order did not give the town manager the authority to change zoning ordinances; iii) It was noted that the confectionary business was permitted to operate out of the individual's house for a number of years but the products had to be delivered. Customers were not permitted to come to the house to pick up the products; and iv) In order to allow these types of businesses, the law would have to be changed.

Motion made by Councilman Buchholz, seconded by Councilman Bannon, for a short recess before going into the work session. The motion was approved by unanimous vote.

The work session was called to order at 6:56 p.m.

WORK SESSION ORDER OF BUSINESS/DISCUSSION:

A. *Community Trail Phase 3:*

Capital Projects Manager Bob Panek updated Council regarding Phase 3 of the Community Trail project as follows: i) Bids were received in November 2019 but the low bid was 24% more than the engineer's estimate and exceeded the Town's budget by about \$100K. No contract was awarded; ii) Council requested the project be reevaluated to reduce costs. The value engineering effort began with Land Studio in March 2020 and potential changes were shared with adjacent property owners with no input received. Cost reduction of about \$80K was identified; iii) Potential changes were the deletion of four up-lights from the median, simplified median plantings, deletion of the driveway apron and gutter on the south side of Mason Avenue, clarification of the jellyfish filtration configuration, change in the pedestrian lighting mix on Peach Street, and deletion of two light poles at the park entrance on Peach Street; iv) The update estimate for the base and alternate was \$909,972 and the Town's match would be \$201,994; v) There was no funding included in the FY 2021 budget; vi) It was a better bidding climate now if Council opted to rebid the project. The project could be delayed a year, but there was no guarantee whether the bidding climate would remain the same and it was likely to be more competitive. The longer the project was delayed, the more it could jeopardize the grant funding. He received inquiries from VDOT asking whether the Town intended to proceed with Phase 4 engineering; vii) It was an unfortunate series of events due to the delay in execution of the contract last year due to the high bids and with the current budget constraints due to the pandemic; viii) A delay in Phase 3 most likely would not affect the Phase 3 grant funding, but if we didn't move forward, the federal authorization would be withdrawn and the Town would have to start over to obtain authorization which would result in additional staff time, consultant time, VDOT time and more money; and x) Options for Council's consideration were: 1) limit the work to Randolph to Mason Avenues; 2) Update the plans, submit them to VDOT for approval, and advertise the invitation for bids with a commitment to fund the project in October should sufficient resources be available; 3) Update the plans and defer construction for another year; 4) Abandon Phase 3 in favor of smaller improvements such as sidewalks, curbs and gutters; and 5) Abandon the Trail Plan and forgo about \$1.7M in grant funding.

John Hozey stated that he wanted to get a sense from the Council regarding how strongly they felt about this project. If Council opted to move forward, Bob Panek could get things updated to get it ready to rebid. If there was a consensus to not move forward, there was no sense in spending any more time on it.

There was discussion as follows: i) Councilwoman Holloway stated that this was an important project especially for walkability and with the overall comprehensive plan. She was concerned about the financial commitment in these uncertain times. Some difficult choices were made in the last quarter and everyone made sacrifices; ii) Councilman Bannon agreed with Councilwoman Holloway and added that the Town had been working on the trail project for a long time and he would like to see it finished. It was an important project and he would not object to an increase in the tax rate; iii) Mayor Dize agreed that a lot of effort had been put into the trail project and this would be the next step. He knew the budget was tight but the sidewalks in this section of Town were terrible. The project would improve the entire area. He asked John Hozey and Deborah Pocock to provide direction regarding financing; iv) John Hozey stated that he had not seen the numbers but suggested a possible delay of one year. By doing that, the Town would have to obtain federal authorization again. He did not know what the budget would look like in October, but the budget was already \$300K short just in operations. That would have to be made up and \$200K more to fund the trail. In his opinion, it would be irresponsible to do this at this time; v) Bob Panek added that the grant was a reimbursable grant and the Town would have to pay the invoices and submit for reimbursement. Mobilization would be a large amount at the beginning. If Council opted to move forward with rebidding, the plans could be submitted to VDOT in August and it would take about 30 days for their approval. A 30-day bid would be advertised for an estimated construction completion in May; vi) There was an option for construction to begin in the fall which would be better; vii) Bob Panek recommended moving forward to have Land Studio update the plans and cost estimate since their cost was included in the budget. The Town would submit the plans to VDOT after the FY 2022 budget had been approved so the match could be included. There would be added expense but he did not think there would be an issue with obtaining federal authorization; viii) Mayor Dize expressed his concern that if the Town didn't move forward the funding could be reallocated to other projects. Councilman Holloway added that the CDBG grant for COVID-19 assistance was initially funding used for sidewalks and other improvements; ix) Vice Mayor Bennett noted that the Town had a line of credit and asked whether that could be used for the match. Deborah Pocock stated that would require a monthly payment which was not budgeted but she would check on it; and x) Councilman Grossman noted that one of the slides showed that notification was sent to the adjacent property owners with no input received and added that we had a comment earlier this evening. Bob Panek responded that Ms. Davis was not an adjacent property owner since she lived on a different block.

A general consensus was reached to have Land Studio update the plans and estimates with a new schedule planning for construction to begin in the fall of 2021.

B. *Parking on Mason Avenue:*

John Hozey stated that there had been a disconnect between discussions about the Mason Avenue parking situation and what VDOT would approve. He wasn't sure why VDOT was not consulted but it was a failure of Town staff and the consultant.

Bob Panek added that Land Studio was not involved in the original plan which was done in-house with the assistance of a surveyor. That was the plan submitted to VDOT. Land Studio became involved after we received notification from VDOT with conditions and request for additional information.

Mayor Dize stated that when he stepped in as interim town manager, he was told that that plans had been submitted but comments were received from VDOT requiring an engineering stamp. That was when it was referred to Land Studio.

There was much discussion regarding this issue, the miscommunication and misunderstanding. i) Councilman Grossman stated that he had a staff report with emails from Chris Isdell with VDOT's input. He would work on compiling the specifics of the project to help determine when

the issues occurred; ii) Mayor Dize expressed his concern with the loss of 60+ spaces and asked why the parking stalls needed to be so much longer than initially planned. He asked for an explanation from VDOT; iii) John Hozey would continue to research the issue but wanted to provide Council an update of what was recently discovered; iv) Bob Panek explained that he and John Hozey had been looking into the issue and the input from VDOT was that with the required length of the parking stalls, parallel parking would not be permitted on the south side of Mason Avenue due to the lack of space. He went on to state that if you went down Mason Avenue now, some vehicles stuck out into the travel lane. VDOT was requiring the extra length to accommodate these vehicles. VDOT's main concern was safety; v) There was some discussion about the possibility of labeling the angled spaces for compact cars only and requiring longer vehicles and trucks to park on the south side; vi) Vice Mayor Bennett stated that the situation would be worse with pull-in angle parking with vehicles backing into the travel lane with no visibility; vii) John Hozey stated that more research was needed; viii) Vice Mayor Bennett asked to see the documentation that was provided to VDOT and the response received from VDOT; ix) Councilwoman Holloway stated that she felt the Town was misguided along the way. The Town had a lot of input from the community and businesses. Town staff, CCMS, the Planning Commission and volunteers put a lot of work into the plan. If we had to start over, we needed to go back to that group to help with the plan; x) Mayor Dize stated that this project had spanned four town managers – Brent Manuel, Larry DiRe, himself and John Hozey, and needed to be resolved; xi) John Hozey stated that he did not want to cast blame on people who weren't here and added that this was what happened when you didn't have a project manager who was responsible, knew the processes and had the time and capacity to do the work. Sometimes staff became overwhelmed with other duties and things got dropped. Typically, the town manager was not the project manager, but the town manager managed the person doing it; xii) Council reviewed the options. Vice Mayor Bennett suggested option #4 which was to pursue a traffic study to make Mason and Randolph Avenues one-way streets. John Hozey stated that he had contacted VDOT regarding the one-way option but VDOT was not in favor of this option. Councilwoman Holloway added that it would help eliminate the problem with Randolph Avenue being too narrow for two-way traffic and asked if we received information from VDOT that the one-way option was not worth pursuing, why was it on the slide; xiii) Councilman Follmer commented that we were getting ahead of ourselves and more research was needed. He agreed that the initial group needed to be re-engaged. There had been a lot of public discussion and consensus and the public was very passionate about this. Feedback needed to be provided to the stakeholders; and xiv) John Hozey stated that further discussion was premature. He would contact VDOT to ask if they could provide us with past communications, but he wasn't sure if they would be forthcoming. He and staff had a lot of work to do to determine what happened and how to move forward. He would work on a message to the public and try to engage VDOT to try to find out what they had regarding this issue.

C. *Interim Wayfinding Signs:*

John Hozey stated that he had discovered similar issues to those on the Mason Avenue parking. The people working on the project left. He asked Bob Panek to handle the project and found out that the developed plans did not meet VDOT standards. The project would have to start over which would be very time-consuming. The current wayfinding signs were embarrassingly bad, and Bob Panek worked up an interim solution. The Town was limited to VDOT's current rules. The existing signage was developed prior to the current rules and were grandfathered until replacement. We were now limited to only three messages per sign. The signs would be done in-house for about \$3K and could be installed fairly soon. The clean and straight-forward proof was received and included in this evening's packet.

There was discussion as follows: i) Councilman Grossman stated that the proof looked good and was fine with moving forward; ii) Councilwoman Holloway stated that CCMS was never told that there couldn't be more than three items per sign. They were told that they could replace the signs with the same information. Also, something needed to be done about the businesses with their own signs at Fig Street and Stone Road. How could we permit one business to monopolize the intersection? She stated that she was sure that The Shanty would like to have their own sign with an arrow, but they couldn't do it. How did the Town move forward to address this? John Hozey stated that he would look into the issue; iii) Vice Mayor Bennett asked whether we could install

more than five signs since the content was being limited. John Hozey explained that we could only replace existing signs; iv) Councilman Buchholz added that the content specifications for the signage was based on the miles per hour of the street; and v) Council was in consensus to replace the existing signage as discussed.

D. November and December Council Meetings:

Mayor Dize stated that over the past two years, it had been difficult to get everyone together to meet in November and December and he stressed the importance of having a full Council to make decisions together as a complete government body. Mayor Dize went on to state that he had reached out to each Council member regarding revising the meeting schedule over the holidays and he developed a number of options as result of the feedback received. Mayor Dize reviewed the options. Depending on the consensus, action would be taken at the next regular meeting.

John Hozey explained that changes to regular meetings had to be done by resolution. Staff could not prepare a resolution for this evening since we didn't know which option would be chosen.

There was some discussion regarding the proposed changes and the general consensus of Council was to leave the current meeting schedule as is.

Motion made by Councilman Buchholz, seconded by Vice Mayor Bennett, calling for a short recess before going into executive session. The motion was approved by unanimous vote.

The meeting recessed at 7:57 p.m. Staff, with the exception of John Hozey, and the members of the public left the meeting.

At 8:10 p.m. Mayor Dize called the meeting back to order.

Motion made by Councilman Grossman, seconded by Councilwoman Holloway, and unanimously approved to go into Closed Session in accordance with Section 2.2-3711-A of the Code of Virginia of 1950, as amended for the purpose of:

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.

Paragraph 29: 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.

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

Motion made by Vice Mayor Bennett, seconded by , Councilman Grossman, to return to open session. The motion was approved by unanimous vote.

Certification, to the best of each member's knowledge, that (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: Bannon, yes; Bennett, yes; Buchholz, yes; Follmer, yes; Grossman, yes; Holloway, yes.

Motion made by Councilwoman Holloway, seconded by Councilman Grossman, to adjourn the Town Council Public Hearing, Special Meeting, Work Session and Executive Session. The motion was approved by unanimous vote.

The meeting was adjourned at 8:40 p.m.

Mayor Dize

Town Clerk

Comments & Information Provided in Writing
August 6, 2020 Town Council Public Hearing, Special Meeting & Work Session

L.D. Davis, 112 Peach Street

Thank you Mayor and Council Members for this opportunity to speak.

In August of 2017, before this body, Phase 3 of the Community Trail discussions were had. A Public Input Session was scheduled followed on August 31, 2017. It should be noted that Phase 3 of the Community Trail is a mixed use block with adjacent homes, apartment, retail and restaurant spaces. One of the topics that was brought forward at the Public Input Session was the number of lights that were to be installed and the need to reduce that number. Subsequent discussions brought the number of lights down by a few fixtures.

Fast forward to tonight – if you will look at page 4 of the Community Trail Phase 3 Potential Changes & Way Ahead document you will find that the current design calls for 11 single light poles, the proposed change calls for 4 single light poles and 3 twin poles. The proposed change only reduces the number of lights by 1 light.

Today I walked the 300 block of Mason Avenue, a mixed use block, which is approximately the same amount of linear feet as the Phase 3 Community Trail project and there are only 5 light fixtures. I continued my walk and traversed the 200 block of Mason Avenue, a mixed use block, and found that there were only 9 light fixtures. It should be noted that the 200 block of Mason is approximately an additional 100+ feet longer than the 300 block and the Phase 3 Community Trail project.

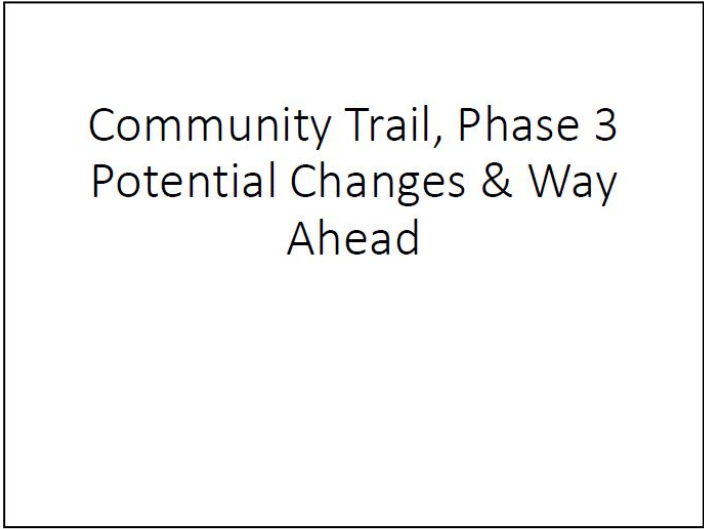
Perhaps the thought process regarding lighting is that Phase 2 & Phase 3 of the Community Trail need to match but common sense should prevail as there is no possible way to view both of these projects, from anywhere in town at the same time.

Currently the Phase 3 Community Trail has 3 street lights and given that I have lived at the corner of Peach and Randolph since 2016 I can promise you that guests and locals have been able to find their vehicles at night.

Yes, Mr. Mayor and Council Members – I am like a dog with a bone on this particular issue. The amount of lighting proposed for this project is absurd and I implore you to make the necessary changes and save the town money.

Again, thank you for your time,
L.D. Davis

Community Trail Phase 3 Presentation



Community Trail, Phase 3
Potential Changes & Way
Ahead

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

3

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.

4

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.

5

Potential Changes

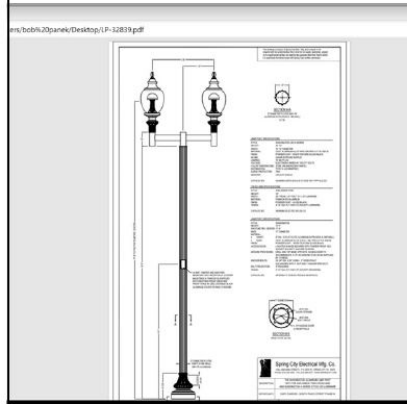
• Delete 4 up-lights from median	\$ 4,000
• Simplify median plantings	3,000
• Delete driveway apron & gutter, south side Mason	3,000
• Clarify Jellyfish filtration configuration	40,000
• Change pedestrian lighting mix on Peach	<u>15,000</u>
Total Base Bid	\$65,000
• Delete two light poles at park entrance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

6

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

9

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

10

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.

11

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.

13

Mason Avenue Parking

August 6, 2020

1

Mason Avenue Now

- Approximately 48' curb to curb
- North side back-in diagonal parking spaces:
(60 degrees) - 16' deep (21' diagonal)
- Two drive lanes – 22'
- South side parallel parking spaces – 10'
- Back-in diagonal parking was implemented to increase the number of spaces over the previous parallel parking scheme

2

Council Direction

- Ad hoc parking committee recommended back-in diagonal spaces on north side be changed to pull-in diagonal (45 degree) spaces
- Blocks affected – Harbor to Peach
- Also recommended parallel spaces, Bay to Harbor and Peach to Fig
- Council approved recommendations
- Staff submitted planned layout to VDOT for review
(Harbor to Pine diagonal mysteriously got dropped from submission)

3

VDOT Direction

- Pull-in diagonal acceptable given low speed limit and commercial area
- But spaces must be 21' deep (29' diagonal) to accommodate 17' design vehicle - Town's proposal was 16'
- Parking space depth of 21', plus two drive lanes of 22' = 43'
- Leaves only 5' on south side. Inadequate for parallel parking spaces. Minimum is 9'; 10' preferable due to high curb.
- Pull-in diagonal can be implemented on north side, but only if parallel on south side is eliminated
- 48' works for back-in diagonal, but not for pull-in with parallel spaces on south side

4

Diagonal Spaces on North Side

<u>Block</u>	<u>Now</u>	<u>45 Pull In</u>	<u>Change</u>
Harbor to Pine	23	20	-3
Pine to Strawberry	37	30	-7
Strawberry to Peach	18	13	-5
		Total	-15

5

Parallel Spaces on South Side

<u>Block</u>	<u>Now</u>	<u>45 Pull In</u>	<u>Change</u>
Harbor to Pine	21	0	-21
Pine to Strawberry	15	0	-15
Strawberry to Peach	12	0	-12
		Total	-48

6

ze3

Options

- 1) Keep as is; lose no spaces
- 2) Implement pull-in diagonal; lose 63 spaces
- 3) Return to parallel both north and south sides; lose about 20 spaces
- 4) Pursue a traffic study to see if it is possible to make Mason Ave one way; this could allow pull-in parking but would still eliminate 15 spaces



*Municipal Corp. of
Cape Charles*

The undersigned Clerk of the Council of the Town of Cape Charles, Virginia (the “Town”), hereby certifies that:

1. A meeting of the Council of the Town (the “Council”) was duly called and held on August 6, 2020 (the “Meeting”).
2. Attached hereto is a true, correct and complete copy of Resolution 20200806 (the “Resolution”) of the Town entitled as recorded in full in the minutes of the Meeting, duly adopted by a majority of the members of the Council present and voting during the Meeting.
3. A summary of the members of the Council present or absent at the Meeting and the recorded vote with respect to the foregoing Ordinance as set forth below:

<u>Member Name</u>	<u>Present</u>	<u>Absent</u>	<u>Voting</u>		
			<u>Yes</u>	<u>No</u>	<u>Abstaining</u>
William Dize, Mayor	X				
Chris Bannon	X		X		
Steve Bennett	X		X		
Andy Buchholz	X		X		
Andrew Follmer	X		X		
Paul Grossman	X		X		
Tammy Holloway	X		X		

4. The Resolution has not been repealed, revoked, rescinded or amended and is in full force and effect on the date hereof.

Witness my signature and the seal of the Town of Cape Charles, Virginia this 7th day of August 2020.

Clerk of the Council
Town of Cape Charles, Virginia

(Seal)

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