



TOWN COUNCIL
Special Meeting
Cape Charles Civic Center
October 1, 2020
6:30 PM

At approximately 6:30 p.m. Mayor William “Smitty” Dize, having established a quorum, called to order the Special Meeting 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, Community Relations Manager Jennifer Lewis, Town Clerk Libby Hume, and Cape Charles Main Street Program Director Karen Zamorski. There were three members of the public physically in attendance, and seven viewers on Facebook Live.

A moment of silence was observed followed by the recitation of the Pledge of Allegiance.

PUBLIC COMMENTS (REGARDING AGENDA ITEMS ONLY):

Town Clerk Libby Hume read comments submitted by Ms. Margaret Van Clief. (Please see attached.) After reading the email, Libby Hume notified Council that she had responded to Ms. Van Clief to notify her that the forms in question were provided by the Department of Housing and Community Development (DHCD) and the Town could not make any modifications to the forms.

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

SPECIAL MEETING ORDER OF BUSINESS:

A. *Department of Housing & Community Development Community Development Block Grant – Required Documentation:*

Town Manager John Hozey stated that on August 28, 2020, the Town was notified of the award of a Community Development Block Grant (CDBG) from the Virginia Department of Housing and Community Development (DHCD) in the amount of \$845,115 in response to the Town’s application to the 2020 Virginia CDBG program to assist local business owners with COVID-19 recovery expenses. Extensive coordination with DHCD and program documentation was required in order to receive the grant. Cape Charles Main Street (CCMS) was designated as the primary grant administrator and staff had been working closely with CCMS to satisfy all the requirements by October 12, 2020 so that the grant agreement could be executed on October 15, 2020. One of the requirements was for Town Council to approve four standard DHCD documents – the Non-Discrimination Policy, Grievance Procedure, Business & Employment Plan, and Fair Housing Certification.

Vice Mayor Bennett commented as follows: i) He stated his agreement with Ms. Van Clief adding that he had provided several comments to the town manager regarding the requirement documents; ii) He was informed that the forms were standard from the DHCD and had to be approved in order for the grant to be awarded; iii) He really wanted the Town to get the grant so he agreed to approve the documents

Councilwoman Holloway expressed her agreement to Vice Mayor Bennett and Ms. Van Clief’s comments as well and recommended that the DHCD be contacted suggesting that these documents be updated.

Motion made by Councilman Grossman, seconded by Councilman Buchholz, to approve the Non-Discrimination Policy, Grievance Procedure, Business & Employment Plan, and Fair Housing Certification as required. The motion was approved by unanimous vote.

B. *DHCD Community Development Block Grant Program Design:*

John Hozey stated that a Small Business COVID-19 Recovery Assistance Grant Program Design document was developed by the grant administrator and approved by the CDBG Project Management Team (PMT), which consisted of Councilmen Buchholz and Grossman, Town Manager John Hozey, Treasurer Deborah Pocock, CCMS Program Director Karen Zamorski, Mr. Tom Weaver, a citizen representative on the committee, and Northampton County Administrator Charlie Kolakowski. The program design outlined how the Town would implement and distribute the funding and captured the essence of what the Council wanted to see moving forward. While the program design was unique to the Town's administration of the grant, it satisfied the overall conditions of the CDBG program and had been approved by the DHCD. Minor revisions to the program design might be made by the PMT, but all revisions would be reported to the Town Council. Major revisions would be brought to Town Council for approval.

Motion made by Councilman Grossman, seconded by Councilman Buchholz, to approve the Small Business COVID-19 Recovery Assistance Grant Program Design.

Councilman Grossman stated that the language in item 5 under Disbursement of Funds to Businesses (page 5) was incorrectly stated implying that the funds would not be provided to the businesses until the Town had received the money from DHCD. The correct process was that the Town would be providing the money up front to the businesses and getting reimbursed.

A secondary motion was made by Councilman Grossman, seconded by Councilman Buchholz, to amend the language in item 5 under Disbursement of Funds to Businesses to state that "Reimbursement requests from DHCD can take up to 45 days after application is received." The motion was approved by unanimous vote.

Councilwoman Holloway pointed out that the second to the last bullet under Ineligible Activities (page 2) currently stated that Airbnb's were not considered commercial entities but should state that all short-term rentals were not considered commercial entities.

A secondary motion was made by Councilman Grossman, seconded by Vice Mayor Bennett, to amend the language in the eighth bullet under Ineligible Activities to state that "Short-term rentals are not considered commercial entities and therefore do not qualify." The motion was approved by unanimous vote.

Councilwoman Holloway went on to comment as follows: i) When she reviewed the documents that were to be submitted by the businesses she saw that confidential information was being requested and the Town needed to ensure that there was secure storage for that information; ii) She asked where the SWAM (small woman-owned and minority-owned businesses) piece came in as this was a big part of the grant that provided the Town an additional \$300K. Karen Zamorski responded that it would be considered in the application process; and iii) Her biggest concern was where the confidential documents would be stored. Safety needed to be ensured. Councilman Grossman stated that a locking file cabinet could be obtained to store the documentation and DHCD needed to be contacted regarding the retention period for the documents. Councilwoman Holloway added that a system was needed, and this information needed to be communicated to the businesses.

Vice Mayor Bennett noted that there were several areas in the program design that referred to activities performed by the Town and asked whether they were to be performed by Town staff or the administrator/CCMS. John Hozey responded that the activities would be performed by CCMS. Karen Zamorski interjected that the documents needed to be uploaded by Town staff since the Town was the Destination Marketing Organization (DMO). Vice Mayor Bennett asked

whether some of the funds included as administrative costs could be provided to the Town. Councilman Grossman added that John Hozey, Deborah Pocock and Libby Hume were involved with the grant as well as CCMS.

The main motion to approve the Small Business COVID-19 Recovery Assistance Grant Program Design was approved by unanimous vote.

Councilwoman Holloway thanked everyone for their work on this grant adding that it was a great team effort.

TOWN MANAGER COMMENTS:

Town Manager John Hozey commented as follows:

- i) COVID-19 Update – He had been watching the numbers and they were mostly stable over the last three months and declining over the last two weeks, especially across the bay. The Town was past the peak tourist season and he felt it was time to move forward with Phase 3, part 1 of the Town’s incident operations plan which would limit the number of visitors in the Town offices. The number of visitors would be limited to one at a time per department, except for the library which would allow two at time. He would publish the next public message first thing tomorrow morning.
- ii) He was planning to reopen the Central Park playground. Signage would be installed, and the Town would purchase a low-cost disinfectant fogger. The picnic tables would be moved back out to the park. As of last weekend, the overall cleaning requirements were taken over by Town staff since the contract had ended. This would be included in the public message.
- iii) He did not feel it would be prudent to move forward with this year’s trunk-or-treating. Many other localities were making similar decisions. For those who chose to trick-or-treat on October 31, he would ask that they respect those who chose not to participate. This would also be included in tomorrow’s public message. All changes would be effective October 5, 2020.

There was discussion as follows: i) Councilman Follmer asked whether the library bathroom would be open to the public. John Hozey stated that the library bathroom would be open during normal business hours during the week, but would remain open later on weekends, from Thursday to Sunday through Festive Fridays. The handicap porta potty would be relocated to Peach Street by the restroom trailer; ii) Councilwoman Holloway asked whether there was lighting by the restroom trailer. Councilman Follmer responded that the area was lit from above; iii) Councilman Follmer cautioned that there would be push-back from the residents of the condos and asked whether the porta potty could be located on the opposite side of the trailer from the parking lot. John Hozey stated that he would ensure that it be as unobtrusive as possible, but unit needed to be accessible.

- iv) Next Thursday’s work session would be to review the capital improvements. He planned to work on the plan this week, but due to other things that happened during the week, he would be unable to complete the plans for distribution by tomorrow. He would work on it over the weekend and have it ready for distribution Monday morning. There would be no formal decisions to be made. Originally, he planned to have it on the October 15 for Council action but asked if it could be delayed to November 19 due to insufficient time for a public hearing and required notice. Although a public hearing was not required, he felt that Council should hold one to provide the public an opportunity to comment. He was planning a work session in November for Council to review all the financial policies and those policies would also be on the November 19 agenda for approval.
- v) Mason Avenue Parking: His last report stated that he had contacted VDOT and it was naïve of him to think it would be a simple process. He was still trying but it would not be a quick and easy

resolution. He would bring back something more formal for discussion. The plan would require more time and money, including hiring someone with VDOT credentials to assist.

MAYOR & COUNCIL COMMENTS:

Mayor Dize commented as follows: i) He thanked Councilwoman Holloway, Councilman Buchholz and CCMS for getting the DHCD CDBG program started. They all did a nice job; and ii) He had been approached about trick-or-treating and asked that a notice be sent out informing the citizens.

Vice Mayor Bennett thanked everyone for their work on the DHCD CDBG. It was tremendous for the Town and businesses. Councilwoman Holloway interjected that Karen Zamorski was the one who did most of the work.

Councilwoman Holloway stated that Festive Friday planning was moving full speed with adaptive ways of doing things. Karen Zamorski and Rachel Leyco were working with Jen Lewis. The Town's businesses needed this push for the off-season. CCMS and the committee were working hard to make everything work.

Councilman Buchholz gave a hats-off to Karen Zamorski who did a tremendous amount of work on this grant. She also put in a lot of time on CCMS's new website, map, the television shoot, CCMS designation, etc. He was thankful that CCMS found her.

Councilman Follmer added that he didn't know how the Town could get through 2020 without Karen Zamorski, Allyson Finchum and John Hozey. There had been a lot of challenges and they were appreciated. He had spoken to a lot of people about how happy they were with the three of them.

Councilman Bannon stated that he volunteered at the Welcome Center on Thursdays and Cape Charles was a hot item. He remembered years ago when the Eastern Shore of Virginia Tourism Commission first asked the Town for money to build the Welcome Center. When he first moved to Cape Charles 30 years ago, it was nothing. Now, the interest in the Town was incredible. He added that more brochures and maps were needed at the Welcome Center. Councilwoman Holloway responded that CCMS would send some when they arrived. Jen Lewis added that she had a case in her office and would take some to the Welcome Center.

Councilman Grossman had no additional comments.

Motion made by Councilman Buchholz, seconded by Vice Mayor Bennett, to adjourn the Town Council Special Meeting. The motion was approved by unanimous vote.

The meeting was adjourned at 6:57 p.m.

Mayor Dize

Town Clerk

**Comments & Information Provided in Writing
October 1, 2020 Town Council Special Meeting**

Margaret Van Clief

Subject: Non-Discrimination Policy

I see that the Non-Discrimination Policy in the agenda for this evening's Town Council meeting does not list gender (different from sex) or sexual orientation as protected categories from discrimination, and I absolutely think they should be protected. I'm alarmed that this far into the 21st century these categories were not already included.

Thank you for registering my thoughts on the matter!
Take care!

Best,
Margaret Van Clief