



TOWN COUNCIL

Regular Meeting

August 12, 2010

St. Charles Parish Hall

7:00 PM

1. Call to Order
 - A. Roll Call
 - B. Establish quorum
2. Invocation and Pledge of Allegiance
3. Public Comments (3 minutes per speaker)
4. Consent Agenda
 - A. Approval of Agenda Format
 - B. Approval of Minutes
5. Report Presentations
 - A. Town Manager
 - B. Treasurer's Report
 - C. Recreation Report
 - D. Library Report
 - E. Harbor Report
 - F. Public Works/Public Utilities Report
 - G. Code Enforcement / Trail Update
 - H. Planning Report
6. Old Business
 - *A. Harbor Area Design Guidelines – Schedule Public Hearing
 - B. Town Edge Zone Update
7. New Business
 - *A. VDH Grant for Keck Wells PER
 - *B. VDH Grant for Disinfection Byproducts PER
 - *C. Fiscal Year 2009 Audit Report
 - *D. Re-Appointment to Library Board
 - *E. Gray's Funeral Home Commendation
 - *F. Town Council Regular Meeting Time
 - *G. Planning Commission Appointment
8. Announcements
 - August 14, 2010 – Chamber of Commerce Harbor Party – 6P-10P
 - August 26, 2010 – Town Council Work Session
 - September 4, 2010 – Chamber of Commerce Harbor Party – 6P-10P
 - September 6, 2010 – Town Offices Closed in Observance of Labor Day
 - September 9, 2010 – Town Council Regular Meeting
 - September 23, 2010 – Town Council Work Session – *tentative*
9. Adjourn at 9:00 P.M.



DRAFT
TOWN COUNCIL
Regular Meeting
St. Charles Parish Hall
July 8, 2010
7:00 PM

At 7:00 p.m. Mayor Dora Sullivan, having established a quorum, called to order the Regular Meeting of the Town Council. In addition to Mayor Sullivan, present were Councilmen Bannon, Bennett, Evans, Sullivan and Veber and Councilwoman Natali. Also in attendance were Town Manager Heather Arcos, Town Planner Tom Bonadeo, and Town Clerk Libby Hume. The Department Heads were also in attendance along with nine (9) members of the public.

Mayor Sullivan offered the invocation and led the Pledge of Allegiance.

PUBLIC COMMENTS:

Mr. Erin Harvey, 123 Peach Street, addressed the Council regarding volleyball at the beach. Prior to the beach replenishment project, the volleyball net was moved to the south end of the beach by the fishing pier which is not a good location due to the narrowness of the beach in this area by a sandy cliff on a dune. There was no room for spectators to sit and watch the games. Mr. Harvey asked that the volleyball net be moved back to its original location where there would be enough room for two nets. Mr. Harvey went on to inform the Council that he spoke to Wagner Brothers and was told that the cost to move the sand, relocate the sand fence and install the nets would be approximately \$1K but if the Town were to do the work, the cost would be reduced to approximately \$400. Mr. Harvey concluded by stating that he would appreciate help from the Town Manager, Recreation Coordinator, Town Planner and Town Council in getting the volleyball net moved so more citizens could enjoy it.

Mr. Mike Kuzma, 209 Monroe Avenue, thanked the Town Manager, Chief of Police and Code Enforcement for their quick response regarding 211 Monroe Avenue. Approximately 12-15 people were living there frequently abusing alcohol and using vulgar and profane language. Mr. Kuzma stated that he called the Chief of Police who responded promptly and professionally. Mr. Kuzma also thanked Tammy Teague for her diligence in noticing a significant increase in his water bill and ordering a re-read of the meter. Mr. Kuzma concluded by expressing his thanks to the Town for all the great employees.

Ms. Judy Morgan, Landmark Holdings, addressed the Council asking for their support in extending the Conditional Use Permit (CUP) for Cape Harbor, either to 2014 as provided for under the Governor's new bill or on a year-to-year basis. Ms. Morgan concluded by stating that she would not want to see their investment in the project and the Town to go away.

Town Clerk Libby Hume read the following comments submitted in writing:

Mr. Daniel Brown wrote regarding relocation of the volleyball net to its original site. (See attached)

Mr. Jim Mahaffy wrote regarding an issue with the water meters for 415 and 417 Tazewell Avenue. (See attached)

There were no further comments from the public in attendance nor any other written comments submitted prior to the meeting.

CONSENT AGENDA:

Mayor Sullivan stated that there were several changes to be made to the agenda as follows: Under Report Presentations, Item 5C-Recreation Report would be deleted since Community Events/Recreational Coordinator was not in attendance, and Item 5G-Code Enforcement/Trail Update would be moved to the beginning of the Departmental Reports.

Motion made by Councilman Bennett, seconded by Councilman Evans to approve the agenda as amended. The motion was approved by unanimous consent.

The Town Council reviewed the minutes of the June 10, 2010 Public Hearing, the June 10, 2010 Regular Meeting, the June 15, 2010 Special Meeting, the June 24, 2010 Executive Session, the June 24, 2010 Work Session, the June 28, 2010 Joint Public Hearing and Special Meeting with the Northampton County Board of Supervisors and Town Councils from Cape Charles, Cheriton, Exmore and Nassawadox, and the June 30, 2010 Work Session.

Councilman Veber stated that he would abstain from the vote on the June 10, 2010 Public Hearing and June 10, 2010 Regular Meeting since he was not in attendance at those meetings. Councilwoman Natali stated that she would abstain from the vote on the June 24, 2010 Executive Session, the June 24, 2010 Work Session, the June 28, 2010 Joint Public Hearing and Special Meeting with the Northampton County Board of Supervisors and Town Councils from Cape Charles, Cheriton, Exmore and Nassawadox, and the June 30, 2010 Work Session since she was not in attendance at those meetings.

Councilman Bennett noted that the June 15, 2010 Special Meeting should show "Councilwoman-elect Natali" vs. "Councilwoman Natali" since her term did not begin until July 1st. Councilwoman Natali noted that the tenth line of the third paragraph of the June 15, 2010 Special Meeting minutes, has a typographical error showing "quality" vs. "qualify."

Motion made by Councilman Bannon, seconded by Councilman Bennett to approve the minutes for the June 10, 2010 Public Hearing, the June 10, 2010 Regular Meeting, the June 15, 2010 Special Meeting, the June 24, 2010 Executive Session, the June 24, 2010 Work Session, the June 28, 2010 Joint Public Hearing and Special Meeting with the Northampton County Board of Supervisors and Town Councils from Cape Charles, Cheriton, Exmore and Nassawadox, and the June 30, 2010 Work Session as amended. The motion was approved by majority vote with Councilman Veber and Councilwoman Natali abstaining as previously noted.

REPORT PRESENTATIONS:

G. Code Enforcement / Central Park Trail Update:

Combination Inspector Jeb Brady reported the following regarding the Central Park Trail Project: i) Both shallow wells have been drilled and the pumps are being connected; ii) The irrigation system should be installed next week, followed by the laying of the sod; iii) Trash cans have been ordered; and iv) The landscaper/arborist recommended waiting until the fall to plant the 67 trees. Everything should be done within the next couple of weeks with the exception of the west node. The brick pavers cannot be laid until after the installation of the fountain which is on order. A grand opening event is being planned for the Labor Day weekend. Town Manager Heather Arcos added that a Citizens for Central Park meeting was scheduled for this Saturday, July 10th at 3:00 p.m. and the grand opening was the topic of discussion.

Councilman Bennett asked Jeb Brady his impression of the contractor doing the work at the park. Jeb Brady stated that he felt that the owners and foreman were doing a very good job.

Communications with the contractor in general are adequate and his overall opinion was that the contractor as a whole was doing a good job.

Councilman Bennett asked about the status of the code enforcement case in Bay Creek. Jeb Brady stated that the Town had received a letter from the SunTrust's attorney and that the bank was obtaining quotes from contractors. Mold remediation testing was being completed. The Town has approved a deadline extension in an effort to work with the bank.

Councilman Bennett thanked Jeb Brady for his hard work stating that he liked seeing the detailed monthly reports but asked that a summary be provided on a monthly basis and detailed reports be provided on a quarterly basis in the future with the intent to save paper.

A. *Town Manager's Report:*

Town Manager Heather Arcos reported the following: i) Heather Arcos thanked Mr. Mike Kuzma for his comments; ii) The Town staff will review the issue regarding the volleyball site as requested by Mr. Erin Harvey; iii) The Town staff will also review the water meter issue brought up by Mr. Jim Mahaffy; iv) The Cape Charles Central Park Project is making great progress. Two large elm trees, diseased with Dutch elm disease and over 50% rotten, were cut down along Plum Street. Several calls were received from citizens regarding the removal of these trees, but once the situation was explained, the citizens understood; v) The Breakwater Project is near completion for the first two sections. The contractor is awaiting additional stone to complete the project which should take approximately one week after receipt of the stone; vi) The Cape Charles Beach Project is nearing completion as well. The handicap-accessible ramp at the South end of the beach was able to be used over the July 4th holiday weekend. The railing for the ramp should be installed within the next week. The construction of the beach access walkways should begin next week. Special thanks to Dave Fauber, Public Works / Utilities Director, for constructing the handicap-accessible ramp; vii) The Town will be advertising to solicit bids regarding a 40-year lease of the old school building;; viii) The 4th of July festivities were well attended. The food vendors ran out of food. The Town received several complaints that the fireworks could not be seen from the beach. The wind caused problems and the fireworks display was almost cancelled. The Town will look into a different setup for next year.

Councilman Veber stated that the Town has had tremendous success with grants for the new wastewater treatment plant, the various work at the Cape Charles Harbor, Central Park, etc. and asked for an estimated total of grant funding received by the Town. Treasurer JoAnna Leatherwood stated that the Town had received approximately \$25M – 30M in grant funding.

Councilman Bannon stated that recently, the Eastern Shore News published a very nice article regarding all the work being done in Cape Charles and suggested that a letter be sent to Ms. Ceri Danes and the Eastern Shore News thanking them.

C. *Recreation Report:*

Heather Arcos reported that the Town's first summer camp began June 28th with twelve children in attendance for the first day. The first camp was field hockey and girls from the local high school volunteered their time to help with the camp.

Councilman Bennett commented on an item on the monthly Recreation Report regarding the future of Riverside Shore Memorial Hospital. The report showed that Mr. Joe Zager, hospital administrator, stated that there were fewer overnight visits and more procedures were being done on an outpatient basis and that he felt that in the future, more outpatient centers would be constructed vs. a traditional hospital with accommodations for inpatient services. Councilman Bennett stated that it was a long ride across the Bay to get to a hospital in Virginia Beach.

Heather Arcos explained that she believed that there would be several emergency centers, possibly one at the north end and one at the south end of the Shore. Councilman Evans added that approximately 40-50% of the Accomac County residents go to Salisbury for medical attention.

B. *Treasurer's Report:*

Treasurer JoAnna Leatherwood stated that due to the end of the fiscal year and the July 4th holiday she did not have a report this month. The final audit entries are being made. The Town received confirmation that the County will again provide \$15.5K for the Cape Charles Memorial Library. The County is still reviewing information regarding the possibility billing the taxes on a semi-annual basis vs. once each year. The Town's software has the ability to process semi-annual billings and the Town will follow suit with the County's decision regarding tax billing.

D. *Library Report:*

Librarian Ann Rutledge reported the following: i) The summer movie nights have been popular. 28 kids attended the first movie and 16 attended last night; ii) 77 kids have signed up so far for the 2010 Summer Reading Program. The total number last summer was 55; iii) Computer usage has increased; iv) Quite a few tourists are coming in; and v) Special thanks to the Friends of the Library for all their support. Without the Friends, the Library would not be able to offer many of its programs.

Councilman Bannon added that information for the many programs offered by the Library have been placed in the rental units at Bay Creek.

E. *Harbor Report:*

Harbor Master Smitty Dize reported the following: i) The Harbor crew has been busy tending to the numerous customers. It takes approximately 3-5 hours every day to clean the trash and bathrooms; ii) Precon Marine is expecting the barge of stone any day and after receipt, it should be approximately 6-7 days to completion of the breakwater sections; and iii) Smitty Dize and Heather Arcos will be meeting with Mr. Tom Langley on July 9th to review the bid documents for the Harbor Redevelopment Project.

F. *Public Works / Public Utilities Report:*

Public Works / Public Utilities Director Dave Fauber reported the following: i) The wells on the Keck property were drilled today and the pumps should be installed next week; ii) Work on the aquifer plan for the DEQ continues; iii) Billy Powell worked the holiday weekend. There was a problem with the Fig Street Pump Station. Every time the water level came up, the alarm would go off and someone had to go to the pump station to turn on the pump. The problem has been repaired and the pump had been working automatically again; iv) There was another problem with the emergency generators. During the last power outage, 5 of the 11 emergency generators did not come on which could be the result of weak batteries; and v) New construction has picked up in Town. Construction will start soon on a house in Bay Vistas.

Councilman Bennett asked about the production wells on the Keck property and whether easements have been approved to get the water to the water plant and how power would be supplied to the wells. Dave Fauber stated that A&N Electrical Cooperative would install underground cable to the site for \$1500. Dave Fauber went on state that he was confident that the new wells had ample water with good quality.

H. *Planning Report:*

Town Planner Tom Bonadeo reported the following: i) ADA ramps will be installed along Plum Street. VDOT will be grinding down the pavement in the area to level off the road with the bottom of the ramp; ii) Brick pavers are still being installed in the South node of the park along Peach Street; iii) The Planning Commission continued their discussion regarding the Connector Road. Representatives from Southport Investors participated in the meeting and gave their input to the Commission. The Commission will continue these discussions at their August meeting and input from other stakeholders will be solicited; iv) The Planning Commission also discussed the possibility of creating a Technology Zone and will review a matrix of businesses conducive to such a zone; and v) 17 three-phase service lights are being installed at the park and along Plum Street to the pump station. The wiring has been completed for an additional 17 lights in the park which will be installed in the future.

Councilman Bannon mentioned an editorial that was published in the Eastern Shore News regarding an establishment outside of Cape Charles and asked Police Chief Charles Brown how often the Cape Charles Police Department gets called to help. Chief Brown stated that the police department usually gets a call every weekend to assist with a problem at the establishment.

OLD BUSINESS:

A. *Financial Assistance for Regional Wastewater System:*

Heather Arcos introduced Messrs. Eldon James from EJ&A Inc. and John Warwick from Hurt & Proffitt who gave an overview of the proposed regional wastewater system project and updates from the July 7th PSA Project Management Team meeting. Since the Cape Charles-Cheriton area is farther along, the PSA will be moving forward with the South Node. The application should be submitted to the Department of Environmental Quality (DEQ) by July 16th. The County is the applicant but a resolution requesting application for financial assistance for a regional wastewater system needs to be adopted tonight by the Cape Charles Town Council. Mr. James stated that the Town will get a copy of the Preliminary Engineering Report (PER) prior to submission to the DEQ.

Mayor Sullivan invited the Council to attend future PSA Project Management Team meetings to learn more about the project. The next meeting was scheduled for Wednesday, July 21st, beginning at 7:00 p.m. at the former middle school in Machipongo.

Mayor Sullivan moved for adoption of Resolution #20100708 – Requesting Application for Financial Assistance for a Regional Wastewater System. Resolution #20100708 was adopted by unanimous vote. Roll call vote: Bannon, yes; Bennett, yes; Evans, yes; Natali, yes; Sullivan, yes; Veber, yes.

B. *Wastewater Treatment Plant Status:*

Heather Arcos informed the Council that the Town was anticipating a mid-August closing on the zero interest loan. Heather Arcos reported the following regarding the wastewater treatment plant status: i) Concrete work for the UV/Post Aeration Facility, Bio-Reactor/Membrane Tanks is well underway; ii) The underground utilities for the Process Building have been installed; iii) Foundation work for the Headworks, for screening/grit removal, is underway; iv) The storm drainage system is being installed; and v) Mobilization for outfall extension along Bayshore Road. A few significant changes have been made or are underway as follows: i) The membrane specification was upgraded to the latest model at no cost and will increase the hydraulic capacity to about 330K GPD; ii) the UV/Post Aeration Facility design was revised to accommodate the water reuse system; iii) Additional excavation and structural fill were required due to the discovery of more extensive unsuitable soils at the locations of heavy structures. The negotiated cost of \$164,150 will be accommodated within the \$712,200 contingency amount in the total

project estimate; and iv) The Town has requested a proposal to delete about 580' of force main extension from the contract and add about 100' to connect the Headworks to the re-routed Mason Avenue force main to be installed as part of the Mason Avenue Pump Station project which will result in a cost reduction.

NEW BUSINESS:

A. *Vice-Mayor Election:*

Heather Arcos stated that each election year, a new vice mayor must be elected at the first regular meeting with the new Council.

Councilman Veber nominated Councilman Bannon to continue as Vice-Mayor stating that he has done an excellent job as Vice-Mayor for the past two years. Councilman Sullivan seconded the nomination. There were no other nominations.

Councilman Bannon was unanimously re-elected as Vice-Mayor for a two-year term ending June 30, 2012.

B. *Boundary Adjustment Committee Representative:*

Heather Arcos stated that the Council needed to appoint a representative from Council to the Boundary Adjustment Committee to replace out-going Councilman Burdiss.

Motion made by Councilman Veber, seconded by Councilman Bannon to appoint Councilman Sullivan to the Boundary Adjustment Committee to replace out-going Councilman Burdiss. The motion was approved by unanimous consent.

C. *Town Council Representative to Planning Commission:*

Heather Arcos explained that Article Two of the Town of Cape Charles Planning Commission By-Laws states that one member of the Commission shall be a representative of the Town Council. In September 2009, Councilman Evans submitted his resignation as the Town Council representative to the Planning Commission effective upon his replacement being named. This position was discussed in October 2009 and there were no volunteers to serve on the Commission at that time. Since Councilman Evans was willing to continue on the Planning Commission until a replacement was named, the Council agreed to wait until after the election to fill this position. On May 4, 2010, Councilwoman Joan Natali was elected to the Town Council and has also been a member of the Planning Commission for a number of years and was currently serving as chairperson through October 2010.

Councilman Veber asked if there would be a problem with Councilwoman Natali being chairperson of the Planning Commission and also the Town Council representative. Tom Bonadeo stated that there was nothing in the Planning Commission By-Laws to restrict the Council representative from also being named the chairperson of the Commission. Tom Bonadeo added that the current Commissioners were very new and Councilwoman Natali was the senior representative with Councilman Evans' resignation. The Planning Commission elects a new chairperson in November and it would be helpful if Councilwoman Natali remained the chairperson until that time.

Motion made by Councilman Evans, seconded by Councilman Sullivan to appoint Councilwoman Natali as the Town Council representative to the Planning Commission to replace Councilman Evans. The motion was approved by unanimous consent.

D. *Appointments to Planning Commission and Library Board:*

Heather Arcos stated that on June 24th, the Town Council interviewed prospective candidates to fill vacancies on the Planning Commission and Library Board. The following citizens were appointed:

Mr. Michael Strub was appointed to the Planning Commission to complete Eileen Cobb's term which expires October 31, 2010. Mr. Strub will be re-appointed to a four-year term at that time.

Ms. Valerie Travis was appointed to the Library Board to complete Kathy Bonadeo's term which expires August 8, 2011 and Ms. Linda Schulz was appointed to the Library Board to complete Eileen Cobb's term which expires August 8, 2011.

E. *Cape Harbor Conditional Use Permit Extension:*

Tom Bonadeo explained that on July 9, 2009, the Town Council finalized the approval of the conditional uses for Cape Harbor and adopted a resolution affirming the conditional uses with all conditions. Landmark Holdings has a major permit to be obtained before the project could apply for building permits. The Town Council must issue a Harbor Development Certificate based on an application and review by the Harbor Area Review Board (HARB). Landmark made general application to the HARB, who reviewed the application and gave Landmark the approval to move forward to the Detailed Application Process. Landmark has requested a one-year extension of the Conditional Use Permits to continue the Harbor Development Certificate application process.

Motion made by Councilman Bennett, seconded by Councilman Bannon to approve the one-year extension of the Conditional Use Permits to enable Landmark Holdings to continue the Harbor Development Detailed application process. The motion was approved by unanimous vote.

F. *Code 42.3 – Adoption of State Law:*

Mayor Sullivan stated that each year, a new ordinance must be passed accepting any and all amendments to the provisions and requirements set by State Code in matters of regulation of motor vehicles and traffic in the Town of Cape Charles and any penalties for traffic violations.

Mayor Sullivan moved for adoption of Ordinance #20100708 – An Ordinance to Adopt Amendments to the Code of Virginia § 46.2 and Title 16.1, Chapter 11, Article 9 (§ 18.2-278, Et Seq.), Chapter 7, Article 2 (§ 18.2-266 Et Seq.), If Any, For Incorporation Into the Cape Charles Town Code Chapter 42-Motor Vehicles and Traffic. Ordinance #20100708 was adopted by unanimous vote. Roll call vote: Bannon, yes; Bennett, yes; Evans, yes; Natali, yes; Sullivan, yes; Veber, yes.

G. *Virginia Department of Transportation Resolution:*

Heather Arcos explained that the Town of Cape Charles obtains permits from the Virginia Department of Transportation (VDOT) to install, construct, maintain and operate certain public works and public utilities projects along, across, over and upon highway systems of the Commonwealth of Virginia. In order to expedite the permit process for the Town, VDOT requested that a continual resolution be adopted.

Mayor Sullivan moved for adoption of Resolution #20100708A – Agreeing to the Provisions of the Land Use Permit Manual of the Virginia Department of Transportation. Resolution #20100708A was adopted by unanimous vote. Roll call vote: Bannon, yes; Bennett, yes; Evans, yes; Natali, yes; Sullivan, yes; Veber, yes.

ANNOUNCEMENTS:

- July 7, 2010 – Mayor Sullivan, Councilman Bannon, Tom Bonadeo and Ms. Carol Evans attended the luncheon with Senator Mark Warner. It was a very informative meeting.
- July 10, 2010 – Chamber of Commerce Harbor Party, 6PM – 10PM
- July 15-17, 2010 – VML 2010 Newly Elected Officials Conference. Councilman Sullivan and Councilwoman Natali will be attending this conference.
- July 21, 2010 – PSA Project Management Team Meeting
- July 22, 2010 – Town Council Work Session, 6PM
- July 26, 2010 – Boundary Adjustment Committee Meeting, 5PM - *tentative*
- August 12, 2010 – Town Council Regular Meeting, 7PM
- August 26, 2010 – Town Council Work Session, 6PM - *tentative*

Hearing no objections, Mayor Sullivan adjourned the Town Council Regular Meeting by unanimous consent.

Mayor Sullivan

Town Clerk

From: Daniel Brown [mailto:danbrown.va@gmail.com]
Sent: Thursday, July 08, 2010 10:56 AM
To: clerk@capecharles.org
Subject: Volleyball Response

Dear Town Council,

I am writing in support of a recent campaign to return Cape Charles volleyball operations back to its original site. My family and I are frequent beach goers and summer sports enthusiasts. The new court location is not nearly as desirable nor as safe as the location near Monroe Street. The prior site allowed players and spectators to set up chairs and beach blankets on any of all four sides of the court. The current site is compromised lengthwise by a dune on one side and cramped by the rocks on another. Additionally, parking in the new location isn't as safe. The old location offered a long stretch of road to park and on/offload of children and gear. Current parking is situated on a 90 degree turn in the road. The area is much more congested as it is a frequent parking area for pier visitors and folks fishing.

The beach's new look is great. If the volleyball court could be returned to it's old location the allure of our beach can only be increased.

Thank you.

Dan Brown

DRAFT

Date: July 8, 2010

To: Heather Arcos, Town Manager
Libby Hume, Town Secretary

cc: Dora Sullivan, Mayor
Town Council

Libby, please enter this in the next town council meeting minutes and read this memo aloud at the council meeting.

Subject: Water Meters for 415 and 417 Tazewell Avenue

When we purchased the duplex at the subject address, the two water meters were reversed out of sequential order, so that, reading from west to east the group of four meters were for 417, 415, 419 and 421 Tazewell.

Back in about 2002 when I was completing plumbing rough-in I ran new water tubing to the 415 and 417 meters. The then town manager told me that I would have to get the approval of Public Works to make the hook-ups in numerical sequence. First Gerald Elliot and then Billy Powell both refused to allow the change stating that they were used to the current sequence and any change would only confuse the issue. So, under protest, I crossed the water lines and hooked the lines and meters up as instructed.

Over the years the town regularly read the meters incorrectly and the bills show usage at the vacant duplex and none on the side being lived in. Periodically (every two or three years) I ask the billing department to correct the billing information, which she does reluctantly – usually telling me that it is NOT her problem or responsibility. For a few months the bills are correct – then revert to being billed incorrectly.

The last time (about three years ago), the billing clerk told me she wasn't going to do anything or change the billing. I then talked with Dave Fauber about the situation, he came over to look at the meters and told me he would take care of it – that this was a common problem all over town and that the town was installing labels on all the meters to identify the proper street address for each meter.

The labels were never installed at my meters and the billing problem is back to being incorrect.

I have couples interested in leasing the 417 residence and I plan on renting it this summer. The water billing problem needs to be properly taken care of. Please take steps to assure that the meters are read correctly.

Thank you,

Jim Mahaffy



DRAFT
TOWN COUNCIL
Work Session
Site Tour of New Wastewater Treatment Plant
July 16, 2010
11:00 a.m.

At 11:00 a.m., Councilmen Bannon and Evans along with Town Manager Heather Arcos and Town Clerk Libby Hume met at the site of the new wastewater treatment plant for a tour of the facility under construction. Councilman Veber was scheduled for the tour but was unable to attend.

Mr. Richard Davis, Site Representative for GHD (formerly Stearns & Wheeler), distributed site maps and led the site tour explaining the various buildings and stages in the wastewater treatment system. The buildings discussed were the UV Disinfection/Aeration Facility, Process Building and Membrane Tanks, Reactor Tanks, Waste Sludge Holding Tanks, Solids Processing Building, Headworks Facility and the Operations Building.

Councilmen Bannon and Evans asked several questions and the future expansion capability was also discussed.

The site tour ended at 11:35 a.m.

Vice Mayor Bannon

Town Clerk



DRAFT
TOWN COUNCIL
Joint Meeting with
Planning Commission & Harbor Area Review Board
July 22, 2010
6:00 p.m.
St. Charles Parish Hall

At 6:00 p.m. Mayor Dora Sullivan, having established a quorum, called to order the Joint Meeting of the Town Council with the Planning Commission and Harbor Area Review Board. In addition to Mayor Sullivan, present were Councilmen Bannon, Evans, Natali, Sullivan and Veber. Councilman Bennett was not able to attend. Also in attendance were Town Manager Heather Arcos, Town Planner Tom Bonadeo and Town Clerk Libby Hume. Mr. John Crouse of Hankins & Anderson, formerly CMSS Architects, was also in attendance as well as two members of the public.

Chairwoman Joan Natali, having established a quorum, called to order the meeting of the Planning Commission. In addition to Chairwoman Natali, present were Commissioners Ben Lewis and Roger Munz. Commissioner Dennis McCoy arrived at 6:03 p.m. Commissioners Malcolm Hayward and Mike Strub were unable to attend.

Chairman Ralph Orzo, having established a quorum, called to order the meeting of the Harbor Area Review Board (HARB). In addition to Chairman Orzo, present were Board Members Russ Dunton, Laurie Klingel, Steve Michel and Joan Natali.

Town Planner Tom Bonadeo introduced Mr. John Crouse who presented the final draft of the Harbor Area Design Guidelines explaining how the guidelines were structured. Mr. Crouse began by showing the coverage area on the map and went on to review the following sections: i) Street Design Standards, including Parking; ii) Streetscape Design Standards, including Streetscapes, Pedestrian Ways, Arcades & Colonnades, Outdoor Plazas, Outdoor Lighting, Outdoor Furniture, and Outdoor Dining & Sidewalk Cafes; iii) Architectural Design Standards, including Massing, Façade Treatment, and Building Materials; and iv) Landscape Design Standards; v) Signage Design Standards, including Environmental Signage and Commercial Signage.

There was some discussion regarding the design standards of the East Beach community in Norfolk, VA regarding their landscaping and building materials.

HARB member Steve Michel stated that he was new on the board and asked whether the information contained in these guidelines were recommendations or standards. Mr. Crouse explained that these were recommendations only. Tom Bonadeo added that requirements are included in the Zoning Ordinance and that these were guidelines to give people/developers an idea of what the Town would like in the Harbor area.

Commissioner Ben Lewis asked how these guidelines would be implemented. Tom Bonadeo stated that the guidelines would be given to developers. Mr. Crouse added that developers prefer clear guidelines of what the municipality wants.

HARB member Russ Dunton commented that there was some very nice vinyl siding that look like cedar shakes and asked if that would be permitted. Mr. Crouse stated that if the Town allowed some vinyl siding it could cause problems with other people/developers wanting to use other types of vinyl siding which is not as attractive.

Tom Bonadeo stated that the Town could not dictate use of certain materials, but could only make suggestions through the Historic District Review Board (HDRB) and the HARB. Mr. Crouse added that most developers would adhere to the guidelines provided by the Town vs. having to go through the process of getting something approved.

Councilman Veber stated his concern regarding parking whether on-street or off-street. The Town currently does not have enough room to accommodate parking for the condo units in Town, etc. and there was only one page dedicated to parking included in the guidelines. Tom Bonadeo stated that there was specific parking guidelines included in the Town's Zoning Ordinance. Mr. Crouse added that the Town could institute time limits on parking along Mason Avenue but the limits would have to be enforced.

Councilman Evans noted that on page 45 regarding Building Materials, the guidelines refer to maximum sizes on various materials, but no minimums which could become an issue. Mr. Crouse stated that Councilman Evans had a good point and that this was something that could be reviewed further.

HARB member Russ Dunton noted that on page 46 regarding Acceptable Materials for Exterior Walls, the guidelines state that "Mortar shall be red to light brown in color. Grey and white mortar colors are not acceptable" and questioned why grey and white mortar would not be permitted. There was some discussion regarding the color issue and Russ Dunton suggested that the last sentence in this section regarding grey and white mortar be deleted.

Councilman Evans stated that pages 43 and 46 are contradictory regarding the use of aluminum. Page 43 permits the use of "anodized aluminum, stainless steel, copper, bronze, brass or painted steel" but page 46 lists "metal siding that is exposed, galvanized, aluminum or other shiny metal materials" as unacceptable materials.

HARB member Steve Michel expressed some concern regarding the recommendations in the guidelines for one side of Mason Avenue vs. the historic nature of the opposite side of Mason Avenue and the fact that each side could have a different look. Steve Michel also added that in several places in the guidelines, the word "must" was used and suggested that this could be changed to "encouraged" since these are actually recommendations. Mr. Crouse agreed regarding changing the word "must" to "strongly encouraged" which would give the developers some flexibility and went on to address Mr. Michel's concern regarding the two sides of Mason Avenue matching stating that the two sides do not have to look alike and the Town may not want them to look alike. With the two sides of the street not being identical in nature, it would add diversity. Not all the buildings currently along Mason Avenue are alike.

HARB member Russ Dunton pointed out, on page 29, that the end of Item 8 shows a notation that should have been deleted to which Mr. Crouse was in agreement.

Councilman Evans asked about the "Transitional Zone / District" and whether it was the intent to make the buildings less imposing and more contemporary. Councilman Evans added that he felt that the buildings that were going up at the new wastewater treatment plant were

more contemporary with low profiles and a stark appearance. Mr. Crouse responded that the intent along Mason Avenue was to have the buildings be more like the historic styles but along the Harbor, a looser interpretation of styles would be permitted.

Commissioner Roger Munz asked, since "shiny" materials were not acceptable, if steel roofs on porches would be prohibited as well. Roger Munz added that the use of architectural vinyl would be nice in some instances as accents to a building. Mr. Crouse stated that steel roofs would be permitted as outlined in the guidelines, but reiterated that once vinyl was allowed, it could cause problems. Hardy Plank siding offers a very nice selection and would be preferred rather than vinyl.

HARB member Laurie Klingel expressed some concern regarding the suggested plant list stating that some of the plants included in the list may not be appropriate in certain areas and asked whether the HARB could advise against the use of some trees if a developer indicated that they would plant a type that would not necessarily be appropriate. Tom Bonadeo stated that this plant list was developed by the Tree Committee several years ago and that the HARB would be able to give their recommendations during the application review process.

Tom Bonadeo asked the attendees to forward any additional changes or concerns to himself or Libby Hume. Any modifications will be made and the final guidelines would be forward to the Planning Commission to make their recommendation to the Town Council. The Town Council would hold a public hearing in September and vote on the approval of the guidelines afterwards.

Motion made by Councilman Bannon, seconded by Councilman Veber to adjourn the Town Council Joint Meeting with the Planning Commission and the Harbor Area Review Board. The motion was approved by unanimous consent.

Motion made by Commissioner Dennis McCoy, seconded by Commissioner Roger Munz to adjourn the Planning Commission Meeting. The motion was approved by unanimous consent.

Motion made by HARB member Laurie Klingel, seconded by HARB member Steve Michel to adjourn the Harbor Area Review Board Meeting. The motion was approved by unanimous consent.

Mayor Sullivan

Chairwoman Joan Natali

Chairman Ralph Orzo

Town Clerk

Recreation Report

August 2010

- July 4th was a very busy day for the recreation department. There were 14 volleyball teams, over 20 Cornhole teams, singles and doubles horseshoe teams. T-shirts were awarded to top winners of each event. There was a huge turnout for the bicycle riders in the parade. The recreation department also gave out goodies for all the children who stopped by my table and there was face painting from 10 a.m. until after the parade. It was a great learning experience for my first year involved with 4th of July activities. A big thank you goes out to Danielle Campbell and Greg Rippon who did a great job of organizing the days events.
- There have been several camps held this year for the youth. We have been able to accommodate all ages with much help from the older children. 23 children participated in Field Hockey camp and we went for ice cream at Shore Treasures on the last day to celebrate the wonderful behavior from all the kids. 15 children participated in the Volleyball camp and the last day we celebrated with pizza at Venetos. 26 children participated in tennis camp and the last day we returned to Shore Treasures for an ice cream party. There are two more camps scheduled for the month of August. Each camp is a week long camp and held for two hours a day.
- Arts and crafts has been a very busy time at the library. Week 2 of July saw 23 kids, week 3 with 17 and week 4 with 15. Roberta Newman and Chuck Little made a wonderful donation of arts and crafts supplies to the recreation department which will be a tremendous cost savings. A big thank you goes out to both of them.
- I was on vacation in July for the last Northampton Chamber of Commerce meeting but will be attending the next meeting on August 11, 2010.
- The next meeting for the birding festival will be on August 4, 2010. There was a delay in meetings during July while trying to accommodate the busy schedules of all members.
- Arts and crafts have been put on hold at Heritage Acres until the Fall but Free Bingo continues the last Thursday of every month. Donations are always welcome for prizes.
- During a break between the play and setting up of the Virginia Aquarium the recreation department had a chance to interact with the children. We made bracelets. Thank you to the Methodist Church for allowing us to do this inside considering the extreme heat we had that day.

Cape Charles Memorial Library
July 2010
Monthly Report Presented by Ann Rutledge

1. The **2010 Summer Reading Program-Make a Splash-Read!** continued this month Library. As of July 31 we have had *105 children* to sign up to read books over the summer. (Last summer the total for the summer was 55). Every time children read **2 books** they receive a prize and if they read **10 books** they receive a free book.

2. Each week the library is presenting 3 programs for children! The programs are:

a) **Summer Crafts** with Jen Lewis at 4:00 on Wednesday. Arts and crafts for ages 2 up. Crafts are centered on the theme of the sea.

b) **Summer Kids Movie Nights** on Wednesday night at 5:00. Featuring the latest movies on DVD for kids with free popcorn, and sodas. Ages 12 and under. *This month 80 children attended the movie night.*

c) **2010 Summer Children's Reading Program** at 10:30 in the morning with music, stories, and activities for younger children. *We had 53 children to attend this program.*

3. Our first special program for the summer was **Hook a Book-Magician Rob Wescott** on July 22 at 10:30. This great show was attended by *85 children and parents.*

4. On July 29 from 10:30 to 3:30 the **Virginia Aquarium** visited the Library and presented their **Ocean in Motion Program**. The program included a 30 minute play, a truck tour, and a touch tank. The play was P.T. Phylum's Amazing Animal Adaptations of the Chesapeake Bay, the truck tour showed a variety of fish in four different salt water aquariums, and the touch tank included live sea creatures. A total of *549 people* visited these 3 programs. All of our special summer Library programs are sponsored by the **Friends of the Library** as well as Summer Kids Movie Night.

5. The children from the Migrant Headstart program visited the library every Friday for storytime and we *101 children* to attend this month. I presented a program on the **Importance of Reading to Children** at the Headstart Center on July 2 for the parents of these children. I use our bilingual children's' books in my talk for these Spanish speaking adults.

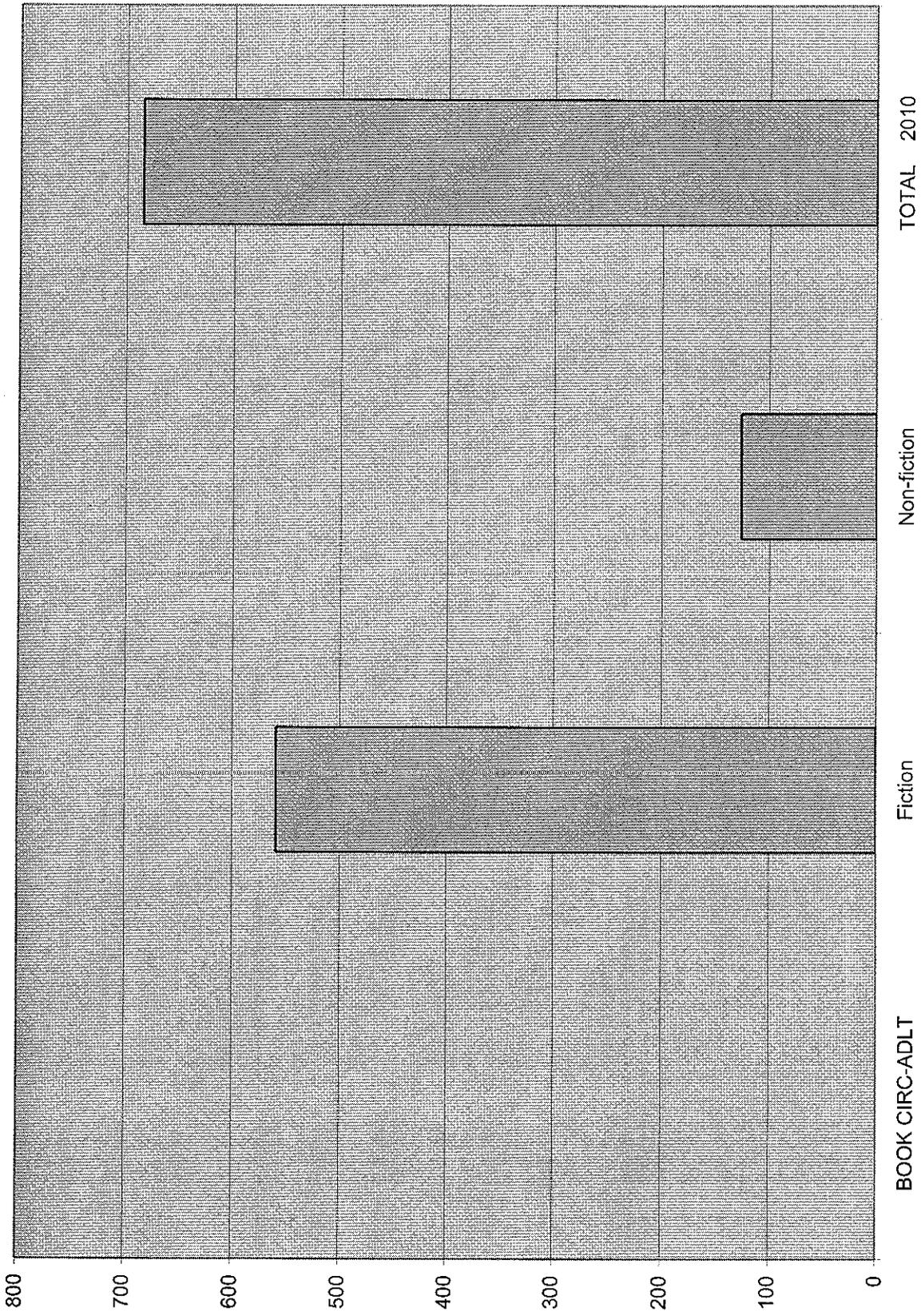
6. The **Cape Charles Library Board and the Friends of the Library** met on July 14 at 5:00 at the Library.

7. On August 12 at 4:30 the **Delmarva Discovery Center** will visit the library for our final summer program.

8. On Wednesday, August 25 the **Friends of the Library** will sponsor another **Harrington Slots Bus Trip**. Call Chris at 331-2206 for details.

Library

	JAN	FEB	MAR	APR	MAY	JUN	JUL	2010	AUG	SEPT	OCT	NOV.	DEC	to date
INCOME:														
Donations	\$7.00	\$2.00	\$2.00	\$5.40	\$6.00	\$2.00	\$24.00							
Copier/Prt	\$35.40	\$35.95	\$53.00	\$105.78	\$78.30	\$76.00	\$77.50							
TOTAL	\$42.40	\$37.95	\$55.00	\$111.18	\$84.30	\$78.00	\$101.50							
Deposit	\$42.40	\$37.95	\$55.00	\$111.18	\$84.30	\$78.00	\$101.50							
BOOK CIRC-ADLT														
Fiction	559	540	497	488	494	685	809							
Non-fiction	126	168	136	170	116	172	153							
TOTAL 2010	685	708	633	658	610	857	962							
Books Circ. 2009	459	648	525	703	685	720	654							
BOOKS CIRC-JUV														
Fiction	345	351	426	423	406	694	707							
Non-Fiction	118	101	105	156	80	82	101							
TOTAL 2010	463	452	531	579	486	776	808							
BOOKS CIRC. 2009	211	225	362	343	248	422	431							
TOTAL BOOK 2010	1148	1160	1164	1,237	1,096	1,633	1,770							
TOTAL BOOK 2009	975	873	887	1,046	933	1,142	1,085							
Attendance 2010	742	732	995	1,060	1,535	1,392	1,833							
Attendance 2009	927	968	937	951	994	422	1,085							
Programs 2010	4	7	7	5	4	9	16							
Programs 2009	7	8	11	7	8	6	11							
Prog. Attend 2010	8	60	41	22	29	155	904							
Prog. Attend 2009	39	72	56	45	40	131	155							
Internet use 2010	428	385	375	713	941	746	708							
Internet use 2009	876	598	490	660	487	731	731							
Library Cards 2010	8	9	15	15	17	45	30							
Library Cards 2009	20	14	13	10	18	23	23							



Harbor Report, July, 2010.

Maintenance

1. Replaced connectors on the Golf cart.
2. Re-nailed boards around the harbor.
3. Replaced cover on one power pedestal
4. Removed old Crab pots from the harbor
5. weeded flower beds
6. began removing old lines from slips
7. resealed and painted office door

August, Scheduled Maintenance

1. Replace broken pile caps
2. replace broken dock bumpers at boat ramps
3. re-nail rubber pile bumpers around bulkhead
4. Continue removing old lines from slips

Capitol Projects:

1. Breakwater project should be complete, second final inspection sometime the first week in August.
2. We have received the notice to proceed from the Boating Infrastructure Grant for the new slips and bathhouses. Invitation for bids should go out 1st or 2nd week in August.

Other:

Harbor Report, July, 2010.

Business:

Average Boats in the Harbor per night by category:

1. **Nightly Rentals**, July – 2.1, Last Month – 3.2, FYTD – 2.1, Last FY – 1.3
2. **Weekly Rentals**, July – 8.6, Last Month – 14.9, FYTD – 8.6, Last FY – 7.6
3. **Monthly Rentals**, July – 11.1, Last Month – 10.8, FYTD – 11.1, Last FY – 11.8
4. **Seasonal Rentals**, July – 7.0, Last Month - 12, FYTD – 7.0, Last FY – 8.6
5. **Annual Rentals**, July – 35.5, Last Month - 28, FYTD – 35.5, Last FY – 25.7
6. **Total Rentals**, July – 64.3, Last Month – 68.9, FYTD – 64.3, Last FY – 55.1

Wharf Fees by Pounds:

1. **Crabs**: July – 68,580, Last Month – 139,905, FYTD – 68,580, Last FY – 1,429,920
2. **Fish**: July – 26,376, Last Month – 3,900, FYTD – 26,376, Last FY – 501,141
3. **Conchs**: July – 0, Last Month – 0, FYTD – 0, Last FY – 73,580
4. **Horse Shoes**: July – 0, Last Month – 0, FYTD – 0, Last FY – 63,280
5. **Total Pounds**: July – 91,956, Last Month – 143,805, FYTD – 2,067,921, Last FY – 2,067,921

Incidents: None.

Notes: 4th Annual Blessing of the Fleet, Begins on April 8th, 2011 @ 5:30 pm.

William Smith Dize Jr.
Harbor Master
August 1, 2010

PUBLIC WORKS

July 2010

Dump Fees

- **Oyster Landfill** – 11 Trips Work Orders generated: Not Available
- **Sludge**- 3 Tons Work Orders Completed: Not Available

Staff Report

Completed Projects

- New beach access walks at Jefferson, Madison, and Monroe.
- Kayak access at Washington Ave.
- Construction at Bay and Mason for Beach access, and handicap ramp.
- Sprayed for weeds.

In Progress

- Alley maintenance.

Upcoming Projects

- Repairs to Fun Pier and Boardwalk. (FEMA)
- Replace library doors.

Special Events

- Tomato Festival
- Labor Day
- Harbor Party Sept 4th.

PUBLIC UTILITIES

July 2010

Work Orders Completed

Miss Utility Tickets:22

Responded To Fire and Rescue Calls, Total Man Hours: Not Available

Staff Report

- Billy Powell attended 40 hour cross connection sponsored by Virginia Rural Water Association in Williamsburg.

Completed Projects

- Two new wells installed on Keck Property.
- Submitted Aquifer Test Plan for Keck Wells to DEQ and VDH-ODW for review.
- Reviewed E&S plans, Utilities Plan, Bathhouse Building Plans and issued Flow Acceptance Letter for Harbor Redevelopment Project..
- Completed painting and repairs of Water Treatment Plant building exterior.
- Mailed out notices to all water customers concerning TTHM and HAA5 (chlorination byproducts) noncompliance.
- Responded comments from VDH on the Initial Distribution System Evaluation Report for Standard Monitoring which is a study of the chlorination byproducts existing in our system.
- Reviewed PER for Mason Ave Pump Station upgrades.
- Installed risers on valve boxes to bring them to grade with asphalt in the streets.

New WWTP

- More walls of the head works and reactor tanks have been poured.
- Foundation for solids processing building has been poured.

In Progress

- Awaiting response from DEQ for our Ground Water withdrawal permit. Must be revised to delete East Well II and add Keck Wells I & II. (Month 29)
- Exercise and repair fire hydrants in town.
- Paint and building repairs at Pine Street Pump Station.
- Replacing old meters in the system. Starting with the Rockwells which are some of the oldest in the system.

Upcoming Projects

- Mason Ave Pump Station upgrades and force main rerouting.
- Fig Street Force Main rerouting.
- Install of new metering system for chemical feed pumps at the water plant.
- PER for connection to Keck Wells. (May get VDH grant money)
- PER for chlorination byproducts. (May get VDH grant money)

Code Enforcement
Month of July FY 2011

Building Permits Issued/Permit Fees Collected:

Permits this month: 13	
Permits this year: 13	Total permits last year: 200
Total construction this month: \$566,505	
Total construction this year: \$566,505	Total construction last fiscal year: \$3,967,519
Permit fees this month: \$25,777.93	
Total permit fees this fiscal year: \$25,777.93	Total permit fees last fiscal year: \$63,902.48
Bay Creek Water/Sewer Tap fees: \$20,000	
The Colony/Sewer Water Tap fees: \$0	
Marina Village/Marina Village East Sewer/Water Tap fees: \$0	
Bayside Village Sewer/Water Tap fees: \$0	
Old-Town Water/Sewer Tap fees: \$0	
Total Tap fees this year: \$20,000	Total Tap fees last fiscal year: \$20,000
Fire Dept. levy this month: \$421.16	
Total Fire Dept. levies this year: \$421.16	Total Fire Dept. levies last fiscal year: \$3,282.54
State levy this month: \$85.23	
Total state levies this year: \$85.23	Total state levies last fiscal year: \$664.67
Miscellaneous Revenue: \$0	

Existing Structures Code Enforcement Cases:

Total Cases: 27	
New this month: 0	
Closed this month: 0	
Rental Inspections: 2	
Rental C.O's Issued: 2	
Rental Inspection fees collected: \$100	
Grass cutting enforcement: 0	
Grass cutting: 4	
Enforcement fees charged this month: \$412.00	
Enforcement fees charged this year: \$412.00	Fees charged last fiscal year: \$7,351.98
Enforcement fees collected: \$412.00	
Enforcement fees collected this year: \$412.00	Fees collected last fiscal year: \$2,768.58

Annual Fire Inspections (updated) (Completed)

Total Cases: 92
Inspections conducted: 0
Closed this month: 0
Closed altogether: 92
Cases unresolved: 0

Annual Fire Reports (updated)

Total Cases: 59
Received this month: 12
Closed: 16
Unresolved: 43

Month of July FY11

Central Park Trail (T-21 Grant) (updated)

Hours spent working on project this month: 60

Key Notes:

- 85% of Sod has been put in place and is rooting very nicely.
- All irrigation has been installed and is up and operational
- All trees that were previously in the ground and have been mulched.
- All Benches and trashcans have been delivered but will not be installed until the very end
- The Fountain is to be delivered on August 6.
- A planned grand opening is set for September 5, 2010, at 3 P.M.

Other items of note:

1. Completed 29 inspections
2. Conducted 2 zoning clearances
3. Completed 2 courtesy residential inspections
4. Conducted 4 courtesy commercial inspection
5. Conducted 30 E & S control inspections
6. Conducted 0 commercial plan reviews for Erosion and Sedimentation Control.
7. Completed 2 residential plan reviews
8. Issued 0 Public Utilities Shallow Well permits
9. Working on a Code Enforcement case on a property in Bay Creek. Received numerous complaints regarding the building that is in an unsafe/uninhabitable condition. **The property recently sold and the new owner has already begun the process of the abating the numerous violations on the property.**
10. Made site inspections throughout the month on the New Waste Water Treatment Plant Project.

Reminder: Cape Charles Central Park will be closed until further notice.

Basketball Court, Tennis Courts, and Playground will remain open unless otherwise noted. Please access these facilities from Madison Avenue.

08/04/10

Permit/Construction Fee Report

Map Number	Permit #	Type	Date	Address	Work description	Permit Fee	Value
083A3-0100-51	PB100052	Building	07/20/2010	526 Tazewell Avenue	Alteration	\$140.00	\$10,000
	PB100053	Building	07/22/2010	242 Tazewell Avenue	re-siding front of structure	\$89.60	\$5,500
	PB100054	Building	07/27/2010	120 Creekside Lane	new sf res.	\$23,981.67	\$450,000
	PB100055	Building	07/26/2010	116 Tazewell Avenue	adding rear deck	\$112.00	\$7,500
	PB100056	Building	07/26/2010	237 Tazewell Avenue	Change of Use from A to E	\$777.00	\$40,000
	PB100057	Building	07/30/2010	210 Tazewell Avenue	new siding and windows	\$252.00	\$30,000
	PE100025	Electrical	07/08/2010	527 Walbridge Bend	new electrical for sf res.	\$140.00	\$10,000
	PE100026	Electrical	07/28/2010	610 Pine Street	upgrading to 200 amp service	\$56.00	\$400
	PE100027	Electrical	07/30/2010	2443 Old Cape Charles	Install Meter Base and 200 amp Panel	\$0.00	\$100
	PF100003	Fire Suppresio	07/01/2010	2 Plum Street	FIREWORKS DISPLAY FOR 4TH OF JULY	\$0.00	\$4,500
	PG100008	Gas	07/12/2010	529 Walbridge Bend	Installation of Gas Service Line	\$56.00	\$250
	PM100012	Mechanical	07/28/2010	715 Tazewell Avenue	2 ton air conditioning unit	\$117.66	\$8,005
	PT100005	UST/AST	07/12/2010	529 Walbridge Bend	250 gallon ust	\$56.00	\$250

Total Permits: 13 \$25,777.93 \$566,505

PerDataIssued Range from 07/01/2010 to 07/31/2010

MONTHLY INSPECTION TOTALS

Jeb Brady

Initial 07/09/2010
 Initial 07/21/2010
 FINAL 07/23/2010
 COURTESY 07/29/2010
 Footing 07/22/2010
 Footing 07/28/2010
 COURTESY 07/28/2010
 Final 07/29/2010
 Insulation 07/07/2010
 Framing 07/07/2010
 Slab 07/01/2010
 Box Out 07/01/2010
 Foundation 07/01/2010
 Sheathing 07/28/2010
 Footing(Deck) 07/07/2010
 Footing 07/26/2010
 COURTESY 07/28/2010
 Final 07/29/2010
 Underground Tre 07/01/2010
 Cut-In (Temp Pol 07/08/2010
 CUT-IN 07/29/2010

Total 21

David Fauber

CUT-IN 07/21/2010

Total 1

Jeb Brady

COURTESY 07/28/2010
 Pressure/R.I. 07/28/2010
 COURTESY 07/28/2010

Total 3

David Fauber

Final 07/29/2010

Total 1

Jeb Brady

COURTESY 07/28/2010
 SEWER & WATE 07/16/2010
 SEWER & WATE 07/20/2010

Total 3

MONTHLY INSPECTION TOTALS

Grand Total

29

InsDateCompleted Range from
07/01/2010 to 07/31/2010

Revenue Totals by Category/Items

From: 07/01/2010 to: 07/31/2010

Inspection		
Sewer Tap Insp	1	\$50.00
Water Tap Insp	1	\$50.00
Inspection totals	2	\$100.00
Miscellaneous		
E/S Agreement in lieu of plan	1	\$150.00
Fire Dept Fee	11	\$421.16
Res. Sewer Connection	1	\$875.00
Res. Sewer Facility	1	\$13,150.00
Res. Water Connection	1	\$875.00
Res. Water Facility	1	\$5,100.00
Miscellaneous totals	16	\$20,571.16
Plan Review		
Sewer Plan Rev	1	\$30.00
Water Plan Rev	1	\$30.00
Plan Review totals	2	\$60.00
Rental Fee		
RENTAL INSPECTION	2	\$100.00
Rental Fee totals	2	\$100.00
Residential		
Valuation Res \$2.5K - \$10K	1	\$125.00
Residential totals	1	\$125.00
Review		
Landscape Plan Review	1	\$100.00
Residential Building Plan Revi	1	\$200.00
Residential Site Plan Review	1	\$150.00
Review totals	3	\$450.00
State Tax		
STATE TAX.	11	\$85.23
State Tax totals	11	\$85.23

Valuation

Com Bldg Plan Review Fee	1	\$250.00
comm > \$10k	1	\$475.00
Garage- 5B	1	\$220.15
Residential decks & porches- 5B	1	\$45.36
Residential, one and two family- 5B	1	\$2,610.98
Valuation Res \$0-\$2.5K	3	\$150.00
Valuation Res \$2.5K - 10K	4	\$410.05
Valuation Res > \$10K	1	\$225.00
Valuation totals	13	\$4,386.54
Grand Totals	50	\$25,877.93

Planning Commission Report for Town Council

From: Tom Bonadeo
To: Town Council
Date: August 12, 2010
Subject: Report for Planning Department

Planning Commission Meeting–August 3

1. The Planning Commissions meeting was held on Tuesday of this week. The following items were to be considered.
 - a. The Planning Commission attended a joint meeting with the County Planning Commission to discuss the opportunities available for interaction in the County Town Edge Zone. There were several opportunities
2. The planner has been working on the following projects
 - a. Central park – Community Trail project
 - i. Electrical Service – The cable is installed and the lights are connected. Final is expected August 14.
 - ii. Wells – The two shallow wells (East and West) have been drilled and are operational.
 - b. Continued participation in the Bay TMDL and King's Creek TMDL The total maximum daily load (TMDL) is the maximum amount of nutrients that a body of water can accept.
 - c. The Town is in the Chesapeake Preservation area and we will be audited soon for performance over the last 10 years. The first phase of the audit went fairly well.
3. The Planner worked on the Town Ordinance for Peddlers License and Golf Carts for staff to review. After staff review and rewrite modifications will be forwarded to Town Council for final review and adoption.
4. Work continues with the Planning Commission on both the Technology Zone and Connector Road issues. The Commission heard positive public comment from Southport and Bay Creek on the connector road. Bayshore Concrete has also commented positively about the road.
5. The Planner worked with the County Planning Staff on a joint grant application. This is the pre-application for an unusual grant that would involve transportation between Cape Charles and nearby localities.

Historic District Review Board Meeting – July 20 (no meeting)

 <p>TOWN OF CAPE CHARLES</p>	AGENDA TITLE: Cape Charles Police Department		AGENDA DATE AUGUST 12, 2010
	SUBJECT/PROPOSAL/REQUEST: JULY 2010 Monthly Law Enforcement Statistic		ITEM NUMBER
	ATTACHMENTS: None		FOR COUNCIL: Action () Information (X)
	STAFF CONTACT (s): Charles Brown Chief of Police	REVIEWED BY: Heather Arcos Town Manager	

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

Calls for Service in Cape Charles: 68

Calls for Service Outside of Cape Charles: 16

10-13 Calls 00

(A) By Dispatch: 65

(B) By Phone via Officer/Trooper: 01

(C) In Person 18

Felony Arrests: 00

Misdemeanor Arrests: 00

DUI Arrests: 01

Traffic Summons Issued: 52

Traffic Warnings Issued: 10

Parking Tickets Issued: 06

Assisted Northampton County Sheriff's Office: 09

Assisted Virginia State Police: 04

Assisted Other Local Police: 01

Assisted Other Federal Agencies

Assisted Fire & Rescue: 08

Assisted VDOT: 00

Hours of Training Received & What Type? NONE



TOWN OF
CAPE CHARLES

AGENDA TITLE: Harbor Area Design Guidelines – Set Public Hearing

AGENDA DATE:
August 12, 2010

SUBJECT/PROPOSAL/REQUEST: Schedule a Public Hearing re: Harbor Area Design Guidelines

ITEM NUMBER:
6A

ATTACHMENTS: None

FOR COUNCIL:
Action (X)
Information ()

STAFF CONTACT (s):
Tom Bonadeo / Heather Arcos

REVIEWED BY:
Heather Arcos, Town Manager

BACKGROUND:

Several years ago, the Town contracted with CMSS Architects in Virginia Beach to develop the Harbor Area Design Guidelines. Public input sessions were held to obtain feedback from the citizens regarding this area and a Steering Committee was appointed.

In April 2010, the Harbor Area Review Board reviewed a draft of the guidelines and recommended several changes.

DISCUSSION:

In July, the Town received the final draft of the Harbor Area Design Guidelines and a joint work session was held on July 22nd with the Town Council, Planning Commission and the Harbor Area Review Board. Mr. John Crouse from H & A Architects & Engineering (formerly CMSS Architects) gave a presentation regarding the Harbor Area Design Guidelines. Several additional suggestions were discussed and Mr. Crouse asked the attendees to email any further recommended changes to either Town Planner Tom Bonadeo or Town Clerk Libby Hume. The Town is expecting to receive the final version of the Harbor Area Design Guidelines later this month. A public hearing needs to be scheduled to review these guidelines with the citizens of the Town.

RECOMMENDATION:

Staff requests approval to schedule a public hearing on Thursday, September 9, 2010, at 6:00 p.m., immediately preceding the regular Council meeting.

 <p>TOWN OF CAPE CHARLES</p>	AGENDA TITLE: Town Edge Zone Update		AGENDA DATE: August 12, 2010
	SUBJECT/PROPOSAL/REQUEST: Joint meeting of the County and Cape Charles Planning Commissions		ITEM NUMBER: 6B
	ATTACHMENTS: None		FOR COUNCIL: Action () Information (x)
	STAFF CONTACT (s): Tom Bonadeo - Heather	REVIEWED BY: Heather Arcos, Town Manager	

BACKGROUND:

The County Zoning Ordinance has a Zone called Town Edge. This zone is related to an area of land adjacent to each town and hamlet in the county. The objective of this zone is to concentrate new development in areas around the existing localities rather than creating new individual developments in rural areas of the county.

The edge of the towns is also the area where public services are more likely to be developed. In order to make this work, some interaction with the towns will be required. The Two commissions met on August 3 to begin the dialogue on how this will happen.

This new zone has multiple opportunities for the towns.

1. The Towns will have some input to the uses allowed in the edge zone.
2. The Towns will receive timely information about rezoning in the edge so that staff work and Planning Commission review can be done and forwarded to the County for inclusion in the decision making process.
3. The County Planning Commission is interested in input in the current Town Edge area and the possibility of modification to the area for more practical implementation with the Towns.
4. In the case of Cape Charles a Corridor Overlay may also be used to assure proper development of the entrances to the National Cape Charles Historic District as allowed by the Code of Virginia.
5. There are some open questions for the County, Cape Charles and Cheriton because our Town Edges meet along Route 13 and both Towns have an interest in development on both sides of Route 13 as it relates to their downtown areas.

DISCUSSION:

The Joint Meeting was a "historic" meeting of sorts. This is the first time that I can remember a joint meeting of these two bodies in the last dozen years. The meeting was cooperative and congenial and a lot of learning was done by both groups.

Our Commission reiterated some of the language of the Annexation Agreement relating to the Corridor Overlay and the commercial development for a two mile stretch along Route 13. This sets the stage for continued discussions of the area and new cooperation between the Town and County.

The Cape Charles Boundary Adjustment Sub-committee is scheduled with Supervisor Long

next week to review the Town Edge meeting and the Boundary Adjustment progress.

RECOMMENDATION:

Meet with Supervisor Long next week and review the direction and schedule for the Boundary Adjustment plan.



TOWN OF
CAPE CHARLES

AGENDA TITLE: VDH Grant for Keck Wells PER

AGENDA DATE:
August 12, 2010

SUBJECT/PROPOSAL/REQUEST: Adopt resolution authorizing application for VDH grant.

ITEM NUMBER:
7A

ATTACHMENTS: Resolution 20100812

FOR COUNCIL:
Action (X)
Information ()

STAFF CONTACT (s):
David Fauber

REVIEWED BY:
Heather Arcos, Town Manager

BACKGROUND:

In 2006 the Town, in partnership with Baymark construction, drilled East Well II located in an easement on Bay Creek property just west of Bender's Lane. East Well II was to be brought on line to meet the demands of the newly developed Bay Creek properties, and to improve the raw water quality and ease the burden placed on our water treatment facility by ground water from our two older wells which are producing twice the iron and manganese that the plant was designed for.

In June of 2008 Stearns and Wheler delivered a Preliminary Engineering Report (PER) to the Town and the Virginia Department of Health Office of Drinking Water (VDH-ODW) for the connection of East Well II and Tower Well II to the water plant. This PER was approved by the VDH-ODW and Stearns and Wheler prepared to design the construction of the pipe lines to the two wells under Task Order W-5. Soon after approval of the PER it was discovered during bacteria sampling of the two wells that East Well II produced neither the volume nor quality of water desired for a production well. It was determined that East Well II should be abandoned and a new well site would be selected.

The Keck property was selected for exploration of a new well site. Good quality water in abundance was found in the upper aquifer on the Keck Property. Two wells have been drilled and are ready to be tested as required by the DEQ and VDH.

DISCUSSION:

VDH-ODW has limited funds available for competitive Planning & Design Grants. This Planning & Design Grant is up to \$30,000 and may be available to us for developing a PER for the connection of the Keck Wells to the Water Treatment Plant. Much of the information gathered and compiled for the original East Well II PER will be used for the new Keck Well PER. We request the Council's approval to apply for this grant and for the Town Manager to be granted the authority to sign such documents as may be required for said grant.

RECOMMENDATION:

Staff requests a roll call vote on the attached Resolution to authorize the Town Manager to apply for VDH-ODW Planning and Design Grant and sign any and all documents pertaining thereto.

RESOLUTION 20100812
AUTHORIZING THE APPLICATION FOR A GRANT FROM THE
VIRGINIA DEPARTMENT OF HEALTH

WHEREAS, The Town of Cape Charles is undertaking design, engineering, and construction of additional water supply sources for the water treatment plant; and

WHEREAS, these sources are needed to comply with Department of Environmental Quality requirements for aquifer management during times of peak demand, and to improve the levels of secondary contaminants (iron and manganese) requiring removal; and

WHEREAS, the Virginia Department of Health has funds available for Planning and Design Grants for improvements to community waterworks; now

THEREFORE BE IT RESOLVED by the Town Council of Cape Charles, this 12th day of August, 2010, that the Town Manager be authorized to apply for a Planning and Design Grant from the Virginia Department of Health to prepare a Preliminary Engineering Report to connect the new wells, and that the Town Manager be authorized to sign any and all documents to accept and administer such funding.

Adopted by the Town Council of Cape Charles on August 12, 2010.

By: _____
Mayor

ATTEST:

Town Clerk



TOWN OF
CAPE CHARLES

AGENDA TITLE: VDH Grant for Disinfection Byproducts PER

AGENDA DATE:
August 12, 2010

SUBJECT/PROPOSAL/REQUEST: Adopt resolution authorizing application for VDH grant.

ITEM NUMBER:
7B

ATTACHMENTS: Resolution 20100812A

FOR COUNCIL:
Action (X)
Information ()

STAFF CONTACT (s):
David Fauber

REVIEWED BY:
Heather Arcos, Town Manager

BACKGROUND:

In December 2006 the Environmental Protection Agency issued its final action for the Stage 2 Disinfectants and Disinfection Byproducts Rule. Since that time community water systems have been testing for the byproducts that are created from chlorination of drinking water. These byproducts are trihalomethanes (TTHMs) and haloacetic acids (HAA5s). Beginning in August of 2009 we began sampling and testing quarterly at 3 sites to compile a running annual average. At one site samples tested averaged higher than the acceptable limit for TTHMs, at another site the samples tested averaged higher than allowed for HAA5. Had we been within acceptable limits, we would have reduced our testing to annually. As a result of our noncompliance we will continue to test quarterly. In addition to quarterly testing, the Department of Health requested that we create a Preliminary Engineering Report (PER) to discuss actions that might be taken to reduce the byproducts in our drinking water.

DISCUSSION:

VDH-ODW has limited funds available for competitive Planning & Design Grants. This Planning & Design Grant is up to \$30,000 and may be available to us for developing a PER for the reduction of chlorination byproducts in our drinking water. We request the Council's approval to apply for this grant and for the Town Manager to be granted the authority to sign such documents as may be required for said grant.

RECOMMENDATION:

Staff requests a roll call vote on the attached Resolution to authorize the Town Manager to apply for VDH-ODW Planning and Design Grant and sign any and all documents pertaining thereto.

RESOLUTION 20100812A
AUTHORIZING THE APPLICATION FOR A GRANT FROM THE
VIRGINIA DEPARTMENT OF HEALTH

WHEREAS, The Town of Cape Charles is undertaking design, engineering, and construction of water treatment improvements to minimize disinfection byproducts; and

WHEREAS, these improvements are needed to comply with Virginia Department of Health and U.S. Environmental Protection Agency limits for these contaminants; and

WHEREAS, the Virginia Department of Health has funds available for Planning and Design Grants for improvements to community waterworks; now

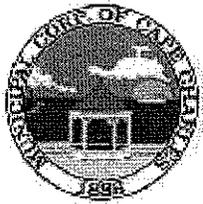
THEREFORE BE IT RESOLVED by the Town Council of Cape Charles, this 12th day of August 2010, that the Town Manager be authorized to apply for a Planning and Design Grant from the Virginia Department of Health to prepare a Preliminary Engineering Report for water treatment improvements related to disinfection byproducts, and that the Town Manager be authorized to sign any and all documents to accept and administer such funding.

Adopted by the Town Council of Cape Charles on August 12, 2010.

By: _____
Mayor

ATTEST:

Town Clerk



TOWN OF
CAPE CHARLES

AGENDA TITLE: Fiscal Year 2009 Audit Report

AGENDA DATE:
August 12, 2010

SUBJECT/PROPOSAL/REQUEST:

Presentation of Annual Audit and Response to Management Letter

ITEM NUMBER:
7C

ATTACHMENTS: None

FOR COUNCIL:
Action (X)
Information ()

STAFF CONTACT (s):

Jo Anna Leatherwood,
Treasurer

REVIEWED BY:

Heather Arcos, Town Manager

BACKGROUND:

Each year the Town requires and accomplishes an annual external audit of its financial statements at the end of each fiscal year. The attached report reflects the results of the audit for the period ended June 30, 2009. At the completion of our annual audit, the auditing firm issues a management letter which contains recommendations of items to be changed to closer adhere to audit standards and which will create better internal controls. The same concerns appear annually and we need to respond to the issues.

DISCUSSION:

The audit firm of Robinson, Farmer, Cox Associates accomplished the Town audit for the period ended June 30, 2009 as well as those required audits for the four previous fiscal years. As part of our audit report and presentation, the auditors provide a management letter identifying any opportunities for strengthening areas of deficiencies in internal controls and operating efficiency. The area we see each year pertains to the ability to identify delinquent tax balances by tax year. This situation was created when back years were loaded into our current software as an accumulated amount and not by year. As these taxes are collected, the balances can be broken down by year. The segregation of duties relating to cash and utility billing has been mentioned again. Since the auditors were here doing this audit, procedures have been put into place that eliminates one employee handling payments and adjustments. Reference has been made this year about written reconciliations for all balance sheets accounts at the end of each year. This is currently underway for June 30, 2010. I am also recording the journal entries that cannot longer be made by the auditors in order to maintain their independence from the client. Also, bank reconciliations will be done monthly and reviewed. This will be one of the duties of our new accountant.

RECOMMENDATION:

The recommendation is made that the audit report be accepted as presented. Town Manager and Treasurer will continue to correct areas which may need additional strengthening.



TOWN OF
CAPE CHARLES

AGENDA TITLE: Reappointment of Members for Library Board

AGENDA DATE:
August 12, 2010

SUBJECT/PROPOSAL/REQUEST: Reappointment of Library Board members

ITEM NUMBER:
7D

ATTACHMENTS: None

FOR COUNCIL:
Action
Information

STAFF CONTACT (s):
Heather Arcos

REVIEWED BY:
Heather Arcos, Town Manager

BACKGROUND:

The Library Board oversees the Cape Charles Memorial Library and consists of seven members who serve staggered four-year terms.

DISCUSSION:

Two members' terms, Chris Bannon and Kim Dunton, expired on August 8, 2010. They have both expressed their interest in continuing to serve on the Library Board.

RECOMMENDATION:

Staff recommends Council reappoint Chris Bannon and Kim Dunton to the Library Board for another four-year term to expire August 8, 2014.



TOWN OF
CAPE CHARLES

AGENDA TITLE: Gray's Funeral Home Commendation

AGENDA DATE:
August 12, 2010

SUBJECT/PROPOSAL/REQUEST: Commendation for Gray's
Funeral Home

ITEM NUMBER:
7E

ATTACHMENTS: Commendation

FOR COUNCIL:
Action (X)
Information ()

STAFF CONTACT (s):
Heather Arcos

REVIEWED BY:
Heather Arcos, Town Manager

BACKGROUND:

Gray's Funeral Home was founded in 1895 and is the oldest African American family owned and operated business in the Town of Cape Charles.

DISCUSSION:

In August, the 100 Black Women of Funeral Service, Inc. will host the 73rd Annual National Funeral Directors and Morticians Association, Inc. National Convention and the historic 2010 African American Funeral Home of Fame Induction Ceremony in Fort Lauderdale, Florida. Thirty-nine (39) of the oldest existing African-American funeral homes will be recognized for their services, longevity and impact on the Afro-American community. The 100 Black Women of Funeral Service, Inc. has asked the Town of Cape Charles to join them in commending Gray's Funeral Home for their years of service.

RECOMMENDATION:

Staff asks Council for a roll call vote to approve the attached commendation for Gray's Funeral Home.

Commendation 20100812

By the Town Council of the Town of Cape Charles, Virginia

WHEREAS, on August 4, 2010, the 100 Black Women of Funeral Service, Inc. will host the 73rd Annual National Funeral Directors and Morticians Association, Inc. (NFDMA) National Convention and the historic 2010 African American Funeral Home of Fame Induction Ceremony in Fort Lauderdale, Florida; and

WHEREAS, this event will recognize thirty-nine of the oldest existing African-American funeral homes for their services, longevity and impact on the Afro-American community. Gray's Funeral Home of Cape Charles, Virginia will honor the Town of Cape Charles on this momentous occasion; and

WHEREAS, Gray's Funeral Home of Cape Charles was founded in 1895 and is the oldest African American family owned and operated business in the Town of Cape Charles. This renowned business continues to operate in the great tradition of service as established by its forefathers; and

WHEREAS, the role of the Black Funeral Home in Afro-American communities has been essential to the fiber of economics in America. Many of these establishments have stood for over a hundred years and continue to contribute to the Afro-American community and to the valuable history of the United States; and

WHEREAS, the 100 Black Women of Funeral Service, Inc. has provided seventeen years of diversity in the funeral service profession and is the student scholarship and funeral service leadership division of the NFDMA; and

NOW, THEREFORE, I, Dora Sullivan, Mayor for the Town of Cape Charles, do hereby commend

Gray's Funeral Home

in recognition of Black Funeral Homes in the African Community celebrating 100 years of business entrepreneurship and do hereby extend my sincerest congratulation to the 73rd Annual NFDMA National Convention and 2010 African American Funeral Home of Fame Induction Ceremony hosted by the 100 Black Women of Funeral Service, Incorporated.

Adopted by the Town Council of the Town of Cape Charles, August 12, 2010

By: _____
Mayor

ATTEST:

Town Clerk



TOWN OF
CAPE CHARLES

AGENDA TITLE: Town Council Regular Meeting Time

AGENDA DATE:
August 12, 2010

SUBJECT/PROPOSAL/REQUEST: Time Change for the
Regular Town Council Meetings

ITEM NUMBER:
7F

ATTACHMENTS: Resolution 20100812B

FOR COUNCIL:
Action (X)
Information ()

STAFF CONTACT (s):
Heather Arcos, Town Manager

REVIEWED BY:
Heather Arcos, Town Manager

BACKGROUND:

Pursuant to § 15.2-1416 of the Code of Virginia, if the governing body wishes to change the location, day and/or time of their regular meetings, the governing body must pass a resolution as to such future meeting day, place or time. The resolution must be posted and published in the newspaper at least seven days prior to the first such meeting.

DISCUSSION:

Mayor Sullivan has proposed a time change for future regular meetings of the Town Council to 6:00 p.m. On meeting dates where a public hearing is being held, the public hearing will begin at 6:00 p.m. immediately followed by the regular meeting.

By starting the meetings earlier, more citizens may be able to attend to keep informed of the various projects and issues affecting the Town.

RECOMMENDATION:

Staff recommends adoption of Resolution 20100812 to change the time of the Town Council Regular Meetings to 6:00 p.m.

RESOLUTION 20100812B

**RESOLUTION TO CHANGE THE TIME OF THE
CAPE CHARLES TOWN COUNCIL REGULAR MEETINGS**

WHEREAS, Cape Charles Town Council Resolution 20080311-B, adopted on the 11th day of March 2008, set the date and time of regular meetings of the Town Council at 7:00 p.m. on the second Thursday of each month; and

WHEREAS, the Town of Cape Charles desires to promote an increased awareness of governmental activities by all citizens and provide every opportunity to citizens to witness the operations of government; and

WHEREAS, the Mayor of Cape Charles has expressed a desire to change the starting time of the Cape Charles Town Council Regular Meetings; and

WHEREAS, in an effort to increase participation from the citizens of the Town of Cape Charles; therefore,

BE IT RESOLVED that effective September 9, 2010, the Cape Charles Town Council Regular Meetings will begin at 6:00 PM at the St. Charles Catholic Church Parish Hall, 545 Tazewell Avenue, Cape Charles, VA 23310.

Adopted in Cape Charles, Virginia this 12th day of August, 2010.

Mayor Dora Sullivan

ATTEST:

Town Clerk

 <p>TOWN OF CAPE CHARLES</p>	AGENDA TITLE: Planning Commission Appointment		AGENDA DATE: August 12, 2010
	SUBJECT/PROPOSAL/REQUEST: Appointment to Planning Commission		ITEM NUMBER: 7G
	ATTACHMENTS: None		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Heather Arcos, Town Manager	REVIEWED BY: Heather Arcos, Town Manager	

BACKGROUND:

As vacancies occur on the Cape Charles Planning Commission and other Boards, the Town Council must appointment new members to fill these vacancies.

DISCUSSION:

At the July 8, 2010 Regular Town Council Meeting, the Council appointed Councilwoman Joan Natali as the Council representative to the Planning Commission to replace Councilman Bruce Evans who had previously submitted his resignation as the Town Council representative to the Planning Commission. Councilwoman Joan Natali had been serving on the Planning Commission for a number of years prior to her election to the Town Council in May 2010. Since Councilwoman Joan Natali is now serving as the Council representative to the Planning Commission, a citizen member needs to be appointed to complete her unexpired term which ends October 31, 2013.

On August 5, 2010, an application was received from Mr. Bruce Brinkley, expressing his interest in serving on the Planning Commission. Mr. Brinkley has an impressive background and his application and background information has been reviewed by the Council.

RECOMMENDATION:

Staff recommends appointing Mr. Bruce Brinkley to the Planning Commission to complete Councilwoman Natali's the citizen-position term which expires October 31, 2013.