



# TOWN COUNCIL

## Regular Meeting

August 21, 2014

Cape Charles Civic Center

6:00 PM

1. Call to Order
  - A. Roll Call
  - B. Establish quorum
2. Invocation and Pledge of Allegiance
3. Recognition of Visitors / Presentations
  - A. Presentation of Certificates of Commendation
  - B. Eastern Shore of Virginia Waterman's Memorial – Ed Lewis
4. Public Comments (3 minutes per speaker)
5. Consent Agenda
  - A. Approval of Agenda Format
  - B. Approval of Minutes
6. Department Reports
  - \*A. Treasurer's Report
  - B. Planning Commission and Boards
  - C. Other Department Reports
7. Old Business
  - \*A. PSA/Regional Wastewater Update
  - \*B. Town Code Modifications – Commercial Facility Fees – Schedule Public Hearing
8. New Business
  - \*A. Building Code Board of Appeals Appointments
  - \*B. 2014 Virginia Aid to Localities - Fire Programs
9. Mayor & Council Comments (5 minutes per speaker)
10. Announcements
  - September 1, 2014 – Town Offices closed for Labor Day.
  - September 4, 2014 – Town Council Work Session, 6:00 PM.
  - September 18, 2014 – Town Council Regular Meeting
11. Adjourn at 8:00 P.M.



**DRAFT**  
**TOWN COUNCIL**  
**Executive Session**  
**Town Hall**  
**July 14, 2014**  
**5:30 PM**

At approximately 5:40 p.m. Mayor George Proto, having established a quorum, called to order the Executive Session of the Town Council. In addition to Mayor Proto, present were Vice Mayor Bannon, Councilmen Bennett, Brown and Godwin. Councilwoman Natali arrived at approximately 6:20 p.m. Councilman Wendell was not in attendance. Town Manager Heather Arcos was also in attendance.

**Motion made by Councilman Bennett, seconded by Vice Mayor Bannon, 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:**

- a. Board Vacancies
- b. Personnel Discussion – Chartered Officers

**Motion made by Councilman Brown, seconded by Councilwoman Natali, to return to Open Session. The motion was unanimously approved.**

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; Brown, yes; Godwin, yes; Natali, yes.

Mayor Proto stated that the Council discussed the candidates for the various boards and decisions had been made for the Board of Zoning Appeals, Harbor Area Review Board and Wetlands & Coastal Dunes Board.

**Motion made by Vice Mayor Bannon, seconded by Councilman Bennett, to appoint Joe Fehrer to the Wetlands & Coastal Dunes Board, Bill Murphy to the Board of Zoning Appeals, and Stuart Smith to the Harbor Area Review Board. The motion was unanimously approved. Roll call vote: Bannon, yes; Bennett, yes; Brown, yes; Godwin, yes; Natali, yes.**

**Motion made by Councilwoman Natali, seconded by Councilman Brown, to adjourn the Town Council Executive Session. The motion was unanimously approved.**

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Mayor Proto

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Town Clerk



**DRAFT**  
**TOWN COUNCIL**  
**Regular Meeting**  
**Cape Charles Civic Center**  
**July 17, 2014**  
**6:00 PM**

At approximately 6:00 p.m. Mayor George Proto, having established a quorum, called to order the Regular Meeting of the Town Council. In addition to Mayor Proto, present were Councilmen Bannon, Bennett, Brown, Godwin, Wendell and Councilwoman Natali. Also in attendance were Town Manager Heather Arcos, Assistant Town Manager Bob Panek, and Town Clerk Libby Hume. The majority of the Department Heads were in attendance as well as approximately 15 members of the public.

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

**ELECTION OF VICE MAYOR**

Councilman Bennett nominated Councilman Bannon, seconded by Councilwoman Natali, to serve as vice mayor. There were no other nominations.

**Motion made by Councilwoman Natali, seconded by Councilman Bennett, to close the nominations. The motion was approved by unanimous consent.**

**Mayor Proto asked for a vote regarding the nomination of Councilman Bannon for vice mayor. Councilman Bannon was elected as vice mayor by majority vote. Roll call vote: Bannon, abstained; Bennett, yes; Brown, yes; Godwin, yes; Natali, yes; Wendell, no.**

**PUBLIC COMMENTS:**

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

**CONSENT AGENDA – APPROVAL OF AGENDA FORMAT:**

Mayor Proto stated that a new item would be added at the beginning of New Business regarding personnel.

**Motion made by Vice Mayor Bannon, seconded by Councilman Godwin, 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 June 19, 2014 Regular Meeting and the June 23, 2014 Work Session.

**Motion made by Vice Mayor Bannon, seconded by Councilwoman Natali, to approve the minutes from the June 19, 2014 Regular Meeting and the June 23, 2014 Work Session as presented. The motion was approved by unanimous consent.**

**DEPARTMENT REPORTS:**

*C. Treasurer's Report:*

Treasurer Deborah Pocock reviewed the Treasurer's report dated June 30, 2014 which showed the Total Cash on Hand of \$1,202,817, the Total Cash Held in Reserve was \$1,322,639 and the Total Cash – All Accounts was \$2,525,457. Deborah Pocock went on to review the Revenues vs. Expenditures, the Capital Improvement Projects, the 2013 Real Estate Tax Collections, the Year-

to-Date (YTD) 2013 Personal Property Tax, Machinery and Tools Tax and 2014 License Tax Collections, the YTD Prior Year Real Estate Tax, Personal Property Tax, Interest and Penalty Collections, and the General Fund Tax and Utility Credit Card Payment Receipts. A new item being reported this month was a chart comparing collections for various taxes by year for FY 2012, 2013 and 2014.

**Motion made by Vice Mayor Bannon, seconded by Councilman Bennett, to accept the Treasurer's Report as submitted. The motion was approved by unanimous vote.**

*B. Planning Commission and Boards:*

Town Planner Rob Testerman reported the following: i) There would be no Board meetings this month as no applications had been received; and ii) The Planning Commission met on July 8<sup>th</sup> and continued their discussions regarding the Tourism Zone Ordinance and Floodplain Ordinance. The Planning Commission would be meeting on July 28<sup>th</sup> regarding the Comprehensive Plan update.

Vice Mayor Bannon stated that drones were becoming a problem in other areas and asked if it was something that should be looked into. Rob Testerman responded that he was looking into the issue and would keep Council posted regarding his findings.

*C. Other Departmental Reports:*

Code Official Jeb Brady reported that construction was on an upswing and added that he had three plans on his desk waiting for approval. There was some discussion regarding the numbers stated on the Code Enforcement report.

Harbor Master Smitty Dize reported that the Clam Slam was two weeks away and added that he had twice the number of sponsors this year. Staff and volunteers were working hard getting everything ready for the event.

Librarian Ann Rutledge reported the following: i) The First Annual Stuffed Animal Sleep-Over was being held tonight beginning at 7:00 PM. Kids would come to the Library for storytime, cookies and milk and leave their stuffed animals to spend the night; ii) It's been a wildly successful summer so far; iii) Lots of tourists were coming in and checking out books and movies on the honor system; and iv) The Civic Center looked great.

Chief Jim Pruitt reported the following: i) The statistics on the Police Department monthly report were reviewed; and ii) Two candidates were interviewed this week for the police officer position and he would be making an offer to one of the candidates tomorrow. There was much discussion regarding thefts in Town, ideas for citizens to protect themselves, a possible neighborhood watch, classes for citizens giving them safety tips, underage children driving golf carts, golf carts being driven outside of Town limits on Route 184 and Parsons Circle, the issue of loud noise/music playing late into the nights, addressing issues on private property – Bay Creek Resort and Kings Creek Marina. Chief Pruitt advised Council that if citizens saw or heard anything regarding any of the issues discussed, they needed to call the Northampton County dispatch at 678-0458 to have an officer dispatched to the scene.

Public Utilities/Public Works Director Dave Fauber reported the following: i) The Town was approached by the Northampton County Sheriff's Department requesting to install an antennae on the water tower to improve radio transmissions. This would also help the Town's police department; ii) The construction of the fishing pier was completed and he was now working on the grant paperwork to get reimbursed by FEMA; iii) The LOVE sign at the beach had already been vandalized; and iv) Several good applications had been received for the Public Works maintenance worker. He was hopeful to have the position filled sometime next week.

Kudos were given to the Public Works crew for their hard work in cleaning up the Town after the fireworks. Pete Leontieff and the two current crew members did an excellent job.

Heather Arcos thanked Dave Fauber, the Public Works crew, Libby Hume and Jen Lewis for designing and outfitting the new Civic Center. The building looked great.

Community Events/Recreational Coordinator Jen Lewis reported the following: i) A copy of the Stranger Danger Coloring Book that was being distributed to children in the Town was shown to the Council; ii) The ribbon cutting ceremony for the LOVE sign was earlier this month. A lot of people came out and people were taking pictures at the sign. Some of the shells and sea glass had been taken from the sign but it still looked good. A request came in from a couple wanting to get married by the sign; iii) It's been a busy but fun summer with a lot of tourists joining in on the programs.

#### **OLD BUSINESS**

##### **A. *Cape Charles Community Trail – Phase 2 Update***

Assistant Town Manager Bob Panek stated that VDOT had completed their review and requested a few minor changes which were being incorporated by Land Studio. The project estimate was \$1.57M. The Federal share was \$1.26M and the Town share was \$0.31M which was within the funding budgeted for FY 2013 through FY 2015. The Town was in the process of obtaining construction easements from several property owners and expected to bid out the construction in August or September.

#### **NEW BUSINESS:**

##### **Added Item: *Personnel***

Mayor Proto stated that Heather Arcos submitted her resignation to Council effective September 12, 2014 and asked for a motion to accept her resignation.

**Motion made by Councilman Brown, seconded by Vice Mayor Bannon, to accept Heather Arcos' resignation effective September 12, 2014. The motion was approved by unanimous vote.**

##### **A. *Code 42.3 – Adoption of State Law***

Heather Arcos stated that from time to time, the Code of Virginia was amended regarding safety tactics to protect those traveling the highways, streets and roads in the Commonwealth. Each year a new ordinance must be adopted accepting all amendments to the provisions and requirements set by the Code of Virginia in matters of regulation of motor vehicles and traffic in the Town of Cape Charles and any penalties for traffic violations.

**Motion made by Vice Mayor Bannon, seconded by Councilwoman Natali, to adopt Ordinance 20140717 to Adopt Amendments to the Code of Virginia § 46.2 and Title 16., Chapter 11, Article 9 (§ 16.1-278 Et Seq.) and Title 18.2, Chapter 7, Article 2 (§ 18.2-266 Et Seq.), if any, for Incorporation into the Cape Charles Town Code Chapter 42-Motor Vehicles and Traffic. The motion was approved by unanimous vote. Roll call vote: Bannon, yes; Bennett, yes; Brown, yes; Godwin, yes; Natali, yes; Wendell, yes.**

##### **B. *Appointment of Council Representative to Harbor Area Review Board***

Mayor Proto stated that § 9.7 of the Cape Charles Zoning Ordinance outlined the membership of the Harbor Area Review Board (HARB) which required one representative from the Town Council. Former Councilman Sullivan was the Town Council representative to HARB until the expiration of his term on June 30, 2014. Another representative from the Council needed to be appointed.

**Motion made by Councilwoman Natali, seconded by Councilman Brown, to nominate Councilman Bennett as the Council representative to HARB. There were no other nominations.**

**Motion made by Councilwoman Natali, seconded by Councilman Brown, to close the nominations. The motion was approved by unanimous consent.**

**Hearing no objections, Mayor Proto announced Councilman Bennett's appointment as the Council representative to the Harbor Area Review Board by unanimous consent.**

*C. Reappointment of Library Board Representative*

Mayor Proto stated that the Library Board met monthly and consisted of seven members each serving four-year terms. Kim Dunton currently served on the Board and her term was due to expire on August 8, 2014. Ms. Dunton had expressed her desire in continuing her service on the Library Board for another term.

**Motion made by Councilman Brown, seconded by Councilman Bennett, to reappoint Ms. Kim Dunton to the Library Board for another four-year term. The motion was approved by unanimous consent.**

*D. Designation of Swimming Area at Cape Charles Beach*

Mayor Proto stated that Council briefly discussed the issue of designating a swimming only area at the Cape Charles beach to ensure the safety of swimmers, especially children, and asked staff to research the process. This issue was also reviewed by Council in 2006. Research was done at that time but it did not appear that an application was ever completed.

Code of Virginia § 29.1-734 authorized the placement of markers in waters used for public swimming areas and prohibiting motor boating and waterskiing in marked areas. Cape Charles Town Code § 14-18 also authorized the mayor or police to designate public swimming areas and to mark such with buoys which complied with state and federal law. Mr. Ron West had offered his assistance with the process and provided the Private Aids to Navigation Application. If Council desired to move forward to establish a public swimming area the following was necessary: i) determination of the area, number and depth for placement of the buoys; ii) the latitude and longitude for the designated area; iii) approval from the Army Corps of Engineers (ACE) to place anything on the bottom; and iv) adoption of an ordinance regarding the designation to be submitted with the application. Once final approval was received, the Town could begin placing the markers. Timing could be a factor with the ACE's scheduled dredging and sand placement on the beach. Staff was awaiting a response from the ACE regarding this issue. Once the designated area was marked, the Virginia Marine Resources Commission could assist the Town with enforcement.

There was much discussion regarding the area and enforcement issues.

**Motion made by Vice Mayor Bannon, seconded by Councilman Godwin, to move forward to designate a public swimming area on a portion of the Cape Charles Beach. The motion was approved by majority vote with Councilman Brown opposed.**

Staff would begin the process and provide further information for Council review.

*E. Franchise Agreement*

Heather Arcos stated that by Ordinance 20040413, Council granted a non-exclusive franchise to Bay Creek Communications, LLC for the construction, operation and maintenance of a cable system for a term of 15 years. Bay Creek Communications was formed by interests controlled by Messrs. Richard Foster and Paul Galloway. Bay Creek Communications requested consent to assign the franchise to Chesapeake Bay Communications, LLC which was a new entity to be controlled by the owners of Bay Creek Resort and Club. Management and operation of the system would remain under current staff.

**Motion made by Vice Mayor Bannon, seconded by Councilman Brown, to authorize the Town Manager to execute the franchise assignment to Chesapeake Bay Communications, LLC. The motion was approved by unanimous consent.**

F. *Cape Charles by the Bay Website*

Bob Panek stated that support for the Cape Charles by the Bay marketing was included in the FY2015 budget and a request for quotes was published for contracted services, including hosting the site, updating event information and business listings, incorporating visual and technical improvements, managing an enhanced business listing service, and social media marketing on Facebook, Twitter, etc. Two quotes were received. A contract in the amount of \$9,250 was awarded to Flash of G Marketing whose cost was approximately 11.7% less than the competing quote. The contract allowed for assumption by another organization, such as the Cape Charles Business Association, a tourism commission, economic development corporation, etc.

**MAYOR AND COUNCIL COMMENTS**

Councilmen Brown and Bennett did not have any additional comments.

Vice Mayor Bannon commented as follows: i) Libby Hume spent so much time working on minutes – time which could be better spent on other things. Programs to help with minutes were available but they were expensive. In the meantime, the minutes needed to be scaled down; ii) A number of groups were interested in using the Civic Center. He had spoken with Heather Arcos and the subject was also discussed at a recent Department Head meeting. An issue was raised regarding the equipment in the building. This building was the Town's meeting place and the goal should be to allow the building to be used by individuals and other organizations; and iii) The Town needed to work on the trash pick-up issue for vacation rental properties.

Councilman Godwin expressed his agreement with Vice Mayor Bannon in regards to the minutes and commented that in his neighborhood, the other neighbors helped the owners of vacation rental properties with the trash pick-up.

Councilwoman Natali commented as follows: i) She welcomed Mayor Proto and Councilman Brown to the Town Council adding that she was looking forward to working with them; ii) She had no problem with the Civic Center being used by other organizations and individuals but written guidelines needed to be developed and liability issues needed to be addressed prior to allowing others to use the facility; and iii) She agreed with the issue of trash pick-up for vacation rental properties. Options needed to be provided to the property owners regarding how they could comply without creating a nuisance for neighbors.

Councilman Wendell commented as follows: i) The Town needed to require extra trash receptacles for vacation rental properties; ii) Guidelines for the use of the Civic Center needed to be expedited. The facility was very impressive and should be the Town's meeting hall; iii) He thanked Dave Fauber and the Public Works crew for getting the fishing pier opened back up so quickly and obtaining the grant funding for the repairs; iv) He welcomed Mayor Proto and Councilman Brown and added that it was a good meeting tonight; and v) He was shocked to hear of Heather Arcos' resignation. It was good to see Jim Pruitt, Jeb Brady, Libby Luettinger and Gerald Elliott doing well as Town employees. Although he was glad to see Heather Arcos as an employee, he understood and was glad that she would be working with her family.

Mayor Proto commented as follows: i) This was his first formal Town Council meeting and he thanked all who supported him. He would do the best job that he could to help the Town grow and be the best that it could be. He and his wife bought their property in 2001 and felt that it was a nice place to retire. Everything that had happened since that time confirmed that they made a wonderful decision; ii) He thanked Councilman Wendell regarding the great campaign that he ran for mayor and added that he was looking forward to working with him and all of the members of the Council; iii) Staff was working on a list of upcoming work sessions; and iv) The Civic Center was a wonderful facility and plans were being made to allow the building to be used for other things. Mayor Proto concluded by stating that it was a good meeting with good comments and thanked everyone for attending.

Heather Arcos stated that information regarding the trash issue for vacation rentals was published in the last edition of the Gazette. Staff would also be contacting rental management companies and would continue to work to address the problems.

**ANNOUNCEMENTS**

- July 31, 2014 – Town Council Work Session, 5:30 PM
- August 1-3, 2014 – Clam Slam
- August 1-17, 2014 – Harbor for the Arts
- August 7, 2014 – Town Council Work Session, 6:00 PM
- August 21, 2014 – Town Council Regular Meeting, 6:00 PM

**Motion made by Councilwoman Natali, seconded by Vice Mayor Bannon, to adjourn the Town Council Regular Meeting. The motion was approved by unanimous vote.**

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Mayor Proto

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Town Clerk

DRAFT



**DRAFT**  
**TOWN COUNCIL**  
**Work Session**  
Cape Charles Civic Center  
July 31, 2014  
5:30 PM

At 5:30 p.m., Mayor George Proto, having established a quorum, called to order the Town Council Work Session. In addition to Mayor Proto, present were Vice Mayor Bannon, Councilmen Bennett, Brown and Wendell and Councilwoman Natali. Councilman Godwin was not in attendance. Also present were Town Manager Heather Arcos, Assistant Town Manager Bob Panek, Code Official Jeb Brady and Town Clerk Libby Hume. There were no members of the public in attendance.

Mayor Proto announced the business for the evening would be to discuss commercial connection fees.

Assistant Town Manager Bob Panek stated that Council had previously met to discuss the commercial water and wastewater facility fees at the February 8, 2014 Retreat, a Work Session on March 6, 2014 and a Work Session on June 5, 2014. Based on comments provided by the Council at the last work session, staff developed two alternatives for a new formula and additional changes were incorporated into the proposed modifications to the Town Code §§ 70-35 and 71-42.

Bob Panek reviewed the Class II Connection Charges presentation with the Council. (Please see attached.)

There was much discussion regarding the rates for a 100 room hotel under the current (\$120,840), alternative 1 (\$381,600) and alternative 2 (\$286,200) calculation methods. Bob Panek mentioned that a number of years ago, the developers of the proposed hotel on Route 13 offered the Town \$250K to connect to the Town's wastewater system, so the charge of \$286,200 would not be out-of-line for a hotel of that size. There was some concern regarding the charge deterring hotels from building in Cape Charles. Councilwoman Natali stated that the Planning Commission was currently reviewing possible incentives for a Tourism Zone and added that a hotel would qualify as a tourism-related business and possible incentives could be offered to lower the cost of the facility fee. Council agreed that if a developer was interested in building a 100 room hotel in the area, the Tourism Zone incentives could bring them into Town vs. at the highway. Economic benefits would likely offset any discounts offered under the Tourism Zone incentives.

Council asked about methods used by other localities. Code Official Jeb Brady stated that the localities that he reviewed used meter sizes to determine the charge. Comparisons were reviewed at a previous work session.

Council went on to review the proposed modifications to the Town Code and there was much discussion regarding language in § 70-35 (c) which referred to buildings being converted to a different use and the provision to recalculate a new facility fee based on the new use and either charge an additional amount if higher or refund an amount if lower than the previous use. There was some concern regarding having to refund a large amount of money. Councilwoman Natali pointed out that the monies collected from facility fees were placed in a reserve account specifically for plant expansion, so therefore the refund would come from the reserve account and not the General Fund.

Mayor Proto asked Council for a consensus regarding moving forward. All the Council members were in agreement with alternative 2.

Mayor Proto stated that this item would be on the August 21, 2014 Regular Meeting agenda to schedule a public hearing in September.

**Motion made by Councilman Brown, seconded by Councilman Bennett to adjourn the Town Council Work Session. The motion was unanimously approved.**

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Mayor Proto

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Town Clerk

DRAFT

# Class II Connection Charges

Council Work Session

July 31, 2014

## Class II Connection Charges

- Class II water and wastewater connection charges apply to construction of new commercial or industrial buildings.
- Most of it is the Facility Fee to generate funds for plant capacity.
- Developers view it as a barrier to bringing economic activity to town.
- Reviewed at Retreat (2-8-2014) and Work Sessions (3-6 & 6-5-2014).
- Consensus:
  - ✓ Use realistic usage factors with upward rounding.
  - ✓ Eliminate high and low volume inequity due to Class I floor.
  - ✓ Minimum fee equal to Class I with fewer than 2 bedrooms (\$5,300).
  - ✓ Town Manager to estimate usage for water incorporated into products.
  - ✓ Include provision for a significant change in building use.
  - ✓ Lingering concern over amount of fee for high volume user, e.g., hotel.

## Class II Connection Charges

### Proposed Factors Based on Current Usage (rounded up)

<u>Building Use</u>	<u>Gallons Per Day</u>
Food & Beverage, sit down	10 per seat
Food & Beverage, carry out	115
Lodging	45 per room
Retail Sales	20 up to 5,000 sq ft*
Office	25 up to 5,000 sq ft*
Medical Office	50 per provider
Manufacturing**, Distributing, Service	135 up to 30,000 sq ft*
*plus an increment per additional 1,000 sq ft	
**excluding water incorporated into a product	

## Class II Connection Charges

### Sample Facility Fee Calculations

#### With Minimum (Class I, fewer than 2 BR)

		<u>Unadjusted</u>
• Retail store	\$ 5,300	(1,696)
• Accountant's office	\$ 5,300	(2,120)
• Doctor's office	\$ 5,300	(4,240)
• Ice cream parlor	\$ 9,752	
• Automotive service	\$ 11,448	
• 50 seat restaurant	\$ 42,400	
• 100 room hotel	\$381,600	

## Class II Connection Charges

### Sample Facility Fee Calculations With Minimum & Discounted 25%

		<u>Unadjusted</u>
• Retail store	\$ 5,300	(1,696)
• Accountant's office	\$ 5,300	(2,120)
• Doctor's office	\$ 5,300	(4,240)
• Ice cream parlor	\$ 7,314	(9,752)
• Automotive service	\$ 8,586	(11,448)
• 50 seat restaurant	\$ 31,800	(42,400)
• 100 room hotel	\$286,200	(381,600)

## Class II Connection Charges

### Current vs. Proposed

	<u>Current</u>	<u>Alt. 1</u>	<u>Alt. 2</u>
• Retail store	\$ 21,200	\$ 5,300	\$ 5,300
• Accountant's office	\$ 11,448	\$ 5,300	\$ 5,300
• Doctor's office	\$ 14,840	\$ 5,300	\$ 5,300
• Ice cream parlor	\$ 19,080	\$ 9,752	\$ 7,314
• Automotive service	\$ 11,448	\$ 11,448	\$ 8,586
• 50 seat restaurant	\$ 31,800	\$ 42,400	\$ 31,800
• 100 room hotel	\$120,840	\$381,600	\$286,200

## Class II Connection Charges

- Both alternatives eliminate inequity between low and high volume uses and lower the entry bar for small businesses.
- Both alternatives are competitive with estimates for on-site sewage treatment and water supply for a hotel.
- Alternative 2 is more attractive for a potential hotel. Economic benefits would likely offset 25% discount.
- Infinite number of alternatives by changing discount factor.

## Class II Connection Charges

- Decide on the new formula.
- Draft revision of Town Code, redline & smooth, attached for review.
- Next steps:
  - ✓ Prepare ordinance with revisions.
  - ✓ Set public hearing at August 21 Council Meeting.
  - ✓ Hold public hearing; consider adopting ordinance at Sep. 18 Council Meeting.



**DRAFT**  
**TOWN COUNCIL**  
**Executive Session**  
**Cape Charles Civic Center**  
**July 31, 2014**

**Immediately Following Work Session**

At approximately 6:20 p.m. Mayor George Proto, having established a quorum, called to order the Executive Session of the Town Council. In addition to Mayor Proto, present were Vice Mayor Bannon, Councilmen Bennett, Brown and Wendell and Councilwoman Natali. Councilman Godwin was not in attendance. Town Manager Heather Arcos and Assistant Town Manager Bob Panek were also in attendance.

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

**Specifically:** Real property acquisition opportunity & potential uses

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

**Specifically:** Town Manager position

**Motion made by Vice Mayor Bannon, seconded by Councilman Brown, to return to Open Session. The motion was unanimously approved.**

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; Brown, yes; Natali, yes; Wendell, yes.

**Motion made by Councilman Brown, seconded by Councilman Bennett, to hire Springsted Inc. per their proposal for executive search services for the Town Manager position as discussed. The motion was unanimously approved.**

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

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Mayor Proto

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Town Clerk

**MUNICIPAL CORPORATION OF CAPE CHARLES**  
**TREASURER'S REPORT**  
**July 31, 2014**

**CASH POSITION**

<b>Cash on Hand</b>	<b>6/30/2014</b>	<b>7/31/2014</b>	<b>Increase/(Decrease)</b>
Shore Bank Checking Account	\$603,583	\$596,157	(7,426)
LGIP Account 1- No longer restricted - Utilities	\$97,349	\$97,357	8
LGIP Account 2 - Unrestricted	\$501,885	\$501,927	42
<b>Total Cash On Hand</b>	<b>\$ 1,202,817</b>	<b>\$ 1,195,441</b>	<b>\$ (7,376)</b>

<b>Restricted and Reserved Cash Balance</b>	<b>6/30/2014</b>	<b>7/31/2014</b>	<b>Increase/(Decrease)</b>
Shore Bank Checking Account - Facility Fees Reserved (Utilities)	\$96,597	\$96,597	0
Shore Bank Savings Account - Police Funds	\$1,231	\$1,231	0
LGIP Account 2 - Restricted for USDA loans	\$7,483	\$7,483	0
PNC Account- 2013 Bond Proceeds - Principal	\$958,993	\$958,993	0
PNC Account- 2013 Bond Proceeds - Interest	\$753	\$854	100
US Bank - Reserved per VRA Interest Free Loan Requirements	\$257,582	\$257,584	1
<b>Total Cash Held in Reserve</b>	<b>\$ 1,322,639</b>	<b>\$ 1,322,741</b>	<b>\$ 102</b>
<b>Total Cash - All Accounts</b>	<b>\$ 2,525,457</b>	<b>\$ 2,518,182</b>	<b>\$ (7,275)</b>

**DEBT SERVICE**

<b>Next Debt Service Payments:</b>	<b>Due Date</b>	<b>Amount</b>
2013 PNC Bank	9/1/2014	\$29,322.25
2011 Dodge Charger-final payment	9/23/2013	\$6,429.06

**CREDIT CARD FEES**

<b>General Fund Tax and Utility Credit Card Payment Receipts</b>	<b>MTD</b>	<b>YTD</b>
Credit Card Payments Received	\$15,232.65	\$15,232.65
Credit Card Fees Paid	\$518.21	\$518.21
<b>Fees as a Percent of Collections</b>	<b>3.40%</b>	<b>3.40%</b>

## REVENUE VS. EXPENDITURES

<u>FUND</u>	<u>CURRENT MONTH</u>	<u>PRIOR YEAR-TO-DATE</u>	<u>CURRENT YEAR-TO-DATE</u>	<u>INCREASE/ (DECREASE) YTD</u>	<u>ANNUAL BUDGET</u>	<u>% REALIZED/ EXPENDED FY14</u>
<b>GENERAL</b>						
REVENUES	76,832	158,204	76,832	(81,373)	3,707,715	2.07%
EXPENDED	233,944	147,577	233,944	86,367	3,707,715	6.31%
NET	(157,112)	10,627	(157,112)		0	
<b>PUBLIC UTILITIES</b>						
REVENUES	159,604	116,334	159,604	43,270	1,648,921	9.68%
EXPENDED	113,364	79,775	113,364	33,588	1,648,921	6.88%
NET	46,240	36,559	46,240		0	
<b>HARBOR</b>						
REVENUES	137,451	161,242	137,451	(23,791)	1,157,987	11.87%
EXPENDED	148,748	50,826	148,748	97,922	1,157,987	12.85%
NET	(11,297)	110,416	(11,297)		0	
<b>SANITATION</b>						
REVENUES	15,559	17,544	15,559	(1,984)	171,800	9.06%
EXPENDED	154	610	154	(456)	171,800	0.09%
NET	15,405	16,934	15,405		0	

## FY 2015 Capital Improvement Project Tracking Report

As of:	July 31, 2014	FY15 Budgeted	FY15 QTR 1 Actual Expended	FY15 QTR 1 Actual Expended	FY15 QTR 1 Actual Expended	FY15 QTR 1 Actual Expended	FY15 YTD Actual Unaudited
General Fund							
Dump Truck		\$ 30,000	\$ -	\$ -	\$ -	\$ -	
Cape Chas Multi-Use Trail Phase 2		\$ 1,570,000	\$ -	\$ -	\$ -	\$ -	
Library Building HVAC		\$ 10,000	\$ -	\$ -	\$ -	\$ -	
Furniture and Equip - Civic Center		\$ 18,925	\$ 13,506	\$ -	\$ -	\$ -	
New Phone System		\$ 11,213	\$ -	\$ -	\$ -	\$ -	
Replacement Police Vehicle		\$ 23,200	\$ -	\$ -	\$ -	\$ -	
Shore Scan Products		\$ 8,200	\$ 6,612	\$ -	\$ -	\$ -	
Pine Street Parking Design & Construction Plans		\$ 10,000	\$ -	\$ -	\$ -	\$ -	
<i>subtotal</i>		<b>\$ 1,681,538</b>	<b>\$ 6,612</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
Water Fund		\$ -	\$ -	\$ -	\$ -	\$ -	
Keck wells Engineering & Construction		\$ 60,000	\$ -	\$ -	\$ -	\$ -	
Automati Flush (1/5)		\$ 10,000	\$ -	\$ -	\$ -	\$ -	
Truck (50%)		\$ 7,500	\$ -	\$ -	\$ -	\$ -	
<i>subtotal</i>		<b>\$ 77,500</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
Sewer Fund							
Truck (50%)		\$ 8,100	\$ -	\$ -	\$ -	\$ -	
Pump Station Redesign Engineering		\$ 30,000	\$ -	\$ -	\$ -	\$ -	
Manholes		\$ 100,000	\$ -	\$ -	\$ -	\$ -	
<i>subtotal</i>		<b>\$ 138,100</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>TOTAL</b>		<b>\$ 1,897,138</b>	<b>\$ 6,612</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

**MUNICIPAL CORPORATION OF CAPE CHARLES  
 TREASURER'S NOTES  
 July 31, 2014**

**YTD 2013 Real Estate Tax Collections December 2013-July 2014**

Total Land Value	\$	206,709,800	
Total Improvement Value	\$	<u>203,219,700</u>	
<b>Total Real Estate Value</b>	<b>\$</b>	<b>409,929,500</b>	
<b>as of 7/31/14</b>			
Total Budgeted	\$	1,073,856	
Total Bills Mailed	\$	1,140,276	
Total Collected	\$	<u>1,070,822</u>	94%
<b>Amount Due</b>	<b>\$</b>	<b>69,454</b>	

**YTD 2013 Personal Property Tax, Machinery and Tools Tax, & 2014 License Tax Collections**

<b>Total Personal Property Value</b>	<b>\$</b>	<b>13,783,200</b>	
<b>as of 7/31/14</b>			
Total Budgeted FY14	\$	160,000	
Total Bills Mailed	\$	162,208	
Total Adjustments (will increase)	\$	(1,916)	
Total Collected	\$	<u>128,911</u>	79%
<b>Amount Due</b>	<b>\$</b>	<b>31,380</b>	

**FY 2015 YTD Prior Year Real Estate Tax, Personal Property Tax, Interest and Penalty Collections**

<b>as of 7/31/14</b>			
Total Budgeted FY 2015	\$	85,000	
Total Collected	\$	<u>9,289</u>	11%
<b>Amount Due</b>	<b>\$</b>	<b>75,711</b>	

# Planning Department Report for Town Council

From: Rob Testerman  
To: Town Council  
Date: August 7, 2014  
Subject: Report for Planning Department

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1. There are two options currently being considered for the harbor access road. The recommended option is that 100' of right-of-way width is shown for a two lane facility for the entire project. The second option is that if justified, a traffic study can be conducted for a future four lane facility. VDOT's current traffic study does not justify a four lane facility, if the localities can justify a four lane facility, with documentation, a new traffic study could be undertaken. However, a new study would mean additional time and money, and it still may not justify a four lane facility.
2. The erosion and sediment control plans and site plan for the Cape Charles Lofts have been approved. A land disturbance permit has not yet been issued, as we are awaiting approval from DEQ prior to issuance. The work currently being done is permitted as there is no site work being performed.
3. The Army Corps of Engineers has provided the Town with a summary schedule for construction for the dredging project. Upland site construction is slated to begin October 14, 2014 and end February 25, 2015. Pipeline dredging for the beach and the upland placement of material is scheduled to start January 5, 2015 and finish July 31, 2015. The beach placement is scheduled for the first 3 months of work. The hopper dredging for overboard placement of material from the channel is scheduled to begin January 5, 2015 and finish March 19, 2015.

## Permits Issued

- Zoning Clearance - 4
- Resource Protection Area Delineation – 1
- Zoning Violations - 4

## Planning Commission Meeting – August 5

1. The Planning Commission held its Comprehensive Plan meeting on July 28. All Comprehensive Plan review material can be found on the website.
2. The Planning Commission held its regular meeting Tuesday, August 5.
  - a. The Commission continued discussion on the backyard chicken ordinance, and will likely be scheduling a public hearing in the near future.
  - b. The Planning Commission has its next Comprehensive Plan meeting scheduled for August 25.
  - c. The Planning Commission has scheduled a special meeting immediately following the Comprehensive Plan meeting to continue discussion of the Floodplain Ordinance.

## Historic District Review Board – August 19

1. The HDRB will meet to review and consider approval of a renovation to a single family home on Randolph Avenue.

## Code Enforcement

Month of July FY 2015

### Building Permits Issued/Permit Fees Collected:

Permits this month: 16	
Permits this year: 16	Total permits last year: 269
Total construction this month: \$749,250	
Total construction this year: \$749,250	Total construction last fiscal year: \$6,874,978
Permit fees this month: \$31,988.88	
Total permit fees this fiscal year: \$31,988.88	Total permit fees last fiscal year: \$95,845.65
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: \$12,350	
Total Tap fees this year: \$24,700	Total Tap fees last fiscal year: \$37,050
Fire Dept. levy this month: \$493.79	
Total Fire Dept. levies this year: \$493.79	Total Fire Dept. levies last fiscal year: \$3,343.33
State levy this month: \$98.76	
Total state levies this year: \$98.76	Total state levies last fiscal year: \$943.38
Miscellaneous Revenue: \$0	

### Existing Structures Code Enforcement Cases:

Total Cases: 27	
New this month: 0	
Closed this month: 0	
Rental Inspections: 12	
Rental C.O's Issued: 6	
Rental Inspection fees collected: \$500	
Grass cutting enforcement: 50	
Grass cutting: 10	
Enforcement fees charged this month: \$1,850	
Enforcement fees charged this year: \$4,600	Fees charged last fiscal year: \$10,050
Enforcement fees collected: \$2,910.48	
Enforcement fees collected this year: \$4,183.18	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 July FY 2015

**Other items of note:**

1. Completed 36 inspections
2. Conducted 0 zoning clearances
3. Completed 4 courtesy residential inspections
4. Conducted 3 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. The interior demolition permit has been issued with mobilization to start any time. Some equipment is now on site and some tear out has begun.
11. Construction throughout Town is still increasing with several new homes on the table with start dates within next couple of months.
12. House that burned on Jefferson Avenue has been razed.

08/04/14

# Permit/Construction Fee Report

Map Number	Permit #	Type	Date	Address	Work description	Permit Fee	Value
	PB140052	Building	07/21/2014	3 Bay Vistas Way	New S/F Res	\$15,554.87	\$324,000
	PF140008	Fire Suppresio	07/22/2014	1134 Bayshore Lane	Fireworks Display on August 2, 2014	\$0.00	\$5,000
	PU140003	PU Shallow W	07/08/2014	634 Carousel Place	Shallow Well for Irrigation	\$100.00	\$1,500
083A3-0100-06	PD140001	Demolition	07/23/2014	413 Jefferson Avenue	Demolish Structure due to fire damage	\$50.00	\$4,875
083A1-0100-03	PP140032	Plumbing	07/07/2014	535 Jefferson Avenue	New Sewer Line	\$56.00	\$1,425
	PE140034	Electrical	07/22/2014	516 Madison Avenue	New electrical work due to fire damage	\$56.00	\$1,300
083A3-0100-24	PB140055	Building	07/22/2014	516 Madison Avenue	Interior Demo & Remodel from Fire Damage	\$195.73	\$19,950
	PE140033	Electrical	07/21/2014	619 Monroe Avenue	New Can Lights for Porch	\$56.00	\$500
	PB140053	Building	07/21/2014	11 Peach Street	Tear off/reroof 1 side	\$58.80	\$3,000
083A3-0100-49	PP140033	Plumbing	07/16/2014	127 Peach Street	New On-Site Sewer Line	\$56.00	\$1,100
083A1-0100-05	PB140050	Building	07/11/2014	614 Plum Street	Interior Demo Only due to water damage	\$56.00	\$1,900
	PB140054	Building	07/25/2014	156 Sunset Blvd	New S/F Res	\$15,268.98	\$350,000
	PE140036	Electrical	07/31/2014	145 Sunset Blvd.	Electrical for new S/F Res	\$154.00	\$12,500
	PE140035	Electrical	07/31/2014	145 Sunset Blvd.	100 Amp Temp Pole	\$56.00	\$500
	PE140032	Electrical	07/07/2014	237 Tazewell Avenue	New Electrical for Renovation	\$112.00	\$5,000
083A3-0100-32	PB140051	Building	07/16/2014	653 Tazewell Avenue	Tear off/reroof	\$158.50	\$16,700
<b>Total Permits:</b>						<b>\$31,988.88</b>	<b>\$749,250</b>

**Total Permits: 16**

PerDateIssued Range from 07/01/2014 to  
07/31/2014



**Town Harbor  
Town Council Report  
July, 2014**

August 4, 2014

**Maintenance:**

1. Finished replacing the water line on CG-Dock.
2. Replaced all bad lights bulbs around the harbor.
3. General Repairs to the Bath House

**Upcoming Items that needs to be completed:**

1. Finish painting the fuel tank (In Progress)
2. Re-tighten all cleats on floating docks (In Progress)
3. Replace all broken pile caps
4. Re-nail all rubber bumpers
5. Clean all electrical pedestal bus bars in the inner harbor. (In Progress)
6. Paint the boat ramp parking stripes
7. Begin replacing fuel hoses.

**Capital Projects and Harbor improvements:**

1. Maintenance has been slowed as we now concentrate on customer service.

**Other Items:**

1. Follow us on Face Book (**Cape Charles Town Harbor**) over 1900 likes!!!
2. Current Office Hours – 8 am to 6 pm Monday – Thursday, 8 am – 7 pm Friday, 7 am – 7 pm Saturday, 7 am – 6 pm Sunday.
3. Waiting list – We transferred 0 persons to a Slip assignment. Below is the number of people we have left on the waiting list June 30<sup>th</sup>,

<b>Length</b>	<b>Annual</b>	<b>Seasonal</b>	<b>Total</b>
<b>20ft</b>	2	4	7
<b>24ft</b>	7	4	11
<b>30ft</b>	9	6	15
<b>36ft</b>	5	2	7
<b>45ft</b>	9	2	11
<b>50ft</b>	1	1	2
<b>60ft</b>	2	0	2
<b>Total</b>	<b>35</b>	<b>19</b>	<b>54</b>

**Important Dates:**

1. **September 27<sup>th</sup>, 2014** Stay tuned Music Festival
2. **October 25<sup>th</sup> 2014** – Haunted Harbor
3. **December 31<sup>st</sup> 2014** – Inaugural Dropping of the Crab Pot



# Town Harbor Town Council Report July, 2014

## Total Nights Docked

	2005/2006	2006/2007	2007/2008	2008/2009	2009/2010	2010/2011	2011/2012	2012/2013	2013/2014	2014/2015
July	539.0	900.0	870.0	1090.0	1771.6	1991.9	2535.0	2256.0	2657.5	2466.7
August	871.0	654.0	471.0	1300.0	1759.0	1757.1	2216.4	2356.2	2331.0	0.0
September	539.0	2578.0	2431.0	1123.0	1753.0	1647.9	1845.0	2217.1	1955.0	0.0
October	409.0	945.0	767.0	1311.0	1890.1	1752.9	2073.0	2257.5	2230.2	0.0
November	508.0	731.0	601.0	887.0	1333.7	1790.2	1808.8	2159.9	2048.0	0.0
December	900.0	2513.0	2322.0	1103.0	1587.2	1431.2	1395.9	1783.0	1887.1	0.0
January	972.0	1168.0	1021.0	776.0	1195.0	1287.8	1366.7	1436.0	1282.0	0.0
February	736.0	387.0	564.0	748.0	1008.0	1130.0	1372.5	1264.0	1238.6	0.0
March	5722.0	6278.0	4685.0	2021.0	871.0	1342.1	2662.0	1451.1	1185.9	0.0
April	2052.0	2410.0	2832.0	2827.0	3142.8	2645.6	2290.0	3285.0	2471.3	0.0
May	671.0	798.0	1364.0	1718.0	2141.1	2089.8	2785.9	2531.1	2861.1	0.0
June	3409.0	2960.0	1401.0	2069.0	1610.1	2124.9	2647.0	2985.6	2540.3	0.0
<b>Total</b>	<b>539.0</b>	<b>900.0</b>	<b>870.0</b>	<b>1,090.0</b>	<b>1,771.6</b>	<b>1,991.9</b>	<b>2,535.0</b>	<b>2,256.0</b>	<b>2,657.5</b>	<b>2,466.7</b>
<b>Avg. in Harbor</b>	<b>17.4</b>	<b>29.0</b>	<b>28.1</b>	<b>35.2</b>	<b>57.1</b>	<b>64.3</b>	<b>81.8</b>	<b>72.8</b>	<b>85.7</b>	<b>79.6</b>
<b>% of Capacity</b>	<b>25.57%</b>	<b>42.69%</b>	<b>41.27%</b>	<b>51.71%</b>	<b>84.04%</b>	<b>94.49%</b>	<b>66.48%</b>	<b>59.17%</b>	<b>69.70%</b>	<b>64.69%</b>

### Note:

We had 25.5 hours of hourly docking for July.

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.

## Gallons of fuel Sold

	2005/2006	2006/2007	2007/2008	2008/2009	2009/2010	2010/2011	2011/2012	2012/2013	2013/2014	2014/2015
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	20,891.184
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	0.000
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	0.000
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	0.000
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	0.000
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	0.000
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	0.000
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	0.000
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	0.000
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	0.000
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	23,330.306	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	19,870.361	0.000
<b>Total</b>	<b>108,660.320</b>	<b>146,313.971</b>	<b>115,769.476</b>	<b>78,531.594</b>	<b>115,059.112</b>	<b>113,462.668</b>	<b>165,862.256</b>	<b>183,361.568</b>	<b>176,238.673</b>	<b>20,891.184</b>
<b>YTD Total</b>	<b>6,464.100</b>	<b>12,734.703</b>	<b>12,013.021</b>	<b>7,730.331</b>	<b>10,211.513</b>	<b>11,722.477</b>	<b>26,427.288</b>	<b>30,754.913</b>	<b>30,345.500</b>	<b>20,891.184</b>
<b>YTD Month Avg</b>	<b>6,464.100</b>	<b>12,734.703</b>	<b>12,013.021</b>	<b>7,730.331</b>	<b>10,211.513</b>	<b>11,722.477</b>	<b>26,427.288</b>	<b>30,754.913</b>	<b>30,345.500</b>	<b>20,891.184</b>
<b>YTD Daily Avg.</b>	<b>208.519</b>	<b>410.797</b>	<b>387.517</b>	<b>249.366</b>	<b>329.404</b>	<b>378.144</b>	<b>852.493</b>	<b>992.094</b>	<b>978.887</b>	<b>673.909</b>



# Town Harbor Town Council Report July, 2014

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	2014/2015
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	252,824.0
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	0.0
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	0.0
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	0.0
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	0.0
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	0.0
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	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	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	0.0
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	0.0
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	281,082.5	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	265,910.0	0.0
<b>Total</b>	<b>3,459,433.5</b>	<b>6,674,516.0</b>	<b>39,622,183.3</b>	<b>1,733,198.8</b>	<b>2,497,741.0</b>	<b>3,157,878.5</b>	<b>1,623,026.0</b>	<b>1,626,397.0</b>	<b>1,765,101.0</b>	<b>252,824.0</b>
<b>YTD Total</b>	<b>179,426.5</b>	<b>47,206.0</b>	<b>7,769,560.0</b>	<b>21,478.0</b>	<b>143,590.0</b>	<b>94,956.0</b>	<b>179,508.0</b>	<b>266,770.0</b>	<b>217,139.0</b>	<b>252,824.0</b>
<b>YTD Monthly Avg.</b>	<b>179,426.5</b>	<b>47,206.0</b>	<b>7,769,560.0</b>	<b>21,478.0</b>	<b>143,590.0</b>	<b>94,956.0</b>	<b>179,508.0</b>	<b>266,770.0</b>	<b>217,139.0</b>	<b>252,824.0</b>
<b>YTD Daily Avg.</b>	<b>5,788.0</b>	<b>1,522.8</b>	<b>250,631.0</b>	<b>692.8</b>	<b>4,631.9</b>	<b>3,063.1</b>	<b>5,790.6</b>	<b>8,605.5</b>	<b>7,004.5</b>	<b>8,155.6</b>

# Cape Charles Memorial Library

July 2014

1. Paws to Read, **the 2014 Summer Library Reading Program** began on June 23 and as of today 201 children have signed up to read over the summer!
2. See below for monthly attendance for programs held during July 2014. Special programs with \* are sponsored by the **Friends of the Cape Charles Memorial Library**. Programs **in bold** are outreach.  
See below:

Bonnie Mahl, E.S. Soil & Water Conservation .....	14
Chess Club – weekly.....	16
Eastern Shore Wildlife Refuge –animal habitats .....	29
*Hoopoe-Mime and Magician Chris Yerlig .....	95
Kids Movie Night – weekly .....	61
Kiptopeke State Park – animals of the Park.....	14
Lego Club – every other week .....	9
Paws to Paint – weekly .....	87
Shine and Rise Farm – Organic Farming.....	13
Preschool Storytime - weekly .....	39
Toddler Storytime – weekly.....	61
Teddy Bear Sleepover.....	55
*Virginia Living Museum – Bay creatures.....	32
TOTAL .....	525

3. Our 1<sup>st</sup> Teddy Bear Sleepover was a huge success with 55 participants. After a storytime with juice and cookies children left their stuffed animals at the library for a sleepover.
4. Congratulations to the members of the Chess Club who participated in the Chess Tournament at Kiptopeke Elementary School on July 26.
5. The Cape Charles Memorial Library will be participating in the Harbor for the Arts Festival during the weeks of August 1-17. Our programs will be the Barefoot Puppet Theatre, Story Time with Mermaid Hales, and Storyteller Lynn Ruehlman. Don't miss these great programs!
6. On August 14 we will be presenting program for adults featuring Ron West and the History of the
7. As of today our Facebook page has 434 likes (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

### JULY 2014

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

- Calls for service in Cape Charles: 92
- Calls for service outside of Cape Charles: 20
- Felony arrests: 0
- Misdemeanor Arrests: 8 (see page 2.)
- D.U.I. Arrests: 1
- Traffic Summons: 8 (see page 2.)
- Traffic Warnings (written & verbal): 10
- Parking tickets: 10
- Building Checks: 63
- Assisted Northampton County Sheriff's Office: 15
- Assisted Virginia State Police: 2
- Assisted Federal Agencies: 0
- Assisted Fire & Rescue: 9
- Foot Patrol Hours: 91

The following took place in July:

- Hired Jay Bell as new officer to take position vacated by Greg Rippon.

July arrests:

- Trespassing
- Violation of protective order
- Drunk in public
- Drunk in public
- Possession of marijuana
- Obstruction of justice
- Driving under the influence
- Refusal to submit breath sample

### July summons:

- Speeding 41/25 zone
- Speeding 44/25 zone
- Notice of suspension
- Notice of suspension
- Reckless driving 52/25 zone
- Speeding 41/25 zone
- Speeding 44/25 zone
- No inspection sticker

### Other:

- 11 underage drivers were stopped on golf carts in July and escorted home, officer spoke with parent.

# Public Utilities

## Monthly Report July 2014



### Production Summary

- Miss Utility Tickets: 8
- Emergency Call Outs After Hours and Weekends:
  - Number of times called out: 0
  - Total Man Hours: 0
- Sludge:
- Water: Total Production: 4,866,739
  - High: 249,600
  - Low: 107,400

Average	Raw Water	Finished Water
Hardness	454.4	139.4
Iron	8.68	.014
Manganese	.575	.005

All Data in PPM

- Waste Water:
  - Average Flow 146,000 gpd
  - Maximum 206,000 gpd
  - Total for Month 4,526,000 Gallons
  - Nutrients:
    - Phosphorus Average Limit .3 mg/l annual average
    - Nitrogen Average Limit 4 mg/l annual average

### Personnel

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

### Completed Projects

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

## Public Utilities

### **In Progress**

- Replacement of aging water meters.
- Pumps sent in for repairs:
  - One 4” submersible sewage pump from Mason Ave

### **Upcoming Projects**

- An automatic flush valve will be installed in Heron Point. FY 2015

### **Capital Projects**

- Water:
  - Emergency Generator for Water Plant     \$45k
    - Contract signed and waiting for equipment to be delivered.
  - Engineering for Keck Wells                     \$60k
    - Sign GDH Task Order No.2 Amendment November
    - Environmental study completed.
    - Kick Off meeting June 6<sup>th</sup> with GHD
- Waste Water
  - Channel Grinder for MAPS                     \$50k
    - Engineered as part of the MAPS improvements and Mason Avenue Force Main Project
    - The equipment has been ordered and we are waiting for delivery. Should be sometime in July.

# PUBLIC WORKS

## July 2014

### Dump Fees

- Oyster Landfill: 17 Trips, 11.41Tons @ cost of \$741.75

### Staff Report

- Welcome: Dashon Collins who started July 28<sup>th</sup>
- Tornado hit July 24<sup>th</sup> - Cleared Town roads 1<sup>st</sup>, then assisted @ Cherrystone Campground
- All very busy with day to day tasks and Saturday & Sunday morning tasks

### Completed Projects

- Monthly meter reads to assist Public Utilities Dept.
- Mason Ave gutters cleaned
- Civic Center complete
- Swapped out Town banners to American Flags

### Events

- Parade - July 4<sup>th</sup>
- LOVE @ Beach dedication (July 9<sup>th</sup>)
- Central Park Benefit – Summer of Love (July 19<sup>th</sup>)
- Clam Slam set up for August 1<sup>st</sup> thru 3rd

### In Progress

- Tornado damage clean up
- Beach cleaning
- Manual street gutter cleaning
- Mowing of 9 Town properties
- Golf cart path maintenance
- Trash can maintenance
- Weed spraying
- Star Transit Bus Stop Shelter construction at the Heritage Acres entrance
- Training the new hire

### Upcoming Projects

- Safety training
- Construct new steps to beach from sidewalk @ Jefferson Ave
- Re-paint no parking curbs (yellow) Town wide & handicapped areas (blue) on Mason Ave
- Re-paint Municipal building 1<sup>st</sup> floor entrance & down stairs offices
- P.W. shop office space

## Recreation Department July 2014 Council Report

### Programming and Events

1. Arts and Crafts – The Recreation Department and Cape Charles Baptist church worked together again this summer during Arts and Crafts.
  - A. July 16 – Fish Bowl Paper Plates – 19 children in attendance
  - B. July 23 – Jellyfish mobile – 15 children in attendance
  - C. July 30 – 3 children in attendance
2. Soccer  
June 30 – 16 youth in attendance
3. First Tee
  - A. July 1 – 10 in attendance at the golf course in Quinby and at the YMCA in Onley.
  - B. July 2 – 11 children in attendance at the golf course in Quinby and at the YMCA in Onley.
  - C. July 3 – 9 children in attendance at Central Park in Cape Charles.
4. Adult Book Club  
July 7 – 3 adults in attendance. The group finished up the Immortal Life of Henrietta Lacks. We will be starting The Girls of Atomic City.
5. Field Hockey  
July 7 – 14 youth in attendance.

### Upcoming Programming and Events

1. August 4, 18 – Adult Book Club
2. August 6, 13, 20 and 27 – Arts and Crafts
3. August 7 – Get Fit at New Roots Youth Garden
4. August 8 – Wildlife Refuge
5. August 14, 28 – Scrapbooking
6. August 15 – Bingo
7. August 25 – DARE – Cyberbullying
8. August 26 – 4-H Clover Bud
9. August 28 – Fun with Science

  <b>TOWN OF CAPE CHARLES</b>	<b>AGENDA TITLE:</b> Public Service Authority (PSA) and Regional Wastewater		<b>AGENDA DATE:</b> August 21, 2014
	<b>SUBJECT/PROPOSAL/REQUEST:</b> Southern Node regional wastewater system subcommittee report.		<b>ITEM NUMBER:</b> 7A
	<b>ATTACHMENTS:</b> Processing cost estimates.		<b>FOR COUNCIL:</b> Action (X) Information ( )
	<b>STAFF CONTACT (s):</b> Bob Panek	<b>REVIEWED BY:</b> Heather Arcos, Town Manager	

**BACKGROUND:**

The Public Service Authority (PSA) has been exploring a limited Southern Node service area focused on 68 commercial properties around the US 13/SR 184 intersection. The PSA has been working with the Northampton County Board of Supervisors (BOS) to develop financial options for implementing the system. The capital cost for construction would be financed via a combination of tax revenues from a special tax district and the general fund. The operations cost for the new system would include treatment at the Cape Charles wastewater treatment plant and may include collection system maintenance, meter reading and billing, if the PSA contracts with the Town for these services. These costs would be included in customer service rates in the proposed new service district. The PSA and the BOS have been provided the Town estimates for these operational costs.

**DISCUSSION:**

At the joint BOS/PSA meeting on March 24, 2014, the BOS reaffirmed their support of the PSA and the Southern Node commercial project, and approved creation of a subcommittee of two members each of the BOS, the PSA and Cape Charles to negotiate the provision of treatment services by Cape Charles. The BOS appointed Mr. Hogg and Mr. Hubbard. The PSA appointed Mr. Panek and Mr. Ingram. The Town appointed Ms. Natali and Mr. Brown.

The first PSA subcommittee meeting was held on July 29, 2014. The subcommittee reviewed:

1. The plan for financing the system and cost elements to be included in the service rates.
2. The capability and capacity of the Cape Charles treatment plant.
3. The estimated flow from the new service district.
4. The operations cost estimates provided by the Town.
5. The elements to be included in an agreement between the PSA and the Town (term, maximum flow, annual cost adjustment, sewer use regulations, termination, etc.)

Before proceeding to draft the agreement, the subcommittee agreed to get updated cost estimates for processing from the Town based on more recent experience. Additionally, the Town representatives expressed a desire to obtain concurrence from Council before proceeding.

Attached are the processing cost estimates, original and updated.

**RECOMMENDATION:**

Review the attached and discuss proceeding to negotiate and draft an agreement. If Council wishes to proceed, direct the Town Manager to provide the updated estimates to the PSA. If not, direct the Town Manager to convey that decision to the PSA.

Town of Cape Charles  
 PSA Analysis - Overall Summary for FY 15  
 8/11/2014

Account Description	Annual Cost WWTP	Annual Cost Town of Cape Charles Pump Stations	Total Cost TOCC Pump Stations & WWTP
<b>ANNUAL PERSONNEL COSTS</b> - Salaries & Benefits	\$ 203,823.34	\$ 60,314.19	\$ 264,137.53
<b>ANNUAL WASTEWATER TREATMENT PLANT OPERATIONS &amp; MAINTENANCE</b> - IS, Cleaning, Security, Water Samples, Advertising, Landfill Disposal, Electric, Heating, Postage, Telecomm, Insurance, Equipment, Travel, Office Supplies, Computer, Janitorial, Repair & Maintenance, Engineering, Vehicle & Powered Equip Fuel & Supplies, Uniforms, Books & Subscriptions, Education, Employee Certification, Lab Supplies, Chemicals, Licensing & Fines, Small Hand Tools, Debt Service	\$ 446,304.67	\$ 322,163.02	\$ 768,467.69
<b>TOTAL ANNUAL COSTS</b>	<b>\$ 650,128.01</b>	<b>\$ 382,477.21</b>	<b>\$ 1,032,605.22</b>
<b>ANNUAL BILLING COSTS</b> - Salaries, Benefits, Information Systems, Utility Bills, Postage Utility Bills	\$ 24,234.58	\$ -	\$ 24,234.58
Divide by # of Current Town of Cape Charles Users	\$ 1,080.00		
<b>TOTAL ANNUAL BILLING COST PER USER</b>	\$ 22.44		
Divide by 12 Months	12		
<b>TOTAL MONTHLY BILLING COST PER USER</b>	<b>\$ 1.87</b>		
<b>METER READING FEES - based on 30 meters</b>			
Meter Read - One Total Monthly Base Rate \$30 / Mo x 12 Mos (not per meter)	\$ 360.00		
Meter Read Per Meter - \$5 / Mo x 12 Mos x 30 Meters	\$ 1,800.00		
<b>TOTAL ANNUAL METER READING FEES</b>	<b>\$ 2,160.00</b>		
<b>PUMP STATION FEES</b>			
Daily Check - 1 Pump Station x \$30 per day x 365 days	\$ 10,950.00		
Quarterly Removal & Service of Pumps - \$480 / Quarter	\$ 1,920.00		
<b>TOTAL ANNUAL PUMP STATION FEES</b>	<b>\$ 12,870.00</b>		

- \* Pretreatment Required & Effective Grease Traps Needed
- \* Emergency Repairs During Regular Business Hours Charged at \$60 per Man Hour in Addition to Rates Above
- \* Emergency Repairs After Hours & Weekends Charged at \$90 per Man Hour in Addition to Rates Above
- \* Does Not Include Parts Needed for Repairs at Pump Station
- \* Connection Fees Not Included Above - To Be Discussed
- \* Does Not Include Any Unforeseen Costs Related to this Proposal

**Town of Cape Charles**  
**PSA Analysis - Rate Per Gallon Calculation**  
**8/11/2014**

Total Annual Cost to Operate & Maintain Wastewater Plant	\$ 650,128.01
Divide by 150,000 Gallons Used per Day	<u>150,000</u>
	\$ 4.33
Divide by 365 Days a Year	<u>365</u>
<b>Total Price Per Gallon</b>	<b><u>\$ 0.01187</u></b>
Total Price Per Gallon	\$ 0.01187
PSA Gallons Used Per Day (Approx.)	<u>20,000</u>
<b>Daily Cost to PSA (Approx.)</b>	<b><u>\$ 237.49</u></b>
<b>Monthly Cost to PSA (Approx.) - 30.42 Avg Days/Mo</b>	<b><u>\$ 7,223.64</u></b>
<b>Annual Cost to PSA (Approx.) - 365 Days/Yr</b>	<b><u>\$ 86,683.73</u></b>

Town of Cape Charles  
 PSA Analysis - Rate Per Gallon Calculation  
 9/20/2013

Total Annual Cost to Operate & Maintain Wastewater Plant	\$ 665,138.37
Divide by 150,000 Gallons Used per Day	<u>150,000</u>
	\$ 4.43
Divide by 365 Days a Year	<u>365</u>
<b>Total Price Per Gallon</b>	<b>\$ <u>0.01215</u></b>
Total Price Per Gallon	\$ 0.01215
PSA Gallons Used Per Day (Approx.)	<u>20,000</u>
<b>Daily Cost to PSA (Approx.)</b>	<b>\$ <u>242.97</u></b>
Monthly Cost to PSA (Approx.) - 30.42 Avg Days/Mo	<u>\$ 7,390.43</u>
<b>Annual Cost to PSA (Approx.) - 365 Days/Yr</b>	<b>\$ <u>88,685.12</u></b>

Town of Cape Charles  
 PSA Analysis - Overall Summary  
 9/20/2013

Account Description	Annual Cost WWTP	Annual Cost Town of Cape Charles Pump Stations	Total Cost TOCC Pump Stations & WWTP
<b>ANNUAL PERSONNEL COSTS - Salaries &amp; Benefits</b>	\$ 203,823.34	\$ 90,875.91	\$ 294,699.25
<b>ANNUAL WASTEWATER TREATMENT PLANT OPERATIONS &amp; MAINTENANCE - IS, Cleaning, Security, Water Samples, Advertising, Landfill Disposal, Electric, Heating, Postage, Telecomm, Insurance, Equipment, Travel, Office Supplies, Computer, Janitorial, Repair &amp; Maintenance, Vehicle &amp; Powered Equip Fuel &amp; Supplies, Uniforms, Books &amp; Subscriptions, Education, Employee Certification, Lab Supplies, Chemicals, Licensing &amp; Fines, Small Hand Tools, Debt Service</b>	\$ 461,315.04	\$ 112,792.55	\$ 574,107.59
<b>TOTAL ANNUAL COSTS</b>	\$ 665,138.37	\$ 203,668.46	\$ 868,806.84
<b>ANNUAL BILLING COSTS - Salaries, Benefits, Information Systems, Utility Bills, Postage Utility Bills</b>	\$ 24,234.58	\$ 24,234.58	\$ 48,469.15
<b>METER READING FEES - based on 30 meters</b>			
Meter Read - One Total Monthly Base Rate \$30 / Mo x 12 Mos (not per meter)	\$ 360.00		
Meter Read Per Meter - \$5 / Mo x 12 Mos x 30 Meters	\$ 1,800.00		
<b>TOTAL ANNUAL METER READING FEES</b>	\$ 2,160.00		
<b>PUMP STATION FEES</b>			
Daily Check - 1 Pump Station x \$30 per day x 365 days	\$ 10,950.00		
Quarterly Removal & Service of Pumps - \$480 / Quarter	\$ 1,920.00		
<b>TOTAL ANNUAL PUMP STATION FEES</b>	\$ 12,870.00		

- \* Pretreatment Required & Effective Grease Traps Needed
- \* Emergency Repairs During Regular Business Hours Charged at \$60 per Man Hour in Addition to Rates Above
- \* Emergency Repairs After Hours & Weekends Charged at \$90 per Man Hour in Addition to Rates Above
- \* Does Not Include Parts Needed for Repairs at Pump Station
- \* Connection Fees Not Included Above - To Be Discussed
- \* Does Not Include Any Unforeseen Costs Related to this Proposal

 <p><b>TOWN OF CAPE CHARLES</b></p>	<b>AGENDA TITLE:</b> Commercial Connection Charges		<b>AGENDA DATE:</b> August 21, 2014
	<b>SUBJECT/PROPOSAL/REQUEST:</b> Review proposed modifications to Town Code Sections 70-35 and 71-42 and schedule a public hearing.		<b>ITEM NUMBER:</b> 7B
	<b>ATTACHMENTS:</b> 1. Facility Fee Comparison 2. Draft Ordinance		<b>FOR COUNCIL:</b> Action (X) Information ( )
	<b>STAFF CONTACT (s):</b> Bob Panek & Jeb Brady	<b>REVIEWED BY:</b> Heather Arcos, Town Manager	

**BACKGROUND:**

All but \$1,750 of the water and wastewater connection charges are for the Facility Fee to generate funds for creating plant capacity. In the case of a residential structure (Class I), the Facility Fee equates to \$10,600 of the total charge of \$12,350. Connection charges for commercial structures (Class II) are calculated with a formula using the Class I Facility Fee and water consumption estimates published by the Department of Health. The current formula yields a very large Facility Fee for most small businesses, since it uses the Class I Facility Fee as a floor and unrealistically high consumption factors. The resultant Facility Fee bears little relationship to the plant capacity required to service the business. This has been viewed as a barrier to construction of new commercial properties.

**DISCUSSION:**

Town Council reviewed this issue at the February 8, 2014 Retreat, the March 6, 2014 Budget Work Session and the June 5 and July 31, 2014 Work Sessions. Commercial facility fees from towns ranging in population from 1,487 to 7,727 were reviewed along with their methods of determining fees. The actual water consumption for different types of businesses in Cape Charles was reviewed, and several alternative methods of calculating the commercial Facility Fee were considered. Based on these discussions, there is consensus on the following:

1. Utilize realistic consumption factors based on usage experienced in Cape Charles.
2. Change the formula to: Class I facility fee x residential equivalent x 75% (residential equivalent equals estimated consumption divided by residential consumption of 125 gallons per day).
3. Incorporate a minimum equal to the Class I Facility Fee for a residence having fewer than 2 bedrooms (currently \$5,300).
4. Incorporate a provision for adjusting the fee for buildings being converted to a different use.

The revised method of calculating commercial facility fees would:

1. Bring the fees more in line with plant capacity actually utilized.
2. Largely eliminate the inequity between low and high volume commercial users.
3. Significantly lower the capital investment required for small businesses.

A comparison of the current and proposed Facility Fee for different types of businesses is attached. A draft ordinance containing the proposed modifications to the Town Code §§ 70-35 and 71-42 is also attached.

**RECOMMENDATION:**

Review the proposed revisions to the Town Code and, if Council deems the changes appropriate, schedule a public hearing on the ordinance for September 18, 2014.

# Class II Facility Fee

	<u>Current</u>	<u>Proposed</u>
• Retail store	\$ 21,200	\$ 5,300
• Accountant's office	\$ 11,448	\$ 5,300
• Doctor's office	\$ 14,840	\$ 5,300
• Ice cream parlor	\$ 19,080	\$ 7,314
• Automotive service	\$ 11,448	\$ 8,586
• 50 seat restaurant	\$ 31,800	\$ 31,800
• 100 room hotel	\$120,840	\$286,200

**Sec. 70- 35. Connection Charges.**

- (a) Connection charges shall consist of a connection fee and a facility fee. The connection fee contributes to the costs associated with maintaining the waterworks. The facility fee covers the capital cost of creating waterworks capacity.
- (b) Class I - The connection fee shall be \$875 and the facility fee shall be \$4,000, for a total charge of \$4,875. For residences having fewer than two bedrooms, the charge shall be one-half of that amount.
- (c) Class II – The connection fee shall be \$875. The facility fee shall be calculated on a consumption based formula as follows: Class I facility fee x residential equivalent x 75%. Residential equivalent shall be the estimated daily water consumption rate for the building, as shown below, divided by the residential daily water consumption rate of 125 gallons per day. For buildings with a proposed use not shown below, and for water incorporated into a manufactured or processed product, the Town Manager will develop an estimated daily water consumption rate for approval by the Town Council. In no case shall the facility fee be less than a Class I fee for a residence having fewer than two bedrooms.

<u>Building Use</u>	<u>Gallons Per Day</u>
Food and Beverage, principally sit down	10 per seat
Food and Beverage, principally carry out	115
Lodging	45 per lodging room
Retail Sales	20 up to 5,000 sq. ft., 4 per 1,000 sq. ft. above 5,000
Office	25 up to 5,000 sq. ft., 5 per 1,000 sq. ft. above 5,000
Medical Office	50 per provider
Manufacturing*, Distributing, Servicing	135 up to 30,000 sq. ft., 5 per 1,000 sq. ft. above 30,000

\*excluding water incorporated into a product

For buildings qualifying under chapter 66, article VIII of this Code, the facility fee used in the consumption based formula shall be \$1,375, rather than the Class I facility fee, if construction activity is commenced after the submission of the application or within the ten-year period of tax exemption. For buildings being converted to a different use, a new facility fee shall be calculated and the increment shall be either charged if higher or refunded if lower than the previous use.

- (d) Such charges, plus \$100 for inspection and review fees, shall be paid to the Building Department at the time of building permit issuance, or to the Town Treasurer pursuant to any payment programs authorized by Town Council, prior to the initiation of connection related construction activities.

**Sec. 71- 42. Connection Charges.**

- (a) Connection charges shall consist of a connection fee and a facility fee. The connection fee contributes to the Town’s costs associated with maintaining the treatment works. The facility fee covers the capital cost of creating treatment works capacity.

- (b) Class I - The connection fee shall be \$875 and the facility fee shall be \$6,600, for a total charge of \$7,475. For residences having fewer than two bedrooms, the charge shall be one-half of that amount.
- (c) Class II – The connection fee shall be \$875. The facility fee shall be calculated on a consumption based formula as follows: Class I facility fee x residential equivalent x75%. Residential equivalent shall be the estimated daily water consumption rate for the building, as shown below, divided by the residential daily water consumption rate of 125 gallons per day. For buildings with a proposed use not shown below, and for water incorporated into a manufactured or processed product, the Town Manager will develop an estimated daily water consumption rate for approval by the Town Council. In no case shall the facility fee be less than a Class I fee for a residence having fewer than two bedrooms.

<u>Building Use</u>	<u>Gallons Per Day</u>
Food and Beverage, principally sit down	10 per seat
Food and Beverage, principally carry out	115
Lodging	45 per lodging room
Retail Sales	20 up to 5,000 sq. ft., 4 per 1,000 sq. ft. above 5,000
Office	25 up to 5,000 sq. ft., 5 per 1,000 sq. ft. above 5,000
Medical Office	50 per provider
Manufacturing*, Distributing, Servicing	135 up to 30,000 sq. ft., 5 per 1,000 sq. ft. above 30,000

\*excluding water incorporated into a product

For buildings qualifying under chapter 66, article VIII of this Code, the facility fee used in the consumption based formula shall be \$1,375, rather than the Class I facility fee, if construction activity is commenced after the submission of the application or within the ten-year period of tax exemption. For buildings being converted to a different use, a new facility fee shall be calculated and the increment shall be either charged if higher or refunded if lower than the previous use.

- (d) Such charges, plus \$100 for inspection fees and review fees, shall be paid to the Building Department at the time of building permit issuance, or to the Town Treasurer pursuant to any payment programs authorized by Town Council, prior to the initiation of connection related construction activities.

**ORDINANCE 20140918**  
**REVISING WATER AND SEWER CONNECTION CHARGES**

**WHEREAS**, water and sewer connection charges should be set at a level sufficient to finance the anticipated capital cost of necessary system capacity; and

**WHEREAS**, future growth will necessitate expansion of system capacity; and

**WHEREAS**, the need for system capacity is driven by water consumption demand; and

**WHEREAS**, the current method of calculating Class II commercial connection charges does not bear a consistent relation to water consumption demand; and

**WHEREAS**, improvement of this methodology will correct this situation and alleviate an unnecessary barrier to development of new small businesses; and

**WHEREAS**, it is appropriate to establish connection charges that are fair and reasonable; now

**THEREFORE BE IT ORDAINED** by the Town Council of Cape Charles, this 18<sup>th</sup> day of September, 2014, that Sections 70-35 and 71-42 of the Town Code be revised per the attached.

\*\*\*\*\*

Adopted by the Town Council of Cape Charles on September 18, 2014.

By: \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Town Clerk

 <p><b>TOWN OF CAPE CHARLES</b></p>	<b>AGENDA TITLE:</b> Building Code Board of Appeals Appointments		<b>AGENDA DATE:</b> August 21, 2014
	<b>SUBJECT/PROPOSAL/REQUEST:</b> Reappoint One Member and Appoint New Member to Building Code Board of Appeals		<b>ITEM NUMBER:</b> 8A
	<b>ATTACHMENTS:</b> None		<b>FOR COUNCIL:</b> Action (X) Information ( )
	<b>STAFF CONTACT (s):</b> Jeb Brady, Code Official	<b>REVIEWED BY:</b> Heather Arcos, Town Manager	

**BACKGROUND:**

The Building Code Board of Appeals meets as needed to hear appeals concerning the Uniform Statewide Building Code. The Board consists of five individuals each serving five-year terms.

**DISCUSSION:**

1. Bruce Brinkley currently serves on the Building Code Board of Appeals and his term expires September 10, 2014. Mr. Brinkley has expressed his interest in continuing his service on the Board for another term.
2. Steve Michel, whose term is due to expire on September 10, 2017, resigned from the Building Code Board of Appeals leaving one vacancy on the Board. On July 14, 2017, the Town Council reviewed applications from interested citizens and held interviews for the available positions. Mr. Paul Skolnick has agreed to serve on the Building Code Board of Appeals to complete Mr. Michel's unexpired term.

Mr. Skolnick has also requested to be named as an alternate to the Harbor Area Review Board.

**RECOMMENDATION:**

Staff recommends Council reappoint Mr. Bruce Brinkley for another term and appoint Mr. Paul Skolnick to complete Mr. Michel's unexpired term. Also, if Council deems appropriate, name Mr. Paul Skolnick as an alternate to the Harbor Area Review Board.



TOWN OF  
CAPE CHARLES

**AGENDA TITLE:** 2015 Virginia Aid to Localities – Fire Program

**AGENDA DATE:**  
August 21, 2014

**SUBJECT/PROPOSAL/REQUEST:** 2015 Fire Programs Fund  
Disbursement

**ITEM NUMBER:**  
8B

**ATTACHMENTS:** None

**FOR COUNCIL:**  
Action (X)  
Information ( )

**STAFF CONTACT (s):**  
Heather Arcos, Town Manager

**REVIEWED BY:**  
Heather Arcos, Town Manager

**BACKGROUND:**

Each year, the Virginia Fire Programs Fund provides financial assistance to cities, counties and incorporated towns by offering a variety of grant opportunities. The Virginia Fire Programs Fund is derived from 1% of fire-related insurance coverage. Approximately 75% of the total fund goes directly to cities, counties and incorporated towns as Aid to Localities for training, construction of training centers, firefighting equipment and protective clothing. Allocations are based on population.

**DISCUSSION:**

In previous years, the Town has received \$8,000 as a pass-through to the Cape Charles Volunteer Fire Company (CCVFC) and this amount has regularly been included in the Town's annual budgets. The amount was increased to \$10,000 effective July 1, 2013. Another \$10,000 has been included in the FY 2014-2015 budget.

The FY 2015 Fire Programs Fund Disbursement Agreement must be signed in order to receive the Aid to Locality funding.

**RECOMMENDATION:**

Staff requests Council approval authorizing the Town Manager to execute the FY 2015 Fire Programs Fund Disbursement Agreement.