



TOWN COUNCIL
Executive Session & Special Meeting
Cape Charles Civic Center
April 8, 2021
6:30 PM

At approximately 6:30 p.m. Mayor William "Smitty" Dize, having established a quorum, called to order the Executive Session of the Town Council. In addition to Mayor Dize, in attendance were Vice Mayor Bennett, Councilmen Buchholz, Follmer and Grossman, and Councilwoman Holloway. There was one vacancy on the Council. Also, in attendance were Town Manager John Hozey and Town Clerk Libby Hume. There were nine members of the public viewing the open portions of the meeting on Facebook.

Motion made by Councilman Buchholz, seconded by Vice Mayor Bennett, 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 1: Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body.

Specifically: Interview of Potential Appointees for Interim Council Seat

Mayor Dize asked the members of the public in attendance to leave the room and advised them that they would be invited back into the room at the conclusion of the executive session. The video feed to Facebook was stopped at 6:31 p.m.

Libby Hume went outside to notify the members of the public of the end of the closed portion of the meeting. There were no members of the public waiting to return to the meeting. The video feed to Facebook was restarted at 7:55 p.m.

Motion made by Councilman Follmer, seconded by Vice Mayor Bennett, 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: Bennett, yes; Buchholz, yes; Follmer, yes; Grossman, yes; Holloway, yes.

SPECIAL MEETING ORDER OF BUSINESS

Appointment of Interim Town Council Member to Serve Until Special Election

Motion made by Councilman Grossman, seconded by Vice Mayor Bennett, to appoint Ellen O'Brien to serve as interim Town Council member upon taking her oath of office until the November 2021 special election. The motion was approved by unanimous vote.

TOWN MANAGER COMMENTS

John Hozey commented on the following:

- 1) He asked for Council's thoughts regarding the Blessing of the Fleet which was typically held on a Friday the end of April. Due to the concentration of people for the ceremony, he suggested moving the event to Saturday, May 1, for the possibility of the Governor further lifting COVID-19 restrictions, or possibly later in May. He had not yet experienced any of Cape Charles' normal events so was asking for input from Council.

There was discussion as follows: i) Mayor Dize stated that the event was held on Fridays since the watermen typically live out of town and go home on Saturdays for the weekends. About 100 people would be permitted which would be close. There had been years when we had many more than that. The whole purpose of the Blessing of the Fleet was to honor the commercial watermen. The event used to be scheduled for the first Friday after Easter, but it was changed to the end of April after he left his position as harbor master; ii) Councilwoman Holloway stated that in recent years it had been held on the same weekend as the Garden Tour and Blessing of the Worms, which was the last Friday in April. She added that people were usually spread out except for during the ceremony; iii) Councilman Follmer stated that if the Town could have 100 attendees safely, his preference was to hold the event in April; iv) The consensus was to keep the Blessing of the Fleet on April 30.

- 2) He sent a poll to Council regarding changing trash pickup from Tuesday to Friday due to the number of complaints and issues with vacation rentals. Most responses came back with no issues regarding changing the day, but he received two good responses from Councilwoman Holloway and Councilman Follmer with valid reasons not to change the day. Councilwoman Holloway's email brought up the impact on the businesses and Councilman Follmer's email stated that the Council had not yet worked on the short-term rental regulations and if a change was made entirely due to short term rentals, it would appear that the town favored vacation rentals.

There was discussion as follows: i) Councilwoman Holloway stated that on trash days now, the trash receptacles were lined up along the parking area of Mason Avenue and were not cleared quickly. She did not think that moving trash pick up to Fridays would solve the problem since most of the vacation rental switchover days were on Saturday; ii) Mayor Dize stated that in other vacation areas, the rental owners got extra trash receptacles. The owners and property managers had to deal with trash pickup; iii) Councilman Buchholz stated that a lot of complaints had been received over the years. Some properties had so much trash that it sat there for an entire week; iv) Councilman Follmer added that it was the responsibility of the owners and managers and there were ways to enforce the issue. He did not think it would be a very popular move to change the day to accommodate short term rental properties; iv) Councilwoman Holloway stated that a lot of residents helped each other by putting out and taking in the trash receptacles for their neighbors. She did not want to make a change that would have so much adverse impact on the businesses; v) There was more traffic in Town on Fridays in general and Davis' trucks would have issues getting in and out; vi) John Hozey added that he originally thought the issue would be an easy fix, but after discussion, he realized that it was not the answer.

- 3) Speed Limit on Stone Road. There had been a lot of email traffic this week regarding the speed limit on Stone Road, especially by the Cape Charles Brewing Company. The Town Council adopted a resolution in April 2017, and VDOT performed a traffic study in June 2018 and denied the Town's request to reduce the speed limit.

There was discussion as follows: i) Mayor Dize asked that another resolution be brought forward for adoption and he would talk to Senator Lewis and Delegate Bloxom; ii) The current amount of traffic in the area was so different from three years ago; iii) A number of traffic studies had been performed in the Town and VDOT's method at the time was to monitor the speed of the vehicles traveling on the road(s). If the average was lower than the posted speed limit, the speed limit was lower. There was no chance to have a lower speed limit if the vehicles were traveling at 55 MPH or higher; iv) Vice Mayor Bennett requested that any resolution for speed limit reduction also include Old Cape Charles Road at least to the hump. John Hozey stated that it would be preferable to treat each area separately with the appropriate rationale; v) Councilwoman Holloway noted that Cape Charles Main Street (CCMS) was working on a plan. CCMS contacted the property owners along Stone Road to use a portion of their property for a golf cart path. The path would be a temporary solution through the summer. CCMS was trying to apply for a Northampton County Infrastructure Grant to help with the long-term solution; vi) John Hozey would develop another resolution to VDOT. He was unsure whether it could be done in time for inclusion in the April 15 regular meeting.

MAYOR AND COUNCIL COMMENTS

Vice Mayor Bennett reiterated that a resolution requesting a speed limit reduction on Old Cape Charles Road needed to be done adding that a lot of people could not drive their golf carts legally into the Town due to the current speed limit.

Councilman Buchholz suggested asking for a 25 MPH hour speed limit throughout the Cape Charles town limits. John Hozey responded that the more difficult we made it, the less likely it would get VDOT approval. Although it would take longer, his recommendation was to work on each area separately.

Councilman Grossman commented as follows: i) He stated his agreement with a request to VDOT for the entire town limits at 25 MPH and VDOT could deny certain areas in the request. Councilman Follmer stated that VDOT would most likely respond to the entire request as a whole. John Hozey added that traffic studies would have to be performed for each area as well; and ii) He advised all to review the documentation provided for the April 13 work session. There was a lot of material to review.

Councilwoman Holloway stated that the fire house was a bad venue to hold meetings.

Mayor Dize did not have any additional comments.

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

The meeting was adjourned at 8:18 p.m.

Mayor Dize

Town Clerk