

TOWN COUNCIL
Public Hearing & Regular Meeting
Cape Charles Civic Center
February 17, 2022
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 of the Cape Charles Town Council. In addition to Mayor Dize, in attendance were Vice Mayor Bennett, Councilmen Buchholz, Follmer and Grossman, and Councilwomen Holloway and O’Brien. Also, in attendance were Town Manager John Hozey, Interim Planner & Zoning Administrator Katie Nunez, Police Chief Jim Pruitt, Human Resources Manager Jodi Outland, Assistant to the Town Manager Julie Pruitt, Town Clerk Libby Hume, and Officers Michael Charlton, Will Garrett, and Tom Lynch. There were 12 members of the public physically in attendance, and 36 viewers on Facebook.

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

PUBLIC HEARING:

Mayor Dize opened the public hearing for comments relating to A) A conditional use permit application from Claudine Pierce, Peacock Cottage LLC, with consent from the property owners Steve and Kate Keeler at 630 Tazewell Avenue (Tax Map #s 83A3-1-436 & 437) in the Residential-1 Zoning District for an accessory dwelling unit pursuant to Cape Charles Zoning Ordinance Section 4.2 (J); and B) A conditional use permit application from Kathleen and Todd Glaser at 520 Randolph Avenue (Tax Map # 83A3-1-580) in the Residential-1 Zoning District for an accessory dwelling unit pursuant to Cape Charles Zoning Ordinance 4.2 (J).

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

Motion made by Councilman Grossman, seconded by Councilman Buchholz, to close the public hearing. The motion was approved by unanimous vote.

The public hearing portion of the meeting closed at 6:33 p.m.

Mayor Dize asked that a presentation by Chief Pruitt be added as new item #4A, and the FY 2023 Employee Health Insurance Renewal Presentation be moved to become item #4B.

Motion made by Councilman Grossman, seconded by Councilwoman Holloway, to amend the Recognition of Visitors/Presentations/Recognition section of the agenda adding Chief Pruitt’s presentation as item #4A and moving the FY 2023 Employee Health Insurance Renewal Presentation to item #4B. The motion was approved by unanimous vote.

RECOGNITION OF VISITORS / PRESENTATIONS:

A. Presentation to Officer Tom Lynch

Chief Pruitt informed Council that Mothers Against Drunk Driving (MADD) had awarded Officer Tom Lynch their 2021 MADD Award for DUI (Driving Under the Influence) Arrests. Officer Lynch was a great asset to the Town and other officers, especially with his knowledge of accidents. He maintained his composure at the scene and his DUI investigations were the top of the line. In 2021, Officer Lynch had 24 DUI arrests and was the top officer on the Eastern Shore for DUIs. Chief Pruitt presented the award, along with an award from the Town, to Officer Lynch.

B. FY 2023 Employee Health Insurance Renewal Presentation

PUBLIC COMMENTS: (3 MINUTES PER SPEAKER)

Town Clerk Libby Hume read comments submitted in writing from Mark Pugh, MaryAnn Roehm, David Kabler, Steve and Niece Garner, Bonnie Moore, Nancy Proto, George Proto, Clelia Cardano Sheppard, Matt and Maria Cochrane, Chris Stahl, Meredith Lusk, Karen and Rick Lowe, Gordon Campbell, Cynthia Emrich, Maureen Manning, June and Henry Pearlberg, and Cristina Carollo. (Please see attached.)

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

CONSENT AGENDA

- A. Approval of Agenda Format
- B. Approval of Minutes:
 - i. January 13, 2022 Town Council Special Meeting
 - ii. January 20, 2022 Town Council Executive Session
 - iii. January 20, 2022 Town Council Regular Meeting
 - iv. January 27, 2022 Town Hall Meeting
- C. Approval of December 31, 2021 Financial Report

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

UNFINISHED BUSINESS:

There was no unfinished business for review.

NEW BUSINESS:

- A. *Conditional Use Permit – Accessory Dwelling Unit at 630 Tazewell Avenue:*
Interim Planner/Zoning Administrator Katie Nunez stated that the Town received a Conditional Use Permit (CUP) application from Steve and Kate Keeler of 630 Tazewell Avenue to convert the second floor of an existing 638 square foot accessory structure for an accessory dwelling unit (ADU) with the first floor to be utilized as a garage. The Planning Commission held their public hearing on December 7, 2021 and recommended approval of the CUP for an ADU at 630 Tazewell Avenue pursuant to Cape Charles Zoning Ordinance Section 4.2.(J). The Town Council public hearing was held earlier this evening with no comments received.

Motion made by Councilman Grossman, seconded by Councilman Follmer, to approve the Conditional Use Permit application for an accessory dwelling unit at 630 Tazewell Avenue as recommended by the Planning Commission. The motion was approved by unanimous vote.

- B. *Conditional Use Permit – Accessory Dwelling Unit at 520 Randolph Avenue:*
Katie Nunez stated that the Town received a CUP application from Kathleen and Todd Glaser at 520 Randolph Avenue to renovate and convert a portion of an existing 38-foot x 20-foot accessory structure for a 520 square foot ADU. The remaining square footage would be used as storage. The applicants also own the adjacent property at 530 Randolph Avenue, which was a recipient of a CUP to operate a bed and breakfast (B&B) with a swimming pool. Ms. Glaser submitted a written statement relinquishing the CUP for the B&B at 530 Randolph Avenue. The applicants intended to live in the ADU until the renovation work was completed on the main house then would be moving into the main house. The Planning Commission held their public hearing on February 1, 2022 and recommended approval of the CUP for an ADU at 520 Randolph Avenue with the following conditions: i) the applicant was to apply and obtain Historic District Review Board approval for all exterior improvements in accordance with the Historic District Overlay and Guidance Documents; ii) the applicant was to obtain all required permits and approvals form

the Building and Planning Departments; and iii) Upon occupancy of the ADU, the CUP for a B&B at 530 Randolph Avenue would be relinquished. This condition had been met by submission of the written statement from the applicants. The Town Council held their public hearing earlier this evening with no comments received.

Motion made by Councilman Grossman, seconded by Councilman Buchholz, to approve the Conditional Use Permit application for an accessory dwelling unit at 520 Randolph Avenue as recommended and conditioned by the Planning Commission. The motion was approved by unanimous vote.

C. *2022-2023 Employee Health Insurance Renewal:*

Town Manager John Hozey thanked Jodi Outland for her efforts in researching and putting the numbers together to present to Council.

Motion made by Vice Mayor Bennett, seconded by Councilwoman Holloway, to approve the proposed 2022-2023 employee benefit package as presented. The motion was approved by unanimous vote.

D. *Inshore Breakwater Repairs Contract Award:*

John Hozey stated that he reported on the damage to the inshore breakwater several months ago. Unfortunately, there were no witnesses to the actual occurrence. The Public Works crew replaced some of the sheared bolts, but further repairs were beyond their capability, nor were there any local contractors with the capability to reposition the heavy steel sheet piles. Langley & McDonald completed their assessment and judged the breakwater to be in critical condition and in danger of structurally failing during a severe storm event and provided a scope of work for the needed repairs. An Invitation of Bids was issued on January 24, 2022 for repair of the breakwater and one bid was received from Marine Contracting Corporation in the amount of \$121,380, which was consistent with Langley & McDonald's estimate. Marine Contracting Corporation built the in-shore breakwater so they were familiar with the design and was properly licensed to perform this type of work. \$36K was initially budgeted for these repairs when it was thought that the Public Works crew could complete the work, but additional funding was necessary. The only funding readily available for this project was the American Rescue Plan Act (ARPA) grant of \$528,615 which had been appropriated and included in the fiscal year 2022 budget. No projects had yet been approved for this funding. John Hozey added that due to the severity of damage which continued to deteriorate, he reluctantly recommended using a portion of the ARPA funding to complete this project and repurposing the \$36K for other maintenance needs at the harbor.

Motion made by Vice Mayor Bennett, seconded by Councilwoman Holloway, to allocate \$121,380 from the ARPA grant for the completion of the inshore breakwater repairs. The motion was approved by unanimous vote.

John Hozey stated that there were no limitations governing the manager's authority to move allocated amounts within a Fund. Money approved for capital projects would remain in the Capital Projects Fund. Although moving budgeted money within a fund did not require Town Council approval, it did not prohibit the Town Council from putting added requirements on the town manager. This issue could be discussed further during the upcoming budget meetings.

E. *Regulation of Conveyances on Sidewalks:*

John Hozey stated that it was discovered about a year ago that the Town was not in compliance with the Code of Virginia regarding the prohibition of bicycles and other conveyances on the sidewalks, except those designated as part of the Community Trail. State law required that a locality specifically designate by ordinance those sidewalks subject to prohibition and that official signs be installed in those areas. The Town Code was revised a year ago to cure this defect, but no action had been taken to designate any sidewalks subject to prohibition. Previously,

Council had expressed interest in prohibiting operation of certain conveyances on sidewalks in the central business district and implementation would require the adoption of an ordinance; submission of a plan indicating the proposed locations for VDOT approval; installation of the required signage; and enforcement by the police department. A proposed ordinance designating the sidewalks between Peach Street and Harbor Avenue on the north side of Mason Avenue, and between Peach Street and Pine Street on the south side of Mason Avenue, and Strawberry Street Plaza, and prohibiting all conveyances enumerated in Section 46.2-904 of the Code of Virginia, except for electric personal assistive mobility devices. Subject to VDOT review and approval, at least 14 signs would be needed at a cost of about \$2,500, with installation by Public Works. Chief Pruitt recommended a civic penalty of \$50.

Motion made by Councilman Grossman, seconded by Vice Mayor Bennett, to adopt Ordinance 20220217 Prohibiting Operation of Certain Conveyances on Designated Sidewalks. The motion was approved by unanimous vote. Roll call vote: Bennett, yes; Buchholz, yes; Follmer, yes; Grossman, yes; Holloway, yes; O'Brien, yes.

F. Approval of VDOT Proposal for Angled Parking on Mason Avenue:

Vice Mayor Bennett disclosed that he worked for Clark Nexsen, the firm contracted by the Town to prepare the Design Waiver Request to VDOT regarding the parking along Mason Avenue, but in a different department. Vice Mayor Bennett went on to ask Council whether they would prefer that he recused himself for this discussion and vote. Council was in agreement that Vice Mayor Bennett could participate in this discussion and vote.

John Hozey stated that the Council previously directed a change to the parking on the north side of Mason Avenue from back-in to head-in angled spaces, as the current parking configuration was very unpopular. The desired parking pattern did not comply with VDOT guidelines and required approval of a Design Waiver. A contract was awarded to Clark Nexsen to prepare the Design Waiver request and to prepare the parking plan, specifications, and bidding documents should it be approved by VDOT. The Design Waiver Request was submitted to VDOT in August 2021 and in November 2021, VDOT responded that they considered head-in angled parking more hazardous and requested that the Town address several matters in the request to mitigate some of the safety issues. The Town addressed all concerns in January 2022 and two additional safety mitigation measures were proposed: i) reduction of the speed limit from Peach Street to Harbor Avenue to 15 MPH, and ii) the prohibition of trucks of all kinds from parking in the angled spaces. VDOT responded that restricting parking on the north side of Mason Avenue to passenger cars only would improve visibility and alleviate safety concerns, so requested that the Design Waiver Request be modified to incorporate the mitigation proposal but required that SUVs and minivans also be prohibited. VDOT also specified that the request identify where trucks, SUVs and minivans would be allowed to park in the downtown area. The request also needed to state that the Town would be responsible for providing the necessary striping, signage and parking enforcement. It would be very difficult to classify an SUV and even if this plan was approved, additional discussion with VDOT would be necessary relating to the definition of an SUV.

Motion made by Councilwoman Holloway, seconded by Councilman Follmer, to delay the decision regarding VDOT's proposal for angled parking on Mason Avenue.

There was much discussion as follows: i) Councilwoman Holloway went on to state that in listening to tonight's comments, it was clear that people were unaware of the issues. In 2017, Cape Charles Main Street (CCMS) conducted a survey of residents and 80% of the respondents stated their biggest concern was the reverse angled parking on Mason Avenue. Former Mayor Proto created a subcommittee, comprised of members from CCMS, Town staff, Council, citizens and business owners, to conduct an extensive study regarding parking and the group came up with a good plan. A community meeting was held with over 100 attendees. Everyone was engaged and there was overwhelming support to change the parking. There was not enough time

to discuss the issues in detail this evening and the Town owed it to the community to discuss this in more detail and the public deserved the opportunity to learn all the facts. CCMS had all the information ready to move forward with VDOT in 2018, but with all the staff changes, the application never got submitted to VDOT for their review. Mayor Dize got the ball rolling again. She did not feel that the individuals who submitted their comments this evening had all the correct information. We needed to look at the bigger picture; ii) Councilman Follmer agreed to delay the vote on this issue for one month. We owed it to our constituents. A lot of input was received, and the comments were near unanimous. It made no difference to him personally; his customers would be unhappy with either decision. He spent the entire day talking to people about this issue and most did not have the correct understanding. A lot of people thought it would be good to change the parking to head-in angled parking but did not agree with the restrictions. We needed to obtain the input and views from the majority of our population. We could not make a decision without more public input. VDOT provided us with two options and it was worth getting public input regarding those options; iii) Vice Mayor Bennett stated that in his opinion, the price VDOT wanted to extract was too great to continue with this project. The Town had spent an ungodly amount of time, and money doing this and it was ridiculous. He felt that we had overwhelmed ourselves by trying to move this project forward. He was not opposed to putting the information out to the constituents, but it was not what we wanted, it was what VDOT required. Restricting more than 50% of the vehicles on our roads did not make sense and he did not want to continue wasting staff time and taxpayer money pursuing this project; iv) Councilman Grossman expressed his agreement with Vice Mayor Bennett adding that the project could be brought back at a later time; v) Councilwoman O'Brien stated that the Town had changed dramatically since 2017. She did not want to put more burden on our already overtasked police department. Just moving the problem off Mason Avenue would not solve the issues with our parking problem. Adding signage would not help the issue either since we already had far too many signs on Mason Avenue. Something needed to be done to deal with the change happening to this Town. More people were coming here and no one drove a sedan anymore. They were coming in their SUVs and other larger vehicles, and brining their boats, etc. We still had boats being parked/stored on the streets. Something had to be done; vi) Councilman Buchholz stated that the Town had a parking lot along much of Mason Avenue that was not being used. The entrance and exit to the parking lot needed to be flipped to allow better visibility. What the public wanted and what VDOT would approve were the problems; vii) Mayor Dize stated that in February 2018, he started campaigning for Mayor and he campaigned to reverse the reverse. He picked the project back up when he was acting town manager. A lot had gone back and forth with VDOT and the Town hired a consultant to assist with the project. A lot of staff time and money had been spent and he felt that no matter what we submitted, VDOT would be against it. We would be discriminating against people with larger vehicles; and viii) Bob Panek stated that VDOT did not want this parking change to happen. There would be additional implications if we took VDOT's deal. We were severely short on handicapped parking spots on Mason Avenue with only two spots. VDOT would require at least five handicapped spaces based on the number of spaces available. Two more spots were planned as part of the Peach Street improvement project. If we moved forward with the parking changes as required by VDOT, the next thing would be the required addition of more handicapped spots which would be very costly to install.

Mayor Dize called for the vote. The motion was defeated. The vote on the motion was a tie, with Councilman Follmer, and Councilwoman Holloway and O'Brien in favor, and Vice Mayor Bennett, and Councilmen Buchholz and Grossman against. Mayor Dize broke the tie by voting in opposition of the motion.

Motion made by Councilman Grossman, seconded by Vice Mayor Bennett, to stop the reverse the reverse parking efforts on Mason Avenue. The motion was approved by majority vote with Councilman Follmer and Councilwoman Holloway opposed.

TOWN MANAGER COMMENTS

John Hozey commented as follows: i) He informed Council that Debbie Caton resigned from her position in the Finance Department to pursue a great opportunity with the Town of Onancock. Michelle Walsh had been hired for the position and would be starting on February 28; ii) The Town was still waiting on VDOT for clearance to go to bid on Phase 3 of the Community Trail project. With VDOT's delay in responding, there would be no way to get through the process and get the project completed before the start of the busy season. The Town requested a delay in construction until after Labor Day but our request was denied by VDOT. If the project went to bid and if we could afford the proposed pricing, construction would have to be done during the peak season; iii) The requested program extension for the small business grant administered by CCMS was granted and we had until March 31 to close out the grant; iv) He received a formal approval of the exemptions for all of the perceived conflict of interest issues; and v) In the midst of the Town Hall meetings regarding the potential sale of the water and wastewater systems, he wanted to point out the next step in the process would be the scheduling of a special meeting for Council to decide whether or not to move forward to the negotiation phase. He recommended scheduling a special meeting on March 3, followed by an executive session, if Council chose to move forward, to discuss negotiating strategies.

MAYOR AND COUNCIL COMMENTS

Councilman Buchholz commented as follows: i) He reiterated that a parking plan was needed that incorporated the current underutilized parking lot and addressed curbs and sidewalks on Mason Avenue and the side streets; and ii) He gave a shout out to Town staff and CCMS for their work on the COVID-19 grant and obtaining the extra funding. He thought that Cape Charles was the only locality in the state that surpassed their grant funding. 63 businesses received money. Councilwoman Holloway corrected the number to about 90 businesses.

Councilwoman Holloway announced a number of new businesses – AJs on Peach Street, Salt & Sand on Peach Street in the former Tim's Place location, Just Peachy was the new convenience store next door to Salt & Sand, Edible Picasso on Strawberry Street, Live Localish on Strawberry Street, Eastern Shore Popcorn on Mason Avenue, and Asbury Collective on Stone Road. Drizzles on Strawberry was under new ownership.

Vice Mayor Bennett did not have any additional comments.

Councilwoman O'Brien commented as follows: i) She agreed with Councilman Buchholz regarding revisiting the parking plan and it needed to be communicated to everyone when it was on the agenda; and ii) She expressed her desire to honor Ann Rutledge in her retirement with a party and some type of accommodation from the Town for her years of service.

Councilman Grossman informed Council of the potential of the Kiptopeke Inn being sold and converted to affordable apartments with the condition of a zoning change to accommodate this plan. The Northampton County Planning Commission would be discussing the change to the zoning language to allow apartments at this location. Although this was a county issue, it would benefit the Town by providing additional rentals for seasonal employees.

Councilman Follmer stated that since Council decided to retain the reverse-angled parking, the area needed to be cleaned up and communication was necessary as people had become used to pulling into the spaces. A plan was needed to roll everything back out and provide notice to everyone since all the signs had been removed by staff. Safety needed to be improved. John Hozey added that the signs were gone because the merchants took them down. Every time staff installed a sign, they were taken down almost immediately.

Mayor Dize commented as follows: i) He thanked Chief Pruitt and all the police officers for being out there every day doing their jobs. People here did not realize how things had changed since the 1980s. In the 1980s things were bad in Cape Charles with lots of thefts and other crime. With our police officers out there, we did not have the crime; and ii) The second Town Hall meeting regarding the

potential sale of the water and wastewater systems was scheduled for Saturday, February 19, at 2:00 p.m. He wanted everyone to attend with an opportunity to speak.

Mayor Dize read the announcements, adding that he hoped to see everyone out on March 5 for Cape Charles Day. All would be meeting on Bay Avenue at 10:00 a.m. for community clean-up. The Public Works crew would provide gloves and trash bags. Around noon, everyone would meet in Central Park for a picnic with live music.

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

The Regular Meeting adjourned at 8:16 p.m.

Mayor Dize

Town Clerk

**February 17, 2022 Town Council Public Hearing & Regular Meeting
Comments and Information Provided in Writing**

#4B – 2022-2023 Employee Health Insurance Renewal Presentation

OPEN ENROLLMENT FY23

Renewal of current Anthem plan with three plan options

HISTORY

Plan Year	TOWN Covered Portion	PLANS OFFERED Deductible/monthly cost	DEPENDENTS	Actual Cost
2021-2022	\$549.62/monthly	a. 500/\$549.62 b. 2,500/\$484.25 c. 4,000/\$450.28	\$100 subsidy per month for dependents	\$170,276 w/ subsidy
2020-2021	\$677.15/monthly	a. 1,500/\$677.15 b. 3,500/\$589.81	\$100 subsidy per month for dependents	\$218,659 w/subsidy
2019-2020	\$600.00/monthly	a. 1,500/\$519.53 b. 3,500/\$457.28	use difference in actual premium i.e. \$600-\$519.53= 80.47	\$164,778
2018	\$623.43/monthly	a. 2,000/\$639.43 b. 1,000/\$623.43 c. 4,000/\$538.24	N/A	\$201,500

PROPOSED FY 23 ANTHEM RENEWAL

Plan Year	TOWN Covered Portion	PLANS OFFERED Deductible/monthly cost	DEPENDENTS	Actual Cost
2022-2023	\$595.00 monthly	a. 500/\$635.15 b. 2,500/\$556.32 c. 4,000/\$515.24	Allow for only a 5-7% increase for dependent premiums from FY22 to FY23.	\$199,183 w/ subsidy
	*\$595.00 is the middle point between plan 1 and plan 2's single premiums			

MORE HISTORY

- History shows that when we offer affordable plans and subsidies to employees with dependents, employees are more likely to enroll their children. This lowers our age demographic resulting in lower premiums over all.
- Offering an incentive to employees to enroll in higher deductible plans with lower monthly premiums, such as funding their Flexible Spending Account, has lowered the cost to the Town. In 2021 we saved \$2000 by offering a funded FSA to employees choosing the lower cost plan.
- Each year the Town finds a "standard, and affordable plan" in which that premium is allocated to each employee. Employees have to pay the difference if a richer/more costly plan is available.
- The Town's strong benefit program has been a large retention and recruitment tool.

CURRENT YEAR VERSUS RENEWAL

ANTHEM PLAN	FY22 Monthly Premium Cost	FY22 Monthly Cost to Town	FY23 Monthly Premium Cost	FY 23 Monthly Cost to Town
1. OAPOS \$500/20%/5500	\$549.62	\$549.62	\$635.15 <i>*employees pay \$18.53 per pay period for this high end plan.</i>	\$595.00 <i>(derived by the median of premium amounts of Plan 1 and plan 2)</i>
2. OAPOS \$2500/20%/6500	\$484.25	\$549.62 for employees with dependents \$484.25 plus \$500 FSA for single employees	\$556.32	\$595.00 <i>(a Town funded FSA of \$464, difference in 595.00 and 556.32)</i>
3. OAPOS \$4000/20%/7500	\$450.28	\$549.23 for employees with dependents plus 500 FSA	\$515.15	\$595.00 employer share of entire employee premium

TOTAL COST COMPARISON FY22 TO FY23

YEAR	Annual Anthem Cost	SUBSIDY	Dental, Vision, FSA & Medicare	TOTAL
FY 2022	\$159,476.	\$10,800	\$31,437.68	\$201,713
FY 2023	\$196,206	\$2,976	\$30,873	\$230,055

SUBSIDIES FOR DEPENDENTS

The Claim Refund Credit from the 2020-2021 plan year was \$20,459.00, which legally must be used for health insurance.

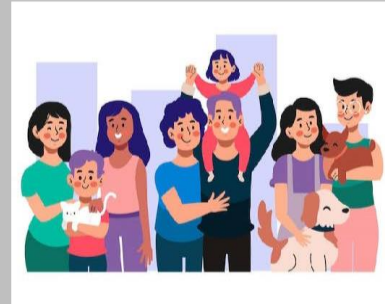
In capping the increase of dependent subsidies to 5% for employee & children and family tiers, and 7% for employee & spouse, the total proposed subsidy cost for FY23 is \$23,435.84. Applying the refund credit:

$$\$23,435.84 - \$20,459.52 = \$2,076.32 \text{ annually.}$$

Last year the dependent subsidy cost was:

\$10,800 FY 22

Thanks to the claim refund, the Town saves \$8723.86 from FY 22.



MONTHLY SUBSIDIES FOR EACH TIER/PLAN AT 5-7%
CAPPED INCREASES FROM FY22 TO FY23

Tier	\$500 Deductible	\$2,500 Deductible	\$4000 Deductible
Employee & Spouse	Town: \$203.75 Employee: \$598.56	Town: \$184.05 Employee: \$444.84	Town: \$173.87 Employee: \$364.65
7% increase			
Employee & Child(ren)	Town: \$191.58 Employee: \$356.68	Town: \$173.24 Employee: \$233.13	Town: \$163.50 Employee: \$168.94
5% Increase			
Family	Town: \$267.08 Employee: \$1106.86	Town: \$235.44 Employee: \$859.08	Town: \$218.68 Employee: \$783.58
5% Increase			

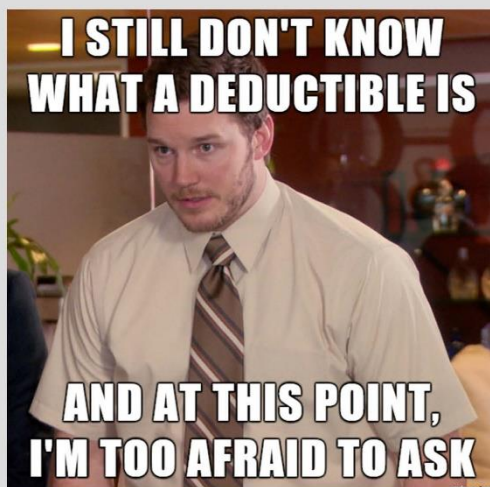
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OTHER CHANGES:

- Staff recommends eliminating the \$500 funded FSA paid to employees who are enrolled in Medicare. Medicare covered employees enjoy a generous increase in salary to help offset their premiums. The Town also covers vision for one subscriber and one dental coverage for a spouse. Staff felt it would be equitable if we drop the \$500 FSA benefit.
- Non-Medicare enrolled employees waiving the plan would continue to receive \$500 towards an FSA

SUMMARY

- Staff has tweaked a few things this plan year, mostly by decreasing some of the ancillary benefits to help offset the increase in the Anthem premiums.
- Staff feels strongly that not only we continue to give options to employees, at least one of which is a 100% covered employee only premium, but to be competitive, find creative ways to offset some of the dependent share of premiums. The Town is fortunate to have had a surplus from FY20 benefit claims resulting in a *claim refund credit*.
- It was no surprise that after a year with exceptionally low premiums, and large claims, we would have this increase. While premiums have increased, they have not exceeded any costs since 2018.



Mark Pugh, Kookaburra, LLC / K-Coast Surf Shops

KOOKABURRA, LLC
K-COAST PROPERTIES, LLC
K-COAST INC.

.....
3505 Coastal Hwy.
Ocean City, MD 21842
Offices 410-524-8500
Mark A. Pugh Cell 302-236-3535
Christopher M. Shanahan Cell 410-251-7552

Town Council
Town of Cape Charles, VA
February 16, 2022

Dear Council,

We have looked over the new parking proposal for Mason Avenue. One concern we have as to how it will affect people parking on Mason Avenue is what constitutes an SUV? The term SUV is rather vague and is currently nearly fifty percent of the Light Vehicle Market.

- How will the term SUV be codified? What will the Town consider an SUV? Is it a "crossover" Honda CR-V or a Chevrolet Suburban or both? Where is the demarcation line? How will that be put into easily understood signage?

SUV is such a vague term in today's vehicle market we can see it causing confusion and problems for enforcement. We have always lived by the adage "When you are dealing with the public, you are dealing with dynamite." This may create an unnecessary cause of frustration on both folks looking for parking and the officer that must enforce the code. We are sure they will deal with folks willing to argue and get angry over what is a car versus an SUV.

There is no easy answer but unless an SUV is clearly and easily defined, the outcome of enforcement, increased safety, and ease of parking may not be what we all wish for.

Respectfully,



Mark A. Pugh
Kookaburra LLC
K-Coast Surf Shops

MaryAnn Roehm, Lemon Tree Gallery
February 16, 2022

Re: VDOT proposal

After reading the Angled Parking Proposal, I would like to express my concern. I just walked out of the Lemon Tree Gallery and looked both east and west. Within view were 16 vehicles...15 SUV's, two trucks and ONE compact car up and down Mason Avenue.

Restricting the parking on Mason Avenue of the most popular car in all of America...the SUV...sounds like a nightmare that will be tense to enforce and unwelcoming to the tourists and visitors that we all depend on. This doesn't sound like a solution to me though I appreciate your time in trying to solve the problem.

Sincerely,
MaryAnn Roehm
2678 Butler's Bluff Drive
Lemon Tree Gallery

David Kabler, Blue Heron Realty Co.

From: [David Kabler](#)
To: [Libby Hume](#)
Subject: Reverse Angle Parking hearing
Date: Thursday, February 17, 2022 8:38:55 AM

Dear Town Council of Cape Charles,

As a Cape Charles property owner and business person, I thank you for the opportunity to comment on the proposal to "reverse the reverse" VDOT parking scheme. Please tally my vote to drop this whole issue and keep the present parking as it is.

Reverse angle parking has proved to me, a very frequent user, to be quite easily accomplished using my rearview mirrors and my backup camera. Also, as my doors then open facing the curb, my small grandchildren more safely exit my vehicle. Further, it is easier and safer for me to load and unload my vehicle. Then, upon exiting the space, I am already facing traffic and can readily detect danger in front of my vehicle.

The proposal to restrict from parking on north side Mason Avenue west of Peach all types of trucks, SUV's and vans and minivans will be a more burdensome enforcement nightmare than I think you can imagine. Have you ever noted how many of those types of vehicles are on the road here on the Eastern Shore? Not any one scheme is perfect, but what you have already is the best arrangement. You'll never get a true consensus on which way to go, but practicality, safety and expense should rule the day.

David L. Kabler
Licensed Real Estate Broker in Virginia and North Carolina

Associate Broker
Blue Heron Realty Co.
113 Mason Ave.
Cape Charles, VA 23310

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Steve and Niece Garner, Resident

From: honkerhill13@aol.com
To: [Libby Hume](#)
Subject: Mason Avenue
Date: Thursday, February 17, 2022 9:59:52 AM

Dear All,

Please do not limit minivans / vans / or pick up trucks on Mason Avenue. Many elderly drive mini vans especially handicap and need close parking access to restaurants/shopping. If there is a true problem with the current parking best alternative could be one way but the other way back out would have to be parallel street all the way down by Marina Village (Washington Avenue)and not through residential streets.

Thank you for all of your hard work caring for our wonderful community,

Steve and Niece Garner
169 Sunset Blvd

Bonnie Moore, Property Owner

From: [Bonnie Moore](#)
Subject: Please do not approve the "reverse the reverse" parking
Date: Thursday, February 17, 2022 10:28:30 AM

Good morning,

I have never held issue with the reverse angle parking on Mason Ave. Yes, it's different than most towns, but it truly is not so annoying that I have ever considered complaining about it.

Reading the fine print on the decision put forth for this evening's meeting, I ask that you please vote **against** the measure, and **maintain the reverse angled parking**. I think it will be cumbersome for guests to Cape Charles to understand whether they are allowed to park on Mason Ave, and alternatively for parking...if they give up trying to find a spot, this will hurt businesses. It also seems like an administrative burden to attempt enforcement of only passenger cars. I worry that changing the parking situation would exacerbate parking and traffic issues on Randolph, Pine, Strawberry, Peach, etc.

Sincerely,
Bonnie Moore
bonniecmoore@gmail.com
803-467-8544
owner of 206 Madison Ave. and 208 Madison Ave.

Nancy Proto, Resident/Property Owner

From: Nancy Proto <nancyproto@gmail.com>
Sent: Thursday, February 17, 2022 8:39 AM
To: John Hozey <john.hozey@capecharles.org>
Subject: Parking Comment

Good Evening,

The proposals I have heard so far sound like they will create more problems for our residents, visitors, police officers and, possibly shops, restaurants and other businesses.

I am in favor of leaving the parking the way it is and improving the current parking areas to the degree possible, namely the area behind the stores on the southside of Mason.

Respectively,
Nancy Proto

George Proto, Resident/Property Owner

From: George Proto <grproto1@gmail.com>
Sent: Thursday, February 17, 2022 10:22 AM
To: John Hozey <john.hozey@capecharles.org>
Subject: Input on Town Parking

Mr. Hozey,

I will be unable to attend the Town Hall meeting tonight and so am providing input via this email. I applaud the fact that the Town is seeking input from its citizens. There will be no perfect solution to this, but at least with such input it will likely be the best possible one.

I have several comments.

Years ago there was a Town parking plan. This included putting parking at various places including the current parking behind the shops on Mason. I don't know whether or not this has been updated recently, I suggest that any decisions on parking on Mason be made in the context of a parking plan that is current. This might include a number of changes to ease parking on Mason. For example, parallel parking spots might be marked to allow parking of two or three golf carts on Mason Avenue. This currently happens already on Strawberry Street and seems to be working out. It might also include upgrades to the parking behind the shops on Mason to make it more attractive and user friendly.

With regard to the possibility of making Mason Avenue one way, this was explored when I was mayor and rejected because of concerns raised by the Fire Department and Chief Pruitt relative to fire fighting. I think this is a bad idea. In any case, I urge Council to invite input from Chief Pruitt and the Fire Department on any traffic changes.

Finally, I believe that the current back-in parking arrangement is the best we can come up with, with one suggested change. I think the length of vehicles allowed to park there should be limited, using a line over which the vehicles may not extend. This would make back in parking easier and effectively give a little extra room for vehicles traveling on Mason.

Thanks for your kind attention and best of luck in resolving this!

Regards,
George Proto

Clelia Cardano Sheppard, Arts Enter Cape Charles



February 17, 2022

Dear Council,

As the business owner of The Lemon Tree Gallery on Mason Avenue and the Co-Director of Arts Enter that uses the Historic Palace Theatre for programming, I am alarmed at the suggested elimination of certain vehicles on the north side of Mason Avenue. The lesser of two evils is the current reverse angle parking. How unfortunate!!

Parking in Cape Charles has always been difficult and in particular when there is an event at the Gallery or in the theatre. I encourage you to go back to the drawing board in your discussions with VDOT and possibly build a convenient parking lot that serves businesses and tourists.

Yours in Art,

Clelia Cardano Sheppard

Matt and Maria Cochrane, Property Owner

From: [Matt Cochrane](#)
To: [John Hozey](#); [Councilman Andy Buchholz](#); [Councilwoman Tammy Holloway](#); [Councilman Andrew Follmer](#); [Councilman Paul Grossman](#); [Councilwoman Ellen O'Brien](#)
Subject: Parking Proposal
Date: Thursday, February 17, 2022 4:23:30 PM

Mr. Hozey and Council Members,

My wife and I are writing to voice our opposition to the current proposal to switch to front-in parking on Mason Ave and shift the parking burden to nearby residential streets.

My wife and I own a home on Tazewell but our concerns lie with our many friends and fellow neighbors on the proposed streets that would be impacted by the change:

- Has a study been done or has any data been reviewed to see what proportion of vehicles parked are trucks, SUVs, and minivans in the high season? It is evident that these make up a large percentage of vehicle traffic in town, especially during the high season when families flock to Town.
- Our children play in the yards and walk on the sidewalks. The impacted streets are already very busy during the high season with vehicles parking to use the beach or Mason or speeding through to get to Bay. Adding additional volume to the residential streets brings forth increased risk to families and other neighbors on those streets.
 - You mention the "many minor fender benders," but why is it ok to shift traffic risks to the residential streets where the impacts could be much greater?

Living in a metropolitan area, we understand the challenges associated with parking in a busy environment. We also understand the challenge you all have to accommodate the varying opinions of residents.

We respectfully ask that you reject this proposal and evaluate alternative measures to increase the OVERALL safety of the Town.

Regards,

Matt and Maria Cochrane

Chris Stahl, Resident

From: [Christopher Stahl](#)
To: [Libby Hume](#); [Councilman Andy Buchholz](#); [Councilwoman Tammy Holloway](#); [Councilman Andrew Follmer](#); [Councilman Paul Grossman](#); [Councilwoman Ellen O'Brien](#); [John Hozey](#)
Subject: Parking on Mason
Date: Thursday, February 17, 2022 4:47:39 PM

Hi, John & Council Members. I am writing to voice my extreme opposition to the current proposal to achieve front-in parking on Mason Ave by shifting the parking burden to nearby residential streets:

How can the town dictate/decide what types of motor vehicles a person can drive/park and shop in the towns one and only commercial area? Why are large vehicles any different than these super long stretch golf carts? How can the residential streets accommodate all of these vehicles (i.e., Peach, Strawberry, Pine, Harbor & Randolph Avenue) which can already be challenging for residents and guests to find parking in front of, or even near, their homes during the high season?

It is grossly unfair to shift the burden of providing commercial area parking onto residential streets.

Chris Stahl
209 Tazewell

Meredith Lusk, Moonrise Jewelry

From: [Meredith Lusk](#)
To: [Libby Hume](#)
Subject: Comments for tonight's meeting
Date: Thursday, February 17, 2022 4:52:33 PM

Hope I'm not too late to have my comments below read into the record for tonight's Town Council meeting. Thank you!

Good evening Town Council, Mayor Dize, and Cape Charles Town Staff,

My name is Meredith Lusk and I am the owner of Moonrise Jewelry, located at 325 Mason Avenue. I am writing to you today to urge you to vote against changing the current angled parking on Mason Avenue, with the Design Waiver Requests that have recently been suggested by VDOT.

Several years ago I was in favor of "reversing the reverse parking", but now fear that we are in danger of making our town parking problems worse if we restrict parking for SUVs, trucks, and minivans on the north side of Mason Avenue.

At lunch time today I counted 24 vehicles and 1 golf cart parked on the north side of Mason Avenue that would be impacted by this decision. Of those, 22 were SUVs and trucks that would have been required to park elsewhere under this new proposal. The entire section north side of Mason Avenue parking would have been vacant except for 3 spots that would have been filled by the 2 sedans and 1 golf cart parked there today. This seems counterproductive to the intention of the original request made to VDOT, which was to facilitate parking and vehicular access to businesses in the commercial district. The impact of the proposed restrictions under consideration today, would mean that the majority of my business patrons and staff would not be able to park in front of my business because they drive vehicles larger than a sedan. We already have a shortage of parking spaces available in this town without limiting which type of passenger vehicle can park in which spot. Signage, implementation, and enforcement for this proposal will also require significant town funds which would be better invested in other projects to alleviate current growth challenges. For these reasons, I respectfully request that you do not submit a revised Design Waiver Request to VDOT and leave the current parking on Mason Avenue as is.

Thank you very much for considering my comments and for your efforts to enhance the Town of Cape Charles.

Best wishes,
Meredith Lusk
Founder / Designer

MOONRISE JEWELRY
325 Mason Ave, Cape Charles, VA 23310 • MoonriseJewelry.com
phone / text (757) 678-0055 • @MoonriseJewelry

Karen and Rick Lowe, Residents

From: lowelandfarm@aol.com
To: [Libby Hume](#)
Subject: Parking on Mason
Date: Thursday, February 17, 2022 4:58:21 PM

We feel that changing the parking situation on Mason Avenue will be so confusing to residents and guests. We should just leave it as it is because there will be the expense and the ugliness of a plethora of signs indicating no SUVs, no vans etc. etc. and the cost of policing this would be ridiculous.

Most sincerely,
Karen and Rick Lowe

101 Tazewell Ave.

Gordon Campbell, At Altitude Gallery

Gordon Campbell
At Altitude Gallery
245 Mason Ave.
Cape Charles, VA 23310
757-394-9200

Re: VDOT Design Waiver Request - Mason Ave. Angled Parking

It was just within the past 24 hours that the Cape Charles Main Street alerted businesses of the new design waiver proposal. To my knowledge there has been no discussion regarding Mason Ave. parking between the town and stakeholders, I wish there was more communication with business owners that have had to live with this less than ideal parking.

These comments are based only on the Cape Charles Agenda as I have not read the VDOT response to the original Design Waiver Request (DWR).

1. Has VDOT been asked to clarify their stance "that they consider head-in angled parking more hazardous" and provide evidence quantifying the additional hazard. Over the past few years I have researched this issue and have not found any definitive evidence and studies that back-in parking (BIP) is safer than head-in parking (HIP). There are many articles that outline benefits of HIP, such as better visibility, but these statements are never backed up with evidence. VDOT asked for no safety measures when the change was made from parallel parking to BIP and the public should be aware of the actual additional hazard that would exist if BIP is replaced with HIP.
2. The public, especially tourist and first time visitors to the town have had a very difficult time with BIP, and the enforcement drove away visitors. I had customers tell me they would never return to the town after receiving a parking ticket. This revised DWR will lead to even more problems and frustrated visitors to the town.
3. Signage clutters up the main street and the amount of signage that would be required to notify the parking requirements would lead to confusion. Any parking plan that requires a curb side instruction sign should be thrown out.
4. VDOT describes a passenger car as "A motor vehicle, except motorcycles, designed for carrying 10 passengers or less and used for the transportation of persons." From the agenda I can conclude that non-commercial use pickup trucks (a type of passenger car) would NOT be prohibited from the HIP. Only SUV's and minivans, would be prohibited.
5. Prohibiting certain types of passenger cars would lead to confusion and would be difficult to enforce. There are many varieties of SUV's and minivans, some of which are very small. I have attached an image of a SUV and minivan to illustrate this point. Again, I don't know how VDOT would expect this to be enforced without creating a lot of confusion and anger among residents and tourists.
6. Forcing the prohibited vehicles to park on adjacent streets would increase congestion on those streets. For example, owners and tenants of the Wilson's Building primarily park on Strawberry Street.
7. This parking confusion would hurt the businesses along Mason Ave.

8. This is the first time I have heard the town acknowledge "many minor fender benders" form the BIP. Has the town compiled data on that? That data should be shared with VDOT to show that FIP is no more hazardous than FIP.
9. I am supportive of a reduction in speed limit to 15mph as that is the avg speed of traffic now.

In summary I am do not favor the revised DWR and am against restricting classes of passenger cars from Mason Ave.

Please excuse any typos as I am rushing to submit this.

Regards,

Gordon Campbell



Cynthia Emrich and Tucker Van Dyck, Property Owners

From: [Cynthia Emrich](#)
To: [John Hoxey](#); [Councilman Andy Buchholz](#); [Councilwoman Tammy Holloway](#); [Councilman Andrew Follmer](#); [Councilman Paul Grossman](#); [Councilwoman Ellen O'Brien](#)
Cc: [C. Tucker Van Dyck](#)
Subject: Opposition to Current Proposal re: Parking on Mason Ave
Date: Thursday, February 17, 2022 11:57:48 AM

Hi, John & Council Members.

We're writing to voice our opposition to the current proposal to achieve front-in parking on Mason Ave by shifting the parking burden to nearby residential streets:

- If you walk along Mason Ave during the high season, it's clear that the majority of vehicles are either pick-up trucks, SUVs or minivans.
- The streets you've earmarked to accommodate all of these vehicles (i.e., Peach, Strawberry, Pine, Harbor & Randolph Avenue) can already be challenging for residents and guests to find parking in front of, or even *near*, their homes during the high season.
- It is grossly unfair to shift the burden of providing *commercial area* parking onto *residential* streets.

In short, **please do not approve a proposal that selectively, negatively puts the burden on a few streets to provide parking for the commercial area.** The only way this proposal makes sense is to do the following to mitigate the burden on these *residential* streets:

- Expand the lots on Mason Avenue so that they can accommodate all of the trucks, SUVs and minivans that will no longer be able to park on the street. (You might consider delaying the passage or, at least, implementation of this proposal to after the summer season so that the Town has a better sense of the number of vehicles it will need to accommodate in these lots.)
- Install signage on the streets that are likely to be impacted by this proposal to indicate that they're permitted only, for the exclusive use of residents and their guests. Issue parking permits to homeowners on these streets so that the Town can enforce residential parking restrictions.

Thank you for your consideration, and take care.

Cynthia Emrich & Tucker Van Dyck,
 Owners of 420 Randolph Avenue

--

Cynthia Emrich, Ph.D.
 3 Pollard Park
 Williamsburg, VA 23185
 cell: 757-332-4230

From: MAUREEN MANNING <memtired@msn.com>

Sent: Thursday, February 17, 2022 4:23 PM

To: John Hozey <john.hozey@capecharles.org>; Cc: Councilman Andy Buchholz <councilmanbuchholz@capecharles.org>; Councilwoman Tammy Holloway <councilwomanholloway@capecharles.org>; Councilman Andrew Follmer <councilmanfollmer@capecharles.org>; Councilman Paul Grossman <councilmangrossman@capecharles.org>; Councilwoman Ellen O'Brien <councilwomanobrien@capecharles.org>; C. Tucker Van Dyck <ctvandyck@gmail.com>

Subject: Opposition to Current Proposal re: Parking on Mason Ave

Good afternoon,

John & Council Members.

We are appealing to you and writing to voice our opposition to the current proposal to achieve front-in parking on Mason Ave by shifting the parking burden to nearby residential streets:

- If you walk along Mason Ave during the high season, it's clear that the majority of vehicles are either pick-up trucks, SUVs or minivans.
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- Install signage on the streets that are likely to be impacted by this proposal to indicate that they're permitted only, for the exclusive use of residents and their guests. Issue parking permits to homeowners on these streets so that the Town can enforce residential parking restrictions.

Thank you for your attention to this critical decision .

Maureen Manning - Homeowner
626/628 Randolph Ave Cape Charles

June and Henry Pearlberg, Property Owners

From: [june.pearlberg](#)
To: [John Hozey](#)
Cc: [Councilman Andy Buchholz](#); [Councilwoman Tammy Holloway](#); [Councilman Andrew Follmer](#); [Councilman Paul Grossman](#); [Councilwoman Ellen O'Brien](#); [C. Tucker Van Dyck](#)
Subject: Opposition to Current Proposal re: Parking on Mason Ave
Date: Thursday, February 17, 2022 2:38:47 PM

Good afternoon,

John & Council Members.

We are appealing to you and writing to voice our opposition to the current proposal to achieve front-in parking on Mason Ave by shifting the parking burden to nearby residential streets:

- If you walk along Mason Ave during the high season, it's clear that the majority of vehicles are either pick-up trucks, SUVs or minivans.
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- It is grossly unfair to shift the burden of providing *commercial area* parking onto *residential* streets.

In short, **please do not approve a proposal that selectively, negatively puts the burden on a few streets to provide parking for the commercial area.** The only way this proposal makes sense is to do the following to mitigate the burden on these *residential* streets:

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- Install signage on the streets that are likely to be impacted by this proposal to indicate that they're permitted only, for the exclusive use of residents and their guests. Issue parking permits to homeowners on these streets so that the Town can enforce residential parking restrictions.

Thank you for your attention to this critical decision .

June and Henry Pearlberg
Homeowners 416 Randolph Ave Cape Charles

Cristina Carollo, Ambrogia Caffè & Enoteca

From: [Ambrogia Caffè & Enoteca](#)
To: [Libby Hume](#)
Subject: parking on Mason
Date: Thursday, February 17, 2022 2:47:00 PM

As a business owner I witness the issues related to back-in parking on the north side of Mason Avenue and my customers often complain about the current parking requirement, especially during the busy summer season. I support the proposal of a change to the parking on the north side of Mason Avenue as long as safety is guaranteed.

Cristina Carollo

Cristina Carollo, PhD
President

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