



TOWN COUNCIL

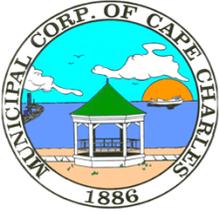
Regular Meeting

May 22, 2014

St. Charles Parish Hall

6:00 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. Department Reports
 - *A. Treasurer's Report
 - B. Planning Commission and Boards
 - C. Other Department Reports
6. Old Business
 - A. Cape Charles Community Trail – Phase 2 Update
 - *B. FY 2014-2015 Proposed Budget – Schedule Public Hearing
 - *C. County Zoning Ordinance Resolutions
 - i. Historic Corridor Overlay Resolution
 - ii. Annexation Agreement Resolution
7. New Business
 - *A. National Public Works Week Proclamation
 - *B. Building Safety Month Proclamation
 - C. USDA RD Grant/Loan Award for New Police Car
 - *D. Eastern Shore of Virginia Public Service Authority
 - i. Appointment of Two Cape Charles Representatives to Subcommittee
 - ii. Re-appointment of Cape Charles Representative to PSA
 - *E. Virginia Retirement System Resolution
 - *F. U.S. Army Corps of Engineers Harbor Dredging/Beach Replenishment
8. Mayor & Council Comments (5 minutes per speaker)
9. Announcements
 - May 26, 2014 – Town Offices Closed in observance of Memorial Day
 - May 26, 2014 – Veterans' Memorial Day Ceremony – American Legion Post 56
 - May 26, 2014 – Cape Charles Memorial Library Rededication Ceremony
 - May 31, 2014 – Bike MS
 - May 31, 2014 – Benefit By the Bay
 - June 5, 2014 – Town Council Work Session, 6:00 PM, Town Hall
 - June 12, 2014 – Town Council Budget Public Hearing, 6:00 PM, Town Hall
 - June 19, 2014 – Town Council Regular Meeting, 6:00 PM, St. Charles Parish Hall
10. Adjourn at 8:00 P.M.



DRAFT
TOWN COUNCIL
Public Hearing
St. Charles Parish Hall
April 24, 2014
6:00 p.m.

At 6:00 p.m. Mayor Dora Sullivan, having established a quorum, called to order the Public Hearing of the Town Council. In addition to Mayor Sullivan, present were Vice Mayor Bannon, Councilmen Bennett, Sullivan and Wendell, and Councilwoman Natali. Councilman Godwin was not in attendance. Also in attendance were Town Manager Heather Arcos and Town Clerk Libby Hume along with other members of the Town staff. There were approximately 40 members of the public in attendance.

Mayor Sullivan announced that the evening's Public Hearing was to hear public comment regarding the proposed modifications to the Cape Charles Town Code Chapter 66, Article IV-Transient Occupancy Tax, Sections 66-55 through 66-76.

PUBLIC COMMENTS:

Donna Kohler, 711 Tazewell Avenue
Please see attached.

Carol Evans, 645 Tazewell Avenue
Please see attached.

Bruce Evans, 645 Tazewell Avenue

Mr. Bruce Evans stated that, as owner of the Cape Charles House Bed and Breakfast, he was in support of the Transient Occupancy Tax increase. Mr. Evans stated that the lodging facilities were not the only ones who benefitted from the increased tourism and went on to state that if Town Council increased the tax to .7%, the Town would receive \$15K-\$17K. If Town Council were to increase meals tax to .7%, the Town would receive about \$44K and Mr. Evans thought that was money that the Town could certainly use to perpetuate tourism and tourism activities and he strongly supported this.

Mr. Evans cautioned Town Council in creating a Tourism Commission for Cape Charles and suggested a strategic plan for tourism such as what Northampton County created which involved agri-tourism, aqua-tourism and tourism in general for visitors to the Shore. Mr. Evans suggested finding someone to assist the Town in putting together a strategic plan before the Town created a Committee. Mr. Evans did not think it should be called tourism and recommended economic development because it was necessary to review all aspects as to what the Town needed to accomplish including economic and industrial development and tourism. Mr. Evans stated that a tourism specialist replaced Lynn Lochen and he knew she would assist the Town in compiling a strategic plan for what the Town would like to see and she would also help push for a leader because without a leader, the plan would not be effective.

Dorie Southern, 104 Monroe Avenue

Ms. Dorie Southern stated that she had a vacation rental property and paid the Transient Occupancy Tax. Ms. Southern pointed out to Town Council that the vacation rental properties had already been rented for the summer season and went on to state that if Town Council raised the Transient Occupancy Tax now, it would come out of the property owners' pockets to pay the

increased amount. Ms. Southern stated that many vacation rental properties did not pay the tax and advised Town Council to make them pay the tax instead of raising it for those who would have to pay out of pocket for the summer season.

Town Clerk Libby Hume read comments submitted in writing from Mr. Lemoin Cree, Principal Broker of Blue Heron Realty. (Please see attached.)

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

Motion made by Vice Mayor Bannon, seconded by Councilman Bennett, to adjourn the Town Council Public Hearing. The motion was approved by unanimous consent.

Mayor Dora Sullivan

Town Clerk

DRAFT

Public Comments Submitted in Writing

Donna Olney Kohler, 711 Tazewell Avenue

My name is Donna Olney Kohler and I live at 711 Tazewell Avenue which is also operated as Fig Street Inn.

I support a transient occupancy increase of .7% and to clarify for anyone who may be spinning the numbers, a .7% increase is equal to an additional \$1.09 per night for my guests.

But I do have concerns about how and who will manage and allocate these funds.

I have attended a few town meetings where this has been discussed, as well as had conversations with some council members on this topic. My first concern is eliminating the Town's financial commitment to ESVA Tourism. I have heard numbers ranging from zero to \$17,500 as our annual contribution.

I urge council to continue financial support of ESVA Tourism and to consider a minimum annual contribution of no less than \$15,000. Those funds pay for the welcome center at the bridge, which alone is worth that amount, in my opinion. They have an outstanding staff who our B&B guests continually comment are professional, helpful, and can't speak more highly of Cape Charles. We could never duplicate that in our town for \$15,000.

Some have suggested that the TOT money needs to stay local. You may not be aware that the VTC has awarded over \$30,000 in grants to Cape Charles organizations from November 2011 to December 2013. Those funds would not have come to Cape Charles without the required, written endorsement from ESVA Tourism. These grants have funded Tall Ships, Birding Festival, Harbor for the Arts Festival, and Cape Charles By the Bay and would not have been possible without ESVA Tourism.

I understand you may be asked to establish a tourism board or commission to recommend to Council how the TOT money will be spent. I have serious concerns about how this idea came to you in the first place. Individuals who have pitched this idea to Council through the Town have already suggested names as to who should serve. I know this is not how the process would work, but I urge you to learn more about how we have gotten to the point of considering formation of a Cape Charles tourism commission, before you make that decision.

The Town is looking at collections of approximately \$75,000 from TOT for FY2015. I suggest that those funds can be managed and allocated by Council for another year, just as you have always done, while you take the time to evaluate whether or not it is necessary to form another commission. There is already a process for any group to request funds and I do not personally see any reason why we cannot continue to do so for at least one more year.

I do not believe there is a sense of urgency or necessity in forming a commission at this time. As the TOT fund grows from increased tourism, and not just from a percentage increase, the Town should consider a different process.

Regardless of what you choose to do, I ask that you develop very specific guidelines for what is a "tourism-related initiative." I have been in meetings where councilors have suggested what should be funded through this tax and they are not tourism-related by any definition. If we want this fund to grow, we need to re-invest it each year into what truly are tourism related initiatives.

Carol Evans, 645 Tazewell Avenue

Good evening Madame Mayor, Town Council and our Town Manager. As one of the Northampton County appointed Tourism Commissioners and past Chairman of the Tourism Commission, I come before you to Thank You for your planning several years ago to designate 1% of the Town's 3% collected Transient Occupancy Tax to the Eastern Shore Tourism Commission. This is a pass through tax that only those who stay in our B&Bs and hotels pay. This is NOT a tax that any of our town citizens are paying!

Thank you for the faith and support over the years for the Eastern Shore Tourism Commission that contributed to the design, building, funding and maintaining the Eastern Shore Welcome Center. In just

these few four short years, we will welcome our millionth visitor next month, which also coincides with Virginia Tourism Week in our state, May 5-9.

As a reminder, the Eastern Shore of Virginia Tourism Commission, all at no cost to the business owners:

- Manages the esvatourism.org website with comprehensive tourism-related listings and events for visitors to the area.
- Produces an annual visitor's guide.
- Markets the region through earned and paid media.
- Provides for additional paid exposure at the Welcome Center with light boxes and rack card display and online presence.
- Experiential travel with the addition to developing the Eastern Shore Artisan Trail.
- Planned and implemented the first annual free Tourism Summit earlier this month, by coordinating a Tourism Task Force that our own George Proto, President of Cape Charles Business Associate represented the lower shore.
- The Summit was attended by 200 people from tip to top! (a whopping 25 business owners from Cape Charles, including 4 of our Council Members – Councilmen Bannon, Godwin, Wendell and Councilwoman Natali and Granville Hogg, our Northampton County Supervisor. What an outstanding representation!
- Attendees took away a new tourism energy and partnership enthusiasm with some “no cost how-tos” that could be applied immediately to better market their tourism business. We were reminded to celebrate the identities in each of our towns. The media loves to visit and write about how each is unique, but belong to this remarkable and dynamic region. A fall follow-up to this meeting is already being planned to help these Tourism Partners take the next step and bring in more Tourism industry professionals.

However, we are disappointed that we will no longer receive a dedicated amount, in the form of a percentage, because as you all know, it is difficult to budget monies, especially with fixed costs as they relate to the Welcome Center. Cape Charles has been the greatest beneficiary of this gateway to the Eastern Shore as millions travel to their destinations up and down Route 13. Just ask our in-town businesses how their business has increased last summer. Some say over 40%. Now, that's you helping grow businesses in Cape Charles through your Tourism Commission support.

It was our hope that as the Town's Transient Occupancy Tax grows at the 1% level, the Commission would also continue to grow so that we would further grow tourism in Cape Charles and on the Eastern Shore.

The Eastern Shore Tourism Commission thanks you. It is also our hope that Cape Charles Town Council continues “budgeted support” for the Eastern Shore Tourism Commission.

Lemoine B. Cree, Principal Broker, Blue Heron Realty

First, I really think that the proposed tax increase in all likelihood will be counterproductive resulting in the loss of some rentals. It is our experience that renters who vacation here do so because they can rent here for a little less than in other areas. Accordingly, landlords find that they are restrained in the amount they can charge even though they have high operating costs and lots of wear and tear on their homes. While Vacation Rentals have come into their own in Cape Charles, it is our opinion that this business is still somewhat fragile. We think the proposed tax increase will be a negative factor in the stabilization of these rentals which everyone seems to agree is important to Cape Charles and Cape Charles businesses.

Second, if Council is determined to impose this tax increase, I recommend that it not commence until January 1, 2015. We and others have booked many Cape Charles Vacation Rentals at the 3% rate and have many leases out at this rate. A tax increase before this date will impose the new portion of the tax on the Landlords because it is too late to charge tenants who have already booked. Most rental reservations are made in the first 3-4 months of the year. In addition, a tax increase will be expensive and time consuming for us because we will have to redo our multiple website quotes, leases, computer programs and bookkeeping. Providing time to prepare for this increase next year seems reasonable to us.

Thank you for your consideration.



DRAFT
TOWN COUNCIL
Regular Meeting
St. Charles Parish Hall
April 24, 2014
6:00 PM

At approximately 6:15 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 Vice Mayor Bannon, Councilmen Bennett, Sullivan and Wendell, and Councilwoman Natali. Councilman Godwin was not in attendance. Also in attendance were Assistant Town Manager Bob Panek, Treasurer Debbie Pocock, Town Planner Rob Testerman, Public Works/Public Utilities Director Dave Fauber, Community Events/Recreation Coordinator Jen Lewis, Chief Jim Pruitt, and Town Clerk Libby Hume. The majority of the Department Heads were in attendance as well as approximately 40 members of the public.

Vice Mayor Bannon gave the invocation which was followed by the recitation of the Pledge of Allegiance.

RECOGNITION OF VISITORS / PRESENTATIONS

Jay Ford, Virginia Eastern Shorekeeper

Mr. Ford thanked everyone for having him and explained that recently, there was a transition in Shorekeeper and many had met his predecessor Dave Burden. Mr. Ford wanted to explain how the Shorekeeper was expanding in a new direction in terms of Legislative presence in Richmond, Washington D.C. and locally and also in educational programs. The mission statement of the Virginia Eastern Shorekeeper was to preserve, protect and enhance the waters of Virginia's Eastern Shore which could be interpreted in many different ways. The Virginia Eastern Shorekeeper provided educational programs through partnerships with University of Virginia (UVA) and Virginia Institute of Marine Science (VIMS), worked with schools and was involved in legislation. Mr. Ford wanted to take advantage of more national and regional assets not only for the Shorekeeper organization, but for towns and counties that needed assistance. The Shorekeeper organization had many resources that were available for Towns to utilize.

Councilman Wendell asked Mr. Ford to give his opinion of why the Town of Cape Charles and Town Council should be concerned about whether or not Northampton County retained the Chesapeake Bay Act on the seaside. Mr. Ford stated that it was a major concern and felt that Northampton County needed a new zoning code. Wholesale removal of water protections on the seaside was concerning to the Shorekeeper organization for a number of reasons including environmental and economic development impacts. The Shellfish Growers Association and clam producers were in clear opposition to the removal because this was a \$55M per year industry with about 650 jobs, primarily in Northampton County.

Mr. Ford stated that there was a Town Edge issue. Everyone was trying to figure out how to bring people to the Shore, how to make a picturesque scene people wanted to visit year after year and how to build a stable tourism section that was economically reliable from year to year. The ability to negotiate was not something that should not be relinquished.

Mayor Sullivan welcomed Mr. Ford and thanked him for being there.

Donna Kohler, Miriam Elton, Sandy McFall – LOVEworks Installation Presentation

Ms. Kohler addressed Council regarding their support of obtaining a permanent location for the LOVEworks installation. (Please see attached.)

PUBLIC COMMENTS:

Sandy Mayer & Sharyl Cline – Eastern Shore Spay Organization

Ms. Mayer began by stating that Eastern Shore Spay Organization (ESSO) replaced the Spay the Shore Organization. Ms. Mayer was the Secretary/Treasurer, Ms. Sharyl Cline was the Vice President and Operations Manager and Mr. Pete Baumann was President and the organization was in partnership with Dr. Leslie Nelson of Lighthouse Mobile Veterinary. ESSO was incorporated November 2013 and had applied for a 501(c)(3).

The mission of ESSO was to prevent cruelty to animals and to help reduce the overpopulation of animals on the Eastern Shore by offering and subsidizing inexpensive spay and neuter services locally. Currently, ESSO was able to spay/neuter 20-30 animals with every visit, but there was a long waiting list every month. PETA did not have the resources to supply the needs of the Shore.

Ms. Mayer stated that ESSO had a once in a lifetime opportunity to purchase a spay/neuter van that had been in use by the Virginia Beach SPCA for several years. The organization hoped to pay for the vehicle through grants and donations once they received their 501(c)(3) designation. ESSO had been working with the owner of the property where Eastern Shore Custom Carts was located as a possible permanent location to park the van and they could make arrangements to eventually travel to other localities if financially feasible.

Mayor Sullivan asked how many animals had been spayed/neutered since ESSO had started. Ms. Cline stated that they had only been able to have the SNIP van on the Shore twice, so they had spayed/neutered a total of 60 dogs and cats and Ms. Mayer had spayed/neutered 16 on her own in 2 years. ESSO could not supply the need and hoped to offer services 4 times a month if they could obtain the vehicle which would accommodate 25 animals per day for a total of 100 animals per month.

Patricia Buckley, 4 Perny Court

Ms. Buckley addressed Council regarding its finances. (Please see attached.)

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

CONSENT AGENDA – APPROVAL OF AGENDA FORMAT:

Mayor Sullivan made the following changes: i) moving New Business Item 8A – Appointment of Treasurer before the Department Reports; ii) moving New Business Item 8D – National Safe Boating Week Proclamation to the beginning of New Business; and iii) adding New Business Item 8F – Possible May Regular Meeting Date Change.

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

CONSENT AGENDA – APPROVAL OF MINUTES:

The Town Council reviewed the minutes of the March 20, 2014 Regular Meeting, the March 20, 2014 Executive Session, the March 27, 2014 Budget Work Session, and the March 27, 2014 Special Meeting.

Motion made by Councilwoman Natali, seconded by Councilman Godwin, to approve the minutes from the March 20, 2014 Regular Meeting, the March 20, 2014 Executive Session, the March 27, 2014 Budget Work Session, and the March 27, 2014 Special Meeting as presented. The motion was approved by unanimous consent.

NEW BUSINESS:

A. *Appointment of Town Treasurer:*

Mayor Sullivan introduced Ms. Deborah Pocock who started as the Town Treasurer on April 7, 2014 but had not yet been officially appointed to the position.

Motion made by Councilman Bennett, seconded by Councilwoman Natali, to appoint Ms. Deborah Pocock as the Town Treasurer. The motion was approved by unanimous consent.

DEPARTMENT REPORTS:

C. *Treasurer's Report:*

Treasurer Deborah Pocock reviewed the Treasurer's report dated March 31, 2014 which showed \$584,139 in the Shore Bank checking account, \$96,585 in the Shore Bank checking account for reserved facility fees, \$68,521 in the Local Government Investment Pool (LGIP) account for the Library and \$440,685 in the Local Government Investment & Restricted Funds with the Total Cash on Hand at \$1,189,970. The decrease in the Shore Bank checking account reflected a debt service payment in the amount of \$128,790. The total cash held in reserve was \$356,143. Deborah Pocock went on to review the Tax Collection Comparison for Fiscal Years (FY) 2013 and 2014, the Revenues vs. Expenditures, the Capital Improvement Projects, the 2013 real estate tax collections, and the 2013 personal property tax, machinery and tools tax and 2014 license tax collections.

Councilman Wendell requested that the total debt amount be included in future reports to Council.

Motion made by Councilman Wendell, seconded by Councilman Bennett, to accept the Treasurer's Report as submitted. The motion was approved by unanimous consent.

B. *Planning Commission and Boards:*

Town Planner Rob Testerman reported the following: i) He attended the Transportation Technical Advisory Committee meeting on April 16th at the VDOT Residency Office. VDOT's long range plan for roads was reviewed; and ii) The Accomack-Northampton Planning District Commission was working on the beginning phase of the feasibility study for the bike trail. Phase 3 would involve the trail into Cape Charles.

C. *Other Departmental Reports:*

Code Official Jeb Brady informed Council that i) over \$26K in new permit fees had been received so far in April; ii) He had performed over 50 new construction inspections to date in April; and The Cape Charles Coffee House now had a fully-compliant kitchen.

Harbor Master Smitty Dize reported the following: i) The 7th Annual Blessing of the Fleet was scheduled for tomorrow evening beginning at 5:30 PM. Representative Scott Rigell would be the Master of Ceremonies and Senator Lynwood Lewis and Delegate Robert Bloxom would also be in attendance. Two Naval Academy vessels would be here and open to the public on Friday and Saturday. The Schooner Virginia would also be in Town; and ii) The first significant amount of crabs were brought into the Harbor today. Crabbing season was off to a rough start due to the cold temperatures.

Public Works/Public Utilities Director Dave Fauber reported the following: i) The Fishing Pier repairs were underway. The old section had been removed and the new footings were being poured; ii) The new sidewalk along Randolph Avenue was almost finished. The ADA access on the west corner still needed to be completed; iii) The renovations to the former library building

were moving along. The plumbing had been roughed in and the electrician should be there tomorrow; and iv) The grading around the Central Park restrooms had been completed.

Mayor Sullivan asked whether Council could have a site tour of the former library building before the May meeting. Dave Fauber would arrange for a tour of the facility.

Councilman Wendell expressed his concern for the safety of residents in wheelchairs when travelling to Rayfields suggesting that a pedestrian crossing was needed at the intersection of Randolph Avenue and Fig Street. Councilman Wendell added that the Town should submit another request to VDOT asking that the stop sign be reinstalled at the intersection. Councilman Wendell also commented on the grading of the Central Park restroom stating that without a railing, wheelchairs would fall off the sidewalk and asked whether the walkway was in compliance with ADA requirements. Dave Fauber stated that the facility was in compliance and Jeb Brady added that the walk surface was similar to the walkway at the Gazebo and guard rails were not required. Councilman Wendell asked that the issue be revisited.

OLD BUSINESS

A. *PSA/Regional Wastewater Update*

Assistant Town Manager Bob Panek informed Council that Hurt & Proffitt had completed the survey phase and a significant portion of the preliminary engineering and had confirmed that the previous project estimate of about \$1.8M was still reasonable. The Northampton County Board of Supervisors (BOS) reaffirmed their support of the PSA and the Southern Node commercial project. The BOS asked the PSA to evaluate other options such as expansion of the Bayview treatment plant. The BOS also approved the creation of a subcommittee of two members each from the BOS, the PSA and Cape Charles Town Council to negotiate the provision of treatment services by Cape Charles. The BOS appointed Supervisors Granville Hogg and Rick Hubbard as their representatives. This issue would be on the May Council Regular Meeting agenda to appoint the Town's representatives.

Councilman Wendell commented that in the Nassawadox area, there were 200+ jobs, cancer center and others currently dependent on the hospital's system. In the Southern Node, there were only about 10 respondents to the survey and 6-7 favorable responses with no promise of added jobs or industry. Councilman Wendell questioned why the County and PSA were not concentrating on the Northern Node where there was a bigger need and more potential for loss vs. the Cape Charles area. Bob Panek responded that the PSA had spoken with representatives from Riverside and were told that the wastewater system in Nassawadox would not be closed.

Councilman Wendell continued with questions regarding the hospital's plans but Bob Panek stated that he could not comment on the hospital's decisions.

B. *Town Code Modification – Transient Occupancy Tax*

Heather Arcos stated that a public hearing regarding the proposed modifications to the Transient Occupancy Tax (TOT) was held earlier this evening. In addition to updates from the Code of Virginia and administrative changes, the following modifications were proposed: i) Increase of the TOT rate from 3% to 3.7%; ii) The language designating 1% of the TOT collected was replaced with language stating that the revenue collected from the TOT would be allocated for tourism-related initiatives; and iii) The effective date of the changes would be July 1, 2014.

Motion made Councilman Bennett, seconded by Vice Mayor Bannon, to adopt Ordinance 20140424 Revising Chapter 66-Taxation, Article IV-Transient Occupancy Tax, Sections 66-55 through 66-76.

There was some discussion regarding the effective date of the changes after hearing comments from owners of rental properties and a vacation rental property management company.

Councilman Bennett amended his motion, which was seconded by Councilman Wendell, for Ordinance 20140424 to become effective January 1, 2015. The motion was approved by majority vote. Roll call vote: Bannon, no; Bennett, yes; Natali, yes; Sullivan, yes; Wendell, no.

Mayor Sullivan asked Council if they would be willing to move New Business Item 8D – National Safe Boating Week Proclamation up in the agenda since representatives from Coast Guard Auxiliary Flotilla 12-02 and Chief Stone from Station Cape Charles were in attendance. The Council agreed.

NEW BUSINESS:

D. *National Safe Boating Week Proclamation*

FSO-PA/PV Rick Tomlin of U.S. Coast Guard Auxiliary Flotilla 12-02 addressed Council citing statistics regarding the number of boating-related accidents and fatalities each year and stressing the importance of wearing life jackets while on the water.

Mayor Sullivan urged all boaters to “Boat Smart. Boat Safe. Wear it.” and to practice safe boating habits.

Motion made by Vice Mayor Bannon, seconded by Councilman Bennett, and unanimously approved to approve Proclamation 20140424A Proclaiming May 17 through May 23, 2014 as National Safe Boating Week. Roll call vote: Bannon, yes; Bennett, yes; Natali, yes; Sullivan, yes; Wendell, yes.

OLD BUSINESS

C. *Name for Former Library Building*

Heather Arcos stated that Council reviewed this issue briefly at the March 20th meeting and tabled further discussion for the April 24th meeting. The complete list of suggested names was emailed to Council for their review. The use of the building would be for Council meetings and work sessions, all board and commission meetings, recreational programs, community events, civic engagement activities and many outreach programs.

Council discussed the suggested names.

Motion made by Councilman Wendell, seconded by Councilman Sullivan, to name the building the Cape Charles Meeting Hall. The motion was defeated with Vice Mayor Bannon, Councilman Bennett and Councilwoman Natali voting against the motion.

Motion made by Councilman Bennett, seconded by Councilwoman Natali, to name the building the Cape Charles Civic Center. The motion was approved by majority vote, with Councilmen Sullivan and Wendell opposed.

NEW BUSINESS:

B. *Grounds Maintenance Service Contract Extension*

Dave Fauber stated that the original contract with Eastern Shore Landscape Management, Inc. (ESLM) was signed on March 2011 and allowed for 3 one-year extensions. The provided services would be the same as last year. Several small changes were made to the pricing and the overall contract amount was reduced. The total amount requested in the budget was \$50K and included several non-routine items that needed to be done throughout the year.

Motion made by Vice Mayor Bannon, seconded by Councilwoman Natali, to approve the one-year extension of the Grounds Maintenance Services contract with Eastern Shore Landscape Management, Inc. as presented. The motion was unanimously approved.

C. *National Police Week Proclamation*

Officer Chelsea Pfeiffer presented information regarding National Police Week which was observed each year during the week of May 15th. The week of May 11 – 17, 2014 was this year's observance of National Police Week. (Please see attached.)

Motion made by Councilwoman Natali, seconded by Vice Mayor Bannon, to approve Proclamation 20140424 In Honor of Peace Officers' Memorial Day and National Police Week. The motion was approved by unanimous vote. Roll call vote: Bannon, yes; Bennett, yes; Natali, yes; Sullivan, yes; Wendell, yes.

E. *Historic Town Entrance Overlay Update*

Rob Testerman stated that in late 2013, the Cape Charles Planning Commission met with the Northampton County Planning Commission and discussed a draft town entrance overlay corridor which was initially presented to the County in 2010. After that meeting, the Cape Charles Planning Commission and staff began revising the draft language. Prior to resubmission to the County, staff forwarded the document to Town Council for comments and the draft was submitted to the County in late January 2014. Staff had been in contact with County staff, but to date, no feedback had been received. The Planning Commission's intent was to have the draft language included in the County's Zoning Ordinance but the County was working to finish their current draft before reviewing the Town's submission. Rob Testerman went on to state that he reviewed the resolution adopted by the Town of Exmore, which seemed combative, and recommended that Cape Charles try working with the County regarding the Planning Commission's recommendations. Rob Testerman added that he had spoken to Mr. Charles McSwain who informed him that the County was interested in reviewing the Town's recommendations and providing feedback. Heather Arcos stated that she would be meeting with County Administrator Katie Nunez and this issue would be included in their discussion.

There was much discussion regarding the County's proposed zoning ordinance and Councilman Wendell suggested a work session to review the issues in more detail.

Motion made by Councilman Wendell, seconded by Vice Mayor Bannon, to schedule a work session to further discuss the County's proposed changes to its zoning ordinance. The motion was unanimously approved.

F. *May Town Council Meeting Date Change*

Mayor Sullivan stated that the Cape Charles Yacht Center had scheduled their launch ceremony for May 15, which was the same date as the May Town Council meeting. The attendance at the event was by invitation only and the Council members were invited. Governor McAuliffe and other state and local dignitaries would be there. Mayor Sullivan asked Council their preference regarding the May Council meeting.

Councilman Wendell stated that there was a lot of ceremony involved and South Port had made a large investment in the Town which would support growth and economic development with 90+ new jobs. Councilman Wendell continued to state that he hoped the May Council meeting would be rescheduled so the Council members could attend along with the Northampton County Board of Supervisors and other state officials.

Councilman Bennett agreed and added that this was something Council needed to do. South Port Investors had made a significant investment in the Town and Council needed to show support for their initiative.

Councilman Sullivan stated that he did not disagree with the importance of the event but did not think it was proper to reschedule the Council meeting for a party.

Vice Mayor Bannon stated that the South Port project was one of the biggest things to happen in Cape Charles in a long time and added that although he agreed with Councilman Sullivan, he would side with the majority regarding the meeting.

Councilwoman Natali suggested that the Council meeting's time could be moved back to 7:00 PM.

Motion made by Councilman Bennett, seconded by Councilman Wendell, to move the May Town Council Regular Meeting back one week to May 22, 2014. The motion was approved by majority vote with Councilman Sullivan opposed.

MAYOR AND COUNCIL COMMENTS

Mayor Sullivan commented that she had been reading the Cape Charles Wave and Councilman Wendell's editorial regarding parking as well as the comments. Mayor Sullivan added that she was bothered the most by the fact that the citizens of the Town did not care enough to come and ask whether the information printed in the Wave was the truth. Mayor Sullivan relayed an example of a disagreement she had with a citizen several years ago and they met to discuss the issues and worked things out. Mayor Sullivan continued to state that she spoke with Mr. Patrick Hand and he told her that he did not have a plan six months ago so therefore could not have spoken to Council about it. Mr. Hand also stated that he never met with her (the Mayor) and three Council members to discuss the issue. Mayor Sullivan stated that she had the minutes from the Board of Zoning Appeals (BZA) meeting and it was not mentioned in the minutes so she called Mr. Hand and asked him about this allegation. Mayor Sullivan added that she was tired of people's characters being attacked in the Wave. If she had not read the Wave, she would not have known of the attacks. Mayor Sullivan concluded by stating that she would much rather be confronted in person when things could be discussed face to face.

Councilman Wendell stated that Mayor Sullivan would have heard Mr. Hand's comments if she would have attended the BZA meeting and he was astounded to hear Mr. Hand's comments. Councilman Wendell suggested that Mayor Sullivan listen to the recordings of the meetings if she was not going to attend. His concern was the loss of the parking lots, the lack of planning, and Mr. Hand's comments that he had been working with the Mayor and three Council people and other members of the community for six or seven months. Councilman Wendell continued to state that those three Council people did a disservice by not bringing the information forward and asked who the three Council people were. Mayor Sullivan reiterated that she called Mr. Hand who told her that there weren't any meetings. Vice Mayor Bannon stated that he had not spoken to Mr. Hand separately at any time but had heard on the streets that he was going to sell Hotel Blue and buy the Belo property. Vice Mayor Bannon added that the first meeting with Mr. Hand was a closed session from which he had to leave early. Vice Mayor Bannon continued to state that the only time he had spoken to Mr. Hand was after the meeting about two weeks ago and he was not one of the three. Councilman Wendell stated that with the number of tourism-related initiatives, the Town was in a rough spot with the loss of the parking spaces. There was much discussion back and forth regarding the alleged meetings with the Mayor and three Council people, the loss of parking, discussions regarding the negotiations in closed session, the cost burden to the taxpayers if the Town purchased the parking spaces and parking options.

Councilman Wendell continued by stating that he thought the LOVEworks Dance/Walk Fundraiser was a great thing and hoped the event raised the needed amount of money. In the event that it didn't, Councilman Wendell stated that he hoped there was room in the Town's budget to provide some available funds to help the group accomplish their goals to bring the sign to Town.

Councilwoman Natali, Vice Mayor Bannon, and Councilmen Sullivan and Bennett stated that they did not have any further comments.

ANNOUNCEMENTS

- April 25, 2014 – Eastern Shore Heritage Trail, Cape Charles Museum and Others in the Eastern Shore Museum Network
- April 25, 2014 – Blessing of the Fleet, 5:30 PM, Town Harbor
- April 26, 2014 – Cape Charles Museum’s Low-Country Shrimp Boil
- April 27, 2014 – 4th Annual Blessing of the Worms, New Roots Youth Garden
- April 29, 2014 – Candidates’ Forum sponsored by Citizens for a Better Eastern Shore, 7:00 PM, Palace Theatre
- May 1, 2014 – Town Council Budget Work Session, 6:00 PM, Town Hall
- May 4, 2014 – Candidates’ Forum sponsored by Cape Charles Rotary, 3:00 PM, Palace Theatre
- May 6, 2014 – Election Day
- May 22, 2014 – Town Council Regular Meeting, 6:00 PM, St. Charles Parish Hall

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

Mayor Sullivan

Town Clerk

Presentations and Public Comments Provided in Writing
April 24, 2014

Donna Olney Kohler, Miriam Elton, Sandy McFall – LOVEworks Installation Presentation
Cape Charles LOVE

Background:

The Virginia Tourism Corporation (VTC) manages an initiative called LOVEworks which are giant “LOVE” artworks installations throughout the Commonwealth. The goal is to “prove that love is at the heart of every Virginia vacation” and people are encouraged to take pictures and share out through social media.

There are currently 34 installations throughout Virginia, with only one on the Eastern Shore at Kiptopeke State Park, sponsored by VTC. Groups, businesses and communities can design and build their own LOVEworks following VTC guidelines. Installations should be family friendly, reflect the community or area where displayed, be accessible (open to the public without charge), and approved by VTC.

VTC provides promotional support for LOVE through their website, blog posts, and social media. Examples of LOVE installations are available at <http://www.virginia.org/LOVE/>

LOVE in Cape Charles:

The Cape Charles Business Association (CCBA) sponsored a traveling LOVEworks installation in October 2013. These traveling installations are made available by application to VTC with a \$500 fee. The installation was housed at The Point for about 2 weeks and was popular with visitors and locals, with many taking pictures and sharing through social media. With the positive response, CCBA and the Town began discussions on building a permanent installation.

Process & Design:

CCBA and Town representatives have been working on a design to reflect our community and history (see attached sketch), and CCBA is working with VTC for design approval.

- L – sea glass and seashells to represent our bayside community
- O – tractor tire to represent agriculture
- V – kayak to represent outdoor adventure activities
- E – crab pots to represent aquaculture

Each letter will be approximately 6 feet tall by 4 feet wide (per VTC guidelines), and approximately 2 feet deep. Each letter will be on its own 6 foot by 4 foot base. Each base will be designed so it can be picked up by a pallet mover and moved if needed.

Much thought has been given to materials, safety and durability. Bases will be made from fir wood, fiberglass and gel coated. The L will be made of fiberglass with seashells and sea glass pressed in and then coated. The O will have a platform across the lower part of the center circle in the tire so people can sit for pictures. The V (kayak) did not raise any design concerns. The E will be fiberglass with crab pot “fronts” pressed in close enough to prevent anyone from getting fingers stuck inside.

Location:

The proposed location for LOVE is The Point, the same location where the temporary sign was placed last year. This will be the only LOVEworks with the Chesapeake Bay in the background. Depending on time of year and angle, the sunset falls directly in the center of the O – perfect for pictures.

Costs:

Both the tractor tire and kayak have been donated. We have projected costs of \$3,500 to build 4 bases, L, E, platform for O, and to assemble V. Sea glass and shells for L will be donated, as well as the crab pots for E.

CCBA is organizing 2 fundraisers to help off-set construction costs. Friday, May 2 & Saturday, May 3 are a weekend of LOVE in Cape Charles. On Friday, May 2, restaurants are being asked to offer a specialty LOVE themed cocktail or dessert with part of the proceeds going to this project. They can do this through the weekend if they like.

On Saturday, May 3, the LOVE Train! Will parade down Mason Avenue from Nectarine Street to The Point. Participants are asked to give a donation to dance down the Avenue to fun, upbeat LOVE songs played by DJ Shane.

It was suggested to ask the Town for \$3,500 as the Town is in the budget planning process. However, CCBA expects to raise funds for this project and is committed to bringing LOVE to Cape Charles.

Liability:

Being located at The Point, any situations arising would fall under the Town’s liability. CCBA will provide additional coverage at their expense.

Future Plans:

We have specifically designed the letters to be on portable bases so that LOVE can be moved around the Town of Cape Charles for events by request. Requests may be submitted in writing to the Recreation Department and the letters would be moved and transported by Public Works. The idea is to move LOVE for “large” events such as Crabby Blues, Tall Ships, or Clam Slam, but we do not anticipate more than 12 requests per year. If a wedding couple wanted to have it at Aqua for their wedding, that would also be considered.

We do not have an idea on what the actual costs to move would be, but it was agreed by CCBA and Town representatives that any “fee” charged would need to cover costs, plus additional so we could begin a fund to pay for maintenance and repairs.

Installation:

The plan is to have LOVE completed and ready for introduction at the Cape Charles Fourth of July parade. The letters will be paraded on a flat bed and then placed in a vendor space on Bay Avenue for the remainder of the holiday weekend. It may be moved to the Town Harbor for an evening concert over that weekend (undecided at this time).

The letters will be placed at The Point on Monday, July 7. We are planning a ribbon cutting for Wednesday, July 9.

Participants:

For this project, CCBA is represented by:

- Miriam Elton, brown dog ice cream, Miriam@browndogicecream.com
- Donna Olney Kohler, Fig Street Inn, donna@figstreetinn.com
- Sandy McFall, gallery 209, gallery209@gmail.com

Please feel free to contact any of us with questions about this project.

CCBA has worked with Jennifer Lewis and Pete Leontieff, both with Town of Cape Charles.



Patricia Buckley, 4 Perny Court

Cape Charles – A Financial Success Story

Despite frequent alarms from a small but vocal group of town citizens in the last year or so, a systematic review of financial performance over the last decade shows that Cape Charles is financially healthy. Visitors today see an up and coming coastal town blessed with historic charm and abundant natural features that attract nature lovers and sports enthusiasts. While the changes in the physical attributes over the last decade are easy to see, less visible is the remarkable fiscal turn-around.

In 2004 when I first assumed the position of Treasurer, the town was practically on life support financially. Few funds were available for hiring competent staff or performing basic maintenance. Systems were antiquated and equipment was barely functional. Our infrastructure was crumbling from years of neglect.

Recently, I revisited the town's financial health, doing a comparative analysis of the annual financial audit reports that are conveniently on the town's web page and 2013 financial statements. As anyone who cares to check the record will see the improvement in the fiscal health of Cape Charles is truly remarkable. From 2004 to 2013, I found the following:

- The town's total general government average revenues from 2005 to 2013 are up a stunning 150% over 2004.
- Real estate tax rates adjusted for assessments have increased only 15% through 2014 while consumer prices have increased 26%.
- A home assessed in 2004 at \$150,000 with a tax bill of \$705 is now assessed at \$296,000 with a tax bill of \$817.
- 50% of the real estate tax revenue now comes from the value of physical improvements to properties not present in 2004 such as new structures or renovations like the Wilson building.
- Tourist-related tax revenues (transient occupancy, meals, and admissions) have increased 516%.
- Total town net worth has increased from \$6.8 million in 2004 to \$25.6 million in 2012. This is net value after subtracting all liabilities, included debt. Debt had increased from \$1.8 million in 2004 to \$9.1 million in 2012.

What this means is that we borrowed \$7.3 million but got \$26.1 million in assets, increasing our net worth by \$18.8 million!

Cape Charles growth has restored the town to financial health. Current government policies creating a business friendly and tourist attractive environment have been successful. The town is more appealing, with more jobs and resources, while taxes have risen less than inflation and real estate market values. We have developed our natural assets, thus creating an inviting venue. At the same time, our homes and other property have significantly increased in value.

That same growth has increased the number of users on our utility systems by at least 406 mitigating the challenge of bringing waste water treatment to the standards required by the Chesapeake Bay Act. While no one has been happy with the increased fees for sewer services, few are aware of what the increase could have been. State and federal aid have paid for about 73% of that plant. The loan that was still required to pay for the facility is at zero % interest rate. Had the town not grown in the last 10 years, the monthly service fees to each household for water, sewer, and trash would have been about \$150 per month even after the state and federal aid. Given that water and wastewater services must be self-supporting according to debt covenants, the only way we will see lower bills is with additional growth. It is fiscally prudent for our officials to continue to provide a supportive environment for growth and development.

It is incumbent upon all of the citizens of Cape Charles to support and encourage those forward thinking officials who recognize and promote growth and development and who are committed to investing in our future.

Patricia A. Buckley
Treasurer, Town of Cape Charles, 2004-2007

Officer Chelsea Pfeiffer, National Police Week Observance

National Police Week is a time in which our country and local communities recognize and honor the service and sacrifice of the men and women in law enforcement who have been killed in the line of duty while protecting and safeguarding our communities.

There are approximately 900,000 law enforcement officers serving our communities across the United States. Throughout each year, nearly 60,000 assaults against law enforcement officers are reported which result in approximately 16,000 injuries.

Since the first law enforcement death was recorded in 1791, almost 20,000 officers in the United States have been killed in the line of duty. Although law enforcement has proved to be a dangerous profession, the brave men and women of law enforcement continue to walk out of their homes every day and night, not knowing if they will return home to see their families again. This act alone takes a brave and heroic person.

In 2013, 105 law enforcement officers were killed in the line of duty, and as of April 18, 2014, 31 law enforcement officers have been killed.

The sacrifice of all officers killed in the line of duty will be honored during National Police Week at the Candlelight Vigil in Washington, D.C. on May 13, 2014.

The Cape Charles Police Department is asking the community to leave a porch light on during National Police Week to show your support for the brave men and women of law enforcement. National Police Week will be taking place from May 11, 2014 to May 17, 2014. Thank you for your continued support and appreciation.

Cape Charles Police Department



DRAFT
TOWN COUNCIL
Special Meeting

Town Hall
May 1, 2014
6:00 PM

At 6:00 p.m., Mayor Dora Sullivan, having established a quorum, called to order the Special Meeting of Town Council. In addition to Mayor Sullivan, present were Vice Mayor Bannon, Councilmen Bennett, Godwin, Sullivan and Wendell, and Councilwoman Natali. Also present were Town Manager Heather Arcos, Assistant Town Manager Bob Panek, Treasurer Debbie Pocock, Harbor Master Smitty Dize, and Town Clerk Libby Hume. There were three members of the public in attendance.

Mayor Sullivan announced the business for the evening would be to discuss i) Changing the day of the May Regular Meeting; and ii) Clarification of changes made to the Town Code regarding Transient Occupancy Tax.

PUBLIC COMMENTS

There were no public comments heard or any comments submitted in writing prior to the meeting.

A. *Changing Day of May Regular Meeting:*

Mayor Sullivan stated that the Cape Charles Yacht Center had scheduled their Launch Ceremony which included a number of Federal, State and Local Dignitaries for May 15, 2014 beginning at 5:00 PM. The Town supported this project which would promote economic development, growth and add much needed jobs. If Council wanted to participate in this ceremony, the May Regular Meeting would have to be rescheduled.

Motion made by Vice Mayor Bannon, seconded by Councilwoman Natali, to adopt Resolution 20140501 to change the day of the May 2014 Cape Charles Town Council Regular Meeting to May 22, 2014. The motion was approved by majority vote. Roll call vote: Bannon, yes; Bennett, yes; Godwin, yes; Natali, yes; Sullivan, no; Wendell, yes.

B. *Clarification of Changes Made to Town Code Regarding Transient Occupancy Tax:*

Town Manager Heather Arcos stated that on April 22nd, Council reviewed Ordinance 20140422 – Revising Chapter 66-Taxation, Article IV-Transient Occupancy Tax, Sections 66-55 through 66-76 which was written to become effective on July 1, 2014. The main changes were i) removal of the requirement that 1% of the Transient Occupancy Tax (TOT) be forwarded to the Eastern Shore of Virginia Tourism Commission (ESVTC); and ii) increase of the TOT rate to 3.7%. After hearing public comments regarding the business owners having to reprogram their accounting systems, websites, etc. as well as the impact for visitors who had already paid for their vacations, Council approved the effective date of January 1, 2015. As adopted, all the changes would take effect January 1, 2015 and the Town would continue to accrue 1% of the TOT for the ESVTC until January 1, 2015. Heather Arcos asked whether that was Council's intent when the Ordinance was adopted. If that was not the intent, Robert's Rules of Order allowed Council, by a majority vote of the entire membership, to rescind the original vote, as long as the subject of the vote had not been acted upon.

There was some discussion and Council was in agreement that the January 1, 2015 effective date was meant for the rate increase only. Council reviewed the proposed change to Section 66-57 which outlined this change.

Mayor Sullivan referred to written comments provided by Ms. Donna Olney Kohler and Councilman Wendell requested that she be permitted to read her comments. (Please see attached.)

Motion made by Councilman Bennett, seconded by Councilwoman Natali, to rescind the motion relating to the adoption of Ordinance 20140424 regarding Transient Occupancy Tax which was adopted at the April 24, 2014 meeting. The motion was approved by unanimous vote. Roll call vote: Bannon, yes; Bennett, yes; Godwin, yes; Natali, yes; Sullivan, yes; Wendell, yes.

Motion made by Councilwoman Natali, seconded by Councilman Bennett, to adopt Ordinance 20140424 Revising Chapter 66-Taxation, Article IV-Transient Occupancy Tax, Sections 66-55 Through 66-76 effective July 1, 2014 and with January 1, 2015 as the effective date of the .7% increase. The motion was approved by majority vote. Roll call vote: Bannon, yes; Bennett, yes; Godwin, yes; Natali, yes; Sullivan, yes; Wendell, no.

Motion made by Councilwoman Natali, seconded by Councilman Bennett, to adjourn the Town Council Special Meeting. The motion was approved by unanimous vote.

Mayor Sullivan

Town Clerk

Comments Read By Ms. Donna Olney Kohler

My name is Donna Olney Kohler and I live at 711 Tazewell Avenue.

You have a draft dated April 24, 2014 for a transition plan for the Cape Charles By the Bay program. In your discussions, I would ask Council to consider removing Paragraph 2 under Additional Considerations which recommends development of a tourism board, and goes further to suggest what type of representation should be included in such a board.

Let's focus on the problem at hand, transitioning the website from one owner to another, and not get sidetracked by other issues.

Arts Enter hosted a meeting at Town Hall on April 16th to explain the Our Town grants. The discussion was that there is a need to work together but perhaps the better idea was to have an ad hoc, exploratory committee to decide what the needs are before forming any board or commission. There was discussion about not just focusing on tourism, but possibly also economic development. The Town's needs might be greater than simply having a group of volunteers decide how to allocate transient occupancy tax collections. Rather than form a board now, let's take the time to figure out what do we really need and want.

I do need to clarify that I am involved in Cape Charles By the Bay and have been responsible for the social media and advertising. My husband maintains the website. Neither of us are part of the Our Town committee.

I have been coming to Council these past few months because although I work on Cape Charles By the Bay, Our Town has not asked for my opinion or input for project sustainability or transition. I am also a member of the Cape Charles Bed & Breakfast Association which is technically the owner of the website. The association has not been asked for our thoughts or input either.

I say this because ideas are sometimes presented to Council but you don't necessarily have all of the information needed to make a well-informed decision. I believe that is the case here.

I thank Mayor Sullivan, Heather Arcos, and the Councilors who have reached out to ask questions for a better understanding of what you are being asked to do.



DRAFT
TOWN COUNCIL
Budget Work Session

Town Hall
May 1, 2014

Immediately Following Special Meeting

At approximately 6:15 p.m., Mayor Dora Sullivan, having established a quorum, called to order the Town Council Work Session. In addition to Mayor Sullivan, present were Vice Mayor Bannon, Councilmen Bennett, Godwin, Sullivan and Wendell, and Councilwoman Natali. Also present were Town Manager Heather Arcos, Assistant Town Manager Bob Panek, Treasurer Deborah Pockock, Harbor Master Smitty Dize and Town Clerk Libby Hume. There were three members of the public in attendance.

Mayor Sullivan announced the business for the evening would be to review the proposed Fiscal Year (FY) 2015 Budget.

Town Manager Heather Arcos stated that there were very few changes in the budget since the last review and continued as follows:

1. The 2% COLA remained. Councilman Wendell asked Council whether the 2% COLA should be included in light of the ongoing compensation study. Councilman Bennett asked for the total cost to the Town for the 2% COLA. Heather Arcos stated that the COLA amounted to \$24,084.98. There was much discussion. Heather Arcos gave an overview of COLA increase over the last 6 years and explained that the 1% COLA given in FY 2012-2013 was a result of the VRS mandate which required localities to increase employee salaries by 5% to compensate them for having to contribute 5% of their earnings toward their retirement. The 1% COLA was given to offset the impact of the taxes and other deductions so employees did not have a net decrease in take-home pay. Councilman Sullivan noted that the Social Security Administration approved a 1.5% increase effective January 1, 2014. He was unsure of the amount in 2013, but since the Council did not approve any COLA increase in 2013, a 2% COLA this year was acceptable to him. Councilman Sullivan went on to recommend that Council review the amount approved by the Social Security Administration each year to consider an appropriate COLA for the staff.
2. Sanitation and Harbor: No changes were made to these budgets.
3. General Fund Revenue: The FY 2015 proposed budget showed a projected \$11,524 increase of revenue over expenses. The inclusion of the \$295K match for the Trail project in the long-term financing contributed to the reduction of expenses. The Shanty was planning to remain open for 10 months this year, so the Town was anticipating an increase in meals tax revenue. Also, in this FY, as part of the lease agreement, the Shanty would be responsible for paying the Town 1% of gross revenue vs. .5%.
4. Town Manager Budget: i) The Tourism Initiative funded by the Transient Occupancy Tax (TOT) was decreased from \$74,700 to \$68,700 to reflect the change to the effective date of the .7% increase to January 1, 2015. Council reviewed the updated TOT report for revenue and tourism related expenses and discussed 2 options for the funding of various initiatives. After much discussion, Council agreed on Option 2 as presented which amounted to funding assistance to tourism-related initiatives in the amount of \$62,480. The remainder of the TOT revenue would be held in a TOT contingency fund; ii) There was a projected surplus balance based on decreases in several departments and overall operating expenses were down from last year. Staff recommendation was to keep the surplus amount as a contingency. Council agreed that it would be good to have a contingency and it could be the start to the rainy day fund. Heather Arcos stated that staff had drafted a Rainy Day Fund policy for Council review

at a future meeting and Council could allocate the Fund Balance toward a Rainy Day Fund and/or a Capital Improvement Fund. Currently, a budget surplus did not automatically carryover from year to year. A policy needed to be in place in order to designate the funding of a Rainy Day Fund; iii) Staff received a request from VDOT for the Town to submit another map/plan showing sidewalks in need of repair and areas where new sidewalks were needed. The submission deadline was May 15, 2014 and Public Works Foreman Pete Leontieff and Planner Rob Testerman were working on the plan. When VDOT had the necessary funding, the next sidewalk would commence. The sidewalk repair project completed by VDOT last year, was a result of a plan submitted by the Town approximately 8 years ago. Cape Charles was the only Town that submitted a plan so we benefitted from the entire amount of the available funding which totaled over \$1M. There was much discussion regarding sidewalks; iv) The Cape Charles By the Bay Website & Marketing Transition Plan was reviewed. Heather Arcos stated that she had spoken to Cape Charles Business Association (CCBA) President George Proto who informed her that the CCBA was supportive of working with the Town regarding the reorganization of the Board and website transition. The CCBA felt that, at this time, it was premature to create a Cape Charles Tourism Board. With the conclusion of the Our Town grant, next year would be a transition year for the Cape Charles By the Bay website. The Town could act as the agent during the transition of the website to another entity. CCBA was considering assumption of the responsibility for the site but would have to either re-charter or form a new IRC Sec. 501 (c) 6 non-profit entity which would allow them to operate an enterprise for the commercial gain of their members. This process was expected to take between 6 to 9 months to incorporate and gain IRS approval. As such, the CCBA had not yet decided to assume responsibility of the website and marketing effort. There was much discussion regarding the Transition Plan and several Council members expressed their opposition to the Town taking ownership of the website effective July 1, 2014 as stated in the plan. Council agreed that there was no problem with the Town sponsoring the website, but felt that a legal opinion was needed regarding the Town owning a "for profit" website. There was much discussion regarding other entities that might be able to assume the responsibility for the website. Staff would obtain a legal opinion regarding this issue. In the interim, the "Website Ownership" line would be removed from the plan and language allotting 1 year for the transition would be added; and v) The FY 2015 Summary of Capital Projects was reviewed. Councilman Bennett suggested that the \$10K proposed for Public Parking Design and Plan be deleted since the Town did not have the funding to complete the construction at this time. Several of the other Council members agreed. There was much discussion regarding parking. Heather Arcos distributed a report showing a number of parcels in the Town which would be conducive for parking. Only 2 of the privately owned parcels were available for sale. One property was available for \$205K and would provide 17 parking spaces but would require a substantial investment to convert to parking. The other property was available for \$140K and would provide 40 parking spaces which were pre-existing.

5. Utilities: i) The Wastewater and Water Funds were reduced by \$40,282 in personnel services and benefits for a new position which was cut per the recommendation of the Director; and ii) The Utility Fund was balanced with no overall rate increase.

Mayor Sullivan left during the meeting.

Motion made by Councilman Sullivan, seconded by Councilwoman Natali to adjourn the Town Council Work Session. The motion was approved by unanimous consent.

Vice Mayor Bannon

Town Clerk



DRAFT
TOWN COUNCIL

Executive Session

Town Hall

May 1, 2014

Immediately Following Work Session

At 8:50 p.m. Vice Mayor Chris Bannon, having established a quorum, called to order the Executive Session of the Town Council. In addition to Vice Mayor Bannon, present were Councilmen Bennett, Godwin, Sullivan and Wendell and Councilwoman Natali. Mayor Sullivan was not in attendance. Town Manager Heather Arcos was also in attendance.

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

Paragraph 1 Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body.

Specifically: Personnel and Salaries for FY 2014/2015 Budget Purposes

Motion made by Councilman Sullivan, seconded by Councilwoman Natali, to return to Open Session. The motion was approved by unanimous consent.

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

Motion made by Councilwoman Natali, seconded by Councilman Godwin, to adjourn the Town Council Executive Session. The motion was approved by unanimous consent.

Vice Mayor Bannon

Town Clerk



**DRAFT
TOWN COUNCIL**

Work Session
Town Hall
May 8, 2014
6:00 PM

At approximately 6:00 p.m., Vice Mayor Chris Bannon, having established a quorum, called to order the Town Council Work Session. In addition to Vice Mayor Bannon, present were Councilmen Bennett, Godwin and Sullivan, and Councilwoman Natali. Mayor Sullivan and Councilman Wendell were not in attendance. Also present were Mayor-Elect George Proto, Town Manager Heather Arcos, Planner Rob Testerman and Town Clerk Libby Hume. Northampton County Supervisor Granville Hogg was in the audience. There were no other members of the public in attendance.

Vice Mayor Bannon announced the business for the evening would be to review the proposed County Zoning Ordinance and Draft Historic Town Entrance Corridor Overlay language.

Planner Rob Testerman stated that at the April 24, 2014 Regular Meeting, Council reviewed the draft Historic Town Entrance Corridor Overlay District language which was submitted to Northampton County in January 2014. Council requested a work session be scheduled to review the issue in detail.

Rob Testerman continued to state that he had spoken with Peter Stith and Charles McSwain with Northampton County and they seemed to think that the County was interested in the Town's input but wanted to complete the initial review of the proposed zoning ordinance before reviewing the draft language submitted by the Town.

Rob Testerman went on to state that he had reviewed the resolution adopted by the Town of Exmore but felt it would be better for the Town to adopt a resolution recommending the Town and County work in cooperation vs. taking Exmore's stand which seemed combative.

Council reviewed the current and proposed zoning maps along with the handouts showing the current by-right uses and the proposed by-right uses. The majority of the proposed uses were currently permitted by-right. There was little change in the Cape Charles town edge area.

There was some discussion regarding the Town's rights in the current Town Edge. Rob Testerman explained that if the use was allowed by-right, there was not much the Town could do. In the Historic Town Entrance Corridor Overlay District language, the Planning Commission suggested certain uses by conditional or special use, which would require a public hearing process. The Town could then review and provide input.

Councilwoman Natali stated that the Town had no control over the entrance into Town. Cape Charles brought a lot to the County in regards to visitors, tax dollars, etc. It would be in the County's best interest to work with the Town to ensure the entrance corridor was inviting to tourists. It would be mutually beneficial for the County and the Town. Councilman Sullivan agreed and added that the Town drew a large number of visitors and was a major source of revenue for the County. A cooperative agreement between the County and the Town was needed to ensure we worked together.

There was also some discussion regarding the planned Harbor Access Road and whether VDOT would assign a new route number for that road. Supervisor Hogg recommended that Council think about the future of Route 184 once the new Harbor Access Road was constructed.

Supervisor Hogg suggested that the Town needed to be looking at the intersections with Route 13, especially the area south of the Corner Mart. There was a 3.5 mile corridor along Route 13 which was zoned for commercial use. The commercial area along Route 13 in Exmore covered 1.8 miles and included 5 stoplights.

There was much discussion regarding businesses that could locate on Route 13 eventually and the fact that some of those businesses would not be willing to come into Town. Current businesses on Route 13 (Food Lion, ABC Store, McDonalds, etc.) all generated traffic. The speed factor was also a concern. The Town needed input regarding the businesses permitted along Route 13. Councilwoman Natali suggested language stating that when businesses that generated a lot of traffic expressed interest in coming to the area, a special use permit would be required. This would allow the Town to have a voice as part of the permitting process.

Rob Testerman explained the County's process for special use permits. Currently, staff reviewed the application, then submitted it for review by the Planning Commission for their recommendation. The Planning Commission's recommendation was presented to the Board of Supervisors for their review and decision. The proposed process would begin with staff, then go directly to the Board of Supervisors for their decision. The Planning Commission would not be part of the process. The Town could possibly recommend going back to the current process.

Discussion shifted to the Annexation Agreement of November 25, 1991. Councilman Sullivan stated that he recalled language that designated 1 mile on each side of the intersection of Route 13 and Route 184 and asked whether there was any time limit regarding this requirement. Heather Arcos stated that staff would review the Annexation Agreement again regarding the specifications for joint planning. There was some discussion regarding the addition of language from the Annexation Agreement to the draft resolution.

Draft Resolution 20140522 was reviewed and Council agreed that it was well written but requested a second resolution be drafted to deal with the requirements included in the Annexation Agreement regarding the joint planning in the area along the Route 13, Route 184 and Route 642 corridors. This issue would be revisited, along with the two resolutions, at the May 22nd regular meeting. Councilwoman Natali suggested that a reference be added regarding any new roads that may be constructed in the Historic Town Entrance Corridor Overlay District. Rob Testerman stated that the language regarding any new roads would be better placed in the draft Historic Town Entrance Corridor Overlay language recommended for the proposed County zoning ordinance. Councilman Sullivan requested the language be included in both the language for the zoning ordinance as well as the resolution.

Motion made by Councilman Sullivan, seconded by Councilwoman Natali to adjourn the Town Council Work Session. The motion was approved by unanimous consent.

Vice Mayor Bannon

Town Clerk

Planning Department Report for Town Council

From: Rob Testerman
To: Town Council
Date: May 12, 2014
Subject: Report for Planning Department

1. The Planning Commission and Accomack-Northampton Planning District Commission held the initial Comprehensive Plan update meeting on Monday, April 28, at 6:00pm. Elaine Meil discussed the general process that we will employ with the Commissioners and began discussing some minor changes that will be needed. The next Comprehensive Plan update meeting will be June 2 at 6:00pm.
2. Staff attended a Living Shoreline Workshop on May 1, at Occohannock on the Bay. Practices learned will be useful in the review of wetlands and shoreline protection projects.
3. Staff will attend the Climate Adaptation Working Group meeting on Tuesday, May 13.
4. The online survey regarding urban chickens is being extended through May. Property owners are receiving notice of the survey with their utility bill in order to make a larger amount of citizens aware of the survey. Findings from the survey will be compiled and reported to the Planning Commission and the Town Council after the Planning Commission makes a recommendation.

Permits Issued

Staff will begin reporting zoning clearances and permits issued on a monthly basis. As this has not been done previously, this month's report include the numbers from January 1 – present.

- Zoning Clearance – 4
- Sign Permit - 2

Planning Commission Meeting – May 5

1. The Planning Commission held its regular meeting on May 5, 2014
 - a. The Commission briefly discussed the draft "chicken ordinance". Further discussion will resume once the survey results are analyzed.
 - b. The Planning Commission resumed discussions on the creation of a tourism zone. The Commission was provided with background information on tourism zones and their intent and function. The Commission also began discussing types of businesses that could potentially qualify for inclusion in the tourism zone. We must also discuss specific requirements to make a business eligible, and possible incentives to include.

Historic District Review Board Meeting – No meeting

1. The Historic District Review Board had no applications in April and did not meet.
2. No applications were received this month, there will be no HDRB meeting in May.

Board of Zoning Appeals – No Meeting

Wetlands Board – No Meeting

Harbor Area Review Board – No Meeting

Code Enforcement

Month of April FY 2014

Building Permits Issued/Permit Fees Collected:

Permits this month: 40	
Permits this year: 69	Total permits last year: 257
Total construction this month: \$1,311,497	
Total construction this year: \$6,298,731	Total construction last fiscal year: \$7,411,540
Permit fees this month: \$25,702.69	
Total permit fees this fiscal year: \$88,707.35	Total permit fees last fiscal year: \$177,559.27
Bay Creek Water/Sewer Tap fees: \$0	
The Colony/Sewer Water Tap fees: \$12,350	
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: \$37,050	Total Tap fees last fiscal year: \$105,756
Fire Dept. levy this month: \$1,040.07	
Total Fire Dept. levies this year: \$3,723.10	Total Fire Dept. levies last fiscal year: \$3,195.93
State levy this month: \$212.02	
Total state levies this year: \$819.33	Total state levies last fiscal year: \$638.20
Miscellaneous Revenue: \$0	

Existing Structures Code Enforcement Cases:

Total Cases: 27	
New this month: 0	
Closed this month: 0	
Rental Inspections: 0	
Rental C.O's Issued: 0	
Rental Inspection fees collected: \$0	
Grass cutting enforcement: 50	
Grass cutting: 1	
Enforcement fees charged this month: \$0	
Enforcement fees charged this year: \$2,750	Fees charged last fiscal year: \$10,050
Enforcement fees collected: \$1,272.70	
Enforcement fees collected this year: \$1,272.70	Fees collected last fiscal year: \$1,129.36

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) (Completed)

Total Cases: 59
Received this month: 0
Closed: 59
Unresolved: 0

Month of April FY14

Other items of note:

1. Completed 57 inspections
2. Conducted 0 zoning clearances
3. Completed 2 courtesy residential inspections
4. Conducted 4 courtesy commercial inspection
5. Conducted 28 E & S control inspections
6. Conducted 0 commercial plan reviews for Erosion and Sedimentation Control.
7. Completed 2 residential plan reviews
8. Issued 1 Public Utilities Shallow Well permits
9. Continuing work with Bob Panek on alternatives to Class II Connection Fees.
10. Plans have been approved for the Cape Charles Loft Project. Anticipated to start very soon.
11. Working with Dave to get new Civic Center work completed
12. Construction throughout Town is still increasing with several new homes on the table with start dates within next couple of months.

05/06/14

Permit/Construction Fee Report

Map Number	Permit #	Type	Date	Address	Work description	Permit Fee	Value
	PM140012	Mechanical	04/14/2014	634 Carousel Place	New Mechanical for S/F Res	\$380.80	\$53,000
	PE140018	Electrical	04/14/2014	634 Carousel Place	New Electrical for S/F Res	\$170.80	\$15,500
	PM140013	Mechanical	04/22/2014	634 Carousel Place	New Gas Fireplace	\$56.00	\$700
	PG140003	Gas	04/23/2014	634 Carousel Place	4 Gas Outlets	\$56.00	\$1,500
	PB140032	Building	04/28/2014	638 Carousel Place	Finish Rooms over Garage	\$160.61	\$13,680
	PUI140002	PU Shallow W	04/14/2014	4 Fig Street	Shallow Well for New Roots	\$100.00	\$1,000
	PE140021	Electrical	04/18/2014	4 Fig Street	Underground Electrical Circuit for Shallow	\$56.00	\$400
	PG140002	Gas	04/21/2014	505 Harbor Avenue	1 New Outlet	\$56.00	\$200
	PP140020	Plumbing	04/08/2014	214 Madison Avenue	New Plumbing for Alteration	\$56.00	\$1,400
	PB140025	Building	04/08/2014	214 Madison Avenue	Convert Attic to Living Space & 12x22 Dec	\$86.80	\$8,000
	PB140022	Building	04/01/2014	700 Marina Village Cir	Kitchen Addition and Change of Use to Co	\$2,268.40	\$85,000
	PP140021	Plumbing	04/15/2014	700 Marina Village Cir	Plumbing Alteration for Change of Use	\$252.00	\$15,000
	PE140019	Electrical	04/15/2014	700 Marina Village Cir	Electrical Alteration for Change of Use	\$112.00	\$5,000
	PP140019	Plumbing	04/09/2014	239 Mason Avenue	Plumbing Alteration per Application	\$224.00	\$15,000
	PE140016	Electrical	04/09/2014	239 Mason Avenue	Electrical Alteration per Application	\$168.00	\$10,000
083A3-0100-61	PF140003	Fire Suppresio	04/08/2014	241 Mason Avenue	Wet Chemical Fire Suppression System for	\$168.00	\$10,000
	PP140017	Plumbing	04/01/2014	309 Mason Avenue	New Plumbing for Alteration & Addition	\$116.32	\$5,385
083A3-0100-59	PT140003	UST/ AST	04/21/2014	401 Mason Avenue	Demolition of UST's	\$100.00	\$7,000
	PP140025	Plumbing	04/30/2014	722 Prestwick Turn	Permit to finish for C.O.	\$56.00	\$1,900
	PM140014	Mechanical	04/30/2014	722 Prestwick Turn	Permit to finish for C.O.	\$56.00	\$100
	PE140024	Electrical	04/30/2014	722 Prestwick Turn	Permit to finish work for C.O.	\$56.00	\$300
	PB140034	Building	04/30/2014	722 Prestwick Turn	Permit to finish work for C.O.	\$168.00	\$15,000
083A3-0100-63	PE140017	Electrical	04/14/2014	218 Randolph Avenue	Residential Electrical Alteration	\$56.00	\$1,500
083A3-0100-62	PP140022	Plumbing	04/21/2014	240 Randolph Avenue	New On-Site Sewer Line	\$56.00	\$1,000
	PB140028	Building	04/11/2014	318 Randolph Avenue	Altering Unit for Residential	\$64.40	\$4,000
	PE140022	Electrical	04/24/2014	318 Randolph Avenue	Electrical to finish unit	\$56.00	\$1,600
083A3-0100-60	PB140033	Building	04/24/2014	328 Randolph Avenue	Raise House	\$173.60	\$16,000
083A3-0100-46	PB140024	Building	04/08/2014	523 Randolph Avenue	Tear off/reroof	\$207.20	\$22,000
	PB140026	Building	04/10/2014	527 Randolph Avenue	New Shower compartment	\$56.00	\$300
	PP140024	Plumbing	04/23/2014	527 Randolph Avenue	New Shower	\$56.00	\$2,500
	PF140002	Fire Suppresio	04/07/2014	712 Randolph Avenue		\$137.20	\$7,250

05/06/14

Permit/Construction Fee Report

Map Number	Permit #	Type	Date	Address	Work description	Permit Fee	Value	
	PB140031	Building	04/22/2014	145 Sunset Blvd.	New S/F Res	\$16,953.11	\$768,657	
	PP140018	Plumbing	04/07/2014	209 Tazewell Avenue	New Drain Line under house and Plumbing	\$78.40	\$6,500	
	PB140029	Building	04/14/2014	229 Tazewell Avenue	Replace Porch	\$56.00	\$2,000	
	PB140023	Building	04/02/2014	500 Tazewell Avenue	Add handicap ramp, exterior door interior	\$0.00	\$6,100	
	PP140023	Plumbing	04/22/2014	500 Tazewell Avenue	New Plumbing for ADA Bathroom	\$0.00	\$1,875	
	PB140030	Building	04/17/2014	506 Tazewell Avenue	Tear off/retroof rear roof	\$61.60	\$3,500	
	PB140027	Building	04/11/2014	525 Tazewell Avenue	New S/F Res	\$2,653.45	\$200,000	
	PE140023	Electrical	04/28/2014	525 Tazewell Avenue	200 Amp Temp Pole	\$56.00	\$250	
	PE140020	Electrical	04/17/2014	602 Tazewell Avenue	Upgrading to 200 Amp Service	\$56.00	\$1,400	
Total Permits:						40	\$25,702.69	\$1,311,497

PerDateIssued Range from 04/01/2014 to 04/30/2014



Town Harbor Town Council Report April, 2014

May 1, 2014

Maintenance:

1. We added shells to the parking area and leveled. We will continue to drag during the season to keep it level.
2. We leveled the shell walkway from the Harbor to Town.
3. We repaired the water lines on D-Dock and B-Dock and replaced all bad valves.
4. We relocated the Power and Safety pedestals on D-Dock and B-Dock so they would no longer get damaged by boats.
5. We repaired the main water line from the back flow preventer to the main pier at the eastern gangway.
6. We added water shut off valves and drain valves to each dock to help prevent freezing next year.
7. We repaired the three leaky water hydrants on the coast guard dock.
8. We added dirt and mulch, planted new plants and spruced up the entrance to the shelled parking area on the south side.
9. We relocated the dumpster back closer to the HM Office for convenience.
10. We replaced a few 4x6 runners that run along the board walk at the inner harbor.
11. A&N Electric replaced a fuse that was causing electrical problems on the floating docks and replaced a bad transformer that was causing electrical problems at the inner harbor docks. We would like to thank them for their prompt service.
12. We began replacing all the blown light bulbs around the harbor.

Upcoming Items that needs to be completed:

1. **Repair water lines and replace valves on C-Dock and A-Dock (In Progress)**
2. **Finish painting the fuel tank (In Progress)**
3. **Relocate fire & electric pedestals on T-Heads On C-Dock (In Progress)**
4. Repair wire way under West Gangway.
5. **Re-tighten all cleats on floating docks (In Progress)**
6. **Continue re-screwing boardwalk at the inner harbor (In Progress)**
7. Replace all broken pile caps
8. Re-nail all rubber bumpers
9. **Clean all electrical pedestal bus bars in the inner harbor. (In Progress)**
10. Paint the boat ramp parking stripes
11. Repair all dock carts
12. Finish all Flower Beds
13. **Finish fixing the steering on the boat and spring maintenance (In Progress)**

Capital Projects and Harbor improvements:

1. Cape Charles Yacht Center will be open for business very soon.
2. The Forms have begun to be put in place for the Waterman's Memorial.



Town Harbor Town Council Report April, 2014

Other Items:

1. Follow us on Face Book (**Cape Charles Town Harbor**) over 1700 likes!!!
2. Current Office Hours – 8am to 6:00 pm Monday – Thursday 7am to 7pm Friday – Sunday and Holidays.
3. Waiting list – We transferred 1 person to a Slip assignment. Below is the number of people we have left on the waiting list as of April 30th.

Length	Annual	Seasonal	Total
20ft	2	4	7
24ft	7	4	11
30ft	9	6	15
36ft	5	2	7
45ft	10	2	12
50ft	1	1	2
60ft	2	0	2
Total	36	19	55

Important Dates:

1. **May 1st 2014** - Summer Office hours begin
2. **May 22nd** – National Maritime Day
3. **June 7th** – CBF's 26th Annual Clean the Bay Day
4. **June 14th – 15th 2014** – Annual Tallships at Cape Charles
5. **June 14th** – National Marina Day
6. **July 4th** – Fireworks and celebration
7. **July 5th** – Annual Fire Departments seafood Festival
8. **August 1st – 3rd 2014** – Clam Slam 2014
9. **October 25th 2014** – Haunted Harbor



Town Harbor Town Council Report April, 2014

Total Nights Docked

	2005/2006	2006/2007	2007/2008	2008/2009	2009/2010	2010/2011	2011/2012	2012/2013	2013/2014
July	539.0	900.0	870.0	1090.0	1771.6	1991.9	2535.0	2256.0	2657.5
August	871.0	654.0	471.0	1300.0	1759.0	1757.1	2216.4	2356.2	2331.0
September	539.0	2578.0	2431.0	1123.0	1753.0	1647.9	1845.0	2217.1	1955.0
October	409.0	945.0	767.0	1311.0	1890.1	1752.9	2073.0	2257.5	2230.2
November	508.0	731.0	601.0	887.0	1333.7	1790.2	1808.8	2159.9	2048.0
December	900.0	2513.0	2322.0	1103.0	1587.2	1431.2	1395.9	1783.0	1887.1
January	972.0	1168.0	1021.0	776.0	1195.0	1287.8	1366.7	1436.0	1282.0
February	736.0	387.0	564.0	748.0	1008.0	1130.0	1372.5	1264.0	1238.6
March	5722.0	6278.0	4685.0	2021.0	871.0	1342.1	2662.0	1451.1	1185.9
April	2052.0	2410.0	2832.0	2827.0	3142.8	2645.6	2290.0	3285.0	2471.3
May	671.0	798.0	1364.0	1718.0	2141.1	2089.8	2785.9	2531.1	0.0
June	3409.0	2960.0	1401.0	2069.0	1610.1	2124.9	2647.0	2985.6	0.0
Total	13,248.0	18,564.0	16,564.0	13,186.0	16,311.4	16,776.7	19,565.3	20,465.8	19,286.6
Avg. in Harbor	43.6	61.1	54.5	43.4	53.7	55.2	64.4	67.3	63.4
% of Capacity	64.09%	89.80%	80.13%	63.79%	78.91%	81.16%	52.32%	54.73%	51.58%

Note:

From July 1, 2005 – June 30, 2011 Numbers are based on 68 places to berth, we now have 123.

Avg. is number of vessels we averaged on a nightly basis year to date.



Town Harbor Town Council Report April, 2014

Gallons of Fuel Sold

	2005/2006	2006/2007	2007/2008	2008/2009	2009/2010	2010/2011	2011/2012	2012/2013	2013/2014
July	6,464.100	12,734.703	12,013.021	7,730.331	10,211.513	11,722.477	26,427.288	30,754.913	30,345.500
August	3,806.300	11,108.235	8,914.005	8,890.595	10,088.031	11,290.827	25,819.462	23,390.141	26,572.231
September	4,516.300	4,530.053	4,349.228	3,225.399	5,573.967	5,290.375	14,779.695	19,911.683	16,722.271
October	212.300	5,624.647	4,173.804	3,529.506	5,232.763	7,454.961	8,180.768	10,930.802	14,913.378
November	630.900	7,363.152	7,225.106	1,822.606	20,000.271	4,299.427	6,496.114	8,975.326	9,902.455
December	23,927.700	24,279.537	22,290.181	5,483.225	8,925.826	6,891.013	8,834.040	11,814.189	13,119.259
January	14,830.000	19,296.883	9,253.928	478.286	2,749.446	4,057.270	2,421.252	5,344.767	3,460.834
February	14,571.025	6,878.796	5,637.253	5,492.921	2,048.767	3,207.629	4,862.586	2,392.290	3,573.099
March	7,859.400	11,745.183	8,421.375	2,192.653	5,202.423	6,013.726	16,657.846	5,954.819	3,458.300
April	13,975.846	18,708.018	17,222.361	20,910.338	19,516.885	21,057.695	11,446.466	21,467.503	10,970.679
May	10,698.173	13,105.475	9,100.716	12,381.295	13,773.825	16,498.664	21,105.820	22,336.015	0.000
June	7,168.276	10,939.289	7,168.498	6,394.439	11,735.395	15,678.604	18,830.919	20,089.120	0.000
Total	108,660.320	146,313.971	115,769.476	78,531.594	115,059.112	113,462.668	165,862.256	183,361.568	133,038.006
YTD Total	90,793.871	122,269.207	99,500.262	59,755.860	89,549.892	81,285.400	125,925.517	140,936.433	133,038.006
YTD Month Avg	9,079.387	12,226.921	9,950.026	5,975.586	8,954.989	8,128.540	12,592.552	14,093.643	13,303.801
YTD Daily Avg.	298.664	402.201	327.303	196.565	294.572	267.386	414.229	463.607	437.625

NOTE: July 1, 2005 thru June 30, 2008 includes Crab Dredging.

Wharf Fees in Lbs.

	2005/2006	2006/2007	2007/2008	2008/2009	2009/2010	2010/2011	2011/2012	2012/2013	2013/2014
July	179,426.5	47,206.0	7,769,560.0	21,478.0	143,590.0	94,956.0	179,508.0	266,770.0	217,139.0
August	162,482.0	363,024.0	3,988,148.3	121,800.0	159,935.0	181,640.0	143,970.0	13,808.0	137,467.0
September	42,210.0	67,543.0	133,280.0	170,055.0	133,355.0	166,235.0	124,700.0	155,440.0	96,350.0
October	60,175.0	69,610.0	3,708,765.0	69,935.0	108,596.0	1,160,140.0	3,020.0	93,610.0	584,550.0
November	238,375.0	87,695.0	2,339,445.0	5,200.0	73,455.0	90,710.0	100,744.0	8,685.0	3,569.0
December	933,105.0	588,147.5	8,646,542.5	31,099.0	124,880.0	23,995.0	4,745.0	31,425.0	14,260.0
January	492,087.5	438,502.5	7,591,883.0	13,749.0	104,030.0	15,720.0	0.0	313,730.0	0.0
February	157,557.0	256,042.5	3,978,997.5	247,500.0	0.0	28,000.0	45,522.0	0.0	0.0
March	281,980.5	121,470.0	262,094.0	30,691.3	296,430.0	62,267.5	423,350.0	22,275.0	13,000.0
April	671,460.0	482,142.5	1,005,028.0	764,278.5	869,185.0	758,760.0	147,185.0	367,871.0	151,773.5
May	137,341.3	4,045,130.0	109,336.0	177,528.0	340,480.0	307,810.0	355,825.0	322,534.0	0.0
June	103,233.8	108,003.0	89,104.0	79,885.0	143,805.0	267,645.0	94,457.0	30,249.0	0.0
Total	3,459,433.5	6,674,516.0	39,622,183.3	1,733,198.8	2,497,741.0	3,157,878.5	1,623,026.0	1,626,397.0	1,218,108.5
YTD Total	3,218,858.5	2,521,383.0	39,423,743.3	1,475,785.8	2,013,456.0	2,582,423.5	1,172,744.0	1,273,614.0	1,218,108.5
YTD Monthly Avg.	321,885.9	252,138.3	3,942,374.3	147,578.6	201,345.6	258,242.4	117,274.4	127,361.4	121,810.9
YTD Daily Avg.	10,588.4	8,294.0	129,683.4	4,854.6	6,623.2	8,494.8	3,857.7	4,189.5	4,006.9

Cape Charles Memorial Library April 2014 Report

1. Our attendance for April was 1,247.
2. Monthly attendance for programs held during April 2014 was 199. See below:

Children's Programs:

Wednesday	10:30 Crafts	34 attended
Thursday	3:30 Chess	27 attended
Thursday	10:30 P Storytime	50 attended
Thursday	10:30 T Storytime	19 attended
Monday	4:00 Book Club	4 attended
Tuesday	3:30 Lego Club	25 attended
April 15	Waste watchers	17 attended
April 17	10:30 Crafts (in place of NASA)	23 attended
	Total	199

3. The Friends of the Library and the Library Board had a joint meeting on April 9.
4. During Spring Break for the schools the Library presented some additional programs as well as our regular programs. We had Waste Watchers with helpful information and recycling crafts. NASA had also been booked but they were unable to visit due to a staffing shortage.
5. The book displays this month featured books on Earth Day and recycling, spring, and Poetry Month.
6. World Book Night was on April 23 and the library again participated. Sharon Silvey handed out 20 free copies of **The Perks of Being a Wallflower** and **Hoot**.
7. This month our **display case** featured beautiful hand painted Ukrainian Easter eggs decorated by Jeanne Roll. The intricate eggs were very popular with our customers.
9. As of today our Facebook page has 363 likes (12 new likes this month) .For additional information about library programs and library related information check out our **Facebook** page!

CAPE CHARLES POLICE DEPARTMENT

MONTHLY STATISTICS

APRIL 2014

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

- Calls for service in Cape Charles: 36
- Calls for service outside of Cape Charles: 16
- Felony arrests: 0
- Misdemeanor Arrests: 1
- D.U.I. Arrests: 0
- Traffic Summons: 17
- Traffic Warnings (written& verbal): 19
- Parking tickets: 5
- Building Checks: 44
- Assisted Northampton County Sheriff's Office: 12
- Assisted Virginia State Police: 2
- Assisted Federal Agencies: 0
- Assisted Fire& Rescue: 9
- Foot Patrol Hours: 104

The following training took place in April:

- Officer Hodgson- 3 days Field Training Officer school
- Corp. Rippon 40 hours in service school

Public Utilities

Monthly Report April 2014



Production Summary

- Miss Utility Tickets: 18
- Emergency Call Outs After Hours and Weekends:
 - Number of times called out: 1
 - Total Man Hours: 2
- Sludge: 27 Tons
- Water: Total Production: 3,423,037
 - High: 214,000 on April 14th (Monday)
 - Low: 72,700 on April 10th (Thursday)

Average	Raw Water	Finished Water
Hardness	425	136.3
Iron	8.2	.018
Manganese	.487	.009

All Data in PPM

- Waste Water:
 - Average Flow 171,000 gpd
 - Maximum 254,400 gpd
 - Total for Month 5,130,000 gpd

Personnel

- Water
 - Patrick Christman Operator Class 3 Water
 - Ron Bailey Operator Class 3 Water
 - Scottie Neville Operator Class 4 Water
 - Gerald Elliott Maintenance
- Waste Water
 - Patrick Christman Operator in Charge,
 - Class 2 Waste Water
 - Class 3 Water Plant Operator.
 - Freddie Meditz Operator Class 3, Lab Manager
 - Dan Dabinett Operator Class 3, Maintenance
 - Billy Powell Maintenance Supervisor

Completed Projects

- We have responded to comments on the Keck Well Aquifer Test and Ground Water Withdrawal Permit. Waiting for their Reply.

PUBLIC WORKS

April 2014

Dump Fees

- Oyster Landfill: 8 Trips, 3.13 Tons @ cost of \$203.45
- Clean up day's : 5 trips, (28th & 29th) Oyster Landfill : 5.93 Tons @ cost of \$385.45 (litter grant)
Total: 9.06 Tons @ \$588.90

Staff Report

Note: Town residents we have free mulch still available: call for availability

- Mike Mullner & Willie Lyons attended an OSHA safety course (Thursday 4-10)
- Paul Yates has submitted his two-week notice

Routine Monthly Responsibilities

- Water meter reading - Assist the Utilities Department Staff
- Maintenance of town vehicles and equipment.
 - 2 Police car's, 1 Water Plant Colorado, 1 Utility truck & 7 Public Works maintenance equipment serviced
- Maintenance, cleaning, and landscaping for outdoor public areas, including public beach, Central Park, Tennis Courts, Fishing Pier, Harbor and downtown commercial district.
- Maintenance, cleaning, and landscaping of all public facilities, including the town hall, library, water and wastewater, public works, and old library.
- Maintain streets and alleys in the historic district; including debris pickups/work orders.
- Assistance with preparation for events being held in town.
- Maintenance, weeding and mowing of Town properties outside of Old Town area.

Completed Projects

- Randolph Avenue road cut tamped with crushed concrete & also Plum Street road cut
- Designed & fabricated a beach grass mobile screed
- Yearly fire extinguisher inspections of all Town buildings along with Fire-X Corporation completed (4-8-14)
- Re-paint Town garbage receptacles (sand white with blue Town logo)
- Installed new Police Department signs

Events

- Central Park Easter Egg Hunt (Saturday 4-19)
- Easter (Sunday 4-20)
- Blessing of the Fleet (Friday 4-25)
- Shrimp Boil & 5K Run (Saturday 4-26)
- Blessing of the Worms (Sunday 4-27)
- Town Spring Clean-up (Monday 28th & Tuesday 29th)

In Progress

- Central Park BMP grading
- Fig street sign lighting
- New sidewalks being installed Route 184 to Fig Street
- Central Park bathrooms
- Fishing Pier being rebuilt from Sandy storm damage (FEMA)
- Construction of a Star-transit shelter @ Heritage Acres entrance
- Central Park electrical upgrades @ Peach Street entrances to Park

Upcoming Projects

- Safety training
- Re-paint no parking curbs (yellow) Town wide & handicapped areas (blue) on Mason ave
- Re-paint Municipal building 1st floor entrance followed by the entire building.

Capital Projects

- Randolph Avenue sidewalk and handicap access curb cuts are finished.
- Former library building renovation:
 - Framing is complete
 - Electric and plumbing rough-ins are complete
 - Drywall is hung and 75% finished
 - Handicap ramp and sidewalk are complete
- Fishing Pier is 50% complete
 - Scheduled to be partially open by Memorial Day Weekend with access from the beach and possible dawn to dusk fishing only. (No lights)

Man Hours per Project/Task

Vehicle Maint.	Equipment Maint.	Building Maint.	Public Debris Areas	Street Cleaning	Beach Maint.	Public Sanitation	Public facilities cleaning	Admin. training	Property maint. & repair	Events	Meter reads
36.5	27	74	79	57.5	77	46.5	59	30	66.5	0	9.5

Recreation Department May 2014 Council Report

Projects

1. The Love Installation had its first fundraiser on May 3. At 12:30 people lined up to pay their \$5 and get on the Love Train. The Love Train danced and sang from Nectarine to the fishing pier and back. There was a great turn out and this is a good start to the fundraising efforts.

Programming and Events

1. Easter Egg Hunt – Over 100 in attendance to include ages 3 and up. 5,000 eggs were hidden in Central Park and the Playground. The Easter bunny hopped into Town just as the last egg was found. The Eastern Shore News had great coverage in the paper as well as online. A big thank you to Cape Charles Baptist Church which provided games, crafts and raffles.
2. Arts and Crafts
 - A. April 23 – Be Creative – 10 children in attendance were given a box of materials and created their own artwork.
 - B. April 30 – 12 children in attendance used stickers and sand to make their own mosaic hearts, cars, rainbows, etc.
 - C. May 7 – 14 children were in attendance and made paper sunflowers.
3. Story Time – Filled in for story time on April 24. 16 children were in attendance to read about the Weather.
4. Blessing of the Worms – Ran the take home project table. There were 34 children in attendance and 97 total people. Children (and a couple of adults!) planted Zinnias to take home. There was discussion on how to care for the plant once the child took it home.
5. New Roots Garden Spring Session
 - A. May 1 – 32 children were in attendance to celebrate Cinco de Mayo. Led the Get Fit activity which was a Mexican Hat Dance Relay.
 - B. May 8 – 22 children were in attendance and participated in Banana relay as the Get Fit activity of the week.
6. Lego Club – Filled in at Lego Club on May 6. There were 4 participants. Children created various structures with Legos.

Summer Programming and Events

1. June 2, 16, July 7 and August 7 – Adult Book Club.
2. June 6, 20, August 1, 15 – Bingo for all citizens
3. June 12, 26, July 10, August 14, 28 – Scrapbooking
4. June 19, 26, July 10, 17, 31, August 7 – Get Fit at NRYG
5. June 23 – Ident-A-Kid
6. June 24, July 29, August 26 Clover Bud 4-H Club
7. June 25, July 9, 16, 30, August 6, 13, 20, 27 – Arts and Crafts
8. June 26, July 31, August 28 – Fun with Science
9. July 12 – Tie Dye a t-shirt at the Summer of Love in Central Park

 TOWN OF CAPE CHARLES	AGENDA TITLE: Cape Charles Community Trail – Phase 2		AGENDA DATE: May 22, 2014
	SUBJECT/PROPOSAL/REQUEST: Update based on final design and specifications submittal.		ITEM NUMBER: 6A
	ATTACHMENTS: None		FOR COUNCIL: Action () Information (X)
	STAFF CONTACT (s): Bob Panek	REVIEWED BY: Heather Arcos, Town Manager	

BACKGROUND:

Council adopted the Cape Charles Master Trail Plan on September 11, 2007. This multi-use trail is being constructed in phases as funding is available. Eighty percent of the cost is funded by Federal grants authorized under the Transportation Enhancement Act for the 21st Century (TEA-21), now succeeded by the Transportation Alternatives Program, and twenty percent by local funds. To date, the Town has been awarded \$2.3M in grant funding. Of that, about \$1M was utilized for the Master Plan and for design, engineering and construction of Phase 1 in Central Park. About \$1.4M remains available for Phase 2 – North Peach St. and Washington Ave.

DISCUSSION:

Our consulting firm, Land Studio, PC, submitted the 100% design documentation, including the bid package, to VDOT for review on May 1, 2014. The overall layout is as previously presented (available in the Town Hall). The trail will be constructed entirely within public right of way.

The project cost estimate is \$1.57M, including design, engineering, construction, administration & inspection. The Federal share is \$1.26M, and the Town share is \$0.31M. This is within the funding budgeted in FY 2013 and FY 2014, and planned for FY 2015.

We have provided “before” and “after” drawings to property owners so they can be familiar with the planned improvements, and are in the process of obtaining construction easements from several property owners. Depending on VDOT review, we hope to bid out the construction contract in June.

RECOMMENDATION:

Provided for information only.

 TOWN OF CAPE CHARLES	AGENDA TITLE: Northampton County Zoning Ordinance Resolutions		AGENDA DATE: May 22, 2014
	SUBJECT/PROPOSAL/REQUEST: Northampton County Zoning Ordinance Resolutions		ITEM NUMBER: 6C
	ATTACHMENTS: Two Draft Resolutions, Draft Historic Town Entrance Overlay District Language		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Rob Testerman	REVIEWED BY: Heather Arcos, Town Manager	

BACKGROUND:

At the May 8, 2014 Town Council work session, we discussed a possible resolution to submit to Northampton County regarding the decisions being made on their revised zoning ordinance. Modifications to the draft resolution have been incorporated per the discussion on the 8th.

Additionally, a second resolution was recommended that would refer to the Special Use Permitting process. Both draft resolutions are attached for Council review.

1. Resolution 20140522 – Supporting the Inclusion of the Historic Town Entrance Overlay Corridor in the Proposed 2014 Zoning Amendments Under Consideration by the Northampton County Board of Supervisors
2. Resolution 20140522A – Supporting the Continuation of Planning Commission Involvement in the Special Use Permit Process in the Proposed 2014 Zoning Amendments Under Consideration by the Northampton County Board of Supervisors

RECOMMENDATION:

If the draft resolutions are agreeable to Council, staff recommends adopting the resolutions, which will be forwarded to Northampton County. A separate roll call vote is required for each resolution.

RESOLUTION 20140522

**SUPPORTING THE INCLUSION OF THE HISTORIC TOWN ENTRANCE
OVERLAY CORRIDOR IN THE PROPOSED
2014 ZONING AMENDMENTS UNDER CONSIDERATION BY THE
NORTHAMPTON COUNTY BOARD OF SUPERVISORS**

WHEREAS, in 2010 and again in 2013 the Northampton County Planning Commission and Town of Cape Charles Planning Commission worked cooperatively to create a draft “Historic Town Entrance Overlay District”; and

WHEREAS, State Route 184 and State Route 642, and any future roadways that connect Cape Charles to Route 13, are Cape Charles’ primary connections to U. S. Route 13, represent a significant community investment, and contribute to Cape Charles and Northampton County’s public health, safety, and welfare; and

WHEREAS, State Route 184 and State Route 642, and any future roadways that connect Cape Charles to Route 13, provide access to one of Northampton County’s major centers of commercial and residential development; and

WHEREAS, State Route 184 and State Route 642, and any future roadways that connect Cape Charles to Route 13, provide a first impression of Cape Charles for tourists and the traveling public entering the Town’s Historic District and, as safe and accessible roadway facilities, serve a vital economic development function; and

WHEREAS, the Historic Town Entrance Corridor Overlay designation will provide for development as permitted by the underlying zoning districts, while preserving and enhancing the safety, function, capacity, and visual appearance of State Route 184 and State Route 642, and any future roadways that connect Cape Charles to Route 13, and to encourage appropriate economic development near the Town of Cape Charles;

SO, THEREFORE, BE IT RESOLVED, that the Town of Cape Charles hereby petitions the Northampton County Board of Supervisors to consider inclusion of the draft Historic Town Entrance Overlay Corridor, submitted to Northampton County on January 21, 2014, in the proposed 2014 Northampton County Zoning Ordinance.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Town of Cape Charles hereby officially requests that this notice and adopted resolution be incorporated into the official record of the ongoing process of the drafting of revised Northampton County Ordinances which are under consideration on this date of May 22, 2014, and we officially request that this resolution be read into the record at the May 2014 meeting of the Northampton County Board of Supervisors meeting and the next scheduled meeting of the Northampton County Planning Commission.

Adopted by the Town Council of Cape Charles on May 22, 2014.

By: _____
Mayor

ATTEST:

Town Clerk

RESOLUTION 20140522A

SUPPORTING THE CONTINUATION OF PLANNING COMMISSION INVOLVEMENT IN THE SPECIAL USE PERMIT PROCESS IN THE PROPOSED 2014 ZONING AMENDMENTS UNDER CONSIDERATION BY THE NORTHAMPTON COUNTY BOARD OF SUPERVISORS

WHEREAS, a planning commission is a public body appointed under authority of the Code of Virginia whose duties include preparation of a comprehensive plan, zoning and subdivision ordinance,, and a capital improvement program; and

WHEREAS, a planning commission is charged with developing community land-use plans and providing recommendations on their implementation to the local governing body; and

WHEREAS, planning commissioners are charged with a great deal of responsibility, as the knowledge they hold can have a direct impact on the preparedness of a community to make informed land-use planning decisions; and

WHEREAS, a special use permit allows specific exception to the zoning regulations from a list of acceptable uses for a particular parcel of land in a zoning district, and is by nature a land-use planning decision; and

WHEREAS, planning commissioners are generally trained to make informed recommendations to the Board of Supervisors regarding land-use planning applications.

SO, THEREFORE, BE IT RESOLVED, that the Town of Cape Charles hereby petitions the Northampton County Board of Supervisors to continue to receive Planning Commission recommendations on Special Use Permits.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Town of Cape Charles hereby officially requests that this notice and adopted resolution be incorporated into the official record of the ongoing process of the drafting of revised Northampton County Ordinances which are under consideration on this date of May 22, 2014, and we officially request that this resolution be read into the record at the May 2014 meeting of the Northampton County Board of Supervisors meeting and the next scheduled meeting of the Northampton County Planning Commission.

Adopted by the Town Council of Cape Charles on May 22, 2014.

By: _____
Mayor

ATTEST:

Town Clerk

Historic Town Entrance Corridor Overlay District (HTE District)

1. Title: This section shall be known and referenced as the Historic Town Entrance Corridor Overlay (HTE) District of Northampton County and the Town of Cape Charles.
 2. Findings of Fact: As Cape Charles' primary connections to U.S. Route 13, State Route 184 and State Route 642 represent a significant community investment and contribute to Cape Charles and Northampton County's public health, safety, and welfare. State Route 184 and State Route 642 provide access to one of Northampton County's major centers of commercial and residential development. Furthermore, the Town's entrance corridors provide a first impression of Cape Charles for tourists and the traveling public entering the Town's Historic District and, as safe and accessible roadway facilities, serve a vital economic development function. The HTE District designation will provide for development as permitted by the underlying zoning districts, while preserving and enhancing the safety, function, capacity, and visual appearance of the State Route 184 and State Route 642 corridors.
 3. Purpose and Intent: As provided in section 15.22306 of the Code of Virginia, the HTE District is intended to preserve rural and scenic characteristics which complement the Cape Charles Historic District. Additionally, pursuant to the authority granted by the Code of Virginia, and in particular the legislative intent established in Section 15.2-2200 and the purposes of zoning ordinances established in Section 15.2-2283, the HTE District is intended to enhance the safety, function, and capacity of State Route 184 and State Route 642 and to encourage appropriate economic development near the Town of Cape Charles.
 4. Areas of Applicability: The HTE District shall apply to all lands **that fall within the corridor connecting Cape Charles to U.S. Route 13, as well as an area that stretched one mile in either direction of the traffic light at State Route 184 and U.S. Route 13, as shown on Exhibit A.** Land shall be identified as HTE as designated by the Northampton County Board of Supervisors and as shown on the Northampton County Zoning District Map, and also as designated by the Cape Charles Town Council and as shown on the Town of Cape Charles Official Zoning Map. Such maps together with all explanatory matter thereon, is hereby adopted by reference and declared to be part of this Section.
- The HTE District regulations shall apply to all development within the designated HTE District requiring site plan or subdivision review. The HTE District shall also apply to redevelopment projects, as outlined in Sub-section 10, Redevelopment, below, regardless of whether such redevelopment requires site plan or subdivision review.
5. Use Regulations: Permitted uses, special permits uses, accessory uses, and special requirements shall be established by the underlying zoning district, unless specifically modified by the requirements set forth herein. These requirements may include, but shall not be limited to, requirements for setbacks, parking, landscaping, signs, and lighting.

a. Special Use Permits:

1. In areas where the underlying zoning district is designated for commercial (C) use, the following uses shall require a conditional use permit:

- i. Pharmacy**
- ii. Restaurant**
- iii. Motel/Hotel**
- iv. Inn**
- v. Bed & breakfast**
- vi. Vacation rental home**
- vii. Sales, retail bulk outdoor**
- viii. Sales, retail general**
- ix. Office, professional**

2. In areas where the underlying zoning district is designated for agricultural (AG) use, the following uses shall require a conditional use permit:

- i. Bed & breakfast**
- ii. Inn**
- iii. Vacation rental home**
- iv. Gas station**

3. In areas where the underlying zoning district is designated for residential (R), (R-1), (R-5) use, the following uses shall require a conditional use permit:

- i. Bed & breakfast**
- ii. Vacation rental home**

b. Prohibited Uses in the HTE

- 1. Wastewater treatment plant**
- 2. Waste related**
- 3. Wind Turbine, >35 ft.**
- 4. Manure storage structures, compost structures, and lagoons**

6. Lot Size: Lot size shall be subject to the requirement of the underlying zoning district(s).
7. Conflict with Other Regulations: In any case where the requirements of this Section conflict with any other provision of the Northampton County Zoning Ordinance or Cape Charles Zoning Ordinance, as applicable, and other regulations or existing state or federal regulations, whichever imposes the more stringent restrictions shall apply.
8. Performance Standards, applicable to areas within the HTE located along Rt. 184 and Rt. 642:
 - a. Purpose and Intent: The purpose and intent of these performance standards is to minimize the impact of highway-oriented development on the safety, function, and traffic capacity of the State Route 184 and State Route 642 corridors.
 - b. General Performance Standards for Development and Redevelopment:
 1. Site Plans: All site plans shall include an access plan drawn to the same scale as the site plan and showing the location and dimensions of all streets, sidewalks, driveways, crossovers, parking areas, access aisles, landscape areas, and any other relevant information in accordance with Sec. 154.045 Site Plans of this Chapter. **In the event of conflicting regulations with VDOT, VDOT minimum requirements will supersede the following standards .**
 2. Site Access: Access to State Route 184 and State Route 642 shall be provided by direct or indirect means, consistent with the following:
 - (a.) Number of Access Points: Each tract of land recorded prior to January 1, 1998 is entitled to one direct access point to the public roadway network, provided that VDOT approves. Where multiple tracts of land are developed as a single entity, as in the case of a shopping center, office park, residential subdivision, or similar development, they shall be treated as one tract of land for the purposes of determining the permitted number of access points.
 - (b.) Corner Clearance: The minimum corner clearance of driveways from intersecting streets shall be 400 feet approaching the intersection. Downstream corner clearance shall be 250 feet minimum. For side street approaches, the minimum corner clearance shall be 250 feet. At signalized intersections, corner clearances in excess of these minimum dimensions may be required, in consultation with VDOT. Where a traffic study is submitted that shows 20-year peak period 95 percentile queue lengths will not extend past the driveway location, corner clearances may be reduced, in consultation with VDOT.
 - (c.) Minimum Sight Distance: Minimum sight distances along the highway shall be provided to allow vehicles to safely turn left or right onto the highway. Sight distances provided along the HTE District shall be a minimum of 1,000 feet.

(d.) Outparcels: Outparcels are those parcels of land depicted on a final subdivision plat which is designated for public or private open space, right-of-way, utilities, or other similar purposes; or, a parcel of land left over after platting which is smaller than the minimum permitted lot size for the zoning district in which it is located and therefore unbuildable unless combined with additional land; or, a parcel of land located adjacent to a shopping center which shares a common parking lot with other establishments within said shopping center but is separated from the principal buildings and establishments by a parking area. All access to outparcels must be internalized utilizing the main access drive of the principal retail center. Access to each outparcel shall be as direct as possible, avoiding excessive movement across the parking aisles and queuing across surrounding parking and driving aisles. In no instance shall the circulation and access of the principal commercial facility and its parking and service be impaired.

(e.) Residential Developments: Where practicable, new residential subdivisions shall include an internal street layout which shall continuously connect to the streets of surrounding developments to accommodate travel demand between adjacent neighborhoods without the necessity of using the highway.

(f.) Median Crossovers: Where a proposed development fronts an existing or planned median crossover, access from the development to adjacent sites shall be provided, so as to promote shared access and minimize demand for additional crossovers.

(g.) Shared Access and Reverse Frontage: Internal access roads and inter-parcel connections shall be provided to facilitate the local movement of traffic between existing and proposed development and minimize demand for local trips on the highway. Based on consultation with the appropriate VDOT staff, inter-parcel access may take the form of direct driveway connections or reverse frontage roads.

(h.) Pedestrian Access: Pedestrian walkways shall be incorporated into each project so as to minimize conflicts with vehicular traffic. Pedestrian circulation systems shall connect uses within individual projects, and shall be extended to adjacent parcels where inter-parcel vehicular access is required.

(i.) Bicycle Access: Bicycle facilities may be incorporated into each project so as to minimize conflicts with vehicular traffic. If installed, bicycle circulation systems shall connect uses within individual projects, and shall be extended to adjacent parcels where inter-parcel vehicular access is required.

3. Traffic Impact Analysis: All developments generating more than 2,000 average daily trips shall prepare and submit a traffic impact analysis. The projected number of average daily trips shall be based on trip generation rates as defined by the most recent publication of the Institute of Transportation Engineers "Trip Generation." In addition, a traffic impact analysis may be required for developments generating 2,000 or fewer average daily trips when it is determined, in consultation with the appropriate VDOT staff, that safety considerations or a degradation in

the level of service of the roadway warrant such analysis. The traffic impact analysis shall identify level of service impacts of the proposed development, based on a twenty-year demand projection, and shall be used to determine necessary improvements to support the development. At a minimum, the impact analysis shall address the following:

- (a.) Turn lane and access improvements
- (b.) Internal site circulation
- (c.) Shared access/access to adjacent sites
- (d.) Impacts to intersections and median crossovers
- (e.) Potential need for signalization

4. Required Improvements: Required improvements, the need for which is generated by the proposed development, shall be determined in consultation with the appropriate VDOT staff. The developer shall be responsible for providing any required improvements, which shall be shown on site plans. The need for required improvements shall be based on the following:

- (a.) Applicable traffic impact analysis
- (b.) Highway safety and capacity

5. Setback from VDOT Right-of-Way: Buildings shall be set back from the VDOT right-of-way a minimum of 100 feet, the first 20 feet of which abutting the right-of-way shall be a vegetated buffer which includes the vegetation installation required in Sec. 154.105(G) of the Northampton County Code. The remaining area in the 20 foot buffer may be planted in grass and/or groundcover. Parking areas and stormwater best management practices may be located in the setback outside of the vegetated buffer.

9. **Redevelopment, applicable to areas within the HTE located along Rt. 184 and Rt. 642:** In order to promote the orderly retrofit of existing developments that do not conform to the requirements of the HTE District, while encouraging reuse of previously developed properties, the following redevelopment standards shall apply. The following standards provide guidelines for use in bringing nonconforming sites as close to conformance as possible. All trip generation shall be based on ITE methods as described herein.

a. Access: Reconstruction, relocation, or elimination of access points shall be required under any of the following circumstances. In such cases, necessary improvements shall be identified in consultation with the appropriate VDOT staff, and shall be designed to bring the site as close to compliance as possible with the access provisions of this ordinance.

- 1. The redevelopment will cause an increase of 10 average daily trips (ADT) and 20% or more ADT.

2. The redevelopment will cause any turning movement to increase by 5 ADT and 20% or more ADT.
3. The redevelopment will cause an increase in use by vehicles exceeding 30,000 pounds gross vehicle weight of 10 vehicles per day or 20% or more vehicles exceeding 30,000 pounds gross vehicle weight per day.
4. Structural enlargements, building improvements, or other site improvements are made resulting in an increase of 20% of building square footage or totaling 20% of current assessed building value.
5. As required to address identified safety deficiencies, based on consultation with the appropriate VDOT staff.

b. Traffic Impact Analysis: A traffic impact analysis shall be submitted for all redevelopment projects in which the proposed use will generate more than 2,000 ADT and increase existing ADT by 50% or more.

c. Required Improvements: Improvements required to support the redevelopment shall be based on consultation with the appropriate VDOT staff, required traffic impact analyses, and highway safety and capacity.

d. Signage: Reconstruction, relocation, or elimination of freestanding signs shall be required when (1) structural enlargements, building improvements, or other site improvements are made resulting in an increase of 20% of building square footage or totaling 20% of current building value or (2) existing signs interfere with required site distances. Required improvements shall bring on-site signage as close to compliance as possible with Sec. 154.190 *et seq.* of the Northampton County Code or Section 4.1 of the Town of Cape Charles Zoning Ordinance, as applicable. Additional signage requirements are as follows:

1. Billboards are not allowed in the overlay district
2. New, freestanding signs shall not exceed 8 feet in height and shall otherwise conform to Sec. 154.190 of this Chapter.

e. Lighting: Where structural enlargements, building improvements, or other site improvements are made resulting in an increase of 20% of building square footage or totaling 20% of current assessed building value, all lighting shall be brought into compliance with Sec. 154.112 *et seq.* of the Northampton County Code or Section 4.4 of the Town of Cape Charles Zoning Ordinance, as applicable. **On Routes 184 and 642, all lighting shall comply with Dark Sky standards.**

f. Landscaping: Where structural enlargements, building improvements, or other site improvements are made resulting in an increase of 20% of building square footage or totaling 20% of current assessed building value, landscaping shall be brought as close to compliance as

possible with Section 154.105 *et seq.* of the Northampton County Code or Section 4.4 and Appendix F of the Town of Cape Charles Zoning Ordinance, as applicable. This shall include appropriate landscaping of existing green space, as well as provision of additional green space to the extent that it does not interfere with traffic flow or required parking. Where additional green space is required, priority shall be given to establishing front yard green space.

1. Existing vegetation shall be retained. Trees over 6" DBH shall be protected during construction. Shrubs shall also be protected during construction.

2. All existing trees and shrubs shall be identified on the site plan or plot plan prior to construction and tagged in the field.

10. Other Standards: TBD



TOWN OF
CAPE CHARLES

AGENDA TITLE: National Public Works Week Proclamation

AGENDA DATE:
May 22, 2014

SUBJECT/PROPOSAL/REQUEST: Proclaim the week of May 18-24, 2014 as National Public Works Week

ITEM NUMBER:
7A

ATTACHMENTS: Proclamation 20140522

FOR COUNCIL:
Action (X)
Information ()

STAFF CONTACT (s):
Heather Arcos

REVIEWED BY:
Heather Arcos, Town Manager

BACKGROUND:

Public Works infrastructure, facilities and services are of vital importance to sustainable communities and to the health, safety and well-being of the people of the Town of Cape Charles and could not be provided without the hard work and dedication of the Public Works Department.

Many times, the work done by the Public Works crews is taken for granted by the general public. The American Public Works Association annually sponsors the National Public Works Week to recognize and thank the employees in Public Works for all that they do on a daily basis.

RECOMMENDATION:

Staff requests Council for a roll call vote to adopt Proclamation 20140522 designating the week of May 18 – 24, 2014 as National Public Works Week and to thank the Town's Public Works employees for their dedication in helping to keep the Town of Cape Charles such a great place to live, work and visit.

**TOWN OF CAPE CHARLES
PROCLAMATION #20140522**

IN HONOR OF NATIONAL PUBLIC WORKS WEEK

WHEREAS, public works infrastructure, facilities, and services are of vital importance to sustainable communities, and to the health, safety, and well-being of the people of the Town of Cape Charles; and

WHEREAS, such facilities and services could not be provided without the dedicated efforts of public works managers and employees; and

WHEREAS, the Town is thankful to all those who plan, design, build, operate, and maintain the public buildings, structures, facilities and properties essential to our people; and

WHEREAS, it is critical that the people of the Town are educated about and participate in the shaping of public works programs in the community; and

WHEREAS, the year 2014 marks the 54th annual National Public Works Week sponsored by the American Public Works Association;

NOW, THEREFORE, the Town Council of Cape Charles hereby recognizes May 18-24 as National Public Works Week in the Town and call this observance to the attention of all our citizens.

Adopted by the Town Council of Cape Charles on this 22nd day of May, 2014.

Mayor Dora Sullivan

ATTEST: _____
Clerk of the Council



TOWN OF
CAPE CHARLES

AGENDA TITLE: Building Safety Month Proclamation

AGENDA DATE:
May 22, 2014

SUBJECT/PROPOSAL/REQUEST: Proclaim month of May as
National Building Safety Month

ITEM NUMBER:
7B

ATTACHMENTS: Building Safety Month Proclamation

FOR COUNCIL:
Action (X)
Information ()

STAFF CONTACT (s):
Jeb Brady, Code Official

REVIEWED BY:
Heather Arcos, Town Manager

BACKGROUND:

The International Code Council (ICC) is the most widely adopted building safety, energy and fire prevention codes in the nation and are used by most U.S. cities, counties and states; these modern building codes also include safeguards to protect the public from natural disasters. Building Safety Month is sponsored by the ICC to remind the public about the critical role of our local code officials who assure us of safe, efficient and livable buildings.

DISCUSSION:

The month of May every year is dedicated as Building Safety Month. The proclamation asks citizens to consider projects to improve building safety and sustainability at home and in the community.

RECOMMENDATION:

Staff asks Council for a roll call vote to adopt Proclamation 20140522A designating the month of May as Building Safety Month.



Proclamation 20140522A **Building Safety Month — May, 2014**

***Whereas,** our Town of Cape Charles continuing efforts to address the critical issues of safety, energy efficiency, and resilience in the built environment that affect our citizens, both in everyday life and in times of natural disaster, give us confidence that our structures are safe and sound, and;*

***Whereas,** our confidence is achieved through the devotion of vigilant guardians—building safety and fire prevention officials, architects, engineers, builders, tradespeople, laborers and others in the construction industry—who work year-round to ensure the safe construction of buildings, and;*

***Whereas,** these guardians—dedicated members of the International Code Council—use a governmental consensus process that brings together local, state and federal officials with expertise in the built environment to create and implement the highest-quality codes to protect Americans in the buildings where we live, learn, work, worship, play, and;*

***Whereas,** the International Codes, the most widely adopted building safety, energy and fire prevention codes in the nation, are used by most U.S. cities, counties and states; these modern building codes also include safeguards to protect the public from natural disasters such as hurricanes, snowstorms, tornadoes, wildland fires and earthquakes, and;*

***Whereas,** Building Safety Month is sponsored by the International Code Council, to remind the public about the critical role of our communities' largely unknown guardians of public safety—our local code officials—who assure us of safe, efficient and livable buildings, and;*

***Whereas,** "Building Safety: Maximizing Resilience, Minimizing Risks" the theme for Building Safety Month 2014, encourages all Americans to raise awareness of the importance of building safe and resilient construction; fire prevention; disaster mitigation, backyard safety; energy efficiency and new technologies in the construction industry. Building Safety Month 2014 encourages appropriate steps everyone can take to ensure that the places where we live, learn, work, worship and play are safe and sustainable, and recognizes that countless lives have been saved due to the implementation of safety codes by local and state agencies, and,*

***Whereas,** each year, in observance of Building Safety Month, Americans are asked to consider projects to improve building safety and sustainability at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments, fire prevention bureaus and federal agencies in protecting lives and property.*

***NOW, THEREFORE,** I, Dora Sullivan, Mayor, of the Town of Cape Charles do hereby proclaim the month of May 2014 as Building Safety Month. Accordingly, I encourage our citizens to join with their communities in participation in Building Safety Month activities.*

Mayor

ATTEST:

Town Clerk

 TOWN OF CAPE CHARLES	AGENDA TITLE: USDA Rural Development Grant/Loan Award for Police Car		AGENDA DATE: May 22, 2014
	SUBJECT/PROPOSAL/REQUEST: USDA Grant/Loan Award notification for police car		ITEM NUMBER: 7C
	ATTACHMENTS: None		FOR COUNCIL: Action () Information (X)
	STAFF CONTACT (s): Heather Arcos	REVIEWED BY: Heather Arcos, Town Manager	

BACKGROUND:

At the September 19, 2013 meeting, the Town Council authorized the application for grant funding and loan to the US Department of Agriculture – Rural Development (USDA RD) to purchase a new police vehicle. At the time of application, it was anticipated that the funding would not become available until FY 2015-2016.

DISCUSSION:

Staff received notification from Peggy Jordan, Area Specialist with USDA RD that the Town has been awarded a grant in the amount of \$8,100 and loan approval for \$15,100 for the purchase of the new police vehicle. The Police Dept. would like to purchase a 2014 Dodge Charger to replace the 2010 Dodge Charger which is due to come off the Police Dept. 5-year rotation. The 2010 Dodge will be utilized by other departments as a shared vehicle and the use will be administered by the Town Manager.

The total cost of the 2014 Dodge Charger, including equipment, is \$25,857 which is the state contract price. The total of the grant and loan proceeds amount to \$23,200. The difference of \$2,657 is included in the FY 2014-2015 Police Dept. budget.

The USDA RD’s current interest rate is 4.125% for five (5) years with an annual payment of \$3,404. There is no prepayment penalty under the guidelines for this loan. With the 4.125% rate, the amount of interest being paid by the Town, if financed for the full 5 years, is \$1,920. The first annual payment will be due in FY 2015-2016.

The letter of intent has been signed but a resolution is required to be adopted by the Town Council stating its agreement to abide by the covenants and to execute the forms required by the USDA RD. Staff is expecting receipt of the resolution and documents within the month. The resolution will be presented to Council for review and adoption at the June meeting.

RECOMMENDATION:

Provided for information only.

 <p>TOWN OF CAPE CHARLES</p>	AGENDA TITLE: Eastern Shore of Virginia Public Service Authority – Appointments to PSA Subcommittee		AGENDA DATE: May 22, 2014
	SUBJECT/PROPOSAL/REQUEST: Appointment of two Cape Charles Representatives to the PSA Subcommittee		ITEM NUMBER: 7D.i.
	ATTACHMENTS: Letter from Northampton County Board of Supervisors		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Heather Arcos	REVIEWED BY: Heather Arcos, Town Manager	

BACKGROUND:

In March 2014, a letter was received from the Northampton County Board of Supervisors informing the Town of the formation of an Eastern Shore of Virginia Public Authority (PSA) subcommittee to work with the Town relative to provision of wastewater service to the PSA. The subcommittee would be comprised of two members of the Board of Supervisors (Mr. Hogg and Mr. Hubbard), two members of the PSA (Mr. Panek and Mr. Ingram), and two members from the Cape Charles Town Council. It was the consensus of the Board to delay meetings of the subcommittee until after the Town elections were held.

A response was sent to the Board notifying them that this topic would be considered at the May Town Council meeting.

RECOMMENDATION:

Staff requests discussion regarding the request from the Northampton County Board of Supervisors and the appointment of two Council or Council-elect members to serve on the PSA Subcommittee.



Board of Supervisors of Northampton County
P.O. Box 66 • Eastville, Virginia 23347

BOARD OF SUPERVISORS
Larry LeMond, Chairman
Richard L. Hubbard, Vice Chairman
Oliver H. Bennett
Granville F. Hogg, Jr.
Laurence J. Trala

Katherine H. Nunez
County Administrator

PHONE: 757-678-0440
FAX: 757-678-0483

March 25, 2014

Ms. Heather Arcos, Town Manager
Town of Cape Charles
2 Plum Street
Cape Charles, VA 23310

Dear Heather:

At its meeting of March 24, 2014, the Northampton County Board of Supervisors and the Eastern Shore of Virginia Public Service Authority jointly agreed to form a subcommittee to work with the Town of Cape Charles relative to provision of wastewater service to the PSA. The composition of the subcommittee will include two members of the Board (Mr. Hogg and Mr. Hubbard), two members of the PSA (Mr. Panek and Mr. Ingram), and two members from the Town of Cape Charles. It was the consensus of the Board to delay meetings of the subcommittee until after the Town Elections are held in May 2014. I await notification as to the appointment of the Town's two representatives after that time.

With best regards, I remain

Sincerely yours,

KATHERINE H. NUNEZ
County Administrator

 <p>TOWN OF CAPE CHARLES</p>	AGENDA TITLE: Eastern Shore of Virginia Public Service Authority – Re-appointment of Cape Charles Representative		AGENDA DATE: May 22, 2014
	SUBJECT/PROPOSAL/REQUEST: Re-appointment of Cape Charles Representative to the PSA		ITEM NUMBER: 7D.ii.
	ATTACHMENTS: None		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Heather Arcos	REVIEWED BY: Heather Arcos, Town Manager	

BACKGROUND:

The Eastern Shore of Virginia Public Service Authority (PSA) is an advisory board for Northampton County consisting of five members appointed by the Board of Supervisors and one member each from the incorporated towns of Cape Charles, Cheriton and Exmore. Each member services a four-year term.

DISCUSSION:

In 2010, Bob Panek was appointed by the Town Council to serve as the Cape Charles representative to the PSA and his current term expires on June 30, 2014. Mr. Panek has been part of the PSA since the inception of the concept of regional wastewater services for the County and is very knowledgeable regarding the issues involved.

RECOMMENDATION:

Staff requests discussion and, if deemed appropriate, re-appointment of Bob Panek to the Eastern Shore of Virginia Public Service Authority for another four-year term.

 TOWN OF CAPE CHARLES	AGENDA TITLE: Virginia Retirement System Resolution – Employer Retirement Contribution Rate		AGENDA DATE: May 22, 2014
	SUBJECT/PROPOSAL/REQUEST: Adopt Resolution 20140522B-Employer Contribution Rate for Counties, Cities, Towns, School Divisions and Other Political Subdivisions		ITEM NUMBER: 7E
	ATTACHMENTS: Resolution 20140522B		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Heather Arcos	REVIEWED BY: Heather Arcos, Town Manager	

BACKGROUND:

The Town of Cape Charles has been a member of the Virginia Retirement System (VRS) since January 1, 1989. In the past, the Employer Retirement Contribution Rates have been set by the VRS.

DISCUSSION:

Language in the 2013 Appropriation Act, Item 468(H), allowed localities to make an election regarding their employer contribution rate every biennium. For contribution rates effective July 1, 2014, local governing bodies may elect to pay either the rate certified by the VRS Board of Trustees for the 2015-2016 biennium or an alternate rate. The alternate rate is the current Board-certified rate for FY 2012 or 80% of the 2015-2016 Board-certified rate, whichever is higher. The intent of the language in the 2013 Appropriation Act, Item 468(H), was to offer localities some budget relief for the coming fiscal year with respect to the amount of their retirement contributions. However, this does not change the Board-certified rate or the Annual Required Contribution.

The information regarding the VRS Board-certified rate and alternate rate was recently received. The Town’s rate certified by the VRS Board of Trustees for the 2015-2016 biennium is 5.17%. The Town’s alternate rate is 7.15%. A resolution must be adopted and submitted to the VRS by July 1, 2014.

RECOMMENDATION:

Staff recommends Council discuss the two rate options and take a roll call vote to adopt Resolution 20140522B Employer Contribution Rates for Counties, Cities, Towns, School Divisions and Other Political Subdivisions designating the chosen rate option for the 2015-2016 biennium.

Employer Contribution Rates for Counties, Cities,
Towns, School Divisions and Other Political Subdivisions
(In accordance with the 2014 Appropriation Act Item 467(I))

Resolution 20140522B

BE IT RESOLVED, that the Municipal Corporation of Cape Charles [55379] does hereby acknowledge that its contribution rates effective July 1, 2014 shall be based on the higher of a) the contribution rate in effect for FY 2012, or b) eighty percent of the results of the June 30, 2013 actuarial valuation of assets and liabilities as approved by the Virginia Retirement System Board of Trustees for the 2014-16 biennium (the "Alternate Rate") provided that, at its option, the contribution rate may be based on the employer contribution rates certified by the Virginia Retirement System Board of Trustees pursuant to Virginia Code § 51.1-145(I) resulting from the June 30, 2013 actuarial value of assets and liabilities (the "Certified Rate"); and

BE IT ALSO RESOLVED, that the Municipal Corporation of Cape Charles [55379] does hereby certify to the Virginia Retirement System Board of Trustees that it elects to pay the following contribution rate effective July 1, 2014:

(Check only one box)

- The Certified Rate of 5.17% The Alternate Rate of 7.15%; and

BE IT ALSO RESOLVED, that the Municipal Corporation of Cape Charles [55379] does hereby certify to the Virginia Retirement System Board of Trustees that it has reviewed and understands the information provided by the Virginia Retirement System outlining the potential future fiscal implications of any election made under the provisions of this resolution; and

NOW, THEREFORE, the officers of the Municipal Corporation of Cape Charles [55379] are hereby authorized and directed in the name of the Municipal Corporation of Cape Charles to carry out the provisions of this resolution, and said officers of the Municipal Corporation of Cape Charles are authorized and directed to pay over to the Treasurer of Virginia from time to time such sums as are due to be paid by the Municipal Corporation of Cape Charles for this purpose.

Mayor, Municipal Corporation of Cape Charles

CERTIFICATE

I, Libby Hume, Clerk of the Municipal Corporation of Cape Charles, certify that the foregoing is a true and correct copy of a resolution passed at a lawfully organized meeting of the Town Council of the Municipal Corporation of Cape Charles held at Cape Charles, Virginia at 6:00 p.m. o'clock on May 22, 2014. Given under my hand and seal of the Municipal Corporation of Cape Charles this 22 day of May 2014.

Clerk

**This resolution must be passed prior to July 1, 2014 and
received by VRS no later than July 10, 2014.**

 TOWN OF CAPE CHARLES	AGENDA TITLE: Cape Charles Dredging Beach Placement		AGENDA DATE: May 22, 2014
	SUBJECT/PROPOSAL/REQUEST: Cape Charles Dredging Beach Sand Placement		ITEM NUMBER: 7F
	ATTACHMENTS: Beach Placement Site A		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Rob Testerman	REVIEWED BY: Heather Arcos, Town Manager	

BACKGROUND:

The U.S. Army Corps of Engineers last dredged the Cape Charles Harbor in 1989, all permits relating to harbor dredging have since expired. As a result of Hurricane Sandy, recovery funds became available to the Army Corps to fund a maintenance dredge at the entrance of the federal channel in Cape Charles. Since this time, the Army Corps has been working on the design, spoils locations, and permitting. Due to some difficulty finding appropriate sand placement sites, the schedule has been delayed.

DISCUSSION:

The current design estimates that the project will place 93,600 cubic yards of material on the town beach, however a net loss of 20% is assumed while placing material, therefore approximately 78,000 cubic yards of new material will remain on the beach.

Our project manager, Holly Carpenter of the Army Corps, has recently given us the latest schedule for the dredging project. Permit approval is anticipated in November of 2014, construction is to start in January 2015, and construction is to be completed in April of 2015. The concern is that any additional project delays could possibly push the construction time into Cape Charles' peak tourist season.

As such, the Army Corps has requested a letter from Town, for inclusion in their permitting process, to confirm an amenable plan if a delay occurs.

The Town will request that the Town beach site be completed first, starting at the north end, and that if there are any additional delays that push construction into the tourist months, half of the beach will remain open at any given time.

If purchased the estimated cost of the sand at \$12-\$15 per cubic yard plus site work is \$936,000-\$1,170,000 based on 78,000 cubic yards.

Ms. Carpenter is out of town and unable to attend the May 22nd meeting, but she plans to attend the June meeting to answer any questions. However, the Corps needs our decision on the schedule by the end of the week (Friday, May 23).

RECOMMENDATION

Staff recommends that Council discuss the schedule and authorize staff to submit a letter to the Army Corps requesting that the Town beach site be completed first, and that in the event of delays, that half of the beach will remain open at any given time.

GENERAL NOTES

- SOUNDINGS ARE IN FEET REFERRED TO NOS MLLW AND WERE TAKEN ON 9, 10, 12 & 30 SEPTEMBER AND 4 & 5 OCTOBER 2013. THE DARKENED SOUNDING(S) DEPICT THE CONTROLLING DEPTH(S) FOR THE CHANNEL/REACH.
- MEAN RANGE OF TIDE IS 2.30 FEET AT KIPTOPEKE VIRGINIA AND IS BASED ON NATIONAL OCEAN SERVICE (NOS) OBSERVATIONS, NTDE 1983-2001.
- COORDINATES ARE REFERRED TO THE VIRGINIA STATE PLANE COORDINATE SYSTEM (SOUTH ZONE) IN U.S. SURVEY FEET, AND ARE BASED ON THE NORTH AMERICAN DATUM OF 1983.
- PLANIMETRIC FEATURES WERE DEVELOPED BY STEREO-PHOTOGRAMMETRIC METHODS FROM AERIAL PHOTOS FLOWN 14 AUGUST 2013, BY AERO-METRIC, DULLES, VIRGINIA.

SHEET NOTES

- PROVIDE BENCH ACCESS. REFER TO DETAIL 1, SHEET CG500.

CONTRACTOR SHALL INSTALL TRAINING DIKE TO RETAIN SAND PLACED ON BEACH



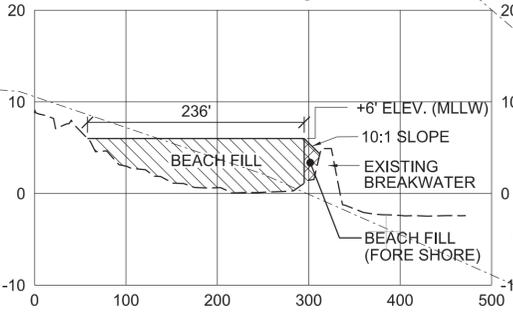
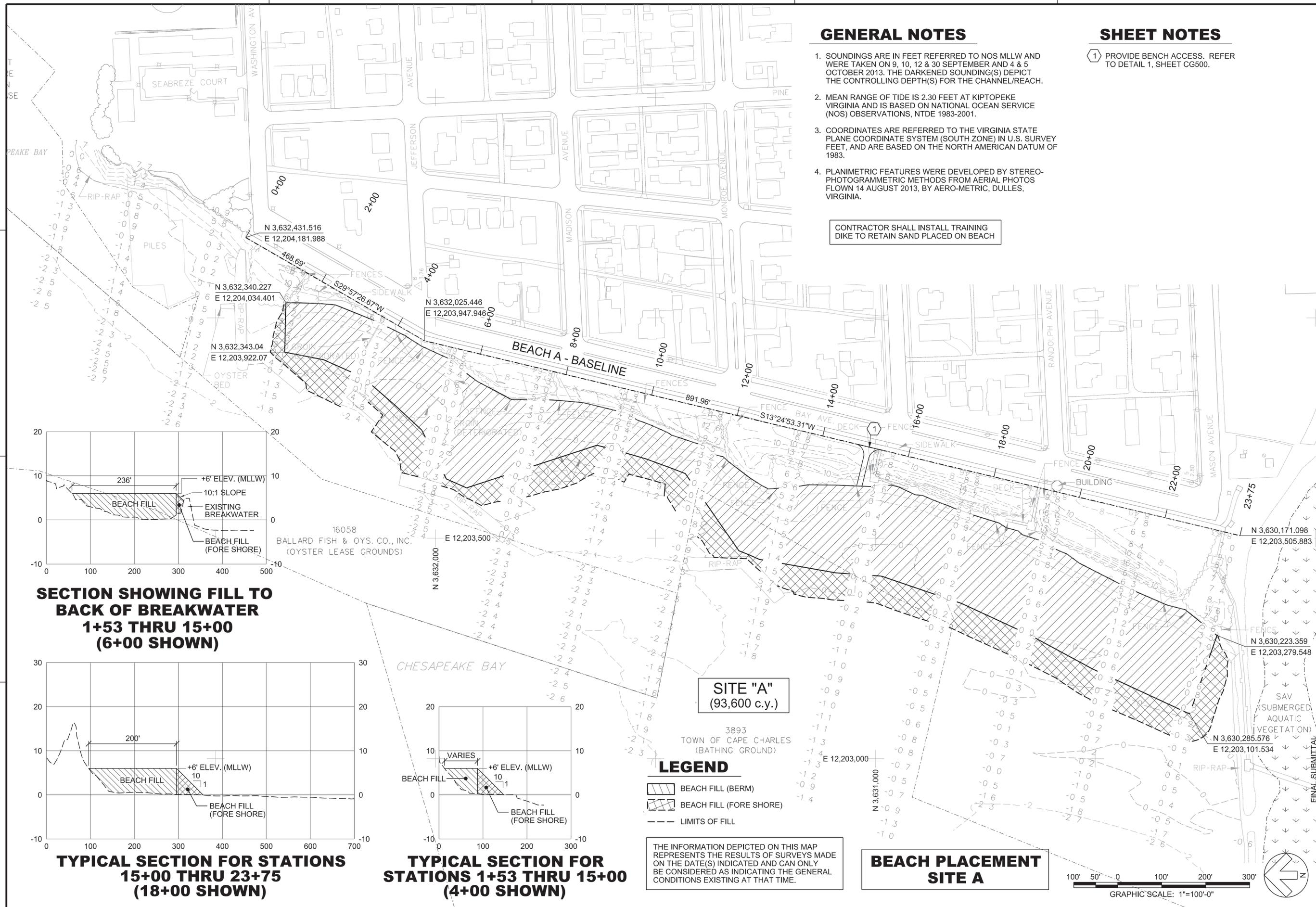
DATE	DESCRIPTION	APPR.	MARK

DESIGNED BY: U.S. ARMY CORPS OF ENGINEERS	DATE: 2014
PLANNED BY: NORFOLK DISTRICT	SUBMITTALS: CONTRACT NO.:
DESIGNED BY: NORFOLK DISTRICT	CONTRACT NO.:
DESIGNED BY: NORFOLK DISTRICT	FILE NUMBER:
DESIGNED BY: NORFOLK DISTRICT	FILE NAME:
DESIGNED BY: NORFOLK DISTRICT	FILE NAME:

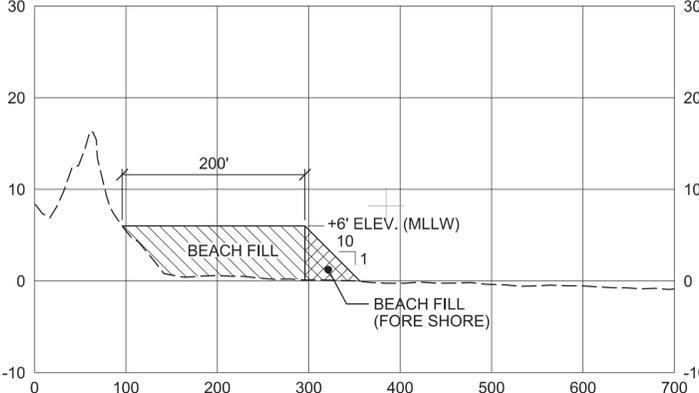
DESIGNED BY: U.S. ARMY CORPS OF ENGINEERS	DATE: 2014
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DESIGNED BY: NORFOLK DISTRICT	CONTRACT NO.:
DESIGNED BY: NORFOLK DISTRICT	FILE NUMBER:
DESIGNED BY: NORFOLK DISTRICT	FILE NAME:
DESIGNED BY: NORFOLK DISTRICT	FILE NAME:

ENGINEERING EVALUATION OF MATERIAL TO BE DREDGED AND DESIGN OF BEACH AND UPLAND PLACEMENT AREAS FOR THE DISPOSAL OF DREDGED MATERIAL
CAPE CHARLES CITY HARBOR, NORFOLK COUNTY, VA

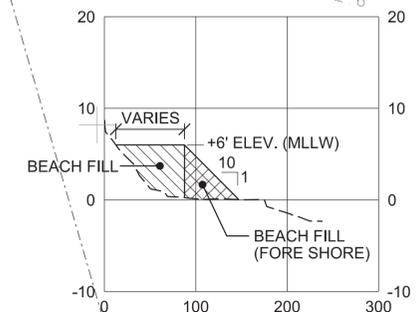
SHEET IDENTIFICATION
CB110
27 OF 37



SECTION SHOWING FILL TO BACK OF BREAKWATER 1+53 THRU 15+00 (6+00 SHOWN)



TYPICAL SECTION FOR STATIONS 15+00 THRU 23+75 (18+00 SHOWN)



TYPICAL SECTION FOR STATIONS 1+53 THRU 15+00 (4+00 SHOWN)

LEGEND

 BEACH FILL (BERM)
 BEACH FILL (FORE SHORE)
 LIMITS OF FILL

THE INFORMATION DEPICTED ON THIS MAP REPRESENTS THE RESULTS OF SURVEYS MADE ON THE DATE(S) INDICATED AND CAN ONLY BE CONSIDERED AS INDICATING THE GENERAL CONDITIONS EXISTING AT THAT TIME.

BEACH PLACEMENT SITE A



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