

TOWN COUNCIL
Regular Meeting & Executive Session
Cape Charles Civic Center
October 21, 2021
6:30 PM

At approximately 6:30 p.m. Mayor William “Smitty” Dize, having established a quorum, called to order the Regular Meeting & Executive Session of the Cape Charles Town Council. In addition to Mayor Dize, in attendance were Vice Mayor Bennett, Councilmen Follmer and Grossman, and Councilwomen Holloway and O’Brien. Councilman Buchholz was not in attendance. Also, in attendance were Town Manager John Hozey, Project Manager Bob Panek, Police Chief Jim Pruitt, Library Manager Ann Rutledge, Assistant to the Town Manager Julie Pruitt, and Town Clerk Libby Hume. There were 12 members of the public physically in attendance, and 25 viewers on Facebook.

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

RECOGNITION OF VISITORS / PRESENTATIONS:

There were no visitors, presentations or recognitions.

PUBLIC COMMENTS: (3 MINUTES PER SPEAKER)

Dianne Davis

Ms. Davis addressed Council requesting consideration of a basketball court for the Town’s youth and visitors. (Please see attached.) Ms. Davis also submitted a petition requesting a basketball court signed by 59 individuals – 51 residents of Cape Charles, 14 of which were under the age of 18, and 8 Northampton County residents.

Bill Prickett

Mr. Prickett expressed his support for the Citizens for Central Park proposal and thanked the Council for their support over many projects, particularly the summer concerts.

William Knight

Mr. Knight expressed his support for Ms. Davis’ comments adding that several years ago, he presented a proposal to the Council for a multi-use basketball court. Mr. Knight went on to express his concern about the beach and proposed that Council form a committee to do a feasibility study with the possibility of charging tourists for coming to the beach. In 2005, he moved to Cape Charles from Connecticut as a permanent resident and felt that a committee might find a way to raise additional revenue for the Town versus real estate taxes.

Clayton Newman

Mr. Newman stated that he had spoken to many on the Council individually regarding the clamming operation on Mason Avenue and was here tonight to add his name to the list of residents who have expressed serious concern over the operations. He and his wife had been coming to Cape Charles since the early 1990s when his mother moved to what was a sleepy little town by the bay that time had forgotten. They fell in love with the Shore and Cape Charles and in 2005 built their house next door to his mother at the corner of Randolph and Harbor. They worked hard to get to Cape Charles full-time and moved here in July 2020. They were not surprised to find a working harbor in their backyard and know that the harbor has played a pivotal role in the success and survival of the Town. There was a huge difference about what should be allowed in the harbor and what was there now. This morning, at 4:00 a.m., there was a parade of refrigerated semis, multiple forklifts with backup alarms, booms, slamming of the cages onto the deck to load trucks. The process went on for hours preventing him from sleeping. He did not think this would be the future that he tried so hard to get to. He was reminded that there used to be clamming boats in the harbor and that this operation was

just a return to the way things used to be. It's usually not until he showed a video of the current situation that people began to understand why this was so upsetting. Mr. Newman implored Council to add this issue to their already long list of priorities and help the Town's residents and find a remedy. The operations were ruining the lives of the residents in the area. He invited Council to go to his house at 2:00 a.m. to hear the operations to see if they would be able to sleep under the conditions. Something had to be done.

Town Clerk Libby Hume read comments submitted in writing prior to the meeting from Ahren Foster. (Please see attached.)

There were no additional comments received in writing prior to the meeting.

CONSENT AGENDA

- A. Approval of Agenda Format
- B. Approval of Minutes:
 - i. September 16, 2021 Town Council Public Hearing & Regular Meeting
- C. Approval of August 31, 2021 Financial Report

Motion made by Vice Mayor Bennett, seconded by Councilwoman Holloway, to approve the Consent Agenda as presented. The motion was approved by unanimous vote.

UNFINISHED BUSINESS:

There was no unfinished business for review.

NEW BUSINESS:

A. *Citizens for Central Park Game Area Proposal:*

Town Manager John Hozey stated that he brought this item forward last month and Council asked that it be placed on this month's agenda. Mr. Hank Mayer was here this evening to provide a presentation of the Citizens for Central Park's (CCP) proposal. (Please see attached.)

John Hozey stated that staff concurred with CCP's proposal and recommended allowing CCP to move forward with their portion immediately.

There was discussion as follows: i) Councilman Grossman asked about basketball. John Hozey stated his agreement with CCP that Central Park would not be the best location for a basketball court adding that he had been talking to representatives from Canobie about a multi-use field on railroad property; ii) Councilman Grossman stated that kids regularly used the basketball court at the Cape Charles Baptist Church. It could get noisy with kids running around, but it would be no different in Central Park where we had tennis courts, etc. The noise and disturbance of the neighbors should not be an issue for considering a basketball court in the park; iii) Councilman Follmer expressed his agreement with Councilman Grossman. It would be good to obtain public input regarding additional facilities that they would like to see in the park, and he asked that something be added to the upcoming community survey, to include the basketball court as well. He would prefer to defer any decision on this matter until the public input had been received. Also, on proposals like this, he would like to see not just the upfront costs, but the costs that Council would be committing to for maintenance and repairs as well as replacement of equipment. Also, when talking about the proposed climbing wall, how would that impact the Town's insurance? iv) Councilwoman Holloway commended CCP for the work they did but agreed that a survey was needed. Although CCP reached out on Facebook asking for various activities wanted at the park, she did not think it reached all the residents of Cape Charles. Basketball courts had been a concern since she moved here in 2011 and she did not think of it as a problem area. She agreed with Councilman Follmer that a level of standard and a set time was needed for when activities ceased in the evenings, especially with the residences surrounding the park. This information needed to be included in a survey to all residents, not just electronically, to obtain concrete data; v) John Hozey added that he personally supported getting a basketball

court, but standards needed to be set, and he felt it would be problematic in Central Park. The Town did not have anyone, other than the police force, to monitor the court and ensure that everyone left by 10:00 p.m. This activity would be less impactful on property by the hump. A question would be included in the survey regarding basketball in general; vi) Councilwoman O'Brien expressed her concern with talking about noise levels around Central Park when Mr. Newman just addressed Council baring his soul regarding the noise from the clamming operation. The residents wanted a basketball court. There were corn hole games at the Shanty, and people playing corn hole could be just as noisy as those playing basketball. It was time to listen to the people who had been asking for a basketball court for years. The citizens in Town were respectful people and she did not see where the police would have to clear the court on a regular basis; vii) Vice Mayor Bennett stated that the Town had a basketball court in the past, and there had been issues requiring police attention, which Chief Pruitt might want to speak about. He believed the majority of the issues were caused by people from out of town. He was not opposed to having a basketball court, but as stated by the town manager, there might be a better location other than Central Park; viii) Mayor Dize stated that he grew up playing basketball and agreed that the Town needed a basketball court. In the past, there had been issues with gun shots, etc., but things were different now. He believed the kids would be respectful and he had not heard of any problems with the court at the church. He also agreed with Councilman Follmer that a survey was needed. Whether in Central Park or another location, he would like to see a basketball court in Town; ix) Mayor Dize thanked Hank Mayer and the CCP for all the work done to improve Central Park, adding that it was amazing that they were able to raise \$31K to spend on the proposed park improvements. He would like to see the work in the playground area continue.

Motion made by Councilman Grossman, seconded by Councilwoman Holloway, to proceed with the playground area additions as presented. The motion was approved by unanimous vote.

B. *Wetlands & Coastal Dune Board Member Reappointment:*

John Hozey stated that Mr. Bill Prickett currently served on the Wetlands & Coastal Dune Board, and his term would be expiring on November 12, 2021. Mr. Prickett expressed his interest in continuing his service on the Board for another term.

Motion made by Vice Mayor Bennett, seconded by Councilman Grossman, to reappoint Mr. Bill Prickett to the Wetlands & Coastal Dune Board for another term. The motion was approved by unanimous vote.

C. *World War I Memorial Plaque Relocation in Cape Charles Memorial Library:*

Library Board Chairman Rich Burger addressed Council regarding the Library Board's request to relocate the World War I Memorial Plaque into the Library's History Room. Mr. Burger stated that this issue had been on the Library Board's agenda for over five years and two years ago, the Board voted to move the plaque into the History Room, along with an explanation of the plaque and its purpose honoring those who gave their lives in the war. In the early 20th century, standards at the time made reference to the race of the individuals, but in this century, the Library Board no longer felt that it was appropriate to segregate the names of the individuals and agreed that the best location of the plaque was in the History Room.

Mayor Dize permitted Mr. Thomas Godwin to speak on the matter.

Mr. Godwin related a story of his childhood where he used to sit outside the library folding newspapers for his paper route. He was not permitted into the library but would read the newspaper following the various stories, especially those about the war and the number of people killed. Later on, being in the funeral business, he saw boxes come back with the remains of those serving in the wars – World War I, World War II, and Vietnam, and it had a great effect on him. He mentioned his grandfather, uncle and son who served in the military and added that he also wanted to serve but circumstances would not allow it. He served on the draft board for

30 years and thought of the people he might have sent to their deaths. Whatever was decided about the plaque would not be satisfactory, but a way needed to be found to honor those in the cemetery. He offered his assistance to help Council come up with a resolution.

Motion made by Councilman Follmer, seconded by Councilwoman Holloway, to support the Library Board's request to relocate the World War I Memorial Plaque.

Mayor Dize expressed his full support of moving the plaque adding that it was part of the Town's history adding that when the plaque was made, Cape Charles was ahead of the rest of the country by adding all names to the same plaque. It was part of history that should be taught to the children. He was not opposed to creating another plaque that listed all names in alphabetical order.

Vice Mayor Bennett stated that he loved history and looked at the plaque differently. Several years ago, he suggested melting down the existing plaque and recasting it listing the names in alphabetical order. He no longer wanted to do that, but wanted the plaque used as a teaching aid, not covered up and hidden in the vault. People needed to know that the plaque existed. This was not a decision for the Library Board or the Town Council, but for the people to make. He had no objections to the request but wanted to express his passion for the topic.

The motion was approved by unanimous vote.

D. *Waste Collection & Disposal Contract Award:*

John Hozey stated that an invitation for bids (IFB) for waste collection and disposal services was advertised on September 9, 2021, with a bid submittal deadline of October 5, 2021. No bids were received so the deadline was extended to October 13, 2021. One bid from Davis Disposal Co., Inc, the current service provider, was received.

The IFB requested the contractor to provide a base bid for current services, and an alternate bid for twice a week pickup from May through September, not including Mason Avenue. The alternate was requested by the short-term rental owners in town.

The base bid price came in at \$17.45 per container which represented a \$0.77 increase over the current contract. The alternate bid price came in at \$23.00 per container during the month when twice per week pickup occurred. Because this increase was taking place midway through the budget year, the Sanitation Fund did not have sufficient funds budgeted to cover the increase for the remainder of this fiscal year. The Sanitation Fund had a Fund Balance of \$89,911 which could cover the shortfall of approximately \$12,320 for the base bid, and the rates would be increased next fiscal year. Increases in the base bid pricing were tied to the consumer price index.

At this time, staff did not recommend awarding the alternate bid. There had been some discussion about the short-term rental owners picking up the additional cost for this service, but no agreement had been worked out. If a satisfactory arrangement could be reached before May 2022, this issue would be brought to Council for an amendment to the contract.

Mayor Dize asked whether recycling costs were researched. John Hozey stated that recycling was a separate item and research was currently being done and would be included in the citizen survey. At this time, pricing from one contractor would be about \$9 per month per residence for every-other week pickup, but the contractor would not accept glass. Staff contacted another company but was unable to obtain a quote.

Motion made by Councilman Grossman, seconded by Vice Mayor Bennett, to authorize the town manager to execute a contract with Davis Disposal Co., Inc. for the base bid for waste collection and disposal services. The motion was approved by unanimous vote.

Councilwoman Holloway brought up the recycling wagon owned Eastern Shore Spay Organization (ESSO) which was located at the corner of Mason Avenue and Fig Street. Its condition was a disaster and an embarrassment to the Town. She went by it earlier today and there were bottles and cans everywhere. It was the first thing people saw on their way into the commercial district. She supported ESSO, but the wagon needed to be moved.

John Hozey stated that the wagon did not belong to the Town, and he had asked the public works manager to contact the owners to have them empty the wagon more often. Public Works even put out a trash receptacle for people to throw away their trash. There was no place on Town property to place the wagon. He was planning to meet with Canonie Railroad regarding a master lease for all parcels currently leased by the Town and adding the recreation field. He would add a recycling area for ESSO's wagon to the list.

E. *Removal of Seat Belt Requirement for Golf Carts:*

John Hozey stated that Vice Mayor Bennett requested Council consideration of removing the seat belt requirement from the annual golf cart inspection, with his concern that seat belts could be harmful when used on a golf cart during a rollover without proper rollover protective systems. A letter from Club Car was included in the agenda packet. Any changes to the Town Code required adoption of an ordinance.

Vice Mayor Bennett stated that he brought the issue up as a safety issue. If someone was in a golf cart and involved in an accident with a vehicle, there was a much higher chance of injury if the individual was belted in a golf cart. Seat belts were an after-market item and not considered a safety item by manufacturers. Seat belts were a requirement of the Town for the safety inspection, but most people did not wear them. The Town was fortunate not to have had an accident with a golf cart and motor vehicle.

Motion made by Vice Mayor Bennett to adopt Ordinance 20211021 Adopting Revisions to Cape Charles Town Code Article III.A, Section 42-51. There was no second to the motion.

TOWN MANAGER COMMENTS

John Hozey commented as follows: i) Council procedures were updated recently, but a procedural issue was omitted. He had never been in a locality where a single member of Council could put something on the agenda. Typically, a request from at least two Council members was necessary before an item would be placed on an agenda. Mayor Dize stated his preference that all requests to add items to the agenda go through the mayor. John Hozey agreed that was an option, but if the mayor disagreed with an item, it could potentially be stopped. The procedure would be cleaner if the Mayor or two members of Council could place an item on an agenda; ii) He reached out to VDOT for updates on a number of items and learned that the rumble strips, to call drivers' attention to the recently reduced speed limit to 25 MPH on Stone Road, were installed today; iii) VDOT signed a contract with a vendor to repair the sidewalks. The vendor would be grinding down all areas where the sidewalk was raised over a half inch for safety issues. Prior to contract signing, a crew came into Town to evaluate the sidewalk and to identify the areas needing repair. He asked for a list of the areas but had not received it to date. VDOT was hopeful that the work would be completed by Thanksgiving; iv) A request for proposals was issued for consulting services for the comprehensive plan and zoning ordinance. Phase 1 would be the comprehensive plan and Phase 2 would be to update the zoning ordinance to be consistent with the comprehensive plan. A separate project was in process with Municode to review the Town Code for consistency with the State. A meeting had been scheduled for next month with Municode, staff and our attorney. Once the zoning ordinance was completed it would be submitted to Municode for publication as well; v) The strategic plan was approved in March 2021. He would like to see an update completed by February 2022 to better align with the budget process. His goal was for annual updates each February. He was working on a report card to show the accomplishments so far. He was also working on a survey to residents to go out the early part of December. The data from the survey should be back in January and compiled for a report to Council in February. The report would also be provided to the consultant hired for the

comprehensive plan update; vi) He was actively working with the attorney and zoning administration to identify the Town's options regarding the harbor zoning issue; vii) Some of Council might have heard about the unauthorized demolition of a structure. He met with the property owners and mistakes were made. Staff enforced the issue to the maximum extent provided by the law and things were moving forward. The Town needed more tools for enforcement. He was working with the zoning administrator regarding options, but we might have to petition the General Assembly. He was also working to identify other legislative priorities. A work session might be necessary in November regarding legislative priorities; viii) Per the agreement, Cape Charles Main Street (CCMS) was required to provide an annual report to Council. As discussed last month, Council would attend the CCMS Rev-Up Meeting scheduled for November 8 from 6:00-9:00 p.m. The meeting would be posted. He asked that the Mayor and members of Council try to attend this meeting to hear the annual update. This meeting would count as the annual report for this year; ix) Two new hires to report – Jerry Murphy was hired as the account manager in the Finance Department, and Julie Pruitt was hired as the special assistant to the town manager.

Councilman Grossman asked whether the Town had anything on the books to limit the operations referred to by Mr. Newman. John Hozey responded that he would be meeting with the owner of the property to see if he would be willing to cooperate regarding limiting the operations. Councilwoman Holloway encouraged Council to listen to Mr. Newman's 4:00 a.m. recording.

MAYOR AND COUNCIL COMMENTS

Councilman Follmer commented as follows: i) He reiterated that it was top priority for the Town to do anything available to strengthen our power of enforcement; ii) He thanked Mr. Newman for his comments. He did not live as close to the operations so he could not hear it. He heard trucks on most nights past midnight going down Mason Avenue. His condo vibrates every time a truck went by, and it could not be good for the historic buildings along the street. He was glad that this was a top priority. It was unacceptable.

Councilman Grossman commented as follows: i) Council would be seeing four conditional use permits for accessory dwelling units which were recently reviewed by the Planning Commission. The Planning Commission would be reviewing the current requirements regarding how the units were being utilized; ii) The Accomack-Northampton Planning District Commission was conducting a regional housing study and it was important to get individual input from residents, landlords and businesses. This was a 20-year update. There was a community meeting in Eastville and only six people attended. Only three people came to the meeting in Exmore. It was imperative to get public input or else the study would be ineffective; iii) Early voting was available. He went to vote the other day and there were already 700 people who had voted. Northampton County was expecting 4,500 total votes for this election. He encouraged everyone to get out to vote.

Councilwoman O'Brien commented as follows: i) She sent photos of the pier to John Hozey, and she was worried about the condition of the pier with a lot of missing boards where people could fall. She felt that the pier should be closed until the repairs were made for safety reasons. It was a liability to the Town; ii) She asked how the Town could get a ramp put in at the post office so individuals with disabilities could access the building. Mayor Dize responded that the Town had asked but had no control since it was a federal building. Councilwoman Holloway stated that a solution would be for those unable to climb the steps to go to the back and ring the bell. She had not checked on it, but it could be a good resolution. Mayor Dize added that he brought the issue up with Congresswoman Luria last year.

Vice Mayor Bennett commented as follows: i) He asked whether Council would have enough information by reviewing the Planning Commission minutes to make a decision regarding the accessory dwelling units. Councilman Grossman stated that the applications would be presented to Council for public hearings and the necessary information would be provided in the staff report; ii) He would be out of town the first week of November so would be unable to attend a work session if

held on November 4. Mayor Dize stated his preference for a work session on the same date, either before or after, the next regular meeting.

Councilwoman Holloway commented on the following: i) She thanked the public works department and staff for doing an amazing job of communicating about the VDOT street sweeping. It took a lot of work to keep everyone abreast of the schedule with hand-delivered notices and the alerts put out by the clerk. It was handled professionally and kept the citizens well informed. John Hozey added that it was unfortunate that the state's equipment kept breaking down. He had originally requested the sweeping be scheduled for mid-November and was disappointed that VDOT came in October. The Town had no control over the schedule and would push for it again next year to be closer to Festive Fridays; ii) Everyone was aware of the workforce issues. She brought it up at the Eastern Shore of Virginia Tourism Commission and Northampton Infrastructure Grant Committee meetings, since she never felt that either organization paid attention to workforce issues. She wanted to get people talking about it and the entire Eastern Shore needed to work together, along with the community college, for a resolution. The Town could not survive without a workforce; iii) CCMS had their transformational strategies meeting today with residents, businesses and other stakeholders. 420 people completed the survey. The first year they only had 172 responses. It was incredible the number of people who took the time to complete the survey; iv) She asked for an update on Coastal Precast's plantings at the preserve. John Hozey responded that Coastal Precast would be installing a wall, not plantings, over the winter.

Mayor Dize commented as follows: i) He thanked CCP for all their efforts in raising an impressive amount of funding; ii) He thanked everyone for attending the meeting this evening and those who commented. He would like to see more people coming to the meetings since Council's decisions affected everybody; iii) He thanked the public works crew for their hard work cleaning up the Town. The entire staff had done an outstanding job this year, especially through the summer.

Mayor Dize read the announcements.

Motion made by Councilman Grossman, seconded by Vice Mayor Bennett, and unanimously approved to go into Executive Session

Motion made by Councilman Buchholz, seconded by Councilman Grossman, 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 28: Discussion or consideration of information subject to exclusion in subdivision 11.b. of Section 2.2-3705.6 – Information provided by a private entity to a responsible public entity pursuant to the provisions of the Public-Private Education Facilities and Infrastructure Act of 2002 (PPEA) if disclosure of such information would reveal (i) trade secrets of the private entity; (ii) financial information of the private entity that are not generally available to the public through regulatory disclosure or otherwise; or (iii) other information submitted by the private entity where if such information was made public prior to the execution of an interim agreement or a comprehensive agreement, the financial interest or bargaining position of the public or private entity would be adversely affected.

Specifically: Consultant presentation of PPEA proposals

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 members of the public and staff in attendance, with the exception of John Hozey, Bob Panek and Libby Hume, left the room.

Council went into executive session at 8:09 p.m.

Bob Panek 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.

Motion made by Councilwoman O'Brien, seconded by Vice Mayor Bennett, to return to open session. The motion was approved by unanimous vote.

The open portion of the meeting resumed at 9:37 p.m.

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; Follmer, yes; Grossman, yes; Holloway, yes; O'Brien, yes.

Motion made by Vice Mayor Bennett, seconded by Councilwoman Holloway, to adjourn the Town Council Regular Meeting and Executive Session. The motion was approved by unanimous vote.

The Regular Meeting and Executive Session adjourned at 9:39 p.m.

Mayor Dize

Town Clerk

Comments & Information Provided in Writing October 21, 2021 Town Council Regular Meeting

#4 – Public Comments

Dianne Davis

Good evening, Mr. Mayor, members of the Town Council, Town Clerk and Town Manager. I am Dianne Davis of 601 Jefferson Avenue – full time resident for more than 50 years.

Basketball Court: Youth in Cape Charles as well as visitors to our town would definitely benefit from a basketball court. From time to time we have been stopped by visitors asking where the basketball court is located. All that we can say is sorry, but we do not have one. Well, the Citizens for Central Park seriously considered this amenity; but then stated that the residential area next to this park corner was not considered appropriate for such an active noisy game. Is this park the same school grounds that we have music in the summer on Saturday evenings that serenades the entire town whether we want to hear it or not? Is this the same town where we close off a street on Friday evenings to hear and dance to music that serenades the entire town?

Another comment made was that a basketball court would also take up almost all of the area that could otherwise serve a larger more diverse family need. So, the Citizens for Central Park therefore decided to not propose such a use in the park.

How does one know what the people would like to have in the park? Was a survey done for ages 12 to 100 years old males as well as females? Who are the people that decide to do or not to do a basketball court? What do we mean by diverse family? To the best of my knowledge all nationalities play basketball. Also, some of the citizens our age play basketball. Remember if you did not care for that sport growing up, there were many others who did, and if you have or had children, I am sure that some of them like to play basketball also.

Therefore, members of the Council, with all this space in the park, please consider a basketball court for our youth as well as others. We know as a fact that this is a sport that the majority of people like. We also know that there are some sports that older people enjoy that maybe the youth would not like. Let us work together so that we will have a park for us all to enjoy.

Ahren Foster

Subject: Seat Belt Agenda Item - Oct 21 Meeting

Dear Council members,

I am writing concerning the proposal to remove seat belts from golf carts. I think the idea of doing this is quite frankly absurd. Children (or adults) falling off/out of a golf cart is a much riskier scenario in Cape Charles where carts are used primarily on roads. I could not image rollovers being an issue where most carts go 19 MPH max. This is more of a concern on hilly golf courses, etc. Falling out and hitting one's head on an asphalt road is a huge concern. Our family has been affected personally by a friend's daughter that fell off of the back of a golf cart onto asphalt and suffered a traumatic brain injury. It would be irresponsible for the board to vote to remove seat belts from golf carts. We reside in a town where these are rented daily by families and the injuries that could ensue if seatbelts were not required could be horrible. Please consider voting no to this very selfish and absurd proposal.

Ahren Foster

#7A – Citizens for Central Park Presentation



Proposed 2021-2022 Central Park Improvements

1

CCP History & Background

- CCP founded in 2000; Virginia Corporation; 501 (c)(3) Non-Profit
- CCP was the driving force behind conversion of the former High School's Athletic Field into the public Park envisioned by William Scott when laying out the Town of Cape Charles in 1883.
- The Women's Club of Cape Charles raised \$40,000 and invested hundreds of volunteer hours in building *Cape Kids*, the Children's Playground in the Park in 2002.
- The construction of Central Park was completed and the Park was formally dedicated in 2010.
- CCP continues today as a 100% volunteer member organization with its insurance, NCCC membership and a P.O. Box as its only fixed operating costs. Annual budget - \$50,000.

2

History & Background - Continued

- CCP volunteers have invested thousands of hours over the past 20+ years in building and/or raising more than \$200,000 for the gazebo, pergola, restrooms, lamplights, upgrades & improvements to the children's playground, trees, benches and picnic tables.
- A large portion of the cost of the Park's 116 trees was donated by private individuals as Memorials to friends and family, along with the picnic tables and benches added two years ago.
- CCP hosted the first Harbor for the Arts Summer Concert in the Park in 2013, and with support from the town it annually raises the \$25,000 needed to host the largest and most successful annual summer concert program on the Virginia eastern shore.

3

Cape Kids Children's Playground

- Over the past 20 years a number of *Cape Kids* Playground attractions have aged and been removed, and some have not replaced.
- In 2015 CCP raised approximately \$30,000 toward the \$50,000 cost of replacing all of the wooden playground units.
- More recently, CCP received \$10,000 from Paul & Maria Henderson to improve the Children's Playground and we raised an additional \$6,000 via Facebook.
- The Zip-Line was replaced in 2021 thru a 50-50 cost split with the town and a GaGa Ball Game Pit was purchased and installed by CCP volunteers.

4



5

Proposed Playground Improvements

Using funds remaining from the Henderson family donation and funds raised from CCP's Margarita sales and concert related donations over the past few years, CCP is proposing to spend \$10,000 to purchase and install a Climbing Wall and sensory type playground activities.

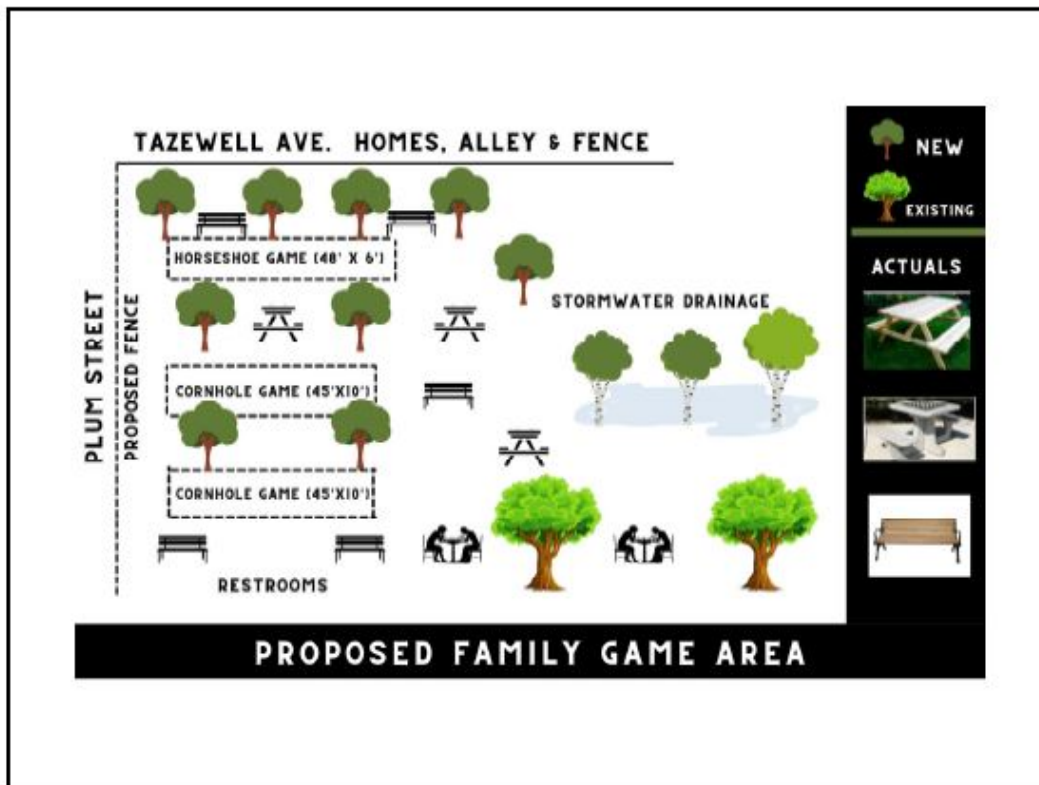


6

Proposed New Family Game Area

- Almost all of the Park's 5-acres are in use at sometime during the year, except for the southeastern corner on Plum Street bordered at the south by the Tazewell Ave backyard alley and north by the Park's Restrooms.
- Useable area is about 75' x 75' , with land sloping toward the west as part of the Park's stormwater retention design. Four River Birch trees were planted in the swale two-years ago to help absorb the stormwater.
- CCP would like to create a Family Game Area with shade trees, benches and picnic tables in this corner area.

7



8

Concrete Games On Concrete Pads



9

Two-Phase Shared Cost

Family Game Area Improvements - Estimated Costs

Item	#	Cost	Total
Horseshoe Game	1	1,000	1,000
Concrete Chess/Checkers table sets	2	1,372	2,744
Picnic Tables - red cedar	3	1,000	3,000
Benches - Oak, 80"	5	826	4,130
Cornhole games - concrete	2	1,280	2,560
6 Concrete platforms			3,260
Repair sprinkler system			500
Fence along sidewalk	75 ft	3,000	3,000
Shade Trees	11	625	6,875
Total Est Costs			\$27,069

CCP Phase 2021-22

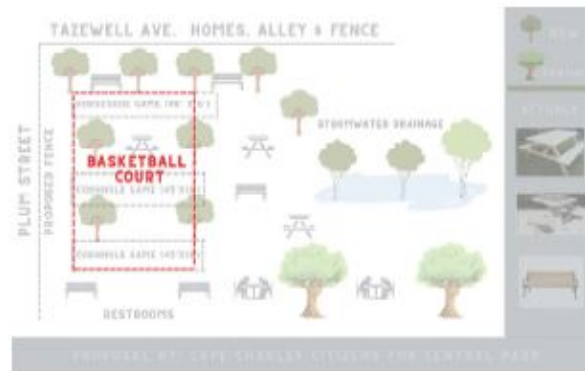
#	Cost	Total
2	1,372	2,744
3	1,000	3,000
3	826	2,478
2	1,280	2,560
		3,260
		500
11	625	6,875
		\$21,417

Town 2022-23

#	Cost	Total
1	1,000	1,000
2	826	1,652
75 ft	3,000	3,000
		\$5,652

10

Considered Basketball Court



11

Comments & Recommendations

- Basketball Court:
 - Youth in Cape Charles and the surrounding area would benefit from a basketball court, and CCP seriously considered this amenity;
 - But the residential area next to this Park corner was not considered appropriate for such an active noisy game;
 - A BB court would also take up almost all of an area that could otherwise serve a larger more diverse family games need;
 - CCP therefore decided to not propose such a use in the Park
- Proposed Park Improvements; CCP seeking Council concurrence on:
 - Playground Improvements this Fall (approx. \$10,000 cost fully funded by CCP)
 - Family Games Area in southeast corner to start in November (approx. \$27,000 cost fully funded by CCP), with 2nd Phase \$6,000 Town contribution in 2022 Summer-Fall

12

CCP Would Like to Thank the
Mayors and Town Councilpersons
Who Over the Past 20 Years Have
Supported the Concepts and Efforts
That Have Helped Us to Create the
Cape Charles Central Park
That Was Planned Back in 1883

Page 1 – Cash Position

- The ARPA funds were transferred to a new money market account from the operating account.

Page 2 – Revenue vs. Expenditures

- \$35,424 was received from the state for the PPTRA property tax reductions. The percentage credit per dollar of assessed value will be calculated in October in preparation for the 2021 tax bills, which will go out by Oct 31st.
- .5% share of the Meals tax will be transferred to the capital fund #110 quarterly for the present time.
- The debt service fund revenue will be transferred quarterly until a preferred method of tracking is discovered.

Page 3 – Capital Projects

- No activity year to date, will return for a future report.

Page 4 – Tax Collection Rate

- This page will return after the 2021 property tax bills have been mailed.

Page 5 – Tax Revenue Trends

- Business license due date was extended in FY 2021, which may cause collections for July-September 2021 to be lower than in 2020.
- Cape Charles Yacht Center uses cash basis accounting, and the town uses accrual. The August and July revenue numbers were converted to show accrual basis for FY22 and will be so going forward.
- All tourism-based revenue indicates a strong recovery from COVID 19 effects and new growth.
- Budget amounts were added for reference.

MUNICIPAL CORPORATION OF CAPE CHARLES
TREASURER'S REPORT
August 31, 2021

<u>Cash on Hand</u>	<u>7/31/2021</u>	<u>8/31/2021</u>	<u>Increase/ (Decrease)</u>
Atlantic Union Bank Checking Account	\$672,417	\$274,937	-\$397,480
Atlantic Union Bank Money Market Account	\$2,550,368	\$2,550,429	\$61
LGIP Account 1 - Unrestricted	\$104,231	\$104,236	\$5
LGIP Account 2 - Unrestricted	\$295,487	\$295,504	\$17
Total Cash On Hand	\$3,622,502	\$3,225,106	\$0

<u>Restricted and Reserved Cash Balances</u>	<u>7/31/2021</u>	<u>8/31/2021</u>	<u>Increase/ (Decrease)</u>
Atlantic Union Bank Savings Account - Facility Fees Rsrvd (Utilities)	\$1,640,472	\$1,640,486	\$14
Atlantic Union Bank Checking Account - Police Funds	\$431	\$431	\$0
LGIP Account 2 - Restricted for USDA loan covenant	\$35,810	\$35,810	\$0
Atlantic Union checking Acct Library CD converted to cash	\$11,131	\$11,131	\$0
Atlantic Union Bank Checking Acct - E-Summons Revenue Rsrvd	\$5,863	\$6,094	\$232
US Bank - Reserved per VRA Interest Free Loan Requirements	\$257,584	\$257,586	\$3
Wells Fargo 2010 Debt Service pass through account #300	\$2,898	\$2,898	\$0
Wells Fargo 2010 Debt Service pass through account #308	\$761	\$761	\$0
Atlantic Union Money Market # ARPA CRF #5847	\$0	\$528,620	\$528,620
Virginia Investment Pool Liquidity Acct#1 Facility Fees Rsrvd (Utilities)	\$0	\$0	\$0
Virginia Investment Pool Liquidity Acct#2, Surety Bond Escrow Rsrvd	\$0	\$0	\$0
Total Cash Held in Reserve	\$1,954,949	\$2,483,818	\$528,869
Total Cash - All Accounts	\$5,577,451	\$5,708,924	\$131,472

DEBT SERVICE

Net Debt as of Current Reporting Month End \$6,540,495
(Excludes USDA vehicle and equipment loans)

MUNICIPAL CORPORATION OF CAPE CHARLES

TREASURER'S REPORT

August 31, 2021

REVENUE VS. EXPENDITURES

<u>FUND</u>	<u>CURRENT MONTH</u>	<u>PRIOR YEAR-TO-DATE</u>	<u>CURRENT YEAR-TO-DATE</u>	<u>INCREASE/ (DECREASE) YTD</u>	<u>ANNUAL BUDGET</u>	<u>% REALIZED/ EXPENDED FY22</u>
GENERAL Operations						
REVENUE	\$261,437	\$321,226	\$473,775	\$152,549	\$3,536,507	13.40%
EXPENDITURES	\$168,420	\$440,439	\$445,061	\$4,622	\$3,536,507	12.58%
NET	\$93,018	(119,213)	\$28,714	\$147,927	\$0	
GENERAL Capital						
REVENUE	\$0	\$0	\$0	\$0	\$1,197,762	0.00%
EXPENDITURES	\$0	\$0	\$0	\$0	\$1,197,762	0.00%
NET	\$0	\$0	\$0	\$0	\$0	
GENERAL Debt Service						
REVENUE	\$0	\$0	\$0	\$0	\$258,614	0.00%
EXPENDITURES	\$0	\$76,119	\$71,072	-\$5,047	\$258,614	27.48%
NET	\$0	(\$76,119)	(\$71,072)	\$5,047	\$0	
GENERAL Special Operations						
REVENUE	\$9,096	\$0	\$28,862	\$28,862	\$948,115	3.04%
EXPENDITURES	\$26,442	\$0	\$51,172	\$51,172	\$948,115	5.40%
NET	(\$17,346)	\$0	(\$22,310)	(\$22,310)	\$0	

MUNICIPAL CORPORATION OF CAPE CHARLES

TREASURER'S REPORT

August 31, 2021

REVENUE VS. EXPENDITURES

<u>FUND</u>	<u>CURRENT MONTH</u>	<u>PRIOR YEAR-TO-DATE</u>	<u>CURRENT YEAR-TO-DATE</u>	<u>INCREASE/ (DECREASE) YTD</u>	<u>ANNUAL BUDGET</u>	<u>% REALIZED/ EXPENDED FY22</u>
PUBLIC UTILITIES						
REVENUE - Operating	\$149,166	\$312,028	\$335,583	\$23,555	\$1,825,021	18.39%
EXPENDITURES - Operating (less facility fees rsrvd)	\$59,274	\$157,078	\$112,481	-\$44,597	\$993,224	11.32%
NET	\$89,892	\$154,950	\$223,102	\$68,152	\$831,797	
REVENUE - CAPITAL GRANTS, LOANS	\$0	\$0	\$0	\$0	\$104,751	0.00%
REVENUE - FACILITY FEES	\$42,400	\$42,400	\$95,400	\$53,000	\$254,400	37.50%
EXPENDED - CAPITAL PROJECTS, DEBT SVC, & FACILITY FEES	\$42,400	\$86,734	\$137,914	\$51,179	\$936,548	14.73%
TOWN CONTRIB. & PENDING GRANTS	\$0	(\$44,334)	(\$42,514)	\$1,821	(\$831,797)	
HARBOR						
REVENUE - Operating	\$113,426	\$327,608	\$250,620	-\$76,987	\$833,500	30.07%
EXPENDITURES - Operating	\$81,721	\$224,882	\$195,022	-\$29,860	\$772,500	25.25%
NET	\$31,705	\$102,726	\$55,598	(\$47,128)	\$61,000	
REVENUE - GRANTS & LOANS	\$0	\$0	\$0	\$0	\$0	#DIV/0!
TRANSFERRED FM GEN FUND FOR DEBT SERVICE	\$0	\$0	\$0	\$0	\$102,657	0.00%
EXPENDED - Capital Projects, Debt Svc	\$1,800	\$67,814	\$33,094	-\$34,720	\$163,657	20.22%
TOWN CONTRIB. & PENDING GRANTS	(\$1,800)	(\$67,814)	(\$33,094)	\$34,720	(\$61,000)	
SANITATION						
REVENUE	\$20,086	\$33,608	\$40,569	\$6,961	\$390,595	10.39%
EXPENDITURES	\$18,426	\$34,795	\$32,831	-\$1,964	\$390,595	8.41%
NET	\$1,660	(\$1,187)	\$7,738	\$8,925	\$0	

