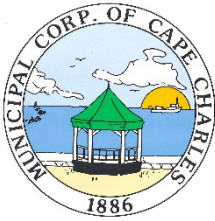




TOWN COUNCIL
Regular Meeting
September 21, 2023
Cape Charles Civic Center
6:30 PM

1. Call to Order
 - A. Roll Call
 - B. Establish quorum
2. Moment of Silence and Pledge of Allegiance
3. Recognition of Visitors / Presentations / Recognitions
 - A. Certificate of Commendation to Officer Thomas Lynch
4. Public Comments (3 minutes per speaker)
5. *Consent Agenda
 - A. Approval of Agenda Format
 - B. [Approval of Minutes](#)
 - C. [Approval of July 31, 2023 Financial Report](#)
6. Unfinished Business:
 - *A. None
7. New Business:
 - *A. [Resolution of Intent-Consideration of Zoning Map Amendment Application](#)
 - *B. [Trash Collection Contract Extension – November 1, 2023 – October 31, 2024](#)
 - *C. [Library Building Redevelopment Recommendation](#)
8. Town Manager Comments
9. Mayor & Council Comments (5 minutes per speaker)
10. Announcements
 - September 27, 2023 – Ice Cream Social, Brown Dog Ice Cream, 6PM
 - September 28, 2023 – Town Council & Planning Commission Joint Work Session, 6PM
 - October 5, 2023 – Town Council Work Session, 6:30 p.m.
 - October 9, 2023 – Town offices closed for Columbus Day
 - October 19, 2023 – Town Council Regular Meeting
11. Adjournment



DRAFT
TOWN COUNCIL
Regular Meeting
Cape Charles Civic Center
August 17, 2023
6:30 PM

At approximately 6:30 p.m. Mayor Adam Charney, having established a quorum, called to order the Regular Meeting of the Cape Charles Town Council. In addition to Mayor Charney, in attendance were Vice Mayor Bennett, Councilmen Buchholz, Butta, Follmer, and Grossman, and Councilwoman Holloway. Also, in attendance were Town Manager John Hozey, Project Manager Bob Panek, Accounting Manager Jerry Murphy, Police Chief Jim Pruitt, and Town Clerk Libby Hume. There were 6 members of the public physically in attendance, and 5 viewers on Facebook.

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

RECOGNITION OF VISITORS / PRESENTATIONS/RECOGNITIONS:

A. *Cape Charles Main Street Semi-Annual Report:*

Cape Charles Main Street (CCMS) Executive Director Karen Zamorski and President Bill Stramm presented their semi-annual report to Council. (Please see attached.)

B. *Recognition of Employee Significant Anniversary:*

Mayor Charney congratulated Libby Hume on her 15th anniversary with the Town.

PUBLIC COMMENTS: (3 MINUTES PER SPEAKER)

Dianne Davis, Cape Charles resident

Ms. Davis addressed the Mayor, Town Council, Town Manager and Clerk thanking them for all the support provided to assist her old school, the Cape Charles Elementary School, better known as the Cape Charles Rosenwald School. She hoped that the Town would continue to support their efforts to make the former school a place to be used by all mankind.

There were no other comments to be heard nor any comments received in writing prior to the meeting.

CONSENT AGENDA

A. Approval of Agenda Format

B. Approval of Minutes:

i. July 20, 2023 Town Council Public Hearings & Regular Meeting

C. Approval of June 30, 2023 Financial Report

Councilman Grossman asked that the financial report be pulled from the Consent Agenda. Councilman Butta asked that the minutes be pulled out of the Consent Agenda.

Motion made by Councilman Grossman, seconded by Councilman Buchholz, to approve the Agenda Format as presented. The motion was approved by unanimous vote.

Councilman Butta stated that he had asked the Clerk to add his comments related to his vote on the zoning map. The Clerk made the changes, and the amended language was provided to the Council, but was unable to be posted for public review prior to the meeting.

Motion made by Councilman Butta, seconded by Councilman Grossman, to approve the July 20, 2023 Town Council Public Hearings & Regular Meeting minutes as amended. The motion was approved by unanimous vote.

Councilman Grossman stated that the FY 2023 Capital Improvement Project Tracking Report incorrectly showed the budgeted amounts for the Municipal Center and Library projects as \$550K each and he asked that these figures be reviewed. Town Manager John Hozey stated that the report had been corrected and posted online. Town Clerk Libby Hume interjected that she had not received the corrected report to post.

Motion made by Councilman Grossman, seconded by Councilman Buchholz, to approve the June 30, 2023 Financial Report with the corrections being made to the FY 2023 Capital Improvement Program Tracking Report as discussed. The motion was approved by unanimous vote.

UNFINISHED BUSINESS:

There was no unfinished business for review.

NEW BUSINESS:

A. Harbor Projects Contract Award:

John Hozey stated that this year's budget contained two large capital projects for the harbor: i) \$180K was budgeted for repair and reinforcement of the inshore breakwater west of A-Dock that was damaged by a large vessel strike; and ii) \$306K was budgeted for replacement of approximately 54% of the king piles and lower horizontal wales supporting the vinyl bulkhead around the inner harbor. The Harbor budget also included \$13K for repair of the fixed dock in the inner harbor which entailed the replacement of about 15% of the decking, bolts and some diagonal supports. This was deferred maintenance that should have been performed incrementally over the last several years. The Harbor budget also included \$123,291 for maintenance and repair, and a contingency amount of \$95,687.

An invitation for bids was issued for the breakwater work and Phase 1 of the bulkhead work in the base bid. Two bid alternates were included for Phases 2 and 3 of the bulkhead work. Three bids were received on July 19, 2023. The low bid from Marine Contracting Corporation was \$420K for the base bid, \$181,200 for Phase 2, and \$171,870 for Phase 3 of the bulkhead work. The other two bids were about twice those amounts. Marine Contracting built the inshore breakwater and had a good reputation in the industry and was recommended without reservation by Langley & McDonald (L&M), the Town's engineering consultant. Their bid exceeded the amount budgeted for the projects. It was preferable to execute the full scope of work to minimize further damage to the breakwater and to protect the large investment made in the floating docks.

The project total for the breakwater was \$264,200. The project total for Phases 1 and 2 of the bulkhead work was \$355,750. The two sections of the bulkhead included in Phases 1 and 2 were the most badly damaged and should be addressed if possible. The total funding shortfall for the breakwater upgrade and first two phases of the inner harbor bulkhead project was \$133,950; however, there remained over \$700K unappropriated in the Capital Project Fund Balance. John Hozey recommended appropriating this shortfall from that fund balance during the mid-year budget adjustment. There was sufficient appropriated funds available within the current Harbor budget contingency and maintenance/repair line items to allow for an immediate award of this contract.

Motion made by Councilman Grossman, seconded by Vice Mayor Bennett, to authorize the contract award to Marine Contracting Corporation in the amount of \$601,200, and apply for another Aid to Local Ports grant next spring to help fund Phase 3 of the inner harbor bulkhead rehabilitation. The motion was approved by unanimous vote.

Councilman Grossman stated that drawings were provided in previous meetings and asked that a full set of the drawings be included in the minutes to document what was being approved.

B. *Appointment of Interim Treasurer*):

John Hozey stated that Treasurer Deborah Pocock was retiring, and staff had been recruiting for the position since May 2023, adding that Debbie Pocock was incredible and the glue that held everything together. When he began three years, things were not great and he worked with her to develop policies, etc. and we were not on good financial footing. He hoped that she enjoys her retirement and gave heartfelt thanks for her service. Debbie Pocock had put together a wonderful team in the Finance Department, which included Accounting Manager Jerry Murphy and Assistant Treasurer Adrian Oei. A few applications had been received but no one with any public service experience. The decision was made to look internally to fill this position. The assistant treasurer was a newly developed position designed to be a “treasurer-in-training,” to potentially move into the treasurer position. Adrian Oei joined the department in March 2023 and had a lot of skill and had shown initiative and a willingness to learn. John Hozey expressed his confidence in Adrian’s abilities but felt it prudent that he get more experience with the annual flow of the financial activities before being considered for the treasurer’s role. Jerry Murphy was a talented accountant and had a lot of experience with the Town. Jerry Murphy was well respected and understood the annual cycle of our financial activities. John Hozey went on to state that he had met with Debbie Pocock, Adrian Oei, Jerry Murphy and HR Manager Jodi Outland and all agreed that the best option at this time would be to appoint Jerry Murphy as an interim town treasurer with the understanding that in about 9 to 12 months, the situation would be reevaluated. If everyone was comfortable at that time, we would consider moving Adrian Oei into the treasurer’s position.

Motion made by Vice Mayor Bennett, seconded by Councilman Buchholz, to appoint Jerry Murphy as interim town treasurer. The motion was approved by unanimous vote.

Vice Mayor Bennett stated his agreement that this was the perfect solution and thanked everyone for their efforts and Jerry Murphy for stepping up as interim treasurer.

Jerry Murphy thanked everyone for their confidence.

C. *Bank Signatories Resolution*:

John Hozey stated that the last banking resolution was adopted by Council in February 2012, authorizing the positions of Mayor, Town Manager, Treasurer and Town Clerk as signatories for the depository accounts at Shore Bank. Since that time, Shore Bank had changed its name a number of times and was currently known as Atlantic Union Bank. In addition to updating the current name of the banking institution, staff would like to address the possibility of extended absences or vacancies of one or more of the authorized signing positions, which could significantly hinder the effective operation of town business. This was especially noticeable this summer when Deborah Pocock went on vacation in July, then broke her kneecap when returning from vacation, forcing her to work from home. Proposed Resolution 20230817 would add the assistant treasurer as another authorized signatory, in addition to the interim treasurer, and would also allow the Mayor or town manager to appoint interim signers, accompanied with written notice to the Town Council, in cases of extended absences or vacancies in any of the authorized positions. Any changes in authorized signatories would require the completion of a new set of signature cards from the bank.

Motion made by Councilman Grossman, seconded by Councilman Buchholz, to adopt Resolution 20230817 to Amend the Staff Positions Authorized to Sign Banking Documents for the Municipal Corporation of Cape Charles’ Depository Accounts. Mayor Charney moved for adoption of Resolution 20230817 as noticed and forewent reading of the Resolution. The motion was approved by unanimous vote. Roll call vote: Bennett, yes; Buchholz, yes; Butta, yes; Follmer, yes; Grossman, yes; Holloway, yes.

D. *Cape Charles Rosenwald School Letter of Support to Dept. of Historic Resources:*

John Hozey stated that the Cape Charles Rosenwald School was being nominated to be listed on the National Register of Historic Places and in the Virginia Landmarks Register. The Virginia Department of Historic Resources (VDHR) scheduled the nomination for presentation to their boards on September 21, 2023 and requested comments from the Town. Staff recommended Council approval to submit a letter to the VDHR supporting the nomination of the Cape Charles Rosenwald School for inclusion in the National Register of Historic Places and the Virginia Landmarks Register.

Motion made by Vice Mayor Bennett, seconded by Councilman Buchholz, to approve submittal of a letter of support to the Virginia Department of Historic Resources for the nomination of the Cape Charles Rosenwald School for inclusion in the National Register of Historic Places and the Virginia Landmarks Register. The motion was approved by unanimous vote.

Councilman Buchholz asked that Cape Charles Main Street consider readjusting their boundaries to Cassatt Parkway, to include the Rosenwald School. This would help the Cape Charles Rosenwald School Restoration Initiative (CCRSRI) to pursue national grant funding opportunities.

CCMS Executive Director Karen Zamorski asked for a map depicting the exact boundaries so she could submit the request to the Department of Housing & Community Development.

John Hozey noted that the property across the street from the Rosenwald School could also be developed commercially at some point.

TOWN MANAGER COMMENTS

John Hozey commented as follows:

- i) The Visitor Center/Restroom was a big project but the advertisement for bids was on the street with a deadline of September 8. He was not sure whether the bids could be reviewed, and information compiled for Council review at the September 21 regular meeting. Staff would try, but a special meeting might have to be scheduled.
- ii) He just found out that the Kings Creek Dredge Project was moving forward, and the Town had been left out of the loop, just like last year when we were not notified of the project cancellation. The contract had been awarded and mobilization was expected after Labor Day with dredging to begin on September 14 and continue through the end of October. Two weeks were added as weather contingency days so the project could continue until November 20. He requested the contact information for the contractor but had not yet received the information. The sand placement would begin at the north end of the beach and that area would be closed beginning mid-September. We would keep as much of the beach open as possible. Sand fencing would be installed. There was much discussion regarding this item. A public message will be issued as soon the necessary information had been received.
- iii) It's almost time for the annual ice cream social. He would like to set a standard date for this event for the last Thursday in September for future years. This year's ice cream social would be held on September 28. We had been alternating vendors with Chase's the first year, and Cowlick's last year. This year, we will be going to Brown Dog Ice Cream. Council was polled and everyone was available on September 28.
- iv) He had previously reported that State Corporation Commission's public hearing would be in March 2024, but there was a possibility that the date could be moved into February. If the public hearing date was moved up, it was possible to have the closing of the public utilities sale in April.

- v) He reported the hiring of Meadow Noonan at the water treatment plant.
- vi) The Short-Term Rental (STR) Committee was earnestly working on their recommendations. They were holding two meetings in August. The committee's goal was to have their recommendations ready to present after the zoning ordinance updates had been finalized. The STR committee included members from the Bay Creek community, the Vacation Homeowners Association, the Historic District Civic League, Katie Nunez and himself. Once the recommendations were ready, joint work sessions with the Town Council and Planning Commission would be scheduled followed by a Town Hall meeting.
- vii) His new grandson was born two weeks ago, so he would be out the second half of September in Alaska. He would participate in the regular meeting via conference call but would be back for the ice cream social on September 28th.

MAYOR AND COUNCIL COMMENTS

Vice Mayor Bennett commented as follows: i) He stated that he attended a meeting from a landscaping group which included attendees from Bay Creek and the Historic District. There was a speaker from the Virginia Cooperative Extension who talked about native plantings. It was very informative. Someone brought up that they wanted Cape Charles to become a Bee City, and there was discussion regarding mosquito spraying and the impacts to bees. The group would be coming to Council at some point to make a presentation with suggestions on how the Town could move forward to become designated as a Bee City. John Hozey stated that he had been approached a while back about becoming a Bee City and he was glad to hear that a group had formed and would be working on bringing their recommendations to Council; ii) He thanked Deborah Pocock and her career with the Town of Cape Charles. She was the best treasurer by far since he had been on the Town Council. He looked forward to working with Jerry Murphy. Deborah Pocock was a hard act to follow, and we were losing a great employee.

Councilman Buchholz congratulated CCRSRI for getting their big grant for \$1M. It was a lot of work and well done.

Mayor Charney, Councilmen Butta, Follmer and Grossman, and Councilwoman Holloway did not have any additional comments.

Mayor Charney read the announcements.

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

The Regular Meeting adjourned at 7:26 p.m.

Mayor Charney

Town Clerk

**August 17, 2023 Town Council Regular Meeting
Comments and Information Provided in Writing**

Cape Charles Main Street Town Council Presentation – FY 2023 Recap & Look Forward



1



Meet the Team – Staff





Karen Zamorski
Executive
Director



Emily Martinez
Marketing
Administrator

2

Our Board of Directors



Bill Stramm
President



Patsy Harris
Vice President



John Hozey
Board Member
at Large



Jay Abella
Co-Chair
Economic Vitality



Ken Butta
Co-Chair
Economic Vitality



Mollie Pickron
Co-Chair Design

?

Open
Co-Chair Design



Tara Ashworth
Co-Chair
Promotions



Julie Crouse
Co-Chair
Promotions



Gerry Taylor
Co-Chair
Organization



Pat James
Co-Chair
Organization

?

Business Liaison

3

DHCD Support for Cape Charles

- **Designated Community Revitalization Specialist at DHCD**
- **Access to Grants exclusive to Virginia Main Street Communities**
- **Free Access to Frasier & Associates**
- **Creating Community Vitality Training Series**
- **Access to National Main Street Partners:**
 - Center for Nonprofit Excellence
 - Main Street America
 - Esri: GIS Mapping Software, Location Intelligence
 - Preservation Virginia
 - Virginia Community Capital
 - Virginia Community Development Corporation

4

Our Accomplishments by the numbers

Drumroll please...

5



What Cape Charles Main Street has delivered In our past Fiscal Year (July 1, 2022 to June 30, 2023)

BUSINESS/TOWN Mkt. SUPPORT - \$55,233 Plus \$269,354 in grants = \$324,587	BEAUTIFICATION/SPONSORED PROJECTS - \$45,567	EVENTS - \$84,809 Includes Marketing Costs for Events
➤ Applied for and received grants totaling \$269,354 FY2024 (see break-down on next page) ➤ Updated and printed an additional 62,000 maps distributed to welcome centers and key travel locations across Virginia and neighboring states. \$22,436 ➤ Held Monthly Main Street Connect meetings for businesses \$1447 ➤ Continued to update and build on the CCVC website with CCMS Microsite and social media pages \$9611 ➤ Job Fair - \$801 ➤ Buy Local Campaign on WESR Radio \$300 ➤ Produced a new Business Brochure \$300 ➤ Marketed Cape Charles through various print/Digital campaigns \$8,723 ➤ First annual report produced - \$5,000 ➤ Cape Charles Video - \$6,615 ➤ Cape Charles Gift Card Program*	➤ Beautification projects (benches, planters, beds flowers - \$14,170 ➤ Moved remediated Train car to its permanent location. Will include a visitor center/brick & mortar bathroom. Completed initial restoration of the steel sides and ends. \$31,397	➤ Cape Charles Main Street Annual Meeting - Heart & Soul in a Bowl \$1,090 ➤ Organized Spring Sidewalk Sale - \$150 ➤ Sponsored the Easter Bunny event with family photo opportunity ➤ Celebrated 25 "Best of Virginia Winners"- \$1,500 ➤ Third Annual Love Run - \$19,313 ➤ LOVEFEST in the Park - \$8,150 ➤ Festive Fridays - \$54,293 ➤ Love the Locals - \$313

* More info to follow

6

Grants for FY2024 and Carryover of FY2023

	AMOUNT	NOTES
NC Infrastructure – Commercial District Bathroom with Visitor Center	\$ 67,666	Carryover from 2023 (\$100k)
NC Infrastructure – Cape Charles Bathrooms (Beach or Comm. District)	\$ 25,000	Carry over from FY2023
NC Infrastructure - Golf Cart Path	\$ 2,995	
NC Visitors Map	\$ 6,000	
NC Walking Tour	\$ 5,000	
NC Love Run	\$ 4,000	
NC Love Fest	\$ 4,000	
NC Infrastructure Visitor Center/Bathroom and Train seating Area	\$ 10,720	
NC Infrastructure Rockers Surrounding Visitors Center	\$ 4,908	
NC Infrastructure Train/Rail Car Storyboards	\$ 7,565	
NC Infrastructure Train Car Restoration	\$ 42,000	
NC Festive Fridays	\$ 12,000	
VTC – Festive Fridays	\$ 7,500	
VTC/DMO Grant	\$ 20,000	
NC/VTC ARPA Tourism (Bathroom/visitor ctr, Blogs)	\$ 40,000	
VTC Drive Outdoor	\$ 10,000	
Total Grants Received	\$ 269,354	
NC Infrastructure Lighting for Mason Ave and SSP	\$ 39,252	Application Pending
DHCD DIG Grant	\$ 70,148	Application Pending
Total Grants Pending	\$ 109,400	

7

Events Completed FY2023

- **Annual Love Run 2023 – 5K & first 10k with approximately 250 runners registered**
- **Love the Locals, February 5–11, 2023 Help bring people out to shop and dine in off season**
- **Easter Bunny At the Park and Strawberry Street Plaza – Dovetail with Town Easter Egg hunt to bring people into town**
- **Best of Virginia Celebration – 17 winners in 2023**
- **Festive Fridays – Thanksgiving through Dec. 2023 (Summary Report was included in January 2023 report)**

8

Thank You Volunteers!



9

Our Volunteers ROCK!

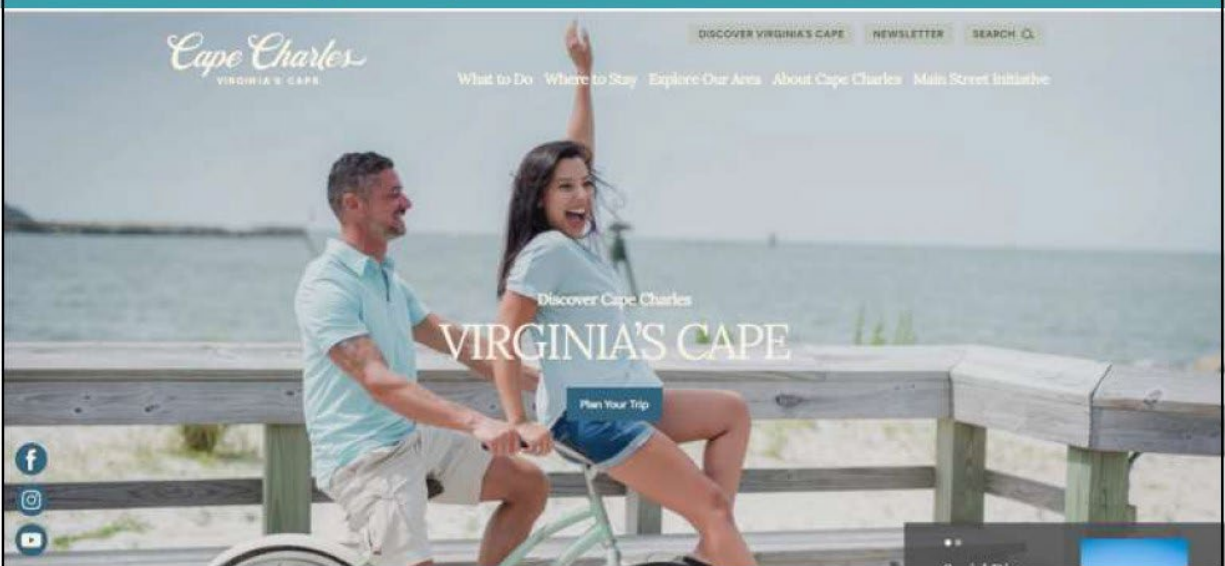
Volunteer Hours FY23 :
4,266 hrs. = \$120,970

Total Volunteer Hours to Date for CCMS:
11,769 hrs. = \$333,731



10

Marketing Cape Charles – What's New?



11



Cape Charles Gift Card Program

A Gift Card that works at these 27 local businesses in Downtown Cape Charles, VA 📍



AJ's Bar & Grill

AJ's features delicious, casual American cuisine inspired by local flavors and seafood. ...



Ambrogia Caffè & Enoteca

Experience the flavors of Italy in Cape Charles at Ambrogia Caffè & Enoteca: authentic ...



Asbury Collective

A beloved local yoga studio and shop with a variety of classes for all. Slow flow, ...



Bailey's Bait & Tackle

Bailey's Bait and Tackle is your source for Eastern Shore of Virginia fishing tackle, bait, a...



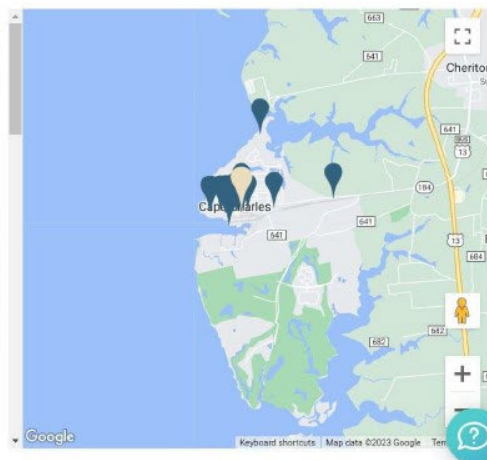
Bay Haven Inn of Cape Charles

This historic Bed and Breakfast run by Tammy and Jim features four bedrooms, gorgeous ...



Brown Dog Ice Cream

Handcrafted quality ice cream using locally sourced ingredients!



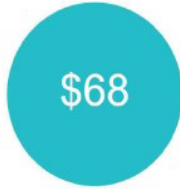
[Did we miss a favorite local business? Let us know!](#)

12

Cape Charles Gift Card Program

Keep Dollars Local

Buying a Downtown Cape Charles Local Gift Card guarantees money stays local. For every \$100 spent in Downtown Cape Charles anywhere from \$43 to \$68 or more stays local. The Downtown Cape Charles Local Gift Card helps multiply this impact.



Local Business



Big Box Store

AMOUNT	TRANSACTIONS
\$4,245.00	Loaded
\$1,339.55	Spent
\$2,905.45	Outstanding



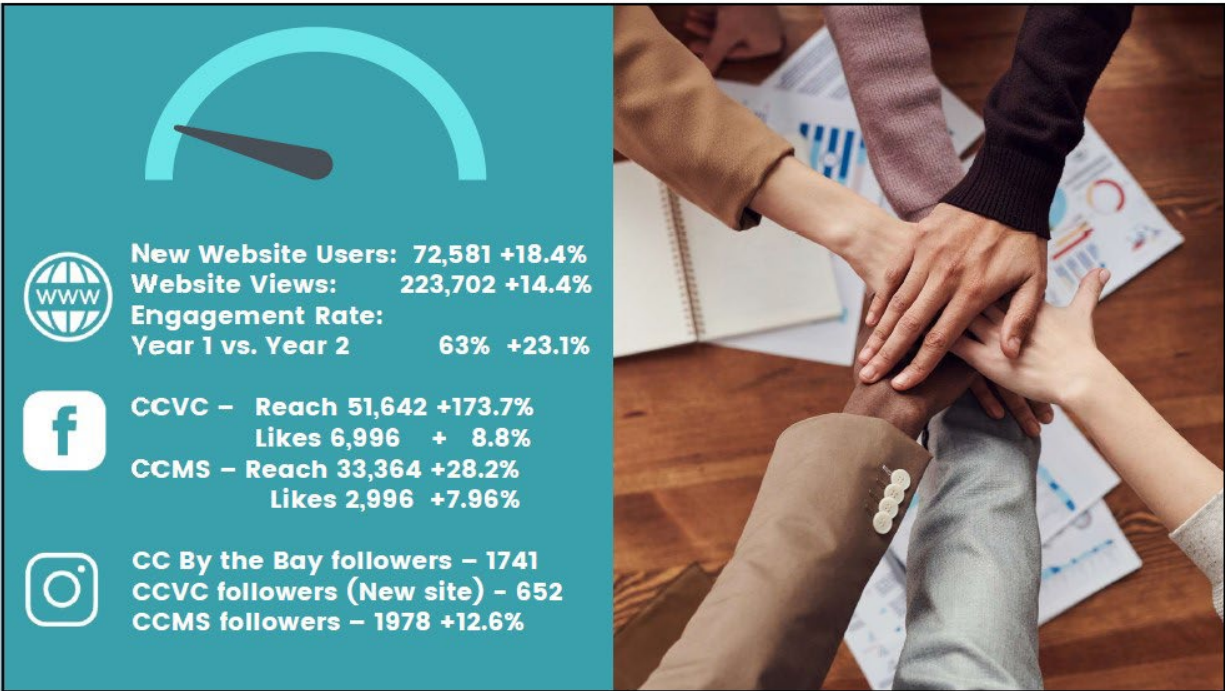
Start Date: End Date:

13

FY2021-FY2023 Meals & TOT Tax Comparison

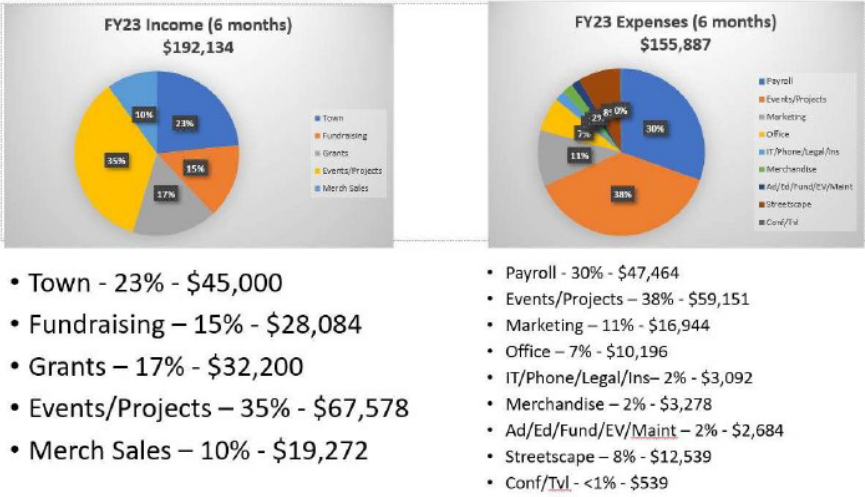
	FY2021	FY2022	FY2023
TOT	\$240,217	\$343,450 +43%	\$557,471 62%
Meals (Does not include .5% Capital tax)	\$514,720	\$650,619 26%	\$745,181 15%

14



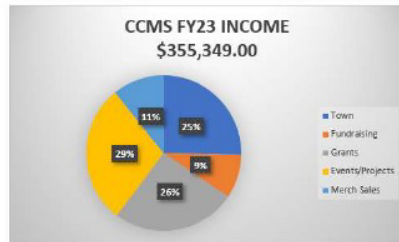
15

CCMS Financials FY23 – 6 Month Report

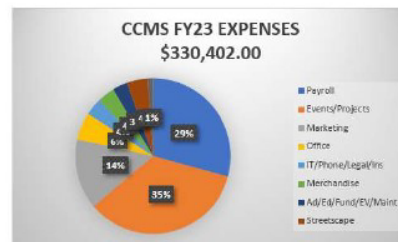


16

CCMS Financials FY23 – Year End



- Town - 25% - \$90,000
- Fundraising – 9% - \$32,163
- Grants – 26% - \$92,200
- Events/Projects – 29% - \$102,739
- Merch Sales – 11% - \$38,247



- Payroll - 29% - \$96,660
- Events/Projects – 35% - \$114,610
- Marketing – 14% - \$48,078
- Office – 6% - \$18,853
- IT/Phone/Legal/Ins– 4% - \$11,735
- Merchandise – 4% - \$12,172
- Ad/Ed/Fund/EV/Maint – 3% - \$10,349
- Streetscape – 4% - \$14,170
- Conf/Tvl - 1% - \$3,775

17

WHAT'S NEXT?

Four key Infrastructure/Beautification projects FY2024*

- New Visitor Center, Bathrooms, Offices
- Shade for Strawberry Street Plaza
- Entrance to Cape Charles
- Lights for SSP and Mason Ave

* More details following

- LoveFest – 9/2/23, 6 pm to 9 pm
- Heart & Soul Soup Night 11/13/23
- Festive Fridays 2023 (Nov. 24, Dec. 1, 8, 15& 23)
- Love the Locals week 2/4/24 to 2/11/24
- Love Run5k/10k , April 20, 2024
- Launch of Historic Walking 10/2023

18



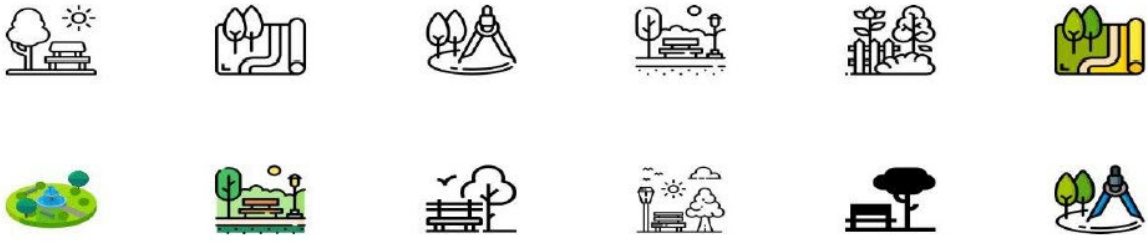
19

Entrance to Cape Charles

Concept: CCMS to head up project for the beautification of the entrance to Cape Charles from Route 13 to Fig Street

- Set up meeting with core group: County, Canowie, Town (discuss and understand what the process should be for project undertaking)
 - Research ownership/responsibility for both North and South sides of Route 184
 - Gather input from stakeholders on desired concepts and outcome
 - Develop SOW for project to include: landscape design, installation, costs, maintenance, etc.

20



Shade in Strawberry Street Plaza Lighting on Mason Ave and Strawberry St. Plaza

Provide shade over seating areas in Strawberry Street Plaza – CCMS is researching appropriate solutions . We have applied for a grant to help offset the cost of this project. Grant is Pending.

Lighting on Mason Ave & SSP – Have applied for a grant to light 42 trees on Mason Ave and 4 in SSP that would remain in place permanently with maintenance done 2x per year. Grant is Pending.

21



Thank You All!

22

June 2023 Treasurer's Report

Page 1 – Cash Position

- Staff is recording unrealized losses for the VIP 1–3-year investment fund due to current market conditions, however it is expected that this fund will recover by the end of the term.
- Facility Fee Reserve cash balance is \$3,068,783.

Page 2 – Revenue vs. Expenditures

- These numbers are preliminary. Closing revenue and expense accruals are pending, and late invoices must be paid before the 2023 fiscal year can be closed on September 30, 2023.

Page 3 – Capital Projects

- The public works utility vehicle and grounds maintenance equipment purchases are complete.
- A small progress payment was made on the Multi-Use Trail project.
- Details of the HBA invoices were analyzed and inquiries were made, and it was possible to allocate most of the invoices to individual projects on a pro-rata basis. The library and municipal center allocations may be intermingled somewhat. The changes are reflected on this report.

Page 4 – Tax Collection Rate

- No comments.

Page 5 – Tax Revenue Trends

- Sales and use tax decreased 1.5% from June 2022.
- Transient occupancy tax revenue is 50.7% greater than last year.
- Meals tax has increased by 14.5%.
- Business license fees are 32.9% higher than last year at this time.
- Planning and Building fees show a 11.4% increase over year-to-date June 2022.

MUNICIPAL CORPORATION OF CAPE CHARLES TREASURER'S REPORT June 30, 2023

<u>Cash on Hand</u>	<u>5/31/2023</u>	<u>6/30/2023</u>	<u>Increase/ (Decrease)</u>
Atlantic Union Bank Checking Account	\$668,821	\$507,775	-\$161,046
Atlantic Union Bank Money Market Account	\$647,550	\$747,841	\$100,291
LGP Account 1 - Unrestricted	\$108,183	\$108,849	\$466
LGP Account 2 - Unrestricted	\$313,825	\$315,307	\$1,481
Virginia Investment Pool Liquidity Unassigned	\$2,259,848	\$2,269,620	\$9,772
Virginia Investment Pool 1-3 Year Unassigned	\$1,013,405	\$1,008,445	-\$4,960
Total Cash On Hand	\$5,011,632	\$4,957,636	-\$53,996

<u>Restricted and Reserved Cash Balances</u>	<u>5/31/2023</u>	<u>6/30/2023</u>	<u>Increase/ (Decrease)</u>
Atlantic Union Bank Checking Account - Police Funds	\$431	\$431	\$0
LGP Account 2 - Restricted for USDA loan covenant	\$30,033	\$30,033	\$0
Atlantic Union checking Acct Library CD converted to cash	\$11,131	\$11,131	\$0
Atlantic Union Bank Checking Acct - E-Summons Revenue Rsvd	\$11,211	\$12,064	\$853
US Bank - Reserved per VRA Interest Free Loan Requirements	\$257,581	\$258,593	\$1,012
Wells Fargo 2010 Debt Service pass through account #300	\$3,048	\$3,061	\$13
Wells Fargo 2010 Debt Service pass through account #308	\$1,090	\$1,094	\$5
Atlantic Union Money Market # ARPA CRF #5847	\$594,738	\$594,983	\$244
Virginia Investment Pool Liquidity Acct#1 Facility Fees Rsvd (Utilities)	\$3,013,194	\$3,068,783	\$55,589
Total Cash Held in Reserve	\$3,922,457	\$3,980,172	\$57,715
Total Cash - All Accounts	\$8,934,089	\$8,937,809	\$3,720

DEBT SERVICE

Net Debt as of Current Reporting Month End
(Excludes USDA vehicle and equipment loans)

\$5,204,561

REVENUE VS. EXPENDITURES

FUND	CURRENT MONTH	PRIOR YEAR-TO-DATE	CURRENT YEAR-TO-DATE	INCREASE/ (DECREASE) YTD	ANNUAL BUDGET	% REALIZED/ EXPENDED FY23
GENERAL Fund						
REVENUE	\$231,500	\$3,983,118	\$4,524,071	\$540,953	\$4,545,819	99.52%
EXPENDITURES	\$352,411	\$2,902,477	\$3,755,978	\$853,501	\$4,545,819	82.62%
NET	(\$120,911)	\$1,080,641	\$768,093	(\$312,548)	\$0	
GENERAL Capital Fund						
REVENUE	\$7,689	\$65,062	\$1,154,573	\$1,089,511	\$2,213,543	52.16%
EXPENDITURES	\$156,837	\$121,615	\$601,098	\$479,483	\$2,213,543	27.16%
NET	(\$149,148)	(\$56,553)	\$553,475	\$610,029	\$0	
GENERAL Debt Service Fund						
REVENUE	\$19,433	\$267,131	\$241,873	-\$25,259	\$249,571	96.92%
EXPENDITURES	\$19,433	\$267,131	\$241,873	-\$25,259	\$249,571	96.92%
NET	\$0	\$0	\$0	\$0	\$0	
GENERAL Special Activities Fund						
REVENUE	\$1,299	\$481,043	\$578,561	\$97,517	\$950,727	60.85%
EXPENDITURES	\$0	\$614,968	\$766,642	\$151,674	\$950,727	80.64%
NET	\$1,299	(\$133,925)	(\$188,082)	(\$54,157)	\$0	

REVENUE VS. EXPENDITURES

FUND	CURRENT MONTH	PRIOR YEAR-TO-DATE	CURRENT YEAR-TO-DATE	INCREASE/ (DECREASE) YTD	ANNUAL BUDGET	% REALIZED/ EXPENDED FY23
PUBLIC UTILITIES Fund						
REVENUE - Operating	\$195,970	\$1,463,043	\$2,081,379	\$618,336	\$2,709,736	76.81%
EXPENDITURES - Operating	\$72,047	\$451,555	\$1,245,667	\$794,112	\$1,692,817	73.59%
NET	\$123,923	\$1,011,488	\$835,712	(\$175,776)	\$1,016,919	
REVENUE - CAPITAL GRANTS, LOANS	\$0	\$469,067	\$0	-\$469,067	\$0	
REVENUE - FACILITY FEES	\$91,203	\$717,304	\$564,917	-\$152,388	\$466,400	121.12%
EXPENDED - FACIL FEES, CAPITAL PROJECTS, DEBT SVC	\$96,207	\$1,253,256	\$1,111,439	-\$141,816	\$1,016,919	109.29%
TOWN CONTRIB. & PENDING GRANTS	(\$5,004)	(\$66,884)	(\$546,522)	(\$479,638)	(\$1,016,919)	
HARBOR Fund						
REVENUE - Operating	\$161,192	\$923,966	\$978,841	\$54,874	\$1,042,545	93.89%
EXPENDITURES - Operating	\$52,242	\$681,126	\$778,439	\$97,312	\$992,438	78.44%
NET	\$108,950	\$242,840	\$200,402	(\$42,438)	\$50,107	
REVENUE - GRANTS & LOANS	\$0	\$30,754	\$0	-\$30,754	\$41,893	0.00%
TRANSFERRED FM GEN FUND FOR DEBT SERVICE	\$0	\$102,954	\$103,499	\$546	\$104,950	98.62%
EXPENDED - Capital Projects, Debt Svc	\$0	\$143,054	\$212,091	\$69,037	\$196,950	107.69%
TOWN CONTRIB. & PENDING GRANTS	\$0	(\$9,346)	(\$108,591)	(\$99,245)	(\$50,107)	
SANITATION Fund						
REVENUE	\$24,043	\$246,229	\$282,688	\$36,459	\$457,258	61.82%
EXPENDITURES	\$48,650	\$263,098	\$459,874	\$196,777	\$457,258	100.57%
NET	(\$24,607)	(\$16,869)	(\$177,187)	(\$160,318)	\$0	

FY 2023 Capital Improvement Project Tracking Report

As of:
6/30/2023

	FY23 Status or Start Date	Percent of Completion	FY23 Budgeted	QTR 1 Expended	QTR 2 Expended	QTR 3 Expended	QTR 4 Expended	FY23 YTD Expended	(Over)/Under Budget
General Capital Fund									
								446,819	482,429
Multi-Use Trails, Phase 3 Construction	<u>Bid process</u>	2%	\$ 929,922	\$ 12,070	\$ -	\$ 813	\$ 5,669	\$ 18,551	\$ 911,371
Municipal Space Replacement Planning (ARPA) - HBA	<u>In process</u>	73%	\$ 550,000	\$ 55,250	\$ 36,042	\$ 164,171	\$ 147,567	\$ 403,031	\$ 146,969
Welcome Center Design - HBA	<u>In process</u>	17%	\$ 110,000	\$ 2,573	\$ 1,678	\$ 7,644	\$ 6,871	\$ 18,766	\$ 91,234
Library Upgrade & Condo-ization - HBA	<u>In process</u>	74%	\$ 34,000	\$ 3,430	\$ 2,238	\$ 10,192	\$ 9,162	\$ 25,022	\$ 8,978
Mason Avenue Parking Lot Improvement	<u>Postponed</u>	0%	\$ 20,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 20,000
South Beach Restroom Renovation	<u>Postponed</u>	0%	\$ 40,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 40,000
Gator for Public Works Staff	<u>Completed</u>	100%	\$ 26,500	\$ -	\$ -	\$ -	\$ 26,000	\$ 26,000	\$ 500
Grounds Maintenance Equipment for PW	<u>Completed</u>	100%	\$ 33,270	\$ 24,228	\$ -	\$ -	\$ 7,775	\$ 32,003	\$ 1,267
Central Park Game Area for Adults (CCP)	<u>Completed</u>	100%	\$ 29,000	\$ -	\$ 11,614	\$ -	\$ 2,500	\$ 14,114	\$ 14,886
Storage Facility (3 x connexes + roofing)	<u>Completed for FY23</u>	100%	\$ 20,000	\$ -	\$ -	\$ 38,610	\$ -	\$ 38,610	\$ (18,610)
Capital Project Contingency		0%	\$ 75,040	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 75,040
Public Trash Can Replacements, late FY22 project	<u>Completed</u>	100%	\$ 25,000	\$ 25,000	\$ -	\$ -	\$ -	\$ 25,000	\$ -
subtotal	\$	-	\$ 1,892,732	\$ 122,552	\$ 51,572	\$ 221,431	\$ 205,544	\$ 601,098	\$ 1,291,634
Utility Fund - Water									
Kack Well Connection (Engineering)	<u>In Process</u>	76%	\$ 60,000	\$ 2,286	\$ 32,010	\$ 7,622	\$ 3,811	\$ 45,729	\$ 14,271
Utility Fund - Wastewater									
Deposit on Membrane Replacement (contingency)	<u>Completed (deposit)</u>	100%	\$ 26,192	\$ 26,192	\$ -	\$ -	\$ -	\$ 26,192.00	\$ -
Sewer Pod Controller Upgrades Phase 2 of 5	<u>Pending</u>	0%	\$ 14,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 14,500
subtotal	\$	-	\$ 100,692	\$ 28,478	\$ 32,010	\$ 7,622	\$ 3,811	\$ 71,921	\$ 28,771
Harbor Fund									
Fuel System-Relocate Emergency Stop Switches	<u>Not needed</u>	0%	\$ 10,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,500
Fuel Management System Replacement	<u>Completed</u>	109%	\$ 42,000	\$ -	\$ -	\$ 45,864	\$ -	\$ 45,864	\$ (3,864)
Inner Harbor King Pile & Waler Replacement Design	<u>In process</u>	91%	\$ 40,000	\$ -	\$ -	\$ 36,478	\$ -	\$ 36,478	\$ 3,523
Inshore Breakwater repair planning (from contingency)	<u>In process</u>	100%	\$ 10,500	\$ -	\$ -	\$ 10,500	\$ -	\$ 10,500	\$ -
subtotal	\$	-	\$ 103,000	\$ -	\$ -	\$ 92,841	\$ -	\$ 92,841	\$ 10,159
TOTAL	\$	-	\$ 2,096,424	\$ 151,030	\$ 83,582	\$ 321,894	\$ 209,355	\$ 765,860	\$ 1,330,564
*ITEMS WITH CURRENT MONTH ACTIVITY ARE IN BOLD PRINT									

MUNICIPAL CORPORATION OF CAPE CHARLES June 30, 2023

YTD 2022 Real Estate Tax Collections

Total Taxable Land Value	302,643,900	
Total Improvement Value	447,005,000	
Exemptions	(9,455,398)	
Additional Assessments (SCC Utility)	4,074,010	
Total Real Estate Value (taxable)	744,267,512	
Total Budgeted	1,559,242	
Total Tax Billed	1,606,830	
Total Adjustments	(158)	
Total Collected YTD (percent of billed)	<u>1,583,347</u>	99%
Amount Due per Accounts Receivable	23,325	

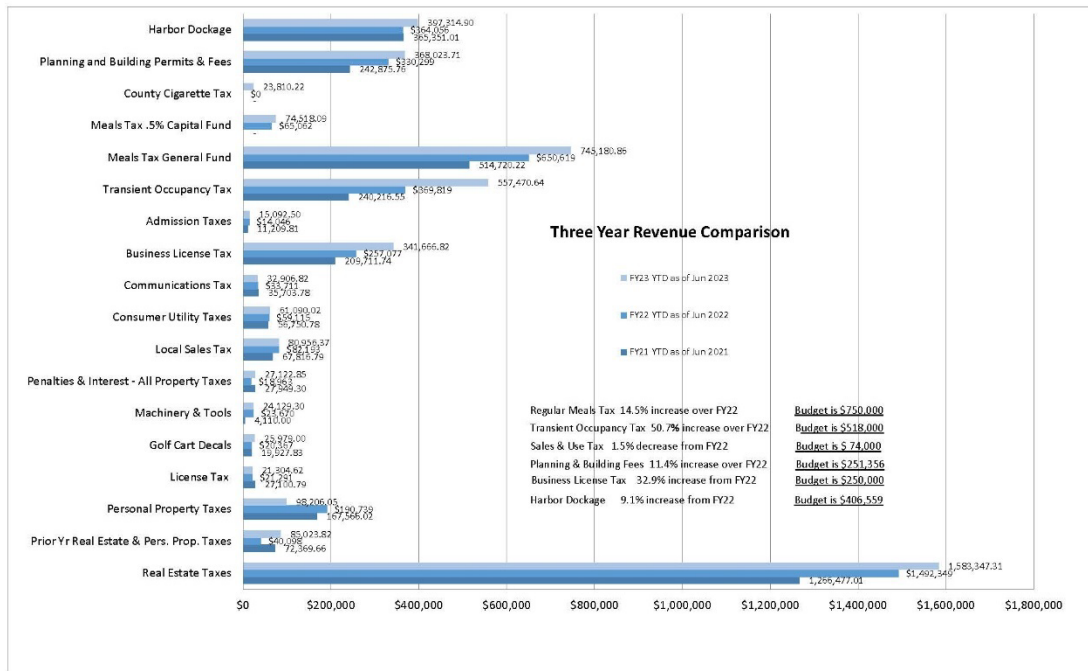
YTD 2022 Personal Property Tax, Machinery and Tools Tax & 2022 License Tax Collections

Total Personal Property Value	23,243,305	
2022 Reduction Due to Proration	(879,148)	
Personal Property Billable Valuation	22,364,159	
2022 PPTRA Valuation Reduction	(9,568,117)	
2022 Supplemental Assessments	-	
2022 Supplemental PPTRA & Exonerations	-	
Personal Property Value, billed	-	
Total Value for 2022 & 2022 Supplemental	22,364,159	

Total Budgeted	140,000	
Total Tax Billed less PPTRA	204,003	
2022 Supplemental Tax Billing	-	
Total Adjustments & Additional Exonerations	35,623	
Total Collected YTD (percent of billed)	<u>143,640</u>	60%
Amount Due per Accounts Receivable	24,740	

YTD Prior Year Real Estate Tax, Personal Property Tax, Interest and Penalty Collections

Total Budgeted	76,462	
Total Collected (percent of budget)	<u>112,147</u>	147%
Amount Due Per Budget	(35,685)	



Item #8A – Harbor Projects Contract Award:

August 18, 2023

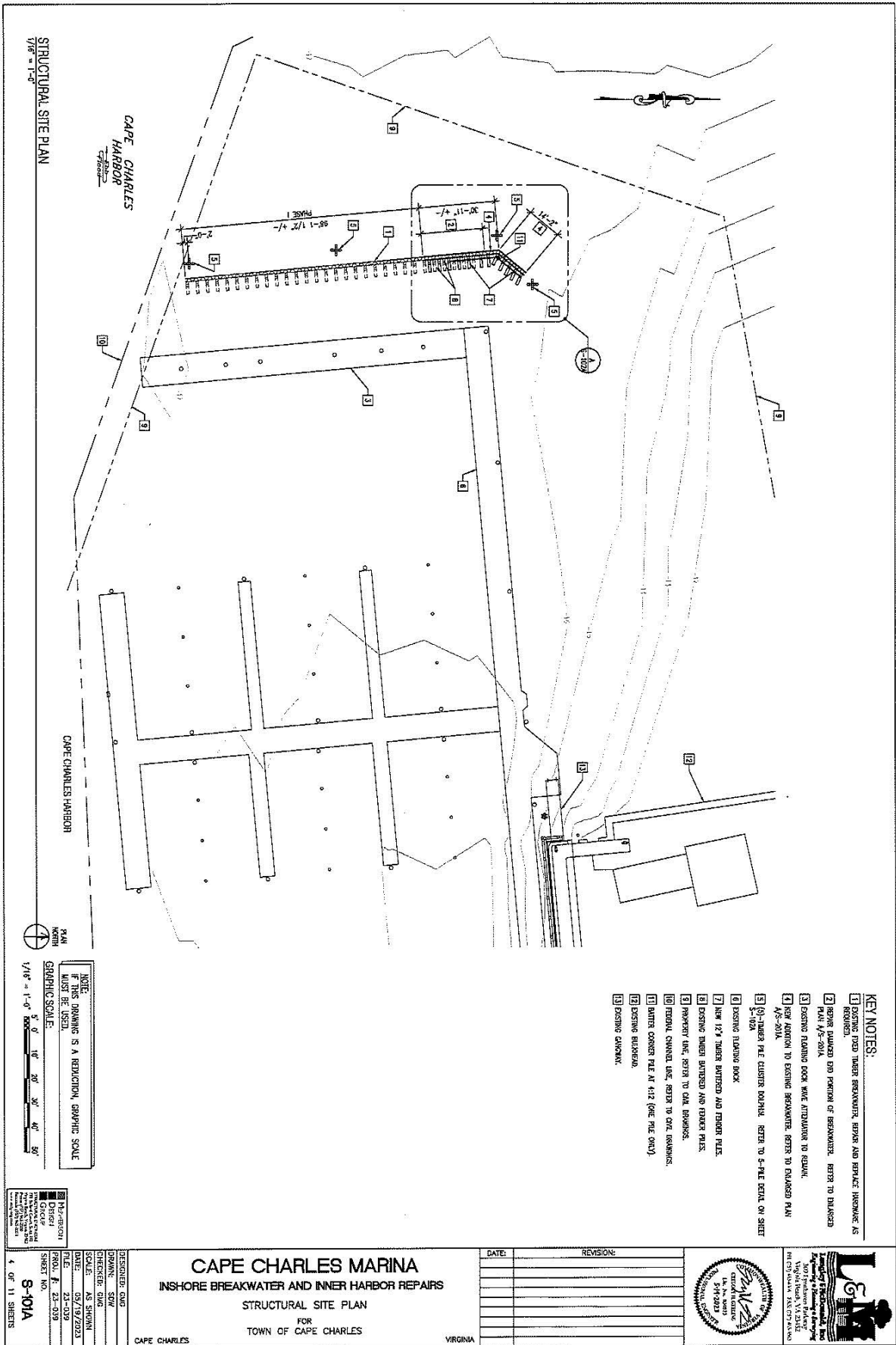
Town of Cape Charles

Inshore Breakwater Repair and Reinforcement

1. Repair & Reinforcement - \$181,530
2. Four Dolphins - \$74,420

Contract price = \$255,950

Construction phase engineering by Langley & McDonald is \$8,250.



KEYNOTES:

1. EXISTING FIXED TIMBER BREAKWATER, REPAIR AND REPLACE HARDWARE AS REQUIRED.
2. REPAIR DAMAGED END PORTION OF BREAKWATER. REFER TO ENLARGED PLAN A/S-201A.
3. EXISTING FLOATING DOCK, MAKE ALTERATIONS TO SECURE.
4. NEW ADDITION TO EXISTING BREAKWATER. REFER TO ENLARGED PLAN A/S-201K.
5. 12x12 PILE CLUSTER LAYOUT. REFER TO S-PILE DETAIL ON SHEET S-101A.
6. EXISTING FLOATING DOCK.
7. NEW 12' x 7' TIMBER BATTERED AND TIMBER PILES.
8. EXISTING TIMBER BATTERED AND TIMBER PILES.
9. TEMPORARY PIER, REFER TO O&M DRAWINGS.
10. PROPOSED CHANNEL LINE, REFER TO O&M DRAWINGS.
11. BATTER CORNER PILE AT 4:12 (ONE PILE ONLY).
12. EXISTING BULKHEAD.
13. EXISTING CHANNEL.

NOTE:
THIS DRAWING IS A REDUCTION, GRAPHIC SCALE
AS SHOWN.

GRAPHIC SCALE:
1/16" = 1'-0"

DESIGNED BY	PROJECT NO.
DRAWN BY	DATE
CHECKED BY	FILE
SCALE	PROJ. #
DATE	SHEET NO.
FILE	

CAPE CHARLES MARINA
INSHORE BREAKWATER AND INNER HARBOR REPAIRS
STRUCTURAL SITE PLAN
 FOR
 TOWN OF CAPE CHARLES
 VIRGINIA

DATE:	REVISION:



August 18, 2023

Town of Cape Charles

Inner Harbor Bulkhead Rehabilitation

1. Phase 1 - \$164,050

Thirty two (32) piles and approximately 200 linear feet of horizontal wales.

Stations 20+30.39 to 18+30.65.

2. Phase 2 - \$181,200

Thirty nine (39) piles and approximately 240 linear feet of horizontal wales.

Station 18+30.65 to north side of fixed dock.

Contract price for Phases 1&2 = \$345,250

3. Phase 3 - \$171,870

Twenty seven (27) piles and approximately 160 linear feet of horizontal wales.

South side of fixed dock to Station 14+02.86.

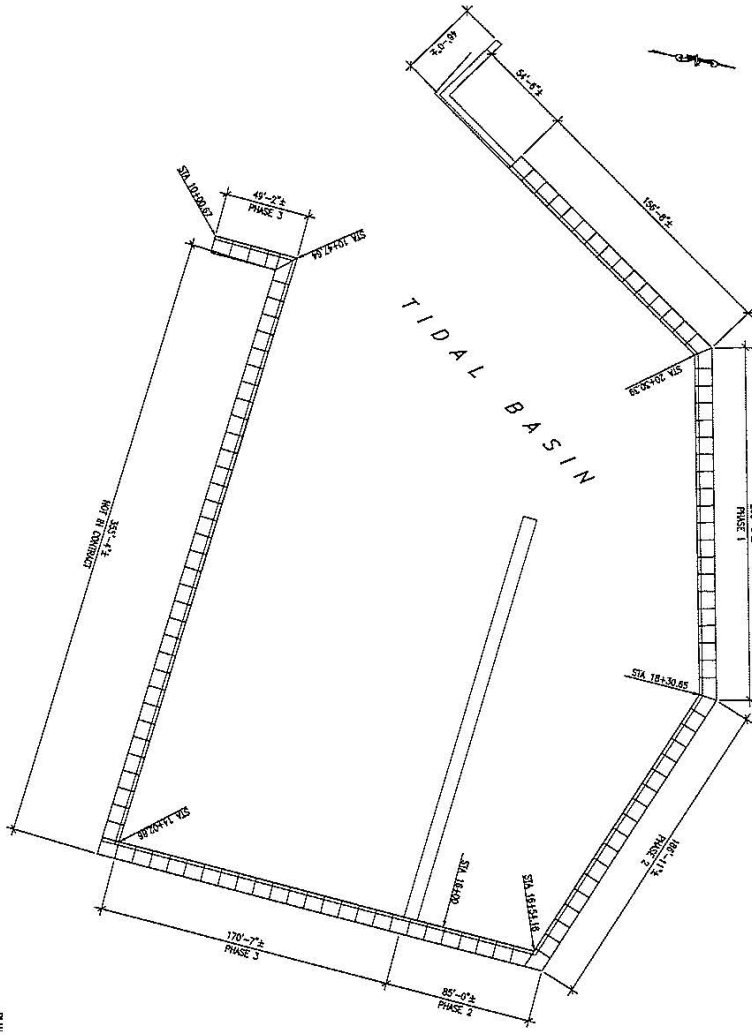
Ten (10) piles and approximately 50 linear feet of horizontal wales

Stations 10+47.64 to 10+00.67.

Phase 3 bid alternate not awarded.

Construction phase engineering by Langley & McDonald is \$10,500.

SITE PLAN
1" = 30'-0"



GENERAL STRUCTURAL NOTES:

1. PHASE 1 CONSISTS OF THE PORTION OF THE SPANAL SWIRLING AT STATION 18+30.65 AND BEING AT STATION 20+30.39, APPROXIMATELY 200 LINEAR FEET. TOTAL NUMBER OF TURNER PILES - 33 PILES. APPROXIMATE NUMBER OF PILES TO BE REPLACED - 33 PILES. REPLACE APPROXIMATELY 200 LINEAR FEET OF 604 WALNUT ARE THE LOWER ELEVATION, ON TOP OF THE EXISTING, REFER TO TYPICAL EXISTING SPANAL SECTION AND ELEVATION ON SHEET S-1018 AND TYPICAL SPANAL BEAM SECTION AND ELEVATION ON SHEET S-1019 FOR CONNECTION DETAILS.
2. PHASE 2 CONSISTS OF THE PORTION OF THE SPANAL SWIRLING AT THE NORTH SIDE OF THE FIXED PIER, APPROXIMATELY AT STATION 19+15 TO STATION 19+30.65, APPROXIMATELY 200 LINEAR FEET. TOTAL NUMBER OF TURNER PILES - 41 PILES. APPROXIMATE NUMBER OF PILES TO BE REPLACED - 39 PILES. REPLACE APPROXIMATELY 200 LINEAR FEET OF 604 WALNUT ARE THE LOWER ELEVATION, ON TOP OF THE EXISTING, REFER TO TYPICAL EXISTING SPANAL SECTION AND ELEVATION ON SHEET S-1018 AND TYPICAL SPANAL BEAM SECTION AND ELEVATION ON SHEET S-1019 FOR CONNECTION DETAILS.
3. PHASE 3 CONSISTS OF THE PORTION OF THE SPANAL SWIRLING AT THE SOUTH SIDE OF THE FIXED PIER, APPROXIMATELY AT STATION 14+02.6 AND 10+40.67 TO 10+47.04 APPROXIMATELY 220 LINEAR FEET. TOTAL NUMBER OF TURNER PILES - 40 PILES. APPROXIMATE NUMBER OF PILES TO BE REPLACED - 38 PILES. REPLACE APPROXIMATELY 220 LINEAR FEET OF 604 WALNUT ARE THE LOWER ELEVATION, ON TOP OF THE EXISTING, REFER TO TYPICAL EXISTING SPANAL SECTION AND ELEVATION ON SHEET S-1018 AND TYPICAL SPANAL BEAM SECTION AND ELEVATION ON SHEET S-1019 FOR CONNECTION DETAILS.

NOTE:
THIS DRAWING IS A REDUCTION, GRAPHIC SCALE
MUST BE USED.

GRAPHIC SCALE:
1" = 30'-0"

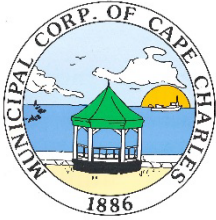


DESIGNED BY: M.J. JOHNSON
CHECKED BY: M.J. JOHNSON
SCALE: AS SHOWN
DATE: 05/19/2023
FILE: 23-039
SHEET NO. S-101B
9 OF 11 SHEETS

CAPE CHARLES MARINA
INSHORE BREAKWATER AND INNER HARBOR REPAIRS
SITE PLAN
FOR
TOWN OF CAPE CHARLES
CAPE CHARLES
VIRGINIA

DATE:	REVISION:





DRAFT
TOWN COUNCIL & PLANNING COMMISSION
Joint Work Session
Cape Charles Civic Center
August 21, 2023
6:00 PM

At approximately 6:00 p.m., Chairman Bill Stramm, having established a quorum, called to order the Work Session of the Planning Commission. In addition to Chairman Stramm, present were Commissioners Bill Ashworth, Paul Grossman, Jim Holloway, Dennis McCoy, Shannon Smith, and Michael Strub.

Mayor Adam Charney, having established a quorum, called to order the Work Session of the Town Council. In addition to Mayor Charney, present were Vice-Mayor Bennett, Councilmen Buchholz and Grossman, and Councilwoman Holloway. Councilman Butta participated via conference call from Richmond, VA. Councilman Follmer was not in attendance.

Staff in attendance were Town Manager John Hozey, Planner/Zoning Administrator Katie Nunez, Planning Administrative Assistant Maureen Meditz, and Town Clerk Libby Hume. There were no members of the public in attendance.

The purpose of the joint work session was to review and discuss the proposed zoning ordinance changes.

Planning Director/Zoning Administrator Katie Nunez began by explaining the issues which caused the delay in getting out the packet and the redline version of the document. She had been working with Summit Engineering Services for about eight months on Summit's SharePoint site, but two days before the agenda packet needed to go out, their site crashed, and the document was lost. She had been working to recreate the document but had been unable to fully create a true redline version. Summit's costs had already exceeded their estimate, so they had been working for free.

Katie Nunez went on to review the Planning Commission Staff Report as follows: i) The Berkeley Group's report titled "*Overcoming Land Use Ordinance Barriers to Housing Development*," which was commissioned by Northampton County but included a review of each town's zoning ordinance from the perspective of housing regulations and development, was reviewed by the Planning Commission and incorporated into this document; ii) The state released a new model Floodplain Ordinance in 2017, so the model ordinance was tailored for our locality and incorporated into this document; iii) New Stormwater, Erosion & Sediment Control, and Chesapeake Bay Preservation Act Ordinances were expected in late 2023 or early 2024 will be updated at that time; iv) This evening's work session was devoted to reviewing the documents and all the proposed changes at a high-level view first. The second work session was scheduled for September 7 at 6:30 p.m. and would focus on going through a chapter-by-chapter review of the proposed changes. Many of the changes were minor and were to bring the ordinance in line with the State Code; v) The Sign Ordinance was still being reviewed by the Planning Commission Sign Subcommittee. Their draft model ordinance would be forwarded along with the recommendations/redlines/edits/comments, etc. as soon as possible and would be reviewed at a future work session; vi) The Short-Term Rental Committee was still working on the issue so no language about STRs was included in the document at this time. The recommendations from the STR committee would be reviewed and incorporated; vii) Following the September 7 work session, we would evaluate how far we had advanced in the review to determine the future work session calendar, as well as the informational meetings for the public in advance of the joint public hearings. (Please see attached.)

Councilman/Commissioner Grossman noted that reference was made to maps that were not shown and asked whether they would be included as an appendix. Commissioner Holloway added that

appendices were easier to update than the zoning ordinance. Katie Nunez responded that they could be included as appendices.

Article II

Katie Nunez stated that the biggest change in Article II related to the penalties in § 2.4.3.

§ 2.4 – Administration and Enforcement:

- Councilman/Commissioner Grossman noted that in § 2.4.3, A.3, referenced a penalty of “two hundred and fifty dollars,” but shown in parentheses as “(\$1,000).”
- A request to add reference to the State Code sections as done in other sections.

§ 2.5 – Non-Conforming Uses:

- Councilman/Commissioner Grossman noted that §§ 2.5.4 (Change of Use) and 2.5.5 (Occupancy of Vacant Non-Conforming Buildings or Structures) were removed. Katie Nunez stated that it was felt that these sections were no longer needed.

§ 2.6 – Appeals and Variances:

- § 2.6.7 – The Board of Zoning Appeals requested the addition of a timeframe for granted variances to be acted upon.

Article III

- The Residential Estate District R-E. This district was for low density development with a minimum lot size of 1 acre. There was currently only 1 parcel, the town-owned Keck property, zoned as R-E. The recommendation was to eliminate the R-E district and rezoning the Keck property parcel as PUD (Planned Unit Development). John Hozey expressed his agreement with the recommendation.

Councilwoman Holloway noted that § 3.2 was missing in the document. Katie Nunez explained that the language shown as § 3.1 – Residential District R-1 was formerly § 3.2, but moved to 3.1 when the R-E district was deleted.

Vice Mayor Bennett stated that it was very difficult to review and identify the changes when the document was not red-lined and suggested that this meeting be cut short since no one could tell what had changed.

§ 3.1 – Residential District R-1 (formerly § 3.2, but moved to 3.1 when the R-E district was deleted):

- The Permitted Uses (sub-paragraph B) were updated.
 - “Duplex dwellings provided off-street parking is provided” was added back in since there were several duplexes in the district. Councilman/Commissioner Grossman asked that a date be added to this so people could see when the off-street parking requirement took effect.
 - Condominium dwellings and Cooperative dwellings were added to all districts as included as by-right in the State Code.
 - Manufactured home dwellings were also added per State Code. There was some discussion regarding the difference between manufactured homes and trailers/mobile homes.
 - The definition of Manufactured Homes needed to be clear.
 - Katie Nunez added that the State Code required the allowance of trailers/mobile homes in Agricultural districts, which the Town did not have, but Northampton County had to add this language to their zoning ordinance.
- Accessory Uses (new sub-paragraph C) was added. Accessory buildings and Home occupations were previously shown as permitted uses but the decision was made to list the accessory uses separately.
 - Also, “Up to two single electric vehicle charging stations” was added. There was some discussion regarding this addition, with several attendees expressing their

preference to allow electric vehicle charging station as a conditional use so each request could be evaluated individually. It was noted that if a resident were to install a charging station in their garage, no one would see it or know about it. It was suggested that staff reach out to other communities to research their requirements.

- Mayor Charney noted that two Class 2 electric vehicle charging stations were being installed by ANEC in the gravel parking lot near the silver bullet. ANEC worked with Canonie regarding a lease.
- Conditional Uses (sub-paragraph D).
 - Katie Nunez explained that in #1, she had substituted “tourist homes” with “short-term rentals,” as a placeholder. There was no other language in this document related to short-term rentals (STR) since the STR committee was still reviewing the issues in order to make their recommendations.
 - Councilwoman Holloway requested discussion regarding the requirement for the Bed and breakfast (B&B) owner to live on the property, since owners of STRs are not required to do so. Many localities in Virginia no longer required owner residency for B&Bs and this requirement was in the minority of B&Bs throughout the country. B&Bs were also required to provide 6 parking spaces for their guests but could not designate those spaces as theirs.
 - John Hozey added that B&Bs and hotels were treated differently in other codes as well and agreed that this was a disincentive for new B&Bs.
 - Outdoor recreation facilities – The current ordinance includes swimming pools, tennis courts, and basketball courts. Instead of listing each separately, they were combined.
 - Adaptive Reuse was deleted in the R-1 district. It is currently included in all districts, and she asked the consultants to go through all districts to name a property that could fall under this in the R-1 district and none were found.
 - There was discussion regarding a former store and churches, etc. in the R-1 district which could be used for residential, so it was requested that Adaptive Reuse be added back for this district.
 - Conditional uses that were removed from R-1 included museums, libraries, neighborhood community center, public utilities and services.
 - Several comments were made regarding public utilities and services which could include pump stations and public bathrooms. It was recommended that public utilities and services be added back into this section.
- Area and Height Regulations (sub-paragraph E).
 - Currently, height and area regulations were included as verbiage. This information was compiled and placed in a table.
 - There was a comment that some of the current verbiage contained formulas, and it was requested that this additional information be added.
- Other Regulations (sub-paragraph F).
 - (#1) Councilman/Commissioner Grossman noted that the current language stated that subdivision of residential units was not permitted, but this version stated that the subdivision of residential lots was permitted, which was a substantial change. Katie Nunez stated that this was an intentional change, adding that we currently had condominium units throughout the R-1 district, including the green duplex across the street from the Town Hall, and per the State Code, condo units could be subdivided. Councilman Butta interjected that his house, which was next door to the Civic Center, had been subdivided into two separate units prior to his purchase. Councilman/Commissioner Grossman asked that the minimum lot size be added.
 - (#2) The third sentence regarding front porches would be deleted since it was detailed in the historic district guidelines.

§ 3.3 – Residential Mixed Use District R-2:

- Currently, there were not parcels zoned as R-2 on the zoning map.

§ 3.4 – Residential Multi-Family District R-3:

- Permitted Uses (sub-paragraph B) included Single-family dwellings and Manufactured home dwellings, which should not be in R-3 since they were for single families, not multi-families.
 - It was requested that the State Code section be added for Group homes like in the R-1 district.
 - For Duplexes, the parking requirement needed to be added for consistency with the other districts.
 - Katie Nunez added that currently, the only R-3 parcel was a lot along Old Cape Charles Road where Angelo Manuel's apartment buildings were located.
- Accessory Uses (sub-paragraph). The item referencing electric vehicle charging stations was moved to Conditional Uses as done in the R-1 district.
- Conditional Uses (sub-paragraph D). Councilman/Commissioner Grossman questioned the inclusion of "Churches and places of worship" as a conditional use in the R-3 district, but shown as by-right in the R-1 district. He added that schools, which was a by-right use in the R-1 district, was not listed for R-3.
 - Katie Nunez stated that schools were not viable in any other district, other than R-1, from a land perspective. Churches would be added as a conditional use.

§ 3.5 – Commercial Residential CR:

- Katie Nunez explained that the CR district included the area along Mason Avenue from the former Datcha Tea House, now a residential unit, to the Kellogg Building. Four parcels at the corner of Harbor and Mason Avenues were just rezoned to CR. CR included transitional areas that could be residential, commercial or both.
- Permitted Uses (sub-paragraph B).
 - The parking requirement would be added to Duplex buildings.
 - Townhouse dwellings, Condominium dwellings, and Cooperative dwellings were new.
 - Short-term rentals was removed from item 8 Bed and breakfasts.
 - Item 11 was changed from Retail to Retail/Services.
 - Galleries and museums, and Indoor recreational facilities were new.
 - Item 16 was changed from Personal services to Professional services.
- Accessory Uses (sub-paragraph C). "Electric vehicle charging stations" was moved to conditional uses.
- Area Regulations (sub-paragraph F). There was much discussion regarding adding a maximum building size: i) If the Town wanted to grow commercial activity, including a maximum building size could deter some businesses; ii) There could possibly be a maximum size for residential, but not commercial; iii) Language could be added stating that for residential buildings, the requirement of R-1 should be followed; iv) There would still be required setbacks, so a building could not cover the entire lot; v) Common-wall buildings, like some on Mason Avenue, should not be permitted.
 - Clarification was needed stating that this was in the historic district overlay.

§ 3.6 Commercial District C-1:

- Permitted Uses (sub-paragraph B).
 - Item 4 was changed deleting "and other stores," leaving "Retail."
 - Item 7 was changed adding distilleries and breweries.
 - Professional services, and Indoor recreation were added.
- It was noted that Accessory Uses was omitted and should be added.

This evening's review stopped at the end of § 3.6 Commercial District C-1.

Katie Nunez stated that she would provide a report showing the number of lots in each zoning district for review at the next work session, which was currently scheduled for September 7th beginning at 6:30 p.m. The correct, red-lined version will be provided.

Motion made by Councilman Buchholz, seconded by Councilwoman Holloway, to adjourn the Town Council Work Session. The motion was approved by unanimous vote.

Motion made by Commissioner Grossman, seconded by Commissioner Holloway, to adjourn the Planning Commission Work Session. The motion was approved by unanimous vote.

The joint work session was adjourned at 7:54 p.m.

Mayor Adam Charney

Chairman Bill Stramm

Town Clerk

DRAFT

**August 21, 2023 Joint Work Session of Planning Commission & Town Council
Information Provided in Writing**



**PLANNING COMMISSION
STAFF REPORT**

Meeting Date: August 21, 2023

Prepared by: Katie H. Nunez, Planning & Zoning Administrator

Date: August 4, 2023

JOINT WORK SESSION: DRAFT ZONING ORDINANCE REVIEW

In 2021, the Town engaged Summit Engineering Services for two scopes of work: 1) Comprehensive Plan Update; and 2) Review and Update to the Town's Zoning Ordinance. Once we completed the Comprehensive Plan work in December 2022, we turned our attention to working on the Zoning Ordinance review and have been diligently working on this over the last 8 months.

The intent of our review of the zoning ordinance, as identified in the Request for Proposals document and contract with Summit Engineering, stated that the intent is to conduct a third-party review of the entire zoning ordinance, identify inconsistencies, streamline categories of zoning districts, produce a current zoning map, and ensure compliance with state law. Additionally, propose recommendations based upon the consultant's practical experience in this matter as it relates to the Town's dimensional requirements in the zoning districts and any outdated development concepts.

This review was approached from these perspectives:

- 1) Provided Summit Engineering the Town staff's list of issues/items that needed to be addressed to clarify and/or simplify the ordinance, where possible. As part of this review, look at each section for consistency of presentation, formatting, etc., especially within the zoning districts (Article III).
- 2) Review the proposed amendments based upon the Planning Commission's review of the Berkeley Group Report called "Overcoming Land Use Ordinance Barriers to Housing Development" which was a report commissioned by Northampton County but included a review of each town's zoning ordinance from the perspective of housing regulations and development.
- 3) Review of the ordinance for compliance with the requirements of the Code of Virginia relative to Zoning Ordinance, Floodplain Ordinance, Chesapeake Bay Preservation Act Ordinance, Stormwater Ordinance, Erosion & Sediment Control Ordinance, Wetlands and Coastal Dune Ordinance, Subdivision Ordinance and Site Plan Ordinance. The state had released an updated model Floodplain Ordinance in July 2017 so, instead of a marked-up Article VI (Floodplain Ordinance) of the Zoning Ordinance, we have taken the model ordinance and tailored it to our locality with a few items highlighted for your consideration.

PLEASE NOTE: the state is in the midst of revising the Stormwater and Erosion and Sediment Control laws which will most likely result in new model ordinances being issued by the State in late 2023 or early 2024 which we will need to take up at that time.

At this time, the bulk of the ordinance review has been completed and is ready for full Planning Commission and Town Council input to determine if the proposed changes are consistent with our intent when we started this process.

The first work session (August 21, 2023 @ 6:00 p.m.) is devoted to reviewing the documents and all the proposed changes at a high-level view first.

The second work session (September 7, 2023 @ 6:30 pm) will be focused on going through a chapter-by-chapter review of the proposed changes.

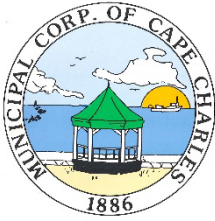
As noted above, many of the changes are minor and are to bring the ordinance in line with the State Code. I believe the majority of the discussion at the September 7, 2023 meeting will be focused on Article III (Zoning Districts), Article IV (General Regulations. Applicable to all Zoning Districts), and the new Appendix A – Definitions, which is being pulled out of Article II and will now be a stand alone for all definitions relative to the zoning ordinance, unless there were very specific definitions associated with several of the state mandated ordinances (Floodplain, Wetlands & Coastal Sand Dunes).

The Sign Ordinance section, which is contained in Article IV, Section 4.1, is still being reviewed by the Sign Subcommittee of the Planning Commission relative to a proposed model ordinance which was drafted by the Virginia Local Government Attorneys' Association (VA-LGA) in 2016/2017 after a US Supreme Court Case ruling was issued that struck down localities' sign ordinances if they were structured based upon sign content since this was deemed a violation of free speech. This committee is meeting with great frequency and will forward the draft model ordinance with its recommendations/redlines/edits/comments, etc. as soon as possible to both boards and will be added to a future work session agenda item.

Following the September 7, 2023 work session, we will evaluate how far we have advanced in our review of the proposed amendments to determine the future work session meeting calendar and eventually to determine the public hearing roll-out calendar, both with Informational Meetings in advance of the Joint Public Hearings of the Planning Commission and Town Council as well as the actual public hearings themselves.

Your agenda packet is composed of the following documents:

- 1) Redlined Zoning Ordinance, showing all proposed deletions, additions, and other comments
- 2) Proposed Model Floodplain Ordinance with revisions tailored for the Town of Cape Charles
- 3) Redlined new Appendix A - Definitions
- 4) List of changes proposed in the Zoning Ordinance
- 5) Cleaned-up Copy of the Zoning Ordinance DRAFT dated 8/4/2023 with all proposed amendments fully incorporated



DRAFT
TOWN COUNCIL
Executive Session
Cape Charles Civic Center
August 31, 2023
5:30 PM

At 5:30 p.m. Mayor Adam Charney, having established a quorum, called to order the Executive Session of the Cape Charles Town Council. In addition to Mayor Charney, in attendance were Vice Mayor Bennett, Councilmen Buchholz and Butta, and Councilwoman Holloway.

Motion made by Vice Mayor Bennett, seconded by Councilwoman Holloway, and unanimously approved to go into Executive Session in accordance with Section 2.2-3711.A of the Code of Virginia 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: Interviews to Fill Vacancies on Town Boards

There were no members of the public in attendance at this time.

Council went into executive session at 5:32 p.m.

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

The open portion of the meeting resumed at 8:06 p.m. There were no members of the public waiting to return to the meeting.

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; Butta, yes; Holloway, yes.

Motion made by Vice Mayor Bennett, seconded by Councilwoman Holloway, to appoint Patricia James to the Historic District Review Board, with Elizabeth Wright named as an alternate; Mary Beth Eye and Tara Ashworth to the Library Board, with Lori McDonald named as an alternate; and Michael Hudson to the Wetlands & Coastal Dune Board. The motion was approved by unanimous vote.

Motion made by Councilwoman Holloway, seconded by Councilman Butta, to adjourn the Town Council Executive Session. The motion was approved by unanimous vote.

The Executive Session adjourned at 8:07 p.m.

Mayor Charney

Town Clerk

July 2023 Treasurer's Report

Page 1 – Cash Position

- Staff is recording unrealized gains and losses for the VIP 1-3 year investment fund due to current market conditions. However, it is expected that this fund will recover by the end of the term.
- Facility Fee Reserve cash balance at 7-31-23 is \$3,174,176.

Page 2 – Revenue vs. Expenditures

- These numbers are still preliminary. Closing revenue and expense accruals are pending, and late invoices must be paid before the 2023 fiscal year can be closed on September 30, 2023.
- Debt service payments (Refunding bonds Pinnacle Series 2016A & 2016B) were made in July, \$103,263 and \$18,600 respectively.

Page 3 – Capital Projects

- A payment of \$8,860 to Land Studio was made in July on the multi-use trail phase 3 project.

Page 4 – Tax Collection Rate

- This report is omitted until later this fall when tax bills are created and mailed.

Page 5 – Tax Revenue Trends

- Transient occupancy tax revenue is nearly 32% higher than this time last year.
- Meals tax revenue increased 13.37% over the prior year.

MUNICIPAL CORPORATION OF CAPE CHARLES
TREASURER'S REPORT
July 31, 2023

<u>Cash on Hand</u>	<u>6/30/2023</u>	<u>7/31/2023</u>	<u>Increase/ (Decrease)</u>
Atlantic Union Bank Checking Account	\$507,775	\$247,332	-\$260,443
Atlantic Union Bank Money Market Account	\$747,841	\$498,113	-\$249,728
LGIP Account 1 - Unrestricted	\$108,649	\$109,139	\$491
LGIP Account 2 - Unrestricted	\$314,778	\$316,337	\$1,560
Virginia Investment Pool Liquidity Unassigned	\$2,269,620	\$2,279,907	\$10,287
Virginia Investment Pool 1-3 Year Unassigned	\$1,008,445	\$1,011,939	\$3,494
Total Cash On Hand	\$4,957,107	\$4,462,768	-\$494,339

<u>Restricted and Reserved Cash Balances</u>	<u>6/30/2023</u>	<u>7/31/2023</u>	<u>Increase/ (Decrease)</u>
Atlantic Union Bank Checking Account - Police Funds	\$431	\$431	\$0
LGIP Account 2 - Restricted for USDA loan covenant	\$30,562	\$30,562	\$0
Atlantic Union checking Acct Library CD converted to cash	\$11,131	\$11,131	\$0
Atlantic Union Bank Checking Acct - E-Summons Revenue Rsrvd	\$12,064	\$12,598	\$535
US Bank - Reserved per VRA Interest Free Loan Requirements	\$258,593	\$259,587	\$994
Wells Fargo 2010 Debt Service pass through account #300	\$3,061	\$21,034	\$17,973
Wells Fargo 2010 Debt Service pass through account #308	\$1,094	\$1,099	\$4
Atlantic Union Money Market # ARPA CRF #5847	\$594,983	\$595,235	\$253
Virginia Investment Pool Liquidity Acct#1 Facility Fees Rsrvd (Utilities)	\$3,068,783	\$3,174,176	\$105,393
Total Cash Held in Reserve	\$3,980,701	\$4,105,853	\$125,152
Total Cash - All Accounts	\$8,937,809	\$8,568,622	-\$369,187

DEBT SERVICE

Net Debt as of Current Reporting Month End
(Excludes USDA vehicle and equipment loans)

\$5,105,561

MUNICIPAL CORPORATION OF CAPE CHARLES

TREASURER'S REPORT

July 31, 2023

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 FY24</u>
GENERAL Fund						
REVENUE	\$302,467	\$261,710	\$302,467	\$40,757	\$5,719,837	5.29%
EXPENDITURES	\$499,701	\$502,106	\$499,701	-\$2,405	\$5,719,837	8.74%
NET	(\$197,234)	(\$240,396)	(\$197,234)	\$43,162	\$0	
GENERAL Capital Fund						
REVENUE	\$10,246	\$9,038	\$10,246	\$1,208	\$2,446,213	0.42%
EXPENDITURES	\$8,860	\$24,228	\$8,860	-\$15,368	\$2,446,213	0.36%
NET	\$1,387	(\$15,190)	\$1,387	\$16,577	\$0	
GENERAL Debt Service Fund						
REVENUE	\$91,658	\$104,498	\$91,658	-\$12,841	\$255,223	35.91%
EXPENDITURES	\$91,658	\$104,498	\$91,658	-\$12,841	\$255,223	35.91%
NET	\$0	\$0	\$0	\$0	\$0	
GENERAL Special Activities Fund						
REVENUE	\$0	\$528,615	\$0	-\$528,615	\$296,350	0.00%
EXPENDITURES	\$38,991	\$0	\$38,991	\$38,991	\$296,350	13.16%
NET	(\$38,991)	\$528,615	(\$38,991)	(\$567,606)	\$0	

MUNICIPAL CORPORATION OF CAPE CHARLES

TREASURER'S REPORT

July 31, 2023

REVENUE VS. EXPENDITURES

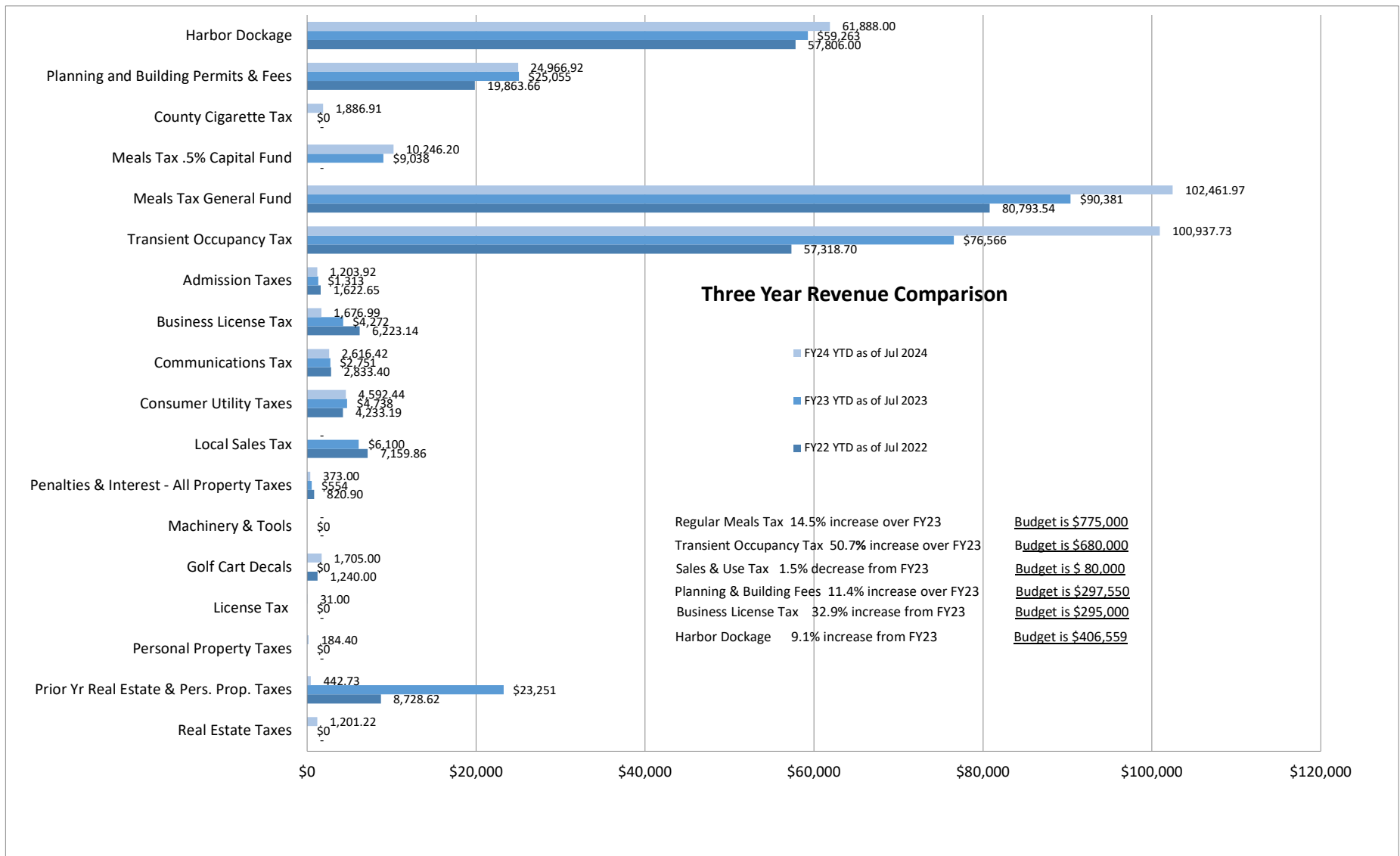
<u>FUND</u>	<u>CURRENT MONTH</u>	<u>PRIOR YEAR-TO-DATE</u>	<u>CURRENT YEAR-TO-DATE</u>	<u>INCREASE/ (DECREASE) YTD</u>	<u>ANNUAL BUDGET</u>	<u>% REALIZED/ EXPENDED FY24</u>
PUBLIC UTILITIES Fund						
REVENUE - Operating	\$188,631	\$177,232	\$188,631	\$11,399	\$2,051,988	9.19%
EXPENDITURES - Operating	\$132,173	\$54,877	\$132,173	\$77,296	\$1,982,118	6.67%
NET	\$56,458	\$122,355	\$56,458	(\$65,897)	\$69,869	
REVENUE - CAPITAL GRANTS, LOANS, FUND BALANCE	\$0	\$0	\$0	\$0	\$2,036,728	
REVENUE - FACILITY FEES	\$21,200	\$63,600	\$21,200	-\$42,400	\$466,400	4.55%
EXPENDED - FACIL FEES, CAPITAL PROJECTS,DEBT SVC	\$51,406	\$104,538	\$51,406	-\$53,133	\$2,572,997	2.00%
TOWN CONTRIB. & PENDING GRANTS	(\$30,206)	(\$40,938)	(\$30,206)	\$10,733	(\$69,869)	
HARBOR Fund						
REVENUE - Operating	\$160,088	\$173,315	\$160,088	-\$13,227	\$1,008,625	15.87%
EXPENDITURES - Operating	\$123,948	\$131,131	\$123,948	-\$7,183	\$1,082,312	11.45%
NET	\$36,140	\$42,184	\$36,140	(\$6,044)	(\$73,687)	
REVENUE - GRANTS & LOANS	\$0	\$0	\$0	\$0	\$228,687	0.00%
TRANSFERRED FM GEN FUND FOR DEBT SERVICE OR HARBOR FUND BALANCE	\$23,317	\$32,825	\$23,317	-\$9,508	\$450,115	5.18%
EXPENDED - Capital Projects, Debt Svc	\$23,317	\$32,825	\$23,317	-\$9,508	\$605,115	3.85%
TOWN CONTRIB. & PENDING GRANTS	\$0	\$0	\$0	\$0	\$73,687	
SANITATION Fund						
REVENUE	\$27,281	\$23,078	\$27,281	\$4,203	\$314,265	8.68%
EXPENDITURES	\$24,637	\$0	\$24,637	\$24,637	\$314,265	7.84%
NET	\$2,644	\$23,078	\$2,644	(\$20,434)	\$0	

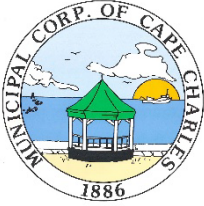
FY 24 Capital Improvement Project Tracking Report

As of:
7/31/2023

7/31/2023	FY24	Percent of	FY24	QTR 1	QTR 2	QTR 3	QTR 4	FY24 YTD	(Over)/Under
	Status or Start Date	Completion	Budgeted	Expended	Expended	Expended	Expended	Expended	Budget
General Capital Fund									
Multi-Use Trails, Phase 3 Construction	Pending	1%	\$ 929,922	\$ 8,860				\$ 8,860	\$ 921,062
Municipal Space Replacement Planning (ARPA)	Pending	0%	\$ 210,000					\$ -	\$ 210,000
Welcome Center Design - HBA	Pending	0%	\$ 455,000					\$ -	\$ 455,000
3 Police Vehicles; 1 ARPA/2 USDA	Pending	0%	\$ 126,000					\$ -	\$ 126,000
Library Upgrade & Condo-ization - HBA	Pending	0%	\$ 310,000					\$ -	\$ 310,000
Storage Facility Roofing	Pending	0%	\$ 20,000					\$ -	\$ 20,000
Capital Project Contingency	Pending	0%	\$ 41,141					\$ -	\$ 41,141
subtotal	\$ -		\$ 2,092,063	\$ 8,860	\$ -	\$ -	\$ -	\$ 8,860	\$ 2,083,203
Utility Fund -Water									
Keck Well Connection	Pending	0%	\$ 1,150,000					\$ -	\$ 1,150,000
Utility Fund - Wastewater									
WWTP Membrane Replacement	Pending	0%	\$ 465,000					\$ -	\$ 465,000
Sewer Pod Controller Upgrades	Pending	0%	\$ 14,500					\$ -	\$ 14,500
subtotal	\$ -		\$ 1,629,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,629,500
Harbor Fund									
Inner Harbor Fixed Dock Repair	Pending	0%	\$ 13,000					\$ -	\$ 13,000
Inner Harbor King Pile & Waler Replacement Design	Pending	0%	\$ 306,000					\$ -	\$ 306,000
Inshore Breakwater Repair/Upgrade	Pending	0%	\$ 180,000					\$ -	\$ 180,000
subtotal	\$ -		\$ 499,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 499,000
TOTAL	\$ -		\$ 4,220,563	\$ 8,860	\$ -	\$ -	\$ -	\$ 8,860	\$ 4,211,703

*ITEMS WITH CURRENT MONTH ACTIVITY ARE IN BOLD PRINT



 TOWN OF CAPE CHARLES	AGENDA TITLE: Resolution of intent to consider a change to the zoning map for Tax Map #90-A-1A6 (1.85 acres) from split zoning of Harbor & General Business/Light Industrial (GBI H1) to zone whole parcel as Harbor		AGENDA DATE September 21, 2023
	SUBJECT/PROPOSAL/REQUEST: Consideration of referral to Planning Commission		ITEM NUMBER: 7A
	ATTACHMENTS: Zoning Map Amendment (ZMA) 2023-03 Application from Cherrystone Investments and Resolution of Intent #20230921		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Katie H. Nunez, Planning & Zoning Director		REVIEWED BY: John Hozey, Town Manager

BACKGROUND:

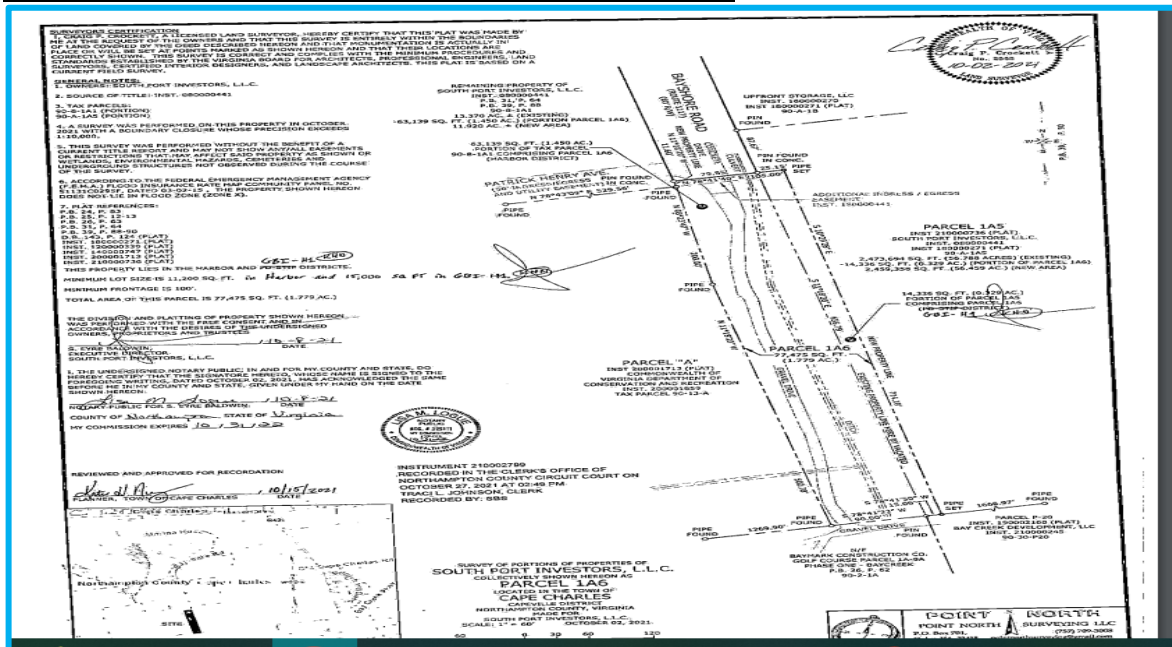
Both the Town Zoning Ordinance and Virginia Code §15.2-2286 (A) (7) requires a resolution of intent from the governing body to initiate any change to a zoning ordinance or zoning map.

ITEM SPECIFICS:

On October 15, 2021, Southport Investors, LLC subdivided approximately .329 acres from Tax Map 90-8-1A5 which they owned and was, at that time, zoned GBI-H1 and 1.45 acres from Tax Map 90-8-1A1 which they owned and was, at that time, zoned Harbor. This subdivision created a new parcel – Tax Map #90-A-1A6 totalling 1.799 acres – which had Harbor zoning on the majority portion of the lot and GBI-H1 zoning on the smaller, remaining portion of the lot.

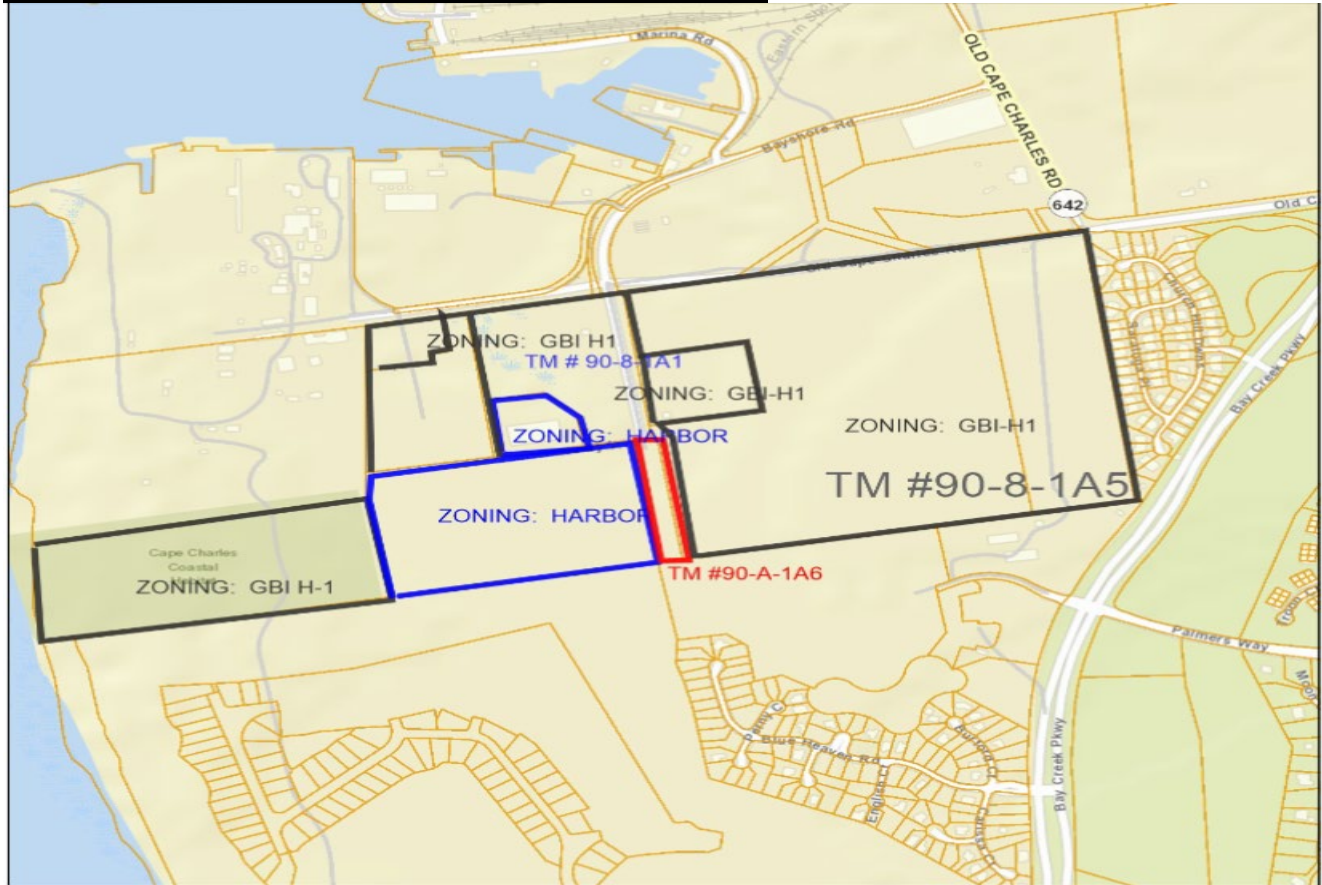
In the fall of 2021, the Town approved rezoning of Tax Map 90-8-1A1 from Harbor to GBI-H1 but the subdivision plat had carved out and created a new parcel (Tax Map #90-A-1A6) which was not included in the rezoning application made on the “majority parent tract”.

SUBDIVISION PLAT CREATING TAX MAP #90-A-1A6



Subsequently, in a Deed of Distribution made on December 27, 2021, Southport Investors, LLC conveyed Tax Map #90-A-1A6 to Cherrystone Investments, LLC.

Map of Proposed Parcel for Rezoning and Surrounding Area



Title:

Date: 9/12/2023

Directly to the south of the parcel is the Bay Creek Development which is zoned various designations of Planned Unit Development (PUD), including PUD Open Space & PUD R-2. Further to the north on the west side is 3 parcels zoned Industrial (M-2) and the parcels that hug Cape Charles Harbor are zoned Harbor.

The property owner is desirous of eliminating the dual zoning on this parcel at Tax Map #90-A-1A6 and only having one zoning district designation applicable to this parcel so that the whole parcel is zoned Harbor.

A resolution is prepared below to acknowledge and accept that a private property owner has petitioned the Town with the filing of a Zoning Map Amendment application and finds that the application is complete for further consideration by the Town. It is important to know that consideration and approval of this resolution does not constitute approval of any change to the Town Zoning Map. It merely identifies that a Zoning Map Amendment Application has been received and the application identifies that sufficient public necessity, convenience, general welfare or good zoning practice exists within the proposed Application to conduct a public process that more fully explores the proposed change.

This resolution will formally establish that the proposed changes meet the requirements to be referred to the Planning Commission for public hearing and their recommendation. The Planning Commission recommendation, once issued, will be returned to the Town Council to schedule their public hearing on the matter. Final and formal consideration of any change will be the responsibility of the Town Council, following their public hearing and in consideration of the recommendation by the Planning Commission.

POTENTIAL SCHEDULE:

The Code of Virginia provides a 100-day review time frame for the Planning Commission once an application is referred and received by them, unless the Town Council votes to establish a shorter period of review. Below is a potential calendar for both the Planning Commission and Town Council; please note the calendar could be extended to the maximum time frames allotted for review by the Planning Commission and

deliberation by the Town Council. This calendar is to outline the staff's consideration of a reasonable calendar assuming each Board acts as quickly as possible.

<u>DATE</u>	<u>BOARD</u>	<u>ACTION</u>
9/21/2023	Town Council Meeting	Receive and acknowledge Zoning Map Amendment Application and vote, through Resolution, to refer it to the Planning Commission to commence the required public hearing process and authorize staff to commence the necessary advertisement and public notice as required by law.
9/22/2023 & 9/29/2023	Eastern Shore Post	Public Hearing Notice runs in Eastern Shore Post for the Planning Commission public hearing. Additionally, staff will issue letters of notification to adjacent property owners.
10/3/2023	Planning Commission Meeting	Public Hearing on Zoning Map Amendment Application. This meeting and hearing date establishes the 100 day clock for the PC to reach a recommendation on this application, unless the Town Council has established a shorter time frame to provide their recommendation. Planning Commission may vote on recommendation regarding Zoning Map Amendment application.
10/6/2023 & 10/13/2023	Eastern Shore Post	Public Hearing notice runs in Eastern Shore Post for the Town Council public hearing. Additionally, staff will issue letters of notification to adjacent property owners.
10/21/2023	Town Council Meeting	Public Hearing on Zoning Map Amendment Application.
10/21/2023	Town Council	Town Council voted on Zoning Map Amendment Application. The Town Council has the right to defer action no later than one year from referral to Planning Commission to act upon Zoning Map Amendment

RECOMMENDATION:

Staff recommends that Town Council vote to adopt Resolution of Intent 202300921 regarding Zoning Map Amendment (ZMA) 2023-03 application from Cherrystone Investments, LLC to rezone Tax Map #90-A-1A6 from General Business/Light Industrial (GBI -1) and Harbor to just Harbor Zoning.

RESOLUTION OF INTENT 20230921

ZONING MAP AMENDMENT 2023-03 APPLICATION From Cherrystone Investments, LLC for Tax Map # 90-A-1A6 from General Business/Light Industrial (GBI H-1) and Harbor to only Harbor Zoning.

WHEREAS, in accordance with Code of Virginia § 15.2-2286.A, the Cape Charles Zoning Ordinance § 2.7.1 includes regulations pertaining to initiation of amendments, supplements, change in the regulations, district boundaries or classifications of property contained in the zoning ordinance; and

WHEREAS, Cherrystone Investments, LLC owners of Tax Map #90-A-1A6, a parcel with split zoning of General Business/Light Industrial (GBI H-1) and Harbor is desirous of rezoning this parcel to only have one zoning designation of Harbor zoning.

NOW, THEREFORE, BE IT RESOLVED that for purposes of public necessity, convenience, general welfare or good zoning practice, the Cape Charles Town Council hereby adopts a resolution of intent to consider amending the Cape Charles Zoning Map by modifying the land use for this one parcel from split zoning of GBI H-1 & Harbor to a singular zoning designation of Harbor and to refer said application to the Planning Commission to initiate and undertake review and required public notification of said application.

Adopted by the Town Council of the Town of Cape Charles on September 21, 2023.

By: _____
Mayor Charney

Attest:

Town Clerk



Zoning Map Amendment Application

Planning & Zoning Department
2 Plum Street; Cape Charles, VA 23310
757-331-2036
planner@capecharles.org

Revised 03/2023

Taxes	✓ pd LL
Violations	
pd chk Fees 1048	\$ 550
Decision	

Budget Code: MISPL 100-3100-1070

PART 1. APPLICATION NOTES

1. A pre-application conference is mandatory prior to submission of an application for a zoning map amendment.
2. A zoning map amendment application should be consistent with the Comprehensive Plan and therefore, may also require a Comprehensive Plan amendment, which should be approved prior to the zoning map amendment application.
3. The Town Council may not add conditions of approval to a zoning map amendment application.
4. If proffers are being offered, the proffer statements may not be less restrictive than the requested base zoning district standards.
5. If proffers are being offered, proffer statements may not be amended after the public notification of a public hearing to consider the application has been sent. The applicant may voluntarily offer proffered conditions as part of their application, which must be listed in a separate voluntary proffer statement using the template found on our website.
6. Fees: \$1000 + \$50/acre plus any actual costs for advertising & adjacent property owner notification mailings *--- PD or Conditional Rezoning*
\$500 + 50/acre on regular rezoning

PART 2: PROPERTY INFORMATION

Property Address: <i>End Bay shore Rd</i>	Tax Map #: <i>90-A-4A6</i> →
Project name: <i>Southport</i>	Current Zoning District: <i>80% HD 20% IND</i>
Does this application include proffers? ☒ No ☐ Yes, if so, attach separate form	Proposed Zoning District: <i>100% HD</i>

PART 3: PROPERTY OWNER INFORMATION

Applicant Name: <i>Cherrystone Investments, LLC</i>	
Mailing Address: <i>Po Box 395, Eastville, VA 23347</i>	
Email address: <i>eyre1@verizon.net</i>	Phone: <i>757-636-2985</i>

If property is owned by an LLC, LP, or other form of corporation, list all landowners and their contact information.

Eyre Baldwin
Furlong Baldwin > contact info same as above

Zoning Map Amendment Application (also referred to as a Rezoning or Conditional Rezoning) may be submitted by a Cape Charles property owner and may be advanced to public hearing, after this application is submitted to Town Council who authorizes said applications to public hearings, first to the Planning Commission in compliance with the Code of Virginia Section 15.2-2285 and 15.2-2204.

The applicant will be required to make a presentation to fully explain the request and demonstrate the need for said request and how the Comprehensive Plan supports and maintains compliance with the goals and objectives of the Comprehensive Plan

Additionally, the Planning Commission or Town Council may prepare and apply for a zoning map amendment with either the Town Manager or the Zoning Administrator or Planning Director representing the application on behalf of the Town.

PART 4: Written Description of Request – Answer all questions in this section. Attach additional sheets as needed.

- A) Describe the existing conditions on the property including existing land uses and buildings as well as the land uses and zoning districts on the abutting properties.

HB to the west, Industrial to the east. It is a wooded lot

- B) Describe how existing conditions have changed, thereby making the proposed amendment needed.

Mixed zoning and want all to be harbor district.

- C) Describe how the proposed amendment furthers the objectives of the Comprehensive Plan.

consistency

- D) Describe why the proposed rezoning is necessary.

To create a business opportunity

- E) Describe the proposed use of the rezoned property including a site plan with the proposed types of site improvements and buildings.

live-work businesses

Applicant's signature: _____

Date: _____

Zoning Administrator's Signature: _____

Date: _____

PART 5: To Be Completed by P & Z Department Staff

Date Application Received in Office:	Application #: ZMA
Planning Commission	Town Council
Date referred:	Date received from Planning Commission:
Action deadline (100 days from receipt):	Action deadline (max. 365 days from referral to PC):
Public hearing date:	Public hearing date:
Decision:	Decision:

Northampton County, Virginia

Tax Map #: 90-A-1A6
Owner: CHERRYSTONE INVESTMENTS,
LLC

Details

Billing Address: PO BOX 395
City: EASTVILLE
State: VA
Zip: 23347
Total Acres: 1.78
Land Value: \$80,000
Improvement Value: \$0
Total Value: \$80,000
Deed Book: N/A
Deed Page: N/A
Will Book: N/A
Will Page: N/A
Plat: 210002799
Instrument Number: 210003280
Parcel_Description: PARCEL 1A6 - SURVEY OF
PORTIONS OF SOUTH PORT INV

Northampton County, Virginia

Legend

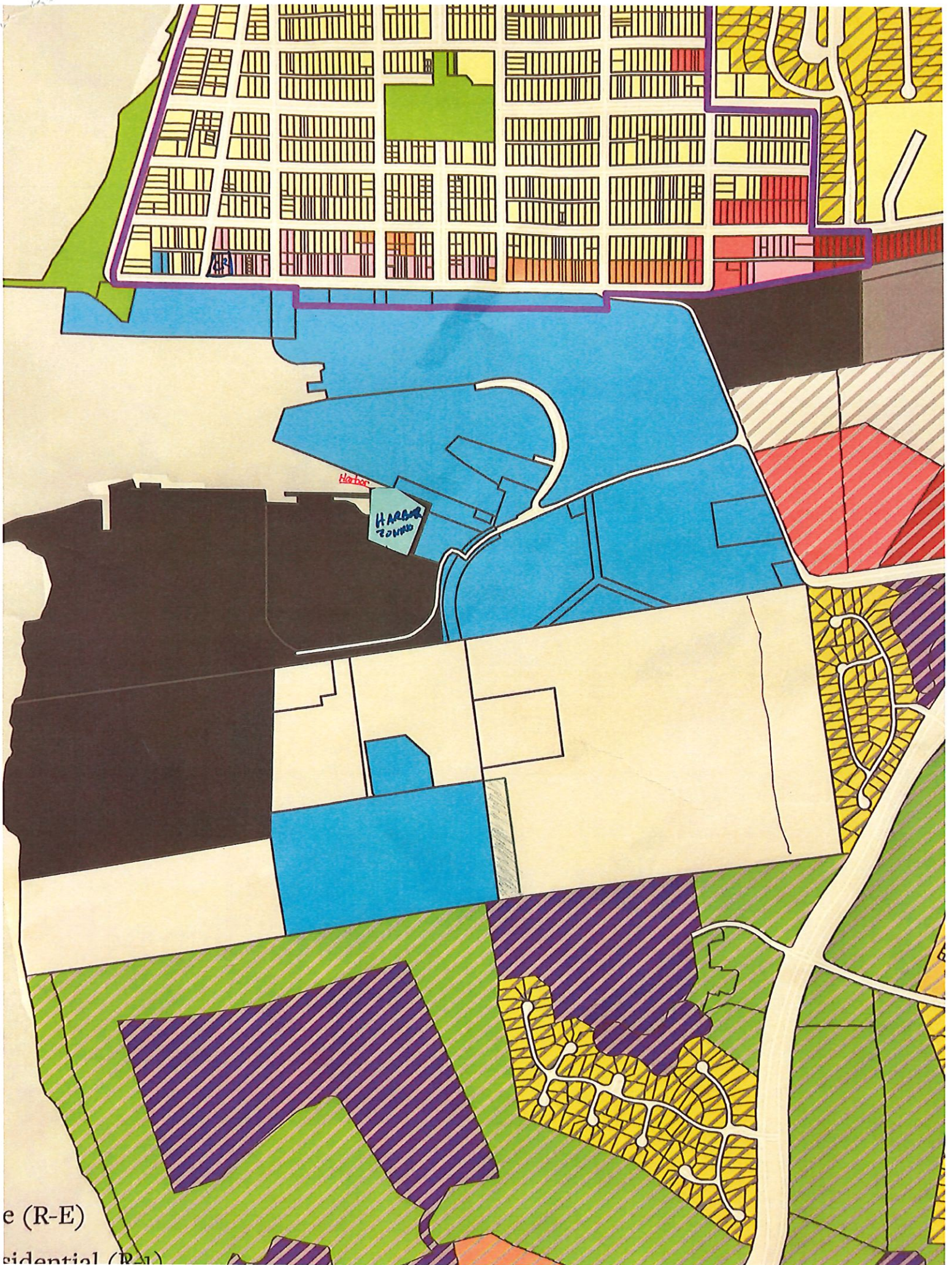
- County Boundaries
- Town Names
- Route Numbers
- Road Labels
- Parcels
- Driveways



Title: Parcels

Date: 8/31/2023

DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and Northampton is not responsible for its accuracy or how current it may be.



e (R-E)

idential (R-1)

SURVEYOR'S CERTIFICATION
I, CRAIG P. CROCKETT, A LICENSED LAND SURVEYOR, HEREBY CERTIFY THAT THIS PLAT WAS MADE BY ME AT THE REQUEST OF THE OWNERS AND THAT THIS SURVEY IS ENTIRELY WITHIN THE BOUNDARIES OF LAND COVERED BY THE DEED DESCRIBED HEREON AND THAT DOCUMENTATION IS ACTUALLY IN PLACE OR WILL BE SET AT POINTS MARKED AS SHOWN HEREON AND THAT THEIR LOCATIONS ARE CORRECTLY SHOWN. THIS SURVEY IS CORRECT AND COMPLES WITH THE MINIMUM PROCEDURES AND STANDARDS ESTABLISHED BY THE VIRGINIA BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, CERTIFIED INTERIOR DESIGNERS, AND LANDSCAPE ARCHITECTS. THIS PLAT IS BASED ON A CURRENT FIELD SURVEY.

GENERAL NOTES:

1. OWNERS: SOUTH PORT INVESTORS, L.L.C.
2. SOURCE OF TITLE: INST. 08000441

3. TAX PARCELS:
90-B-1A1 (PORTION)
90-A-1A5 (PORTION)

4. A SURVEY WAS PERFORMED ON THIS PROPERTY IN OCTOBER 2021 WITH A BOUNDARY CLOSURE WHOSE PRECISION EXCEEDS 1:10,000.

5. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT AND MAY NOT SHOW ANY/ALL EASEMENTS OR RESTRICTIONS THAT MAY AFFECT SAID PROPERTY AS SHOWN OR WETLANDS, ENVIRONMENTAL HAZARDS, CEMETERIES AND UNDERGROUND STRUCTURES NOT OBSERVED DURING THE COURSE OF THE SURVEY.

6. ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (F.E.M.A.) FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 51131C0295F, DATED 03-07-15, THE PROPERTY SHOWN HEREON DOES NOT LIE IN FLOOD ZONE (ZONE X).

7. PLAT REFERENCES:

P.D. 24, P. 63
P.D. 35, P. 12-13
P.D. 26, P. 63
P.D. 31, P. 64
P.D. 39, P. 88-90
D.B. 143, P. 124 (PLAT)
INST. 180000271 (PLAT)
INST. 120000339 (PLAT)
INST. 140000374 (PLAT)
INST. 200001713 (PLAT)
INST. 210000236 (PLAT)

THIS PROPERTY LIES IN THE HARBOA AND PORT DISTRICTS.

MINIMUM LOT SIZE IS 11,200 SQ. FT. IN HARBOA AND 15,000 SQ. FT. IN PORT DISTRICTS.

MINIMUM FRONTAGE IS 100'.

TOTAL AREA OF THIS PARCEL IS 77,475 SQ. FT. (1.779 AC.)

THE DIVISION AND PLATTING OF PROPERTY SHOWN HEREON WAS PERFORMED WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS AND TRUSTEES.

S. KYLE DALWIN,
EXECUTIVE DIRECTOR,
SOUTH PORT INVESTORS, L.L.C.

I, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE COUNTY AND STATE, DO HEREBY CERTIFY THAT THE SIGNATURE HERETO, WHOSE NAME IS SIGNED TO THE FOREGOING WRITING, DATED OCTOBER 02, 2021, HAS ACKNOWLEDGED THE SAME BEFORE ME IN MY COUNTY AND STATE, GIVEN UNDER MY HAND ON THE DATE SHOWN HEREON.

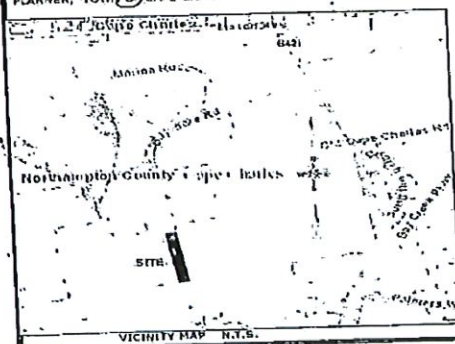
NOTARY PUBLIC FOR S. KYLE DALWIN, DATE 10-02-2021

COUNTY OF NORTHAMPTON STATE OF Virginia
MY COMMISSION EXPIRES 10/13/22



REVIEWED AND APPROVED FOR RECORDATION

PLANNER, TOWN OF CAPE CHARLES DATE 10/15/2021



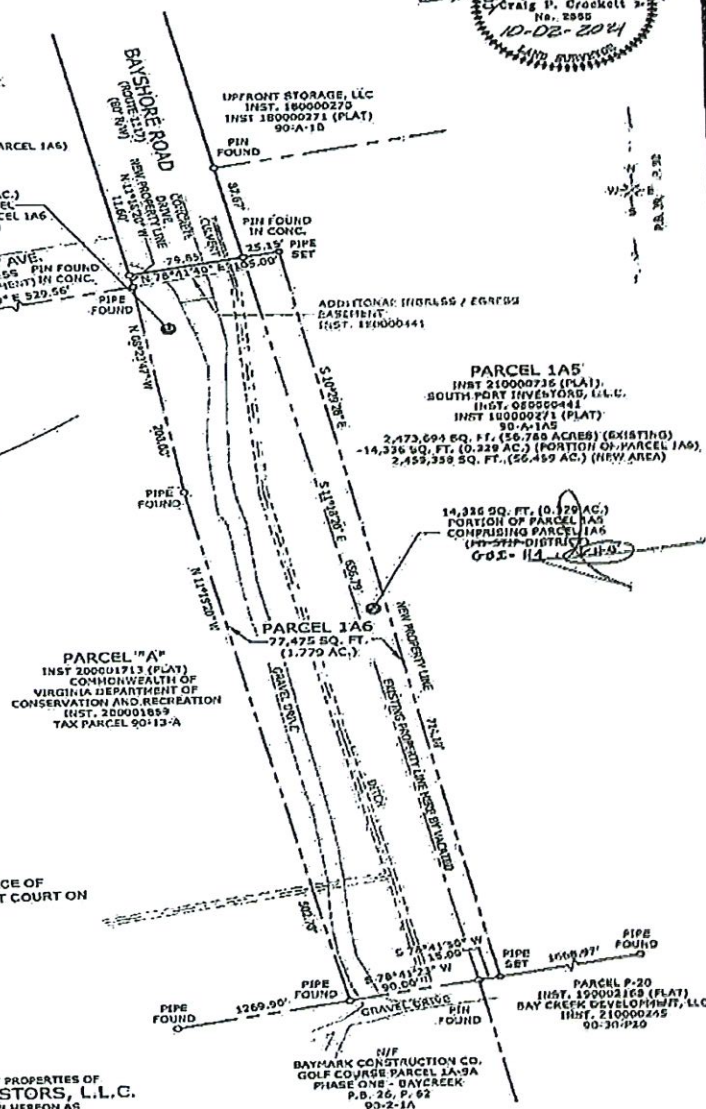
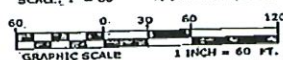
INSTRUMENT 210002799
RECORDED IN THE CLERK'S OFFICE OF
NORTHAMPTON COUNTY CIRCUIT COURT ON
OCTOBER 27, 2021 AT 02:49 PM
TRACIL JOHNSON, CLERK
RECORDED BY: 885

SURVEY OF PORTIONS OF PROPERTIES OF
SOUTH PORT INVESTORS, L.L.C.
COLLECTIVELY SHOWN HEREON AS

PARCEL 1A6
LOCATED IN THE TOWN OF
CAPE CHARLES

CAPEVILLE DISTRICT
NORTHAMPTON COUNTY, VIRGINIA

MADE FOR
SOUTH PORT INVESTORS, L.L.C.
SCALE: 1" = 60' OCTOBER 02, 2021.



POINT NORTH SURVEYING LLC
P.O. Box 701, Cape Charles, VA 22518
Tel: 804.699.5009
Fax: 804.699.5009
Email: info@pointnorthsurveying.com
Website: www.pointnorthsurveying.com
INST. 210002799

This instrument prepared by:
C. A. Turner, III, Esquire
Virginia State Bar #27856
P O Box 878
Eastville VA 23347

CLERK'S NOTE: This deed is exempt from recordation taxes pursuant to
Virginia Code §§58.1-811.A-11 and 58.1-811.C-1

Parcel Identification # 90-A-1A (part of), 90-8-1A1 (part of)
RPC# n/a
For Identification Purposes Only

THIS DEED OF DISTRIBUTION, made this 27th day of December, 2021, by and
between **SOUTH PORT INVESTORS, L.L.C.**, a Virginia limited liability company, Grantor,
and **CHERRYSTONE INVESTMENTS, L.L.C.**, a Virginia limited liability company,
Grantee, having an address of P. O. Box 395, Eastville, VA 23347.

WHEREAS, Grantor has resolved to convey the property hereby conveyed to the Grantee
as and for a distribution.

WITNESSETH: That for and in consideration of the sum of One Dollar (\$1.00), cash in
hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged
by the Grantor, the Grantor does hereby grant and convey with GENERAL WARRANTY and
ENGLISH COVENANTS OF TITLE unto the Grantee, its successors and assigns, the following
described real estate, to-wit:

Parcel 1: That certain tract or parcel of land identified as "Parcel 1A6,
77,475 SQ. FT. (1.799 AC.)" on a certain plat dated October 2, 2021, made by
Point North Surveying LLC, entitled "SURVEY OF PORTIONS OF
PROPERTY OF SOUTH PORT INVESTORS, L.L.C. COLLECTIVELY
SHOWN HEREON AS PARCEL 1A6 LOCATED IN THE TOWN OF CAPE
CHARLES CAPEVILLE DISTRICT NORTHAMPTON COUNTY,
VIRGINIA MADE FOR SOUTH PORT INVESTORS, L.L.C.", and
recorded in the Clerk's Office of the Circuit Court of Northampton County,
Virginia 210002799.

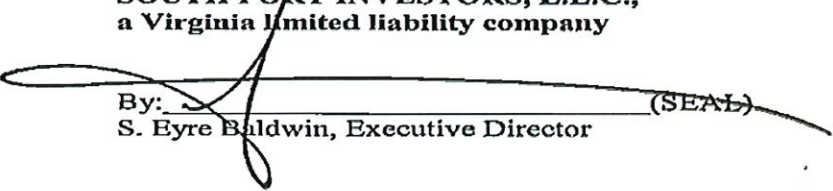
Parcel 2: That certain tract or parcel of land identified as
"REMAINDER OF TAX PARCEL 90-A-1A, 669,737 SQ. FT., 15.375 AC. "
on a certain subdivision plat dated February 20, 2021, made by Point North
Surveying LLC, entitled "SUBDIVISION OF PROPERTY OF
SOUTHPORT INVESTORS, LLC SHOWN HEREON AS PARCEL 1A5
LOCATED IN THE TOWN OF CAPE CHARLES CAPEVILLE DISTRICT
NORTHAMPTON COUNTY, VIRGINIA MADE FOR SOUTHPORT
INVESTORS, LLC", and recorded in the Clerk's Office of the Circuit Court
of Northampton County, Virginia 210000736.

TOGETHER WITH the privileges and appurtenances unto said lot or parcel of land
belonging or in anywise appertaining.

This conveyance is made subject to any easements, restrictions, and reservations contained in duly recorded deeds, plats and other instruments constituting constructive notice in the chain of title, which have not expired by a time limitation contained therein or have otherwise become ineffective, and to matters visible upon inspection.

WITNESS the following signature and seal:

SOUTH PORT INVESTORS, L.L.C.,
a Virginia limited liability company

By:  (SEAL)
S. Eyre Baldwin, Executive Director

STATE OF VIRGINIA,

COUNTY OF NORTHAMPTON, to-wit:

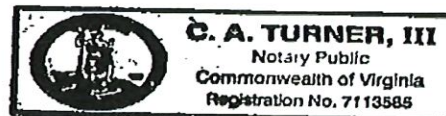
The foregoing instrument was acknowledged before me this 27th day of December, 2021 by S. Eyre Baldwin, Executive Director of South Port Investors, L.L.C., a Virginia limited liability company, on behalf of the company.

 (SEAL)
Notary Public

My Commission Expires:

7/31/2024

Registration # 7113585



Entity Information

Entity Information

Entity Name: Cherrystone Investments, L.L.C.

Entity ID: S2433185

Entity Type: Limited Liability Company

Entity Status: **Active**

Series LLC: No

Reason for Status: Active

Formation Date: 12/10/2007

Status Date: 02/09/2023

VA Qualification Date: 12/10/2007

Period of Duration: Perpetual

Industry Code: 0 - General

Annual Report Due Date: N/A

Jurisdiction: VA

Charter Fee: N/A

Registration Fee Due Date: Not Required

Registered Agent Information

RA Type: Individual

Locality: NORTHAMPTON COUNTY

RA Qualification: Member or Manager of the Limited Liability Company

Name: FURLONG BALDWIN

Registered Office Address: 16464 COURTHOUSE ROAD, EASTVILLE, VA, 23347 - 0000, USA

Principal Office Address

Address: 16464 COURTHOUSE RD, EASTVILLE, VA, 23347 - 0000, USA

Customer Name:		CHERRYSTONE INVESTMENTS, LLC	
Account Number:	4685	Account Status:	Active
Bill To Address:	PO BOX 395	Account Balance:	\$0.00
		Current Year Balance:	\$0.00
		Prior Year Balance:	\$0.00
	EASTVILLE VA 23347-0395		
Primary Phone:		Allow Advertising:	True
Email Address:		Allow Late Listing:	True
Social Security #:		Cash Only:	False
Other Social Security #:		Bankrupt:	False
DL Number:		Allow Interest:	True
Employer:		Allow Penalty:	True
County #:	10003664	Tax Exempt:	False
		Circuit Breaker:	False
Bill Comment:			
Pay Comment:			

Real Properties

Prop Address	Real Pin	Prop Value	Building Value
BAYSHORE RD	1664000090080000001A 6	\$80,000.00	\$0.00
PARCEL 1A - SUBDIV OF SOUTHPORT INVESTOR	12632000900A00000001 A	\$768,800.00	\$0.00

 TOWN OF CAPE CHARLES	AGENDA TITLE: Waste Collection and Disposal Services Contract Extension		AGENDA DATE: September 21, 2023
	SUBJECT/PROPOSAL/REQUEST: Approve Contract Extension for Waste Collection and Disposal Services		ITEM NUMBER: 7B
	ATTACHMENTS: None		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Libby Hume	REVIEWED BY: John Hozey, Town Manager	

BACKGROUND:

On October 21, 2021, the Town of Cape Charles awarded a contract effective November 1, 2021 to P.W. Davis Disposal for all waste collection and disposal services for the Town. The contract was for one year with the option to renew for two additional years, for a total of three years.

DISCUSSION:

This is the second of the two extensions covering the timeframe from November 1, 2023 through October 31, 2024.

Per Mr. Michael Davis, the cost for year three of the contract will remain at \$18.93 per month per receptacle. Sufficient funds were appropriated in the FY 2024 budget.

RECOMMENDATION:

Staff requests Council approval for the second and final extension of the Waste Collection and Disposal Services contract with P.W. Davis Disposal from November 1, 2023 through October 31, 2024.

 TOWN OF CAPE CHARLES	AGENDA TITLE: Library Building Redevelopment Recommendation		AGENDA DATE September 21, 2023
	SUBJECT/PROPOSAL/REQUEST: Approval of Library Building Redevelopment Recommendation		ITEM NUMBER: 7C
	ATTACHMENTS: N/A		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): John Hozey, Town Manager	REVIEWED BY: John Hozey, Town Manager	

BACKGROUND:

On February 1, 2023, the Town issued a fairly broad request for proposals (RFP), seeking developer concepts for the redevelopment of the Library building. The Town's Library currently occupies the first floor and the rear mezzanine portions of the building. The front mezzanine is currently used for record storage, while the third floor is unoccupied and in need of significant restoration. The RFP sought to sell the building, but having the Library portion remain with the Town through condominium ownership. This solicitation ran through May 1st and four proposals were received.

ITEM SPECIFICS:

To increase the potential concepts offered for redevelopment, the Town owned vacant lots between the Library and Randolph Avenue were added to the RFP. The development of these lots was not essential to the Library project, but allowed for potential synergies that might benefit it.

Most of the developers seized on the Randolph lot potential and proposed multi-unit residential structures there in addition to renovation of the Library third floor. Some of these proposals also introduced the idea of incorporating workforce housing as part of the project.

While we were happy to see this robust response to our solicitation, some of the concepts proposed were not anticipated in the initial assumptions of the RFP. Therefore, a work session with the Town Council was conducted on June 15th to obtain further guidance.

The two key takeaways from that work session were that there was not much enthusiasm for the look and feel multi-unit housing structures facing Randolph would bring, and that while workforce housing has been identified as a need in town, it alone was not the most important driver of this project; additionally, the workforce housing options provided lower yields to the Town.

Using this guidance, the project review committee scrubbed the proposals again and narrowed the selection to two developers, both having good proposals, but for different reasons. Both developers were interviewed, which included follow-up negotiations. After careful consideration, the committee finally decided to recommend City & Guilds for the project.

The City & Guilds final proposal included purchase of the Library building and all vacant parcels. The Randolph facing lots would be rezoned to R-1 and developed with single family homes only. The third floor of the Library building would be developed into a single residential unit. The building itself would become a condominium with the Town buying back the Library portion. The global price for this purchase is \$1.25 million, with a Library buy back of \$450,000; netting the Town \$800,000 on the deal.

Our typical process for projects like this is for a review committee to make a recommendation to the Town Council for award of a contract. But since this project has had unusual twists and turns, and the development of the needed contacts are complex and expensive, the committee is requesting approval of its recommendation for this developer and this approach, before formal documents are developed. Once Council blessing of this concept is obtained, final agreements will be developed and brought back for formal Council approval once completed.

RECOMMENDATION:

Staff and the project review committee recommends proceeding with the City & Guilds proposal for redevelopment of the Library building.