



TOWN COUNCIL

Regular Meeting

November 20, 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. Public Comments (3 minutes per speaker)
4. Consent Agenda
 - A. Approval of Agenda Format
 - B. Approval of Minutes
5. Department Reports
 - *A. Treasurer's Report
 - B. Planning Commission and Boards
 - C. Other Department Reports
6. Old Business
 - A. PSA/Regional Wastewater Update
7. New Business
 - *A. Northampton County Funding Request
 - B. Beachfront Improvements
 - *C. Parking Lease
 - *D. Bank of America Franchise Tax Refund
 - *E. Town Elections
 - *F. Reverse Angled Parking
 - *G. Connection Charge Payment Plan
8. Mayor & Council Comments (5 minutes per speaker)
9. Announcements
 - November 25, 2014 – Mayor's Office Hours, Civic Center, 6:00 – 8:00 PM
 - November 26, 2014 – Town offices closing at noon for Thanksgiving Holiday
 - November 27-28, 2014 – Town offices closed for Thanksgiving Holiday
 - November 29, 2014 – Cape Charles Historical Society Oyster Roast
 - December 4, 2014 – Town Council Work Session
 - December 5, 2014 – Northampton County Chamber of Commerce Holiday Tasting Tour
 - December 6, 2014 – Lighted Boat Parade, Golf Cart Parade, Grand Illumination
 - December 13, 2014 – Cape Charles Volunteer Fire Company's ToolMania
 - December 18, 2014 – Town Council Regular Meeting
10. Adjourn at 8:00 P.M.



DRAFT
TOWN COUNCIL
Regular Meeting
Civic Center
October 16, 2014
6:00 p.m.

At approximately 6:00 p.m. Mayor George Proto, having established a quorum, called to order the Regular Meeting of the Town Council. In addition to Mayor Proto, present were Vice Mayor Bannon, Councilmen Bennett, Brown, Godwin, Wendell and Councilwoman Natali. Also in attendance were Interim Town Manager Bob Panek, Town Planner Rob Testerman, Harbor Master Smitty Dize and Town Clerk Libby Hume. The majority of the Department Heads were in attendance as well as seven members of the public.

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

RECOGNITION OF VISITORS / PRESENTATIONS:

Mayor Proto stated that he was changing the order of presentation items A and B. Also, staff was notified earlier that Ms. Holly Carpenter with the U.S. Army Corps of Engineers was unable to attend this evening due to a scheduling conflict.

B. *Friends of the Cape Charles Memorial Library Proclamation – National Friends of Libraries Week*

Mayor Proto stated that October 19-25, 2014 was the ninth annual National Friends of Libraries Week.

Motion made by Councilman Godwin, seconded by Councilwoman Natali, to approve Proclamation 20141016 to recognize the Friends of the Cape Charles Memorial Library during National Friends of Libraries Week.

Mayor Proto read Proclamation 20141016-Recognizing the Friends of the Cape Charles Memorial Library during National Friends of Libraries Week, October 19-25, 2014.

The motion was approved by unanimous vote.

Mayor Proto presented the Proclamation to Friends of the Cape Charles Memorial Library Vice President Emily Cullen.

A. *Clam Slam Committee Presentation*

Harbor Master Smitty Dize gave an overview of the 2014 Clam Slam Event. (Please see attached.)

PUBLIC COMMENTS:

Emily Cullen, 129 Churchill Downs

Ms. Cullen addressed the Town Council regarding the Friends of the Cape Charles Memorial Library Friends Week activities. Three events were scheduled: i) October 21, 2014 from 3 p.m. – 5 p.m., Understanding Genealogy and How to use Ancestry.com; ii) October 23, 2014 from 5 p.m. – 7 p.m., Resume Writing and How to search for a job; and iii) October 25, 2014 from 10 a.m. – 12 p.m., Introduction to Sign Language. Refreshments would be served at each event. Three prizes were being raffled off (Kindle HD Fire plus a \$15 Amazon gift card, a \$25 Amazon gift card, and a 2GB USB thumb drive) and the drawing would be held at noon on October 25. Ms. Cullen concluded by inviting everyone to attend one or all the events.

Veann Duvall, 110 Tazewell Avenue

Ms. Duvall encouraged the Town Council to move forward with building a new basketball court. Kids would use the basketball court every day and would not get into trouble. About a year ago, the Town Manager had written a letter naming two possible sites for the basketball court. The Comprehensive Plan stated that the Town needed to provide a recreation center. Ms. Duvall stated that it would be positive to move forward with the project.

Town Clerk Libby Hume read two comments which were submitted via email.

Cela Burge, 117 Mason Avenue

Ms. Burge submitted her comments regarding the Pine Street Parking. Please see attached for Ms. Burge's comments.

John Burdiss, 117 Mason Avenue

Mr. Burdiss submitted his comments regarding the Pine Street Parking. Please see attached for Mr. Burdiss' comments.

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

CONSENT AGENDA – APPROVAL OF AGENDA FORMAT:

Motion made by Vice Mayor Bannon, seconded by Councilman Brown, to approve the agenda format as presented. The motion was approved by unanimous vote.

CONSENT AGENDA – APPROVAL OF MINUTES:

The Town Council reviewed the minutes of the September 18, 2014 Public Hearing, the September 18, 2014 Regular Meeting, the September 25, 2014 Joint Work Session with the Planning Commission, the October 7, 2014 Joint Public Hearing with the Planning Commission, the October 9, 2014 Public Hearing and the October 9, 2014 Special Meeting.

Councilwoman Natali stated that the name of the organization represented by Ms. Joan Prescott and Mr. Dave Steward at the September 18, 2014 Regular Meeting was Eastern Shore Eventacular, Inc. and asked that the name be corrected in the minutes.

Motion made by Councilwoman Natali, seconded by Councilman Brown, to approve the minutes from the September 18, 2014 Public Hearing, the September 25, 2014 Joint Work Session, the October 7, 2014 Joint Public Hearing, the October 9, 2014 Public Hearing and the October 9, 2014 Special Meeting as presented and the minutes from the September 18, 2014 Regular Meeting as amended. The motion was approved by unanimous vote.

DEPARTMENT REPORTS:

A. Treasurer's Report:

Treasurer Deborah Pocock reviewed the Treasurer's report dated September 30, 2014 which showed the Total Cash on Hand of \$938,986, the Total Cash Held in Reserve was \$1,366,370 and the Total Cash - All Accounts was \$2,304,356. Deborah Pocock 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 way-finding signs be added to the Capital Improvement Projects List.

Motion made by Councilman Brown, seconded by Councilman Godwin, 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) Comments had been received from the Department of Conservation and Recreation (DCR) regarding the draft floodplain ordinance. After making the minor edits as recommended by DCR, the ordinance would be reviewed by the Planning Commission and sent back to DCR for their final review prior to scheduling a public hearing; ii) Ms. Holly Carpenter from the U.S. Army Corps of Engineers was unable to attend tonight's meeting but informed him that the contractor would be obtaining the land disturbance permit and beginning the clean-up of the spoils site sometime next month; and iii) He would be attending the Cape Charles Business Association meeting to obtain input regarding possible incentives and criteria for the proposed Tourism Zone. This item should be ready for public hearing in the next couple of months.

Councilwoman Natali added that the Planning Commission was considering part-time, partial-year and year-round businesses for the Tourism Zone with different incentives for each business type. Rob Testerman stated that he spoke with the Virginia Tourism Corporation and they were unaware of Tourism Zones which incorporated the different business types but felt that it was a good approach.

Vice Mayor Bannon stated that at the October 7, 2014 Joint Public Hearing with the Planning Commission regarding the proposed chicken ordinance, a citizen stated that the time spent by the Planner to research and draft the ordinance equated to \$25K and asked Rob Testerman if that was the case. Rob Testerman responded that at his current salary, he would have had to work on this issue for eight hours every day for about eight months which he did not. The time spent on this issue was significantly less and he did not calculate a specific dollar amount for the time spent.

C. *Code Enforcement:*

Code Official Jeb Brady reported the following: i) Construction projects, both commercial and residential, were up and in talking to various contractors, it seemed that the trend would continue for the next year. Many of the residential projects had pre-paid connection fees; and ii) The Cape Charles Lofts project was on track. The contractor had completed the interior demolition and was currently framing the walls.

D. *Town Harbor:*

Harbor Master Smitty Dize reported the following: i) Fuel sales were down this year due to the fuel prices being about 70¢ lower per gallon this year. Also, a survey vessel from NOAA was in port last year; and ii) Staff was performing routine maintenance at the Harbor.

E. *Cape Charles Memorial Library:*

Librarian Ann Rutledge thanked the Friends of the Cape Charles Memorial Library for all they did for the Library and hoped that everyone would be able to visit the Library next week. The Library could not provide the various programming and activities without the support of the Friends of the Library.

F. *Police Department:*

Police Chief Jim Pruitt reported the following: i) He was encouraging his staff to volunteer for various things in the area. Corporal Pfeiffer was a member of the Cape Charles Rescue Squad and Officer Bell was Captain of the Cape Charles Volunteer Fire Company (CCVFC). He was also joining the CCVFC and served on the Ducks Unlimited Committee; ii) The Cape Charles Police Dept. was fully staffed; iii) He was working on year-to-date totals for calendar year 2014 and

would present his report to Council in early 2015; and iv) He was also compiling a list of the professional training taken by the officers of the department.

Councilwoman Natali stated that she had been receiving positive feedback from the Bay Creek residents regarding the police officers patrolling the area. Chief Pruitt stated that the officers had always been patrolling the Bay Creek neighborhood but the cars were now marked and more visible.

G. *Public Utilities/Public Works Departments:*

Public Utilities/Public Works Director Dave Fauber thanked Supervisor Granville Hogg for using his signage on U.S. Route 13 to direct traffic into the Town for events. It was a great service to the Town.

Councilman Bennett noted that once again this month the wastewater flow showed a higher amount of 616K GPD. Dave Fauber stated that again, he felt the amount was due to inflow from rain events. There was much discussion regarding this issue and whether the upcoming manhole project would help with the problem.

H. *Recreation Department:*

Recreation/Community Events Coordinator Jen Lewis stated that she did not have anything to add to her submitted report and asked if there were any questions regarding her report. There were none.

OLD BUSINESS

A. *Backyard Chicken Ordinance*

Rob Testerman stated that the draft chicken ordinance, if approved, would allow the possibility of property owners in the R-1, R-2 and RE zoning districts to raise up to five hens by conditional use and continued to give an overview of the requirements and process. A joint public hearing of the Planning Commission and Town Council was held on October 7, 2014. Following the public hearing, the Planning Commission discussed the comments at their regular meeting and voted unanimously to recommend disapproval of the draft ordinance thus continuing the position that raising chickens in town was prohibited. There was much discussion regarding the raising of chickens in town and the comments made at the joint public hearing.

Motion made by Vice Mayor Bannon seconded by Councilman Bennett, to disapprove the ordinance regarding the raising of backyard chickens. The motion was approved by majority vote. Roll call vote: Bannon, yes; Bennett, yes; Brown, no; Godwin, no; Natali, yes; Wendell, yes.

NEW BUSINESS:

A. *Pine Street Parking Lot*

Interim Town Manager Bob Panek stated that the acquisition of the former Bank of America property 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 property on Mason Avenue, including eventual loss of the two parking lots, had heightened the interest in developing a Pine Street parking lot. The FY 2015 budget included \$10K for design work. Land Studio, PC, produced two conceptual plans to include public parking, location of easily accessible dumpsters to serve nearby commercial properties, access to an alleyway between the buildings on Mason and Randolph Avenues for public safety, and appropriate screening. Bob Panek reviewed the two plans. Plan A did not attempt to preserve the existing pecan tree and Plan B attempted to do so.

There was much discussion regarding the two proposed conceptual plans, the preservation of the pecan tree and placement of the dumpsters and grease receptacle in the parking lot behind the Library.

Motion made by Councilman Brown, seconded by Councilwoman Natali, to forward both conceptual plans to the Planning Commission for review and recommendation to Council. The motion was approved by unanimous vote.

B. Fuel Services Contract Award

Harbor Master Smitty Dize stated that the current contract for fuel services was due to expire 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. Two bids were received. Pep-Up Inc. was the low bidder for 87 octane gasoline and the only bidder for 89 octane (ethanol free) gasoline and propane. Dime Oil was the low bidder for diesel and heating oil. Although Dime Oil had an office on the Eastern Shore, their fuel tanks were located in Chesapeake, VA and staff had concerns regarding the response time for Dime Oil to deliver diesel fuel from Chesapeake to the harbor when needed. There were many instances where a number of yachts came into the harbor needing to be fueled within an hour and larger vessels were filled by transport.

Motion made by Vice Mayor Bannon, seconded by Councilwoman Natali, to authorize the Interim Town Manager to execute the fuel services contract for all fuel products with Pep-Up Inc. The motion was approved by unanimous vote.

C. Waste Collection and Disposal Services Contract Extension

Bob Panek stated that in October 2014, Council awarded the contract for waste collection and disposal services to Davis Disposal Co., Inc. with an effective date of November 1, 2013. The contract allowed for three one-year extensions. This would be the first of three extensions covering the timeframe from November 1, 2014 through October 31, 2015. As stated in the original contract, the cost for residential service was \$13.50 for year two with no changes to commercial accounts.

Motion made by Vice Mayor Bannon, seconded by Councilman Bennett, to approve the first extension of the Waste Collection and Disposal Services contract with Davis Disposal from November 1, 2014 through October 31, 2015. The motion was approved by unanimous vote.

D. Re-Appointment of Planning Commissioners

Rob Testerman stated that the Planning Commission served as an advisory body to the Town Council for planning related matters and consisted of six members each serving four-year terms and a representative from the Town Council. Two Commissioners, Bill Stramm and Andy Buchholz, had terms expiring on October 31, 2014 and both had expressed their interest in continuing their service on the Planning Commission.

Motion made by Councilman Bennett, seconded by Councilman Godwin, to re-appoint Messrs. Bill Stramm and Andy Buchholz to the Planning Commission for another four-year term. The motion was approved by unanimous vote.

E. Re-Appointment of Board of Zoning Appeals Member

Rob Testerman stated that the Board of Zoning Appeals (BZA) met on an as needed basis and heard zoning appeals and reviewed variance and special exception applications. The BZA consisted of five members each serving five-year terms. Julia Parr's term was due to expire on October 31, 2014 and she had expressed her desire to continue her service on the BZA for another term.

Motion made by Councilwoman Natali, seconded by Councilman Brown, to re-appoint Ms. Julia Parr to the BZA for another five-year term. The motion was approved by unanimous vote.

F. Appointment to Harbor Area Review Board

Rob Testerman stated that the Harbor Area Review Board (HARB) oversaw the Town's Harbor Area and had 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 met on an as needed basis and consisted of seven members as follows: three citizens each serving five-year terms, and one representative each from the Town Council and the Historic District Review Board, and two representatives from the Planning Commission. 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.

Motion made by Councilman Brown, seconded by Councilman Bennett, to appoint Mr. Paul Skolnick to the HARB to complete Ms. Klingel's unexpired term which ran through December 20, 2017. The motion was approved by unanimous vote.

MAYOR AND COUNCIL COMMENTS

Vice Mayor Bannon asked the status of the designated swim area for the beach. Bob Panek stated that the geography of the beach would change with the upcoming dredge project and the Town needed an estimate of the changes before moving forward with the designated swim area. Rob Testerman would provide the detail regarding the steps to move forward for Council's review. Vice Mayor Bannon stated that he received an email that there was no signage on the north end of the beach. Bob Panek stated that new signage had been installed along the beach but would check the north end to make sure and added that a briefing regarding plans for the south end of the beach would be presented to Council next month. Mayor Proto stated that a work session would be scheduled.

Councilwoman Natali encouraged everyone to attend the planned Friends of the Library events scheduled for October 21, 23 and 25 to show support to the Friends of the Cape Charles Memorial Library. Councilwoman Natali added that Mr. Frank Cullen had raffle tickets for sale and the raffle drawing would be held at noon on October 25.

Councilman Wendell commented as follows: i) He stated his agreement with Vice Mayor Bannon regarding beach safety and asked that the Town Planner research what other localities did and the level of education provided to citizens regarding beach safety. He had seen the new signs and added that the Town was heading in the right direction but warning signs needed to be placed on poles in the water vs. in a kiosk at the entrance to the beach. He would like the Town Planner and the Planning Commission to research beach safety at the same level as done for the chicken ordinance; ii) He was excited about the dredging and added that the Town needed to take steps regarding plantings to retain the sand. Bob Panek commented that beach grass had been planted in the past and the Public Works crew had erected sand fencing annually.

Councilman Brown stated that FEMA changed the flood zone in Cape Charles effective January 2015 and the Town Council needed to approve the changes prior to the end of the year. Town Clerk Libby Hume stated that the new flood maps would become effective May 2015 and, as reported earlier by Rob Testerman, the draft floodplain ordinance had been submitted to DCR for their review and their comments would be incorporated into the ordinance and reviewed again by the Planning Commission prior to scheduling a public hearing.

Councilmen Godwin and Bennett stated that they didn't have any further comments.

Mayor Proto thanked the Council for everything and asked if they received the updates from Springsted regarding the Town Manager search. All the Council members stated that they had received the updates.

ANNOUNCEMENTS

- October 25, 2014 – Trick-or-Treat with Pirate Pete, Town Harbor
- October 28, 2014 – Mayor’s Office Hours, Civic Center, 6:00 p.m. – 8:00 p.m.
- October 31, 2014 – Trick-or-Treating in Town until 8:00 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

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

Mayor Proto

Town Clerk

**Public Comments Submitted in Writing
October 16, 2014**

Cela Burge, 117 Mason Avenue

Dear Mayor Proto and Town Council Members:

I am sorry that I am unable to attend tonight's meeting personally as I had a previous meeting scheduled; however, I would like to speak into the record about the Pine Street Parking lot you will be considering on this evening's agenda.

I recently read the staff report for the agenda item addressing the conceptual plans A & B for the Pine Street Parking Lot. First, let me comment that I am delighted to see the Mayor and Council addressing the long term needs of the Town's parking supply. For many years, additional parking has been contemplated, and it is a bonus to have the space become available with the acquisition of the former Bank of America (now our beautiful library!) property. Secondly, I do realize that the site does have some constraints, but I am writing you to encourage you to think of the existing constraints as assets to the Pine Street area of the historic district.

Particularly, the lot has the existing sidewalk grid connecting Mason, Pine, and Randolph, and it has the mature pecan tree, which is classified as a "signature tree" (Cape Charles Tree Plan, p. 3) contributing to the significance of the streetscape along Pine Street. (Cape Charles Tree Plan, Fig. 1, p. 4).

I urge you and the Planning Commission to consider and adopt Concept B as presented by Land Studio. There are several reasons I would like to offer to support that recommendation:

1. The adopted Cape Charles Tree Plan urges "no net loss" of the tree canopy as a policy (see p. 9) and the Tree Ordinance, Sec. 1.2 states the intent of the Ordinance is to "protect appropriate existing trees". This huge, mature, pecan tree is a signature tree worthy of extra consideration and deliberation.
2. Only 4 parking spaces would be lost if adopting Concept B and a larger bioretention area would be created, along with keeping this tree, and with the use of pervious pavers, resulting in greater stormwater management control.
3. Perhaps the use of pavers throughout the site could be considered enabling more stormwater retention (for recharging the aquifer) and for minimizing disturbance to the root system of the pecan tree.
4. This tree is a unique asset of the town in that it cannot be replaced, perhaps even in our lifetimes. While a smaller tree could be planted in its place, it would take decades to replace the one that stands today.
5. Finally, if Concept B is adopted and constructed, and if the pecan tree were to die, additional parking and landscaping could be recaptured at that time- so there is no need to rush to remove the tree now.

Thank you for considering my comments in your deliberation.

Cela J. Burge
117 Mason Ave.
Cape Charles, VA

John Burdiss, 117 Mason Avenue

Dear Mayor Proto and Town Council Members:

Please let me endorse fully the comments sent to you by my wife, Cela Burge, in a separate email about plans for establishing public parking at the corner of Pine & Randolph. I would also suggest that you consider engaging a tree steward or a professional arborist to evaluate means to maximize parking and save the monumental pecan tree in the process.

As many of you know, I was actively involved in the efforts to acquire the former Bank of America property (which included the lots behind the bank) with the long term plan of moving the library, repurposing the old library and providing some public parking.

Steps one and two have been done well and have proven to be very successful. I now urge you to not over-reach in order to obtain a few extra parking spaces, when the gain in public parking spaces without disturbing the tree will be significant. Lastly, the cost to remove a tree of that size, which will likely be substantial, can be used to offset any increase that might occur if pervious pavers are used vs. asphalt.

Thank you for your consideration of these comments,

John Burdiss
117 Mason Ave., Suite A
Cape Charles, VA

DRAFT

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



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

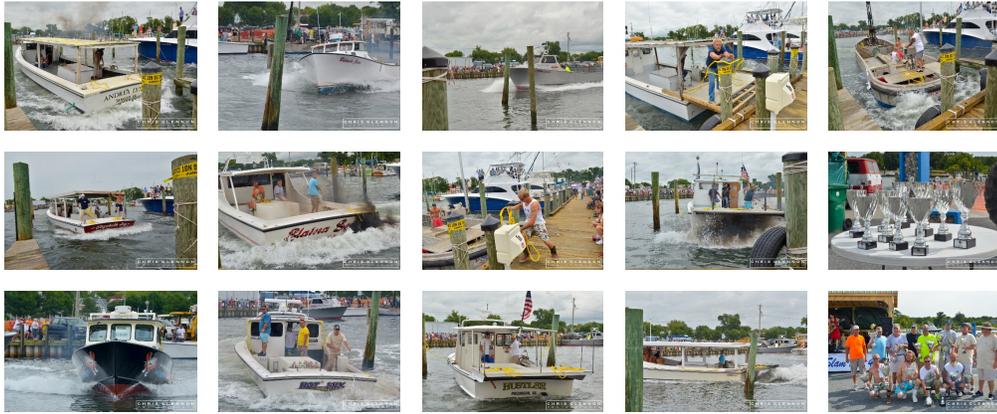
4th Annual Smith Island Skiff Races



4th Annual Crab Pot Cork Race



4th Annual Boat Docking Contest



This Year We Added Fireworks Saturday Night.



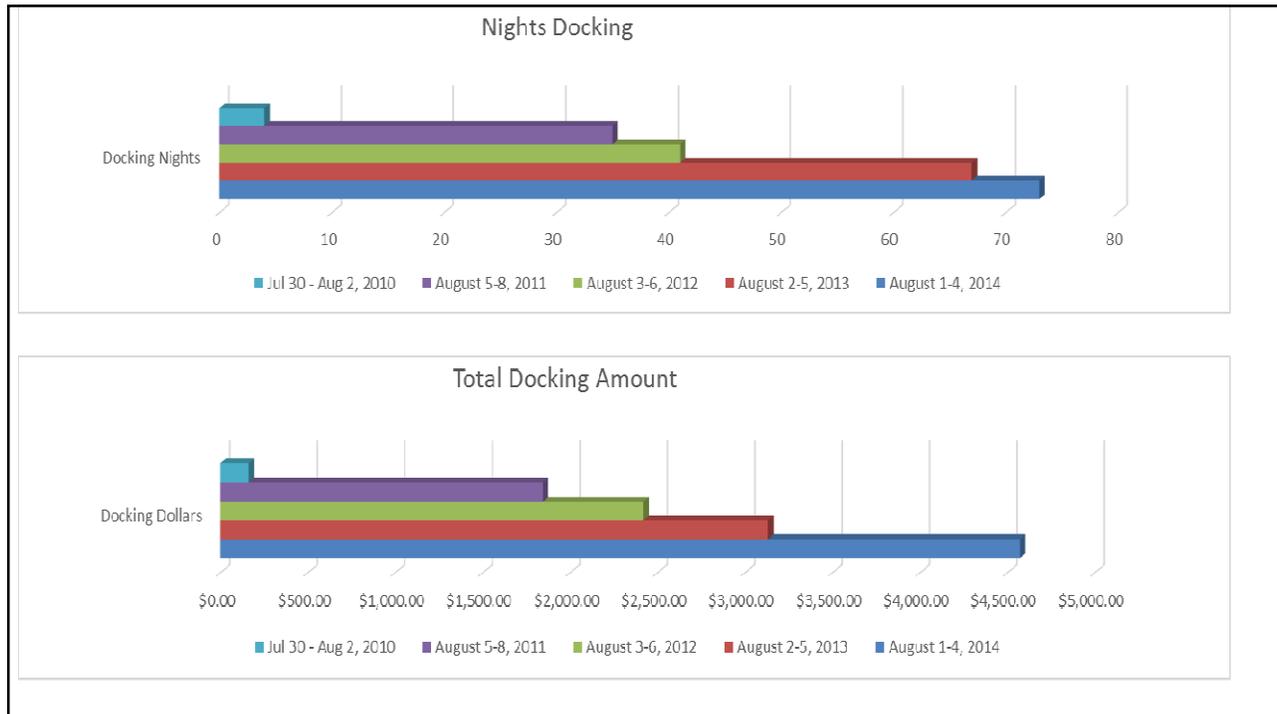
Sponsors and VIPs

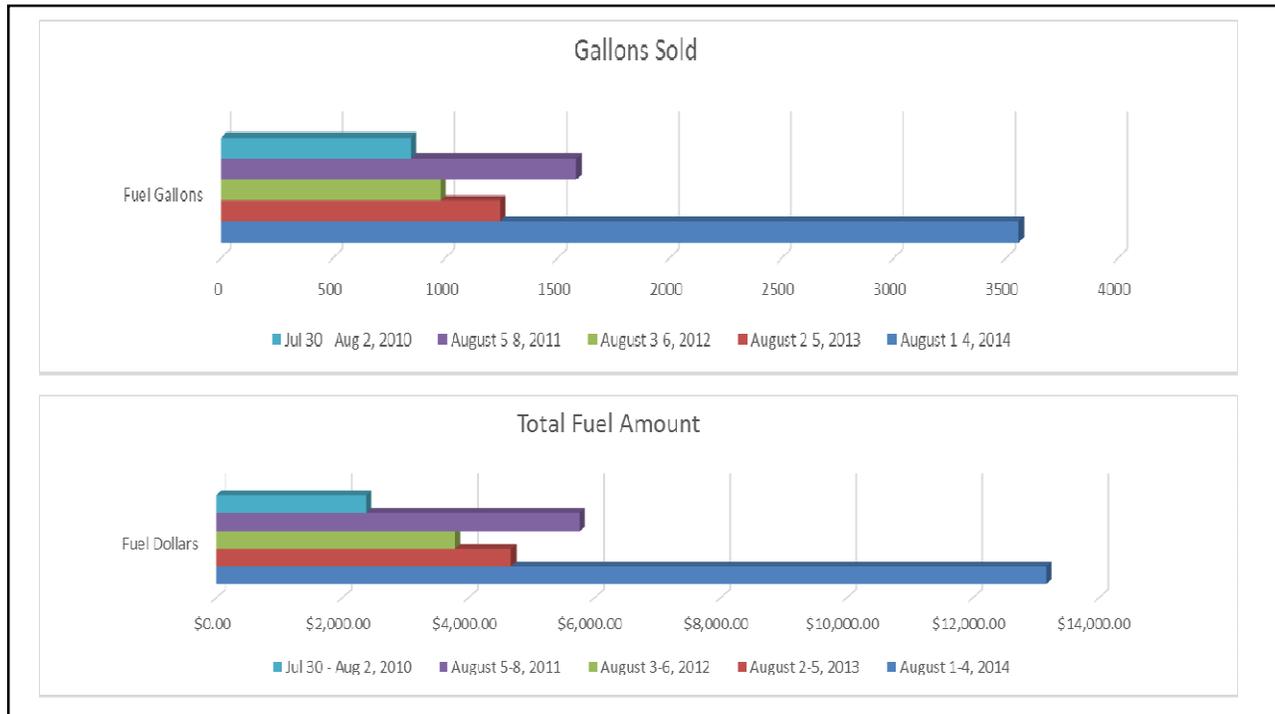
- 42 Sponsors
- 4 new ones for next year already
- The VIP Section was a hit
- Also put their logos on the front of their shirts



FINANCIAL REPORT Event Only CLAM SLAM 2014			FINANCIAL REPORT WITH HARBOR BUSINESS CLAM SLAM 2014		
10/7/2014	Budgeted	Actual	10/7/2014	Budgeted	Actual
HARBOR FUND Revenue	\$48,400.00		HARBOR FUND Revenue	\$48,400.00	
Clam Slam Special Event Sponsorships		\$19,780.00	Clam Slam Special Event Sponsorships		\$19,780.00
Clam Slam Admissions	\$0.00	\$19,530.00	Clam Slam Admissions	\$0.00	\$19,530.00
Vendor Fees	\$0.00	\$1,125.00	Vendor Fees	\$0.00	\$1,125.00
Beer Sales	\$0.00	\$9,736.00	Beer Sales	\$0.00	\$9,736.00
HARBOR FUND Revenue Total	\$48,400.00	\$50,171.00	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 CLAM SLAM 2014			FINANCIAL REPORT WITH HARBOR BUSINESS 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
			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





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?

MUNICIPAL CORPORATION OF CAPE CHARLES
TREASURER'S REPORT
September 30, 2014

CASH POSITION

Cash on Hand	8/31/2014	9/30/2014	Increase/(Decrease)
Shore Bank Checking Account	\$399,414	\$ 339,600.35	\$ (59,814)
LGIP Account 1 - Unrestricted	\$97,365	\$ 97,373.40	\$ 8
LGIP Account 2 - Unrestricted	\$501,970	\$502,012	\$ 42
Total Cash On Hand	\$ 998,750	\$ 938,986	\$ (59,764)

Restricted and Reserved Cash Balance	8/31/2014	9/30/2014	Increase/(Decrease)
Shore Bank Checking Account - Facility Fees Reserved (Utilities)	\$138,997	\$139,011	14
Shore Bank Checking Account - Police Funds	\$1,231	\$1,231	0
LGIP Account 2 - Restricted for USDA Police Vehicle loans	\$7,483	\$7,483	0
PNC Account- 2013 Bond Proceeds - Principal	\$958,993	\$958,993	0
PNC Account- 2013 Bond Proceeds - Interest	\$854	\$1,066	212
US Bank - Reserved per VRA Interest Free Loan Requirements	\$257,585	\$257,586	1
Total Cash Held in Reserve	\$ 1,365,142	\$ 1,365,370	\$ 228
Total Cash - All Accounts	\$ 2,363,892	\$ 2,304,356	\$ (59,536)

DEBT SERVICE

Next Debt Service Payments:	Due Date	Amount
VRA 2010C Principal Payment	11/1/2014	\$120,586.73

CREDIT CARD FEES

General Fund Tax and Utility Credit Card Payment Receipts	MTD	YTD
Credit Card Payments Received	\$10,177.45	\$38,006.97
Credit Card Fees Paid	\$335.43	\$1,256.60
Fees as a Percent of Collections	3.30%	3.31%

REVENUE VS. EXPENDITURES

<u>FUND</u>	<u>CURRENT MONTH</u>	<u>PRIOR YEAR-TO-DATE</u>	<u>CURRENT YEAR-TO-DATE</u>	<u>INCREASE/ (DECREASE) YTD</u>	<u>ANNUAL BUDGET</u>	<u>% REALIZED/ EXPENDED FY14</u>
GENERAL						
REVENUES	96,287	374,926	359,744	(15,182)	3,707,715	9.70%
EXPENDED	161,568	457,753	528,620	70,867	3,707,715	14.26%
NET	(65,282)	(82,827)	(168,875)		0	
PUBLIC UTILITIES						
REVENUES	147,807	370,517	454,987	84,470	1,648,921	27.59%
EXPENDED	98,125	301,781	340,880	39,098	1,648,921	20.67%
NET	49,682	68,735	114,107		0	
HARBOR						
REVENUES	65,000	391,824	366,228	(25,596)	1,157,987	31.63%
EXPENDED	138,840	344,356	368,897	24,541	1,157,987	31.86%
NET	(73,840)	47,468	(2,669)		0	
SANITATION						
REVENUES	14,204	45,562	43,879	(1,684)	171,800	25.54%
EXPENDED	13,804	14,393	27,543	13,150	171,800	16.03%
NET	401	31,169	16,335		0	

FY 2015 Capital Improvement Project Tracking Report

As of:
9/30/2014

	FY15 Project Status or Start Date	FY15 Budgeted	FY15 QTR 1 Actual Expended	FY15 QTR 2 Actual Expended	FY15 QTR 3 Actual Expended	FY15 QTR 4 Actual Expended	FY15 YTD Actual Unaudited	Percent of Completion
<u>General Fund</u>								
Dump Truck	TBD	\$ 30,000	\$ -	\$ -	\$ -	\$ -	\$ -	0%
Cape Chas Multi-Use Trail Phase 2	TBD	\$ 1,570,000	\$ 24	\$ -	\$ -	\$ -	\$ 24	0%
Library Building HVAC	TBD	\$ 10,000	\$ -	\$ -	\$ -	\$ -	\$ -	0%
Furniture and Equip - Civic Center	Complete-November	\$ 18,925	\$ 13,895	\$ -	\$ -	\$ -	\$ 13,895	73%
New Phone System	January or February 2015	\$ 11,213	\$ -	\$ -	\$ -	\$ -	\$ -	0%
Replacement Police Vehicle	Back-ordered - Dec?	\$ 23,200	\$ -	\$ -	\$ -	\$ -	\$ -	0%
Shore Scan Products	Complete December or January	\$ 8,200	\$ 6,688	\$ -	\$ -	\$ -	\$ 6,688	82%
Pine Street Parking Design	TBD	\$ 10,000	\$ 1,273	\$ -	\$ -	\$ -	\$ 1,273	13%
<i>subtotal</i>		\$ 1,681,538	\$ 21,879	\$ -	\$ -	\$ -	\$ 21,879	
<u>Water Fund</u>								
Keck wells Engineering & Construction	TBD	\$ 60,000	\$ 7,995	\$ -	\$ -	\$ -	\$ 7,995	13%
Automatic Flush (1/5)	TBD	\$ 10,000	\$ -	\$ -	\$ -	\$ -	\$ -	0%
Truck (48%)	TBD	\$ 7,500	\$ -	\$ -	\$ -	\$ -	\$ -	0%
<i>subtotal</i>		\$ 77,500	\$ 7,995	\$ -	\$ -	\$ -	\$ 7,995	
<u>Sewer Fund</u>								
Truck (52%)	TBD	\$ 8,100	\$ -	\$ -	\$ -	\$ -	\$ -	0%
Pump Station Redesign Engineering	TBD	\$ 30,000	\$ -	\$ -	\$ -	\$ -	\$ -	0%
Manholes	TBD	\$ 100,000	\$ -	\$ -	\$ -	\$ -	\$ -	0%
<i>subtotal</i>		\$ 138,100	\$ -	\$ -	\$ -	\$ -	\$ -	
TOTAL		\$ 1,897,138	\$ 29,874	\$ -	\$ -	\$ -	\$ 29,874	2%

MUNICIPAL CORPORATION OF CAPE CHARLES
September 30, 2014

YTD 2013 Real Estate Tax Collections December 2013-September 2014

Total Land Value	\$	206,709,800	
Total Improvement Value	\$	<u>203,219,700</u>	
Total Real Estate Value	\$	409,929,500	
		as of 9/31/14	
Total Budgeted	\$	1,073,856	
Total Bills Mailed	\$	1,140,276	
Total Collected	\$	<u>1,097,481</u>	96%
Amount Due	\$	42,795	

YTD 2013 Personal Property Tax, Machinery and Tools Tax, & 2014 License Tax Collections December 2013-September 2014

Total Personal Property Value	\$	13,783,200	
		as of 9/31/14	
Total Budgeted FY14	\$	160,000	
Total Bills Mailed	\$	162,208	
Total Adjustments (will increase)	\$	(5,561)	
Total Collected	\$	<u>129,046</u>	80%
Amount Due	\$	27,601	

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

		as of 9/31/14	
Total Budgeted FY 2015	\$	85,000	
Total Collected	\$	<u>24,415</u>	29%
Amount Due	\$	60,585	

Three Year Revenue Comparison

Penalty & Interest - Miscellaneous Taxes

Short Term Rental Tax

Meals Tax

Transient Occupancy Tax 3%

Admission Taxes

Business License Tax

Electric, Gas & Telephone

Consumer Utility Taxes

Penalties & Interest - All Property Taxes

Machinery & Tools

Golf Cart Decals

License Tax

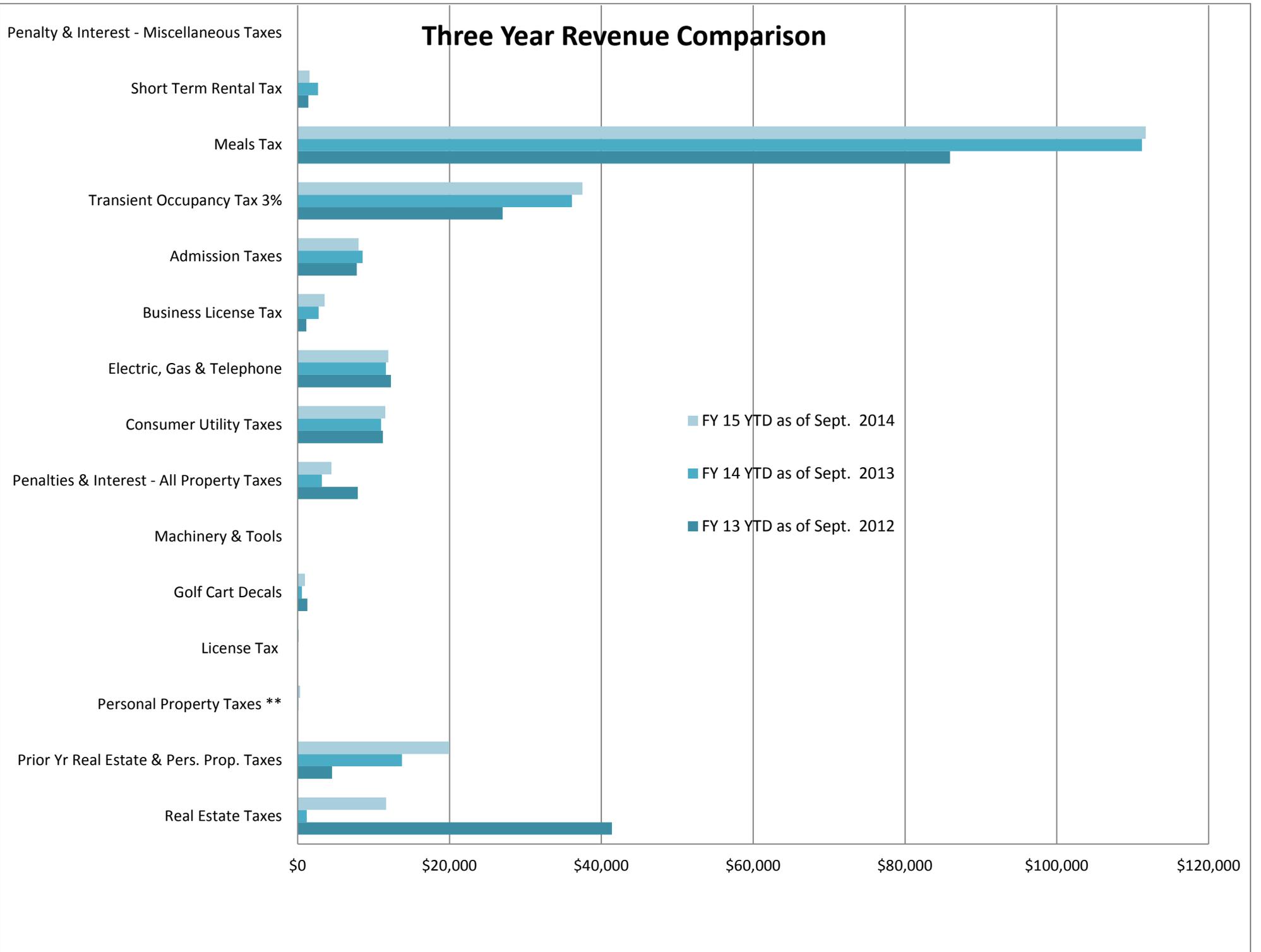
Personal Property Taxes **

Prior Yr Real Estate & Pers. Prop. Taxes

Real Estate Taxes

FY 15 YTD as of Sept. 2014
 FY 14 YTD as of Sept. 2013
 FY 13 YTD as of Sept. 2012

\$0 \$20,000 \$40,000 \$60,000 \$80,000 \$100,000 \$120,000





DRAFT
TOWN COUNCIL
Executive Session
Cape Charles Civic Center
November 6, 2014
6:00 p.m.

At approximately 6:00 p.m. Mayor George Proto, having established a quorum, called to order the Executive Session of the Town Council. In addition to Mayor Proto, present were Councilmen Bennett, Brown and Wendell and Councilwoman Natali. Vice Mayor Bannon and Councilman Godwin were not in attendance. Interim Town Manager Bob Panek was also in attendance.

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

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

Specifically: Interview for Library Board

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

Specifically: Parking and Public Access

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

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

Motion made by Councilman Bennett, seconded by Councilman Brown, to appoint Ms. Sue Panek to the Library Board. The motion was unanimously approved.

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

Mayor Proto

Town Clerk



DRAFT
TOWN COUNCIL
Special Meeting
Cape Charles Civic Center
November 13, 2014
6:00 PM

At 6:00 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, Godwin and Wendell and Councilwoman Natali. Interim Town Manager Bob Panek, Town Treasurer Deborah Pocock and Town Clerk Libby Hume were also in attendance along with two members of the public.

Mayor Proto announced the business for the evening would be: i) Proclamation for St. Stephens A.M.E. Church; ii) Draft 5-Year Capital Improvement Plan; iii) Council Oversight Roles; and iv) Future Work Session Priorities.

A. Proclamation for St. Stephen's African Methodist Episcopal Church

Mayor Proto read the Proclamation celebrating the 125th anniversary of St. Stephen's African Methodist Episcopal Church.

Motion made by Councilman Godwin, seconded by Councilwoman Natali to adopt the Proclamation for St. Stephen's African Methodist Episcopal Church. The motion was approved by unanimous vote.

Mayor Proto informed Council that he would be attending the service on Sunday, November 16th, and presenting the Proclamation to the congregation.

B. Draft 5-Year Capital Improvement Plan

Interim Town Manager Bob Panek presented the draft 5-Year Capital Improvement Plan stating that the plan was being provided so Council could set a general direction of future projects for further discussion during the budget process. The projects were listed by Department and Fund. The plan was broken out over five years and beyond. The plan also showed possible grant and finance sources. Bob Panek reviewed the Capital projects as follows:

The General Fund included the Public Works, Parks & Recreation, Police Department, Administration & Finance, and Code Enforcement Departments. The projects were as follows:

Public Works – i) Pine Street Parking Lot; ii) Mason Avenue Leased Parking Lot and Improvements; iii) Multi-Use Trail; iv) Art Walk; v) Visitor Center (Cape Charles Museum); vi) Remove & Replace Trees in VDOT Right-of-Way; vii) Sidewalk Infill; viii) Beach Pavilion; ix) Bay Avenue Electrical & Street Light Upgrade; and x) Vehicle Replacement.

Parks & Recreation – i) Beach Safety; ii) Playground Equipment Replacement; iii) Basketball Court and Fencing; and iv) Improve & Landscape Drainage Areas in Central Park.

Police Department – i) Patrol Vehicle Replacement; and ii) Dashboard Cameras for Patrol Vehicles.

Administration & Finance – i) Enterprise Resources Planning System Replacement; and ii) Vehicle Replacement for Code Enforcement.

Harbor Fund – i) Offshore Breakwaters; ii) Inshore Wave Attenuator, A-Dock with Additional Slips; iii) Inner Basin Bath House; iv) Inner Basin Floating Slips; v) New Fueling & Harbor Master’s Dock; and vi) Harbor Master’s Building.

Water & Wastewater Fund:

Waterworks – i) Chloramine System; ii) Keck Wells Pipeline; iii) Prechlorination System; iv) Automatic Flush Systems; v) Drying Bed for Backwash Waste; vi) Pretreatment for Lower Aquifer Withdrawal; vii) Vehicle Replacement; and viii) Future Plant Expansion.

Wastewater – i) Manhole Refurbishment; ii) Gravity Pump Stations Refurbishment; iii) Emergency Generator, Mason Avenue Pump Station; iv) New Pump Controls, Mason Avenue Pump Station; v) Septage Receiving Facility; vi) Residual Solids Composting Facility; vii) Membrane Replacement; viii) Future Plant Expansion; ix) Reuse Pipeline & Reject Storage; and x) Vehicle Replacement.

C. *Council Oversight Roles*

Mayor Proto stated that several Council members had formal and informal roles on various boards and projects. Councilman Bennett was a representative for plans in the Harbor area and Councilman Brown and Councilwoman Natali represented the Town on the PSA Sub-Committee. Councilwoman Natali also served as the Council representative on the Planning Commission and Councilman Godwin served on the Library Board. Mayor Proto stated that he thought it would be a good practice to name a Council representative for various projects. Councilman Bennett suggested naming a representative to attend the County Board of Supervisor meetings to report back to Council and staff. Councilman Godwin stated that it would be good to have a representative to attend the VML meetings. Mayor Proto stated that all Council members were invited to attend VML meetings and the Town budgeted for attendance at the conferences. Mayor Proto stated that as things came up, Council could designate a representative for that particular project or board. The Council members were in agreement.

D. *Future Work Session Priorities*

Mayor Proto stated that there were a lot of work session topics and asked for Council input to prioritize the topics. Mayor Proto stated that his top three topics were i) PSA; ii) Beach Safety; and iii) Harbor Breakwater Project. There was much discussion regarding the various topics and several new topics were added such as parking and taxing structure. Mayor Proto asked Council to send him any additional work session topics.

Councilman Bennett stated that he had gone down the list and ranked the priorities 1,2 or 3 and suggested the other Council members do the same and send the list to Libby Hume to compile. Mayor Proto agreed and asked Council to do as Councilman Bennett suggested.

Councilman Wendell stated that he felt that the continuation of the Bike Trail from the Wildlife Refuge into Cape Charles should be a priority and the Town needed to partner

with Northampton County on this project. Councilman Wendell cited the Virginia Creeper Trail in the western part of the state and added that it was a big economic engine.

Councilwoman Natali stated that the Accomack-Northampton Planning District Commission (ANPDC) was working on the Bike Trail Plan. Bob Panek added that the Trail Master Plan was developed by the ANPDC and they were currently updating the plan. The delay in the construction of the project was a funding issue and it would be the County's responsibility to bring the trail to Cape Charles. Financially, there wasn't much that Cape Charles could do right now.

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

Mayor Proto

Town Clerk

DRAFT

Planning Department Report for Town Council

From: Rob Testerman
To: Town Council
Date: November 5, 2014
Subject: Report for Planning Department

1. Staff has received comments from the Department of Conservation and Recreation regarding the draft Floodplain Ordinance. DCR's suggestions were incorporated into the draft and sent back for a second review. Assuming the draft is acceptable, the Town can move forward in scheduling a public hearing for adoption. According to DCR, the ordinance must be revised and adopted prior to the new FEMA Flood Insurance Rate Maps' adoption date, currently scheduled for May 18, 2015. The floodplain ordinance is being updated as a result of the new state model that has been put out.
2. The Department of Environmental Quality is handling the Erosion and Sediment Control Plan and Stormwater Management Plan reviews for the uplands disposal site. The site requires cleaning, regrading and some clearing prior to the upcoming harbor dredge. The DEQ performs plan review and inspections for federal and state projects, such as this.

Permits Issued

- Zoning Clearance - 4
- Violations – 4
- Sign Permits – 1

Planning Commission Meeting – November 4, 2014

1. The Planning Commission held its regular meeting Tuesday, November 4, 2014.
 - a. After a lengthy discussion regarding the parking concept plans for the property behind the library, the Commission recommended that the Town authorize a professional arborist to evaluate the viability of the pecan tree (both as it currently exists and the expected life span post construction, if it were to be retained). After gaining this information they can make a recommendation to Council.

Historic District Review Board – October 21, 2014

1. The HDRB met and approved renovation plans for a single family home at 647 Madison Avenue, the Board also approved plans for a new home on Jefferson Avenue.
2. No applications have been received for a November meeting.

Code Enforcement

Month of October FY 2015

Building Permits Issued/Permit Fees Collected:

Permits this month: 43	
Permits this year: 102	Total permits last year: 269
Total construction this month: \$1,124,248	
Total construction this year: \$3,284,775	Total construction last fiscal year: \$6,874,978
Permit fees this month: \$25,758.85	
Total permit fees this fiscal year: \$95,960.20	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: \$12,350	
Old-Town Water/Sewer Tap fees: \$0	
Total Tap fees this year: \$61,750	Total Tap fees last fiscal year: \$37,050
Fire Dept. levy this month: \$1,023.12	
Total Fire Dept. levies this year: \$2,562.67	Total Fire Dept. levies last fiscal year: \$3,343.33
State levy this month: \$204.68	
Total state levies this year: \$512.60	Total state levies last fiscal year: \$943.38
Miscellaneous Revenue: \$0	

Existing Structures Code Enforcement Cases:

Total Cases: 27	
New this month: 0	
Closed this month: 0	
Rental Inspections: 0	
Rental C.O's Issued: 0	
Rental Inspection fees collected: \$0	
Grass cutting enforcement: 2	
Grass cutting: 3	
Enforcement fees charged this month: \$450.00	
Enforcement fees charged this year: \$6,550.00	Fees charged last fiscal year: \$10,050
Enforcement fees collected: \$6,878.80	
Enforcement fees collected this year: \$13,438.28	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 October FY 2015

Other items of note:

1. Completed **54** inspections
2. Conducted 0 zoning clearances
3. Completed 2 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 2 residential plan reviews
8. Issued 0 Public Utilities Shallow Well permits
9. Permits have been issued for Cape Charles Loft project and framing has begun.
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. Attended a VFPA conference in Roanoke Virginia and gained 20 hours of continuing education.

11/03/14

Permit/Construction Fee Report

Map Number	Permit #	Type	Date	Address	Work description	Permit Fee	Value
	PM140032	Mechanical	10/23/2014	3 Bay Vistas Way	New Mechanical for S/F Res	\$240.80	\$28,000
	PE140055	Electrical	10/28/2014	3 Bay Vistas Way	New Electrical for S/F Res	\$151.20	\$12,000
	PP140041	Plumbing	10/30/2014	3 Bay Vistas Way	New Plumbing for S/F Res	\$92.40	\$9,000
	PG140013	Gas	10/30/2014	3 Bay Vistas Way	New Gas Piping for S/F Res	\$56.00	\$700
	PF140010	Fire Suppressio	10/27/2014	1134 Bayshore Lane	FIREWORKS DISPLAY 12/31/14	\$0.00	\$5,000
	PB140096	Building	10/31/2014	16 Burford Court	Interior Alteration	\$224.00	\$25,000
	PE140053	Electrical	10/29/2014	138 Heron Pointe Driv	New Electrical for S/F Res	\$173.60	\$16,000
	PE140052	Electrical	10/29/2014	138 Heron Pointe Driv	60 Amp Temp Pole	\$56.00	\$200
	PB140070	Building	10/09/2014	155 Heron Pointe Driv	New S/F Res	\$5,219.12	\$400,000
	PB140073	Building	10/14/2014	11 Marina Road	Tent for Event	\$50.00	\$500
	PE140054	Electrical	10/27/2014	529 Mason Avenue	Upgrading to 200 Amp Service	\$56.00	\$750
083A3-0100-55	PP140040	Plumbing	10/02/2014	609 Mason Avenue	New Plumbing for Change of Use	\$112.00	\$5,000
083A3-0100-55	PE140051	Electrical	10/08/2014	609 Mason Avenue	New Electrical for Change of Use	\$100.80	\$4,000
	PB140074	Building	10/14/2014	9 Monroe Avenue	Interior Demo	\$56.00	\$2,000
	PB140072	Building	10/14/2014	9 Monroe Avenue	Tear off/rooof with Standing Seam Metal	\$308.00	\$40,000
083A3-0100-23	PM140031	Mechanical	10/15/2014	643 Monroe Avenue	New Mechanical to include duct work	\$70.00	\$5,000
	PB140075	Building	10/16/2014	702 Monroe Avenue	Tear off/rooof	\$91.28	\$8,800
	PB140079	Building	10/30/2014	423 Plum Street 101	Change of Use	\$543.13	\$10,559
	PB140080	Building	10/30/2014	423 Plum Street 102	Change of Use	\$143.13	\$10,559
	PB140081	Building	10/30/2014	423 Plum Street 103	Change of Use	\$143.13	\$10,559
	PB140082	Building	10/30/2014	423 Plum Street 104	Change of Use	\$143.13	\$10,559
	PB140083	Building	10/30/2014	423 Plum Street 105	Change of Use	\$143.13	\$10,559
	PB140084	Building	10/30/2014	423 Plum Street 106	Change of Use	\$143.13	\$10,559
	PB140085	Building	10/30/2014	423 Plum Street 108	Change of Use	\$143.13	\$10,559
	PB140086	Building	10/30/2014	423 Plum Street 109	Change of Use	\$143.13	\$10,559
	PB140087	Building	10/30/2014	423 Plum Street 110	Change of Use	\$252.00	\$10,559
	PB140088	Building	10/30/2014	423 Plum Street 201	Change of Use	\$143.13	\$10,559
	PB140089	Building	10/30/2014	423 Plum Street 202	Change of Use	\$143.13	\$10,559
	PB140090	Building	10/30/2014	423 Plum Street 203	Change of Use	\$143.13	\$10,559
	PB140091	Building	10/30/2014	423 Plum Street 204	Change of Use	\$143.13	\$10,559
	PB140092	Building	10/30/2014	423 Plum Street 205	Change of Use	\$143.13	\$10,559

11/03/14

Permit/Construction Fee Report

Map Number	Permit#	Type	Date	Address	Work description	Permit Fee	Value
	PB140093	Building	10/30/2014	423 Plum Street 206	Change of Use	\$143.13	\$10,559
	PB140094	Building	10/30/2014	423 Plum Street 207	Change of Use	\$143.13	\$10,559
	PB140095	Building	10/30/2014	423 Plum Street 208	Change of Use	\$143.13	\$10,559
	PB140077	Building	10/16/2014	237 Randolph Avenue	Structural Alterations	\$56.00	\$2,500
083A3-0100-60	PT140007	UST/AST	10/08/2014	328 Randolph Avenue	320 Gallon UST	\$56.00	\$1,500
	PM140030	Mechanical	10/02/2014	156 Sunset Blvd	Vent Free Fireplace	\$56.00	\$575
	PG140012	Gas	10/02/2014	156 Sunset Blvd	New Gas Piping	\$56.00	\$1,200
	PT140008	UST/AST	10/14/2014	4 Tazewell Avenue	Demolish UST	\$100.00	\$1,500
	PB140076	Building	10/16/2014	9 Tazewell Avenue	Tear off/reroof	\$96.43	\$9,720
	PE140056	Electrical	10/30/2014	237 Tazewell Avenue	Adding 4 new lighting circuits	\$95.20	\$3,500
083A4-0200-00	PB140071	Building	10/14/2014	711 Tazewell Avenue,	Exterior Alteration of Accessory Building	\$66.08	\$4,300
	PB140078	Building	10/28/2014	525 Walbridge Bend	New S/F Res	\$15,177.86	\$358,000

Total Permits: 43

\$25,758.85

\$1,124,248

PerDateIssued Range from 10/01/2014 to
10/31/2014



Town Harbor Town Council Report October, 2014

November 1, 2014

Maintenance:

1. Staff spent 25 man hours dragging the shelled parking lot from 10/1 – 10/31.
2. Staff finished painting the fuel tank.
3. Staff replaced all broken pile caps that we had extras of.
4. Staff replaced fuel hoses on pumps 3, 6, & 8.
5. Staff reversed the hoses on pumps 4 & 7, the end that originally had the nozzle, now is connected to the dispenser, and this is done because of the exposure to the sun and weather to prolong the life of the hose.
6. Staff replaced fuel nozzle on Pump 2.
7. Staff changed all 3 large fuel canister filters and changed all 11 paper fuel filters.
8. Staff finished painting the stage.
9. Staff received & installed VIN# on the stage, and was inspected by the Chief of Police.
10. Staff repaired, painted and placed back in service a second No Wake Buoy that was found out near the jetty.
11. Staff repaired the sink drain in the small restroom at the office.
12. Staff replaced a broken faucet at CG-01.
13. Staff replaced all locks and dead bolts for the office and restrooms so that everything is keyed alike.

Upcoming Items that needs to be completed:

1. Complete the stage so that it is legal for street use (In Progress).
2. Re-tighten all cleats on floating docks (In Progress).
3. Re-nail all rubber bumpers (In Progress).
4. Paint the boat ramp parking stripes.
5. Re-tighten all bolts on the floating docks.
6. Re screw all boards on the board walk in the inner harbor with stainless screws.
7. Change oil & lube on all UTV's.
8. Scale, prime & paint dirty oil tank.
9. Repair drywall in men's shower and females' restroom.
10. Replace light censor on boardwalk lights.
11. Replace misc. light sensors on pedestals.
12. Measure piles, order new caps to cover the piles that do not have caps.
13. Continue to clean all electric pedestal bus bars.

Capital Projects and Harbor improvements:

1. Offshore Breakwaters – Nothing new to Report.
2. Dredging – Nothing new to report.
3. Stage – VIN number installed, getting Title and Tags from DMV.

Other Items:

1. Follow us on Face Book (**Cape Charles Town Harbor**) over 2100 likes!!!
2. Current Office Hours – 8:00 am to 5:30 pm 7 days a week.
3. Waiting list – We added three people to the list. Below is the number of people we have left on the waiting list as of October 31st.

Length	Annual	Seasonal	Total
20ft	2	6	8
24ft	7	4	11
30ft	9	7	15
36ft	5	2	7
45ft	9	4	11
50ft	1	1	2
60ft	2	0	2
Total	35	24	59



Town Harbor Town Council Report October, 2014

Harbor Events:

2nd Annual Trick or Treat with Pirate Pete:

Was a huge success as we had over 20 boats participate, over 150 kids trick or treat, and over 20 vehicles at the drive in movie, Hocus Pocus! We also had 27 transient boats in for the weekend compared to 12 last year and 0 the year before. Our winners are below.

1. Best overall themed Boat and Crew – S/V Wanderlust owned by Dale and Susan Bland
2. Best Decorated Annual Boat – S/V Eagle Owned by Stuart and Jean Smith
3. Best Decorated Seasonal Boat – S/V Strong Medicine owned by Paul and Ginger Strong
4. Best Decorated Transient Boat – M/V Miss Amy owned by Rob and Nancy Smithwick
5. Best Decorated Commercial Boat - C/V Jay B owned by Tim and Jeanie Wivell
6. Best Decorated Monthly Boat – S/V Wombat of Sidney owned by Mike and Lynn Brown
7. Best Costume by crew – M/Y Dawn to Dusk owned by Jim and Tally Powell

We would like to thank everyone that took part and next year's date will be October 24th.

3rd Annual Lighted Boat Parade:

December 6, 2014; again this year the Cape Charles Yacht Club will be hosting the 3rd Annual Lighted Boat Parade in conjunction with the Golf Cart Parade and Grand Illumination. Activities will begin at the Harbor at 4:30 pm with the Yacht club serving up refreshments at the bath house. Around 5:15 pm vessels will depart their slips for the parade. Upon their return, the Harbor will be illuminated and the golf cart parade will begin.

Inaugural Dropping of the Crab Pot: Will take place at 10pm on December 31st. there will also be fireworks at that time. Still working on all the details will update the schedule of events on the website and on the Harbor's Face Book Page.

8th Annual Blessing of the Fleet: This will be held April 24th, 2015 6 pm to 10 pm. and we are going to change things up a bit to try and get more people involved. Details will be forthcoming.

Clam Slam 2015 & 5th Annual Boat Docking contest: Will be July 31, 2015 through August 2nd, 2015. More details will follow.

Business:

Transient vessels are vessels that stay 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 20% from 2012 to 2013 and 67.5% from 2012 to 2014.

	2012	2013	2014
Nightly	786 = \$38,657	906 = \$47,528	996 = \$63,027
Weekly	84 = \$ 3,429	36 = \$ 3,029	92 = \$ 7,026
Hourly	3 = \$ 15	3 = \$ 15	90 = \$ 450
Total	\$42,101	\$50,572	\$70,503

Cape Charles Memorial Library
October 2014

1. During the fall and winter we provide weekly storytimes for children and a weekly Chess Club. Check our Facebook page for more information. Below is the monthly attendance for programs held during October 2014:

Preschool Storytime - weekly	69
Toddler Storytime - weekly	47
Chess Club –	52
 TOTAL	 168

2. On October 11 the Library participated in **the 22st Annual Eastern Shore Birding & Wildlife Festival** as part of the **Family Passport Program**. This was our third year being a part of the Passport Program for children, and the second year that we had a table at the event. It was a very successful day and we saw many of our regular customers and met many new people and participants.
3. In celebration of **National Friends of the Library Week, October 19 through October 25**, the Friends of the Cape Charles Memorial Library held 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
Video: 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 were served and a drawing for a Kindle Fire HD Tablet, a \$25.00 gift certificate, and a USB Drive was held! The 3 DVD's used in the Friend's programs were donated to the Library and are available for check out.

4. As of today our Facebook page has 452 likes, with 5 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	\$80.10	\$32.70	\$0.00	\$730.60
Faxes	\$16.50	\$17.50	\$25.50	\$39.30	\$34.60	\$47.00	\$29.00	\$43.50	\$40.80	\$42.50	\$24.00	\$0.00	\$360.20
TOTAL	\$57.40	\$88.70	\$93.60	\$166.20	\$107.30	\$99.00	\$74.00	\$115.20	\$110.10	\$122.60	\$56.70	\$0.00	\$1,090.80
Deposit													
BOOK CIRC-ADLT													
Fiction	378	388	393	434	422	495	611	517	500	539	0	0	4677
Non-fiction	135	150	114	110	135	166	143	191	132	156	0	0	1432
DVDs	184	162	202	169	171	167	314	246	189	134	0	0	1938
TOTAL 2014	697	700	709	713	728	828	1068	954	821	829	0	0	8047
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	526	0	0	5166
Non-Fiction	73	111	88	47	53	73	112	109	140	123	0	0	929
DVDs	77	67	112	76	41	114	193	213	121	99	0	0	1113
TOTAL 2014	443	518	538	474	426	867	1286	1117	791	748	0	0	7208
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	1577	0	0	15255
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	1355	333	0	13167
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	15	3	0	163
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	168	36	0	2213
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	273	77	0	2780
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	13	3	0	171
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	109.25	2.50	0.00	581.14

CAPE CHARLES POLICE DEPARTMENT

MONTHLY STATISTICS

October 2014

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

- Calls for service in Cape Charles: 59
- Calls for service outside of Cape Charles: 18
- Felony Arrests: 0
- Misdemeanor Arrests: 2
- D.U.I. Arrests: 0
- Traffic Summons: 20 (see page 2.)
- Traffic Warnings (written& verbal): 15
- Parking Tickets: 2
- Building Checks: 45
- Assisted Northampton County Sheriff's Office: 13
- Assisted Virginia State Police: 1
- Assisted Federal Agencies: 1
- Assisted Fire& Rescue: 16
- Foot Patrol Hours: 85.5

The following took place in October:

- Completed Ident-a-Kid for Ducks Unlimited Greenwing event 10-19-2014.
- Boating accident on jetty with damage to fishing pier. U.S. Coast Guard handling case.
- Officer T. Potts will be completing 40hrs in-service Nov. 3-7 at Hampton Roads Criminal Justice Academy.
- Bay Creek patrol hours : 80.5

Traffic summons:

- | | |
|---|--------------------------------------|
| 1. Expired inspection sticker | 11. Speeding 40/25 zone |
| 2. Expired rejection sticker | 12. No operator's license |
| 3. Speeding 41/25 zone | 13. Speeding 40/25 zone |
| 4. Expired inspection sticker | 14. Speeding 40/25 zone |
| 5. Reckless driving (fail to maintain control accident) | 15. Speeding 44/25 zone |
| 6. No driver's license | 16. Expired inspection sticker |
| 7. Speeding 41/25 zone | 17. Expired rejection sticker |
| 8. Expired inspection sticker | 18. Expired inspection sticker |
| 9. Reckless driving 46/25 zone | 19. Defective equipment (windshield) |
| 10. Speeding 43/25 zone | 20. No inspection sticker |

Arrests:

1. Possession of Marijuana
2. Destruction/Vandalism of property

Public Utilities

Monthly Report October 2014



Production Summary

- Miss Utility Tickets: 13
- Emergency Call Outs After Hours and Weekends:
 - Number of times called out: 0
 - Total Man Hours: 0
- Sludge: September: 27 Tons
- Water: Total Production: 3,419,259
 - High: 159,700 on Oct. 25
 - Low: 73,500 on Oct 15

Average	Raw Water	Finished Water
Hardness	464	125
Iron	8.98	.02
Manganese	.519	.004

All Data in PPM

- Waste Water:
 - Average Flow 119,300 gpd
 - Maximum 156,800 gpd
 - Total for Month 3,459,700 Gallons
 - Nutrients:
 - Phosphorus Average 0.035 Limit .3 mg/l annual average
 - Nitrogen Average 4.27 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. Waiting for word from Baymark to move forward. FY 2015

Capital Projects

- Water:
 - Emergency Generator for Water Plant \$45k
 - Installed
 - Engineering for Keck Wells \$60k
 - 90% drawings and specifications are going through GHD internal QA/QC review process.
 - 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, installed and is up and running.

PUBLIC WORKS

October 2014

Dump Fees

- Oyster Landfill: 8 Trips, 4.77 Tons @ cost of \$310.05

Staff Report

- Welcome Brent Mears (Hired 10-1)
- Willie Lyons out (10-6 thru 10-10) Flu
- Mike Mullner out (10-14 & 10-20 thru 10-24) Back
- Brent Mears out (10-20 & 10-21) Flu

Completed Projects

- Monthly meter reads.
- Constructed 8 corn-hole boards for recreation department for town events/tournaments.
- Lube, oil and filter (LOF) change & tire rotation on 1 Police vehicle.
- LOF on Public Works 4x4 pickup, LOF on Ford Dump truck, LOF on Chevy Dump truck and rear frame welded for dump body.
- Crown Vic window switch installed & state inspection completed.
- Mowed & trimmed crepe myrtle trees along Route 184.
- "L" from LOVE sent for vandalism repairs and returned to Bay Ave.
- Moved accounting department furniture for office painting & relocated break area.
- Helped utility department with Marina Village sewer pod replacement & restoration.
- Weeded Fig Street sign area & Route 13 Town sign.
- Replaced 40 damaged garbage can lids town-wide.
- In-house designed & modified dog poo dispensers with rubber insert to hold bags tighter.
- Beach winter fence & burlap erosion control install completed.
- Municipal building window screens repaired and installed.
- Weeded playground area.

Note: Will close off Jefferson Ave beach access with fencing to aid in erosion control on beach & with sand blow to Bay Ave.

Events

- Birding & Wildlife Festival (Friday 10-10 thru to Monday 10-13)
- Fall Festival (Saturday 10-11)
- Columbus Day (Monday 10-13)

In Progress

- Manual street gutter cleaning.
- Mowing of 9 Town properties.
- Vehicle/equipment maintenance.
- Golf cart path maintenance.
- Trash can maintenance.
- Training.

Upcoming Projects

- Safety training.
- Mason Ave & Central Park GFCI inspection for upcoming holiday events.
- Construct new steps to beach at Jefferson Avenue.
- 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.
- Bay Ave Gazebo trim repair.

Man Hours per Project/Task

Vehicle Maint.	Eqipt. Maint.	Building Maint.	Public Debris Areas	Street Cleaning	Beach Maint.	Public Sanitation	Public facilities cleaning	Admin. training	Property maint. & repair	Events/ Meter Reads
28.5	31.5	109.5	42	19	25	27	35	62	44.5	8/10

Recreation Department October 2014 Council Report

Programming and Events:

1. Mommy and Me
 - A. 10-7-14 – 10 participants
 - B. 10-14-14 – 8 participants
 - C. 10-21-14 – 10 participants
 - D. 11-28-14 – 4 participants
 - E. 11-4-14 – 11 participants

2. Arts and Crafts
 - A. 10-8-14 – 8 children
 - B. 10-15-14 – 4 children for Tiny Yarn Butterflies
 - C. 10-22-14 – 8 children for Halloween crafts
 - D. 10-29-14 – 10 children for Halloween crafts

3. Cornhole
 - A. 10-9-14 – 20 Adults
 - B. 10-16-14 – 20 Adults
 - C. 10-23-14 – 20 Adults
 - D. 10-30-14 – 18 Adults

4. New Roots Youth Garden Fall Session – Each session of the Fall Garden Club has a different theme. Children are split in to three groups by age. They then spend equal time doing Get Fit, Gardening and a “learning tree” segment.
 - A. 10-9-14 – 15+ youth
 - B. 10-16-14 – 15+ youth
 - C. 10-30-14 – 15+ youth

5. Scrapbooking
 - A. 10-16-14 – 2 participants
 - B. 10-20-14 – 3 participants
 - C. 11-3-14 – 4 participants

6. BINGO
 - A. 10-17-14 – 7 participants

7. Book Club
 - A. 10-20-14 – Cane River – 4 participants
 - B. 11-3-14 – Gone Girl – 6 participants

8. Line Dancing
 - A. 10-20-14 – 5 participants
 - B. 11-3-14 – 1 participant

9. Halloween Party – An estimated 75 children attended the Halloween Party on October . There were crafts, pumpkin decorating, games and a place to have your picture taken. Pirate/Mayor George Proto made an appearance to round up children to walk the plank.

Meetings

1. Met with representatives from the Cape Charles Business Association and Citizens for Central Park to discuss Christmas Events for this year. Cape Charles Business Association is currently working on a calendar of events for all Christmas events and this should be available to the public shortly.
2. Attended the Board Meeting for Eastern Shore Eventacular on November 4. Plans are underway for Tall Ships and the Birding and Wildlife Festival for 2015. Both Festivals held very successful events in 2014.

 <p>TOWN OF CAPE CHARLES</p>	AGENDA TITLE: Public Service Authority (PSA) and Regional Wastewater.		AGENDA DATE: November 20, 2014
	SUBJECT/PROPOSAL/REQUEST: Update on Southern Node regional wastewater project.		ITEM NUMBER: 6A
	ATTACHMENTS: None.		FOR COUNCIL: Action () Information (X)
	STAFF CONTACT (s): Bob Panek	REVIEWED BY: Bob Panek, Interim Town Manager	

BACKGROUND:

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

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

DISCUSSION:

At the October 21st meeting, the PSA Board focused on establishing policies concerning the proposed wastewater collection system, such as: infrastructure for vacant properties, upgrade of existing electric service and plumbing, electric consumption and maintenance of installed grinder pumps, alarm and telemetry systems, etc. The Board also reviewed the revised wastewater treatment price proposal provided by the Town, operations cost estimates (maintenance, billing, etc.) provided by the County, and tax rate options based on the revised project estimate.

The PSA subcommittee met on October 29th to continue discussions on the provision of treatment services by the Town. This encompassed the price offered by the Town, as well as other aspects of an agreement. There was general consensus that much of the Town's proposal was reasonable. Two elements of the Town's proposal, connection charges and the extent of an overlay district on US 13, will require additional discussion. The subcommittee requested that the PSA Executive Director prepare in initial draft of an agreement that can be refined through further discussions.

RECOMMENDATION:

Provided for information only.

 TOWN OF CAPE CHARLES	AGENDA TITLE: Northampton County Funding Request		AGENDA DATE: November 20, 2014
	SUBJECT/PROPOSAL/REQUEST: Letter to Northampton County requesting funding assistance for FY 2015/2016		ITEM NUMBER: 7A
	ATTACHMENTS: None		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Deborah Pocock/Libby Hume	REVIEWED BY: Bob Panek, Interim Town Manager	

BACKGROUND:

Each year, the Town submits a letter to Northampton County for a contribution request for the next Fiscal Year budget. Typically, the Town requests funding assistance for the Cape Charles Memorial Library and the 4th of July celebration. Last year, the Town requested funding assistance as follows:

- \$20K for the operations of the Cape Charles Memorial Library
- \$20K for the Cape Charles Computer Training Lab Operations
- \$8K for the 4th of July fireworks display
- \$10K for public beach operations
- \$75K towards the Offshore Breakwater Project

The Town received \$20K for the operations of the Cape Charles Memorial Library. The County also provided assistance to the Eastern Shore of Virginia Festivals Organization for the Tall Ships Initiative.

DISCUSSION:

On November 6, 2014, the Town received notification from the County to submit any funding assistance requests for FY 2015/2016 by December 1, 2014. Due to the current economy and known reductions in revenues from the State and other anticipated reductions, it is uncertain if Northampton County plans to submit a budget equal to or less than the current budget year.

For Fiscal Year 2015/2016, the Town plans to request funding assistance as follows:

- Cape Charles Memorial Library Operations – \$30K (FY2014/2015 budget = \$119K)
- July 4th 2014 fireworks display – \$8K of a \$15K budget
- Public Beach Safety Operations – \$10K of a \$75K budget
- Offshore Breakwater – \$75K of a \$860K project

The Town will request Northampton County to continue its efforts to provide emergency services to the residents of the County after the relocation of Riverside Shore Memorial Hospital and continued support for the Cape Charles Harbor Access Road, the Cape Charles Volunteer Fire Company, and the Eastern Shore Eventacular, Inc. organization for the Tall Ships initiative.

RECOMMENDATION:

Staff recommends discussion and requests Council’s input on any additional projects to include in the request to Northampton County for funding assistance in the FY 2015/2016 budget.

 TOWN OF CAPE CHARLES	AGENDA TITLE: Beach Front Improvements		AGENDA DATE: November 20, 2014
	SUBJECT/PROPOSAL/REQUEST: Improvements planned for the south point of the beach.		ITEM NUMBER: 7B
	ATTACHMENTS: 1. Neptune maquette. 2. Site plan.		FOR COUNCIL: Action () Information (X)
	STAFF CONTACT (s): Bob Panek	REVIEWED BY: Bob Panek, Interim Town Manager	

BACKGROUND:

The south point of the beach front has been incrementally improved over the years with several amenities: restrooms/showers, fishing pier, benches, information kiosk, handicapped access ramp, and LOVE installation. This area is also designated in the Master Trail Plan as a future node for trail related amenities and in the draft Art Walk plan as a future performance venue.

DISCUSSION:

Several additional improvements are planned for this area in the short and mid-term:

1. New Kiosk Story Boards – The Coastal Zone Management Program will provide two or three new double-sided story boards for installation at the kiosk. In addition to providing information on coastal flora and fauna, one side will be utilized for information on beach/water safety.
2. Neptune Maquette – Mr. Wynn Price, Director of Richmond Park Operations, and Mr. Paul DiPasquale, noted public sculpture artist, have offered at no cost a 7 foot maquette of the Neptune sculpture at the Virginia Beach boardwalk. An image is attached.
3. Bus Stop & Shelter – We have discussed with Star Transit the possibility of a bus stop in this area. They have agreed and are evaluating the exact location. They have also offered to provide a bus stop shelter; timing dependent on grant funding.

Staff is planning a reconfiguration of this area as the improvements become available. The existing kiosk (and new story boards) will be relocated to the west side of the boardwalk, just to the north of the fishing pier. This will make them more accessible to beach patrons. It will also open up the view of the LOVE installation. Neptune will be installed along the walkway to the restrooms/showers, framing the LOVE installation between it and the entrance to the fishing pier. The bus stop shelter will be installed near the restrooms. A tentative site plan is attached. This will be adjusted as necessary after coordination with the artist and Star transit.

The work will be done by the Public Works staff at minimal cost: wood platform for the kiosk relocation, concrete base and dedication plaque for Neptune, and other incidentals.

We will also arrange a dedication ceremony in honor of Messrs., Price and DiPasquale.

RECOMMENDATION:

Provided for information only.





 TOWN OF CAPE CHARLES	AGENDA TITLE: Leased Parking Lot		AGENDA DATE: November 20, 2014
	SUBJECT/PROPOSAL/REQUEST: Approve lease of railroad property for a public parking lot.		ITEM NUMBER: 7C
	ATTACHMENTS: 1. Proposed leased area. 2. Proposed lease.		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Bob Panek	REVIEWED BY: Bob Panek, Interim Town Manager	

BACKGROUND:

The recent acquisition and planned redevelopment of the former grocery store property on Mason Avenue, including eventual loss of the two parking lots, has raised concerns about the availability of public parking in the central business district. We are currently designing a parking lot for the Town-owned property behind the library. This would provide about 30-34 parking spaces and would partially replace the number of spaces to be lost. Council has requested that staff explore leasing of property from Bay Coast Railroad to provide additional parking.

DISCUSSION:

Bay Coast Railroad has agreed to lease an area 815' x 50' behind the commercial properties on the south side of Mason Avenue. This area would provide about 135 spaces in one row of angled parking. The lease would include a 24' wide ingress/egress lane on both the east and west ends of the property. Attachment one depicts this plan.

Attachment two is the proposed lease. Salient features are:

1. Term of 20 years, renewable.
2. Commencement date of January 1, 2015.
3. Rent of \$1,300 per year, adjustable by percentage change in the Consumer Price Index.
4. Tenant responsible for any improvements.

Commencement of the lease in January would provide time for the Town to prepare the area for use before the next tourist season. We anticipate that some low spots will need to be filled, bollards will need to be installed around electrical cabinets, perimeter will need to be marked, signage installed, etc. A rough estimate for this work is \$10,000. Additionally, the grass will need to be mowed during the growing season.

No funds were included in the FY 2015 budget for this purpose. However, we can rebalance budget line items during the mid-year review.

RECOMMENDATION:

Discuss the proposed lease of Bay Coast Railroad property and, if desired, authorize the Interim Town Manager to execute the lease and proceed with preparation of the property for parking.

Leasable Railroad Property



Sources: Esri, USGS, NOAA, Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

PROPERTY LEASE AGREEMENT

THIS AGREEMENT OF LEASE, made this ____ day of _____, between CASSATT MANAGEMENT LLC, d/b/a BAY COAST RAILROAD, a Virginia Limited Liability Company, whose address is P. O. Box 312, Cape Charles, Virginia 23310 (“Landlord”) and the MUNICIPAL CORPORATION OF CAPE CHARLES, whose address is 2 Plum Street, Cape Charles, VA 23310 (“Tenant”).

WITNESSETH:

Landlord, in consideration of the rents to be paid and the covenants and agreements to be performed by Tenant, hereby lets and Tenant hereby hires Premises with appurtenances thereunto belonging and located in **Cape Charles, VA**, described as follows:

1. Description of Premises: **An area approximately 50 ft. by 815 ft. of Tax Parcel 83A3-A-9, plus an area approximately 24 ft. by 200 ft. of Tax Parcel 83A3-A-9 for ingress and egress, plus an area approximately 24 ft. by 200 ft. of the existing ingress and egress easement over Tax Parcel 83A3-A-5, all as shown on the attached plan.**
2. TERM: The term of the lease is to be for a period of **twenty (20) years** commencing on **January 1, 2015**, with automatic twenty-year renewals unless 30 days written notification of cancellation of the lease is given by either party.
3. PURPOSE: The Demised Premises shall be used for parking purposes of the MUNICIPAL CORPORATION OF CAPE CHARLES.
4. Tenant shall permit Landlord or its authorized agents to enter the demised premises for the purpose of inspecting the same at any reasonable time or times during the term or any continued term of this lease.
5. RENT: **The Annual Rent for this property will be \$1,300.00 (one thousand three hundred dollars), payable annually on or before the anniversary of the Effective Date of this Agreement.** Beginning the second year of this agreement, the annual rent shall be increased over the prior year’s fee by the same percentage that the Consumer Price Index exceeds the index of the prior year.
6. Tenant hereby waives and relinquishes unto and in favor of Landlord the operation of all laws which do now or hereafter may exempt any property on the demised premises or any property in any way belonging to Tenant, whether on the demised premises or elsewhere, from levy and sale upon

distress for rent or upon execution of any judgment obtained in any action brought for nonpayment of any rent or additional rents hereunder or for breach of any other provision hereof. The parties hereto shall and do hereby waive trial by jury in any action, proceeding or counter-claim brought by either party against the other on any matter whatsoever arising out of or in any way connected with this lease or tenant's use of and occupancy of the demised premises or arising out of or in any way connected with any claim or injury or damage arising out of or in connection with this lease or such use or occupancy. Tenant hereby expressly waives any and all rights or redemption granted by or under any present or future laws in the event of Landlord obtaining possession of the demised premises by reason of violation of Tenant of any of the covenants and conditions of this lease or otherwise.

7. Landlord warrants that it has the right to lease the described property.
8. The Tenant hereby certifies that it has examined the premises and has satisfied itself that this is a suitable area for Tenant's purposes. Tenant shall at its sole expense make all repairs necessary to provide a safe area for its employees, visitors, and other personnel using the area.
9. Tenant will make and install any and all necessary improvements at their own expense and for their own account.
10. Tenant hereby agrees to comply with all local, State and Federal laws and regulations involving the use of the premises.
11. Any improvements to the property or building, and any buildings or other structures erected thereon must be done in a good and workmanlike manner and comply with all required building codes, and all applicable State and Federal regulations, and Tenant shall obtain and pay for any/all applicable permits. Any and all such improvements, repairs, utilities installed and buildings erected upon the Premises will become the property of the Landlord at the cancellation and/or termination of this lease, or upon Tenant's receipt of notice from Landlord to vacate said property.
12. Tenant further agrees not to conduct any activities or business or to store any material, machinery, or equipment in violation of any local, State or Federal regulations or laws.
13. Tenant shall, upon expiration of the term, remove its goods and effects and peacefully yield up the demised premises to Landlord in a clean condition. Additionally, Tenant shall at all times maintain the leased Premises in a safe, clean-of-debris manner and shall maintain a good standard of housekeeping. Any clean-up performed by Landlord upon the demised premises, required by Landlord, shall be Tenant's expense and should Tenant not perform such

clean-up, Landlord may perform such work and Tenant shall pay all such charges.

14. Tenant shall not assign this Lease Agreement or sublet any portion of the premises.
15. If Tenant shall fail to observe or perform any of its obligations under this lease and shall fail to cure its default within ten (10) days after notice from Landlord to do so, or if Tenant shall be adjudicated bankrupt or become insolvent or shall make an assignment for the benefit of creditors, then in any of said cases, Landlord lawfully may enter into and upon the demised premises or any part thereof and repossess the same and expel the Tenant and persons claiming under and through it, and remove any effects, forcibly if necessary, without being guilty of trespass or entry as aforesaid, this lease shall terminate and wholly expire, and Tenant covenants that in case of such termination it will indemnify Landlord against all loss of rent which Landlord may incur by reason of such termination during the residue of the specified term.
16. Any holding over by Tenant beyond the expiration of the specified term must be approved by Landlord to Tenant in writing in advance of expiration date of this agreement and shall give rise to a tenancy from day-to-day.
17. All notices to be given hereunder by either party shall be in writing and given by personal delivery or certified mail to Landlord or to Tenant, and the date of any notice by certified mail or the date of personal delivery, shall be deemed to be the date of certification thereof. In the event of any notice given by certified mail, the addresses of Landlord and Tenant first above written shall be the effective address unless changed by written certified mail by either party to the other.
18. INSURANCE: Tenant assumes responsibility for and liability in and for any and all damage or injury of any kind or nature whatever to all persons and to all property growing out of or resulting from this Lease. The Tenant shall provide and maintain Workmen's Compensation Insurance and Public Liability Insurance and any other insurance or protection required for Tenant's operations that are a part of this Lease including at a minimum:

Comprehensive General Liability Insurance for all liabilities of not less than \$1,000,000 for bodily injury per occurrence and \$1,000,000 for property damage per occurrence.

Cassatt Management LLC, d/b/a Bay Coast Railroad, Canonie Atlantic Co., and the Accomack-Northampton Transportation District Commission shall be named additionally insured with a waiver of subrogation and evidence of

above coverage, a copy of which shall be provided without cost or charge to Landlord before Tenant starts work. Thirty days' written notice must be provided Landlord before cancellation of above coverages.

19. INDEMNITY: Tenant further agrees: (1) to indemnify Cassatt Management LLC, d/b/a Bay Coast Railroad, Canonie Atlantic Co., and Accomack-Northampton Transportation District Commission against and save it harmless from any and all claims, suits, liability, expense, or damage, for any alleged or actual infringement or violation of any patent arising in connection with this Lease and anything done hereunder; (2) to indemnify Cassatt Management LLC, d/b/a Bay Coast Railroad, and Canonie Atlantic Co., and Accomack-Northampton Transportation District Commission against and save it harmless from any and all claims, suits, liability on account of any act or omission of the Tenant, or any of its officers, agents, or employees; (3) to pay for all materials furnished and labor performed under this Lease and to guarantee Cassatt Management LLC, d/b/a Bay Coast Railroad, Canonie Atlantic Co., and Accomack-Northampton Transportation District Commission and the premises be saved harmless from any and all claims, suits, or liens therefore by others than the Tenant.
20. If the Tenant shall default in the performance of any covenant or condition in this Lease required to be performed by Tenant, Landlord, may after thirty (30) days' notice to Tenant, without notice, if in Landlord's opinion an emergency exists, perform such covenant or condition for the account and at the expense of Tenant. If Landlord shall incur any expense including reasonable attorney's fees in instituting, prosecuting, or defending any action or proceedings instituted by reason of any default of the Tenant, Tenant shall reimburse the Landlord for the amount of such expense. Should Tenant, pursuant to this Lease, become obligated to reimburse or otherwise pay Landlord any sum of money in addition to the specific rent, including utility payments or charges, the amount thereof shall be deemed additional rent and may, at the option of the Landlord be added to any subsequent installment of the specific rent due and payable under this Lease.
21. Real estate taxes on the property being leased are the responsibility of Landlord. Taxes attributable to property of Tenant including but not limited to furniture, fixtures, offices, equipment, machinery and tools, shall be payable by and the responsibility of Tenant.
22. This Lease Agreement is governed by the laws of the Commonwealth of Virginia and the laws of the United States of America.
23. Canonie Atlantic Co. is the fee simple owner of the Demised Premises. The Demised Premises are part of certain property under Lease by Owner to Landlord pursuant to Railroad Lease and Operating Agreement dated December 6, 2005 (the "Cassatt – CAC" Lease). In the event that the rights of

Landlord under the Cassatt – CAC Lease are terminated for any reason then the rights and obligations of Landlord under this Lease, including the right to receive rent for the Demised Premises, shall automatically transfer to Owner without necessity of any action on the part of the parties hereto.

24. The terms and conditions of this agreement shall inure to the benefit of and be binding upon the parties hereto and their respective heirs, representatives, successors or assigns.

IN WITNESS WHEREOF, the parties hereto have executed this Lease the day and year first above written.

AS TO LANDLORD:
CASSATT MANAGEMENT, LLC
d/b/a BAY COAST RAILROAD

BY _____

ITS _____

DATE _____

AS TO TENANT:
MUNICIPAL CORPORATION OF CAPE CHARLES

BY _____

ITS _____

DATE _____

 TOWN OF CAPE CHARLES	AGENDA TITLE: Bank of America Franchise Tax Refund		AGENDA DATE: November 20, 2014
	SUBJECT/PROPOSAL/REQUEST: Franchise tax overpayment refund to Bank of America		ITEM NUMBER: 7D
	ATTACHMENTS: Refund Payment Agreement		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Deborah Pocock	REVIEWED BY: Bob Panek, Interim Town Manager	

BACKGROUND:

Code of Virginia Section 58.1-1209 allows any incorporated town in the Commonwealth to impose a tax on the net capital of a bank located in the town. Town Code Section 66-201 imposes a tax of 80% of the state rate of franchise tax which is \$1.00 per every \$100 of net capital.

Bank of America was located in the Town for a number of years and paid the franchise tax on an annual basis. During a review of their records, Bank of America discovered an overestimate of their net capital for tax years 2010, 2011 and 2012. The Virginia Department of Taxation completed a thorough audit of the amended returns from Bank of America and recently notified the Town of the large refund due to Bank of America.

DISCUSSION:

The amount of the refund from the Town of Cape Charles totals \$14,464 - \$3,113 for 2010, \$4,101 for 2011, and \$7,250 for 2012.

The Town has two options for payment:

- Option A: The Town would pay the refund amount in full by December 31, 2014 with no interest. Amount paid would be \$14,464.
- Option B: The Town would pay the refund amount in full by June 1, 2016 including interest at an average rate of 14.8%. Total amount paid would be \$16,380.

Staff would prefer Option A to pay the full amount due by December 31, 2014 which would save the Town interest charges of \$1,916.

RECOMMENDATION:

Staff recommends discussion and authorization for the Mayor to execute the Refund Payment Agreement for either Option A or B as decided by Council.

REFUND PAYMENT AGREEMENT

Bank of America, N.A., E.I.N. 94-1687665 (“BANA”) and the Virginia Department of Taxation (the “Department”) and the Localities (“Locality” or “Localities”) which have signed on Schedule A attached hereto (collectively, the “Parties”) make the following refund payment agreement (the “Closing Agreement”).

WHEREAS, BANA timely filed its Virginia Bank Franchise Tax Returns and paid the Bank Franchise Tax for taxable years 2010, 2011 and 2012 (the “Tax Years”).

WHEREAS, on February 21, 2013, BANA filed amended Bank Franchise Tax Returns for the Tax Years claiming a refund.

WHEREAS, the Department audited BANA’s amended returns and determined that BANA is due a refund of overpaid Bank Franchise Tax in the amount of \$13,911,504 (the “Refund”), which amount does not include interest.

WHEREAS, the Department has determined the Department’s portion and each Locality’s portion of the Refund (the “Apportioned Refund”).

WHEREAS, for those Parties participating in this Closing Agreement by electing the Delayed Payment Offer or the Refundable Credit Offer, as defined herein, interest shall be calculated at the State rate and accrued for the period as set forth in Virginia Code Sec. 58.1-1833 through the close of the audit, and such interest shall be added to such Party’s Apportioned Refund (the “Apportioned Refund Including Interest”).

WHEREAS, the Parties desire to provide for application or payment of the Apportioned Refund and/or the Apportioned Refund Including Interest.

THEREFORE THE PARTIES HEREBY AGREE AS FOLLOWS:

1. BANA timely filed its taxable year 2010, 2011 and 2012 amended Bank Franchise Tax returns and refund request.
2. The Department and the Localities electing to participate in this Closing Agreement owe BANA a refund of the Apportioned Refund or Apportioned Refund Including Interest as set forth on Schedule B attached hereto.
3. The Department and the Localities hereby choose one of the following three (3) methods to provide for the application or payment of the Apportioned Refund and/or the Apportioned Refund Including Interest:
 - a. Payment in Full – Due Date December 31, 2014 (“Interest Free Offer”). In the event a Party elects the Interest Free Offer, such Party shall sign this Closing Agreement in COLUMN A on Schedule A attached hereto and such Party shall pay BANA the entire Apportioned Refund amount due from such Party by December 31, 2014. If the

entire Apportioned Refund amount is not paid by December 31, 2014 and such Party has not affirmatively elected the Refundable Credit Offer or the Delayed Payment Offer, such Party shall default to the Default Refund as set forth in Paragraph 4 below.

- b. Payment in Full – Delayed Due Date (“Delayed Payment Offer”). In the event a Party elects the Delayed Payment Offer, such Party shall sign this Closing Agreement in COLUMN B on Schedule A attached hereto and such Party shall pay BANA the entire Apportioned Refund Including Interest amount due from such Party in full by June 1, 2016 (the “Refund Due Date”). If the entire Apportioned Refund Including Interest amount is not paid by the Refund Due Date by such Party, interest shall accrue at the State rate on the amount due beginning the day after the Refund Due Date.
- c. Refundable Credit Offer: By electing to sign this Closing Agreement in COLUMN C on Schedule A attached hereto, the signing Party and BANA hereby agree to apply the Apportioned Refund Including Interest under the following methodology (the “Refundable Credit Offer”):
 - i. The Apportioned Refund Including Interest shall be due in equal increments (the “Refund Portion”) over a five (5) year period (the “Refund Period”).
 - ii. The Refund Period shall begin in taxable year 2016, the first payment being due on June 1, 2016.
 - iii. If the amount of Refund Portion for any taxable year shall be less than BANA’s Bank Franchise Tax payable to the Department or such Locality for such year, then such Refund Portion shall be applied against BANA’s Bank Franchise Tax payable to the Department or the Locality for that taxable year.
 - iv. If the amount of Refund Portion for any taxable year shall exceed BANA’s Bank Franchise Tax payable to the Department or such Locality for such year, including if there is zero Bank Franchise Tax due for any reason, the excess shall be payable from the Department or Locality to BANA as set forth in (v.) below (the “Excess Payment”).
 - v. Any Excess Payment shall be paid by the Department or Locality to BANA by June 1st of the taxable year, including if there is zero Bank Franchise Tax due (the “Payment Due Date”). If such Excess Payment is not made by the Payment

Due Date, interest shall accrue at the State rate on the amount due beginning the day after the Payment Due Date.

- vi. No interest shall accrue on the Apportioned Refund Including Interest during the Refund Period except as set forth in section 3(c)(v) herein.
4. In the event the Department and/or a Locality do not elect the Interest Free Offer, the Delayed Payment Offer or the Refundable Credit Offer by signing and returning this Closing Agreement by December 31, 2014, then such Party shall default to the Party's current governing law and shall be required to pay its portion of the Apportioned Refund as calculated with interest pursuant to such Party's governing statutes and added to such Apportioned Refund amount (the "Default Refund").
5. This Closing Agreement is binding and conclusive with respect to the subject matter of this Closing Agreement for the Tax Years except that:
- i. The Closing Agreement may be reopened by the Department in the event of fraud, malfeasance, or misrepresentation of material fact.
 - ii. This Closing Agreement shall be construed and interpreted in accordance with the law of the State of Virginia. The Parties, and each of them, hereby agree to submit to the jurisdiction of the Virginia courts in any action relating to this Closing Agreement or to the enforcement or interpretation of the terms hereof.
 - iii. This Closing Agreement constitutes the entire agreement and understanding of the Parties concerning the Refund, Apportioned Refund and Apportioned Refund Including Interest and is expressly intended by the Parties to supersede all prior agreements, negotiations, representations, and/or understandings, whether written or oral, of the Parties pertaining to these issues for the Tax Years.
 - iv. This Closing Agreement is binding upon the Parties and their subsidiaries, affiliates, officers, directors, agents, personal representatives, successors in interest, transferees and assigns, and each of them.
 - v. Each Party, on its own behalf, represents and warrants that the signatories to this Closing Agreement have the authority to execute it on behalf of that Party.
 - vi. By signing, the Parties certify that they have read and agreed to the terms of this Closing Agreement.

- vii. This Closing Agreement shall be effective upon its execution by or on behalf of BANA and upon its execution by or on behalf of the Department and, with respect to each participating Locality, upon its execution by such Locality.
- viii. If any provision of this Closing Agreement is breached by the Department or a Locality, the rights and obligations of any non-breaching Party shall not be affected and such breach shall not affect the binding nature of this Closing Agreement on any other Party.

[remainder of page intentionally left blank]

SCHEDULE A

CLOSING AGREEMENT ELECTION

Taxing Jurisdiction	COLUMN A ELECTS the <u>Interest Free Offer</u> and Will Pay the Apportioned Refund in Full by December 31, 2014	COLUMN B ELECTS the <u>Delayed Payment Offer</u> and Will Pay the Apportioned Refund Including Interest in Full by the Refund Due Date	COLUMN C ELECTS the <u>Refundable Credit Offer</u> and Will Apply or Pay the Apportioned Refund Including Interest Over the Refund Period	Date
Department				
Abingdon Town				
Albemarle County				
Alexandria City				
Arlington County				
Ashland Town				
Blacksburg Town				
Botetourt County				
Buena Vista City				
Campbell County				

Taxing Jurisdiction	COLUMN A ELECTS the <u>Interest Free Offer</u> and Will Pay the Apportioned Refund in Full by December 31, 2014	COLUMN B ELECTS the <u>Delayed Payment Offer</u> and Will Pay the Apportioned Refund Including Interest in Full by the Refund Due Date	COLUMN C ELECTS the <u>Refundable Credit Offer</u> and Will Apply or Pay the Apportioned Refund Including Interest Over the Refund Period	Date
Cape Charles Town				
Carroll County				
Charlottesville City				
Chesapeake City				
Chesterfield County				
Clarksville Town				
Colonial Heights City				
Danville City				
Dumfries Town				
Dillwyn Town				
Elkton Town				
Fairfax County				

Taxing Jurisdiction	COLUMN A ELECTS the <u>Interest Free Offer</u> and Will Pay the Apportioned Refund in Full by December 31, 2014	COLUMN B ELECTS the <u>Delayed Payment Offer</u> and Will Pay the Apportioned Refund Including Interest in Full by the Refund Due Date	COLUMN C ELECTS the <u>Refundable Credit Offer</u> and Will Apply or Pay the Apportioned Refund Including Interest Over the Refund Period	Date
Fairfax City				
Falls Church City				
Farmville Town				
Franklin County				
Franklin City				
Fredericksburg City				
Gate City Town				
Glade Spring Town				
Gordonsville Town				
Greene County				
Hampton City				
Hanover County				

Taxing Jurisdiction	COLUMN A ELECTS the <u>Interest Free Offer</u> and Will Pay the Apportioned Refund in Full by December 31, 2014	COLUMN B ELECTS the <u>Delayed Payment Offer</u> and Will Pay the Apportioned Refund Including Interest in Full by the Refund Due Date	COLUMN C ELECTS the <u>Refundable Credit Offer</u> and Will Apply or Pay the Apportioned Refund Including Interest Over the Refund Period	Date
Harrisonburg City				
Henrico County				
Hillsville Town				
Hopewell City				
Isle of Wight County				
James City County				
Lawrenceville Town				
Leesburg Town				
Loudoun County				
Louisa Town				
Lynchburg City				
Manassas City				

Taxing Jurisdiction	COLUMN A ELECTS the <u>Interest Free Offer</u> and Will Pay the Apportioned Refund in Full by December 31, 2014	COLUMN B ELECTS the <u>Delayed Payment Offer</u> and Will Pay the Apportioned Refund Including Interest in Full by the Refund Due Date	COLUMN C ELECTS the <u>Refundable Credit Offer</u> and Will Apply or Pay the Apportioned Refund Including Interest Over the Refund Period	Date
Martinsville City				
Matthews County				
Newport News City				
Norfolk City				
Norton City				
Orange Town				
Petersburg City				
Portsmouth City				
Prince Williams County				
Pulaski Town				
Pulaski County				
Quantico Town				

Taxing Jurisdiction	COLUMN A ELECTS the <u>Interest Free Offer</u> and Will Pay the Apportioned Refund in Full by December 31, 2014	COLUMN B ELECTS the <u>Delayed Payment Offer</u> and Will Pay the Apportioned Refund Including Interest in Full by the Refund Due Date	COLUMN C ELECTS the <u>Refundable Credit Offer</u> and Will Apply or Pay the Apportioned Refund Including Interest Over the Refund Period	Date
Richmond City				
Roanoke City				
Roanoke County				
Shenandoah County				
South Boston Town				
Spotsylvania County				
Stafford County				
Standardsville Town				
Staunton City				
Suffolk City				
Vienna Town				
Vinton Town				

Taxing Jurisdiction	COLUMN A ELECTS the <u>Interest Free Offer</u> and Will Pay the Apportioned Refund in Full by December 31, 2014	COLUMN B ELECTS the <u>Delayed Payment Offer</u> and Will Pay the Apportioned Refund Including Interest in Full by the Refund Due Date	COLUMN C ELECTS the <u>Refundable Credit Offer</u> and Will Apply or Pay the Apportioned Refund Including Interest Over the Refund Period	Date
Virginia Beach City				
Waynesboro City				
Woodstock Town				
Wytheville City				
York County				

SCHEDULE B

APPORTIONED REFUND and APPORTIONED REFUND INCLUDING INTEREST

State Interest Rate Factors

2012 Factor 0.09433

2011 Factor 0.14606

2010 Factor 0.20362

Locality	Apportioned Refund				Apportioned Refund Including Interest			
	2012	2011	2010	Total	2012	2011	2010	Total
Department	1,545,090	751,067	486,144	2,782,300	1,690,838	860,767	585,133	3,136,739
Abingdon Town	16,038	9,771	7,446	33,255	17,551	11,198	8,962	37,711
Albemarle County	31,390	15,413	11,175	57,978	34,351	17,664	13,451	65,466
Alexandria City	73,837	30,154	51,214	155,205	80,802	34,558	61,643	177,002
Arlington County	210,342	101,430	88,813	400,585	230,184	116,245	106,897	453,326
Ashland Town	14,283	7,193	5,379	26,855	15,630	8,244	6,474	30,348
Blacksburg Town	15,525	7,198	5,101	27,824	16,990	8,250	6,139	31,378
Botetourt County	9,104	4,983	3,669	17,756	9,962	5,711	4,417	20,090
Buena Vista City	5,828	3,488	2,720	12,036	6,378	3,997	3,274	13,650
Campbell County	11,125	5,555	4,235	20,915	12,174	6,366	5,098	23,638

Locality	Apportioned Refund				Apportioned Refund Including Interest			
	2012	2011	2010	Total	2012	2011	2010	Total
Cape Charles Town	7,250	4,101	3,113	14,464	7,933	4,700	3,747	16,380
Carroll County			6,061	6,061	-	-	7,295	7,295
Charlottesville City	140,887	87,499	53,359	281,746	154,177	100,279	64,224	318,681
Chesapeake City	78,348	40,212	29,342	147,902	85,739	46,086	35,316	167,141
Chesterfield County	88,719	43,793	31,247	163,760	97,088	50,190	37,610	184,888
Clarksville Town	6,996	3,833	3,053	13,883	7,656	4,393	3,675	15,724
Colonial Heights City	24,314	12,396	8,727	45,436	26,607	14,206	10,504	51,317
Dumfries Town	11,959	6,129	4,354	22,442	13,087	7,024	5,240	25,351
Danville City	28,825	15,517	12,124	56,467	31,544	17,783	14,593	63,921
Dillwyn Town	8,164	4,675	3,526	16,364	8,934	5,357	4,243	18,535
Elkton Town	14,147	7,595	6,024	27,766	15,481	8,704	7,251	31,436
Fairfax County	934,971	439,715	370,261	1,744,947	1,023,166	503,940	445,654	1,972,760
Fairfax City	90,524	44,170	30,518	165,212	99,063	50,622	36,732	186,417
Falls Church City	22,354	10,981	7,527	40,862	24,463	12,584	9,060	46,108

Locality	Apportioned Refund				Apportioned Refund Including Interest			
	2012	2011	2010	Total	2012	2011	2010	Total
Farmville Town	9,388	5,131	3,922	18,441	10,274	5,881	4,721	20,875
Franklin County	3,708	1,776	1,470	6,954	4,058	2,035	1,769	7,862
Franklin City	9,481	5,294	4,049	18,823	10,375	6,067	4,873	21,315
Fredericksburg City	17,694	7,135	4,834	29,664	19,363	8,177	5,819	33,359
Gate City Town	13,473	7,475	5,878	26,826	14,744	8,566	7,075	30,386
Glade Spring Town	5,154	2,337	1,873	9,364	5,641	2,679	2,254	10,573
Gordonsville Town	8,306	4,374	3,321	16,002	9,090	5,013	3,998	18,101
Greene County	7,843	3,630	2,575	14,047	8,583	4,160	3,099	15,841
Hampton City	42,175	21,180	15,877	79,232	46,153	24,274	19,110	89,537
Hanover County	17,645	9,052	6,260	32,956	19,309	10,374	7,534	37,218
Harrisonburg City	27,892	14,264	10,234	52,391	30,523	16,348	12,318	59,189
Henrico County	155,349	77,769	46,440	279,558	170,004	89,127	55,897	315,028
Hillsville Town	14,876	7,841		22,717	16,279	8,986	-	25,266
Hopewell City	13,065	6,695	5,120	24,880	14,298	7,673	6,163	28,133

Locality	Apportioned Refund				Apportioned Refund Including Interest			
	2012	2011	2010	Total	2012	2011	2010	Total
Isle of Wight County	10,519	5,537	4,115	20,171	11,511	6,346	4,953	22,809
James City County	27,688	12,723	9,231	49,642	30,300	14,581	11,111	55,992
Lawrenceville Town	10,717	5,912	4,756	21,386	11,728	6,776	5,725	24,229
Leesburg Town	35,395	16,277	11,234	62,906	38,734	18,655	13,521	70,910
Loudoun County	92,705	43,359	25,958	162,022	101,450	49,691	31,244	182,385
Louisa Town	15,741	8,130	6,098	29,969	17,226	9,317	7,340	33,883
Lynchburg City	38,596	19,744	15,372	73,712	42,237	22,628	18,502	83,367
Manassas City	1,174			1,174	1,285	-	-	1,285
Martinsville City	6,978	3,575	2,538	13,090	7,636	4,097	3,054	14,787
Mathews County	12,800	7,457	5,618	25,874	14,007	8,546	6,762	29,314
Newport News City	59,127	28,634	35,831	123,592	64,705	32,816	43,127	140,648
Norfolk City	157,160	75,195	70,468	302,823	171,985	86,178	84,816	342,980
Norton City	12,410	6,700	5,188	24,298	13,581	7,678	6,245	27,503
Orange Town	15,123	7,598	5,567	28,288	16,550	8,708	6,701	31,958

Locality	Apportioned Refund				Apportioned Refund Including Interest			
	2012	2011	2010	Total	2012	2011	2010	Total
Petersburg City	13,720	6,974	5,114	25,809	15,015	7,993	6,156	29,163
Portsmouth City	5,704	2,953	2,114	10,771	6,243	3,385	2,544	12,171
Prince Williams County	136,654	66,867	46,131	249,652	149,544	76,634	55,524	281,703
Pulaski Town	13,442	7,258	5,488	26,188	14,710	8,318	6,605	29,634
Pulaski County	6,823	3,573	2,860	13,257	7,467	4,095	3,443	15,005
Quantico Town	5,216	2,412	1,604	9,233	5,708	2,765	1,931	10,404
Richmond City	2,862,599	1,364,958	627,531	4,855,088	3,132,628	1,564,324	755,309	5,452,260
Roanoke City	49,665	29,705	35,057	114,428	54,350	34,044	42,195	130,589
Roanoke County	20,791	10,389	7,230	38,409	22,752	11,906	8,702	43,360
Shenandoah County			3,527	3,527	-	-	4,246	4,246
South Boston Town	16,372	9,067	7,271	32,709	17,916	10,391	8,751	37,059
Spotsylvania County	6,310	2,409	1,622	10,341	6,905	2,761	1,952	11,619
Stafford County	19,320	9,980	6,544	35,843	21,142	11,438	7,876	40,456
Standardsville Town	9,468	5,131	4,461	19,060	10,361	5,881	5,369	21,611

Locality	Apportioned Refund				Apportioned Refund Including Interest			
	2012	2011	2010	Total	2012	2011	2010	Total
Staunton City	11,848	6,808	5,060	23,715	12,965	7,802	6,090	26,857
Suffolk City	17,855	9,959	7,222	35,036	19,539	11,414	8,693	39,646
Vienna Town	34,678	16,864	11,522	63,064	37,949	19,328	13,868	71,145
Vinton Town	12,120	6,456	5,025	23,601	13,263	7,399	6,048	26,710
Virginia Beach City	181,010	85,027	73,244	339,282	198,085	97,446	88,159	383,689
Waynesboro City	19,252	10,187	7,792	37,231	21,068	11,675	9,379	42,122
Woodstock Town	8,900	5,148		14,048	9,739	5,900	-	15,639
Wytheville City	17,756	9,316	6,950	34,022	19,431	10,677	8,365	38,473
York County	23,739	12,232	8,391	44,361	25,978	14,018	10,099	50,096
TOTAL				13,911,504				

 TOWN OF CAPE CHARLES	AGENDA TITLE: Town Elections		AGENDA DATE: November 20, 2014
	SUBJECT/PROPOSAL/REQUEST: Discussion and consideration of possibly moving Town elections to November		ITEM NUMBER: 7E
	ATTACHMENTS: None		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Libby Hume, Town Clerk	REVIEWED BY: Bob Panek, Interim Town Manager	

BACKGROUND:

As specified in the Town Charter, Town Code Section 3.1(b) states that the Town elections will be held on the first Tuesday in May of each even-numbered year. The terms of office for the Mayor and Council members begin on the first day of July following their election.

Over the last several years, more and more localities in Virginia are opting to change the date of local elections from May to November. In 2014, the General Assembly approved Charter changes for the Towns of Culpepper, Tazewell and Honaker and the Cities of Manassas, Falls Church and Covington to move their local elections from May to November.

DISCUSSION:

The change to November elections would save the Town money since we would be funding only the November elections. Currently, the Town pays for our election expenses in May and a portion of the state elections held in November. The Town paid \$1,464 in expenses for the May 2014 election.

It has been shown that more citizens go to the polls for November elections vs. May elections due to the addition of state and federal candidates and questions. In the May 2012 Town election a total of 797 votes were cast for three Council seats. This equates to approximately 266 voters. In the 2012 special election held in November, a total of 571 votes were cast for one Council seat. In the May 2014 Town election, a total of 414 votes were cast for the Mayor and 1,194 total for three Council seats, or approximately 400 voters. While voter turn-out in May 2014 was 50% higher than May 2012, it was still 30% below the November 2012 special election.

In order to make this change, localities must request a Charter revision by the Virginia General Assembly through their representatives. The senators and delegates are currently in the process of preparing bills for the next meeting of the General Assembly. Since the Town's elections are in 2016, any change in the election date would have to be acted upon in the upcoming 2015 General Assembly session.

RECOMMENDATION:

Staff recommends discussion and a decision regarding future Town elections.



TOWN OF
CAPE CHARLES

AGENDA TITLE: Reverse Angled Parking

AGENDA DATE:
November 20, 2014

SUBJECT/PROPOSAL/REQUEST: Authorize VDOT request

ITEM NUMBER:
7F

ATTACHMENTS: Back-In/Head-Out Parking report, Eastern Shore
Healthy Communities Walkability Report excerpt

FOR COUNCIL:
Action (X)
Information ()

STAFF CONTACT (s):
Rob Testerman

REVIEWED BY:
Bob Panek, Interim Town Manager

BACKGROUND:

During previous discussions with the Planning Commission regarding parking in the commercial district, staff has presented the concept of reverse angled parking, or “Back-in/head-out parking” for the north side of Mason Avenue. The process for head-out parking is simple – the driver signals their intention to park, slows, pulls past the parking spot, and then backs into it (roughly equivalent to making only the first maneuver of parallel parking). At its November 4, 2014 meeting the Planning Commission approved a motion to recommend that the Town Council evaluate the concept and send a request to VDOT for consideration.

Based on measurements taken of the width of the paved area of Mason Avenue, and taking into account the dimensions required for parking (both angled and parallel) it may be possible to implement “back-in/head-out” parking on the north side of Mason Avenue, and retain the parallel parking on the south side of Mason. Implementing this on the ground would simply be a matter of repainting lines, doing so would also create 1 additional parking space per 50 feet of on street parking. If this were implemented along the entire stretch of Mason Avenue, it would result in an increase of roughly 50-55 on street parking spaces, if this parking method were implemented from the main commercial areas (starting on the west side of Plum Street), westward to Bay Avenue, it would result in an increase of approximately 35 on street parking spaces.

In addition to more parking, there are many other benefits of the “back-in/head-out” parking. It is widely thought to be the safest form of on-street parking. It creates a sight line between the driver and other road users when pulling out; car doors open and direct passengers to the sidewalk, rather than into the street; etc. Additionally, it situates people’s trunks to the sidewalks, so after a day of shopping in town, loading their trunks becomes more convenient.

The walkability report, “Healthy People, Healthy Places”, done by Dan Burden and Eastern Shore Healthy Communities, which was released in August of 2012 also recommends this reverse angled parking. This practice has been used elsewhere in Virginia, so VDOT would consider the request. The next step would be to request in writing via a letter signed by the mayor, that VDOT’s traffic engineering section review the proposal of reverse-angled parking on the north side of Mason Avenue, and parallel parking on the south side of Mason.

RECOMMENDATION:

Staff recommends that Town Council authorize staff to develop a request to VDOT to consider the proposal of reverse-angled parking on Mason Avenue. Council should decide whether the request should include reverse angled parking on the north side of Mason Avenue A) for the entire length of Mason Avenue, or B) for the section of Mason Avenue which encompasses the main commercial area, the west side of Plum Street westward to the end of Mason Avenue.

Back-in/Head-out Angle Parking



Nelson\Nygaard Consulting Associates
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San Francisco, CA 94103

January 2005

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Introduction

In recent years the use of back-in/head-out angle parking has increased steadily in cities across North America. There are several reasons for this development. Kulash and Lockwood (2003) state that:

“Back-in/head-out diagonal parking is superior to conventional head-in/back-out diagonal parking. Both types of diagonal parking have common dimensions, but the back-in/head-out is superior for safety reasons due to better visibility when leaving. This is particularly important on busy streets or where drivers find their views blocked by large vehicles, tinted windows, etc., in adjacent vehicles in the case of head-in/back-out angled parking. In other words, drivers do not back blindly into an active traffic lane. The back-in maneuver is simpler than a parallel parking maneuver. Furthermore, with back-in/head-out parking, the open doors of the vehicle block pedestrian access to the travel lane and guide pedestrians to the sidewalk, which is a safety benefit, particularly for children. Further, back-in/head-out parking puts most cargo loading (into trunks, tailgates) on the curb, rather than in the street.”

The growing presence on American streets of sport utility vehicles (SUVs), with their bulky rear ends and (frequently) tinted windows may have spurred the trend toward back-in/head-out angle parking: when using conventional angle parking, drivers increasingly find themselves beside an SUV, with more difficult sightlines.

This report briefly discusses the design and benefits of back-in/head-out angle parking and shows where the design has already been implemented.

Some examples

In Tucson, AZ, two blocks of reverse diagonal parking have been installed along the University Boulevard Bikeway (see Figure 1), which leads into the west entrance of the University of Arizona (~36,000 students). In the two years of reverse diagonal parking, there have been no accidents along the segment, despite the large number of cyclists using the bikeway.

Figures 2-4 illustrate some of the benefits of back-in/head-out angle parking. In Figure 2 the driver is able access her trunk from the curb rather than from the street. Figures 3 and 4 show that the driver can have eye contact with oncoming traffic, in this case a bicyclist.

Figure 5 shows typical signage used to introduce drivers to back-in/head-out angle parking. For more examples on back-in/head-out angle parking, see Appendices A and B.

Figure 1 Back-in/Head-out parking in Tucson, AZ.



Source: T. Boulanger, Transportation Services, City of Vancouver, WA.

Figure 2 With back-in angle parking you can load your car on the curb, rather than in the street (Vancouver, WA).



Source: T. Boulanger, Transportation Services, City of Vancouver, WA.

Figure 3 An 'eye-to-eye' line of sight between parker and approaching road-user (Vancouver, WA).



Source: T. Boulanger, Transportation Services, City of Vancouver, WA.

Figure 4 The parker's view of the on-coming traffic (Vancouver, WA).



Source: T. Boulanger, Transportation Services, City of Vancouver, WA.

Figure 5 A traffic sign showing the three steps of back-in angle parking, in Kelowna, BC, Canada.



Source: City of Kelowna, British Columbia, Canada.

Advantages

Back-in/head-out angle parking is similar to both parallel and standard angle parking. As with parallel parking, the driver enters the stall by stopping and backing, but need not maneuver the front of the vehicle against the curb. When leaving the stall, the driver can simply pull out of the stall, and has a better view of the oncoming traffic.

Bicyclists

This type of parking provides a safer environment for bicyclists using the roadways. The driver is able to see the cyclist easily when exiting the stall. Several cities where back-in angle parking has been implemented have seen a reduction in number of accidents compared to the number of accidents at regular parallel parking schemes. Matt Zoll at

Tucson-Pima County Bicycle Advisory Committee says that after implementing the back-in/head-out angle parking scheme in Tucson they “went from an average of 3-4 bike/car accidents per month to no reported accidents for 4 years following implementation.”

Visibility

In contrast to standard angle parking the visibility while exiting a back-in/head-out angle parking into traffic is much improved. When the driver is backing up (into the stall), the driver is in control of his lane: traffic behind either waits, or changes lanes.

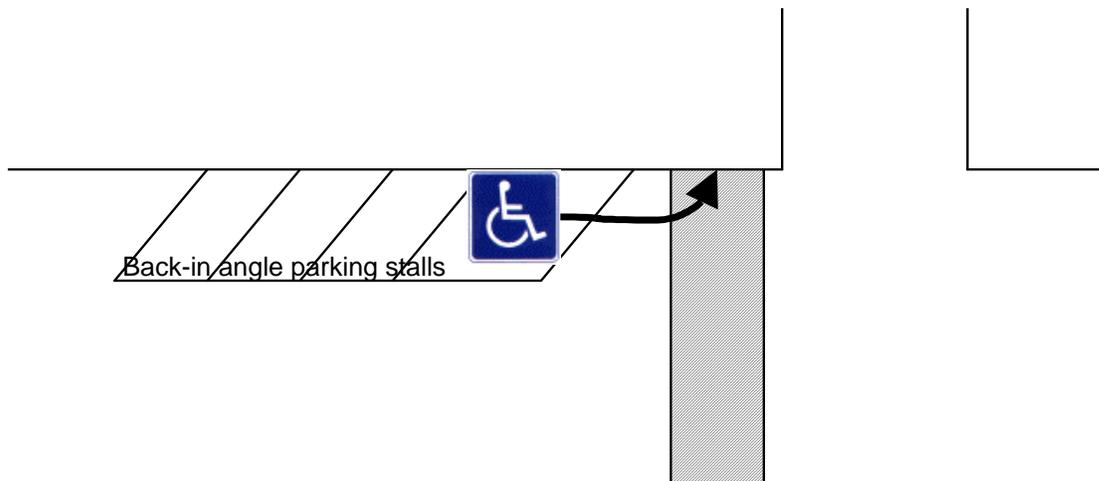
Steep terrain

Back-in angle parking can also be useful on steep terrain: if used on the correct side of the street, it causes drivers to automatically curb their wheels, which in turn prevents runaway autos. Used on the wrong side of a steep street, however, it is likely to cause more runaways.

Disabled parking

In Pottstown, PE, a 13-foot wide handicap accessible stall has been incorporated into the angle parking as the last space, intersection nearside, of each block. This places each disabled parking stall close to the existing curb ramps, and allows the wheelchair-using drivers to unload out of the way of traffic (see Figure 6). By contrast, the street’s previous parallel parking arrangement could not be safely used for disabled parking, and conventional angle parking raised safety concerns for the street’s proposed bicycle lanes.

Figure 6 A disabled parking stall located right next to the pedestrian crossing and the curb ramp.



Safety

As SLCTrans (2004) states, “one of the most common causes of accidents is people backing out of standard angled parking without being able to see on-coming traffic. Reverse angled parking removes this difficulty.” It also improves safety for cyclists, and for loading/and unloading the trunk of the car. Similarly, the *Urban Transportation Monitor’s* recent article on back-in angle parking reported reduced accidents and benefits for bicyclists in several communities. In all, back-in/head-out angle parking is a good choice when compared to conventional head-in angle/back-out parking and parallel parking.

Cities using back-in/head-out angle parking

The list of cities in North America that use back-in/head-out angle parking is growing. Figure 7 lists some of these communities.

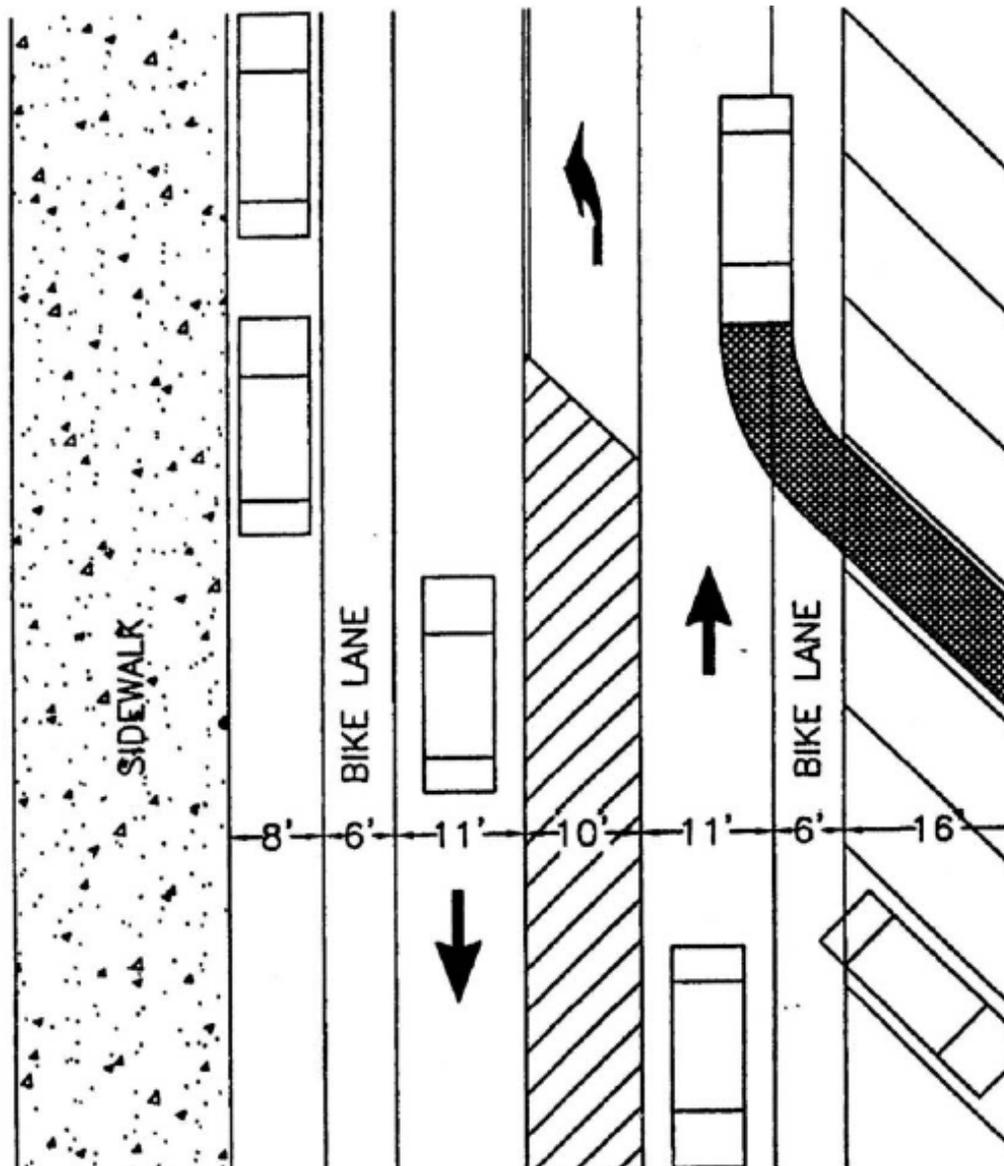
Figure 7 Cities using back-in/head-out angle parking.

City	Source	
Arlington, VI	Dan Burden	Walkable Communities, Inc.
Birmingham, AL	Russ Soyring	City of Traverse City, MI
Burnaby, Canada	Dan Burden	Walkable Communities, Inc.
Charlotte, NC	Dan Burden	Walkable Communities, Inc.
Chico, CA	Patrick Siegman	Nelson\Nygaard
Everett, WA	Michael M. Moule	Livable Streets, Inc
Honolulu, HI	Dan Burden	Walkable Communities, Inc.
Indianapolis, IN	Michael M. Moule	Livable Streets, Inc
Knoxville, TN	Michael M. Moule	Livable Streets, Inc
Marquette, MI	Russ Soyring	City of Traverse City, MI
Montreal, Canada	Michael M. Moule	Livable Streets, Inc
New York, NY	Dan Burden	Walkable Communities, Inc.
Olympia, WA	Dan Burden	Walkable Communities, Inc.
Plattsburgh, NY	Dan Burden	Walkable Communities, Inc.
Portland, OR	Michael M. Moule	Livable Streets, Inc
Pottstown, PA	Michael M. Moule	Livable Streets, Inc
Salem, OR	Todd Boulanger	City of Vancouver, WA
Salt Lake City, UT	Dan Burden	Walkable Communities, Inc.
San Francisco, CA	Michael M. Moule	Livable Streets, Inc
Seattle, WA	Dan Burden	Walkable Communities, Inc.
Tacoma, WA	Dan Burden	Walkable Communities, Inc.
Tucson, AZ	Michael M. Moule	Livable Streets, Inc
Vancouver, WA	Todd Boulanger	City of Vancouver, WA
Ventura, CA	Todd Boulanger	City of Vancouver, WA
Washington, DC	Dan Burden	Walkable Communities, Inc.
Wilmington, DE	Michael M. Moule	Livable Streets, Inc

Typical dimensions

Particularly when accommodating bike lanes within the roadway, back-in/head-out angle parking is useful. Figure 8 shows the cross-section of such a roadway in Pottstown, PA. Appendix C and D shows Vancouver's, WA, and Seattle's, WA, choices of dimensions for this type of parking.

Figure 8 Cross-section of a roadway accommodating both bike lanes and back-in/head-out angle parking.



Source: City of Pottstown (2001) Proposed High Street Traffic Calming Plan.

References

City of Pottstown (2001) Proposed High Street Traffic Calming Plan.

City of Pottstown (2004) Back In Angle as a Way to Improve Pedestrian Circulation in the Central Business District High Street, Pottstown Borough, Montgomery County, Pennsylvania, USA.

City of Vancouver, WA (2004) Angle Back In Parking Striping. Standard Plan Number T29-62.

Kulash, W. M. and Lockwood, I.M. (2003) *Time-saver Standards for Urban Design*, 7.2—5, McGraw-Hill Professional, New York, New York.

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SLCTrans, Salt Lake City, UT (2004) Back-in or Reverse Angle Parking - FAQ. <http://www.slcgov.com/transportation/Aboutus/FAQ.htm>.

Urban Transportation Monitor. Back-in Angle Parking. June 11, 2004, page 1.

APPENDIX A

NAWN, J.A. (2003) CENTRAL BUSINESS DISTRICT BACK IN ANGLE PARKING. *PE REPORTER*, NOVEMBER/DECEMBER ISSUE, P. 11-13.

Central Business District Back In Angle Parking

John A. Nawn, P.E., PTOE



In August 2003, the Pottstown borough completed back in angle parking along the main street through its central business district (CBD). This is the first such application of back in angle parking in the Commonwealth of Pennsylvania.

In many community's central business districts, lack of parking close to retail and commercial establishments is seen as a deterrent to continued retail development and reinvestment into the CBD. In many instances, the CBD is also bisected by an urban arterial, or "Main Street." Competing needs of parking versus efficient vehicle movement can impede mobility and sometimes compromise safety.

Since the middle 1990's, the Borough of Pottstown, Montgomery County, Pennsylvania, has struggled to revitalize and reinvigorate its downtown core. The Borough's 1994 Downtown Comprehensive Plan identified several goals for revitalization, specifically dealing with creation of a pedestrian friendly, multi-modal environment while maximizing the amount of parking and its proximity to retail establishments that line the downtown core. Through leveraging of and improvement to the existing transportation infrastructure, the community attempted to realize these goals.

Located in the Philadelphia, Pennsylvania metropolitan area and situated on the Schuylkill River, the Borough of Pottstown traces its routes to 1752. As the Borough developed, the CBD developed

centered along High Street, making High Street the Borough's main street. At 5.5 square miles, Pottstown population is 21,859 (2000 census). Following the increase in automobile traffic after World War II, the High Street cross section was reconfigured to maximize automobile mobility. With 68 feet available between the curb lines, two 11-foot through lanes and a 7-foot parallel parking lane were created in each direction along with a 10-foot wide center turn lane/painted median. Combined with a 16-foot sidewalk on each side, the face of the buildings on each side of the street are 100 feet apart, creating a very wide corridor through the CBD. The width of the corridor is visually perceived by some to be a deterrent to downtown redevelopment.

In 1972, a four lane, grade separated, limited access freeway, U.S. Route 422, was constructed along the opposite side of the river from the Borough, essentially bypassing the CBD and drawing large amounts of the existing through traffic volume from High Street. High Street quickly became an underutilized transportation asset.

As a highway facility, High Street was an operational success. The 85th percentile

speeds were within 5 miles per hour of the posted speeds and an attractive level of service was maintained for vehicles. However, High Street was failing to meet

As a highway facility, High Street was an operational success... however, High Street was failing to meet more recent and progressive economic development and transportation goals.

more recent and progressive economic development and transportation goals endorsed at local, state, and national levels.

Increasing pedestrian traffic is one of the key objectives in the

Borough's efforts to revitalize the CBD. However, High Street's configuration impeded these efforts. With four lanes of rapidly moving traffic, it was neither pedestrian nor shopper friendly. High Street's 68-foot cross-section was intimidating and discouraged pedestrians and shoppers from crossing the street. Pedestrian injuries and deaths were not uncommon. In addition, vehicle traffic along High Street moved too quickly to allow passengers adequate time to identify shopping opportunities and find a parking space.

Downtown business owners identified a perceived lack of parking as a concern. Although metered, parallel parking was available on both sides of High Street throughout the CBD, it was generally 50%

"Back-in" continued on p. 12

“Back-in” continued from p. 11

utilized and, therefore, considered to be insufficient in addressing the potential needs of the downtown businesses, considering the number of vacancies. While a number of small surface lots had been created along High Street, the linear nature of the CBD makes this parking convenient to only adjacent businesses with long walks necessary for all other businesses.

One of the region’s transportation goals is to encourage the use of bicycles as an alternative to the automobile. High Street had been designated by Montgomery County

as an official Bicycle Route connecting Pottstown with other communities along the Schuylkill River corridor. But, in its former configuration, High Street was not conducive to bicycle travel with no dedicated bike lanes and swiftly moving vehicular traffic.

State and regional plans recognize the connection between revitalizing older communities and solving the problems of traffic congestion on our roads and highways. Encouraging people to live, work and shop in denser, walkable communities fosters the use of existing public transportation, helps reduce sprawl and relieves the pressure on our road system. Creating vibrant downtowns in our cities and smaller urban communities ensures a growing demand for public transportation. Therefore, the general thinking was that reconfiguring and calming traffic on High Street would address Pottstown’s own economic development goals and have a positive impact on regional transportation and growth issues.

Clearly if the Borough was to increase pedestrian traffic and attract new business to the CBD, while not reducing available parking, the existing automobile and truck traffic would have to be calmed. The CBD study area generally encompassed a 1.1-mile corridor centered along High Street. Within this corridor, there are 10 signalized intersections. Of those, only two were

equipped with pedestrian push buttons; side streets were not actuated; and all signals were uncoordinated, operating on fixed time cycles with side street phases sufficient to also support lengthy pedestrian times required to cross High Street. Improvements would include coordination of the signals and the addition of pedestrian push buttons to improve mobility and support the thorough



lane reduction necessary to support additional angle parking.

One method used to provide more parking is creation of traditional, pull-in angle parking. However, in order to properly implement

traditional angle parking, a substantial amount of right-of-way is necessary to provide the proper maneuver space for vehicles to back out of the spaces without impeding traffic flow on the adjacent roadway. With traditional angle parking in place on both sides of a main street, the width of the street and subsequently pedestrian crossing distances become excessive, creating a non-unified downtown unattractive to pedestrians; pedestrians who are critical to the success

of the retail and commercial establishments in the CBD. At signalized intersections, pedestrian crossing times can be excessive, leading to decreased vehicle mobility and progression. More

typically, the width of available right-of-way is insufficient to support angle parking. While the angle of the parking can be reduced to narrow the required width of street, as the parking angle becomes more acute, the angle-parking yield becomes not much more than that with parallel parking. Ideally, angle parking without the wide maneuver space would address the problem.

It was clear that if the Borough wished to leverage additional parking and a



friendlier pedestrian environment as a means to revitalize the downtown area, that conventional methods and thinking would not likely meet those goals. The concept of employing reverse angle or back in angle parking was initiated by the Borough’s Planning Commission and upon request from the Commission, the Borough commissioned a new study to evaluate the appropriateness of back in angle parking on High Street.

The initial plan was to establish minimum required lane widths for the conventional elements of the roadway cross-section. In accordance with PennDOT’s criteria for an urban arterial, the minimum acceptable width for through lanes is 11 feet. The center median/turn lane would remain, as it was critical to maintaining the necessary levels of service. PennDOT’s minimum criterion for auxiliary lanes is 10 feet, therefore leaving 36 feet of the 68-foot width available to support the parking and bicycle lanes.

PennDOT has detailed regulations governing implementation of angle parking on state highways and specifies a minimum width for parking and maneuver space. With 36 feet available, it would be possible to implement angle parking on one side of the street only, with 6 feet available for a single bike lane. Downtown stakeholders were not

inclined to limit parking to one side of the street. Furthermore, with parking provided on only one side of the street, the question was raised as to how drivers proceeding in the opposite direction would be able to utilize the spaces. There was little interest in reducing the angle of the spaces as the additional yield, as noted previously, was not sufficient to justify the installation of the angled spaces.

Having determined that angle parking would likely only be possible on one side of the street, the decision was made retain parallel parking on the opposite side. It was also determined at this point to set a minimum width for the bicycle lane, in accordance with AASHTO criteria, which

recommend a width for two directional travel of 12 feet. This width was also consistent with PennDOT's criteria. With all the other minimum widths established and agreed upon, this left 18 feet for angle parking.

In order to maximize the amount of parking, it was decided to utilize an 8 foot, 6 inch (2.59 meter) wide space, which is consistent with National Parking Association (NPA) criteria for a 45-degree angle space. The available 18-foot width, however did not meet PennDOT's minimum criteria. The design team, lead by John A. Nawn, P.E., PTOE, in meetings with the Department, pointed out that PennDOT standards did not specify whether the angle parking criteria applied to traditional pull in or back in angle parking, and since there were no examples of back in angle parking in Pennsylvania, it was clear that the PennDOT criteria only applied to pull in angle parking. It was agreed that a maneuver area was necessary for traditional pull in angle spaces so vehicles can re-enter the roadway safely. When backing up from a pull in angle space, an operator temporarily has no view of approaching traffic dependent upon the length of his or her vehicle and the length and composition of the vehicle to the right. The maneuver area is necessary to provide the operator a safe place to back into during this essentially blind reverse maneuver. However, with back in angle parking, it was argued that no such maneuver area was necessary since vehicles exit forward.

The human biomechanical motion necessary to enter a back in angle parking space is similar too, if not easier than entering a parallel parking space. The prescribed method for entering a parallel parking space entails three distinct steps. First, the operator pulls past the parking space. Second, the operator proceeds in reverse into the space, on a diagonal, as far as possible. Third, the operator pulls forward while turning toward the right to bring the vehicle parallel to the curb. The second step, wherein the operator pulls backwards into the parallel space, typically places the vehicle at an approximate 45-degree angle with the travel lane. For a 45 degree back in angle space therefore, the operator only needs to complete the first two

steps of the typical parallel parking maneuver wherein the operator pulls past the space, than proceeds in reverse into the space, completing the move. When leaving the space to re-enter the highway, the back in angle space has a clear advantage over the parallel parking space. When exiting a parallel parking space, an operator must turn his or her field of vision up to 180 degrees and look backward to be able to view approaching vehicles and identify gaps in which to re-enter the traffic stream. In pulling out from a 45 degree angle space, the maximum that the operator must turn his field of vision is 135 degrees to be able to see approaching vehicles from his left. This movement requires only that the operator turn sideways, not backwards presenting a slightly more 'comfortable' position for the operator.

Based on the above discussion, it was successfully presented to the Department that given the fact that it is theoretically easier to enter and exit a back in angle parking space than a parallel parking space, and no maneuver area is typically required for parallel parking lanes in an urban zone, accordingly, no additional maneuver area would be necessary nor should be required for back in angle parking.

The proposed layout was approved by the Borough Council and endorsed by three local, downtown organizations, and the County. The plan was also conditionally approved by PennDOT. Design of the project was funded partially by a grant from the Delaware Valley Regional Planning Commission (DVRPC), through their competitive Transportation and Community Development Initiative (TCDI) program. Implementation of the re-designed striping was carefully orchestrated to follow a planned maintenance resurfacing of High Street.

The decision as to which side of the street to locate the back in angle parking on was cause for much discussion among the stakeholders. Ultimately, the decision was based entirely on which side would yield the biggest increase in parking, and that was found to be the north side of High Street. The additional parking yield over the existing

parallel parking, per block, varied greatly depending on the location of driveways, no parking zones and the like, with some blocks gaining as many as 23 spaces and some blocks as few as 2 spaces. Overall, the downtown area gained a total of 95 new spaces, a 21% increase over existing conditions.

In addition to parking changes, existing electromechanical signal controllers were replaced with new, solid state controllers and coordinated with each other to accommodate the through lane reduction necessary to accommodate the new parking and bike lane.

This context sensitive solution demonstrates that back in angle parking can be effectively integrated into the downtown environment and co-exist along an arterial highway employing current, minimum design standards. In addition to creating more parking over traditional parallel parking, back in angle parking can also be used as a traffic calming/street narrowing tool, can enhance pedestrian functionality and walk-ability within the downtown area and can work harmoniously with bicycle lanes, all resulting in a more attractive and intimate downtown corridor enhancing the downtown experience and leading to increased economic investment. ■

John A. Nawn, P.E., PTOE was the Project Manager for the Back In Angle Parking design and installation and had been associated with the project and the Borough's efforts since 1995. Mr. Nawn holds a Bachelor of Science Degree from Drexel University, and is currently employed by URS Corporation the Branch Manager of their Philadelphia Office. John, a licensed professional engineer in four states and a certified professional traffic operations engineer, has over 16 years experience in traffic engineering and has been a member of PSPE since 1990. John is currently the President of the Delaware County Chapter of the Pennsylvania Society of Professional Engineers.

The project was presented at and appears in the proceedings of both the Second Urban Street Symposium (a Transportation Research Board conference) and the 2003 Institute of Transportation Engineers Annual Conference.

For more information please contact Mr. Nawn at, 215-587-9000 x3000 or john_nawn@urscorp.com.

APPENDIX B

CITY OF POTTSTOWN (2001) PROPOSED
HIGH-STREET TRAFFIC CALMING PLAN.



1. Wilmington, Delaware

Contact person: Thomas Warrington
Department of Public Works
900 E 11th ST
Wilmington, DE 19802
302.571.4233

The City of Wilmington, Delaware, has six blocks of 60 and 90-degree back-in angle parking dating back about 50 years. By city ordinance, Wilmington requires all angle parking to be back-in because of the safety factor.

For 60-degree angle parking, regulations require 19 feet out from the curb for parking spaces, to allow for vehicles with extended cabs, plus a minimum of 11 feet for a travel lane, for a total of 30 feet for traffic going in one direction.

The highest average daily traffic for any block with angle parking is the 1000 block of Market Street, with an ADT of 6,500 vehicles.

Wilmington has not experienced any significant problems with accidents or impediments to travel flow with angle parking.

(See attached letter from Thomas Warrington.)



2. Seattle, Washington

Contact person: **Bill Jack**
Seattle Transportation
Municipal Building, Room 410
600 Fourth Avenue
Seattle, WA 98104
206.684.8329.

The City of Seattle, Washington, has about 280 blocks of angle parking spaces, most of which are back-in. Seattle also has pull-in angle parking, but prefers back-in angle parking because it is safer, especially for pedestrians.

North Queen Anne Street, shown above, is one of the higher volume traffic streets, with about 6,500 ADT.

Seattle has had back-in angle parking for more than 30 years.

(See attached letter from Bill Jack.)



3. Washington, D.C.

Contact person: Rashid Sleemi
202.671.1573

Washington, D.C. has six blocks of back-in angle parking going back 15 to 20 years.

The busiest thoroughfare is the 2400 block of 18th Street NW, which has an ADT of 9,200. The street has two lanes of traffic going in each direction with no maneuver lane in front of the parking spaces.

Other areas with back-in angle parking are several blocks on Water Street, NW, a low volume traffic area, and Vermont Avenue, NW, between 14th and Q streets, with an ADT of 5,000.

Although no traffic records are available, Mr. Sleemi reports the perception is that back-in angle parking does not create any traffic hazards.



4. Indianapolis, Indiana

Contact person: John Burkhardt
Administrator, Traffic Division
1725 S. West Street
Indianapolis, IN 46225
317. 327.2903

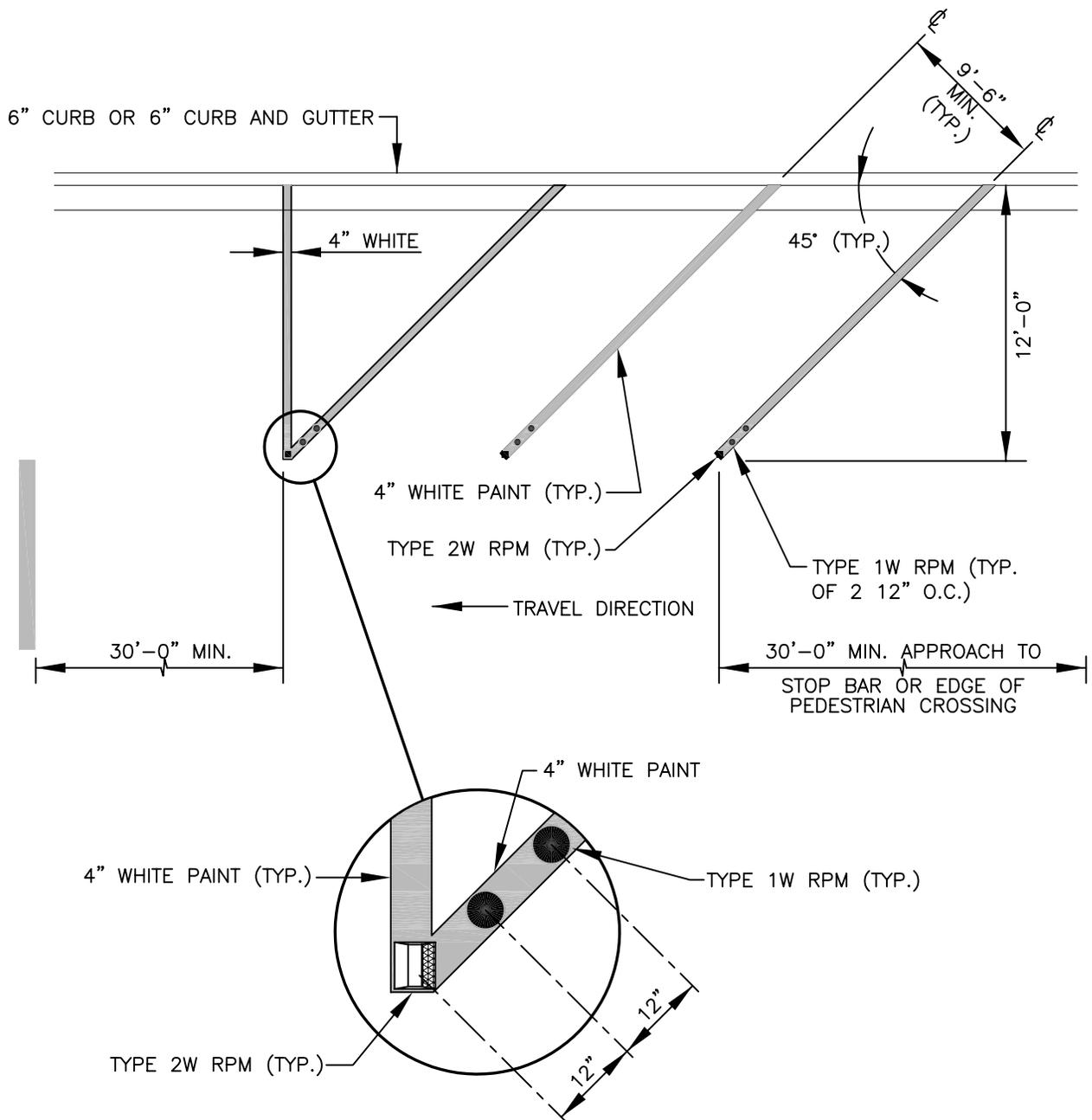
Indianapolis has one block of back-in angle parking, along the federal courthouse on New York Avenue, going back at least 15 years.

New York Avenue is a one-way street consisting of a north parallel parking lane, three traffic lanes, a right turn lane, and angle parking. The right turn lane is directly adjacent to the angle parking. Average daily traffic is 13,800.

The latest traffic records, for the years 1999-2000, reflect there were a total of two accidents over two years at the nearest intersection. They do not know if those accidents had anything to do with the angle parking.

APPENDIX C

CITY OF VANCOUVER (2004) ANGLE
BACK IN PARKING STRIPING.



49 ANGLE BACK IN PARKING STRIPING AND MARKINGS

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REV NO.	DATE	BY	APPR

TRANSPORTATION SERVICES

APPROVED BY: *[Signature]*

TRAFFIC ENGINEER MANAGER

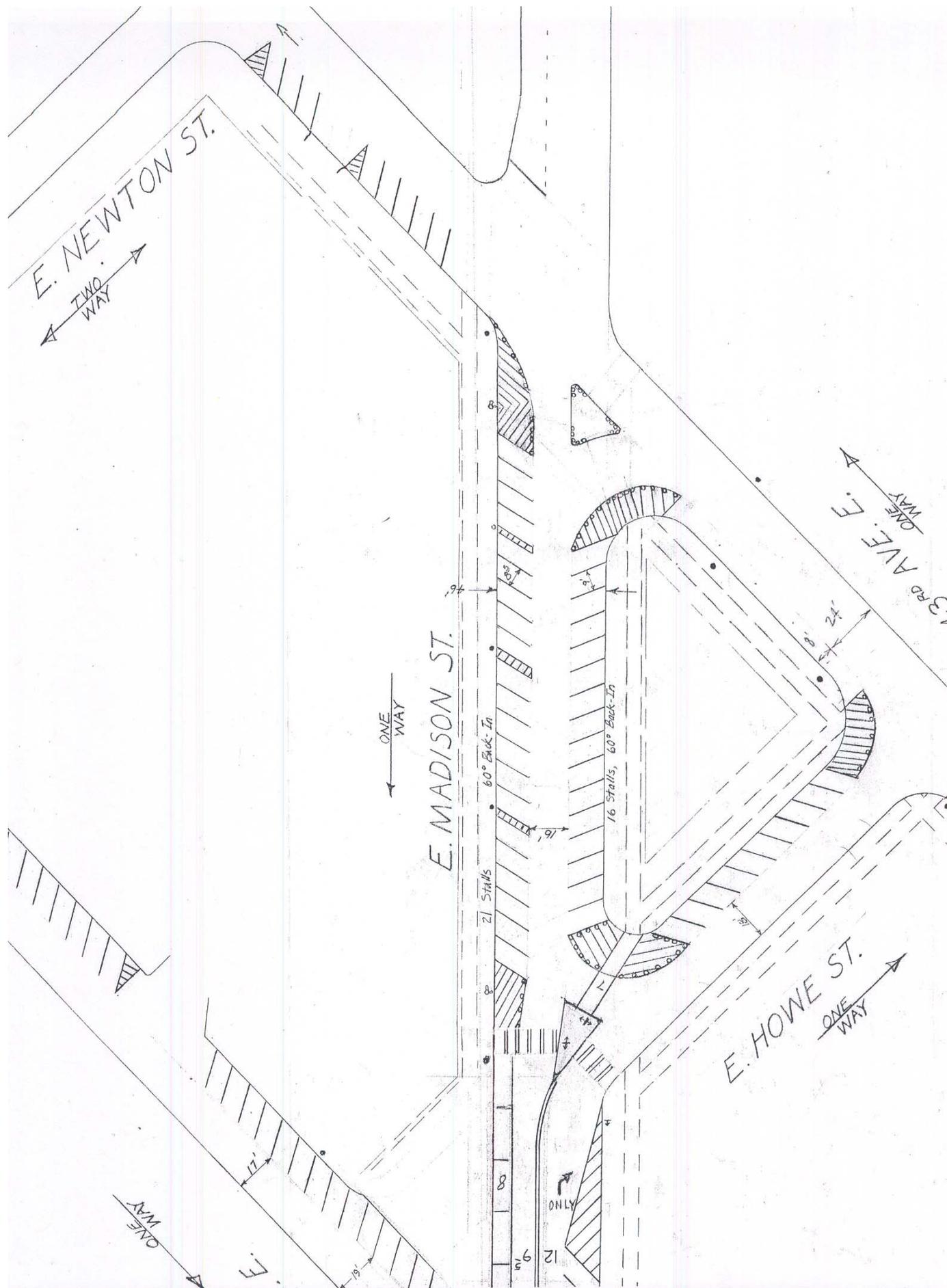
DATE: 8/30/2004



CITY OF VANCOUVER	STANDARD PLAN NUMBER
ANGLE BACK IN PARKING STRIPING	T29-62

APPENDIX D

CITY OF SEATTLE (2005) ANGLE BACK IN
PARKING DIMENSIONS (SOURCE: FRANK
NELSON, SEATTLE TRANSPORTATION
DEPARTMENT).



Key Concepts

Active Transportation: Also known as non-motorized transportation, this includes walking, bicycling, using a wheelchair or using “small-wheeled transport” such as skates, a skateboard or scooter. Active modes of transportation offer a combination of recreation, exercise and transportation. (See Victoria Transport Policy Institute, www.vtppi.org.)

Aging in Place: Also called, “Living in Place.” The ability to continue to live in one’s home safely, independently and comfortably, regardless of age, income or abilities. Living in a familiar environment and being able to participate in family and other community activities. (See National Aging in Place Council, www.ageinplace.org.)

Charrette: [pronounced, “shuh-RET”] A collaborative session to solve design problems that usually involves a group of designers working directly with stakeholders to identify issues and solutions. It is more successful than traditional public processes because it focuses on building consensus. (See Walkable and Livable Communities Institute, www.walklive.org.)

Complete Streets: Roads that are designed for everyone, including people of all ages and abilities. Complete Streets are accessible, comfortable for walking and biking, and include sidewalks, street trees and other

amenities that make them feel “complete.” (See National Complete Streets Coalition, www.completestreets.org.)

Head-Out Angled Parking: Also called “back-in” or “reverse” angled parking, this is arguably the safest form of on-street parking. It offers multiple benefits, including creating a sight line between the driver and other road users when pulling out. Additionally, head-out parking allows the driver to load their trunk from the curb, instead of adjacent to the travel lane. And for drivers with young children, seniors or others who need extra help, the open car doors direct passengers to the safety of the sidewalk behind the car, not into traffic. The process of parking in a head-out angled spot is simple – a driver signals their intention, slows, pulls past the spot and then backs into it, which is roughly equivalent to making only the first maneuver of parallel parking.

Livability: In the context of community, livability refers to the factors that add up to quality of life, including the built and natural environments, economic prosperity, social stability and equity, educational opportunity, and culture, entertainment and recreation possibilities. (See Partners for Livable Communities, www.livable.org.)

Median Crossing Island: A short island in the center of the road that calms traffic and



Above: Head-out angled parking is safer for all people, including those driving, biking and walking. Below: This diagram from the City of Northampton, MA illustrates one of the benefits of head-out angled parking: a driver’s ability to see oncoming traffic as they pull into the travel lane from their parking spot.

