



TOWN COUNCIL
Executive Session
March 19, 2020
Cape Charles Town Hall
5:30 PM

1. Call to Order
 - A. Roll Call
 - B. Establish quorum
2. Motion to go into Closed Session

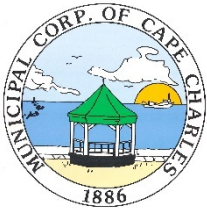
Code of Virginia § 2.2-3711-A, Paragraph 7: Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body.

Specifically: Update from Legal Counsel

3. Return to Open Session

Certification to the best of each member's knowledge (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.

4. Adjournment



TOWN COUNCIL

Regular Meeting

March 19, 2020

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. Preserve Communities Update on Bay Creek
 - B. FY 2021 Non-Profit Funding Request Presentations
 - *C. Arbor Day Proclamation
4. Public Comments (3 minutes per speaker)
5. *Consent Agenda
 - A. Approval of Agenda Format
 - B. Approval of Minutes
 - C. Approval of January 31, 2020 Financial Report
 - D. Monthly Department Reports
6. Unfinished Business
 - A. None
7. New Business
 - A. Public Hearing Scheduled for Vacation of Plat of Survey for Lots 336,337 and 338B
 - *B. Temporary Authorization to Waive Certain Fees, Charges and Penalties
 - *C. Rescission of Interim Zoning Administrator Appointment
8. Town Manager Comments
9. Mayor & Council Comments (5 minutes per speaker)
10. Announcements
 - April 2, 2020 – Town Council Public Hearing & Special Meeting, 6:30 p.m.
 - April 16, 2020 – Town Council Regular Meeting, 6:30 p.m.
 - April 24, 2020 – Blessing of the Fleet
11. Adjournment

PROCLAMATION 20200319

ARBOR DAY 2020

WHEREAS, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and,

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife; and,

WHEREAS, trees increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal; and,

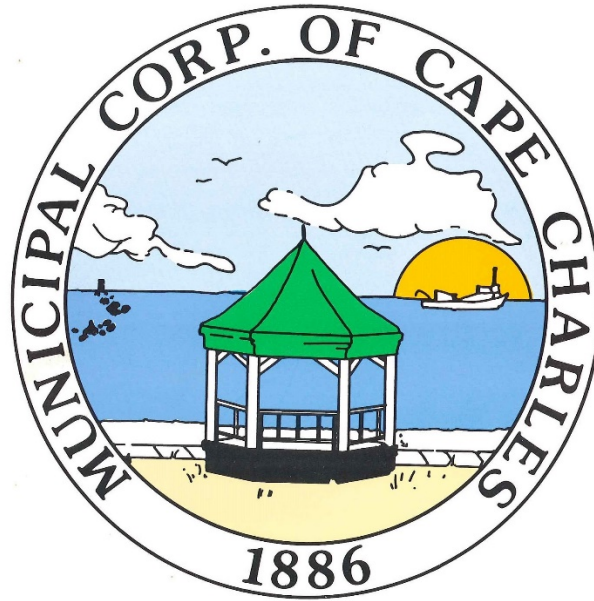
WHEREAS, there are 59 Tree City USA communities in Virginia and Cape Charles would be the first in Northampton County;

NOW, THEREFORE, the Town Council of Cape Charles hereby proclaims April 24, 2020 as Arbor Day in the Town of Cape Charles and urges all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and urges all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Adopted by the Town Council of Cape Charles on this 19th day of March 2020.

Mayor William “Smitty” Dize

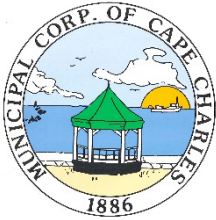
ATTEST: _____
Clerk of the Council



Consent

Agenda Items

#5B-5D



DRAFT
TOWN COUNCIL
Special Meeting & Executive Session
Cape Charles Civic Center
February 6, 2020
6:30 PM

At approximately 6:30 p.m. Mayor William “Smitty” Dize, having established a quorum, called to order the Special Meeting & Executive Session of the Town Council. In addition to Mayor Dize, present were Vice Mayor Bennett, Councilmen Bannon, Buchholz and Grossman, and Councilwomen Burge and Holloway. Also, in attendance were Planner Zach Ponds, Treasurer Deborah Pocock, Human Resources Specialist Jodi Outland, Capital Projects Manager Bob Panek, and Town Clerk Libby Hume. There were 14 members of the public in attendance.

APPEAL OF HISTORIC DISTRICT REVIEW BOARD DECISION – 2 TAZEWELL AVENUE:

Town Planner Zach Ponds provided an overview of the appeal of the Historic District Review Board’s (HDRB) decision regarding the application for the Certificate of Appropriateness as follows: i) At their meeting on December 16, 2019, the HDRB denied the applicant’s request to replace the existing casement windows on a single-family dwelling with vinyl windows; ii) The applicant’s reasons for appealing the decision was based on the extensive amount of vinyl windows already in the historic district, the remodeling of two specific houses which were permitted to install vinyl windows in lieu of wood, and the consistency of the windows in the addition and the original house to be the same style to improve the overall appearance of the house; iii) In response to the applicant’s reasons, Zach Ponds stated that although there were vinyl windows in the historic district, the guidelines were clear that replacing original wood windows with vinyl windows was not allowed, and the 1980s/90s addition did not have the same standards of design as an original historic structure, which was clear in the Town’s guidelines as well as at the state and federal level; and iv) The staff recommendation was for Council to uphold the decision of the HDRB.

The appellant, Mr. Dave Hainsworth, was not in attendance but was represented by his nephew, Mr. Taylor Stover, who stated the following: i) There were currently nine vinyl windows on the house and the homeowner wanted to keep the windows contiguous; ii) He didn’t understand the difference in standards. Vinyl was allowed years ago; iii) The subject house was listed as a non-contributing structure until the 2019 update of the National Register of Historic Places for Cape Charles, when it was designated as a contributing structure based on the age of the structure. The property owner had not been notified of the change in designation, nor was he able to obtain copies of any documentation relating to the change; iv) The house didn’t look like a historic home; v) The owner had high utility bills and wanted to upgrade the existing windows with more efficient vinyl windows to reduce his bills; and vi) All the windows wrapping around the front of the house, in the enclosed sunroom along Bay Avenue, were vinyl, and the owner would like to replace the other windows in the house to match.

Councilwoman Burge asked whether the homeowner had participated in the pre-application meeting. Mr. Stover did not know, adding that he just recently became involved in the situation.

Chairman Kerry Shackelford represented the HDRB in the proceedings and read the HDRB’s justifications for their decisions. (Please see attached.) Mr. Shackelford went on to state the following: i) The HDRB had approved replacing some of the windows with vinyl because they were told that the windows being replaced were vinyl, but when he inspected the windows, he noted that they were actually wood. If the HDRB knew that these particular windows were wood, they would not have approved replacing them with vinyl ; ii) He had worked with many historical districts and he was unaware of any localities that notified citizens of an updated register since the National Register of Historic Places was compiled and maintained by National Park Service, not the individual localities.

There was much discussion regarding the update of the register and contributing and non-contributing structures.

Motion made by Vice Mayor Bennett, seconded by Councilman Grossman, to uphold the decision of the Historic District Review Board. The motion was approved by majority vote with Councilwoman Holloway opposed.

Mayor Dize announced that this would be Zach Ponds' last meeting, adding that Council appreciated all that he had done for the town.

PUBLIC COMMENTS (AGENDA ITEMS ONLY):

Council permitted comments from Ms. Beth Walker regarding an issue not on the evening's agenda.

Beth Walker, 1 Mason Avenue

Ms. Walker stated that the Northampton Hotel was experiencing severe water issues constituting an emergency. For several months, the Town's water softener had been leading resin beads into the drinking water. The issue had caused extensive damage to the hot water heater and reverse osmosis system and they were also having water pressure issues. She had called a plumber and paid \$1,600 to flush the water heaters which were clogged solid. She found out about the problem with the softener earlier today and the softener was apparently being repaired today. It was unacceptable for the residents and business owners not to be notified of the issue with the drinking water and she asked Council to follow-up with Public Utilities Director Dave Fauber.

Mayor Dize stated that he would contact Dave Fauber regarding the issue.

There were no other comments to be heard nor any written comments submitted prior to the meeting.

SPECIAL MEETING ORDER OF BUSINESS:

A. *Proposed Zoning Ordinance Text Amendments – Article IV, §§ 4.5 and 4.6 – Off-Street Parking and Loading Requirements:*

Zach Ponds stated that the review of these sections began at the March 5, 2019 Planning Commission meeting and was completed at the November 5 Planning Commission meeting. He presented a PowerPoint presentation to Council at the November 21 regular meeting giving an overview of the proposed changes.

Motion made by Vice Mayor Bennett, seconded by Councilman Buchholz, to approve the text amendments to Article IV, §§ 4.5 and 4.6 as presented to become effective immediately. The current parking standards were original to the zoning ordinance and it was many years overdue to address off-street parking issues and loading standards. The amendments met the intent of the zoning ordinance to have orderly and safe parking for a variety of uses. The motion was approved by unanimous vote.

Councilman Grossman noted that amendments were also proposed for Article II – Definitions which needed to be approved as well.

Motion made by Councilman Grossman, seconded by Councilwoman Burge, to approve the proposed definitions in Article II as presented. The motion was approved by unanimous vote.

B. *Health Insurance Review:*

Human Resource Specialist Jodi Outland presented the 2020 health insurance rates for Council review adding that a decision needed to be made since the policy period renewed on April 1 and all staff needed to be enrolled by mid-March. (Please see attached.)

Motion made by Councilman Grossman, seconded by Councilman Buchholz, to approve the health insurance premium coverage by the Town as recommended by staff. The motion was approved by unanimous vote.

C. *FY 2020 Mid-Year Budget Review:*

Treasurer Deborah Pocock gave a summary of the mid-year budget report. There was much discussion regarding the following.

General Fund Capital Projects – 1: \$300K was budgeted for survey/engineering, lead and asbestos abatement, and installation of an elevator for the second and third floors of the library building for potential town offices. \$50K was budgeted for exterior work to the library, which was deferred from FY 2019. \$81,655 had been expended for the library exterior project, which was an over-expenditure of \$31,655. \$128K had been transferred from this budget line to the harbor infrastructure project, which left a total of \$140,345. Estimates were provided by Public Works Director Dave Fauber for work in the town hall. \$10K was estimated to repair the walls in the clerk's office, utility clerk's office and the finance department closet and to install door keypads for security. \$50K was estimated for sealing off the firehouse ceiling under the administrative offices to keep the fumes from the firetrucks from penetrating the offices above. Last year on several occasions, staff was sent home when the carbon monoxide detectors went off from the fumes. \$80,345 potentially remained for diversion or further investment in the library third floor or Civic Center for ADA accessibility.

There was much discussion as follows: i) Vice Mayor Bennett stated that it would be very difficult to seal off the fire department. Better estimates from a professional were needed. There was additional discussion regarding installation of exhaust fans. It was agreed that a fire department should not be attached to the town hall; ii) Councilwoman Burge added that the town had repeatedly put money into the town hall building to try to keep it together and remodel it in every possible way, but it was still inadequate. She felt that Council needed to make a commitment for a new building. Davenport presented information to Council regarding the town's financial status. Council needed to get serious about the situation. She didn't want to spend another \$50K on the building. A better office was needed; iii) Councilwoman Holloway agreed that Council should not approve the \$50K without having a better estimate of potential costs. Council could approve the \$10K and the \$50K as a contingency. There was some discussion regarding previous estimates for projects that ended up costing much more; and iv) Mayor Dize stated that the leaks in the building needed to be stopped.

Motion made by Councilman Grossman, seconded by Councilwoman Holloway, to approve allocating \$10K for leak and security repairs in the town hall as outlined in the report. The motion was approved by unanimous vote.

General Fund Capital Projects – 2: \$155K was budgeted as the town's match for Phase III of the Trail project. As of January 27, 2020, \$7,148.59 had been used, but there could be other Land Studio invoices pending. \$147,851 remained and could be used for other projects if the trail project was pushed to FY 2021. A number of other potential projects were listed totaling \$143,420: Strawberry Street Parking lot resurface and stone \$15K; Central Park fence, built in the fall 2019 \$9,360; Preservation Plan Phase III (unbudgeted amount) \$25K; Golf cart path to the Cape Charles Brewing Company rerouting behind the Cape Charles Museum \$15K; Land Studio Reverse Angle Parking Engineering \$15K; Rebid costs for Trail Project Phase III (for FY 2021 build) \$15K; Installation of security cameras and electric at the park restroom, playground, gazebo and beach restroom \$30K; maintenance agreement on camera system \$1,060; and new playground equipment (zipline and gagaball pit) \$18K.

There was much discussion as follows: i) Councilwoman Burge stated that the \$145K would have to be allocated next year for the Trail Project if it was used for other items. Deborah Pocock explained that some of the recommended items were urgent such as the Central Park fence which was already built; ii) The Preservation Plan Phase III was unbudgeted but there was a verbal agreement that it would be \$30K. Councilman Grossman explained that Phase 3 was to obtain the analyzed data; iii) There was too much going on in the area to continue with the golf cart path. An easement would be necessary. It would be a private entity getting the benefit of the path. It

was a consensus not to move forward with the golf cart path rerouting at this time; iv) The Land Studio reverse angle parking engineering was a necessity. Bob Panek stated that he was still waiting on the proposal and added that a survey may have to be completed. The original company provided a diagram and a base line survey did not seem to have been performed. An update would be provided to Council once the estimate was received; v) Bob Panek stated that he was waiting for a fee proposal to rebid Phase 3 of the Trail Project; vi) Deborah Pocock stated that only one bid had been obtained for the security cameras. The cost might be reduced if other bids were received. Councilman Grossman asked that security cameras be added for the library since staff worked in the building alone; vii) Councilman Buchholz stated that hard numbers needed to be obtained. In years past, the actual costs always exceeded the estimates. The Town would estimate \$10K for a project which would come in at \$30K. \$147K could turn into \$300K; viii) Councilwoman Burge asked about the priority of these projects that Council would take money that was set aside for the Cape Charles Trail Project Phase 3 and spend it on something else when we would be looking for that money for the trail. She preferred to identify two or three items that were priorities and maintain the commitment for the trail project, even if the exact numbers were unknown. The money was already spent for the Central Park fence. The Preservation Plan was unbudgeted, but the project was halfway to completion. Reverse angle parking was very important. Councilwoman Holloway added that the other items could be discussed for the FY 2021 budget; and ix) Mayor Dize disagreed with Councilwomen Burge and Holloway adding that the Town had spent a lot of money repairing vandalism in Central Park and security cameras were necessary. Cameras were also needed at the beach. The Town had a rape in Central Park several years ago and it could have been prevented if there were cameras installed. Councilwoman Holloway stated that she was hesitant to move forward without actual estimates.

General Fund Operating Budget: Deborah Pocock provided an overview of the budget analysis for the General Fund operating budget. \$22K was available in the Community Events budget which could be used for a cleaning contractor for the existing bathrooms and public buildings, or the Town could build a restroom or purchase portable restrooms this spring. The Code Enforcement/Building & Planning fees received were \$40K higher than anticipated. Miscellaneous taxes and fees collections were \$13K higher than anticipated. A request was received for \$1,200 funding for Ukefest which would be held in the Town in June 2020.

There was much discussion regarding i) the restrooms and location and whether to build a brick and mortar facility or purchase a nice portable unit. A portable unit could be purchased for \$23K to \$50K, but a facility could be built for approximately \$60K. If a portable unit was purchased, the Town would be responsible for pumping it out; ii) Councilwoman Burge asked about the uncommitted loan proceeds amounting to \$53,800. Deborah Pocock responded that it was included as part of the trail project funding; iii) Deborah Pocock added that the transient occupancy tax (TOT) revenue looked to be about \$30K higher than budgeted. A budget amendment could be done to appropriate the additional TOT revenue to use for a bathroom facility. Councilwoman Burge asked that the issue of purchasing or building a bathroom facility be on a future agenda for further discussion and decision; iv) Councilwoman Burge had drafted a policy for community support and money had already been allocated for the FY 2020 budget. Council had agreed that a consistent application process was necessary for community support funding. Councilwoman Holloway expressed her support for the Ukefest event but added that they could possibly apply for a Northampton County grant. Mayor Dize would ask Jen Lewis to send a letter to Ukefest regarding application submittal for the FY 2021 budget.

Utility Fund Operating Budget – Sewer: i) The Phase 1, electrical work for the Washington Avenue pump station upgrade was underestimated by \$11K; ii) There was a \$27,500 shortage in the sewer operating budget primarily due to greatly elevated sludge disposal costs which could possibly be due to brewery waste; iii) The cost of the mixers were higher than anticipated by \$2K; iv) Only \$10K of \$20K budgeted had been spent to date in engineering costs; v) There was about \$9,500 in anticipated savings in tourism zone credits as eligible applicants were on a payment plan with already reduced rates; vi) Electricity costs were \$18K higher than budgeted; vii) There

was \$2K in fuel savings; viii) The net loss in the Utility Fund was estimated to be about \$138. The amounts would be monitored, and expenses would be adjusted accordingly; and ix) Mayor Dize stated that with the sewer issues at the Bay Creek condos, the 20 sewer pods might have to be replaced.

Harbor Fund: The possible loss in the Harbor Fund was \$7,524 mostly due to the state's changes to the striper season. The fund would be monitored, and expenses would be adjusted accordingly.

General Fund – Request for Additional Police Officer: Deborah Pocock stated that Chief Pruitt requested that a new officer start by March 1. The estimated salary plus benefits for an experienced officer would be \$50,577 annually, whereas the cost for an uncertified officer would be \$48,196 annually. An uncertified officer would have to attend the police academy and would not be available for duty until after the summer season.

D. *Cape Charles Community Trail, Phase 3:*

With the bid from Conrad Brothers being higher than budgeted by about \$80K, Capital Projects Manager Bob Panek recommended rebidding the project.

Motion made by Vice Mayor Bennett, seconded by Councilman Grossman, to defer and rebid the project as recommended.

There was discussion as follows: i) Bob Panek would notify VDOT. The Town was awaiting a fee proposal from Land Studio and the scope of work would be reduced. The Town would then submit the revised plans for VDOT review. The project would go out for bids in July; ii) Councilwoman Holloway asked about the timeline and notification to residents regarding the reduced scope of work; and iii) Bob Panek stated that the reduction would be mostly landscaping and some improvements on the south side. Everything would be presented to Council for approval.

The motion was approved by unanimous vote.

E. *Harbor Parking Lot Turnaround Contract:*

Bob Panek stated that only one bid was received which was about three times the estimated amount based on concrete work recently done for the Town. A new bid was advertised with bids due on February 14. The bid package was also sent to local contractors. This item would be on the February 20 regular meeting for contract award.

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

The meeting recessed at 8:28 p.m. Staff and the majority of the members of the public left the meeting.

At 8:46p.m. Mayor Dize called the meeting back to order.

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

Paragraph 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: Town Manager

Paragraph 3: Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

Specifically: Potential Purchase or Sale of Real Property

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

Paragraph 5: Discussion concerning a prospective business or industry or the expansion of an existing business of industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

Specifically: Potential New Business

Certification, to the best of each member's knowledge, that (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the public body. Roll call vote: Bannon, yes; Bennett, yes; Buchholz, yes; Burge, yes; Grossman, yes; Holloway, yes.

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

The meeting adjourned at 11:22 p.m.

Mayor Dize

Town Clerk

**Comments and Information Provided in Writing
February 6, 2020 Town Council Special Meeting**

Kerry Shackelford, Chairman of the Historic District Review Board

Town of Cape Charles
Town Council, Appeal of HDRB
2 Plum Street

2/1/2020

The Historic District Review Board denied the replacement of original wood windows at 2 Tazewell Avenue based on the following items in the guidelines:

1. Pg. 39, #1. Retain original windows and doors, including glass hardware to the extent possible.
2. Pg. 41, #2. Repair original windows and doors by patching, splicing, consolidating, or otherwise reinforcing the original material.
3. Pg. 41, #4. Consider replacing windows and doors only when they are missing or beyond repair.

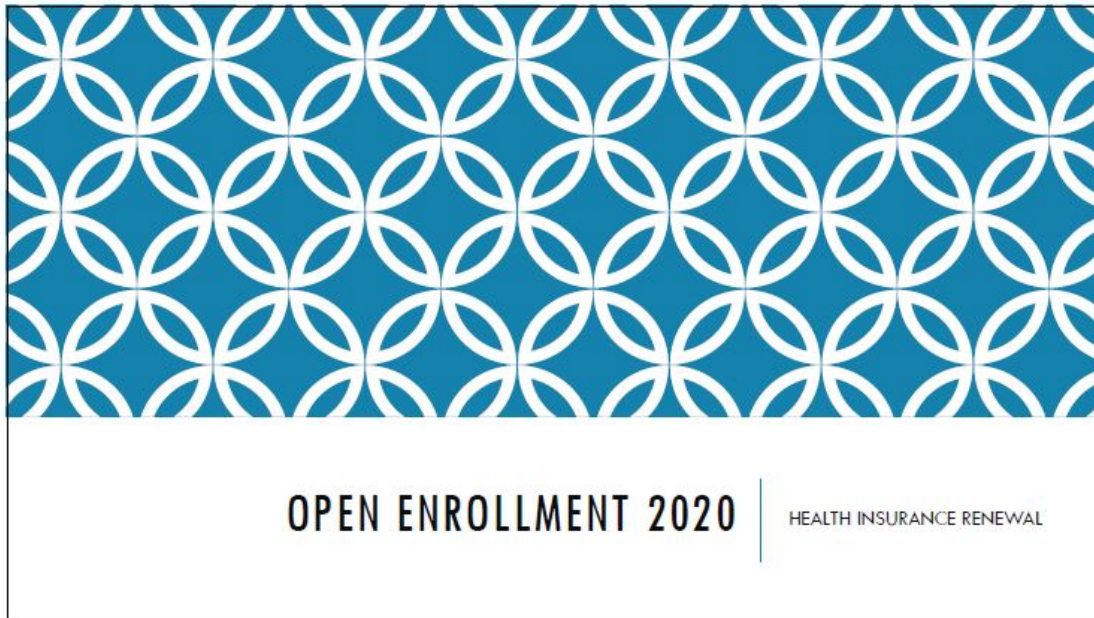
Windows are a defining element in the overall character of the buildings in Cape Charles and as defined in the guidelines the objective of the HDRB is to help retain all the defining elements on all structures where possible.

I have reviewed the windows at 2 Tazewell Avenue, and they are in good condition and only need minor repair, glazing, and paint. The existing storms are in poor condition and they can be replaced in kind and the energy efficiency of the openings will be greater than that of a replacement window. I would also suggest the owner review the insulation, heating equipment, as these would be more likely to contribute to the extreme energy costs.

I would be happy to help the owner by reviewing the insulation and equipment to offer some ideas that will have a real impact on the heating costs.

Kerry Shackelford
Chair, HDRB

Jodi Outland, Cape Charles Health Insurance Renewal Review



SUMMARY

Last year the Town decided to switch away from Anthem and go with a self-funded plan with Cigna. In doing so the Town projected to save over \$8,000 over the previous plan year.

Primarily because the vast majority of employees chose the *Flexible Savings Account* option, (at \$41.67 per month, less than the “benefit dollar” amount allotted \$80.47), the Town recouped another \$11,600 in the current budget year.

2

For our renewal, because the Town had extremely high claims for a 3 month period, as well as an aging demographic, our rates had a significant increase of 30%.

We had a few employees drop their children, due to cost, which made our average age higher than it was in 2019. All of these factors caused our rates to increase.

AGE+CLAIMS affects rate of premiums.

3

The increase in CIGNA premiums and subsidies is 10% over what was budgeted last year.

BUDGETED MEDICAL BENEFITS-2019 PLAN YEAR	\$216,000.00
RENEWAL MEDICAL BENEFITS -2020 PLAN YEAR	\$238,322.40
INCREASE	\$22,322.40
Increase in CIGNA + subsidies from last plan year	10.3%

4

2018-2020 HEALTH INSURANCE COSTS-MEDICAL

Plan Years April-March Anthem/Cigna	Employee –Only Premium	Annual Budgeted Cost	Annual Realized Cost
2018-19	\$623.43	\$224,434	\$224,434
2019-20	\$600.00 (amt allotted)	\$216,000	\$196,662
2020-21	\$677.15	\$238,322*	??

*Includes proposed subsidiaries

5

HOW CAN WE CONTROL COSTS?

Every year the Town offers a standard Health Plan that is affordable to the Town and still value added to each employee. Having a co-pay plan for example, is perhaps the #1 most important feature (vs. a High Deductible Health Plan with an HSA.)

The Town also offers a less costly plan that has a higher deductible but has lower premiums. This is the plan that almost all of the employees who have dependents choose. It is still a value added plan and does have lower co-insurance than the first plan.

6

CONTROLLING COST

Due to the increase of cost to the Town a way to control costs is to eliminate the benefit of paid AFLAC and FSA for individual employees. While these benefits will still be offered, employees will have to pay for them out of pocket on a pre-tax basis.

HOWEVER, if the Town offers a \$500.00 FSA to employees who choose the higher deductible plan, this will save the Town roughly \$578 per year, per employee. Even if only six employees choose to enroll in the Plan 2, the savings will be \$3,468 per year.

7

WHY WOULD THIS WORK

Employees who have been on the FSA have learned what an excellent benefit this is to them and to family members as well. A good number of our employees are healthy and are not expecting to hit a deductible and very well may choose to take the \$500 FSA Benefit. This is a way to still offer an additional benefit option to employees.

8

DEPENDENT COVERAGE

32% of our Town employees have dependents enrolled in the Town health plan. The cost continues to outpace COLA increases. Last year family coverage on the higher deductible plan was \$377 per pay period. In 2020, without a subsidy, it will be \$531 per pay period. That is \$13,806 per year just for the medical premiums paid by the employee.

Employee and Children currently pay \$113 per pay period on the higher deductible plan. Next plan year this deduction will rise to \$191 (\$5,000 for the year).

Accomack County currently pays a portion of dependent premiums on a sliding scale, depending on which tier they choose. (See Exhibit A) Many jurisdictions are having to be creative in offsetting employee costs in order to recruit and retain employees.

See Exhibit B, hand out, for actual payroll data on health insurance deductions.

9

WHAT CAN THE TOWN DO ABOUT THIS?

Continue to cover the individual employee at the higher plan amount (Plan 1). If employees take Plan 2, the difference helps offset their payroll deduction (we have done this every year in the past).

Continue to offer a subsidy for dependent coverage using the 2019 Health Rebate from Anthem and some of the savings from the 2019-2020 plan year. Roughly \$100 per month spread across employees paying dependent premiums. (Budget funding will come out of fund balance, not current year revenue.)

THIS MAY ENCOURAGE MORE EMPLOYEES TO ENROLL THEIR CHILDREN AND THUS REDUCE OUR COSTS. LOWERING AVERAGE AGE OF OUR CENSUS POPULATION WILL REDUCE PREMIUMS.

10

LOOKING TOWARDS 2021

We will have another employee become Medicare eligible 1/2021 which should reduce costs in the Plan Year 2021-2022. Since the group is self funded, the Town may also have a favorable claims year which will save us additional money in 2021-2022. *Our situation last year was unusual.*

We will continue to compare plans moving forward to find the most favorable outcome.

11

DENTAL * VISION* FSA* AFLAC

Delta Dental had a 2.9 decrease in premiums which will save the Town roughly \$300 a year.

Vision rates did not increase. This is an employee paid benefit except employees who waive medical coverage may chose to enroll in VSP at no cost.

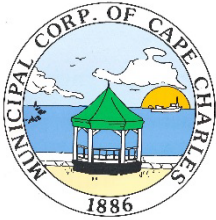
The FSA continues to be a very popular benefit with more than half of all employees enrolled.

AFLAC has also proven to be value added. The employee who experienced the high claims had AFLAC coverage which reimbursed him for almost all of his out of pocket costs.

12



13



DRAFT
TOWN COUNCIL
Public Hearing, Regular Meeting & Executive Session
Cape Charles Civic Center
February 20, 2020
6:30 PM

At approximately 6:30 p.m. Mayor William “Smitty” Dize, having established a quorum, called to order the Public Hearing, Regular Meeting & Executive Session of the Town Council. In addition to Mayor Dize, present were Vice Mayor Bennett, Councilmen Bannon, Buchholz and Grossman, and Councilwomen Burge and Holloway. Also, in attendance were Capital Projects Manager Bob Panek and Town Clerk Libby Hume. There were 13 members of the public in attendance.

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

PUBLIC HEARING COMMENTS:

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

Motion made by Councilman Buchholz, seconded by Vice Mayor Bennett, to close the Town Council Public Hearing. The motion was approved by unanimous vote.

RECOGNITION OF VISITORS / PRESENTATIONS / RECOGNITIONS:

A. Community Rating System Plaque Presentation – Zane Hadzick

Mr. Zane Hadzick from the Federal Emergency Management Agency (FEMA) presented the Town with a plaque for the Town achieving a Community Rating System (CRS) rating of 8. With this CRS rating, property owners in the special flood hazard area would qualify for a 10% discount in their flood insurance premiums. Property owners in other areas of the Town would qualify for a 5% discount. Mayor Dize and Code Official Jeb Brady accepted the plaque.

PUBLIC COMMENTS:

Natalie Smith, 701 Prestwick Turn

Ms. Smith addressed Council regarding issues with the sewer system in the Fairway Condos. She described a number of instances, dating back to 2013, where raw sewage had backed up into her bathroom causing much damage to her bathroom, walls and closet. The last instance was in January 2020. She had notified the Town after each incident and was told that it was an issue with the pod which was installed on the public side of the system. With the most recent instance, Town staff dug up the sewage line and discovered two large pieces of concrete in the lines which were causing a blockage. This most likely occurred during construction. She requested a schedule of pod cleaning and maintenance and notification of any future problems that were discovered.

Mandy Crouch, 206 Tazewell Avenue

Ms. Crouch stated that she had been coming to Cape Charles for 20 years and had two young children. She had difficulties finding activities for her children so she created a Facebook page, Cape Charles Parents. She came tonight to inform everyone about the page and asked that the information be shared with others.

There were no other comments to be heard nor any written comments submitted prior to the meeting.

CONSENT AGENDA:

- A. Approval of Agenda Format
- B. Approval of Minutes:
 - i. January 16, 2020 Public Hearing, Regular Meeting & Executive Session

- ii. January 22, 2020 Executive Session
- C. Approval of December 31, 2019 Financial Report
- D. Monthly Department Reports

Vice Mayor Bennett asked that the Community Relations department report be pulled from the Consent Agenda for discussion.

Motion made by Councilman Grossman, seconded by Councilman Bannon, to approve the Consent Agenda, with the exception of the Community Relations department report, as presented. The motion was approved by unanimous vote.

Vice Mayor Bennett asked about the Farmers' Market and the extent of the Town's involvement.

Mayor Dize explained that Jen Lewis contacted him when she heard that the Historical Society was no longer going to be holding a farmers' market. She met with vendors and they wanted to have the market at Strawberry Street Plaza. One of the vendors measured the area and laid out space for 25 vendors. A Use of Facility Form would be completed by each vendor and they were required to have liability insurance. The Town would assign the vendor spots. Once all the spots were assigned, no additional vendors would be permitted. It would be up to the vendors to set up and take down their equipment each week. One of the vendors volunteered to take the lead. The Town had contacted the Virginia Risk Sharing Association (VRSA), the Town's insurer regarding any liability to the Town.

Motion made by Councilman Grossman, seconded by Councilman Buchholz, to accept the Community Relations department report as submitted. The motion was approved by unanimous vote.

UNFINISHED BUSINESS:

A. *Virginia Port Authority Aid to Local Ports Grant Request:*

Capital Project Manager Bob Panek stated that over the years, the Town had made good use of the Virginia Port Authority (VPA) Aid to Local Ports (ALP) program to improve the Harbor as part of the Harbor Redevelopment Program. Currently, the Town was working on four phases of the harbor rehabilitation plan. Council approved \$253K this fiscal year for Phases 1-3 of inner harbor rehabilitation (north and east sides), as well as paving the turnaround at the watermen's memorial and installing light poles along the boardwalk between the bath house and The Shanty restaurant. Phase 4 would complete the rehabilitation on the south side of the inner harbor, which presented an opportunity for a new ALP grant request. If fully successful in obtaining the grant, the Town could receive about \$89K of an approximate \$120K project. He and Harbor Master Charlie Farlow met with VPA representatives to provide information regarding the Town's projects which was well received. Bob Panek proposed submittal of an official application for the ALP grant which was due March 1.

Motion made by Vice Mayor Bennett, seconded by Councilwoman Burge, to authorize Mayor Dize to request a Virginia Port Authority Aid to Local Ports grant in the amount of \$88.8K for Phase 4 of the inner harbor rehabilitation. The motion was approved by unanimous vote.

B. *Harbor Parking Lot Turnaround:*

Bob Panek stated that Council had approved installation of a concrete paving at the harbor parking lot turnaround in front of The Shanty restaurant, which would be a semi-circle around the Watermen's Memorial. This project was part of the \$253K available for Town Harbor rehabilitation and improvement projects after the recent budget transfer approved by Council. An invitation for bids was advertised a second time with bids due February 14, 2020. Six bids were received ranging from \$25,000 to \$40,229. The apparent low bid was slightly more than the estimate; however, this bidder was nonresponsive since they were licensed as only a Class C contractor, which only permitted the contractor to work on projects with a maximum contract value of \$10K. The next low bidder was Phillips Housing and Development, LLC of Chesapeake

at \$30,628. While the price was more than anticipated, it was still reasonable and there should be sufficient flexibility in the remaining harbor work to absorb the overage. The contractor indicated the work could be completed prior to The Shanty's opening date of March 4, barring any unusual weather. The restaurant owner was willing to accept the risk instead of deferring the project to next January.

Motion made by Councilman Grossman, seconded by Vice Mayor Bennett, to authorize Mayor Dize to execute a contract with Phillips Housing and Development, LLC in the amount of \$30,628. The motion was approved by unanimous vote.

C. Inner Harbor Sidewalks:

Bob Panek stated that Council had approved the installation of concrete sidewalks along the north and east sides of the inner harbor, replacing the badly deteriorated wood walkway. This project was part of the \$253K available for Town Harbor rehabilitation and improvement projects after the recent budget transfer approved by Council. An invitation for bids (IFB) was advertised with bids due February 14, 2020. The IFB was structured for a base bid for the north side and a bid alternate for the east side to provide flexibility in executing the overall rehabilitation project. Five bids were received, ranging from \$75K to \$111.5K. The low bidder was Ace Construction Company of Portsmouth with a base bid of \$51.6K and bid alternate of \$23.4K. While the price was higher than anticipated, it was reasonable and there should be sufficient flexibility in the remaining rehabilitation work to absorb the overage.

Motion made by Vice Mayor Bennett, seconded by Councilwoman Holloway, to authorize Mayor Dize to execute a contract with Ace Construction Company in the amount of \$75K. The motion was approved by unanimous vote.

D. Harbor Management Company Request for Proposals:

Bob Panek stated that for several years, some members of Council expressed their interest in exploring opportunities for contracting out management of the Town Harbor with the objective of improving performance. At the January 2, 2020 strategic planning Session, Mayor Dize presented comprehensive background information on the Town Harbor and the pros and cons of contracting out its management. Council directed that a request for proposals (RFP) be prepared to solicit proposals for evaluation. Contracting out management of the Town Harbor could range from hiring a management firm for a fee, to leasing the property to a firm for a specified rental payment to the Town. Degree of control and operational visibility were dependent on the arrangement. The draft RFP took the approach of hiring a management firm for a fee and also solicited a possible management fee structure which was partially dependent on improvement in financial operating results.

There was some discussion as follows: i) Councilwoman Burge stated that the RFP was well done and comprehensive. She appreciated the incentive based fee structure being included, but was unsure if any management companies would propose that type of structure; ii) Councilman Grossman suggested including the specific information that needed to be included in the weekly activity reports as well as information regarding routine inspection of facilities and the provision of security monitoring. Bob Panek responded that his intent was to keep it as open as possible to allow the management firm to propose their plan; iii) Typical RFPs allowed about 30 days for submittal of a proposal. Vice Mayor Bennett recommended allowing at least 45 days for submittal deadline; iv) Councilman Bannon asked about the employees currently working at the harbor. Bob Panek stated that the RFP included a specific request for a transition plan for the current employees to become private employees of the management firm; and v) There was some general discussion regarding the performance of the harbor over the past several years.

Motion made by Vice Mayor Bennett, seconded by Councilwoman Burge, to approve moving forward with advertising of the RFP for harbor management services as presented. The motion was approved by unanimous vote.

NEW BUSINESS:

A. *Appointment of Planning Commission Representation to the Historic District Review Board:*

Mayor Dize stated that Diane D'Amico resigned her position as the Planning Commission representative to the Historic District Review Board (HDRB) effective October 29, 2019. Historically, the Planning Commission nominated a representative to the HDRB to act as a liaison between the Commission and the HDRB, however, it was not required per Article VIII of the zoning ordinance. At their December 3, 2019 meeting, the Planning Commission recommended Town Council appointment of Michael Strub to be the Planning Commission representative on the HDRB.

Motion made by Councilman Bannon, seconded by Councilman Grossman, to appoint Michael Strub as the Planning Commission representative to the Historic District Review Board. The motion was approved by unanimous vote.

B. *Appointment of Interim Zoning Administrator:*

Mayor Dize explained that the Cape Charles Zoning Ordinance § 2.4.1 required Council appointment of a zoning administrator to serve under the direction of the town manager. Zach Ponds was the zoning administrator and his last day was February 19, 2020. An interim zoning administrator needed to be appointed. Mayor Dize recommended the appointment of Kelly Lewis Parks who was the planner/GIS specialist for Northampton County.

There was much discussion regarding this item. Ms. Parks would be working for the Town after hours on a contract basis performing erosion & sediment (E&S) control site plan reviews and zoning administration.

Motion made by Councilwoman Holloway, seconded by Councilwoman Burge, to appoint Kelly Lewis Parks as the interim zoning administrator and E&S site plan reviewer. The motion was approved by unanimous vote.

C. *Wayfinding Committee Findings:*

Councilman Buchholz recused himself from discussion and voting on this item due to his ownership of Eastern Shore Signs.

Mayor Dize stated that the wayfinding committee had met on multiple occasions to identify the best design, location and content for wayfinding signs in the town and directly adjacent to the town limits. The design was produced by OTTO.

Motion made by Councilman Bannon, seconded by Councilman Grossman, to approve the wayfinding design, proposed locations and proposed content.

Council reviewed the information provided and there was discussion as follows: i) Councilwoman Burge noted that Council could approve the locations but VDOT might not be agreeable since the signs would be located in their rights-of-way; ii) Councilman Grossman asked whether the signs were in compliance with Zoning Ordinance Article IV which outlined sign regulations. Councilwoman Holloway responded that former Town Planner Zach Ponds had checked all the sign specifications; iii) Vice Mayor Bennett asked whether cost estimates had been discussed. Mayor Dize stated that the Town budgeted \$68K for this fiscal year. Councilwoman Holloway interjected that Zach Ponds had Cape Charles Main Street prioritize the signs based on importance. Councilwoman Burge asked that, at least, the replacement signage needed to be completed; iv) Mayor Dize noted that the provided information stated that Cape Charles Main Street didn't want to use business names on the signage but the plans showed "Bay Creek Golf" which should be changed to "Golf."

The motion was approved by unanimous vote.

Councilwoman Holloway noted that Ms. L.D. Davis, who served on the wayfinding committee along with Mollie Pickron and Diane D'Amico, was in attendance and she wanted to thank her personally for her work on the committee.

D. *Cape Charles Main Street Support Letter:*

Councilwoman Holloway and Councilman Buchholz recused themselves from the discussion and vote on this item due to serving as President and Vice President of Cape Charles Main Street, Inc.

Mayor Dize stated that the Town began researching the Virginia Main Street Program in September 2015 and staff had attended a number of workshops and met with the Virginia Department of Housing and Community Development over the next couple of years. On July 6, 2017, Council appointed a Community Enhancement Program Board which was charged with organizing and applying to become a Virginia Main Street Affiliate. The board made great strides during their first year in generating active community support and in organizational formation. They incorporated themselves as Cape Charles Main Street, Inc. and obtained their tax-exempt status under Internal Revenue Code § 501(c)(3). In April 2018, the Community Enhancement Board was dissolved by the Town Council and Cape Charles Main Street, Inc. became an official non-profit organization and partner with the Town. Since their incorporation, Cape Charles Main Street had been working toward obtaining their designation as a Virginia Main Street Community and were named as the first Virginia Downtown community in 2018. There were numerous requirements to obtaining the Virginia Main Street Community designation, one of which was ongoing financial support by the locality. Cape Charles Main Street Program Director Karen Zamorski requested a letter pledging the Town's financial support over the next five years. There was no requirement for a specific dollar amount in the letter and the actual amount of financial support would be discussed and determined annually during the budget process.

Motion made by Councilman Grossman, seconded by Vice Mayor Bennett, to authorize Mayor Dize to sign the letter pledging the Town's financial support of Cape Charles Main Street, Inc. and provide the letter to Cape Charles Main Street to include in their Virginia Main Street Community Designation application packet. The motion was approved by unanimous vote.

MAYOR AND COUNCIL COMMENTS

Councilwoman Burge stated that she was glad to see so many people in attendance this evening and would look at and try to share the Cape Charles Parents Facebook page.

Councilman Grossman stated that, for the benefit of facilitating the February 29 public input session, he had drafted a slide presentation for the mayor's use.

Councilman Bannon reminded all that the February 22 Town Council Retreat had been canceled.

Vice Mayor Bennett commented as follows: i) He thanked Mayor Dize for the RFP for a harbor management company adding that he was anxious to see it on the street and asked for notification when it was advertised; and ii) He asked Mayor Dize to respond to Ms. Smith with a copy of the response to him.

Councilwoman Holloway comments on the following: i) She stated that several residents contacted her about the water flush taking three nights. She had to tell her guests that they couldn't use water or flush toilets for three nights. Could the water system flush be divided into areas? If this happened during the summer, it would be a major issue. Did the water system flush take three nights to perform? Could the flush begin at midnight versus 10 PM? She didn't know what to tell the people who contacted her. Mayor Dize stated that the water system flush was done periodically to clear the lines. By starting at 10 PM, staff was able to drain the tank and have it refilled by 6-7 AM to ensure residents had adequate water to start their day. If the flush began later, staff could not guarantee ample water for people when they were getting ready for work in the morning. Councilwoman Burge noted that water system flushes were mainly done during times of low usage and weren't needed

during the summer months. There was much discussion regarding this issue and tourists; ii) Annually, she requested signage regarding golf carts not being permitted in Central Park as well as rack cards to be placed in vacation rentals explaining the golf cart regulations. She saw everything that went on in the park and was just waiting for a terrible accident. Mayor Dize informed Councilwoman Holloway that he would take care of the issue; and iii) She thanked Mayor Dize for stepping in as interim town manager adding that she had no idea of everything he sacrificed to keep the town running for three months.

Councilman Buchholz stated that staff needed to keep an eye on the Bay Creek sewer issue and report back to Council and residents in the area. For the Town to let the issue go on for so long was unacceptable.

Mayor Dize commented as follows: i) He had already emailed Ms. Smith. The flapper valve was already installed in the line. He believed that the concrete that was removed from the line was the problem. There were about 27 pods around town and there was one at the Oyster Farm which services the restaurant and event center. To his knowledge, there had only been one problem with that pod. He spoke to Billy Powell who would set up a preventative maintenance schedule on all pods. Councilman Buchholz asked if staff could leave door hangers to notify residents that they had checked the system; ii) He thanked Jeb Brady and staff for doing what was necessary for the Town to receive the plaque from FEMA; iii) He wanted to remind everyone of Cape Charles Day on March 7 and invited all to come out and get hamburgers and hot dogs cooked by Council; iv) He thanked the staff for stepping up to get things done; v) He thanked everyone for their patience; vi) The Town Council Retreat was rescheduled for a Thursday in April; and vii) He introduced Mr. John Hozey as the new town manager adding that he was very pleased to have him on board.

Mayor Dize read the announcements, adding that he wanted everyone to attend the public input session on February 29. He wanted public engagement regarding the regulation of boat, trailer and RV parking on the Town's streets.

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

The meeting recessed at 7:37 p.m. The members of the public and staff left the meeting.

At 7:51p.m. Mayor Dize called the meeting back to order.

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

Paragraph 3: Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

Specifically: Potential Purchase or Sale of Real Property

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

Certification, to the best of each member's knowledge, that (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the public body. Roll call vote: Bannon, yes; Bennett, yes; Buchholz, yes; Burge, yes; Grossman, yes; Holloway, yes.

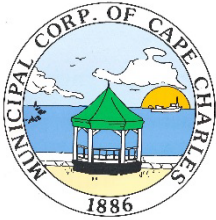
Motion made by Councilman Buchholz, seconded by Councilman Bannon, to adjourn the Town Council Public Hearing, Regular Meeting and Executive Session. The motion was approved by unanimous vote.

The meeting adjourned at 9:14 p.m.

Mayor Dize

Town Clerk

DRAFT



DRAFT
TOWN COUNCIL
Public Input Session
Cape Charles Civic Center
February 29, 2020
11:00 AM

At approximately 11:00 a.m. Vice Mayor Steve Bennett, having established a quorum, called to order the Town Council Public Input Session. In addition to Vice Mayor Bennett, present were Councilmen Bannon and Grossman, and Councilwomen Burge and Holloway. Mayor Dize and Councilman Buchholz were not in attendance. Also, in attendance was Town Clerk Libby Hume. There were 31 members of the public in attendance.

Vice Mayor Bennett began by recognizing Mr. John Hozey, the new town manager, who would be starting on March 9, adding that he was looking forward to working with him. Mayor Bennett went on to state that the Town was contemplating an ordinance change regarding the parking of boats, motor homes, trailers, etc. on the Town's street. Council was in favor of gathering information in collaborative dialogue versus limiting public input to three minutes during a meeting. The session would begin with Councilman Grossman presenting information to the attendees regarding how we got here and what was being proposed. Following the presentation, the floor would be opened for comments and discussion. Mayor Bennett asked everyone to identify themselves before speaking.

Please see attached for Councilman Grossman's presentation.

Town Clerk Libby Hume read comments that were submitted in writing prior to the meeting. (Please see attached.)

Comments received were as follows:

- Safety:
 - A safety issue for pedestrians, children, animals, etc.
 - Safety issues with the parking of boats, trailers, etc. on street corners. Visibility was difficult even with large pickup trucks parked on corners.
 - Safety was most important, especially with the narrow streets.
 - Access needed to be maintained for emergency vehicles and garbage trucks. This was very important. There would be an issue if an ambulance had to go around the block to find a parking spot and was unable to make it in time to someone in need.
 - Safety issues could be enforced without an ordinance. The police can issue tickets for large vehicles parked along the streets which cause traffic to cross into the opposite travel lane to pass. A new ordinance would not help the issue.
 - Aesthetics vs safety. Also, a courtesy issue. Convenience or inconvenience of being able to park by your home, especially during the summer.
 - Difficult for senior citizens, handicapped citizens, etc. to have to park a block away from their homes and walk. The town had a lot of senior citizens and this was a real safety issue.
 - Golf carts also pose a safety concern.
 - In Cape Charles, the yellow lines and curbs were nothing but suggestions. Safety needed to come first – fire trucks had a wide turning radius and could not make the turns on many of the streets.
- Aesthetics:
 - Aesthetically, it looked awful for both residents and visitors. She talked to people coming into town and they said the same thing – it looked awful.
 - Cape Charles should not be a parking lot. If someone could afford their big toys, they needed to take responsibility for it. The idea of a boat parking area in Town was not a good idea. It would be like the lot coming into Town where boats, trucks, etc. were

currently permitted to park. It looked terrible and was not a good introduction for visitors coming into the Town. Some cities had an attendant who would mark a car tire to identify the time a vehicle was parked in any area. If the vehicle was still there when the attendant came back around, the owner received a ticket.

- Aesthetics vs safety. Also a courtesy issue. Convenience or inconvenience of being able to park by your home, especially during the summer.
- Vacation Rentals/Summer Visitors:
 - The citizens knew that the property in front of their homes didn't belong to them, but a vacation rental could bring in 10 or more people with just as many vehicles, including boats, golf carts, trailers, etc. Sometimes they were here for over a week parking wherever they could. A boat was parked in front of a church for a month taking the space away from others. Some people have second homes here and park their boats, trailers, etc. on the Town's streets while they're at their main home out of town.
 - This was a seasonal problem.
 - Summer vacation rentals have numerous people staying in them with multiple cars, trucks, golf carts, trailers, etc. Sometimes they even park in the neighboring driveways so the residents could not get into their own driveways.
 - B&Bs were required to offer a certain number of parking spaces for their guests. During summer, vacationers in the summer rentals take up the parking spaces which were supposed to be reserved for B&B guests.
 - Most of the houses being built or purchased and renovated were for summer vacation rentals. This brought more density here and the streets could not accommodate the number of vehicles.
 - If parking regulations were enacted, it would be difficult to get the message out to the visitors regarding where they could park their boats, RVs.
 - Visitors could be charged to park here. Possibly charge an up-charge, fair and equitable one.
- Need for alternate location:
 - The Town should provide an alternate location for citizens to park their boats, RVs, etc., at an affordable cost, if any.
 - If the Town enacted an ordinance, would it be required to provide alternative parking locations?
 - There was no legal requirement for the Town to provide an alternate location but morally, it needed to identify locations.
 - Council leaned toward the benefit of the residents. Every resident had encountered issues regarding being able to park close to their homes.
 - It was impractical to make people park their boats and trailers elsewhere. It would be more detrimental to the residents over anyone else. Suggested including some type of tariff to visitors versus residents. If these types of vehicles were required to be moved off the street, alternate locations needed to be presented. Many people didn't have backyards or driveways. It was understood why something needed to be done, but there also needed to be options.
 - Residents with alleys also had difficulty accessing their backyards for parking boats, etc.
 - A suggestion was for the Town to contact the owner of the parking lot by the Oyster Farm that remained mostly empty, for a temporary agreement to allow for boat storage until the Town could identify an alternate location. Another area that could be leased was the former little league area.
- Added expense to boat and RV owners:
 - The Town needed to provide an option. If people had to pay \$200-400 per year, it would be too much and cause some to sell their boat, which would impact the tax base.

- Presents an expense to boat and RV owners. Where would they go? There was no convenient place to store. There was typically a cost for storage.
- When a boat owner purchased their boat, they budgeted the costs. If the Town required the boats be stored elsewhere at a cost to the boat owner, it would be an additional, unbudgeted expense.
- Weight vs. Size:
 - Weight based restrictions were impractical and unenforceable.
 - Possibly the size of a vehicle should be considered versus the weight.
 - Size was the issue.
 - Issue with oversized vehicles, boats, campers, etc. in front of Town Hall, even during the winter months. This impacts citizens' ability to come to the Town Hall to conduct their business.
- Enforcement:
 - If the ordinance was enforced and went to the court system since the ordinance currently showed this as a misdemeanor. Who would prosecute the case for the town? The Commonwealth Attorney would not prosecute the town's cases. The town would need its own attorney.
 - Councilwoman Burge responded that this section could be changed to allow for civic charges.
 - If a vehicle was in violation, it needed to be ticketed. Whatever decisions were made, they needed to be enforced consistently without favoritism.
 - In Virginia, these items could be enforced by traffic control for safety, obstructing traffic, etc. If the vehicle had to move across the line of traffic in order to pass the parked vehicle, the parked vehicle was in violation of state law.
 - The bottom-line would be enforcement. Need to work together. Trying to put 10 pounds of stuff into a five-pound bag. The Town couldn't accommodate what it didn't have space for.
- Charge to Park:
 - Suggestion to issue parking stickers for property owners.
 - If the Town instituted a charge for visitors to park at the beach, this could have a negative effect on the residents in the first several blocks from the beach, as beachgoers would park in the neighborhood.
- Suggestions:
 - Possibly institute time limits for parking on certain narrow or heavily traveled streets for loading and unloading. The main concern should be Randolph Avenue and Plum Street by the Town Hall.
 - The Town needed to look at VDOT minimum standards for each street and restrict vehicles wider than eight feet and possibly more than three axles.
 - Need to look to the long term. Some might not think parking was a problem now, but what would it be in the next five years?
- Miscellaneous:
 - One resident had a boat but stored it at a friend's house on Seaside Road. He would like to be able to park it in front of his house on weekends when he was here.
 - There were no restrictions in the historic district regarding parking boats, trailers, RVs in backyards, if accessible, but such vehicles could not be parking in yards in the Bay Creek development.
 - If restricted parking on the narrow streets, it would move the boats to the other streets, and they would become parking lots for boats, campers and trailers.
 - Some people who didn't live in Town or own property in Town parked their boats in Town since there was no cost and no enforcement.

- There was ambiguity regarding watercraft. A kayak could be considered a watercraft. The term motor home was vague. This could include conversion vans, campers on pickup trucks, etc.
- Why is a boat or camper considered as being more dangerous than a vehicle? Other vehicles were out there that were just as wide as a boat – pickup trucks, vans, delivery trucks. How big of a problem was this? If the Town restricted boat and trailer parking, visitors would go elsewhere, and the Town would lose tax revenue.
- Speeding was more of a problem than boats parked on the streets.
- A middle ground would be the ultimate solution. Glad to hear that Council was looking for a solution that would benefit the people who lived here.
- There could be a lot of unintended consequences with parking restrictions.

Vice Mayor Bennett thanked everyone for coming out on a Saturday. It was a tremendous session and a lot of great comments were received across the board. It would be a difficult task going forward. Council would do their best to move this forward.

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

The meeting adjourned at 12:32 p.m.

Vice Mayor Bennett

Town Clerk

**Comments and Information Provided in Writing
February 29, 2020 Town Council Public Input Session**

PowerPoint Presentation

Public Session: Promoting Discussion on Permitting Boats/RV Parking on Cape Charles Streets



2/29/2020

Cape Charles Civic Center

Moderator: Mayor Dize

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Purpose

- Discussion as to why this topic?
- Review of current code restrictions/limitations
- Review of options others have implemented
- Open dialogue



2

2

Why this topic?

Pros: Placing restrictions on boat/RV parking

1. Neighbors/people don't want to see
2. Impact to available parking spaces
3. Narrow street access – emergency vehicles and road becomes one way street
4. Anyone (resident or not) can park in front of your house or in town

Cons: Why restrictions will hurt

1. Inconvenient to boat/RV owners
2. Visitors bring boats – hurts tourism
3. No convenient place to park and store
4. Will need to enforce

3

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Current Town of Cape Charles Code Restrictions

- Town Code § 42-90 addresses this issue by prohibiting the parking of “travel trailers, coaches, motorized dwellings, tent trailers, boat trailers, amphibious houseboats and the like” on “any public street or public right-of-way for more than 48 hours.”
- The Commonwealth of Virginia is a Dillon Rule state where local governments have limited authority and can pass ordinances only in areas where the General Assembly has granted clear authority. Therefore the current code cannot be enforced without the Town being granted the authority to do so. [Until now!]

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State Authority Granted to Cape Charles

In the 2019 General Assembly, the Code of Virginia § 46.2-1222.1 now authorizes the Town of Cape Charles and certain other localities to regulate or prohibit the parking on any public highway “of any or all of the following: i) watercraft; ii) boat trailers; iii) motor homes; and iv) camping trailers;”

5

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Solution Spectrum

1. No restrictions
2. Do something
3. Prohibit entirely, all the time.

6

6

Prohibit (Vienna, VA)

- Prohibit watercraft, motor homes, camping trailers, boat trailers, vehicles w/ 3 or more axles, gross weight > 12,000 lbs, vehicles transporting ≥ 16 except school buses on public roadways for any length of time.
- Exceptions – actively loading or emergency repairs.

Sec. 9-13.2 Parking of Watercraft, Boat Trailers, Motor Homes and Camping Trailers and other Devices Prohibited on Public Streets. (Adopted 10-18-11)

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On-Street Parking Time Limit (Virginia Beach, Florence NJ)

VB - Major recreational equipment and non-commercial trailers parked or stored in residential areas are subject to the following limitations:

- No recreational equipment shall be in any public street or public right-of-way for more than three hours.

Virginia Beach City Code Section 16-41.2. Parking and Storage of Recreational Vehicles.

Florence, NJ - No trailers of any type, trailer devices, campers, motorized or vehicle-drawn recreation vehicles with or without sleeping quarters, vehicles in tow, boat or boat trailers, vehicles that cannot move under their own power and which can be operated legally on the highways of the State of New Jersey, or non-passenger-type vehicles, may be parked on any street located in any zone for more than two hours in any one-week period except where actively engaged in loading or unloading operations.

Florence NJ Code Article I, Section 108-2. Storage and Parking on Streets.

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On-Street Parking Time Limit (Oceanside, CA and Cape May, NJ)

- (a) No person shall store or cause to be stored any vehicle upon any street.
- (b) A vehicle shall be considered stored when it has been left standing upon a street without having been moved more than one-tenth of a mile within a seventy-two (72) consecutive hour period.

Oceanside Traffic Code Section 10.4. Storage of vehicles prohibited.

- No person shall park a boat trailer with or without a boat upon any street for longer than twenty-four (24) hours

Cape May § 7-22.4. Parking of boat trailers.

9

9

Banned During Summer (Avalon, NJ)

- New regulations prohibit parking of boat and watercraft trailers on residential streets from June 1 through Sept. 30, regardless of whether such trailer is licensed and/or registered.
- It requires anyone parking a boat or watercraft trailer on the street between Oct. 1 and May 31 to do so “directly in front of, and immediately adjacent to, the curb or property line of any property owned by the trailer owner, or occupied by the trailer owner as a tenant under a written lease, with the owner of the property.”

Section 8-16.4. Parking of Trailer-type Vehicles Prohibited on Borough Streets During Certain Times

Section 8-16.5. Boat and Watercraft Trailers

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On-Street Parking Narrow Streets (Oceanside, CA, Newport Beach, CA and St John, MO)

The city traffic engineer is hereby authorized to place signs or markings indicating no parking upon any street when the width of the roadway does not exceed thirty (30) feet.

Oceanside Sec. 10.9. - Parking prohibited on narrow streets.

The City Traffic Engineer is hereby authorized to place signs or markings indicating no parking upon any street when the width of the roadway does not exceed twenty (20) feet, or upon one side of a street as indicated by such signs or markings when the width of the roadway does not exceed thirty (30) feet.

12.40.150 Parking Prohibited on Narrow Streets.

St. John, MO, Section 350.050. Parking Prohibited on Narrow Streets.

No examples found for boats/RV on narrow streets

11

11

On-street Parking – attached to vehicle (Sea Isle City, NJ)

- a. No person shall park, or cause to be parked, any commercial motor vehicle, noncommercial truck, truck, omnibus, school bus, pole trailer, trailer, or recreational vehicle with a gross vehicle weight of four tons or any camper, recreational vehicle, boat or utility trailer, regardless of weight, on any City street at any time.
- b. Exceptions.
 - 1. The provisions of paragraph a shall not apply to any vehicle which is parked upon any street for the purpose of loading or unloading supplies, materials, foodstuffs or other such items or construction vehicles during construction.

Sea Isle City § 7-8.1 Parking of Certain Vehicles Prohibited on Certain Streets.

- Boat trailers can only be parked on the street if they are attached to a vehicle that tows them. 2009 quote from City Solicitor in article

Source of idea

12

12

On-Street Parking – Parking Districts (Fairfax and Prince William Counties)

- Community Parking Districts (CPD) prohibit the parking of watercraft, motor homes, campers, trailers, vehicles greater than or equal to 3 axles, vehicles with a GVWR greater than or equal to 12,000 lbs., and vehicles transporting greater than or equal to 16 passengers (except school buses) on public streets in residentially zoned areas.
- Exemptions include: vehicles temporarily parked, for up to 48 hours, for the purpose of loading, unloading or preparing for a trip.

Code of the County of Fairfax, APPENDIX M. - Community Parking Districts

Prince William County Code Section 13-320.1. Designation of watercraft, boat trailer, motor home, and camping trailer "restricted parking" zones.

13

13

Returning to Solution Spectrum for discussion

1. No restrictions
2. Do something, examples seen;
 - a. Setting time limits
 - b. Setting seasonal limits
 - c. Setting limits on narrow streets
 - d. Must be attached to a vehicle
 - e. Establishment parking district or specific street restrictions.
 - f. Other
3. Prohibit entirely, all the time.

} Or combination

14

14

Solution Discussion



Whatever the solution,
MUST be enforceable!

15

15

Becky Lowe, 606 Monroe Avenue

Hello, my name is Becky Lowe, I live at 606 Monroe Ave. I have a camper parked on Nectarine. I will not be able to attend the meeting on the parking of recreational vehicles, so I would like to make my voice heard. I spoke to Zack Ponds, but he was not sure what all would be discussed, may have parking on certain streets only. I want to know if "recreational vehicles" include campers, boats AND golf carts. I would like to know that all recreational vehicles will have to abide by the same rules.

I often park my camper at Cherrystone campground, but most of the time it stays on Nectarine. If I keep my camper parked at Cherrystone campground, do I have to pay town taxes on my camper, which is \$378 per year? Another thought is concerning vacationers that come to town and bring their boats. I am curious how things will work out for them.

We all know how high property taxes are in this area, especially having to pay town and county taxes. Mine total to \$5491 per year. I paid less taxes in Hampton, and got a lot more for my dollar. I didn't have to worry about the corrosive water, I had access to natural gas versus having to pay more for propane heat, and of course had better internet access. I suppose you have to pay more to live in paradise? I am not sure I can afford to live in this town. I warn my friends who say they would love to live here. I just say it aint cheap!

Becky Lowe

Gilbert & Delores Somers, 600 Monroe Avenue

We need your input! February 29, 2020 at 11:00 a.m. at the Civic Center. Town Council workshop regarding the regulation of the parking of certain vehicles on the town's streets.

Too Many R.V's, Boats parked on streets! Dangerous on narrow streets.

Account Number	BILL NUMBER	LOCATION	BILL DATE	AFTER DUE DATE	DUE DATE
040-0001080-0	956	040 0001080	1/24/2020	\$120.79	2/21/2020
					TOTAL DUE
					\$109.81
					Amount Paid
					<i>109.81</i>

GILBERT DELORES SOMERS
PO BOX 97
SCOTSVILLE VA 24590



600 Monroe Ave

Laura Dove, 535 Monroe Avenue

PHONE: 757-331-3259
EXT: 14

LAURA DOVE
19976 SHELburne GLEBE ROAD
PURCELLVILLE, VA 20132

See enclosed payment
+ note below

Account Number	BILL NUMBER	BILLING DATE	AFTER DUE DATE	DUE DATE	TOTAL DUE
040-0001790-1	98	1/24/2020	\$120.79	2/21/2020	\$109.81
Service Period		Days	Location		Service
12/16/2019		1/16/2020	31	040 0001790	Water Sewer Trash
Service Address					Amount
535 MONROE AVENUE					\$32.94 \$62.00 \$14.87
Meter Number	Current	Previous	Usage		
04001790	857850	857840	10		
04001790	857850	857840	10		
Current:					\$109.81
Previous:					\$0.00
Total Due:					\$109.81

Attention: Please Read Note Below

We need your input! February 29, 2020 at 11:00 a.m. at the Civic Center. Town Council workshop regarding the regulation of the parking of certain vehicles on the town's streets.

I can't be there but maybe boats over a certain size shouldn't be on the streets. But you have to provide an alternative.

Parking in the back yard is not that a #1 choice either

Eric Feuillatte, 201 Monroe Avenue

Dear Chairman and Council Members,

The purpose of this meeting is to discuss the vehicle parking situation in the historic district of Cape Charles. Unfortunately, I am traveling abroad and respectfully ask you to read this letter to the attendants of the meeting.

Over the years I notice that boats and other vehicles were parked for months on my street (Pine) that do not belong to any residents. This is not acceptable and creates a prejudice to the community. This issue should be addressed and remediation enforced.

I favor to let residents to park their boats in front of their houses or at a near convenient location and to charge the visitors a right to park, especially during the summer season from Memorial Day to Labor Day. Some streets may be restricted to boat parking for security and safety reasons. The town should then provide a convenient location, free for the residents and at a required fee for the visitors.

Why free for the residents? We pay town real estate and asset taxes and we are required to maintain at our own expense the front of our house that technically belongs to DOT.

In many beach communities, visitors pay for parking. Visitors' cars and golf carts should pay parking on Bay avenue. The revenues will offset some of the costs for security and safety currently financed by resident taxpayers.

I hope the resolutions the town will take will provide fair solutions for the residents and enforceable clear rules and regulations for visitors.

Sincerely,
Eric Feuillatte

Stephen K. Fox, P O Box 630

In considering the recreational vehicle parking on Town streets, I offer for your consideration this perspective on motor homes and RV's. If not restricted in Town and especially on the Beach front, the Town risks becoming a "free" alternative to established camp grounds, e.g., Cherrystone, site proximate to Bridge Tunnel entrance, and Kiptopeake State Park. We have already experienced several incidents of overnight parking of such vehicles on the Beach. Skf

Robert Mucha, 627 Monroe Avenue

Cape Charles Parking Workshop,

Unfortunate circumstances prevented me from attending this workshop today, but I did want to share some of my thoughts on the parking situation in Cape Charles.

The town of Cape Charles has really grown over the 27 years that I have been here. Until just a few years ago, we could go to the beach and always find a parking spot next to the beach everyday, except for the week of 4th of July. Hopefully we can all agree that the town's most valuable asset, is its seaside appeal. I believe that most people come to this town because of its beach, harbor, and fishing pier. A large part of this drawl is the love of being on the water. Those who live here as well as those who visit for weekends and holidays love to spend their time on the water in their boat. It would not be a welcoming town if boats were not be allowed on the street. Since most lots are only 40' by 140', with narrow alleys, and lack of driveways, it does not give most people enough space to store a boat on their property. A possible alternative would be for the town to supply a no cost boat parking area for visitors and homeowners alike. This may free up some parking in town.

Other areas that I see may help in the parking, would be to limit camper parking in town. I can see where someone passing through town could bring a camper to maybe go to the beach, or visit our town, but maybe to restrict it to a 4 hour limit. There may be an ordinance about this already that I am not aware of presently. Another area that may help our parking would be to install more visible signs, at both ends to direct people to the additional parking south of Mason Avenue. There has been many times in the summer when Mason Avenue was full, but the additional parking area was only half full. That shows me that the signs may not being seen by visitors. Hopefully the town is looking at purchasing some of the railroad property for additional parking to help the downtown area.

Another asset that the town has is the use of golf carts. Golf carts have steadily increased every year. Since my wife goes to beach almost every day during the summer, she has been noting that some days that there are almost as many golf carts as cars on Bay Avenue. Golf cart drivers have no single way they park their cart. Some on a slant, some park the same as cars and some pull straight in towards the sidewalk. This past summer, I have seen some golf carts pull in between cars, so to block them from pulling out the parking spot. Last week I went out with my tape measure and measured some of the roads to see what could be done. I measured Monroe Avenue, since it a single lane road, and it measured 17 ½', then I measured Jefferson Avenue, a double lane road and it measured 36'. This showed me that we need around 18 feet for a parked car and a roadway. Then I measured Bay Avenue and found out that the road closest to the bay was 32' and the other side of the road measured 24' with a 2' medium strip. So I thought, what if we allowed golf carts to park on the bayside of the medium strip, that would still leave plenty of room for cars to park next to the sidewalk, and if we removed the medium strip, we may be able to park 2 rows of golf carts in the middle of the road.

I am sure that this workshop will provide many possible solutions on the parking issue that face all of us in the town of Cape Charles.

Thank you for your time on this matter,



Robert Mucha

627 Monroe Avenue

Karen & Rick Lowe, 101 Tazewell Avenue

Attention: members of the Town Council

We are the owners of 101 Tazewell. It is a vacation rental, but we use the house in the off-season and love the town. We understand both sides of the issue but feel that it might be difficult for town visitors who have boats or golf carts to find a place to put them. An additional consideration is whether the town wants to take on the enforcement of such an ordinance. Since this is a water oriented community, we would expect that bringing water related devices might be important to some visitors. We are also concerned about the full time residents who have boats, and should enjoy the right to park them near their homes. The Bay Storage facility has only 4 spaces for boats, and none are available as they are in such high demand that renters pay for months and years in advance. We understand that during the summer all the extra cars make street parking challenging for residents, but that is part and parcel of towns that rely on seasonal tourism.

Karen and Rick Lowe

My name is Sue Panek. I have lived in town for about 15 years.

I enjoy living in this seaside town and would like to see it remain a friendly place in which to live, work, and vacation. I have always felt safe navigating the streets, whether by car, bicycle or as a pedestrian.

I would like to see a decision limiting parking of certain vehicles based on:

1. Safety and common sense
2. A survey using VDOT **minimum** standards for curb to curb, drive lane, and parking widths to see how each CC town street measures up against the standards
3. Alternative parking options for oversize vehicles
4. Enforcement costs and concerns
5. A second survey to determine a possible need for permitting restrictions due to future increases in residential and visitor volume

I do not believe that RVs, boats, and other vehicles on public streets should be banned solely for esthetic reasons. Gated communities with private roads, such as Bay Creek, exist for those who desire to live in a more homogenous and restrictive neighborhood. Esthetics should go hand in hand with safety.

Safety and common sense should dictate that the town utilize VDOT standards to determine the curb to curb, drive lane, and parking widths of each street before banning certain vehicles. VDOT **minimum** standards for parking spaces average 8x20 feet for mixed use and commercial, or 7x20 feet for residential areas. For safety reasons, I feel it would be prudent to limit parking to vehicles that are no wider than 8 feet from the curb, in order to allow for reasonable driving lane width. VDOT **minimum** curb to curb standards are 28 feet for streets with parking on both sides, and 22 feet for streets with parking on one side. Since CC has both type streets due to medians, both standards need to be used to determine safe driving lane widths for each street. Based on these standards a minimum driving lane width would be 12 feet. Large cities have minimums of 10 feet.

I would not want to alienate or burden residents and visitors with severe restrictions since most homes in Cape Charles have no driveways. Therefore, I think the town needs to also determine if alternate parking options could be made available. Perhaps a few spaces could be set aside at the town harbor for weekly visitor rentals. Another option might be renting railroad space from the Accomac-Northampton Transportation District Commission, with parking costs passed on to the consumer.

As to enforcement, I would suggest the town rely on the police force to issue citations to those illegally parked. Private citizens could also call in to the police to report the same. During the high rental season, the town might want to employ a part time officer to help with enforcement. To be fair to vacation renters, property managers could inform renters of restrictions and options. My informal observations from living here for 15 years is that the percentage of oversized vehicles is small in comparison to the total parking available. Hopefully, that would not put an undue burden on enforcement.

I want CC residents and visitors to be able to enjoy our seaside town for years to come. Putting safe, reasonable, common sense restrictions in place as needed is a step in the right direction.



January 2020 Treasurer's Report

Page 1 – Cash Position

- Wells Fargo pass through accounts #308 and 300 have sizable increases in January, however, this is due to debt service payments that are held in the bank prior to being released to the bondholder. These balances will level out in February's report.
- \$175,000 was transferred from the money market account to general the operating account to cover the debt service principal and interest payments. \$108,000 of this amount was a Pinnacle Public Finance Bond B principal payment.

Page 2 – Revenue vs. Expenditures

- No comments.

Page 3 – Capital Projects

- Trail Project Phase 3 expenses were \$1,902.
- \$1,096 was paid for stormwater drain repairs.
- 225 new waste cans were purchased and distributed by public works.

Page 4 – Tax Collection Rate

- 2019 Real property tax collections are already higher than the anticipated amount, and 95% of what was billed.

Page 5 – Tax Revenue Trends

- Transient Occupancy, Sales and Meals taxes continue to steadily increase.
- Permit and Planning fee growth is notable.

MUNICIPAL CORPORATION OF CAPE CHARLES
TREASURER'S REPORT
January 31, 2020

<u>Cash on Hand</u>	<u>12/31/2019</u>	<u>1/31/2020</u>	<u>Increase/ (Decrease)</u>
Atlantic Union Bank Checking Account	\$791,566	\$530,532	-\$261,034
Atlantic Union Bank Money Market Account	\$1,782,073	\$1,608,870	-\$173,203
LGIP Account 1 - Unrestricted	\$103,473	\$103,625	\$151
LGIP Account 2 - Unrestricted	\$297,436	\$297,917	\$481
Total Cash On Hand	\$2,974,549	\$2,540,944	-\$433,605

<u>Restricted and Reserved Cash Balances</u>	<u>12/31/2019</u>	<u>1/31/2020</u>	<u>Increase/ (Decrease)</u>
Atlantic Union Bank Savings Account - Facility Fees Rsrvd (Utilities)	\$784,091	\$784,091	\$0
Atlantic Union Bank Checking Account - Police Funds	\$431	\$431	\$0
LGIP Account 2 - Restricted for USDA loans	\$31,454	\$31,454	\$0
PNC SNAP Account- 2013 Bond Proceeds - Principal	\$544,367	\$544,367	\$0
PNC SNAP Account- 2013 Bond Proceeds - Interest	\$45,653	\$46,559	\$906
Atlantic Union Bank Checking Acct - E-Summons Revenue Rsrvd	\$2,716	\$2,718	\$2
US Bank - Reserved per VRA Interest Free Loan Requirements	\$258,179	\$258,447	\$268
Wells Fargo 2010 Debt Service pass through account #300	\$2,857	\$33,080	\$30,223
Wells Fargo 2010 Debt Service pass through account #308	\$639	\$130,639	\$130,001
Total Cash Held in Reserve	\$1,670,387	\$1,831,787	\$161,400
Total Cash - All Accounts	\$4,644,936	\$4,372,731	-\$272,205

DEBT SERVICE

Net Debt as of Current Reporting Month End \$7,329,255

MUNICIPAL CORPORATION OF CAPE CHARLES

TREASURER'S REPORT

January 31, 2020

REVENUE VS. EXPENDITURES

FUND	CURRENT MONTH	PRIOR YEAR-TO-DATE	CURRENT YEAR-TO-DATE	INCREASE/ (DECREASE) YTD	ANNUAL BUDGET	% REALIZED/ EXPENDED FY19
GENERAL						
REVENUE - Operating	\$113,908	\$2,068,869	\$2,289,042	\$82,421.34	\$3,580,706	63.93%
EXPENDED - Operating	\$214,461	\$1,339,938	\$1,446,668	\$106,730.31	\$2,805,563	51.56%
NET	(100,553)	728,932	842,374	113,443	775,143	
REVENUE - CAPITAL GRANTS & LOANS	0	22,402	2,042	(20,360)	813,867	0.25%
EXPENDED - CAPITAL PROJECTS & DEBT SVC	53,481	444,255	242,637	(201,618)	1,589,010	15.27%
TOWN CONTRIB. & PENDING GRANTS	(53,481)	(421,853)	(240,595)	181,258	(775,143)	
PUBLIC UTILITIES						
REVENUE - Operating	139,204	954,050	1,004,735	50,685	1,689,134	59.48%
EXPENDED - Operating	94,304	583,770	486,964	(96,807)	1,146,690	42.47%
NET	44,899	370,280	517,771	147,491	542,444	
REVENUE - CAPITAL GRANTS, LOANS, & FACILITY FEES	11,200	74,200	184,868	110,668	169,600	109.00%
EXPENDED - CAPITAL PROJECTS, DEBT SVC, & FACILITY FEES	192,585	465,368	564,648	99,280	712,044	79.30%
TOWN CONTRIB. & PENDING GRANTS	(181,385)	(391,168)	(379,780)	11,387	(542,444)	
HARBOR						
REVENUE - Operating	13,661	389,912	408,061	18,148	1,060,080	38.49%
EXPENDED - Operating	35,927	416,267	429,848	13,580	692,473	62.07%
NET	(22,266)	(26,355)	(21,787)	4,568	367,607	
REVENUE - GRANTS & LOANS	0	20,906	18,803	(2,104)	375,765	5.00%
EXPENDED - Capital Projects, Debt Svc	67,782	149,607	164,891	15,284	743,372	22.18%
TOWN CONTRIB. & PENDING GRANTS	(67,782)	(128,701)	(146,088)	(17,387)	(367,607)	
SANITATION						
REVENUE	16,766	114,891	117,962	3,071	214,546	54.98%
EXPENDED	17,105	97,475	115,824	18,349	214,546	53.99%
NET	(339)	17,417	2,138	(15,278)	0	

FY 2020 Capital Improvement Project Tracking Report

As of:
1/31/2020

	FY20 Status or Start Date	Percent of Completion	FY20 Budgeted	FY20 QTR 1 Expended	FY20 QTR 2 Expended	FY20 QTR 3 Expended	FY20 QTR 4 Expended	FY20 YTD Expended	(Over)/Under Budget
General Fund									
Wayfinding Signs	Pending	0%	\$ 68,000	\$ -	\$ -	\$ -	\$ -	\$ -	68,000
Parking lot Improvements	Pending	0%	\$ 10,000	\$ -	\$ -	\$ -	\$ -	\$ -	10,000
Repair Exterior of Library Building Phase 2 Library Upper Floor office study and prep; ADA entrances, water damage repair and ventilation at Municipal Center, cost overrun for library exterior work, \$31,655.	Complete	100%	\$ 50,000	\$ 50,000	\$ -	\$ -	\$ -	50,000	-
	Library exterior excess, remainder pending	11%	\$ 300,000	\$ 33,665	\$ -	\$ -	\$ -	33,665	266,335
Beach Sand Replenishment	Pending	0%	\$ 20,000	\$ -	\$ -	\$ -	\$ -	\$ -	20,000
Fishing Pier Upgrade Phase 1	Pending		\$ 10,000	\$ -	\$ -	\$ -	\$ -	\$ -	10,000
Storm Drain CCTV & Mapping	In process	43%	\$ 30,000	\$ -	\$ 11,846	\$ 1,096	\$ -	\$ 12,942	\$ 17,058
Multi- Use Trail phase 2 closeout	Completed FY19, but sidewalk was damaged	3%	\$ 200,000	\$ 5,000	\$ -	\$ -	\$ -	5,000	195,000
Multi- Use Trail phase 3 Construction FY19 Rebuild Entrance to Tazewell Alley & Park Row	Engineering	1%	\$ 750,000	\$ -	\$ 4,749	\$ 1,920	\$ -	\$ 6,669	\$ 743,331
	Complete	100%	\$ 10,930	\$ 10,929	\$ -	\$ -	\$ -	10,929	0
subtotal			\$ 1,448,930	\$ 99,594	\$ 16,594	\$ 3,016	\$ -	\$ 119,205	\$ 1,329,725
Water Fund									
No projects budgeted		#DIV/0!	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-
subtotal			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-
Sewer Fund									
4 New Mixers (Upgrades)	Complete	100%	\$ 30,000	\$ -	\$ 31,936	\$ -	\$ -	31,936.00	(1,936)
Odor Reduction at Mason & Bay Ave Washington Ave Pump Station Upgrade Phase I - electrical	Pending	0%	\$ 13,000	\$ -	\$ -	\$ -	\$ -	\$ -	13,000
	Pending	100%	\$ 30,000	\$ -	\$ -	\$ -	\$ -	\$ -	30,000
subtotal			\$ 73,000	\$ -	\$ 31,936	\$ -	\$ -	\$ 31,936	\$ 41,064
Harbor Fund									
Inner Harbor Rehab.	In Process	17%	\$ 125,000	\$ 15,475	\$ 5,825	\$ 132	\$ -	\$ 21,432	\$ 103,568
In-shore Breakwater/Wave Attenuator	Pending	5%	\$ 500,000	\$ 24,250	\$ 2,240	\$ -	\$ -	26,490	473,510
Wi-Fi Upgrade & Server	Planning Phase	14%	\$ 7,500	\$ -	\$ 1,019	\$ -	\$ -	1,019	6,481
Shade Sail	Pending	0%	\$ 8,000	\$ -	\$ -	\$ -	\$ -	\$ -	8,000
Fuel Pump Repair/Upgrade from FY19 FWD	Complete	100%	\$ 47,897	\$ 47,897	\$ -	\$ -	\$ -	47,897	-
subtotal			\$ 688,397	\$ 87,622	\$ 9,084	\$ 132	\$ -	\$ 96,839	\$ 591,559
Sanitation Fund									
Trash Can Replacements	complete	50%	\$ 10,042	\$ -	\$ -	\$ 11,858	\$ -	11,857.64	(1,816)
subtotal			\$ 10,042	\$ -	\$ -	\$ 11,858	\$ -	\$ 11,858	\$ (1,816)
TOTAL			\$ 2,220,369	\$ 187,217	\$ 57,614	\$ 15,006	\$ -	\$ 259,837	\$ 1,960,532

*ITEMS WITH CURRENT MONTH ACTIVITY ARE IN BOLD PRINT

MUNICIPAL CORPORATION OF CAPE CHARLES
January 31, 2020

YTD 2019 Real Estate Tax Collections

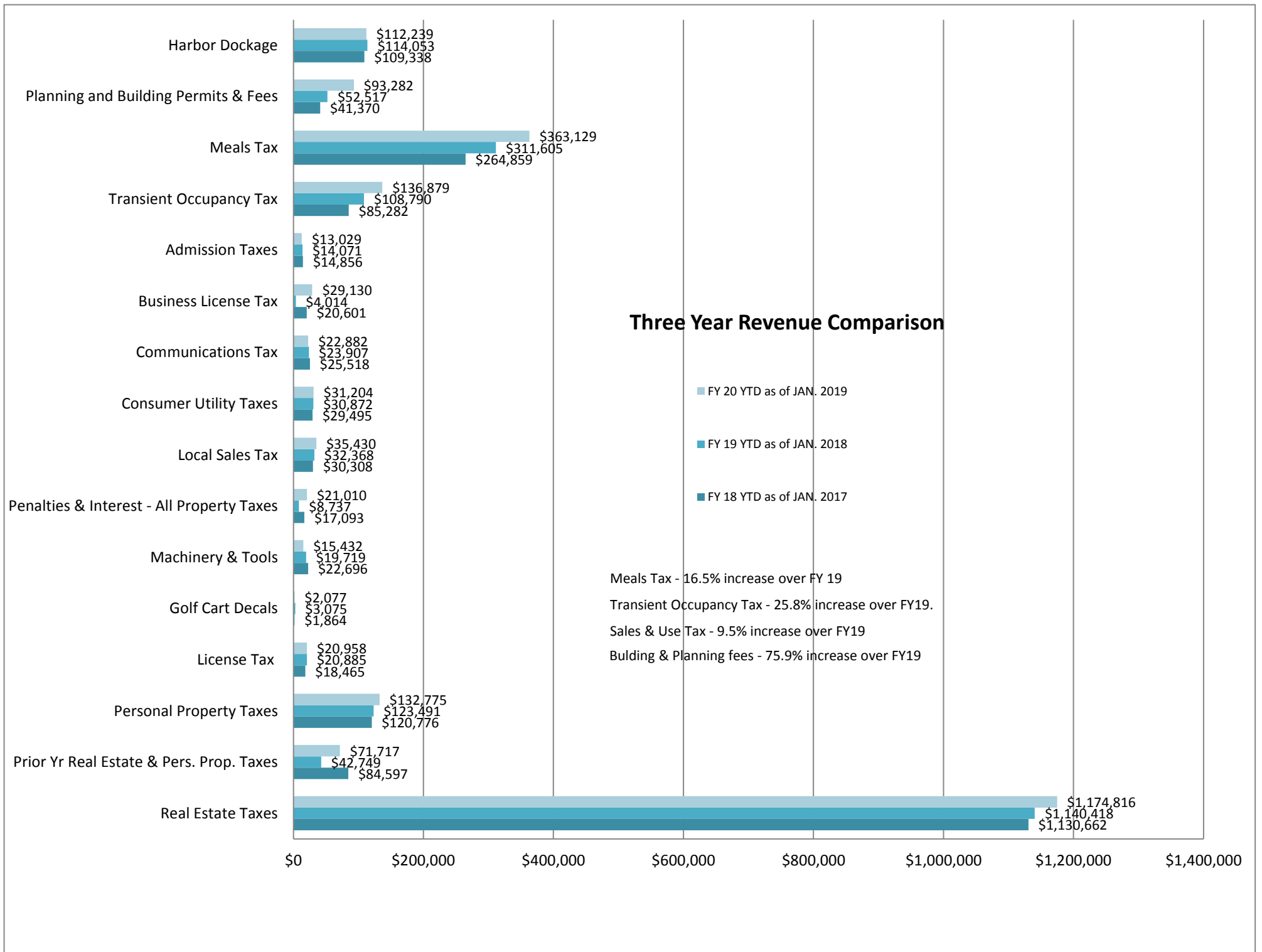
Total Taxable Land Value	\$	160,149,400	
Total Improvement Value	\$	260,882,300	
Exemptions	\$	(5,731,435)	
Additional Assessments (SCC Utility)	\$	3,672,005	
Total Real Estate Value (taxable)	\$	418,972,270	
Total Budgeted	\$	1,155,000	
Total Tax Billed	\$	1,233,840	
Total Adjustments	\$	(1,741.54)	
Total Collected YTD (percent of billed)	\$	<u>1,174,816</u>	95%
Amount Due per Accounts Receivable	\$	57,282.00	

**YTD 2019 Personal Property Tax, Machinery and Tools Tax
& 2019 License Tax Collections**

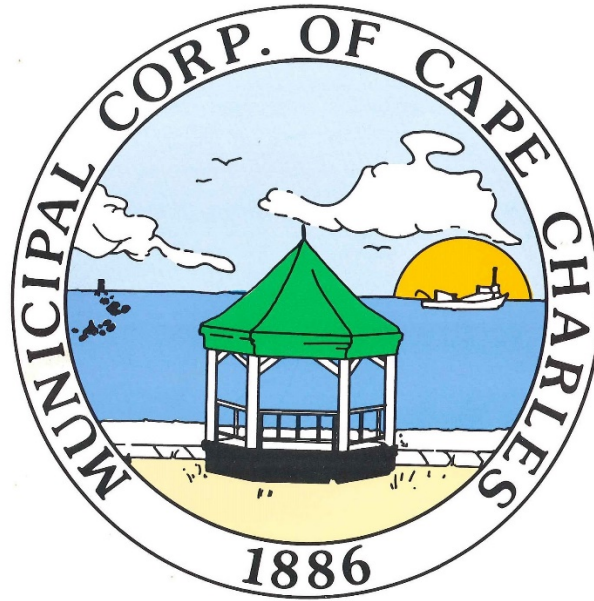
Total Personal Property Value	\$	14,452,600	
2019 Initial Assessment Exonerations	\$	(154,500)	
Personal Property Value, billed	\$	14,298,100	
Total Budgeted	\$	130,000	
Total Tax Billed less PPTRA	\$	213,122	
Total Adjustments & Additional Exonerations	\$	(7,228)	
Total Collected YTD (percent of billed)	\$	<u>169,165</u>	82%
Amount Due per Accounts Receivable	\$	36,728.36	

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

Total Budgeted	\$	154,500	
Total Collected (percent of budget)	\$	<u>92,727</u>	60%
Amount Due Per Budget	\$	61,773	



**Item #5D
3/19/2020
Town Council
Regular Meeting**



Monthly Department Reports

Code Enforcement

Month of February FY20

Building Permits Issued/Permit Fees Collected:

Permits this month: 42

Permits this year: 326

Total construction this month: \$2,057,693 Total construction this year: \$11,366,431

Permit fees this month: \$42,153.19 Permit fees this year: \$326,000.37

Connection & Facility Fees this month: \$24,700

Connection & Facility Fees this year: \$222,300

Fire Dept. levy this month: \$1,154.71 Total Fire Dept. levies this year: \$7,709.61

Miscellaneous Revenue: \$600

Grass cutting enforcement: 0

Grass cutting: 0

Other items of note:

1. Completed **134** inspections
2. Completed 2 courtesy residential inspections
3. Conducted 4 courtesy commercial inspection
4. Conducted 28 E & S control inspections
5. Conducted 0 commercial plan reviews for Erosion and Sedimentation Control.
6. Completed 2 residential plan reviews
7. Completed 0 commercial plan review
8. Staff has had numerous inquiries regarding new construction and renovation regulations throughout the town.
9. Staff is continuing the process of scanning older documents to the cloud and destroying the paper copies to make room in the office for upcoming projects.
10. Staff issued a permit for a new home in the Colony.
11. Staff issued a permit for a new home in the Historic District.
12. Town has rented a wide format scanner in order to scan larger plans and get them digital so that we can purge older documents.
13. Staff has received plans for a new home in the Colony.
14. Staff has received plans for a new home in the Historic District.
15. Helped with Zoning duties in the absence of a Town Planner.
16. Secured a Fireworks contractor for 4th of July Fireworks and will be executing a contract soon.

Community Relations Managers Report to Council

- Met with the treasurer and completed the budget for the Community Relations Department for FY20/21.
- Signed and returned an agreement for Clean the Bay Day. Currently contacting some local waterman to see if they would like to get involved. This year we will focus on the beach and harbor.
- Bob Panek researched pricing for a zip line for Central Park. Went online and researched two other options and submitted to Town Manager/Mayor and Treasurer for consideration in the FY20/21 budget year. Shared information with Public Works as they may have some ideas or plans to share.
- Worked the FSA table during the Benefits Fair on March 4, 2020.
- Invited funding applicants to talk for five minutes at the April 2 meeting regarding their non-profit.
- Met with Kimb Denny to discuss responsibilities of the Farmer's Market. Staff wants to ensure we follow all regulations and where there are lenient regulations the Town may consider implementing their own policy for safety reasons. Kimb was very helpful and has offered to be available for upcoming questions. Smitty and Jen have worked together to find a Market Manager and I will include more information in my weekly report once I have had a chance to meet with them. Information and applications were available at Cape Charles Day and the information was sent to those who attended the Round Table.
- Cape Charles Day was windy but fun. The music was well received. The Town Manager has asked to have the Mayor's speech published on the Town Website and Facebook so the Mayor is working on putting a printable piece together for this. The shredder truck was a huge hit. Thank you to Libby Hume for scheduling that. The biggest shout out goes to Barb Grossman for cooking homemade desserts all week. I know I tried each one!
- Working with the Finance Department on ordering a portable restroom for Town. This has been a good collaboration as many departments will be involved and have offered important input.
- The cleaning bids that were received were denied due to not being able to fill the full scope of work. The Mayor has worked with Public Works to go another route and the money has been moved from the Community Relations budget to the Public Works budget.

Town Harbor Town Council Report

February 2020

The weather during the month of February has been very favorable.

Items of Interest:

- Inner harbor wood boardwalk demo has begun. Isolated all affected utilities and removed power units to rebuild for reinstallation. Demo should be complete by March 9th.
- Marine contractor has mobilized and has begun construction of wave break wall just west of A Dock.
- Working with the commercial waterman getting ready for the crab season, gear storage is going to be premium this spring due to the work in the inner harbor boardwalk. Addressing crab pot storage locations, loading areas, vender locations and bulkhead usage. Most are aware of the construction and will gladly comply.
- Working with Trevon of Inversa Minds for computer upgrades next Thursday.
- Notified all seasonal and annual slip holders, gathering info on renewals for next season. The marina's available slips are full of annual, seasonal and commercial waterman. (work in progress for the next month)
- Bath house combo locks have been removed and new lever handles have been installed.
- Harbor office, laundry facility and shop to be painted after dock demo. Weather next should cooperate.
- Harbor shrubs pruning complete.
- Shanty parking lot turn in concrete installation is complete.
- Meet with Preston Smith this week, discussed grant funding for maintenance and repairs to floating docks, bath house and fuel system in the future. Also discussed the sewage grant funding to assist with the harbor force main sewage system replacement. Also, to add the Wi-Fi and security camera upgrades to the current grant, Bob Panek is handling the communications with VHD.
- Removed vessel Whopper Stopper from water due to safety concerns. To be stored in storage area until further notice.
- First boat club will arrive as early as April 20th, we are booked solid every holiday and every weekend, have several clubs interested and working on reservations for the remaining weekends.
- Bath house plumbing repairs completed, fiberglass repairs to 1 of the men's shower when materials received.

Maintenance/Repairs:

- Painting fuel tank to be repainted by mid-March. All lines and tank to be white for less heat absorption.
- The privacy/ security fenced area between office and fuel storage to be completed after sewage due to plumbing work.
- Aids to Navigation (PAYON) lighting on A dock. Mount for light for proper height being welded to be installed by end of February.
- Shanty gravel lot, once concrete turn has been opened for traffic we will regrade and setup parking blocks.
- Harbor Wi-Fi and Security Cameras, added the Wi-Fi and security camera upgrades to the current grant, Bob Panek is handling the communications with VHD, a much-needed amenity for our guests. Also adding additional security cameras to areas that need coverage and looking into adding a camera that would live stream the westerly view of the Harbor linked from the harbor's website as well as the town hosted sites.
- Harbor office computers relocated camera system, routers, and EPU's rerouting all cables, conduit to office closet. IT built and installed a server system along with new computers, these upgrades are required to install new software updates from Scribble and Quick Books which the Harbor currently uses for reservations and accounting.

Capital Projects and Harbor improvements

- Shade sails for bath house. On hold, resubmit project for 20-21 PY.
- Harbor wave break wall construction awarded and to begin construction mid-February. Inner harbor boardwalk 3 phases out for bid, to be received by Feb 14th, 2020, was awarded to Ace Concrete Contractors. To begin beginning of March.

Town Safety Committee

Safety Committee: Safety Committee: Due to new reorganization we plan to meet with all new managers to address items such as new members and chair, meeting date and times, all current items and priority and staff wide training. Next meeting TBD.

Monthly Department Report to Council: Human Resources

February 2020

Summary:

The month of February was a transition month for Human Resources as Jodi became the new Human Resources Manager on 2/11/2020. Many of the duties remain in place, however, there are duties being passed from the Clerk to the new department as well as new responsibilities and oversight as the position grows and develops.

The month of February the following items have been handled or are currently on-going into the new month.

- The creation of new management in Public Works and Public Utilities led to reclassifying employees, changes to insurance and payroll updates.
- HR worked very closely with the Town's broker for health insurance to conduct due diligence in shopping for group health coverage and weighing the pros and cons of the different carrier options.
- A presentation on the upcoming benefit year (4/1/2020) was given to Council on 2/6/2020. It was decided and approved that the Town would continue with the current carriers and renew as such. The Town would cease to cover premiums for AFLAC or fund employee FSA's due to cost control, however, as a compromise, employees choosing a higher deductible health plan would have an FSA funded at \$500 for the year. The Town agreed to subsidize dependent premiums at \$100 per month per employee covering dependents on their health plan. The affordability of health insurance and being able to retain and recruit talent drove this decision.
- HR met with small employee groups throughout the month to review each employee's individual benefit package for current and future to assist them in decision making.
- The Town had three positions available which have all been uploaded to the website as well as advertised externally: Police Officer, Town Planner and Bookkeeper. The Chief of Police has made an offer to a candidate and the new officer is expected to start at the end of March. Interviews for Planner and Bookkeeper will be scheduled in March.
- HR has met with John Lockwood to preliminarily discuss summer staffing for janitorial needs.
- The Financial audit was held the last week of February. HR is responsible for VRS retirement and Payroll compliance.
- HR completed the ACA compliance tax reporting (1094-B's) which were due on February 28th.
- Payroll, Benefits and finance duties were carried out as normal.

Cape Charles Memorial Library Monthly Report, February 2020

- **Youth Programs**

Toddler Storytime (2)	14
Preschool Storytime (2)	21

- **Adult Programs**

Book Discussion of Advice & Consent -	15
Movie of Advise & Consent -	38
Black History Program, Who Was Thomas Baker?	16

Total 104

- **Library Services**

- Book order of 37 and 28 books and CD's sent to ESPL this month.
- Two driving tests were taken at the Library.
- Our meeting room was used 13 times this month.
- The Library was closed on February 19 and 20 for staff training at the Eastern Shore Public Library on the new online catalog.
- Continue to plan programs for the future, contacting performers and scheduling activities.

- **Meetings**

- Attended Friends of the Library meeting.
- Attended ESPL Trustee Meeting.
- Attended Library Board Meeting
- Staff met with Ranger Stan of Kiptopeak State Park to plan summer programs and other collaborations.

- **Marketing & Communication**

- Staff created an account and profile for CCML for Eastern Shore of Virginia Tourism.
- Flyers were made for upcoming programs.
- Book displays featured books about Black History and Valentine's Day books for children.
- Received publicity material from the Eastern Shore Public Library to advertise ShoreCat, our new circulation system including a gift basket and refreshments.
- Staff is working with Rebecca Tilhou, an ODU doctoral student on a children's book making and photography workshop. Orientation was February 29 and it will be called "**Growing Up Rural.**"
- Valentine candy was available for patrons during Valentines week.

- **Outreach**
 - Staff attended the book discussion of *Advise and Consent* on 2/18, sponsored by the Library.
 - Staff attended the movie showing of *Advise and Consent* at the Palace Theater, sponsored by the library.
- **Continuing Education**
 - Staff attended a two-day training session at the Eastern Shore Public Library to learn how to use the new online catalog, ShoreCat.
- **Youth Services**
 - Toddler Storytime and Preschool Storytime were held at 10:30 am on Thursday.
- **Adult Services**
 - Bobby Harman presented a Black history program on 2/28 entitled *Who Was Thomas Nelson Baker*, from 5:30 to 7:00 before the showing of the film *Harriet*.
 - Book Discussion of *Advise and Consent*.
 - Movie showing of *Advise and Consent*.
- **Friends of Cape Charles Memorial Library**
 - Computer Tutor help is provided by the Friends. This help is free, and they will accommodate your schedule.
- **Volunteers**
 - We had 114 volunteer hours.

Upcoming Events

- Friends of Library Meeting, 3/2, 5:00.
- Eastern Shore Public Library Trustee Meeting, 3/10, 3:00.
- Library Board Meeting, 3/12 at 5:00.
- Book/ Photo Course, Growing Up Rural, every Saturday at 2:00
- Lunch and Learn Series, presented by the Friends of the Library, entitled Fall Prevention, 3/ 21 at 12:00.

CAPE CHARLES POLICE DEPARTMENT

MONTHLY STATISTICS

February 2020

The following information is the monthly statistics regarding law enforcement activities for the Cape Charles Police Department.

- Calls for service in Cape Charles: 47
- Calls for service outside of Cape Charles (assist): 3
- Felony arrests: 1
- Misdemeanor Arrests: 3
- Traffic Summons: 9
- Traffic Warnings: 5 (written& verbal):
- Parking tickets: 0
- Building Checks: 17
- Assisted Northampton County Sheriff's Office: 2
- Assisted Virginia State Police: 1
- Assisted Federal Agencies: 0
- Assisted Fire& Rescue: 4
- Foot Patrol Hours: 36
- Bay creek patrol hours: 24

The following took place in February:

- I have appointed Officer Diaz to the multijurisdictional sexual assault response team for Northampton county.

Arrests:

1. Assault & Battery
2. D.U.I.
3. Refusal
4. Grand larceny

PUBLIC WORKS DEPARTMENT REPORT
February 2020

1. Normal trash, brush and other daily duties
2. Beach bathroom repairs
3. Sand removal
4. Multiple meetings with VDOT, Treasurer, Mayor and Town Manager
5. Multiple repairs to town owned facilities and amenities
6. Developing plans for PW going forward

UTILITIES MAINTENANCE REPORT
February 2020

1. 15 Miss Utility Tickets
2. 6 Water meters Installed
3. Inspection on water main tap & wastewater tap
4. 1 call out after hours
5. Fixed low water pressure to a home

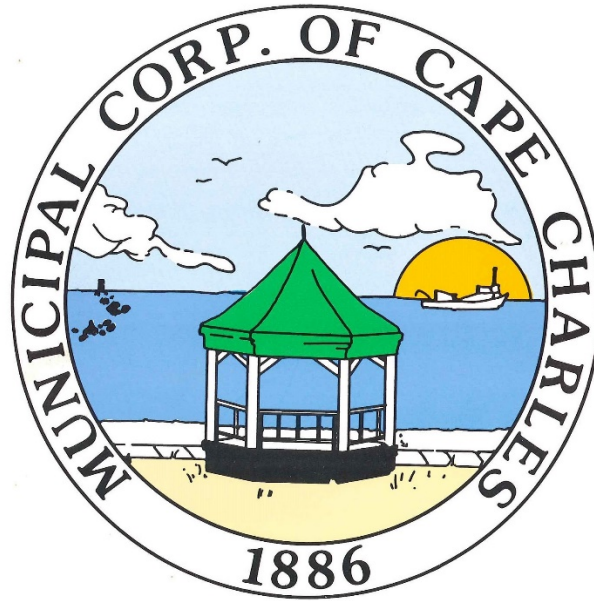
WASTEWATER DEPARTMENT REPORT
February 2020

1. Plant treated a daily average of 222,700 gallons for the month.
2. New smoke machine was acquired on 2/19. Smoke testing in the area that is serviced by the Pine street lift station (west of the Park) was scheduled for 3/09-3/13. The area serviced by the Plum street lift station (east of the Park) will be done the week of 3/23 of 3/23 3/27.
3. Hach did routine maintenance on the D.O. and Nitrogen probes. These probes are located at the Wastewater treatment plant.
4. Dan Dabinett is in the process of changing out the battery back-ups that are used by the computer management systems at the wastewater treatment plant.
5. Wastewater staff assisted in the monthly reading of the water meters.
6. Patrick T Christman and Billy Powell worked on the FY2021 budget for the Wastewater treatment system.

WATER DEPARTMENT REPORT

February 2020

1. Performed routine maintenance processes including filter backwashing and softener regenerations
2. Daily and Monthly water quality testing and analysis
3. Annual WTP inspection by the VDH
4. Submitted monthly reports to VDH
5. Purchased and installed new pumps at backwash waste pit
6. Staff read water meters
7. Flushed various fire hydrants throughout town and Bay Creek
8. Developed a budget with help from office staff and department heads
9. 3,180,830 gallons pumped with approx. 392,500 gallons to waste



New Business
Agenda Item
#7A-7C

 TOWN OF CAPE CHARLES	AGENDA TITLE: Vacation of Plat of Survey for Lots 336, 337 and 338B – Public Hearing Scheduled		AGENDA DATE: March 19, 2020
	SUBJECT/PROPOSAL/REQUEST: Notice of public hearing regarding vacation of plat of survey for lots 336, 337 and 338B		ITEM NUMBER: 7A
	ATTACHMENTS: Notice of Public Hearing and Proposed Ordinance		FOR COUNCIL: Action () Information (X)
	STAFF CONTACT (s): Libby Hume, Town Clerk	REVIEWED BY: John Hozey, Town Manager	

BACKGROUND:

On December 30, 2019, former Town Planner/Zoning Administrator Zach Ponds mistakenly approved the property line vacation and relocation between lots 336, 337 and 338B along Tazewell Avenue. This approval resulted in lots 337 and 338B becoming non-conforming lots in the R-1 district for purposes of zoning. Lot 337 became an undersized lot and lot 338B now blocked access to the alleyway.

ITEM SPECIFICS:

The issue was referred to the town's legal counsel for their review. An ordinance must be adopted by the Town Council to vacate the plat of survey showing the property line vacation and relocation between lots 336, 337 and 338B made by John H. Severs and Sarah T. Severs, dated November 15, 2019, which is recorded in the Northampton County Clerk's office as instrument 200000012. Prior to adoption of the ordinance, the Town Council must hold a public hearing. Since this is a zoning issue, the public hearing notice must run for two consecutive weeks in the local newspaper.

In order to expedite the process, the required public hearing has been scheduled for Thursday, April 2, 2020, during the Town Council Special Meeting. The issue would be on the April 16, 2020 Town Council Regular Meeting for action unless Council deemed it appropriate to take action at the April 2, 2020 Special Meeting immediately following the public hearing.

RECOMMENDATION:

For informational purposes only at this time.

**Town of Cape Charles
Notice of Public Hearing**

The Cape Charles Town Council will hold a Public Hearing on Thursday, April 2, 2020, at 6:30 p.m. at the Cape Charles Civic Center, 500 Tazewell Ave., Cape Charles, VA 23310 to afford interested persons the opportunity to be heard or to present written comments concerning the following proposed ordinance:

- 1) Proposed Ordinance to Vacate that Plat Entitled, "Plat of Survey Showing Property Line Vacation & Relocation Between Lots 336, 337, & 338B, Map of the Town of Cape Charles Capeville District Northampton County, Virginia November 15, 2019" made by John H. Severs and Sarah T. Severs, dated November 15, 2019, which Plat is recorded in the Northampton County Clerk's Office as Instrument 200000012.

Copies of the proposed ordinance are available for review in the Town Clerk's Office at 2 Plum Street, Cape Charles, VA 23310 and online at www.capecharles.org under Agendas and Minutes. For additional questions, you can also call 757-331-3259 x 15. Anyone interested in attending and needing special assistance please contact the Town at least 48 hours before the hearing.

Libby Hume, Town Clerk

ORDINANCE 202004__

TO VACATE THAT PLAT ENTITLED, “PLAT OF SURVEY SHOWING PROPERTY LINE VACATION & RELOCATION BETWEEN LOTS 336, 337, & 338B, MAP OF THE TOWN OF CAPE CHARLES CAPEVILLE DISTRICT NORTHAMPTON COUNTY, VIRGINIA NOVEMBER 15, 2019” MADE BY JOHN H. SEVERS AND SARAH T. SEVERS, DATED NOVEMBER 15, 2019, WHICH PLAT IS RECORDED IN THE NORTHAMPTON COUNTY CLERK’S OFFICE AS INSTRUMENT 200000012.

Recitals

WHEREAS, John H. Severs and Sarah T. Severs presented a subdivision plat entitled: “PLAT OF SURVEY SHOWING PROPERTY LINE VACATION & RELOCATION BETWEEN LOTS 336, 337, & 338B, MAP OF THE TOWN OF CAPE CHARLES CAPEVILLE DISTRICT NORTHAMPTON COUNTY, VIRGINIA, NOVEMBER 15, 2019” signed and dated by John M. Severs and Sarah T. Severs on December 16, 2019 and December 17, 2019, respectively, to Town Planner/Zoning Administrator for the Town of Cape Charles, Zach Ponds; and

WHEREAS, said plat resulted in Lot 337 to be too small and a non-conforming lot in the R-1 district for purposes of zoning and Lot 338 blocking access to an alleyway and a non-confirming lot in the R-1 district for purposes of zoning; and

WHEREAS, said plat was mistakenly approved by the Town Planner/Zoning Administrator for the Town of Cape Charles, Zach Ponds on December 30, 2019 and subsequently recorded on January 3, 2020 in the Clerk’s Office of Northampton County Circuit Court as Instrument Number 200000012; and

WHEREAS, the subdivision plat entitled, “PLAT OF SURVEY SHOWING PROPERTY LINE VACATION & RELOCATION BETWEEN LOTS 336, 337, & 338B, MAP OF THE TOWN OF CAPE CHARLES CAPEVILLE DISTRICT NORTHAMPTON COUNTY, VIRGINIA, NOVEMBER 15, 2019” signed and dated on December 16, 2019 and December 17, 2019 by John M. Severs and Sarah T. Severs, respectively, and presented to Town Planner/Zoning Administrator for the Town of Cape Charles, Zach Ponds, was *void ab initio* for failure to meet the requirements of the Cape Charles Zoning Ordinance; and

WHEREAS, proper notice has been given as required by Section 15.2-2204 of the Code of Virginia, as amended; and

WHEREAS, said plat is therefore declared *void ab initio* by the Town Council of Town of Cape Charles; therefore,

BE IT ORDAINED by the Town Council of the Town of Cape Charles:

Section 1. This Ordinance is adopted pursuant to Section 15.2-2271 of the Code of Virginia, as amended.

Section 2. Proper notice has been given as required by Section 15.2-2204 of the Code of Virginia, as amended.

Section 3. The following plat entitled: "PLAT OF SURVEY SHOWING PROPERTY LINE VACATION & RELOCATION BETWEEN LOTS 336, 337, & 338B, MAP OF THE TOWN OF CAPE CHARLES CAPEVILLE DISTRICT NORTHAMPTON COUNTY, VIRGINIA, NOVEMBER 15, 2019" is vacated in its entirety, thereby causing the lots shown thereon to be eliminated and remain in their original dimensions prior to this Plat.

Section 4. This Ordinance is enacted pursuant to the request of Cape Charles Mayor William "Smitty" Dize.

Section 5. The County Administrator shall cause a certified copy of the Ordinance to be recorded in the aforesaid Clerk's Office following the expiration of appeals or the right to appeal this matter. Upon such filing, the Clerk shall cause this vacation to be so noted on the plat of survey affected.

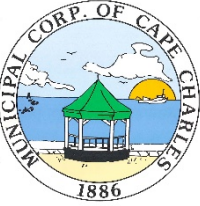
Adopted by the Town Council of Cape Charles on _____, 2020.

By: _____
Mayor

(SEAL)

ATTEST:

Town Clerk

 TOWN OF CAPE CHARLES	AGENDA TITLE: Temporary authorization to waive certain fees, charges, and penalties		AGENDA DATE March 19, 2020
	SUBJECT/PROPOSAL/REQUEST:		ITEM NUMBER: 7B
	ATTACHMENTS: None		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): John Hozey, Town Manager	REVIEWED BY: John Hozey, Town Manager	

BACKGROUND:

As a result of ongoing preparations to deal with potential impacts that may come about from the Coronavirus situation, we are encouraging everyone to minimize person-to-person and public contacts. If this situation continues to escalate, especially if normal Town business becomes affected, it may become problematic for members of the public to pay their required fees, charges or tax payments on time. To help alleviate this concern, the town manager is requesting temporary authority to waive certain fees or penalties that would be associated with such late payments, and/or to extend associated due dates.

ITEM SPECIFICS:

The town manager is seeking a 60-day authorization to waive fees, charges, or penalties associated with late payments due to the Town that, in the town manager's sole discretion, were due to circumstances surrounding the Coronavirus (COVID-19) situation. Note: this authorization does not permit waiving the underlying fee charge, or tax; only the penalties associated with late payments of such transactions.

RECOMMENDATION:

Authorize the town manager a 60-day authorization to waive fees, charges, or penalties associated with late payments due to the Town, or to extend the associated due dates of such payments when, in the town manager's sole discretion, such actions would alleviate complications arising from circumstances surrounding the Coronavirus (COVID-19) situation.

 TOWN OF CAPE CHARLES	AGENDA TITLE: Rescission of Interim Zoning Administrator Appointment		AGENDA DATE: March 19, 2020
	SUBJECT/PROPOSAL/REQUEST: Rescission of the Appointment of Interim Zoning Administrator made in February		ITEM NUMBER: 7C
	ATTACHMENTS: None		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Libby Hume, Town Clerk	REVIEWED BY: John Hozey, Town Manager	

BACKGROUND:

Former Town Planner Zach Ponds was the town's zoning administrator and his last day with the town was February 19, 2020. At the February 20, 2020 regular meeting, pursuant to Code of Virginia § 15.2-2286.A.4, Council appointed Ms. Kelly Lewis Parks as interim zoning administrator and E&S site plan reviewer.

ITEM SPECIFICS:

Since that appointment was made, the interim plans regarding the planning and zoning department have changed as the agreement with Ms. Parks was never executed. Councilman Grossman has taken on the duties of interim planner with assistance from Building Code Official Jeb Brady and Deputy Clerk Tracy Outten.

The appointment of interim zoning administrator and E&S plan reviewer made at the February 20 meeting needs to be rescinded.

RECOMMENDATION:

Staff requests Town Council rescind authorization of Ms. Kelly Lewis Parks as the interim zoning administrator and E&S site plan reviewer.