



TOWN COUNCIL

Regular Meeting

October 16, 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. Clam Slam Committee Presentation
 - *B. Friends of the Cape Charles Memorial Library Proclamation – National Friends of Library Week
 - C. Holly Carpenter, U.S. Army Corps of Engineers
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. Backyard Chicken Ordinance
8. New Business
 - *A. Pine Street Parking Lot
 - *B. Fuel Services Contract Award
 - *C. Waste Collection and Disposal Services Contract Extension
 - *D. Re-appointment of Planning Commissioners
 - *E. Re-appointment of Board of Zoning Appeals Member
 - *F. Appointment to Harbor Area Review Board
9. Mayor & Council Comments (5 minutes per speaker)
10. Announcements
 - October 25, 2014 – Trick or Treat with Pirate Pete, Town Harbor
 - October 28, 2014 – Mayor's Office Hours, Civic Center, 6 p.m. – 8 p.m.
 - November 6, 2014 – Town Council Work Session
 - November 11, 2014 – Town offices closed in observance of Veterans' Day
 - November 13, 2014 – Town Council Work Session
 - November 20, 2014 – Town Council Regular Meeting
11. Adjourn at 8:00 P.M.



Clam Slam 2014

August 1st – 3rd

CHRIS GLENNON
PHOTOGRAPHER

Clam Slam 2014 Committee

- Chairman – Smitty Dize
- Kids Recreation & Entertainment – Jen Lewis
- Arts and Craft Vendors – Joan Natali
- Food Vendors – Beth Davis
- Music – Luis “Cheech” Perez
- Parade – Marie and Jeb Brady
- Volunteers – Andrew Spencer
- Races and Contest – Smitty & Jen
- Set up/ Take Down – Pete Leontieff
- Public Safety and Security – Jimmy Pruitt
- Sponsorship – Smitty
- Budget/ Income/Expense – Deborah Pocock

Kids Recreation & Entertainment

Don Fogle provided kids entertainment throughout the event and Mermaid Hales provided face painting all the while we had a dancing pig moseying about the grounds. The bouncy houses showed up late on Friday but cancelled for Saturday & Sunday due to the forecast, as it was calling for a wash out.



Arts and Crafters

- All-in-all, we had a good turnout for arts and craft vendors as 20 out of 26 registered showed. The weather played a big role as some vendors choose not to take a chance on the rain. We had two non-profits – The Virginia Waterman’s Memorial on the Eastern Shore and the Eastern Shore Medical Reserve Corps. We also had two town businesses set up, Moonrise Jewelry and Bailey’s Bait and Tackle. We also had the “LOVE” sign on-site.

Food and Beverages

- All the food vendors showed and most vendors did okay on Saturday and Sunday. This area had two non-profits as the Fire Department sold food and Citizens for Central Park sold Margaritas. We are still in search of more vendors to sell more items with clams.

Medical Corps and Love Sign



Music for Clam Slam

- Friday's music began with Emily Guemple and ended with JP3
- Saturday's music had a nice mixture of varying genres beginning with Jake and Sarah Golibart, then Melinda and the Benders, finishing up with On the Bus.
- Sunday before the Boat Docking we had more Emily Guemple and afterwards to close down the weekend, Gina Dalmas and the Cow Tipping Playboys entertained the crowd.
- Clam Slam 2015 – has already been contacted by Mercy Creek to perform.



Races and Contests

Inaugural Clam Eating Contest



4th Annual Corn Hole Contest



Races and Contests

4th Annual Smith Island Skiff Races



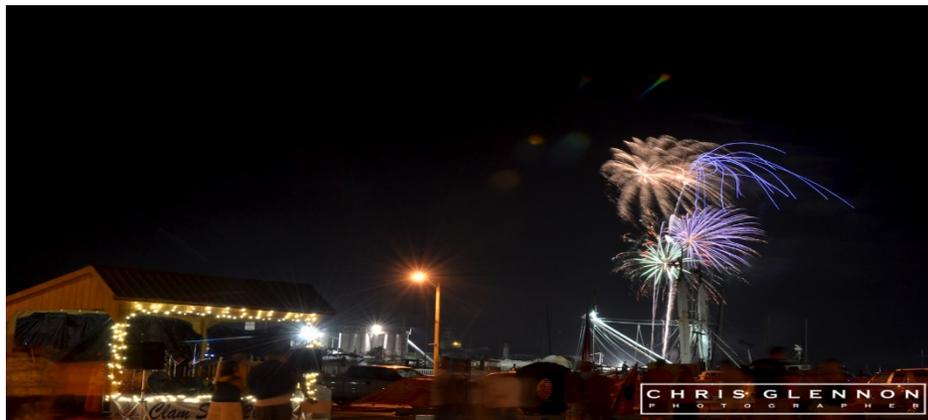
4th Annual Crab Pot Cork Race



4th Annual Boat Docking Contest



This Year We Added Fireworks Saturday Night.



Sponsors and VIPs

- 42 Sponsors
- 4 new ones for next year already
- The VIP Section was a hit
- Also put their logos on the front of their shirts



FINANCIAL REPORT Event Only

CLAM SLAM 2014

10/7/2014

	Budgeted	Actual
HARBOR FUND Revenue	\$48,400.00	
Clam Slam Special Event Sponsorships		\$19,780.00
Clam Slam Admissions	\$0.00	\$19,530.00
Vendor Fees	\$0.00	\$1,125.00
Beer Sales	\$0.00	\$9,736.00
HARBOR FUND Revenue Total	\$48,400.00	\$50,171.00

FINANCIAL REPORT WITH HARBOR BUSINESS

CLAM SLAM 2014

10/7/2014

	Budgeted	Actual
HARBOR FUND Revenue	\$48,400.00	
Clam Slam Special Event Sponsorships		\$19,780.00
Clam Slam Admissions	\$0.00	\$19,530.00
Vendor Fees	\$0.00	\$1,125.00
Beer Sales	\$0.00	\$9,736.00
Transient Docking		\$5,432.90
Fuel Sales		\$17,195.82
Ice Sales		\$105.72
T-Shirt Sales		\$715.45
HARBOR FUND Revenue Total	\$48,400.00	\$73,620.89

FINANCIAL REPORT Event Only

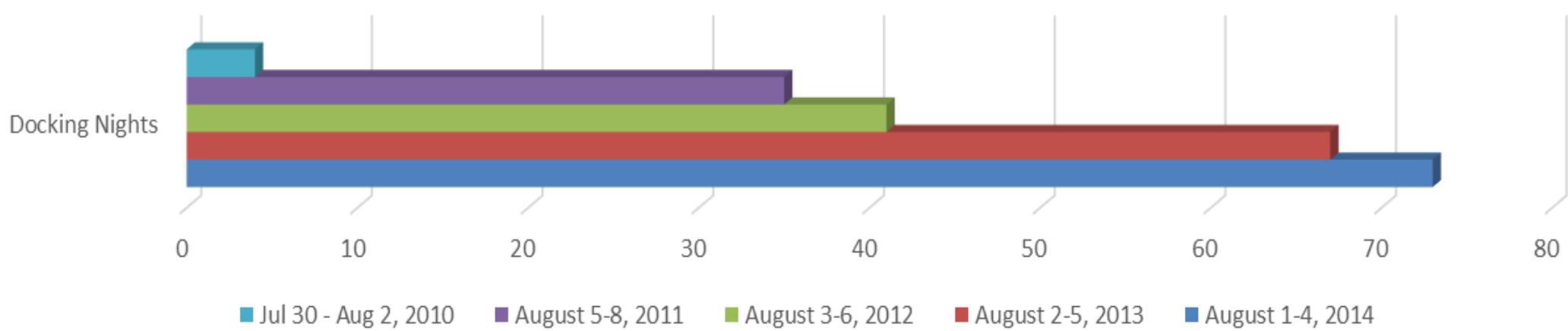
FINANCIAL REPORT WITH HARBOR BUSINESS

CLAM SLAM 2014

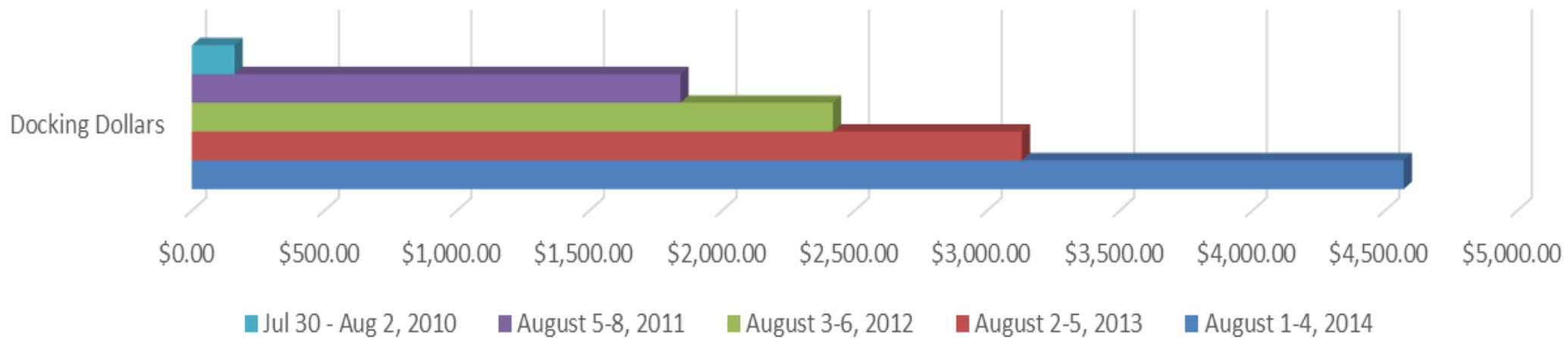
CLAM SLAM 2014

	Budgeted	Actual		Budgeted	Actual
HARBOR FUND CLAM SLAM EXPENDITURES	\$47,683.00		HARBOR FUND CLAM SLAM EXPENDITURES	\$47,683.00	
Fireworks		\$5,000.00	Fireworks		\$5,000.00
Advertising - Posters	█	\$140.00	Advertising - Posters	█	\$140.00
Advertising - Face Book		\$155.05	Advertising - Face Book		\$155.05
Advertising - Newspaper		\$287.50	Advertising - Newspaper		\$287.50
Advertising -Banners and Signs	█	\$1,493.71	Advertising -Banners and Signs		\$1,493.71
Parade - Shriners (Canceled - \$275)		\$0.00	Parade - Shriners (Canceled - \$275)		\$0.00
Emcee clam eating		\$150.00	Emcee clam eating		\$150.00
Emcee Skiff Race		\$150.00	Emcee Skiff Race		\$150.00
Skiff Race Entries (8x \$50)		\$400.00	Skiff Race Entries (8x \$50)		\$400.00
Emcee Boat docking		\$600.00	Emcee Boat docking		\$600.00
Boat Docking Race Entries (8 x \$300)		\$2,400.00	Boat Docking Race Entries (8 x \$300)		\$2,400.00
Bands/Music		\$3,150.00	Bands/Music		\$3,150.00
Band Food vouchers		\$156.00	Band Food vouchers		\$156.00
Don Fogel - Children's Entertainer		\$200.00	Don Fogel - Children's Entertainer		\$200.00
Prizes - Clam Slam Cork Races		\$30.00	Prizes - Clam Slam Cork Races		\$30.00
Prizes-Trophies & \$75 Gift Certificate		\$2,404.60	Prizes-Trophies & \$75 Gift Certificate		\$2,404.60
Prizes for Races - Money Orders		\$14,100.00	Prizes for Races - Money Orders		\$14,100.00
Money Order Fees (prizes and gas \$)		\$35.65	Money Order Fees (prizes and gas \$)		\$35.65
ABC License		\$135.00	ABC License		\$135.00
Tickets/wrist bands		\$360.33	Tickets/wrist bands		\$360.33
Beer and supplies		\$4,228.00	Beer and supplies		\$4,228.00
Wine		\$292.25	Wine		\$292.25
Sponsor shirts		\$680.00	Sponsor shirts		\$680.00
VIP Food - BBQ		\$500.00	VIP Food - BBQ		\$500.00
VIP Food - Clams, etc		\$2,870.00	VIP Food - Clams, etc		\$2,870.00
Tents		\$3,050.00	Tents		\$3,050.00
Security - Contract Labor	█	\$2,230.50	Security - Contract Labor		\$2,230.50
Town Labor - Rec & Public Works - Clam Slam	█	\$1,154.56	Town Labor - Rec & Public Works - Clam Slam	█	\$1,154.56
Town Labor - Harbor Staff - Clam Slam	█	\$1,551.29	Town Labor - Harbor Staff - Clam Slam	█	\$1,551.29
Staff Shirts		\$600.00	Staff Shirts		\$600.00
Photography		\$700.00	Photography		\$700.00
Drinks for volunteers (water/sodas)	█	\$39.46	Drinks for volunteers (water/sodas)	█	\$39.46
Office/Misc. Supplies	█	\$136.20	Office/Misc. Supplies	█	\$136.20
Rebar - Fencing		\$390.00	Rebar - Fencing		\$390.00
Air Horn		\$16.80	Air Horn		\$16.80
HARBOR FUND Clam Slam Expenditure Total	\$47,683.00	\$49,786.90	HARBOR FUND Clam Slam Expenditure Total	\$47,683.00	\$49,786.90
			Fuel Cost		\$15,774.89
			Ice Cost		\$56.52
			T-shirt cost		\$483.25
HARBOR FUND Clam Slam Expenditure Total	\$47,683.00	\$49,786.90	HARBOR FUND Net Income/(Loss)	\$717.00	\$7,519.33

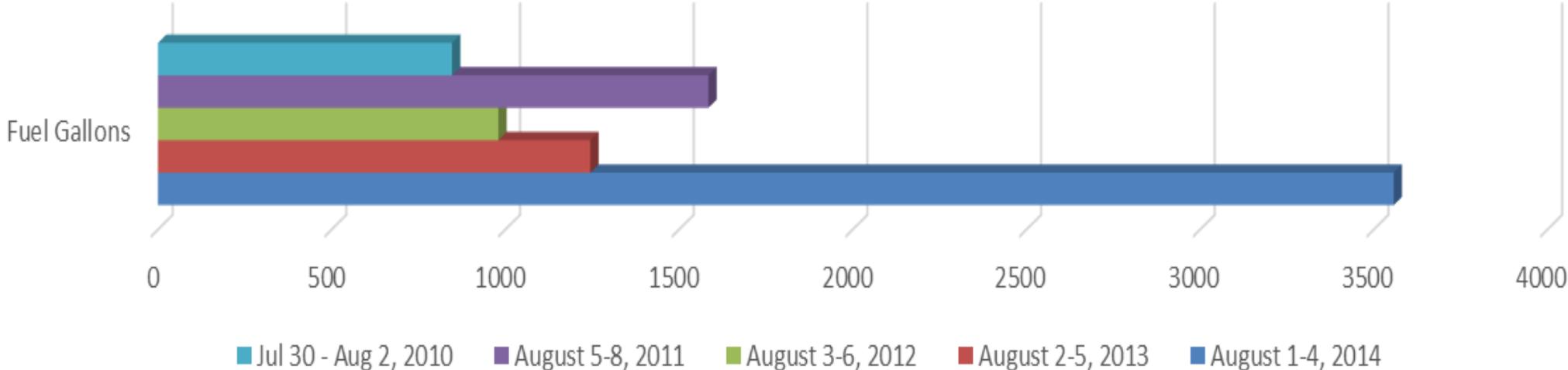
Nights Docking



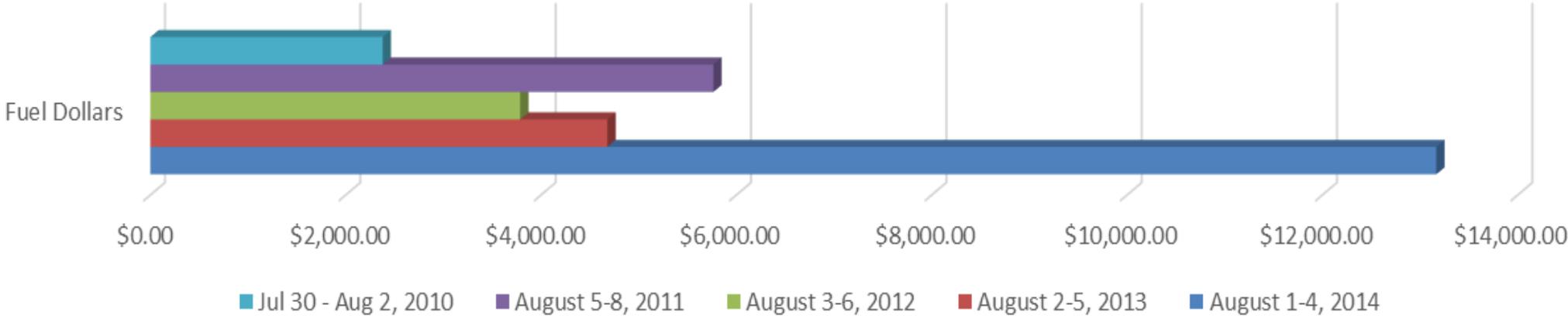
Total Docking Amount



Gallons Sold



Total Fuel Amount



Overall

- Planning has already begun for the 2015 event.
- Areas to improve:
 - Boat Ramp Parking lot
 - More music
 - Better sound system for contests
 - More attendees
- Need permission to begin to move forward

Questions or comments?

 <p>TOWN OF CAPE CHARLES</p>	AGENDA TITLE: Friends of the Cape Charles Memorial Library Proclamation		AGENDA DATE: October 16, 2014
	SUBJECT/PROPOSAL/REQUEST: Proclamation recognizing the Friends of the Cape Charles Memorial Library during National Friends of Libraries week		ITEM NUMBER: 3B
	ATTACHMENTS: Proclamation 20141016		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Bob Panek	REVIEWED BY: Bob Panek, Interim Town Manager	

BACKGROUND:

October 19-25, 2014 is the ninth annual National Friends of Libraries Week.

DISCUSSION:

This is an opportunity to recognize and celebrate the Friends of the Cape Charles Memorial Library for their continued help and support through programs and services to the Library and to the community. The Friends group formed in 2003 and since then has offered support through sponsoring, promoting and funding the Cape Charles Memorial Library.

RECOMMENDATION:

Staff recommends Council review and approve Proclamation 20141016 to recognize the Friends of the Cape Charles Memorial Library during National Friends of Libraries Week.

Town of Cape Charles Proclamation 20141016

**Recognizing the Friends of the Cape Charles Memorial Library
during National Friends of Libraries Week October 19-25, 2014**

WHEREAS, Friends of the Cape Charles Memorial Library raise money that enables our library to move from good to great -- providing the resources for additional programming, much needed equipment, support for children's summer reading, and special events throughout the year;

WHEREAS, the work of the Friends highlights on an on-going basis the fact that our library is the cornerstone of the community providing opportunities for all to engage in the joy of life-long learning and connect with the thoughts and ideas of others from ages past to the present;

WHEREAS, the Friends understand the critical importance of well funded libraries and advocate to ensure that our library gets the resources it needs to provide a wide variety of services to all ages including access to print and electronic materials, along with expert assistance in research, readers' advisory, and children's services;

WHEREAS, the Friends' gift of their time and commitment to the library sets an example for all in how volunteerism leads to positive civic engagement and the betterment of our community;

NOW, THEREFORE, BE IT RESOLVED THAT I, George Proto, Mayor of the Town of Cape Charles, proclaim October 19-25, 2014, as Friends of Libraries Week in Cape Charles, Virginia and urge everyone to join the Friends of the Cape Charles Memorial Library and thank them for all they do to make our library and community so much better.

In witness whereof, I have hereunto set
my hand and caused the official seal of the
Town of Cape Charles to be affixed this
16th day of October, 2014.

Mayor George Proto

ATTEST:

Town Clerk



DRAFT
TOWN COUNCIL
Public Hearing
Civic Center
September 18, 2014
6:00 p.m.

At 6:00 p.m. Mayor George Proto, having established a quorum, called to order the Public Hearing of the Town Council. In addition to Mayor Proto, present were Vice Mayor Bannon, Councilmen Bennett, Brown, Godwin and Wendell, and Councilwoman Natali. Also in attendance were Interim Town Manager Bob Panek and Town Clerk Libby Hume. There were 18 members of the public in attendance.

Mayor Proto announced that the evening's Public Hearing was to hear public comment regarding the proposed modifications to the Cape Charles Town Code Sections 70-35 and 71-42 regarding connection charges for water and wastewater services. This item would be discussed and brought to a vote for adoption at the regular meeting immediately following the public hearing.

Interim Town Manager Bob Panek gave an overview presentation of the proposed changes.

Mayor Proto opened the floor to public comments.

PUBLIC COMMENTS:

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

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

Mayor Proto

Town Clerk



**DRAFT
TOWN COUNCIL
Regular Meeting
Civic Center
September 18, 2014
Immediately Following Public Hearing**

At approximately 6:15 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 Vice Mayor Bannon, Councilmen Bennett, Brown, Godwin, Wendell and Councilwoman Natali. Also in attendance were Interim Town Manager Bob Panek, and Town Clerk Libby Hume. The majority of the Department Heads were in attendance as well as 18 members of the public.

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

PUBLIC COMMENTS:

Meredith Restein, owner of Moonrise Jewelry on Strawberry Street

Ms. Restein addressed the Town Council regarding the sign ordinance and requested that the Council consider the temporary suspension of enforcement of off-premise signs until a way-finding sign could be constructed. The sandwich board-type signs that were placed at the corner of Mason Avenue and Strawberry Street did not pose a hazard to vehicular traffic or pedestrians and attracted a lot of foot traffic for her business.

Suzanne Golibart, owner of Periwinkles on Strawberry Street

Ms. Golibart also addressed the Town Council requesting the temporary suspension of enforcement of off-premise signs until another solution could be found. Ms. Golibart had polled her customers regarding how they found her store and 75% of the customers stated that they saw the sandwich board sign on the corner of Mason Avenue.

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

RECOGNITION OF VISITORS / PRESENTATIONS

A. *Joan Prescott and Dave Steward, Eventacular, Inc.*

Ms. Prescott, President of Eventacular, Inc., announced that the organization received a notice from the IRS granting them 501c3 status which would help with their fundraising efforts and their ability to obtain grants. Eventacular, Inc. was founded by a group of other organizations, including the Cape Charles Business Association (CCBA), Bay Creek, and the Northampton County Chamber of Commerce, and the Town had two delegates on the Board, Recreation Coordinator Jen Lewis and Councilwoman Joan Natali. Mayor Proto added that there were two members from the CCBA on the Board as well. Ms. Prescott introduced Dave Steward, Executive Director of Eventacular, Inc. and Chairman of the Tall Ships at Cape Charles who presented the summary impact report on Tall Ships at Cape Charles which was held on June 14-15, 2014. (Please see attached.)

CONSENT AGENDA – APPROVAL OF AGENDA FORMAT:

Mayor Proto stated that Jen Lewis asked that her report be moved to the beginning of the Department Reports since she had an activity scheduled.

Mayor Proto asked if anyone had any objections to the proposed changes in the agenda. Hearing no objections, the agenda format was approved as modified by unanimous consent.

CONSENT AGENDA – APPROVAL OF MINUTES:

The Town Council reviewed the minutes of the August 21, 2014 Regular Meeting, the August 21, 2014 Executive Session, the September 4, 2014 Work Session and the September 11, 2014 Work Session.

Motion made by Vice Mayor Bannon, seconded by Councilwoman Natali, to approve the minutes from the August 21, 2014 Regular Meeting, the August 21, 2014 Executive Session, the September 4, 2014 Work Session and the September 11, 2014 Work Session as presented. The motion was approved by unanimous consent.

DEPARTMENT REPORTS:

H. *Recreation Department:*

Recreation/Community Events Coordinator Jen Lewis stated that she, Town Clerk Libby Hume and Assistant Town Clerk Amanda Hurley met and drafted a Use of Facility Form and Rules and Regulations for the Civic Center. A copy of the form was distributed to the Council for their review with a request to notify Libby Hume or herself of any comments or recommended changes.

A. *Treasurer's Report:*

Accountant Jerry Murphy reviewed the Treasurer's report dated August 31, 2014 which showed the Total Cash on Hand of \$998,750, the Total Cash Held in Reserve was \$1,366,105 and the Total Cash – All Accounts was \$2,364,855. Jerry Murphy went on to review the Debt Service, Credit Card Fees, Revenue 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 3-Year Revenue Comparison Graph.

Councilman Bennett asked that the projected date of contract award be added to the Capital Improvement Projects Report.

Motion made by Councilman Brown, 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) The Army Corps of Engineers Harbor upland site cleanup for the dredging project was expected to go out to bid next week; ii) The Planning Commission Comprehensive Plan Work Session scheduled for September 22nd was cancelled due to a conflict in Elaine Meil's schedule; iii) A Town Council and Planning Commission Joint Work Session was scheduled for September 25th regarding the proposed chicken ordinance; iv) The Planning Commission continued discussion on the proposed Tourism Zone and would be reviewing draft language at their October 7th meeting; and v) The Historic District Review Board met on September 16th and approved a new home on Jefferson Avenue and a renovation for 9 and 11 Monroe Avenue.

Councilman Bennett asked about the status of the Harbor Access Road. Rob Testerman stated that he had not received any new information from VDOT. Interim Town Manager Bob Panek added that VDOT was currently performing staff work.

C. *Code Enforcement:*

Code Official Jeb Brady reported that he received a Building and Zoning Activity Report from Northampton County comparing construction activity during the first 8 months of 2014 to the same period in 2013. The report showed the construction in the County being down 39% overall whereas the construction within the Town had increased 183% overall.

D. *Town Harbor:*

Harbor Master Smitty Dize reported the following: i) The Fuel Service contract was put out to bid last week with a submittal deadline of October 3, 2014. The item would be brought to Council for contract award at the October 16th meeting; ii) The El Galeon Andalucia was in port earlier in September and had about 100-150 visitors while it was here. The crew hoped to be back in Town sometime next year; and iii) Jon Dempster was holding a music festival by The Shanty on September 27th. He had booked 8 bands and was expecting around 500 people. Tickets were \$15 in advance and \$20-at the door.

E. *Cape Charles Memorial Library:*

Librarian Ann Rutledge was not in attendance.

F. *Police Department:*

Police Chief Jim Pruitt reported the following: i) Officer Jake Leuer completed his field training; and ii) A new officer, Tom Potts, was hired and would be starting next week. He previously worked for the Town of Exmore; most recently worked for the Town of Eastville, and had 20+ years of experience.

G. *Public Utilities/Public Works Departments:*

Public Utilities/Public Works Director Dave Fauber reported that staff looked at about 20 of the worst manholes in Town after the heavy amounts of rain received over the last weeks and found 5 manholes with infiltration issues which was promising. He expected to start the manhole project in October or November. He was currently reviewing products from a number of companies.

Councilman Bennett noted the number of gallons in production for the water and wastewater plants adding that it was unusual for the wastewater production to be higher than the water plant. Dave Fauber stated that he felt the increase was due to the heavy amounts of rain over the last few weeks.

OLD BUSINESS

A. *PSA/Regional Wastewater – Negotiation of Processing Agreement*

Interim Town Manager Bob Panek stated that Council held a work session on September 11, 2014 and discussed the updated treatment costs and aspects of an agreement in detail. A consensus was reached among a majority of Council regarding cost, elements of an agreement, and goals to be achieved in negotiating an agreement. Bob Panek stated that at the PSA Board meeting on September 16th, the engineers provided a revised cost estimate of \$2.7M which was an increase from \$1.8M as previously discussed. The PSA Board members would continue discussions with the engineers regarding the reasons for the cost increase. Council reviewed a proposed motion outlining the discussions from the work session.

Motion made by Vice Mayor Bannon seconded by Councilman Godwin, to authorize the Cape Charles representatives to the PSA subcommittee to proceed to negotiate the terms of an agreement to provide wastewater treatment services under the following guidelines: i) price of \$0.015 per gallon; ii) elements of an agreement to include but not be limited to: scope of services, sewer use regulations, maximum volume and adjustment, price of services, procedure to adjust prices, billing and payment for services, facility fees, term of agreement, and termination procedures; iii) should an agreement on treatment price appear probable, include other services such as meter reading, pump station maintenance, etc. that would further offset Cape Charles' fixed costs; and iv) goals of promoting economic development mutually beneficial to both the Town and the County guided by a new County zoning overlay district on US 13 and SR 184 including processes by which the Town may influence future development in the district, reducing the Town wastewater bill by the maximum amount consistent with an acceptable price for services to the PSA, and preparing financially for future wastewater and water infrastructure expansion. A negotiated agreement would be

brought back to Council for review. The motion was approved by majority vote with Councilman Wendell opposed.

B. *Cape Charles Community Trail – Phase 2*

Bob Panek stated that Land Studio, PC, submitted the 100% design documentation, including the bid package, to VDOT for review on May 1, 2014 and was close to obtaining VDOT approval. The Threatened and Endangered Species update was the last significant step before requesting VDOT approval to advertise for construction bids, but Land Studio would have to subcontract the effort to a consultant having access to the appropriate agency databases. A contract change order not to exceed \$2K had been proposed. December 1, 2014 was the projected date to bid the project. The project cost estimate was \$1.57M, including design, engineering, construction, administration and inspection. The Federal share was \$1.26M and the Town share was \$0.31M, which was within the funding budgeted for Fiscal Years 2013 through 2015.

Motion made by Councilman Brown, seconded by Vice Mayor Bannon, to authorize the Interim Town Manager to execute the change order as discussed. The motion was approved by unanimous consent.

C. *Town Code Modifications – Commercial Connection Charges*

Bob Panek stated that the Town Council had reviewed this issue at several work sessions and a public hearing was held earlier this evening on the proposed ordinance and no comments were heard.

At the last meeting, Council had requested alternates in the formula to show discount factors of 50% and 60%. Council could opt for one of the alternate calculations without having to schedule another public hearing since the final amount would be a lesser amount than advertised.

Council reviewed the proposed modifications to Town Code Sections 70-35 and 71-42.

Motion made by Councilman Brown, seconded by Vice Mayor Bannon, to adopt Ordinance 20140918 Revising Water and Sewer Connection Charges. Mayor Proto moved for adoption of Ordinance 20140918 as noticed and forewent reading of the ordinance. The motion was approved by unanimous vote. Roll call vote: Bannon, yes; Bennett, yes; Brown, yes; Godwin, yes; Natali, yes; Wendell, yes.

NEW BUSINESS:

A. *Constitution Week Proclamation*

Bob Panek stated that Constitution Week was an American observance to commemorate the adoption of the United States Constitution and the observance ran annually from September 17 to September 23. The Town adopted a proclamation each year acknowledging Constitution Week. This year marked the 227th anniversary of the actual signing of the Constitution.

Motion made by Councilman Godwin, seconded by Councilwoman Natali, to adopt Proclamation 20140918 Designating September 17-23, 2014 as Constitution Week in the Town of Cape Charles. The motion was approved by unanimous vote. Roll call vote: Bannon, yes; Bennett, yes; Brown, yes; Godwin, yes; Natali, yes; Wendell, yes.

B. *Off-Premise Sign Regulations – Schedule Public Hearing*

Rob Testerman stated that in the current sign regulations an “off-premise sign” was defined as a billboard which was prohibited in the Town. By definition, the sandwich board type signs advertising the businesses on Strawberry Street were considered billboards. Without these signs, businesses on side streets, such as Strawberry, Peach and Nectarine, got overlooked by visitors as the shops were not as visible as those on Mason Avenue. Rob Testerman stated that he did not think the Town intended a hardship for businesses located on the side streets. Previously, there had been discussion regarding the installation of a way-finding sign near the

intersection of Mason Avenue and Strawberry Street to draw attention to, and point visitors in the direction of the additional shops in Town. Staff was revisiting the possibility of having such a sign installed. In order to enforce the regulations, and at the same time avoid negatively impacting businesses in Town, Town Council could temporarily suspend a portion of the sign regulations until such time that a way-finding sign was constructed or the sign regulations were revisited. The businesses on the side streets would be permitted to place their portable signs to attract foot traffic of customers who might otherwise not realize the businesses were there. The signs would be limited to ten square feet in area and business owners would be required to remove the signs at the end of each business day. A public hearing must be held prior to any changes being made to the zoning ordinance.

Council was satisfied with the language of the proposed ordinance except for the distance limitation which would be revised by staff.

Motion made by Councilman Bennett, seconded by Councilman Brown, to schedule a public hearing on October 16, 2014 preceding the regular meeting to hear comments regarding the proposed temporary suspension of certain regulations contained in Cape Charles Zoning Ordinance Section 4.1.-Sign Regulations. The motion was approved by unanimous consent.

Discussion continued regarding this issue with several members of Council concerned that the October meeting would be too late. It was noted that the Eastern Shore Birding & Wildlife Festival and Fall Festival were scheduled to begin October 10th and it would benefit these businesses to be able to place their signage on Mason Avenue.

Motion made by Vice Mayor Bannon, seconded by Councilman Wendell, to schedule the public hearing on October 9, 2014, followed by a special meeting to discuss any comments heard and vote on the proposed temporary suspension of certain regulations in the sign regulations. The motion was approved by unanimous consent.

C. *Backyard Chicken Ordinance – Schedule Public Hearing*

Rob Testerman stated that, by direction of the Town Council, the Planning Commission had been discussing the potential for a backyard chicken ordinance, which, if approved, would allow property owners to raise a certain number of hens on their residential property. At their September 2, 2014 meeting, the Commissioners approved a motion to schedule a joint public hearing with the Town Council on October 7, 2014. Since this issue was extensively examined by the Commissioners, staff recommended that the Town Council and Planning Commission hold a joint work session on September 25, 2014, prior to the public hearing, in order to give Council a more detailed background of how the draft language evolved. The Planning Commission would review comments heard at the joint public hearing and make their recommendation to Town Council for review at the October 16th Town Council meeting.

Motion made by Councilwoman Natali, seconded by Councilman Godwin, to schedule a joint public hearing for October 7, 2014 to hear comments regarding the draft Backyard Chicken Ordinance. The motion was approved by unanimous consent.

D. *Shore Bank Line of Credit Renewal*

Bob Panek stated that since 2011, the Town had maintained a \$500K line of credit with Shore Bank for working capital. Shore Bank recently approved the renewal of the Town's line of credit with the following terms: i) \$500K unsecured; ii) \$250 loan document preparation fee; iii) variable interest rate at Prime plus 0.5%, with a floor of 3.75%; iv) repayment on a monthly basis, with the requirement that a zero balance be maintained for a period of no less than 30 consecutive days during each 12-month period; v) annual review by Shore Bank; and vi) no prepayment penalty. In order to proceed with the renewal, Council must adopt a resolution authorizing the renewal.

Motion made by Councilman Bennett, seconded by Vice Mayor Bannon, to adopt Resolution 20140918 Authorizing the Renewal of the Line of Credit with Shore Bank. Mayor Proto moved for adoption of Resolution 20140918 as noticed and forewent reading of the resolution. The motion was approved by unanimous vote. Roll call vote: Bannon, yes; Bennett, yes; Brown, yes; Godwin, yes; Natali, yes; Wendell, yes.

E. Charter Cable Franchise Assignment

Bob Panek stated that in 2001, Council granted, by Ordinance 04-01, a non-exclusive franchise to Falcon Media Cable dba Charter Communications. Following Comcast Corporation's acquisition of Time Warner Cable, Comcast would exchange cable systems serving approximately 3.1 million customers with Charter Communications. Comcast requested the Town's consent to assign the Charter franchise to CCO Transfers, LLC which would immediately become a Comcast wholly-owned subsidiary. Under Ordinance 04-01, the franchise could not be assigned without obtaining expressed written consent of the Town Council. A resolution must be adopted consenting to the franchise assignment.

Motion made by Councilman Brown, seconded by Councilwoman Natali, to adopt Resolution 20140918A Transfer Consent. Mayor Proto moved for adoption of Resolution 20140918A as noticed and forewent reading of the resolution. The motion was approved by unanimous vote. Roll call vote: Bannon, yes; Bennett, yes; Brown, yes; Godwin, yes; Natali, yes; Wendell, yes.

F. Law Enforcement Mutual Aid Agreement

Chief Pruitt stated that the Cape Charles Police Department and Northampton County Sheriff's office occasionally assisted each other on various calls for service. On April 24, 2012, a Law Enforcement Mutual Aid Agreement was signed by the Town under former Police Chief Charles Brown. With Chief Brown's retirement and the subsequent appointment of Chief Jim Pruitt, Sheriff David Doughty requested a new agreement be signed. Commonwealth Attorney Bruce Jones advised that a resolution be adopted due to a recent issue with an Exmore traffic case.

There was much discussion regarding the need for a new mutual aid agreement. It was noted that a resolution had not been adopted prior to the signing of the current agreement.

Motion made by Vice Mayor Bannon, seconded by Councilman Bennett, to adopt Resolution 20140918B Law Enforcement Mutual Aid Agreement to execute the new Law Enforcement Mutual Aid Agreement with Northampton County. Mayor Proto moved for adoption of Resolution 20140918B as noticed and forewent reading of the resolution. The motion was approved by unanimous vote. Roll call vote: Bannon, yes; Bennett, yes; Brown, yes; Godwin, yes; Natali, yes; Wendell, yes.

MAYOR AND COUNCIL COMMENTS

Mayor Proto began by wishing Councilman Brown a happy birthday and continued to state that each Council member would have 5 minutes for comments only, no debate and proceeded to go around the table opening the floor to each member of Council.

Vice Mayor Bannon, Councilman Godwin and Councilwoman Natali stated that they did not have any further comments to make.

Councilman Wendell commented as follows: i) He expressed his concern regarding the cost increase for the PSA project from \$1.8M to \$2.7M adding that it was a harbinger of things to come and that he still felt that the project was unwise and not in conformance with the Town or County's Comprehensive Plans; ii) He was looking forward to the workshop on the chicken ordinance; and iii) Mayor Proto did a good job in conducting this evening's meeting.

Councilman Brown thanked the Mayor and Council for the birthday wishes.

Councilman Bennett stated that he did not have any further comments.

Mayor Proto commented as follows: i) He began holding Office Hours on the second and fourth Tuesdays of each month. The hours were 2:00 PM – 4:00 PM on the second Tuesdays and 6:00 PM – 8:00 PM on the fourth Tuesdays; ii) His first Town Hall meeting was held on Saturday, September 13th. Eight people attended. A summary would be published in the next Gazette; and iii) He would be rotating the giving of the invocations for future meetings between Council members. If a Council member did not want to give an invocation, they could have everyone observe a moment a silence.

ANNOUNCEMENTS

- October 2, 2014 – Town Council Work Session, 6:00 PM, tentative.
- October 7, 2014 – Joint Public Hearing with Planning Commission, 6:00 PM.
- October 9, 2014 – Town Council Public Hearing and Special Meeting, 6:00 PM.
- October 10-11, 2014 – Birding & Wildlife Festival.
- October 11, 2014 – Fall Festival.
- October 11, 2014 – Friends of the Cape Charles Memorial Library Book Sale.
- October 13, 2014 – Town offices closed in observance of Columbus Day.
- October 16, 2014 – Town Council Regular Meeting.

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

Mayor Proto

Town Clerk



DRAFT
TOWN COUNCIL & PLANNING COMMISSION

Joint Work Session
Cape Charles Civic Center
September 25, 2014
6:00 PM

At approximately 6:00 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. Councilman Godwin and Councilwoman Natali were not in attendance. Also present were Town Planner Rob Testerman and Town Clerk Libby Hume. There was one member of the public in attendance.

Planning Commission Chairman Dennis McCoy, having established a quorum, called to order the Planning Commission Work Session. In addition to Chairman McCoy, present were Commissioners Dan Burke, Sandra Salopek and Mike Strub. Commissioner Andy Buchholz arrived at 6:02 p.m. Commissioners Joan Natali and Bill Stramm were not in attendance.

Mayor Proto announced the business for the evening would be to review and discuss the draft chicken ordinance.

Town Planner Rob Testerman presented the background of the project as well as the following: i) benefits of backyard chickens; ii) concerns regarding backyard chickens; iii) how other Eastern Shore towns regulated chickens; iv) enforcement; and v) an overview of the urban chicken survey. (Please see attached.)

There was much discussion regarding the proposed ordinance and survey results. There was some concern regarding requiring tie downs for the chicken coops to meet wind load restrictions in case of hurricanes. Since the draft ordinance required conditional use permits to raise backyard chickens, a standing condition could be the tie down requirement.

There was also some concern regarding obtaining approval from adjacent property owners. Rob Testerman stated that legal counsel advised against this requirement, but notification would be sent to all adjacent property owners as part of the conditional use permit application process and the property owners would have the opportunity to speak or submit their comments for the public hearing.

Council requested that the survey responses from the residents and property owners in the Historic District be extracted and sent to them prior to the scheduled October 7th Joint Public Hearing.

Mayor Proto polled the Council members. Vice Mayor Bannon and Councilmen Bennett and Wendell stated that they were opposed. Councilman Brown stated that if the majority of respondents living in the Historic District were in favor of allowing chickens, Council would need to review this issue closer.

Concern was expressed regarding i) Heating the coops during the winter months could pose a fire hazard; ii) Annual inspections might not be enough; and iii) Enforcement issues.

Mayor Proto stated that he felt the ordinance was well written and appreciated the opportunity to have this discussion. Council now had a good understanding of the draft ordinance and the research and discussion that went into drafting the language. The joint public hearing was

scheduled for October 7th. Council would hear the public comments and discuss the issue further at the October 16th regular meeting.

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

Motion made by Commissioner Dan Burke, seconded by Commissioner Mike Strub, to adjourn the Planning Commission Work Session. The motion was unanimously approved.

Mayor George Proto

Chairman Dennis McCoy

Town Clerk

DRAFT

Backyard Chicken Keeping In Cape Charles

Town Council & Planning Commission
Joint Work Session
September 25, 2014

Why are we discussing backyard chickens?

- In recent years, across the country, the backyard chicken movement has been growing.
- An extension of the “urban farming movement” that has gained popularity nationwide.

Benefits of Backyard Chickens

- Source of fresh eggs
- Provide companionship as pets
- Manure is a valuable fertilizer
- Chickens eat insects
- Chickens help build community

3

Concerns Regarding Backyard Chickens

- Noise
- Odor
- Disease
- Property Values
- Slaughter
- Chickens running wild
- Predators
- Lot sizes and proximity to neighbors

4

How do other Eastern Shore towns regulate chickens?

- Exmore- Not allowed
- Eastville- Small flocks allowed on 1 acre lots
- Onancock- Allowed with no restrictions, other than they must be properly housed
- Wachapreague- Not allowed
- Chincoteague- Allowed, must be penned and waste must be controlled

5

When hens are no longer wanted

- Staff has been in contact with the local 4H who has indicated that a program could be set up to handle unwanted chickens.

6

Enforcement

- Staff does not envision that it would be any greater burden than other zoning ordinances on the books.
- Coops would be inspected annually, upon complaint, or if a possible violation is observed.
- Of the localities researched, very few complaints have been filed.

7

Goats? Pigs? What's next?

- The simple answer is, it is up to you.
- If Town Council directs staff to research the feasibility of allowing any other type of livestock in town, then staff will do the research and the Planning Commission will make a recommendation.

8

What do Cape Charles residents and property owners think?

- Town issued a survey on the matter, we received 81 responses from Cape Charles property owners.
- Also received were 10 responses from non-property owners, 2 anonymous and 3 duplicates. These responses were omitted from the results as the goal was to gauge interest of people who would be directly affected.
- 75 of 81 respondents live in town (55 in the historic district and 20 in Bay Creek). Six respondents live outside of town, but own property within town.

9

Survey Responses

- 35 (43.2%) of respondents were in favor of allowing backyard chickens
- 7 (8.6%) may support backyard chickens, but would need more information
- 39 (48.1%) were opposed to allowing backyard chickens

10

Conclusion

- As evidenced by our neighboring communities, as well as small towns and big cities across the country, a successful backyard chicken ordinance in Cape Charles is feasible, and can work.
- Boils down to “what do we want?”



DRAFT
TOWN COUNCIL & PLANNING COMMISSION
Joint Public Hearing
Cape Charles Civic Center
October 7, 2014
6:00 p.m.

At 6:00 p.m. Chairman Dennis McCoy, having established a quorum, called to order the Public Hearing of the Planning Commission. In addition to Chairman McCoy, present were Commissioners Andy Buchholz, Dan Burke, Joan Natali, Sandra Salopek, Bill Stramm, and Mike Strub. Also in attendance were Town Planner Rob Testerman and Assistant Town Clerk Amanda Hurley. There were 6 members of the public in attendance.

Vice Mayor Chris Bannon, having established a quorum, called to order the Public Hearing of the Town Council. In addition to Vice Mayor Bannon, present were Councilmen Bennett, Brown and Godwin and Councilwoman Natali. Mayor Proto and Councilman Wendell were not in attendance.

Dennis McCoy announced that the evening's Joint Public Hearing was to hear public comment regarding the proposed modifications to the Cape Charles Zoning Ordinance Section 3.9 – Harbor District.

PUBLIC COMMENTS:

Deborah Bender, 300 Fulcher Street

Ms. Bender spoke in opposition of the chicken ordinance. Please see attached.

Karen Gay, 506 Monroe Avenue

Ms. Gay spoke in support of the chicken ordinance.

Veann Duvall, 110 Tazewell Avenue

Ms. Duvall spoke in opposition of the chicken ordinance.

Sherry & Paul Eulitt, 102 Madison Avenue

Mr. & Mrs. Eulitt submitted their comments in writing and Assistant Town Clerk Amanda Hurley read the comments into the record. Please see attached.

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

Motion made by Dan Burke, seconded by Joan Natali, to close the Planning Commission Public Hearing. The motion was approved by unanimous consent.

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

Chairman Dennis McCoy

Vice Mayor Chris Bannon

Asst. Town Clerk

**Comments Submitted in Writing
October 7, 2014 Joint Public Hearing**

Deborah Bender, 300 Fulcher Street

Over a year ago someone came to the town with a desire to have chickens in their yard. All well and good if you have a wide lot and neighbors that don't mind. I, however, would mind.

Chickens are farm animals and should have more space than the little coops that would be appropriate in a town of this size.

To allow chickens in town is wrong. Many of the lots in this town are very narrow. Imagine it if people on both sides of your home have chickens and you want to entertain in your backyard on a hot summer day. The coops could be smelly, very smelly.

Who will be the person to check out these coops and see that they are cleaned regularly?

If you, as our council, decide to allow chickens it should be on a case by case basis. If I, for instance, want to have chickens, I should be required to ask my neighbors, in writing if they would mind. The neighbors behind my house and the houses on both sides would all have to agree. If any of my neighbors are renting and move I would have to get permission from the new tenants. If just one neighbor says no chickens...case closed.

We as a town have paid our town planner at least \$25,000.00 to figure this out. We have paid the town's attorney to "think about this."

This is getting ridiculous.

You say people were surveyed concerning this issue. I never got any kind of questionnaire in the mail.

It is my understanding that many residents in Bay Creek said no regarding the chickens and you want to disregard their answers.

If Bay Creek residents can vote for town council members then their votes and comments should be taken into account on the chicken issue.

You, as council, sure took the Bay Creek residents voices and comments seriously when you wanted to sell the one hundred year old school, the basketball court and a historic street to a developer.

Now you must, in all fairness, hear their voices now.

*****'

Paul & Sherry Eulitt, 102 Madison Avenue (via email)

Libby/Rob,
Regretfully we will not be able to attend tonight's joint public hearing on subject matter which is very important to us.

If you would convey the following we'd certainly appreciate it.

We continue to strongly oppose to any ordinance that would allow chickens (or other undomesticated [farm] animals) within the Town of Cape Charles. Virginia's Eastern Shore encompasses numerous acres of rural land on which this activity is allowed and precious little where those of us who would rather 'pay for eggs' enclave rather than be subjected to the nuisances surrounding this activity. We believe the Town of Cape Charles founding fathers meant to preserve this pristine and serene town environment for citizens who choose not live on or near a farm. This should continue to be the tenets of the "Historic District".

We appreciate you keeping us informed and look forward to a continued chicken-less Town of Cape Charles.

Sincerely,
Paul & Sherry Eulitt



DRAFT
TOWN COUNCIL
Public Hearing
Cape Charles Civic Center
October 9, 2014
6:00 p.m.

At 6:00 p.m. Mayor George Proto, having established a quorum, called to order the Public Hearing 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 Clerk Libby Hume was also in attendance along with two members of the public.

Mayor Proto read the public hearing advertisement announcing that the evening's Public Hearing was to hear public comment regarding a proposed ordinance that would temporarily suspend a portion of the Sign Regulations.

PUBLIC COMMENTS:

Suzanne Golibart, owner of Periwinkles on Strawberry Street

Ms. Golibart spoke in favor of the temporary suspension of enforcement of off-premise signs until another solution could be found. Ms. Golibart added that she was also speaking for the other businesses on Strawberry Street.

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

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

Mayor George Proto

Town Clerk



**DRAFT
TOWN COUNCIL**

Special Meeting
Cape Charles Civic Center
October 9, 2014

Immediately following Public Hearing

At 6:04 p.m., Mayor George Proto, having established a quorum, called to order the Town Council Special Meeting. 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 Clerk Libby Hume was also in attendance along with three members of the public.

Mayor Proto announced the business for the evening would be to review the comments heard at the public hearing earlier this evening and make a decision regarding the proposed ordinance that would temporarily suspend a portion of the Sign Regulations.

Staff had recommended a temporary suspension of the prohibition of off-premise signage for businesses located on Strawberry, Peach and Nectarine Streets until such time that a way-finding sign could be constructed or the sign regulations were revised provided that i) any off-premise sign was limited to 10 square feet in area; ii) the signage would be located at the intersection of Mason Avenue and the street which the advertised business occupied; and iii) the sign was removed at the end of each business day.

Motion made by Vice Mayor Bannon, seconded by Councilwoman Natali to adopt Ordinance 20141009 which would temporarily suspend a portion of the sign regulations pertaining to off-premise signs, with the previously mentioned stipulations.

Councilman Bennett stated that he was supportive of the proposed ordinance but did not like the open-ended timeframe and asked that Town Clerk Libby Hume ask Town Planner Rob Testerman to look into the design, cost and construction of the way-finding signs on the three corners of Mason Avenue. Councilman Bennett continued to state that he would like to get these signs recorded in the Capital Improvement Plan with a cost associated with it so it could be included in the budget. Council needed to see the types and size of signage and what it could look like. Councilman Bennett added that this project could be funded by transient occupancy tax revenue. This project was good for the town and would promote tourism.

Mayor Proto read Ordinance 20141009-Temporary Suspension of Enforcement of a Portion of the Sign Regulation for Businesses Located on Side Streets and asked for a roll call vote. The motion was approved by unanimous vote of those in attendance. Roll call vote: Bannon, yes; Bennett, yes; Brown, yes; Natali, yes; Wendell, yes.

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

Mayor Proto

Town Clerk

Planning Department Report for Town Council

From: Rob Testerman
To: Town Council
Date: October 8, 2014
Subject: Report for Planning Department

1. Staff has received information from the Department of Environmental Quality regarding required updates to local Chesapeake Bay Preservation Act ordinances. These updates are required as a result of the passage of the Virginia Stormwater Management Act. Staff will review the revisions and present them to the Planning Commission in the near future.
2. Staff has submitted the draft revised floodplain ordinance to the Department of Conservation and Recreation for review, prior to a public hearing being scheduled. To date, no comments have been received. The floodplain ordinance is being updated as a result of the new state model that has been put out.
3. Staff has been in contact with the Virginia Tourism Corporation regarding the development of our Tourism Zone. The VTC has offered to review our draft ordinance upon completion and provide feedback prior to adoption.

Permits Issued

- Zoning Clearance - 3
- Violations - 3

Planning Commission Meeting – October 7, 2014

1. After the Joint Public Hearing, the Planning Commission held its regular meeting Tuesday, October 7.
 - a. The Commission discussed and made a recommendation on the “backyard chicken ordinance.” This will be discussed further during Old Business.
 - b. The Planning Commission continued discussion on the proposed Tourism Zone. Staff is working on draft language to present to the Commission. We are still determining specifics for qualification requirements and incentives. Staff plans to attend the next regular Cape Charles Business Association meeting to discuss the matter with the Association.

Historic District Review Board – September 16, 2014

1. The HDRB met and approved renovation plans for a single family home at 9 & 11 Monroe Avenue, the Board also approved plans for a new home on Jefferson Avenue.
2. The Board will meet October 21 to review plans for another new home on Jefferson Avenue, as well as renovation plans for 647 Madison Avenue.

Code Enforcement

Month of September FY 2015

Building Permits Issued/Permit Fees Collected:

Permits this month: 18	
Permits this year: 59	Total permits last year: 269
Total construction this month: \$173,985	
Total construction this year: \$2,160,527	Total construction last fiscal year: \$6,874,978
Permit fees this month: \$2,182.40	
Total permit fees this fiscal year: \$70,201.35	Total permit fees last fiscal year: \$95,845.65
Bay Creek Water/Sewer Tap fees: \$0	
The Colony/Sewer Water Tap fees: \$0	
Marina Village/Marina Village East Sewer/Water Tap fees: \$0	
Bayside Village Sewer/Water Tap fees: \$0	
Old-Town Water/Sewer Tap fees: \$0	
Total Tap fees this year: \$49,400	Total Tap fees last fiscal year: \$37,050
Fire Dept. levy this month: \$177.00	
Total Fire Dept. levies this year: \$1,539.55	Total Fire Dept. levies last fiscal year: \$3,343.33
State levy this month: \$35.40	
Total state levies this year: \$307.92	Total state levies last fiscal year: \$943.38
Miscellaneous Revenue: \$10 for Sewer Screen	

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: 5	
Grass cutting: 6	
Enforcement fees charged this month: \$1,100.00	
Enforcement fees charged this year: \$6,100.00	Fees charged last fiscal year: \$10,050
Enforcement fees collected: \$2,376.30	
Enforcement fees collected this year: \$6,559.48	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 September FY 2015

Other items of note:

1. Completed 38 inspections
2. Conducted 0 zoning clearances
3. Completed 3 courtesy residential inspections
4. Conducted 2 courtesy commercial inspection
5. Conducted 28 E & S control inspections
6. Conducted 0 commercial plan reviews for Erosion and Sedimentation Control.
7. Completed 0 residential plan reviews
8. Issued 2 Public Utilities Shallow Well permits
9. Plans have been approved for the Cape Charles Loft Project. Most of interior demo is done and asbestos has been removed. Should be obtaining building permits to begin framing.
10. Construction throughout Town is still increasing with several new homes going up.
11. Working with a couple of contractors on some commercial projects on Mason Avenue.
12. Updated continuing education requirements online.

10/07/14

Permit/Construction Fee Report

Map Number	Permit#	Type	Date	Address	Work description	Permit Fee	Value
	PE140048	Electrical	09/10/2014	638 Carousel Place	20kw generator	\$84.00	\$7,500
083A3-0100-55	PB140068	Building	09/11/2014	609 Mason Avenue	Change of Use to R-5 & M	\$364.00	\$50,000
	PB140069	Building	09/18/2014	9 Monroe Avenue	Porch Structural Repair	\$70.00	\$5,000
083A3-0100-27	PB140064	Building	09/11/2014	501 Monroe Avenue	Kitchen Remodel	\$201.60	\$21,000
	PP140038	Plumbing	09/09/2014	11 Peach Street	New On-Site Water Line	\$56.00	\$800
083A3-0100-49	PP140039	Plumbing	09/16/2014	123 Peach Street	New On-Site Sewer Line	\$56.00	\$1,850
	PB140067	Building	09/10/2014	217 Peach Street	Frame out house	\$70.00	\$5,000
	PB140065	Building	09/04/2014	425 Randolph Avenue	Reframe side porch roof & reroof	\$58.80	\$3,000
	PE140047	Electrical	09/02/2014	715 Randolph Avenue	100 Amp Permanent Temp Pole for Spay Tr	\$84.00	\$600
	PU140004	PU Shallow W	09/15/2014	138 Sunset Blvd	Shallow Well	\$100.00	\$1,000
	PEL 14000	Elevator	09/26/2014	138 Sunset Blvd	Dumbwaiter	\$148.40	\$11,500
	PP140037	Plumbing	09/05/2014	156 Sunset Blvd	New Plumbing for S/F Res	\$92.40	\$9,000
	PM140029	Mechanical	09/19/2014	156 Sunset Blvd	New Mechanical for S/F Res	\$148.40	\$11,500
	PU140005	PU Shallow W	09/15/2014	145 Sunset Blvd.	Shallow Well	\$100.00	\$1,000
	PE140050	Electrical	09/16/2014	171 Sunset Blvd.	New Electrical for S/F Res	\$156.80	\$13,000
	PE140049	Electrical	09/16/2014	171 Sunset Blvd.	60 Amp Temp Pole	\$56.00	\$275
	PF140009	Fire Suppresio	09/30/2014	237 Tazewell Avenue	Upgrading Fire Alarm system to include ne	\$84.00	\$1,960
	PB140066	Building	09/08/2014	5 Waters Edge Drive	Porch Structural Repair	\$252.00	\$30,000
Total Permits:						\$2,182.40	\$173,985

PerDateIssued Range from 09/01/2014 to
09/30/2014



Town Harbor Town Council Report September, 2014

October 2, 2014

Maintenance:

1. Repaired rollers on east gangway in front of the bath house
2. Staff spent 16 man hours dragging the shelled parking lot from 9/13 – 9/30
3. Replaced two floats on D-Dock 10 that were damaged by Super Storm Sandy
4. Repaired two brackets and replace 5 dock boards on A-Dock
5. Replaced 1 dock board on C-Dock
6. Repaired damage caused by the Tall Ship El Galleon Andalucia. She pulled a cleat out staff had it repaired in a couple of hours.
7. Replaced the grinder pump for the office and pump out sewer system.
8. Had Morgan's Climate Masters repair Air Conditioner in the females restroom, it was low on Freon.
9. Repaired a leaky shower head in the mens shower
10. Repaired Plexi Glass wall cover in females restroom
11. Began top coat on fuel tank
12. Repaired a no wake buoy that was hit and found up to Smith's beach.
13. Replaced Fuel Nozzles on pumps #3 & 7

Upcoming Items that needs to be completed:

Although we have four cruising/yacht clubs scheduled for September we should not be as busy as we were this summer. This will allow us time to get caught up on all the projects below.

1. Finish painting the fuel tank (In Progress)
2. Re-tighten all cleats on floating docks (In Progress)
3. Replace all broken pile caps (In Progress)
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.
8. Re-tighten all bolts on the floating docks.
9. Paint the Stage
10. Re screw all boards on the board walk in the inner harbor with stainless screws
11. Change all fuel filters
12. Change oil & lube on all UTV's
13. Scale, Prime & Paint dirty oil tank
14. Repair Drywall in mens shower and females restroom
15. Replace light sensor on boardwalk lights
16. Replace misc. light sensors on pedestals

Capital Projects and Harbor improvements:

1. Offshore Breakwaters – Staff is working at ways for this to be considered.
2. Dredging – USACE has received bids for upland site. We are hope for dredging to start in late winter.
3. Stage – Staff is currently getting a valid VIN for the stage so we can tag, insure, and rent it out.



Town Harbor Town Council Report September, 2014

Other Items:

1. Follow us on Face Book (**Cape Charles Town Harbor**) over 2000 likes!!!
2. Current Office Hours – 8:00 am to 5:30 pm 7 days a week.
3. Waiting list – We added one person to the list and transferred one persons to a Slip assignment. Below is the number of people we have left on the waiting list as of September 30th,

<u>Length</u>	<u>Annual</u>	<u>Seasonal</u>	<u>Total</u>
20ft	2	6	8
24ft	7	4	11
30ft	9	6	15
36ft	5	2	7
45ft	9	2	11
50ft	1	1	2
60ft	2	0	<u>2</u>
Total	35	21	56

Harbor Events:

- **Clam Slam 2014:** Power Point presentation to council.
- **El Galeon Andaluca:** Arrived at our harbor on 9/4 and departed on 9/8, although the weather was not real favorable she had around 200 people board her. There was a lot more people came in and checked her out.
- **Stay Tuned Music Festival:** This event was held September 27th, it took harbor staff 75 man hours to set up and take down this event in return we had 36 boats in for the weekend. All in all the event was good. Initially we expected more people to come but there were so man events and weddings not just on the shore but across the bay as well. I do see this event as getting better.
- **Trick or Treat with Pirate Pete:**
 - **1pm to 3pm** – Holloween Party at the Civic Center
 - **3pm to 5pm** – Pumpkin Carving at the Shanty
 - **5pm to 6:30pm** – Trick or Treat with Pirate Pete (Don Fogle)
 - **6:30pm to 8pm** – Drive in movie (Hocus Pocus) at the Harbor
 - **8pm till** – Costume Party at the Shanty
 - Prizes will be given out for, **1.** Best Decorated Annual Boat, **2.** Best Decorated Seasonal Boat, **3.** Best Decorated Transient Boat, **4.** Best Decorated Commercial Boat, **5.** Best Carved Pumpkin, **6.** Best overall theme by captain and crew, **7.** Best Costume.
 - The Cape Charles Yacht Club will be assisting and the movie will be played in the area of where the Blessing of the Fleet is held.
- **Dropping of the Crab Pot:** will take place at 10pm on December 31st. there will also be fireworks at that time.
- **Blessing of the Fleet:** This will be held April 24th, 2015 and we are going to change things up a bit to try and get more people involved. Details will be forth coming
- **Clam Slam 2015:** Will be July 31, 2015 through August 2nd, 2015. More details will follow,



Town Harbor Town Council Report September, 2014

Business:

Transient vessels are vessels that stays in a particular place ten or less nights. Below is a comparison for the last three years for transient vessels nights docked and the dollar amount year to date. Please note that our transient docking increased 22.9% from 2012 to 2013 and 69.8% from 2012 to 2014.

	2012	2013	2014
Nightly	666 = \$34,101	804 = \$42,419	880 = \$56,005
Weekly	69 = \$ 2,775	34 = \$ 2,932	85 = \$ 6,279
Hourly	3 = \$ 15	3 = \$ 15	72 = \$ 360
Total	\$36,891	\$45,366	\$62,644

Library Report September 2014

1. With the end of summer and the beginning of the school year our pace has returned to normal. This is a time when we can reorganize and reevaluate our library collection and services. We are working on a survey to give to the public for feedback.
2. During the fall and winter we provide weekly storytime for children and a weekly Chess Club. We also offer Lego Club every first and third Tuesday of the week. Check our Facebook page for more information. Below is the monthly attendance for programs held during September 2014:

Preschool Storytime – weekly	34
Toddler Storytime – weekly	20
Chess Club	12
Lego Club	0
TOTAL	66

3. The Christian School students are now visiting the Library on a weekly basis, one class at a time and we have been providing them with an Introduction to Using the Library. Also, each afternoon we welcome several Social Service workers and their students.
4. In celebration of **National Friends of the Library Week, October 19 through October 25**, the Friends of the Cape Charles Memorial Library will be holding three **free** events for the public.
 - On **Tuesday, October 21** from 3:00 to 5:00:
 - Understanding Genealogy
 - How to Search for Your Ancestry on the Internet
 - Video: Who Do You Think You Are?
 - On **Thursday, October 23 from 5:00 to 7:00:**
 - How to Write a Resume
 - How to Search for a Job on the Internet
 - Movie: Eastern Shore Watermen (BIC)
 - On **Saturday, October 25 from 10a.m. to Noon:**
 - Introduction to Sign Language
 - Video: American Sign Language for Kids
 - Food and refreshments will be served and a drawing for a Kindle Fire HD Tablet will be held!
5. Many thanks to our two tireless volunteers who help out at the desk and shelve books.
6. As of today our Facebook page has 447 likes, 13 new likes this month! For additional information about library programs and library related information check out our **Facebook** page.

CAPE CHARLES MEMORIAL LIBRARY 2014

	January	February	March	April	May	June	July	August	September	October	November	December	YTD
INCOME:													
Copier/Prt	\$40.90	\$71.20	\$68.10	\$126.90	\$72.70	\$52.00	\$45.00	\$71.70	\$69.30	\$13.60	\$0.00	\$0.00	\$631.40
Faxes	\$16.50	\$17.50	\$25.50	\$39.30	\$34.60	\$47.00	\$29.00	\$43.50	\$40.80	\$5.00	\$0.00	\$0.00	\$298.70
TOTAL	\$57.40	\$88.70	\$93.60	\$166.20	\$107.30	\$99.00	\$74.00	\$115.20	\$110.10	\$18.60	\$0.00	\$0.00	\$930.10
Deposit													
BOOK CIRC-ADLT													
Fiction	378	388	393	434	422	495	611	517	500	0	0	0	4138
Non-fiction	135	150	114	110	135	166	143	191	132	0	0	0	1276
DVDs	184	162	202	169	171	167	314	246	189	0	0	0	1804
TOTAL 2014	697	700	709	713	728	828	1068	954	821	0	0	0	7218
Books Circ. 2013	844	0	0	576	538	777	1014	1020	841	804	650	711	7775
BOOKS CIRC-JUV													
Fiction	293	340	338	351	332	680	981	795	530	0	0	0	4640
Non-Fiction	73	111	88	47	53	73	112	109	140	0	0	0	806
DVDs	77	67	112	76	41	114	193	213	121	0	0	0	1014
TOTAL 2014	443	518	538	474	426	867	1286	1117	791	0	0	0	6460
Books Circ 2013	541	0	0	336	400	808	978	822	735	762	597	549	6528
TOTAL 2014	1140	1218	1247	1187	1154	1695	2354	2071	1612	0	0	0	13678
Total Circ. 2013	1385	0	0	912	938	1585	1992	1842	1576	1566	1247	1260	14303
ATTENDANCE 2014	819	912	1019	951	1062	1323	2005	2234	1154	216	0	0	11695
Attendance 2013	656	575	675	718	756	1418	2160	1586	1131	1180	936	919	12710
PROGRAMS 2014	9	13	17	16	20	15	26	20	9	3	0	0	148
Programs 2013	8	6	9	10	8	14	20	13	13	14	12	14	141
PROG. ATTEND 2014	83	156	143	195	189	152	525	500	66	32	0	0	2041
Prog. Attend 2013	65	74	95	112	67	21	582	199	134	149	199	575	2272
Computer Classes	0	0	0	0	0	0	0	0	0	0	0	0	0
Class Attendance	0	0	0	0	0	0	0	0	0	0	0	0	0
INTERNET USE 2014	237	217	214	283	280	256	293	411	239	32	0	0	2462
Internet use 2013	200	162	207	201	172	333	510	414	335	306	221	252	3313
LIBRARY CARDS 2014	19	14	9	9	13	14	27	25	25	4	0	0	159
Library cards 2013	6	9	8	7	7	26	52	32	24	14	15	22	222
Voulnteer Hours 2014	31.50	29.50	38.49	47.00	76.00	62.50	40.15	44.75	99.50	3.00	0.00	0.00	472.39

CAPE CHARLES POLICE DEPARTMENT

MONTHLY STATISTICS

September 2014

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

- Calls for service in Cape Charles: 35
- Calls for service outside of Cape Charles: 11
- Felony arrests: 1
- Misdemeanor Arrests: 4
- D.U.I. Arrests: 0
- Traffic Summons: 21 (see page 2.)
- Traffic Warnings (written& verbal): 12
- Parking tickets: 5
- Building Checks: 46
- Assisted Northampton County Sheriff's Office: 9
- Assisted Virginia State Police: 0
- Assisted Federal Agencies: 0
- Assisted Fire& Rescue: 7
- Foot Patrol Hours: 50

The following took place in September:

- Jake Leuer completed his field training and is now on his own.
 - Tom Potts started September 22, 2014(brings us 20yrs experience).
 - We are now fully staffed!!!!
 - All staff completed Taser recertification, and Jake completed his Taser certification.
 - October 19 Jim Pruitt will be conducting Ident-a-kid at Brownsville for Ducks Unlimited Greenwing event.
 - Conducted an "Active Shooter" class for office staff
 - Officers spent 53hours patrolling Bay Creek

Traffic summons:

- | | |
|--------------------------------|---------------------------------|
| 1. Reckless driving 85/55 zone | 12. Speeding 42/25 zone |
| 2. Fail to stop for stop sign | 13. Speeding 42/25 zone |
| 3. Speeding 44/25 zone | 14. Speeding 42/25 zone |
| 4. Speeding 42/25 zone | 15. Speeding 42/25 zone |
| 5. Speeding 38/25 zone | 16. Speeding 41/25 zone |
| 6. No inspection sticker | 17. Speeding 40/25 zone |
| 7. Expired registration | 18. Expired rejection sticker |
| 8. Expired inspection | 19. Reckless driving 52/25 zone |
| 9. Speeding 41/25 | 20. Notice of suspension |
| 10. Expired registration | 21. Notice of suspension |
| 11. Notice of suspension | |

Arrests:

1. Drunk in public
2. Drunk in public
3. Drunk in public
4. Obstruction of justice
5. Grand larceny (Felony)

Public Utilities

Monthly Report September 2014



Production Summary

- Miss Utility Tickets: 15
- Emergency Call Outs After Hours and Weekends:
 - Number of times called out: 0
 - Total Man Hours: 0
- Sludge: 50 Tons
- Water: Total Production: N/A
 - High: N/A
 - Low: N/A

Average	Raw Water	Finished Water
Hardness	N/A	N/A
Iron	N/A	N/A
Manganese	N/A	N/A

All Data in PPM

- Waste Water:
 - Average Flow 198,000 gpd
 - Maximum 616,000 gpd
 - Total for Month 5,940,000 Gallons
 - Nutrients:
 - Phosphorus Average 0.15 (1 Sample) Limit .3 mg/l annual average
 - Nitrogen Average 1.71(1 Sample) 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.

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.
 - Contractor is on site installing wiring and new slab for equipment.
 - Engineering for Keck Wells \$60k
 - 90% drawings and specifications are progressing and will be going through GHD internal QA/QC review process later this month.
 - GHD to deliver the 90% documents to the Town by October 10.
 - Assuming about 2 weeks of review for the Town, GHD plans to receive comments around October 24.
 - After addressing the Town's comments on the 90% documents, GHD would send out permitting packages in early November and assuming about 12 weeks for permitting agency review (ending in January 2015).
 - With about 1 month for addressing any permitting comments, 1 month for final review, and 2 months for project bidding, construction would be expected to start as early as May 2015.
- Waste Water
 - Channel Grinder for MAPS \$50k
 - Engineered as part of the MAPS improvements and Mason Avenue Force Main Project
 - The equipment has been delivered, channel grinder is in place. Controls and electrical are being hooked up.

PUBLIC WORKS

September 2014

Dump Fees

- Oyster Landfill: 15 Trips, 7.78Tons @ cost of \$505.30

Staff Report

- Dashon Collins was terminated 9-2-14.
- 3 Candidates were interviewed on 9-30-14 and Brent Mears started 10-1-14.

Completed Projects

- Monthly meter reads
- 3 - Police cars LOF & 4 tires / 1-Utilities-2 new tires/ 1-PW dump truck 2 new tires
- Installed new window blinds @ Municipal building (4 offices)
- Installed new replacement slide & designed a teeter totter for Central Park playground to replace damaged spring toy
- Installed supply storage lockers in Beach & Central park bathrooms
- New Civic Center sign installed
- Replaced damaged light fixture @ Municipal building office (Treasurer)
- Drop ceiling installed @ Public Works office space

Events

- Labor Day (Monday 9-1)
- Music Festival (Saturday 9-27)

In Progress

- Manual street gutter clean
- Mowing of 9 Town properties
- Vehicle/equipment maintenance
- Golf cart path maintenance
- Trash can maintenance
- Weed spraying
- Bay ave gazebo trim repair

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 1st floor entrance & down stairs offices
- P.W. shop office space
- Winter beach fence & burlap erosion control

Man Hours per Project/Task

Vehicle Maint.	Equipt. Maint.	Building Maint.	Public Debris Areas	Street Cleaning	Beach Maint.	Public Sanitation	Public facilities cleaning	Admin. training	Property maint. & repair	Events/ Meter Reads
26.5	23	69	59	7.5	4	24	24	60	62.5	2/8

Recreation Department October 2014 Council Report

Programming and Events:

1. Arts and Crafts
 - A. 9-13-14 – 5 children
 - B. 9-10-14 – Cute as a button fishy – 8 children
 - C. 9-17-14 – Paper plate birds – 8 children
 - D. 9-24-14 – Monster popsicle sticks – 8 children
 - E. 10- 1-14 – 10 children
2. Bingo
 - A. 9-5-14 – 6 Adults
 - B. 9-19-14 – 4 Adults
 - C. 10-3-14 – 5 Adults
3. Mommy & Me
 - A. 9-9-14 – 2 (poor attendance due to very bad weather)
 - B. 9-16-14 – 6
 - C. 9-23-14 – 6
 - D. 9-30-14 – 8
4. Book Club
 - A. 9-15-14 – Unbroken – 3
 - B. 10-6-14 – Cane River – 4
5. Line Dancing
 - A. 9-15-14 – 2 Adults
 - B. 9-29-14 – 5 Adults
 - C. 10-6-14 – 3 Adults
6. Cornhole
 - A. 9-18-14 – 8 Adults
 - B. 9-25-14 – 13 Adults
 - C. 10-2-14 – 20 Adults
7. Scrapbooking
 - A. 9-22-14 – 2 Adults
 - B. 9-29-14 – 3 Adults
 - C. 10-6-14 – 3 Adults
8. Storytime – Jen filled in for storytime at the Cape Charles Memorial Library. The theme for this week was Fall. About 15 children were present.
9. NRYG Fall Camp
 - A. 9-25-14 – 15+ children
 - B. 10-2-14 – 15+ children
10. Clover Bud Club – 4-H
 - A. Birds – 1 child

Upcoming Programs and Events

1. Arts and Crafts –10/8, 10/15, 10/22, 10/29, 11/5, 11/12, 11/19
2. Cornhole –10/9, 10/ 16, 10/23, 10/30, 11/6
3. Scrapbooking –10/9, 10/23, 11/13
4. Line Dancing –10/20, 11/3, 11/17
5. Adult Book Club –10/20, 11/3, 11/17
6. BINGO –10/17, 11/7, 11/21
7. 4-H Clover Bud Clove –10/28, 11/25
8. Mommy and Me –10/7, 10/14, 10/21, 10/28, 11/4, 11/18, 11/25
9. Halloween Party – 10/25

 <p>TOWN OF CAPE CHARLES</p>	AGENDA TITLE: Backyard Chicken Ordinance		AGENDA DATE: October 16, 2014
	SUBJECT/PROPOSAL/REQUEST: Schedule Public Hearing		ITEM NUMBER: 7A
	ATTACHMENTS: Draft Ordinance, Survey Responses		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Rob Testerman	REVIEWED BY: Bob Panek, Interim Town Manager	

BACKGROUND:

The draft “chicken ordinance”, if approved, would allow the possibility for property owners in the R-1, R-2 and RE zoning districts to raise up to five hens. Roosters (or hens that crow in a manner resembling a rooster) would not be allowed. This would be permitted through the issuance of a Conditional Use Permit, allowing town staff, the Planning Commission and the Town Council an opportunity to review each application on a case by case basis. A CUP also requires a public hearing, giving interested parties an opportunity to speak on the matter.

As written, the principle use of the property where chickens would be raised must be a single-family dwelling, and the person who would be raising the hens must own and occupy the residence.

The applicant would be required to provide both a hen house and a fenced outdoor enclosure, hens would be required to be kept in the hen house or enclosure at all times. These structures would only be permitted in rear yards, as defined in the zoning ordinance. The structures would also be required to meet setback requirements as defined in the draft language.

An annual permit would be required to continue to raise chickens. If the permit is not renewed, the CUP would become null and void, and the chickens would be required to be removed. The flocks and coops would be inspected annually, at a minimum, to ensure compliance. Inspections would also result if a complaint were received, or if a possible violation were observed by the Zoning Administrator. If at any time, conditions of the CUP are not being met, and are not corrected, the CUP shall become null and void. Additionally, should the person raising the chickens relocate, the CUP will expire.

Additionally, as mentioned at the work session, as this language would allow chicken raising through CUP, any additional issues may be addressed as conditions for approval (i.e. proper wind load for structures, no electric heaters, etc.). Also as mentioned at the work session, Virginia Code was amended earlier this year to allow police officers to seize any dog found attacking chickens, rather than requiring them to kill the dog.

At the work session, staff was requested to take the survey results and look at responses from citizens who live in the historic district. Of the 55 historic district residents who responded to the survey, 31 (56.36%) were in favor of allowing chickens in town, 20 (36.36%) were opposed, and 4 (7.27%) answered with maybe.

At its October 7, 2014 regular meeting, the Planning Commission voted unanimously to recommend disapproval of the draft ordinance, with the following motion:

Motion that the Planning Commission recommends disapproval of the draft ordinance amendment regarding chicken keeping in town, thus continuing the position that raising chickens in town is prohibited.

RECOMMENDATION:

Staff recommends discussion of the proposed ordinance, and a decision whether the Town Council wishes to approve or disapprove the ordinance regarding the raising of backyard chickens.

To be added as a conditional use permit to the R-1, R-2, and RE zoning districts.

1. Keeping up to five (5) hens, provided the following requirements are met:
 - a. The principle use is a single-family dwelling.
 - b. The person raising the hens must own and occupy the residence.
 - c. No person shall keep any rooster, or hen that crows in a manner resembling a rooster.
 - d. No person shall slaughter any hens outdoors.
 - e. The hens shall be provided with both a hen house and a fenced outdoor enclosure.
 - i. The hens must be kept in the hen house or fenced outdoor enclosure at all times and shall not be allowed to roam free.
 - ii. The hen house shall be a covered, predator-resistant, well-ventilated structure providing a minimum of two (2) square feet per hen.
 - iii. The outdoor enclosure shall be adequately fenced to contain the hens and to protect the hens from predators.
 - iv. The hen house must be kept in a clean, dry, and sanitary condition at all times.
 - v. The outdoor enclosure shall be cleaned on a regular basis to prevent the accumulation of animal waste.
 - f. Hen houses and outdoor enclosures may only be located in rear yards, in accordance with Town zoning regulations.
 - g. Hen houses and outdoor enclosures shall be located at least ten (10) feet from side property lines, AND at least thirty (30) feet from any dwelling on an adjacent lot.
 - h. Food for hens must be kept in a rodent-proof, metal container.
 - i. Eggs shall not be sold.
 - j. A permit must be obtained from the Zoning Administrator annually. An annual permit fee of \$15 shall be charged to the applicant.
 - k. Flocks must be registered with the Virginia Department of Agriculture and Consumer Services.
 - l. Backyard flocks and coops will be inspected annually to ensure continual compliance, as well as upon receiving a complaint.
 - m. Should the person raising chickens relocate, the Conditional Use Permit for raising chickens shall become null and void.
 - n. At such a time when the person raising chickens ceases from raising chickens, or relocates, the chicken coop and outdoor enclosure shall be dismantled. Should the Town be required to remove the structures, costs of removal shall be charged to the person previously raising chickens.

Urban Chicken Survey Responses

Totals:

Responses – 81 from Cape Charles property owners.

10-from non-property owners, 2-anonymous & 3-duplicates. (These have been omitted.)

Live in Cape Charles – 75

Live in Historic District – 55

Live in Bay Creek – 20

Own property in Town – 6

In support – 35

Maybe, need more information – 7

Not in support – 39

Comments:

In Support:

1. As the dollar is increasingly undermined, raising food will become paramount.
2. I have concerns about the portion of the population that is allergic or highly allergic to chicken feathers, but this is balanced by my support of vegetable gardening and other sustainable homesteading practices.
3. 3-4 chickens... NO ROOSTERS... must be housed in a clean, movable, at least partially covered coop.
4. We have worse eye sores in this town than clean, egg-producing chickens.
5. At this point a fairly large number of urban communities throughout Virginia and the United States allow residents to keep a few hens. They have done this for a number of good reasons. It's great to know where your food is coming from. Chickens provide natural fertilizer. Chickens eat insects. I encourage Cape Charles to allow owners to raise a few chickens. On a separate note, there seem to be a number of folks in Cape Charles that just let their dog wander around the city. Dogs should be with their owner when they are outside, unless they are in a fenced yard.
6. I feel that chickens are fine but a limit to 6 per lot should be enforced. Chickens have proven to be a great way to control bugs and ticks. Chickens are very interesting and make great pets while providing a variety of benefits.
7. There is no harm in keeping a few chickens as pets or whatever you prefer to call them, or rabbits as long as they have enough room and do not disturb the immediate neighbors.
8. Having observed 'up close and personal' chicken keeping in a fenced residential setting I wholeheartedly support the idea and the practice as long as the guidelines set by the town are followed. I built my little 'granny cottage' on the rear of my daughter's home and was interested to learn about and interact with her six hens. My grandsons helped care for the chickens, helping to build and paint their very artistic chicken coop, changing their bedding every day, helping to feed and water them every day and gathering the daily fresh eggs. The chickens naturally went into their coop at sundown every day and were in general very quiet. They did come to 'visit' me as I sat on my swing in good weather. They got along well with my two cats...the kitties did not chase the hens. I observed the hens pecking at and eating bugs out of my garden and would settle under a bush to rest. Occasionally they

would hop up on my swing to say 'hello' and to softly 'talk' to with gentle clucks, and study, this human creature- which I enjoyed. The hens were definitely good pets and educational for the boys. And, the very fresh eggs they provided every day were delicious! We did not keep our hens for slaughter, only for the companionship and education they provided. At 74 years of age, my only prior interaction with chickens was when I was a child, observing my grandmother running after one of her chickens with a cleaver in her hand. So I was entranced by our fascinating chicken pets, their place in our family and in our fenced yard, and would recommend the practice of keeping a few hens to anyone.

9. We plan to retire to CC in a few short years and my answer will remain the same. Yes, I support the chickens! (FYI, we are having this exact same discussion in Lexington VA.)
10. The urban chicken trend is so widespread COSTCO is now selling upscale chicken coops. There is a sample on display in the Norfolk store plus two more versions online: <http://goo.gl/4250n5>. I think the rules as written are fair and enforceable.
11. Bring on the chickens!!
12. Living once in Key West the roosters wake the whole town up. As long as there are no roosters I favor the keeping of chickens as long as the no rooster portion is enforced.
13. As long as the chickens and property are kept up, than it should be no bodies business what they have or do on their property.
14. Mr. Testerman did a great job with this draft. I feel it is fair and unobtrusive, and should meet the approval of most residents.
15. Not a problem. Sounds like a really interesting way to enrich the town.

Maybe:

1. I think the town has more important things to worry about than chickens, but if allowing chickens will stop the squawking (pun intended) of those who need to have something to complain about, please move forward with the chicken study. Please do not hire an outside consultant or use town funds to study this somewhat frivolous issue.
2. Do they have to be full-time resident, or could part-timer do it and have someone come in to check-in/care for chickens when homeowner isn't here? What would coop requirements be? Would fence around property be required? How many chickens? Would people be required to sell eggs according to Dept of Health regulations or would we turn a blind eye and just let them sell if they want to? If they sell, will they be allowed to put sign on property? Will you have to have business license if you sell eggs? Will you be allowed to do by right or will you have to have permit/zoning approval? Will there be only so many permits/total number of chickens allowed within Town limits? I support no roosters. I'd like more information on my questions before I can make an informed decision.
3. I have two concerns: there would be run off into the Bay from badly managed chicken coops. Also, that people would let the chickens run loose. Absolutely, no roosters.

Not in Support:

1. I can't believe that you would allow such a dirty and loud animal in the city where the houses are so close together.
2. My greatest concerns are; (1) The burden of code enforcement for keeping chickens given that the average lot within town is less than 5000 square feet. (2) Code enforcement should be consistent for the common good of the community. Bay Creek residents cannot keep

chickens and neither should property owners within town. (3) The effect that chicken keeping would have on Tourism.

3. Go to Key West and check out the chicken problems there.
4. Salmonella could be a problem with chickens kept in an area with the density in the Historic District not to mention the odor from the waste from the chickens. In addition over time chicken coops will be maintained to varying standards some very good and some very poorly. This could turn out to be a real liability to the reputation of the town. The state of these coops, I am concerned could turn into an enforcement nightmare.
5. I feel that chickens should not be allowed in the town of Cape Charles. We start allowing people to have chickens, next it will be something else. I know that people have said that this is a little Mayberry and want to get the town to be their ideal place since moving here. I am sure that the areas where some of them moved from did not allow chickens. Please do not allow this town to become rural as it is out of town. For people who want chickens, I would suggest that they lease some property out of town in order to raise their chickens. Unfortunately, many of the decisions about this town are made on personal agendas. Plus people moving here realize that most of the things they ask for they usually get. This survey is unfair because many of the locals do not have a computer to complete such a survey. It is always said that people can go to the library. They should not have to do this when others have computers that they are using all the time. No! No! No!
6. Chickens don't belong in a town where houses are almost touching each other. And if they are not almost touching, the distance provided by property lines aren't far greater. Noise, smell and even loud conversations can travel far enough to be annoying. There are people who let their dogs run free or never clean up after them while in public. Chickens don't belong because raising them is not cost effective in an urban setting, it requires additional responsibility on a daily basis from the owner (I hope the owner is not the one who let's Fido run freely) and it imposes the ill-behaviors of a few so that all the citizens must endure the consequences. Chickens shouldn't be on the list of priorities for the Town of Cape Charles.
7. I'm concerned about vermin and predators being attracted by the chickens. I believe chickens should be kept on farms or larger plots of land than we typically see in the Historic District.
8. Chickens are not pets. They're poultry. Honestly, the town is already overrun with stray cats; I wish the town would address that problem before it permits more critters. Thanks for the survey. Nice to have input.
9. This is a terrible idea. Chickens are noisy and should not be allowed in a residential town like CC where the houses are in such close proximity to one another. They would disrupt the quiet enjoyment of the property owner's homes.
10. My opinion is if you wish to have barnyard animals live on a farm.
11. Chickens and other farm animals do not belong within city limits, which is what most towns follow. This is not Green Acres but a beach community!
12. I don't understand your questions, why it matters whether we "live" (supposing full time) or whether we simply own property (without a house I presume) within the town limit or historic district (zoning issues? - not explained in this survey). Property owners are property owners and should have equal status whether they live within the town limits full time, part-time or simply own property. As one property & home owner in the historic district who will be directly impacted by this proposed ordinance, and affected by an abut

property owner where chickens were illegally allowed for seven months and will no doubt be affected if an ordinance is allowed, we are against this wholeheartedly. There is an abundance of rural land in Northampton County where farms and associated animals are allowed. The founding fathers purposely made accommodations to not allow such activities within the Town of Cape Charles for those seeking an oasis from farm activity as evidenced by the current zoning ordinance. We the people of this town chose to live in a "TOWN" and not on or next to a farm and being exposed to farm animals and farm activities. Please keep Cape Charles a TOWN and don't turn it into a FARM!! What will you be asked to consider next pigs and then goats? Please, no Chickens!

13. Houses in Cape Charles are built on small lots. The noise & smell of chickens cannot be buffered. Even hens make noise. In many cases houses in town are very close together limiting air flow. People cannot be trusted to properly keep the chicken pens clean. If they don't the town would do nothing about it. We have ordinances now covering building maintenance & trash that are not enforced. One cannot expect any different if chickens were allowed.
14. I am strongly opposed to the maintenance of chickens within the historic district where I own my home. I believe the chickens pose both a health and noise problem. Additionally, I think livestock in town is inconsistent with the overall peace and enjoyment of living in a residential historic town.
15. This is a community with many vacation rentals, second homeowners and full time residents with very close proximity from house to house, especially within the town limits. We have enough challenges with owner's lack of responsibility with dogs and other pets. We have a significant population of feral cats in town. I do not think the potential "hobby" benefit of a small group that wishes to partake in the latest "fad" outweighs the potential (and probable) negative impact for others. If you are renting a beach house for a week - do you really want to be next door to farm animals? Not the right environment. Nothing against chickens or fresh eggs. It's usually the negligent owners cause issues. We already hear the neighbor's dogs constantly barking, running loose and their fecal matter on our property. We have feral cats invading our deck and backyard. While chickens are relatively quiet (I grew up on a farm) they do require proper housing & husbandry to keep odor away from close neighbors. Please - not another animal to deal with. Thank you!

Historic District Residents' Survey Responses Comments

4 **Maybe (7.27%)**
31 **Yes (56.36%)**
20 **No (36.36%)**

"Maybe" Comments

I have two concerns: there would be run off into the Bay from badly managed chicken coops. Also, that people would let the chickens run loose. Absolutely, no roosters.

do they have to be full-time resident, or could part-timer do it and have someone come in to check-in/care for chickens when homeowner isn't here? what would coop requirements be? would fence around property be required? how many chickens? would people be required to sell eggs according to Dept of Health regulations or would we turn a blind eye and just let them sell if they want to? If they sell, will they be allowed to put sign on property? will you have to have business license if you sell eggs? will you be allowed to do by right or will you have to have permit/zoning approval? will there be only so many permits/total number of chickens allowed within Town limits? I support no roosters. I'd like more information on my questions before I can make an informed decision.

"No" Comments

Salmonella could be a problem with chickens kept in an area with the density in the Historic District not to mention the odor from the waste from the chickens. In addition over time chicken coops will be maintained to varying standards some very good and some very poorly. This could turn out to be a real liability to the reputation of the town. The state of these coops, I am concerned could turn into an enforcement nightmare.

I feel that chickens should not be allowed in the town of Cape Charles. We start allowing people to have chickens, next it will be something else. I know that people have said that this is a little Mayberry and want to get the town to be their ideal place since moving here. I am sure that the areas where some of them moved from did not allow chickens. Please do not allow this town to become rural as it is out of town. For people who want chickens, I would suggest that they lease some property out of town in order to raise their chickens. Unfortunately, many of the decisions about this town are made on personal agendas. Plus people moving here realize that most of the things they ask for they usually get. This survey is unfair because many of the locals do not have a computer to complete such a survey. It is always said that people can go to the library. They should not have to do this when others have computers that they are using all the time. No! No! No!

Chickens are not pets. They're poultry. Honestly, the town is already overrun with stray cats; I wish the town would address that problem before it permits more critters. Thanks for the survey. Nice to have input.

As one property & home owner in the historic district who will be directly impacted by this proposed ordinance, and affected by an abut property owner where chickens were illegally allowed for seven months and will no doubt be affected if an ordinance is allowed, we are against this wholeheartedly. There is an abundance of rural land in Northampton County where farms and associated animals are allowed. The founding fathers purposely made accomadations to not allow such activities within the Town of Cape Charles for those seeking an oasis from farm activity as evidenced by the current zoning ordinance. We the people of this town chose to live in a "TOWN" and not on or next to a farm and being exposed to farm animals and farm activities. Please keep Cape Charles a TOWN and don't turn it into a FARM!! What will you be asked to consider next pigs and then goats? Please, no Chickens!

I am strongly opposed to the maintenance of chickens within the historic district where I own my home. I believe the chickens pose both a health and noise problem. Additionally, I think livestock in town is inconsistent with the overall peace and enjoyment of living in a residential historic town.

Chickens and other farm animals do not belong within city limits, which is what most towns follow. This is not Green Acres but a beach community!

Houses in Cape Charles are built on small lots. The noise & smell of chickens cannot be buffered. Even hens make noise. In many cases houses in town are very close together limiting air flow. People cannot be trusted to properly keep the chicken pens clean. If they don't the town would do nothing about it. We have ordinances now covering building maintenance & trash that are not enforced. One can not expect any different if chickens were allowed.

Historic District Residents' Survey Responses Comments

My greatest concerns are; (1) The burden of code enforcement for keeping chickens given that the average lot within town is less than 5000 square feet. (2) Code enforcement should be consistent for the common good of the community. Bay Creek residents cannot keep chickens and neither should property owners within town. (3) The effect that chicken keeping would have on Tourism.

"Yes" Comments

I feel that chickens are fine but a limit to 6 per lot should be enforced. Chickens have proven to be a great way to control bugs and ticks. Chickens are very interesting and make great pets while providing a variety of benefits.

As the dollar is increasingly undermined, raising food will become paramount.

At this point a fairly large number of urban communities throughout Virginia and the United States allow residents to keep a few hens. They have done this for a number of good reasons. It's great to know where your food is coming from. Chickens provide natural fertilizer. Chickens eat insects. I encourage Cape Charles to allow owners to raise a few chickens. On a separate note, there seem to be a number of folks in Cape Charles that just let their dog wander around the city. Dogs should be with their owner when they are outside, unless they are in a fenced yard.

As long as the chickens and property are kept up, than it should be no bodies business what they have or do on their property.

We have worse eye sores in this town than clean, egg-producing chickens.

I have concerns about the portion of the population that is allergic or highly allergic to chicken feathers, but this is balanced by my support of vegetable gardening and other sustainable homesteading practices.

There is no harm in keeping a few chickens as pets or whatever you prefer to call them, or rabbits as long as they have enough room and do not disturb the immediate neighbors.

Not a problem. Sounds like a really interesting way to enrich the town.

Mr. Testerman did a great job with this draft. I feel it is fair and unobtrusive, and should meet the approval of most residents.

Having observed 'up close and personal' chicken keeping in a fenced residential setting I wholeheartedly support the idea and the practice as long as the guidelines set by the town are followed. I built my little 'granny cottage' on the rear of my daughter's home and was interested to learn about and interact with her six hens. My grandsons helped care for the chickens, helping to build and paint their very artistic chicken coop, changing their bedding every day, helping to feed and water them every day and gathering the daily fresh eggs. The chickens naturally went into their coop at sundown every day and were in general very quiet. They did come to 'visit' me as I sat on my swing in good weather. They got along well with my two cats...the kitties did not chase the hens. I observed the hens pecking at and eating bugs out of my garden and would settle under a bush to rest. Occasionally they would hop up on my swing to say 'hello' and to softly 'talk' to with gentle clucks, and study, this human creature- which I enjoyed. The hens were definately good pets and educational for the boys. And, the very fresh eggs they provided every day were delicious! We did not keep our hens for slaughter, only for the companionship and education they provided. At 74 years of age, my only prior interaction with chickens was when I was a child, observing my grandmother running after one of her chickens with a cleaver in her hand. So I was entranced by our fascinating chicken pets, their place in our family and in our fenced yard, and would recommend the practice of keeping a few hens to anyone.

Living once in Key West the roosters wake the whole town up. As long as there are no roosters I favor the keeping of chickens as long as the no rooster portion is enforced.

3-4 chickens... NO ROOSTERS... must be housed in a clean, movable, at least partially covered coop.

 TOWN OF CAPE CHARLES	AGENDA TITLE: Pine Street Parking Lot		AGENDA DATE: October 16, 2014
	SUBJECT/PROPOSAL/REQUEST: Review conceptual plans and refer to Planning Commission.		ITEM NUMBER: 8A
	ATTACHMENTS: Conceptual plans, A & B.		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Bob Panek	REVIEWED BY: Bob Panek, Interim Town Manager	

BACKGROUND:

The acquisition of the former Bank of America property at Mason Avenue and Pine Street included two undeveloped lots behind the building. Council's intention was to evaluate the use of this property for additional parking in the downtown business district. The recent acquisition and planned redevelopment of the former grocery store property (including eventual loss of the two parking lots) on Mason Avenue has heightened the interest in developing a Pine Street parking lot. The FY 2015 budget includes \$10K for design work.

DISCUSSION:

The Land Studio, PC, contract was amended to add \$2.8K for a conceptual plan including:

1. Public parking.
2. Location of easily accessible dumpsters to serve nearby commercial properties.
3. Access to an alleyway between the buildings on Mason and Randolph Avenues for public safety.
4. Appropriate screening.

The site has several challenges that must be considered in the layout. Sufficient bio-retention must be maintained on the property for storm water management. Access for a garage on adjacent property must be maintained. The existence of a fully mature pecan tree must be considered.

Land Studio has produced two conceptual plans, attached. Plan A does not attempt to preserve the existing pecan tree; Plan B attempts to do so. Significant trimming of the tree canopy would be required to compensate for the major root disturbance caused by construction. The tree would likely die within a few years. Both plans provide locations for three dumpsters and an underground tank for used cooking oil. Both plans provide access for the private garage, but Plan B is less desirable. Plan A would provide 34 parking spots, versus 30 in Plan B.

Because of the problems in preserving the tree, dropping of limbs and nuts, and the desirability of maximizing the availability of off-street parking, staff recommends Plan A.

RECOMMENDATION:

Discuss the conceptual plans and forward one, or both, to the Planning Commission for review and recommendation to Council.



14004

September 17, 2014

Parking Lot - Concept A

CAPE CHARLES, VIRGINIA

SCALE: 1"=20'





14004

September 17, 2014

Parking Lot - Concept B

CAPE CHARLES, VIRGINIA

SCALE: 1"=20'



 <p>TOWN OF CAPE CHARLES</p>	AGENDA TITLE: Fuel Services Contract Award		AGENDA DATE: October 16, 2014
	SUBJECT/PROPOSAL/REQUEST: Award Contract for Fuel Services		ITEM NUMBER: 8B
	ATTACHMENTS: Bid Tabulation Sheet		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Smitty Dize, Jr.	REVIEWED BY: Bob Panek, Interim Town Manager	

BACKGROUND:

The current contract with Pep-Up for fuel services expires at midnight on November 30, 2014.

In September the Town advertised for bids for fuel services to include the Town Harbor and all Town facilities with a deadline of October 3, 2014 at 2:00 p.m.

DISCUSSION:

Two bids were received. The bid tabulation sheet is attached.

- Pep-Up Inc. was the low bidder for 87 octane gasoline (10% ethanol).
- Pep-Up Inc. was the only bidder for 89 octane gasoline (ethanol free).
- Pep-Up Inc. was the only bidder for propane.
- Dime Oil was the low bidder for diesel and heating oil.

Council can choose to split the fuel services contract for gasoline/propane and diesel fuel/heating oil with the respective low bidder but staff has concerns with the ability of Dime Oil to deliver diesel fuel to the harbor as needed in a timely manner. Although Dime Oil has an office on the Eastern Shore, their fuel tanks are located in Chesapeake, VA. The harbor's diesel tank holds 3,600 gallons, and most weekends during the summer it has to be filled on Sunday. We never know when we will get a string of yachts that may need fueling within an hour. Also, larger vessels are filled by transport and there may be issues regarding response time and availability for vessels arriving in the morning and wishing to depart in the same afternoon.

RECOMMENDATION:

Staff requests authorization for the Interim Town Manager to execute the fuel services contract for all fuel products with Pep Up Inc.

**Fuel Bid Tabulation Sheet
10-03-2014**

COMPANY	Regular Unleaded				Plus Unleaded				Super Unleaded			
	Refinery	Mark Up	Taxes	Total	Refinery	Mark Up	Taxes	Total	Refinery	Mark Up	Taxes	Total
PEP-UP	\$2.52300	\$0.13000	\$0.11700	\$2.77000	\$3.09280	\$0.43000	\$0.11700	\$3.63980	\$2.90890	No Bid	\$0.11700	\$3.02590
DIME	\$2.48100	\$0.54000	\$0.11700	\$3.13800	\$0.00000	No Bid	\$0.11700	\$0.11700	\$0.00000	No Bid	\$0.11700	\$0.11700
			\$0.11700	\$0.11700			\$0.11700	\$0.11700			\$0.11700	\$0.11700
COMPANY	Diesel				Diesel By Transport/Truck				Propane			
	Refinery	Mark Up	Taxes	Total	Refinery	Mark Up	Taxes	Total	Refinery	Mark Up	Taxes	Total
PEP-UP	\$2.67500	\$0.13000	N/A	\$2.80500	\$2.67500	\$0.12000	N/A	\$2.79500	\$1.23000	\$0.40000	N/A	\$1.63000
DIME	\$2.67650	\$0.06890	N/A	\$2.74540	\$2.67650	\$0.06890	N/A	\$2.74540	\$0.00000	No Bid	N/A	\$0.00000
			N/A	\$0.00000			N/A	\$0.00000			N/A	\$0.00000
COMPANY	Heating Oil											
	Refinery	Mark Up	Taxes	Total	Refinery	Mark Up	Tax	Total	Refinery	Mark Up	Tax	Total
PEP-UP	\$2.63750	\$0.13000	N/A	\$2.76750								
DIME	\$2.67150	\$0.06890	N/A	\$2.74040								
			N/A	\$0.00000								

Attendees at the opening:

William (Smitty) Dize - Harbor Master (Town of Cape Charles)

Amanda Hurley - Asst. Town Clerk (Town of Cape Charles)

Tom Kraft - Dime Oil

 TOWN OF CAPE CHARLES	AGENDA TITLE: Waste Collection and Disposal Services Contract Extension		AGENDA DATE: October 16, 2014
	SUBJECT/PROPOSAL/REQUEST: Approve Contract Extension for Waste Collection and Disposal Services		ITEM NUMBER: 8C
	ATTACHMENTS: Waste Collection and Disposal Services Contract Attachment 4-Cost of Services		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Dave Fauber, Director Public Works/Utilities	REVIEWED BY: Bob Panek, Interim Town Manager	

BACKGROUND:

The Request for Proposal for Waste Collection and Disposal Services closed on August 30, 2013. The contract was awarded to Davis Disposal Co., Inc. with an effective date of November 1, 2013. The original contract allowed for three (3) one-year extensions.

DISCUSSION:

This is the first of three extensions covering the timeframe from November 1, 2014 through October 31, 2015.

As stated in the original contract, and shown on Attachment 4, the cost for residential service is \$13.50 for year two. Attachment 4 is attached and shows the cost breakdown for commercial accounts.

RECOMMENDATION:

Staff requests Council approval for the first extension of the Waste Collection and Disposal Services contract with Davis Disposal from November 1, 2014 through October 31, 2015.

Town of Cape Charles, Virginia

ATTACHMENT 4

COST OF SERVICES

The term of the contract shall be for one year, beginning on November 1, 2013 and ending October 31, 2014 with the option to renew with up to three extensions at the prices listed below.

Residential Accounts:

1. Contractor will charge the Town \$12.75 per month per container for each residential account for Year 1; \$13.50 per month per container for each residential account for Year 2 and Year 3 and; \$13.85 per month per container for each residential account for Year 4. Contractor shall collect a maximum of 120 gallons at each account. A 96 gallon cart to be provided by the Town may be supplemented with bagged garbage not to exceed two (2) bags. Pick up of residential accounts will be once per week.

*Commercial Accounts:

1. Contractor will charge the Town \$85.00 per month for each 2 cubic yard commercial dumpster Account for pick up once per week; \$140.00 for pick up twice per week; and \$200.00 for pick up three times per week.
2. Contractor will charge the Town \$125.00 per month for each 4 cubic yard commercial dumpster Account for pick up once per week; \$180.00 for pick up twice per week; and \$245.00 for pick up three times per week.
3. Contractor will charge the Town \$175.00 per month for each 6 cubic yard commercial dumpster Account for pick up once per week; \$255.00 for pick up twice per week; and \$335.00 for pick up three times per week.
4. Contractor will charge the Town \$225.00 per month for each 8 cubic yard commercial dumpster Account for pick up once per week; \$340.00 for pick up twice per week; and \$435.00 for pick up three times per week.
5. Contractor will charge the Town \$52.00 per month for four (4), 96 gallon cans for pick up once a week.

*This pricing is not for food service customers.

 <p>TOWN OF CAPE CHARLES</p>	AGENDA TITLE: Reappointment of Planning Commissioners		AGENDA DATE: October 16, 2014
	SUBJECT/PROPOSAL/REQUEST: Reappointment of Library Board member		ITEM NUMBER: 8D
	ATTACHMENTS: None		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Rob Testerman, Planner	REVIEWED BY: Bob Panek, Interim Town Manager	

BACKGROUND:

The Planning Commission serves as an advisory body to the Town Council for planning related matters. The Commission meets at least once a month and consists of six members each serving four-year terms and a representative from the Town Council.

DISCUSSION:

Two Commissioners, Bill Stramm and Andy Buchholz, have terms expiring on October 31, 2014. Both have expressed their interest in continuing their service on the Planning Commission for another term.

RECOMMENDATION:

Staff recommends Council reappoint Messrs. Bill Stramm and Andy Buchholz to the Planning Commission for another four-year term.

 TOWN OF CAPE CHARLES	AGENDA TITLE: Reappointment of Board of Zoning Appeals Member		AGENDA DATE: October 16, 2014
	SUBJECT/PROPOSAL/REQUEST: Reappointment of Board of Zoning Appeals member		ITEM NUMBER: 8E
	ATTACHMENTS: None		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Rob Testerman, Planner	REVIEWED BY: Bob Panek, Interim Town Manager	

BACKGROUND:

The Board of Zoning Appeals (BZA) hears zoning appeals and reviews variance and special exception applications. The BZA meets on an as needed basis and consists of five members each serving five-year terms.

DISCUSSION:

Julia Parr's term expires on October 31, 2014 and she has expressed her interest in continuing her service on the BZA for another term.

RECOMMENDATION:

Staff recommends Council reappoint Ms. Julia Parr to the BZA for another five-year term.

 <p>TOWN OF CAPE CHARLES</p>	AGENDA TITLE: Appointment of Harbor Area Review Board Member		AGENDA DATE: October 16, 2014
	SUBJECT/PROPOSAL/REQUEST: Appointment to Harbor Area Review Board		ITEM NUMBER: 8F
	ATTACHMENTS: None		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Rob Testerman, Planner	REVIEWED BY: Bob Panek, Interim Town Manager	

BACKGROUND:

The Harbor Area Review Board (HARB) oversees the Town's Harbor Area and has the power and authority to issue or deny Certificates of Appropriateness for construction, reconstruction, substantial exterior alteration, razing, or relocation within the Harbor Area. The HARB meets on an as needed basis and consists of seven members as follows: three citizens each serving five-year terms, and one representative each from the Town Council and Historic District Review Board and two representatives from the Planning Commission.

DISCUSSION:

On October 6, 2014, Laurie Klingel tendered her resignation from the HARB effective immediately.

At the August 21, 2014 Regular Meeting, Council approved, by majority vote, naming Paul Skolnick as an alternate to the HARB to fill any future vacancy on that board.

RECOMMENDATION:

Staff recommends Council's appointment of Mr. Paul Skolnick to the HARB to complete Ms. Klingel's unexpired term which runs through December 20, 2017.