



# TOWN COUNCIL

## Regular Meeting

June 16, 2016

Cape Charles Civic Center

6:00 PM

1. Call to Order
  - A. Roll Call
  - B. Establish quorum
2. Invocation and Pledge of Allegiance
3. Recognition of Visitors / Presentations
  - A. Traci Johnson, Clerk of the Court – Oaths of Office for New Council Members
  - B. John Burdiss – Crabby Blues & Joint IDA Updates
4. Public Comments (3 minutes per speaker)
5. Consent Agenda
  - A. Approval of Agenda Format
  - B. Approval of Minutes
6. Department Reports
  - \*A. Treasurer's Report
  - B. Planning Commission and Boards
  - C. Other Department Reports
7. Old Business
  - \*A. FY 2016-2017 Proposed Budget & Appropriation
8. New Business
  - \*A. Code 42-3 – Adoption of State Law
  - \*B. Conditional Use Permit Application – 530 Randolph Avenue – Set Public Hearing
  - \*C. Petition for Zoning Amendment
9. Mayor & Council Comments (5 minutes per speaker)
10. Announcements
  - June 28, 2016 – Mayor's Office Hours, 6:00 PM – 7:00 PM
  - July 4, 2016 – Town Offices closed for July 4<sup>th</sup> Holiday
  - July 4, 2016 – July 4<sup>th</sup> Celebration and Fireworks
  - July 7, 2016 – Town Council Work Session, 6:00 PM – *tentative*
  - July 12, 2016 – Mayor's Office Hours, 2:00 PM – 3:00 PM
  - July 21, 2016 – Town Council Regular Meeting, 6:00 PM
  - July 26, 2016 – Mayor's Office Hours, 6:00 PM – 7:00 PM
11. Adjournment



**DRAFT**  
**TOWN COUNCIL**  
**Regular Meeting**  
**Civic Center**  
**May 19, 2016**  
**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 and Godwin, and Councilwoman Natali. Councilman Wendell was not in attendance. Also in attendance were Town Manager Brent Manuel, Treasurer Deborah Pocock, Town Clerk Libby Hume and Councilman-elect Andy Buchholz. The majority of the Department Heads were in attendance as well as four members of the public.

Mayor Proto called for a moment of silence followed by the recitation of the Pledge of Allegiance.

**RECOGNITION OF VISITORS / PRESENTATIONS**

**A. *National Safe Boating Week Proclamation***

Mayor Proto began by reading a letter received from Ron West of the U.S. Coast Guard Auxiliary thanking the Town for permitting them to use the Cape Charles Civic Center for a public boating safety course. (Please see attached.)

Mayor Proto read Proclamation 20160519 Proclaiming May 21–May 27, 2016 as National Safe Boating Week. (Please see attached.)

**Motion made by Councilwoman Natali, seconded by Councilman Brown, to adopt Proclamation 20160519 Proclaiming May 21–May 27, 2016 as National Safe Boating Week. The motion was approved by unanimous vote.**

Mayor Proto presented the proclamation to Senior Chief David Stone, Coast Guard Station Cape Charles, and Commander Jack Cranford, Coast Guard Auxiliary Flotilla 12-02.

**PUBLIC COMMENTS:**

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

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

**Motion made by Vice Mayor Bannon, seconded by Councilman Bennett, 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 April 21, 2016 Regular Meeting, April 21, 2016 Executive Session, April 28, 2016 Work Session, May 9, 2016 Budget Work Session, May 9, 2016 Executive Session, and May 12, 2016 Budget Work Session.

**Motion made by Councilwoman Natali, seconded by Councilman Bennett, to approve the minutes from the April 21, 2016 Regular Meeting, April 21, 2016 Executive Session, April 28, 2016 Work Session, May 9, 2016 Budget Work Session, May 9, 2016 Executive Session, and May 12, 2016 Budget Work Session as presented. The motion was approved by unanimous vote.**

## DEPARTMENT REPORTS:

### A. *Treasurer's Report:*

Treasurer Deborah Pocock reviewed the Treasurer's report dated April 30, 2016 which showed the Total Cash on Hand of \$1,696,031, the Total Cash Held in Reserve was \$1,467,416 and the Total Cash – All Accounts was \$3,163,447. Deborah Pocock went on to review the Debt Service, Revenue vs. Expenditures, the FY 2016 Capital Improvement Project Tracking Report, the YTD 2016 Real Estate, Personal Property, Machinery and Tools Tax & 2016 License Tax Collections, the YTD Prior Year Real Estate Tax, Personal Property Tax, Interest and Penalty Collections and the Three Year Revenue Comparison.

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

### B. *Planning Commission and Boards:*

Town Planner Larry DiRe reported the following: i) The Planning Commission directed staff to draft language for the Commercial-3 District for review in June; ii) The Wetlands and Coastal Dunes Board was scheduled to meet on June 1 at 4:00 p.m. to discuss dune management issues. A public information meeting was scheduled for June 15; iii) The U.S. Army Corps of Engineers (USACE) Dredge Project would begin the week of June 1 and should be completed by September 15. 100K cubic yards was planned to be placed on the beach and 102K cubic yards in the uplands site. There was much discussion this project which was initially supposed to start earlier in the spring and completed by June. There was much concern regarding the current timeframe's negative impact on the Town's summer season. Town Manager Brent Manuel stated that the Town was invited to attend the pre-construction meeting next week. After further discussion, Council agreed that a letter signed by Mayor Proto needed to be sent to the USACE expressing the Town's concerns with copies to the state delegates and congressmen prior to the pre-construction meeting.

### C. *Other Departments:*

#### *Code Enforcement:*

Code Official Jeb Brady stated that he did not have anything to add to his written report. There were no questions from Council.

#### *Town Harbor:*

Harbor Master Charlie Farlow reported the following: i) He spoke with a representative from the Lynx regarding Cape Charles Harbor becoming their home port. A letter was requested from the Town asking the Lynx to come to Cape Charles. Charlie Farlow would provide the information to include in the letter. There was much discussion regarding the request. During the season, the Lynx would be gone to other venues so bookings would not be negatively impacted. The Lynx would provide the Town with their schedule and would possibly offer tours and trips while in port. Brent Manuel added that the town of Crisfield, MD hosted a tall ship in their harbor and had a legal agreement drawn up, which would be done if the Lynx decided to make Cape Charles their home port. Charlie Farlow would follow-up with the Lynx to obtain their itinerary and copies of past agreements with other harbors for review; ii) Sealed bids were being accepted for the Adhara. A number of online sites were researched and this brand of sailboat cost approximately \$7K - \$30K; iii) The plants for the BMP work at the harbor should be arriving the first week in June. The beds would be weeded next week and the harbor area would be cleaned up for Memorial Day; and iv) The parking lot was graded twice and would be done again before the weekend. Councilman Bennett stated that the parking lot needed to be maintained since it could be a liability.

#### *Cape Charles Memorial Library:*

Librarian Ann Rutledge reported the following: i) The work on the second floor meeting room started today; ii) This year's Summer Reading Program would be counting the minutes that children were reading vs. the number of books read; and iii) The issue in the cellar had been resolved.

*Police Department:*

Chief Jim Pruitt reported the following: i) He suggested an ordinance instituting a 2:00 a.m. curfew at the beach and went on to detail an incident which occurred last weekend. The incident began at a restaurant on Lankford Highway. Officers responded and the crowd was disbursed. The group came to the Cape Charles beach but left for Cheriton after police officers arrived. There was lengthy discussion regarding this issue. Mayor Proto asked staff to research ordinances from other localities and provide a recommendation for Council review.

*Public Utilities/Public Works Departments:*

Public Works/Public Utilities Director Dave Fauber was not in attendance. Brent Manuel stated that the provided report was self-explanatory and noted the attached chart depicting the correlation between the spikes in wastewater flow vs. rainfall. There was much discussion regarding this issue.

Vice Mayor Bannon asked staff to contact VDOT regarding the possibility of reducing the depth of the dip in the street/curb since it held standing water after a rain and older residents had difficulty stepping over the dip. Staff noted that VDOT had a small milling machine that could be used in the area to help the situation.

*Recreation Department:*

Recreation Coordinator Jen Lewis reported the following: i) Due to the weather forecasts, the Crabby Blues Festival was moved to Sunday from 2:00 p.m. – 7:00 p.m.; ii) The Cape Charles Outdoor Market would be held on May 28; and iii) The circus would be in Cape Charles on July 17. She would be out of town but asked the Citizens for Central Park to sponsor the event as a fundraiser. There would be no animals other than ponies.

**OLD BUSINESS**

There was no Old Business to review.

**NEW BUSINESS:**

A. *Proposed FY 2016-2017 Budget – Schedule Public Hearing*

Deborah Pocock stated that the proposed FY 2016-2017 Budget showed a total budget of \$7,974,132 which included \$3,105,600 for Capital Projects. The total proposed General Fund budget was \$3,723,535 and included a \$90K contingency line. The Harbor Fund was projecting a shortfall of \$59K which would be absorbed by the General Fund. The minimum utility rates would not change from FY 2015-2016. The tax rate was changed to .3260 per \$100 of assessed value to equalize the overall tax revenue due to the decrease in property values on the recent Northampton County assessment. Deborah Pocock noted that land values decreased more than improvement values so some citizens could experience an increase in their tax bill.

Councilman Bennett thanked Deborah Pocock for all the hours worked and for doing a great job in putting everything together.

**Motion made by Vice Mayor Brown, seconded by Councilman Bennett, to schedule a public hearing on June 9, 2016 to hear comments regarding the proposed FY 2016-2017 Budget. The motion was approved by unanimous vote.**

B. *Northampton County Request Regarding Former Middle School:*

Town Clerk Libby Hume stated that Northampton County Economic Development Director Kris Tucker spoke at the April 21, 2016 Town Council meeting requesting the Town's support for the development of a small business incubator or community kitchen at the former middle school in Machipongo. The Virginia Department of Housing and Community Development provided grant funding for planning activities for regional collaborative efforts through the Building Collaborative Communities Program. The Accomack-Northampton Planning District Commission had committed to administering the grant contract and providing the required \$10K local match funding. Northampton County was asking all of its incorporated towns to

adopt resolutions supporting this effort. Council reviewed the request at the April 28, 2016 work session.

**Motion made by Councilman Brown, seconded by Councilman Bennett, to adopt Resolution 20160519 to support the planning activities for the development of a small business incubator or community kitchen at the former middle school in Machipongo.**

**Mayor Proto moved for adoption of Resolution 20160519 as noticed and forwent reading of the resolution. The motion was unanimously approved. Roll call vote: Bannon, yes; Bennett, yes; Brown, yes; Godwin, yes; Natali, yes.**

**VICE MAYOR AND COUNCIL COMMENTS**

Councilman Brown stated that the sitting Town Council, as well as Deborah Pocock, did an excellent job on the proposed FY 2017 budget.

Brent Manuel identified Libby Hume for going above and beyond during the budget process as well. Some of the things she did were not noticed but were greatly appreciated.

Vice Mayor Bannon thanked and congratulated Bay Creek for their presentation of the new houses and the progressive dinner on Wednesday night. If everything took off as predicted with the Ideal Living magazine spread, there would be a housing boom in Cape Charles.

Councilman Godwin added that he thought Libby Hume always went above and beyond to help everyone.

There were no other comments.

Mayor Proto proceeded to read the Announcements.

**ANNOUNCEMENTS:**

- May 22, 2016 – Crabby Blues Festival, 2:00 p.m. – 7:00 p.m.
- May 24, 2016 Mayor’s Office Hours, 6:00 p.m. -7:00 p.m.
- May 28, 2016 – Cape Charles Outdoor Market, 9:00 a.m. – 12:00 p.m.
- May 30, 2016 – Town Offices closed for Memorial Day
- June 2, 2016 – Town Council Work Session, 6:00 p.m.
- June 9, 2016 – Town Council Public Hearing re: FY 2017 Budget, 6:00 p.m.
- June 14, 2016 – Mayor’s Office Hours, 2:00 p.m. – 3:00 p.m.
- June 16, 2016 Town Council Regular Meeting, 6:00 p.m.
- June 28, 2016 Mayor’s Office Hours, 6:00 p.m. -7:00 p.m.

**Motion made by Councilman Brown, seconded by Councilman Bennett, to adjourn the Town Council Regular Meeting. The motion was approved by unanimous vote.**

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Mayor Proto

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Event Coordinator

DEPARTMENT OF  
HOMELAND SECURITY  
**United States  
Coast Guard  
Auxiliary**



*DSO-NS D5 SR  
United States Coast Guard Auxiliary  
Fifth Coast Guard District Southern Region*

*5078 Lucas Trail  
Machipongo, VA 23405  
757- 678-0124 (H)  
e-mail: rwest@esva.net*

17 April 2016

From: DSO-NS 5SR

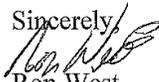
To: George Proto, Mayor  
Cape Charles, Virginia 23310

Sub: Boating Safety Course

1. I would like to take this time to thank the leadership of the Town of Cape Charles for the opportunity to offer a public boating safety course at the Town Community Center on 09 April 2016. The course was co-sponsored by the Cape Charles Yacht Club and the United States Coast Guard Auxiliary, Flotilla 12-02, for the purpose of teaching safe boating practices to those who use the waters in and around the Eastern Shore. A total of 36 residents of the Eastern Shore, most of who were from Cape Charles, attended and successfully completed the course of instruction and the State of Virginia approved exam.

2. The State of Virginia currently requires all boaters fifty years of age and younger to have completed an approved boater safety course or its equivalent in order to legally operate a power vessel in Virginia. As of 01 July 2016, all boaters will need to meet this requirement or an acceptable variance accepted by the state. By allowing us to offer this course, it has provided more boaters who use the waters in Virginia with the knowledge needed to make them safer boaters.

3. If another boating education course is desired to be offered in Cape Charles, please feel free to contact me at the number provided above.

Sincerely,  
  
Ron West

U.S. Coast Guard Auxiliary

# PROCLAMATION 20160519

## PROCLAIMING May 21 – May 27, 2016 as NATIONAL SAFE BOATING WEEK

Recreational boating is fun and enjoyable, and we are fortunate that we have sufficient resources to accommodate the wide variety of pleasure boating demands. However, our waterways can become crowded at times and be a place of chaos and confusion. While being a marvelous source of recreation, boating, to the unprepared, can be a risky sport. Not knowing or obeying the Navigation Rules or the nautical “Rules of the Road,” drinking alcohol or taking drugs while operating a boat, or choosing not to wear your life jacket when doing so is clearly NOT the smart thing to do, are all examples of human error or a lack of proper judgment. One particular behavior that can reduce the number of boaters who lose their lives by drowning each year by approximately 80% is the wearing of a life jacket. It is a simple task that has the potential to reduce terrible loss in lives.

**WHEREAS**, on average, 700 people die each year in boating-related accidents in the U.S.; nearly 70% of these are fatalities caused by drowning; and

**WHEREAS**, the vast majority of these accidents are caused by human error or poor judgment and not by the boat, equipment, or environmental factors; and

**WHEREAS**, a significant number of boaters who lose their lives by drowning each year would be alive today had they worn their life jackets; and

**WHEREAS**, modern life jackets are more comfortable, more attractive, and more wearable than styles of years past and deserve a fresh look by today’s boating public and

**WHEREAS**, U.S. Coast Guard Auxiliary Flotilla 12-02 Painter, provides safe boating instruction for persons of all ages in order to prevent boating accidents and to teach rescue and survival techniques in case one does occur.

**THEREFORE, BE IT RESOLVED**, the Cape Charles Town Council hereby supports the goals of the North American Safe Boating Campaign and proclaim May 21 – 27, 2016, as National Safe Boating Week and the start of the year-round effort to promote safe boating. All boaters are encouraged to wear their life jackets, boat responsibly, and enroll in a safe boating class.

**IN WITNESS THEREOF**, all those who boat are urged to “Boat Smart. Boat Safe. Wear it.” and practice safe boating habits.

Adopted by the Town Council of Cape Charles on this 19<sup>th</sup> day of May, 2016.

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Mayor George Proto

ATTEST: \_\_\_\_\_

Clerk of the Council



***DRAFT***  
**TOWN COUNCIL**  
**Work Session**  
Cape Charles Civic Center  
June 2, 2016  
6:00 p.m.

At approximately 6:00 p.m., Mayor George Proto, having established a quorum, called to order the Work Session of Town Council. In addition to Mayor Proto, present were Vice Mayor Bannon, Councilmen Bennett, Brown and Godwin, and Councilwoman Natali. Councilman Wendell was not in attendance. Also present were Town Manager Brent Manuel, Town Clerk Libby Hume, and Councilwoman-elect Dora Sullivan. There was one member of the public in attendance.

Mayor Proto announced the business for the evening would be to discuss proposed Town Code modifications regarding Beaches & Walkways and Unlawful Assemblage.

Town Manager Brent Manuel stated that, at the May Council meeting, Chief Pruitt brought up an incident that occurred at the beachfront and expressed his concern regarding future instances. Ordinances from other jurisdictions in Virginia were researched and draft language was provided for Council review and discussion.

There was much discussion regarding the events leading up to the incident at the beachfront. Councilman Brown stated that the Town previously had an ordinance prohibiting parking along the beachfront after 11:00 p.m. When the fishing pier was built, the ordinance was repealed to allow the users of the fishing pier access to the pier overnight.

Councilman Brown went on to state that language regarding gang-related activity and rioting were already in the Town Code so this issue could already be enforced. The incident most likely would not happen again if there was a visible police presence. There was only one way in and out of town which also a deterrent.

After further discussion, Council agreed that the proposed language regarding unlawful assemblage and removal of signs were good to have in the Town Code and should be added along with reference to the Use of Facility Forms for events and/or gatherings at town-owned facilities. (Please see attached.)

Vice Mayor Bannon stated that Chief Pruitt had suggested a curfew. There was discussion regarding consistent enforcement of a curfew. Council agreed that input was needed from Chief Pruitt regarding enforcement issues.

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

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Mayor Proto

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Town Clerk

Proposed modifications to Cape Charles Town Code:

## **Chapter 50 – Offenses and Miscellaneous Provisions**

Proposed for Section 50-19 – Permit for parades, meetings, etc., in streets, parks, beach, etc.

(d) No person, group or organization shall hold, organize or sponsor any assemblage or gathering in any town beaches, parks and recreational facilities that will be attended by twenty-five (25) or more people without first obtaining a permit from the town manager or his/her designee. Applications for permits must be received by the town manager at least forty-eight (48) hours prior to any such event.

Current (d) will become (e).

(e) Any person, group or organization violating any of the provisions of this section shall be guilty of a class 4 misdemeanor.

Section 50-21 – Removal of signs, flags or other caution markers. (Currently Reserved)

Any person convicted of the unauthorized removal of signs, flags or other caution markers from the beach, boardwalk, harbor or other areas in the town shall be guilty of a class 4 misdemeanor.

## **Chapter 14 – Beaches and Waterways**

Proposed for Section 14-2 – Unlawful assemblage. (Currently Reserved)

No person, group or organization shall hold, organize or sponsor any assemblage or gathering in any town beaches, parks and recreational facilities that will be attended by twenty-five (25) or more people without first obtaining a permit from the town manager or his/her designee. Applications for permits must be received by the town manager at least forty-eight (48) hours prior to any such event.

Proposed for Section 14-3 – Removal of signs, flags or other caution markers. (Currently Reserved)

Any person convicted of the unauthorized removal of signs, flags or other caution markers from the beach, boardwalk, harbor or other areas in the town shall be subject to a two hundred fifty dollar (\$250.00) fine.



***DRAFT***  
**TOWN COUNCIL**  
**Executive Session**  
**Cape Charles Civic Center**  
**June 2, 2016**  
**Immediately Following Work Session**

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

**Motion made by Vice Mayor Bannon, 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:** Town Manager Performance Evaluation

**Motion made by Vice Mayor Bannon, 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: Bannon, yes; Bennett, yes; Brown, yes; Godwin, yes; Natali, yes.

**Motion made by Councilman Godwin, seconded by Vice Mayor Bannon, to adjourn the Town Council Executive Session. The motion was unanimously approved.**

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Mayor Proto

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Town Clerk



***DRAFT***  
**TOWN COUNCIL**  
**Public Hearing**  
**Civic Center**  
**June 9, 2016**  
**6:00 p.m.**

At 6:00 p.m. Mayor George Proto, having established a quorum, called to order the Public Hearing of the Town Council. In addition to Mayor Proto, present were Vice Mayor Bannon, Councilmen Bennett and Brown, and Councilwoman Natali. Councilman Wendell arrived at 6:01 p.m. Also in attendance were Town Manager Brent Manuel, Treasurer Deborah Pocock, Town Clerk Libby Hume and Councilman-elect Andy Buchholz. Councilwoman-elect Dora Sullivan arrived at 6:02 p.m. There were two (2) members of the public in attendance.

Mayor Proto read the public hearing advertisement announcing that the evening's Public Hearing was to hear public comment regarding the Fiscal Year (FY) 2016-2017 Proposed Budget and Utility Rates. The budget would be discussed and brought to a vote at the regular meeting on June 16, 2016 at 6:00 p.m. at the Civic Center located at 500 Tazewell Avenue.

Mayor Proto opened the floor to public comments.

**PUBLIC COMMENTS:**

*Phil Goetkin, 602 Jefferson Avenue*

Mr. Goetkin began by stating that this was his first budget meeting for Cape Charles and added that he assumed that state law required a balanced budget. He looked at the budget information online and noted that the proposed budget was balanced. Mr. Goetkin went on to state that he hoped there was enough money in the budget to be able to possibly contract with engineering staff to correct the issues moving forward to avoid the \$70K fine that the Town paid this year. Mr. Goetkin stated that this issue was on everyone's mind. Mr. Goetkin continued stating that he appreciated all the work and that the Town staff was generally doing a great job.

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

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

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Mayor Proto

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Town Clerk

## 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 FY15</u>
<b>GENERAL</b>						
REVENUES	54,973	2,226,129	2,291,597	65,468	4,158,455	55.11%
EXPENDED	135,387	1,760,424	2,008,073	247,649	4,050,514	49.58%
NET	(80,414)	465,705	283,524	(182,181)	107,941 surplus to harbor	
<b>PUBLIC UTILITIES</b>						
REVENUES	124,891	1,516,335	1,616,545	100,210	1,723,011	93.82%
EXPENDED	75,341	1,379,081	1,300,412	(78,669)	1,723,011	75.47%
NET	49,550	137,254	316,133	178,879	0	
<b>HARBOR</b>						
REVENUES	209,734	724,720	1,424,684	699,964	1,965,837	72.47%
EXPENDED	42,347	782,469	1,604,728	822,260	2,073,778	77.38%
NET	167,388	(57,749)	(180,044)	(122,295)	(107,941)	
<b>SANITATION</b>						
REVENUES	15,260	161,933	170,318	8,384	175,300	97.16%
EXPENDED	14,086	141,381	142,956	1,576	175,300	81.55%
NET	1,175	20,553	27,362	6,809	0	

**MUNICIPAL CORPORATION OF CAPE CHARLES  
TREASURER'S REPORT  
May 31, 2016**

**CASH POSITION**

<b>Cash on Hand</b>	<b>4/30/2016</b>	<b>5/31/2016</b>	<b>Increase/(Decrease)</b>
Shore Bank Checking Account	\$ 821,416	\$ 846,472	\$ 25,056
Shore Bank Money Market Account	\$ 477,273	\$ 477,482	\$ 209
LGIP Account 1 - Unrestricted	\$ 97,695	\$ 97,734	\$ 40
LGIP Account 2 - Unrestricted	\$ 299,647	\$ 299,773	\$ 126
<b>Total Cash On Hand</b>	<b>\$ 1,696,031</b>	<b>\$ 1,721,462</b>	<b>\$ 25,431</b>

<b>Restricted and Reserved Cash Balances</b>	<b>4/30/2016</b>	<b>5/31/2016</b>	<b>Increase/(Decrease)</b>
Shore Bank Savings Account - Facility Fees Reserved (Utilities)	\$234,559	\$234,559	0
Shore Bank Checking Account - Police Funds	\$431	\$431	0
LGIP Account 2 - Restricted for USDA Police Vehicle loans	\$10,875	\$10,875	0
PNC Account- 2013 Bond Proceeds - Principal	\$958,993	\$958,993	0
PNC Account- 2013 Bond Proceeds - Interest	\$4,834	\$5,277	442
Shore Bank Checking Account - E-Summons Revenue Reserved	\$135	\$155	20
US Bank - Reserved per VRA Interest Free Loan Requirements	\$257,589	\$257,590	1
<b>Total Cash Held in Reserve</b>	<b>\$ 1,467,416</b>	<b>\$ 1,467,880</b>	<b>\$ 464</b>
<b>Total Cash - All Accounts</b>	<b>\$ 3,163,447</b>	<b>\$ 3,189,342</b>	<b>\$ 25,895</b>

**DEBT SERVICE**

<b><u>Next Debt Service Payments:</u></b>	<b><u>Due Date</u></b>	<b><u>Amount</u></b>
FY 2017 VML VACO 2006B	7/20/2016	\$149,890

## FY 2016 Capital Improvement Project Tracking Report

As of:  
5/31/2016

	FY16 Status or Start Date	Percent of Completion	FY16 Budgeted	FY16 QTR 1 Expended	FY16 QTR 2 Expended	FY16 QTR 3 Expended	FY16 QTR 4 Expended	FY16 YTD Expended	(Over)/Under Budget	
<b>General Fund</b>										
Enterprise Management System (Finance)	Remainder due in July	35%	\$ 55,069	\$ -	\$ 19,000	\$ -	\$ -	\$ 19,000	\$ 36,069	
Replacement Police Vehicle	Complete	100%	\$ 26,000	\$ -	\$ 26,668	\$ -	\$ -	\$ 26,668	\$ (668)	
Police vehicle cameras & software	Complete	100%	\$ 10,600	\$ -	\$ 9,640	\$ -	\$ -	\$ 9,640	\$ 960	
Code Enforcement Vehicle	Complete	100%	\$ 25,302	\$ 26,125	\$ -	\$ -	\$ -	\$ 26,125	\$ (823)	
Public Works Tractor	Postponed pending USDA Grant	0%	\$ 35,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 35,000	
Mason St Parking Improvements	Almost complete	72%	\$ 20,000	\$ 9,216	\$ 5,235	\$ -	\$ -	\$ 14,451	\$ 5,549	
Sidewalk Repair Program (VDOT grant 50%)	Research phase	55%	\$ 20,000	\$ -	\$ -	\$ 231	\$ 10,741	\$ 10,972	\$ 9,028	
Pine St Parking/Waste Mgmt Design	In progress	14%	\$ 60,000	\$ -	\$ 5,517	\$ 2,669	\$ 315	\$ 8,502	\$ 51,498	
Strawberry Street Plaza Purchase/Improvements	Pending	0%	\$ 70,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 70,000	
ArtWalk - Wayfinding Signage	Pending	4%	\$ 10,000	\$ -	\$ -	\$ -	\$ 375	\$ 375	\$ 9,625	
Central Park Playground Equipment (phase 1)	In progress	%	\$ 30,000	\$ 46	\$ 58	\$ 37,297	\$ 9,221	\$ 46,621	\$ (16,621)	
Cape Chas Multi-Use Trail Phase 2	In progress	1%	\$ 1,570,000	\$ 4,486	\$ 3,677	\$ 4,210	\$ 2,100	\$ 14,474	\$ 1,555,526	
Security Cameras for Beach, Park, Civic Center	Research phase	0%	\$ 10,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,000	
<b>subtotal</b>			<b>\$ 1,941,971</b>	<b>\$ 39,873</b>	<b>\$ 69,795</b>	<b>\$ 44,408</b>	<b>\$ 22,752</b>	<b>\$ 176,827</b>	<b>\$ 1,765,144</b>	
<b>Water Fund</b>										
Automatic Flush (2 & 3 of 5)	1st complete, 2nd pending	65%	\$ 20,000	\$ 12,371	\$ 573	\$ 13	\$ -	\$ 12,958	\$ 7,042	
Valve Exerciser (shared cost)	Complete	100%	\$ 3,500	\$ 3,400	\$ -	\$ -	\$ -	\$ 3,400.00	\$ 100	
<b>subtotal</b>			<b>\$ 23,500</b>	<b>\$ 15,771</b>	<b>\$ 573</b>	<b>\$ 13</b>	<b>\$ -</b>	<b>\$ 16,358</b>	<b>\$ 7,142</b>	
<b>Sewer Fund</b>										
Valve Exerciser (shared cost)	Complete	100%	\$ 3,500	\$ 3,400	\$ -	\$ -	\$ -	\$ 3,400	\$ 100	
Plum & Mason Pump Station Engineering	In progress	6%	\$ 165,000	\$ 2,695	\$ 1,897	\$ 4,712	\$ 387	\$ 9,691	\$ 155,309	
Manhole Rehab	Near completion	82%	\$ 41,792	\$ 17,396	\$ 16,896	\$ -	\$ -	\$ 34,292	\$ 7,500	
<b>subtotal</b>			<b>\$ 210,292</b>	<b>\$ 23,491</b>	<b>\$ 18,793</b>	<b>\$ 4,712</b>	<b>\$ 387</b>	<b>\$ 47,383</b>	<b>\$ 162,909</b>	
<b>Harbor Fund</b>										
Breakwater	Preconstruction mtg. Nov 24	99%	\$ 860,000	\$ 20,396	\$ 9,416	\$ 737,492	\$ 80,776	\$ 848,081	\$ 11,919	
Truck	Transferred from Code Enf.	100%	\$ 10,000	\$ 10,000	\$ -	\$ -	\$ -	\$ 10,000	\$ -	
<b>subtotal</b>			<b>\$ 870,000</b>	<b>\$ 30,396</b>	<b>\$ 9,416</b>	<b>\$ 737,492</b>	<b>\$ 80,776</b>	<b>\$ 858,081</b>	<b>\$ 11,919</b>	
<b>TOTAL</b>		<b>39%</b>	<b>\$ 2,835,471</b>	<b>\$ 86,040</b>	<b>\$ 79,784</b>	<b>\$ 781,913</b>	<b>\$ 103,529</b>	<b>\$ 1,098,649</b>	<b>\$ 1,947,114</b>	

**MUNICIPAL CORPORATION OF CAPE CHARLES**  
**May 31, 2016**

**YTD 2015 Real Estate Tax Collections**

Total Land Value	\$ 204,870,500	
Total Improvement Value	\$ 205,290,456	
Additional Assessments	<u>\$ 6,819,000</u>	
<b>Total Real Estate Value</b>	<b>\$ 416,979,956</b>	

**5/31/2016**

Total Budgeted	\$ 1,079,374	
Total Bills Mailed	\$ 1,131,950	
Total Adjustments	\$ 6,385	
Total Collected YTD	<u>\$ 1,056,044</u>	98%
<b>Amount Due</b>	<b>\$ 82,290.36</b>	

**YTD 2015 Personal Property Tax, Machinery and Tools Tax, & 2015 License Tax Collections**

<b>Total Personal Property Value</b>	<b>\$ 14,603,900</b>	
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**5/31/2016**

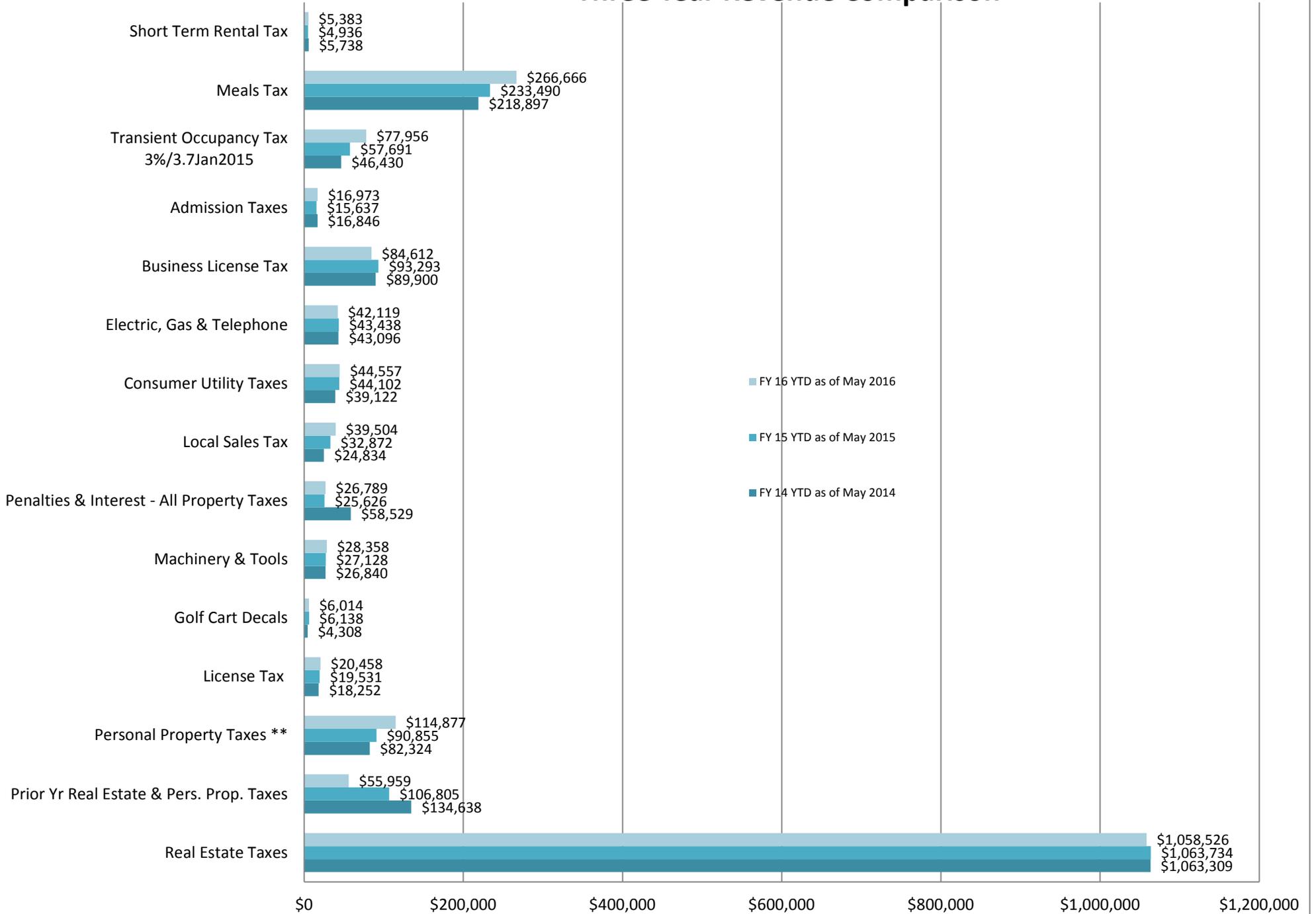
Total Budgeted	\$ 135,500	
Total Bills Mailed	\$ 212,676	
Total Adjustments	\$ (5,203)	
Total Collected YTD	<u>\$ 141,453</u>	104%
<b>Amount Due</b>	<b>\$ 66,020</b>	

**FY 2016 YTD Prior Year Real Estate Tax, Personal Property Tax, Interest and Penalty Collections**

**5/31/2016**

Total Budgeted	\$ 100,000	
Total Collected	<u>\$ 61,064</u>	61%
<b>Amount Anticipated/(Over)</b>	<b>\$ 38,936</b>	

# Three Year Revenue Comparison



# Planning Department Report for Town Council

From: Larry DiRe   
To: Town Council  
Date: June 8, 2016  
Subject: Report for Planning Department  
Attachment: None

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## Permits:

Three Applications for Zoning Clearance were approved this month.

## Planning Commission:

1. The Planning Commission held their regular monthly meeting on Tuesday June 7<sup>th</sup> with the following agenda items: reviewed draft text amendment for design and construction standards in the Commercial – 3 District; reviewed draft text amendment for dog pens in the Residential – 1 District; set a public hearing date of Monday July 18<sup>th</sup> for a conditional use application for a proposed bed and breakfast with swimming pool in the Residential – 1 District; reviewed a determination by the zoning administrator for a tea room in the Commercial – Residential District; rescheduled the regular July meeting from July 5<sup>th</sup> to the alternate date of third Monday (July 18).

## Historic District Review Board:

1. The Historic District Review Board received no applications for Certificate of Appropriateness at their May 17<sup>th</sup> regular monthly meeting. They did review the full draft revisions to the Historic District Guidelines document and are studying recommending exterior paint color palettes for use in the historic district.

## Harbor Area Review Board:

1. The Harbor Area Review Board had no business and did not meet.

## Board of Zoning Appeals:

1. The Board of Zoning Appeals received an application for variance for off-street parking requirements at lot 83A3-A-7 parcel A (southside 200 block of Mason Avenue\old Be-Lo supermarket), and scheduled a public hearing and meeting for Wednesday June 15<sup>th</sup> at 10:00 am.

## Wetlands and Coastal Dunes Board:

1. The Wetlands and Coastal Dunes Board met on Wednesday June 1<sup>st</sup> (4:00 pm) and scheduled a public information meeting for Wednesday June 15<sup>th</sup> (6:00 pm) to discuss beach sand and dune management practices. Two applications were received this month (one for installation of riprap at a residential lot; the other for floating finger piers with mooring piles) and will be reviewed at a meeting scheduled in July.

## Code Enforcement

Month of May FY16

### Building Permits Issued/Permit Fees Collected:

Permits this month: 22	
Permits this year: 330	Total permits last year: 364
Total construction this month: \$121,311	
Total construction this year: \$10,427,900	Total construction last fiscal year: \$6,699,479
Permit fees this month: \$1,848.74	
Total permit fees this fiscal year: \$197,335.48	Total permit fees last fiscal year: \$186,198.10
Bay Creek Water/Sewer Tap fees: \$0	
The Colony/Sewer Water Tap fees: \$0	
Marina Village/Marina Village East Sewer/Water Tap fees: \$0	
Bayside Village Sewer/Water Tap fees: \$0	
Old-Town Water/Sewer Tap fees: \$0	
Total Tap fees this year: \$98,800	Total Tap fees last fiscal year: \$111,150
Fire Dept. levy this month: \$156.11	
Total Fire Dept. levies this year: \$7,943.18	Total Fire Dept. levies last fiscal year: \$5,612.52
State levy this month: \$31.22	
Total state levies this year: \$1,542.38	Total state levies last fiscal year: \$1,122.65
Miscellaneous Revenue: \$50 for Temporary C.O.	

### Existing Structures Code Enforcement Cases:

Total Cases: 27	
New this month: 0	
Closed this month: 0	
Rental Inspections: 8	
Rental C.O's Issued: 3	
Rental Inspection fees collected: \$550	
Grass cutting enforcement: 15	
Grass cutting: 8	
Enforcement fees charged this month: \$1,200	
Enforcement fees charged this year: \$1,400	Fees charged last fiscal year: \$10,050
Enforcement fees collected: \$0	
<b>Enforcement fees collected this year: \$0</b>	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 May FY16

**Other items of note:**

1. Completed **69** inspections
2. Conducted 0 zoning clearances
3. Completed 8 courtesy residential inspections
4. Conducted 4 courtesy commercial inspection
5. Conducted 28 E & S control inspections
6. Conducted 0 commercial plan reviews for Erosion and Sedimentation Control.
7. Completed 0 residential plan reviews
8. Completed 0 commercial plan review
9. Issued 1 Public Utilities Shallow Well permits

06/06/16

<b>Permit/Construction Fee Report</b>
---------------------------------------

Map Number	Permit#	Type	Date	Address	Work description	Permit Fee	Value
	PT160006	UST/ AST	05/04/2016	602 Carousel Place	Bury a 250 Gallon Tank	\$56.00	\$250
	PG160022	Gas	05/04/2016	602 Carousel Place	Run Gas Lines for Propane Range	\$56.00	\$200
	PU160005	PU Shallow W	05/10/2016	602 Carousel Place	Install Shallow Well per plans	\$100.00	\$2,000
083A3-0100-42	PM160018	Mechanical	05/02/2016	119 Fig Street	New Mechanical	\$80.64	\$6,900
	PB160038	Building	05/10/2016	511 Jefferson Avenue	Install Deck & Landing at back door of Chur	\$88.90	\$2,911
083A3-0201-06	PE160029	Electrical	05/12/2016	115 Mason Avenue 30	Remove & replace all electric switches & o	\$58.80	\$3,000
083A3-0201-06	PE160030	Electrical	05/12/2016	115 Mason Avenue 30	Remove & replace all electrical switches &	\$58.80	\$3,000
083A3-0100-54	PB160040	Building	05/09/2016	635 Mason Avenue	Interior Demolition	\$56.00	\$2,500
083A3-0100-25	PB160041	Building	05/10/2016	603 Monroe Avenue	Total renovation of interior & addition of thir	\$336.00	\$45,000
083A-0100-289	PG160021	Gas	05/04/2016	9 Park Row	Run Gas Lines and Pressure Test	\$56.00	\$500
	PB160039	Building	05/05/2016	217 Peach Street	Permit to finish out interior work	\$224.00	\$25,000
	PP160051	Plumbing	05/03/2016	416 Plum Street	Clean Out & Replace Broken Sewer Line	\$56.00	\$1,000
083A3-0203-01	PP160050	Plumbing	05/02/2016	1 Randolph Avenue	Install plumbing for relocating 1 upstairs bat	\$67.20	\$4,500
083A3-0203-01	PE160026	Electrical	05/02/2016	1 Randolph Avenue	Electrical Alteration	\$56.00	\$2,000
	PB160037	Building	05/02/2016	222 Randolph Avenue	Install 5' wide French Door unit between t	\$56.00	\$2,500
	PT160007	UST/ AST	05/18/2016	222 Randolph Avenue	Bury a 250 Gallon Tank	\$56.00	\$250
	PG160023	Gas	05/18/2016	222 Randolph Avenue	Run Gas Lines for Fireplace & Range	\$56.00	\$200
	PE160027	Electrical	05/09/2016	634 Randolph Avenue	Install New Service 1 Phase 200 Amps in E	\$56.00	\$600
	PP160052	Plumbing	05/11/2016	634 Randolph Avenue	Sewer Line Replacement	\$61.60	\$3,500
	PP160053	Plumbing	05/12/2016	172 Sunset Blvd.	Plumbing throughout S/F residence to inclu	\$81.20	\$7,000
	PE160028	Electrical	05/09/2016	221 Tazewell Avenue	Install 7 0-30 Amp circuits & 4 61-100 Am	\$64.40	\$4,000
	PP160054	Plumbing	05/24/2016	221 Tazewell Avenue	New Plumbing for Kitchen & 2 Baths	\$67.20	\$4,500
<b>Total Permits: 22</b>						<b>\$1,848.74</b>	<b>\$121,311</b>

PerDateIssued Range from 05/01/2016 to  
05/31/2016

# **Town Harbor Town Council Report May 2016**

## **Items of Interest:**

1. Memorial Day holiday weekend was very successful. 100% + booked and the yacht club entertained 120 + people using the harbor's new grill.
2. The bath house sewage pumps stopped working Friday Memorial Day weekend. The harbor crew worked tirelessly pumping sewage with the towns portable sewage pump out trailer. We emptied the septic tank 5-6 times daily through Monday and trucked across town. Both pump are out for repair.
3. Working on advertising and signage to partner with local businesses which have an impact on the transient boating community and fisherman who use our ramps and marina in Cape Charles.
4. Had training with the harbor water safety gear for employees around the docks such as auto inflatable PFD vests.
5. Facebook is on-going. Will be using as an advertising tool in the near future.
6. Spin Sheet ad has been switched to Proptalk to target the power boaters and fisherman and updated. We have increased our advertising to include the Virginia Tourism and the Chamber of Commerce with ads in the map handouts located in the visitors center and along route 13. Also harbor is working with the Chesapeake Bay Publications to produce ads to target north and south bound vessels as the best mid-Atlantic stop for dockage, fuel and place to shelter.
7. Delinquent account holders are being pursued and updates will be ongoing.
8. Barbara Michaux is currently on sick leave. Barbara is out and about, visiting when able.
9. The auction was May 16 for 1 week to ended midnight MAY 23<sup>RD</sup>, 2016. Sail Boat "Adhara", 29' 6", 1979, white, Hull ID No. GCY29664M79J, Registration No. VA 3700 AL. Sold to the highest bidder for \$808.00

## **Maintenance/Repairs:**

1. BMP, excavating bed and planting prep has begun. Some plants have arrived. Kim Allen with Benjamin Lewis and Browder-Hite Inc. is working with harbor to assist with equipment operations.
2. Making progress on repairs. New potable water lines in fresh water system on floating dock have been replaces to accommodate water pressure. The ramps are complete and electrical pedestals around the marina are work in progress.
3. Routine inspection reports (reporting complete and being performed by staff).
4. Repairing and replacing board walk on the west rear of the Shanty. (On Hold until next phase of dredging and Army Corp confirms the placement of spoil pipe). *No Change at this time.*
5. *Work in progress on VDH grant to allow the sewage pump out station to be open 365 day without winterizing.*

## **Capital Projects and Harbor improvements:**

1. Dredging, final phase (bid awarded and moving forward).
2. Watermen's Memorial – Working with Tom Bonadeo and Ed Lewis, discussed turn around issues and possible minor design change. Looking into pavers or similar for half circle and around Memorial. Pricing pavers, and weather to coordinate digging and pouring footers. *Do to traffic and Shanty patrons may need to consider after holiday to proceed.*
3. Virginia Port Authority – Aid to Local Ports Grant for projects to include the 4<sup>th</sup> Breakwater and North Entrance Jetty Engineering.  
Waiting for final decision for Port Authority. Meeting June 7, 2016.

## Business YTD:

<b>Rentals</b>						
	<b>FY 2014/2015</b>		<b>FY 2015/2016</b>		<b>FY 2016 (Cal. YTD projected)</b>	
<b>SLIP</b>	<b>94</b>		<b>94</b>		<b>94</b>	
ANNUAL			207	\$42,295.00	42	\$92,600.00
SEASONAL			154	\$25,536.00	7	\$10,800.00
QUARTERLY			7	\$2,185.00	4	\$3,360.00
MONTHLY	36.4	\$8,036.35	179	\$8,238.00	1	\$333.00
WEEKLY	140.15	\$9,281.81	33	\$5,134.00	3	\$735.00
NIGHTLY	1,061	\$65,864.80	1,639	\$66,660.00	295	\$18,069.00
HOURLY	82	\$410.00	145	\$740.00		
STORAGE			28	\$4,061	10	\$2,926.75

NOTE: Projected fees based information on return customers and renewal agreements in March 2016 for next annual rentals. Slips only, does not including any side moorings and 35' average vessel length. All other Seasonal to Nightly rentals are current bookings for 2016 season.

<b>Fuel (Gallons)</b>				
	<b>FY 2014/2015</b>		<b>FY 2015/2016</b>	
Diesel	48,091.805	\$163,039.03	49,164	\$111,041.00
Transport	4,000	\$9,259.98	4,328	\$12,567.00
Regular	24,184.649	\$77,669.87	22,069	\$69,739.00
Plus (Non Ethanol)	15,711.693	\$65,55.98	17,052	\$63,178.00
Inter Dept. Accts				

<b>Wharf Fees (Lbs.)</b>				
	<b>FY 2014/2015</b>		<b>FY 2015/2016</b>	
Conchs	43	\$21.50	256	\$122.40
Crabs	10,483	\$3,718.33	9,306	\$4,639.00
Fish	60,909	\$414.82	119,143	\$476.58
Horse Shoe Crabs	182.9	\$27.44	547.1	\$218.84
Oysters	0	\$0.00	0	\$0.00

Credit card fees this month: \$11.61

Credit card fees YTD: \$7,745.00

Finance charges collected YTD: \$55.57

Finance charges YTD: \$374.89

### Waiting List:

<b>Length</b>	<b>Annual</b>	<b>Seasonal</b>	<b>Total</b>
20'			
24'	1		1
30'	3	1	4
36'	2	1	3
45'			
50'			
60'			
<b>Totals</b>	<b>6</b>	<b>2</b>	<b>8</b>

Clubs reserved for the season:

**Cape Charles Memorial Library  
Monthly Report, May 2016**

**Youth Programs**

Preschool Storytime (4 programs)	54
Toddler Storytime (4 programs)	40
Chess Club (3 programs)	20
Tween Program	12
Kiptopeake School Prek Storytime	33

**Adult programs (provided by the Friends)**

Friends Author Event-Jim Baugh	30
IPhone/IPad (2 programs)	11

Total 200

• **Meetings**

- Staff attended ESPL Trustee meeting, 5/2
- Staff attended Friends of the Library & staff meeting, 5/9
- Staff attended Library Board meeting 5/24
- Staff met with the Friends Children's Author committee to finalize plans for the summer author programs

• **Facility**

- A fuel leak was discovered on May 6 and the library closed early and was also closed on Saturday, May 7. Fuel leaked from the underground tank, located under the sidewalk on Pine Street through cracks in the foundation and into the library basement. It was a small volume and Town staff cleaned the area of the spill and library staff aired out the library. The existing tank will be replaced with an above ground tank to the rear of the library.
- A contractor began working on the meeting room 5/26.

• **Marketing & Communication**

- Staff has begun to send out information about the 2016 Summer Reading Challenge and publicity on the June programs has been distributed. The 2016 Summer Reading Challenge will begin on June 20. Staff continue updating webpages, Facebook, flyers,
- The Cape Charles Public Library has its own page on the Eastern Shore Public Library website and it includes a complete calendar of all of our Library events maintained by the CCML staff.

• **Outreach**

- Staff attended the Friends of the Library Author program Hooked: A Night with Jim Baugh on 5/16.
- Kiptopeake Elementary School brought all of their preK classes to the Library on May 13 and May 20 as part of their Community Week program. Each group was given a tour of the Library and attended a special storytime.

• **Technology**

- A staff computer was infected with ransomware and all files on the computer were encrypted. The computer was not backed up and all files were lost. Chesapeake Bay Communications has installed an automated backup system on the library's network. The deputy clerk's old computer was reformatted to be used in place of the infected computer.

• **Adult Programs**

- (See Friends of the Library)

- **Friends of the Library Adult Programs**
  - Friends of the Library presented *Hooked: A Night with Jim Baugh* on May 16. A book signing followed and refreshments were provided.
  - Friends of the Library held two classes in the Computer Tutor Series this month: iPhone and iPad Help, and Smartphone Help.
  
- **Youth Services**
  - Smart Beginnings presented a storytime on 5/5.
  - Free Comic Book Day was canceled on May 7 due to the Library being closed because of fuel leak.
  - Paws for Reading was held on Saturday, 5/21 from 10:45 to 12:00.
  - Our third Tween Night was held on Friday, May 20 from 7:00 to 9:00 and was another success. This event featured free pizza for all and an open activity.
  - We received two donations of craft supplies for our summer crafts.
  
- **Volunteers**
  - We had 171 volunteer hours for this month.
  
- **Continuing Education: no report**
  
- **Collection Development**
  - Staff is making final book orders as the fiscal year ends.
  
- **Upcoming Events**
  - The Eastern Shore Public library trustee meeting will be held at 1:00 on June 6.
  - The Friends of the Library will hold their monthly meeting on June 6, at 5:00
  - The Library Board will meet on June 8 at 5:00.
  - The Friends of the Library will host their Author Series with JJ Shay and Wendy Higgins June 13 at 7:00 at the Civic Center.
  - The Friends of the Library will be having their Monster Book Sale from June 24-June 26.
  - Paws for Reading will continue to be held every third Saturday of the month from 10:45 to 12:00. This is a program that allows children to read aloud to a therapy dog in order to improve reading and communication skills. Registration is required.
  - The 4th Tween Night will be held on 6/17 at 7:00. This program will feature outdoor activities.
  - The registration for the 2016 Summer Reading Challenge begins on June 20. Our first programs will be on June 21 with Kiptopeak State Park at 11:00. Other June programs include:
    - LEGO Build -6/21, 3:00pm.
    - Craft with MOONRISE Jewelry. Ages 4 up. Preregistration required. 6/22, 10:30 & 11:15
    - Following Storytime, Summer Quick Craft for preschoolers -Ice Cream. 6/23 10:30
    - Local Barrier Islands Center (BIC-On the Road) author Andrew Barbour reads his book "Red, White, & Ewe". 6/28, 11:00.
    - Image/Create-upcycling crafts (best suited for ages 6 and up)
    - Summer Quick Craft for Preschoolers – "Dinosaurs", 6/30.

	CAPE CHARLES MEMORIAL LIBRARY 2016															
	January	February	March	April	May	June	July	August	September	October	November	December	YTD			
<b>INCOME:</b>																
Copier/Prt	\$96.15	\$149.75	\$102.10	\$80.80	\$76.35	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$505.15			
Faxes	\$48.50	\$72.00	\$39.00	\$33.00	\$52.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$244.50			
<b>TOTAL</b>	<b>\$144.65</b>	<b>\$221.75</b>	<b>\$141.10</b>	<b>\$113.80</b>	<b>\$128.35</b>	<b>\$0.00</b>	<b>\$749.65</b>									
Deposit																
<b>BOOK CIRC-ADLT</b>																
Fiction	503	536	500	470	479	0	0	0	0	0	0	0	2488			
Non-fiction	184	136	142	126	135	0	0	0	0	0	0	0	723			
DVDs	196	204	152	115	121	0	0	0	0	0	0	0	788			
<b>TOTAL 2016</b>	<b>883</b>	<b>876</b>	<b>794</b>	<b>711</b>	<b>735</b>	<b>0</b>	<b>3999</b>									
Books Circ. 2015	764	708	702	740	742	979	1042	962	782	711	666	792	9590			
<b>BOOKS CIRC-JUV</b>																
Fiction	327	349	517	502	419	0	0	0	0	0	0	0	2114			
Non-Fiction	3	62	143	85	94	0	0	0	0	0	0	0	387			
DVDs	60	50	65	60	69	0	0	0	0	0	0	0	304			
<b>TOTAL 2016</b>	<b>390</b>	<b>461</b>	<b>725</b>	<b>647</b>	<b>582</b>	<b>0</b>	<b>2805</b>									
Books Circ 2015	488	443	600	610	589	1358	1279	773	507	707	373	523	8250			
<b>TOTAL 2016</b>	<b>1273</b>	<b>1337</b>	<b>1519</b>	<b>1358</b>	<b>1317</b>	<b>0</b>	<b>6804</b>									
Total Circ. 2015	1252	1151	1302	1350	1331	2337	2321	1735	1289	1418	1039	1315	17840			
<b>ATTENDANCE 2016</b>	<b>879</b>	<b>896</b>	<b>1193</b>	<b>1056</b>	<b>1047</b>	<b>0</b>	<b>5071</b>									
Attendance 2015	901	707	1047	1372	1124	1754	2449	1765	1079	1171	886	931	15186			
<b>PROGRAMS 2016</b>	<b>13</b>	<b>14</b>	<b>17</b>	<b>17</b>	<b>16</b>	<b>0</b>	<b>77</b>									
Programs 2015	9	6	50	13	14	19	28	18	9	18	10	18	212			
<b>PROG. ATTEND 2016</b>	<b>163</b>	<b>228</b>	<b>250</b>	<b>226</b>	<b>200</b>	<b>0</b>	<b>1067</b>									
Prog. Attend 2015	82	48	159	115	169	211	650	372	109	172	200	334	2621			
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			
<b>INTERNET USE 2016</b>	<b>196</b>	<b>224</b>	<b>253</b>	<b>218</b>	<b>195</b>	<b>0</b>	<b>1086</b>									
Internet use 2015	222	160	196	229	184	279	377	365	308	284	211	155	2970			
<b>LIBRARY CARDS 2016</b>	<b>9</b>	<b>16</b>	<b>12</b>	<b>22</b>	<b>11</b>	<b>0</b>	<b>70</b>									
Library cards 2015	11	5	16	25	10	32	22	16	21	23	10	7	198			
<b>Volunteer Hours 2016</b>	<b>298.00</b>	<b>264.00</b>	<b>364.75</b>	<b>349.50</b>	<b>171.75</b>	<b>0.00</b>	<b>1448</b>									
Volunteer hours 2015	32.8	73.5	180.8	164	147	165.25	36.5	38.5	120.5	262.25	128.75	258.00	1607.85			

# CAPE CHARLES POLICE DEPARTMENT

## MONTHLY STATISTICS

May 2015

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

- Calls for service in Cape Charles: 57
- Calls for service outside of Cape Charles: 12
- Felony arrests: 0
- Misdemeanor Arrests: 2
- D.U.I. Arrests: 0
- Traffic Summons: 9 (see page 2.)
- Traffic Warnings: 15 (written& verbal):
- Parking tickets: 22
- Building Checks: 25
- Assisted Northampton County Sheriff's Office: 11
- Assisted Virginia State Police: 1
- Assisted Federal Agencies: 0
- Assisted Fire& Rescue: 11
- Foot Patrol Hours: 64
- Bay creek patrol hours: 36

The following took place in May:

- Officer attended sexual assault training in Richmond
- I took webinar on law and order in urban America " war on cops"

### Traffic Summons

- Speeding 39/25 zone
- Reckless driving
- Speeding 40/25 zone
- No seatbelt
- Speeding 42/25 zone
- Reckless driving 55/25 zone
- No seatbelt
- No seatbelt
- Unrestrained child

### ARRESTS

- Drunk in public
- Resisting arrest

# Public Utilities

## Monthly Report May 2016



### Production Summary

- Miss Utility Tickets: 21
- Emergency Call Outs After Hours and Weekends:  
Number of times called out: 6  
Total Man Hours: 18.5
- Fire Calls: Man Hours: 1
- Sludge: Tons 19
- \*Water: Total Production : 3,400,902 Gallons  
High: 141,200 April 10  
Low: 87,200 gallons on April 7

Average	Raw Water	Finished Water
Hardness	441.6	100.3
Iron	8.8	.018
Manganese	.532	.022

All Data in PPM

- \*Waste Water: Average Flow 106,100 gpd  
Maximum 159,000 gpd  
Total for Month 3,183,000 Gallons  
Nutrients:  
Phosphorus Average .18 Limit .3 mg/l annual average  
YTD .075  
Nitrogen Average 1.08 Limit 4 mg/l annual average  
YTD 1.16

(\*Numbers are from previous month)

### Personnel

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

## Public Utilities

### **Response to Issues Brought up at 4/21 Council Meeting**

- One question that was raised at the previous meeting:  
Does the reuse water used inside the plant affect the numbers on plant process?  
The answer is no. The water is metered at the outfall steps after all process and usage of plant water.
- There was also discussion regarding help from Va. Rural Water.  
We receive training and help from Va. Rural Water on a regular basis. They loan us equipment and manpower for leak detection for the collection system and the distribution system. Our operators and maintenance personnel receive training from them several time a year. We have enjoyed a good relationship with VRWA long before I took this job and consider them a valuable partner.

### **Completed Projects**

- Replaced pump in Tower Well

### **In Progress**

- Two mixers off line and sent for repairs (still out)

### **Upcoming Projects**

- Valve exercising.

### **Capital Projects**

- Water:
  - Engineering for Keck Wells                      \$60k
    - Under Task Order No.2, drawings and specifications have been completed and presented to the Town.
    - Waiting for budget approval.
  - Preliminary Engineering for the installation of the chlorination equipment. Under Task Order No.4 a PER was prepared and submitted to the VDH-ODW and approved.
- Waste Water
  - Task Order #5 Pump Station Improvements
    - We have received the engineer's report for review.

**PUBLIC WORKS**  
**May 2016**



**Dump Fees** - \$69.69 Credit from County for last Month's Fees

- Recycled 14 truckloads of bags & leaves
- Recycled 12 truckloads of brush

**Staff Report**

- Cape Charles resident, John Lockwood, has been hired to replace Pete Leontieff as Public Works Foreman
- Playground equipment installation is complete

**Completed Projects**

- Playground equipment installation
- Beach sweeper repairs

**In Progress**

- All--Vehicle/equipment maintenance
- Alley maintenance

**Upcoming Projects**

- Alley tree & bush right of way trimming (Cancelled by VDOT)
- Install alley stop signs
- Clean up and repair Central Park Gazebo
- Change over Mason Street lights to LED

**Man Hours per Project/Task**

Vehicle Maint.	Equipt. Maint.	Building Maint.	Public Debris Areas	Street Cleaning	Beach Maint.	Public Maint.	Public facilities cleaning	Admin. training	Property maint. & repair Playground	Events/M.reads
This information not Available										

## **Recreation Department June 2016 Council Report**

- The Pregnancy Center sponsored a walk to raise money on Saturday, May 7 in Central Park. This is the second year this event has taken place.
- May 7 was the first Town Wide Yard Sale. Staff created a map with the listing of off-site yard sales. Not all who signed up participated but the weather was not very good and may have kept some people home.
- The Crabby Blues Festival was held May 22 despite poor weather. Although final numbers are not in the school is happy with the event due to the weather.
- The Cape Charles Outdoor Market took place May 28. Many vendors backed out at the last minute for a variety of reasons. The event was free to vendors and this may be a disadvantage to holding people to the commitment. Many attended and everyone seemed happy with the event and asked that we hold it again. The 100 free bags to paying customers were gone early in the event.
- Benefit by the Bay was held at the Pearl on June 4. There has been no report to Town at this time on the event.
- Movies at the palace theater will now be shown on Wednesday evenings. This is a chance to bring people in town mid-week and open the theater on the weekend for other events.

Upcoming Events for June (A separate flyer with a complete list of recreation events will be provided to Council)

- June 8 – Back to the Future
- June 15 - Zootopia
- June 18 - Ribbon cutting for the newly renovated Cape Kids Playground
- June 18 - The Historic Cape Charles Old House Fair
- June 18 - Concert in the Park
- June 22 - The Goonies
- June 24-26 - Mega Book Sale
- June 25 - Concert in the Park
- June 25 - Launch for the Experimental Film Festival

  <b>TOWN OF CAPE CHARLES</b>	<b>AGENDA TITLE:</b> Fiscal Year 2016/2017 Proposed Budget & Appropriation		<b>AGENDA DATE:</b> June 16, 2016
	<b>SUBJECT/PROPOSAL/REQUEST:</b> Approve the Proposed FY 2016/2017 Budget & Appropriate Funds		<b>ITEM NUMBER:</b> 7A
	<b>ATTACHMENTS:</b> Resolution 20160616 – Approving the Budget for Fiscal Year 2016/2017 and Making Appropriations for the Fiscal Year, Revenue & Expense Summary by Fund Report, Summary of Capital Projects by Fund Report		<b>FOR COUNCIL:</b> Action (X) Information ( )
	<b>STAFF CONTACT (s):</b> Deborah Pocock	<b>REVIEWED BY:</b> Brent Manuel, Town Manager	

**BACKGROUND:**

The Town’s budget consists of four separate funds – the General Fund, the Harbor Fund, Sanitation Fund and the Water/Wastewater Fund. The General Fund is supported by real estate taxes, other taxes and other revenues. The Harbor, Sanitation and Water/Wastewater Funds are Enterprise Funds and should be self-sustaining through fees for services and other charges.

**DISCUSSION:**

Pursuant to Section 15.2-2503 of the Code of Virginia, the Town Council and Staff have held numerous work sessions since March to prepare the budget for Fiscal Year (FY) 2016/2017. As a result of the work sessions, the attached resolution includes the summary of estimated revenues and expenditures by fund for the proposed budget.

The Public Hearing on the proposed FY 2016/2017 budget was held on June 9, 2016 pursuant to Section 15.2-2506 of the Code of Virginia with one citizen speaking.

**RECOMMENDATION:**

Staff recommends adoption of Resolution 20160616 – Approving the Budget for Fiscal Year 2016/2017 and Making Appropriation for the Fiscal Year by roll call vote.

## RESOLUTION 20160616

### APPROVING THE BUDGET FOR FISCAL YEAR (FY) 2016/2017 AND MAKING APPROPRIATIONS FOR THE FISCAL YEAR

**WHEREAS**, the Council of the Town of Cape Charles has prepared a budget for FY 2016/2017 pursuant to Section 15.2-2503 of the Code of Virginia; and

**WHEREAS**, the budget has been advertised and a public hearing has been held pursuant to Section 15.2-2506 of the Code of Virginia; now

**THEREFORE BE IT RESOLVED**, by the Town Council of Cape Charles, this 16<sup>th</sup> day of June 2016 that the budget for FY 2016/2017 be approved as follows:

REVENUES	2016-2017	EXPENDITURES	2016-2017
<b>General Fund</b>		<b>General Fund</b>	
Real Estate Taxes	1,098,777	Legislative	20,606
Personal Property Tax	115,000	Town Clerk	138,675
Prior Year Tax Collections	60,000	Town Manager	395,095
Motor Vehicle License Tax	20,500	Finance	228,509
Machinery & Tools Tax	27,500	Police	403,041
BPOL Tax	116,680	Code Enforcement	113,618
Admissions, Short-term Rental, Trans. Occ. Taxes	116,050	Public Works	407,352
Meals Tax	315,000	Parks & Recreation	81,078
Other Taxes	126,200	Library	131,958
Building Permits & Code Enforcement	89,741	Town Planner	78,545
Recovered Costs & Miscellaneous Income	43,925	Fire Department – State Pass Thru	10,000
Library Revenues	1,300	Debt Service	201,458
Financing Proceeds	346,550	Capital Projects	1,423,600
Grants and Local/State/Federal Aid	1,226,975	Contingency Fund-General	90,000
Reappropriate from Fund Balance	78,000		
<b>Total General Fund</b>	<b>3,782,198</b>	<b>Total General Fund</b>	<b>3,723,535</b>
<b>Sanitation Fund</b>		<b>Sanitation Fund</b>	
	<b>175,960</b>		<b>175,960</b>
<b>Harbor Fund</b>		<b>Harbor Fund</b>	
Operating Revenue	683,800	Operating	658,825
Financing Proceeds	12,000	Debt Service	176,526
Grant Revenue	693,750	Capital	937,000
Reappropriate from Fund Balance	324,139		
<b>Total Harbor Fund</b>	<b>1,713,689</b>	<b>Total Harbor Fund</b>	<b>1,772,351</b>
<b>Water/Wastewater Fund</b>		<b>Water/Wastewater Fund</b>	
Operating Revenue	1,502,440	Water Operations	331,679
Penalties and Late Fees	23,300	Wastewater Operations	546,703
Grant Revenue	125,000	Meter & Utility Billing, Administration	118,951
Connection Fees	19,250	Debt Service	443,352
Financing Proceeds	515,696	Capital	745,000
Facility Fees	116,600	Facility Fees moved to Reserve	116,600
<b>Total Water/Wastewater Fund</b>	<b>2,302,286</b>	<b>Total Water/Wastewater Fund</b>	<b>2,302,286</b>
<b>TOTAL REVENUES ALL FUNDS</b>	<b>7,974,132</b>	<b>TOTAL EXPENDITURES ALL FUNDS</b>	<b>7,974,132</b>

The following tax rates and user fees are established:

- Vehicle Tax \$31.00 per vehicle subject to Virginia State Registration (Trailers \$18.00) and Golf Cart Decal is \$31.00.
- Real Estate \$ .3260 per \$100; Personal Property Tax \$2.00 per \$100; Boat Tax \$0.01 per \$100

- Transient Occupancy Tax: 3.7% Monthly; Meals Tax: 5% Monthly; Admissions Tax: 3% Quarterly; Short Term Rental Tax: 1% Quarterly
- Water Rate –Residential 0-2,000 gal.: \$31.16 minimum; 2,001 to 5,000 gal.: \$2.63 per 1,000; 5,001 to 10,000 gal: \$3.75 per 1,000; 10,001 to 15,000 gal: \$5.00 per 1,000; over 15,000 gal: \$7.50 per 1,000; Commercial 0-2,000 gal: \$31.16 minimum; 2,001-10,000 gal: \$2.50 per 1,000; 10,001-15,000 gal: \$3.75 per 1,000; over 15,000 gal: \$5.00 per 1,000
- Wastewater Rate –Residential 0-2,000 gal.: \$63.00 minimum; 2,001 to 5,000 gal.: \$4.11 per 1,000; 5,001 to 10,000 gal: \$5.85 per 1,000; 10,001 to 15,000 gal: \$7.80 per 1,000; over 15,000 gal: \$11.70 per 1,000; Commercial 0-2,000 gal: \$63.00 minimum; 2,001-10,000 gal: \$3.90 per 1,000; 10,001-15,000 gal: \$5.85 per 1,000; over 15,000 gal: \$7.80 per 1,000
- Trash Collection Fee: \$13.76 per month; and

**BE IT FURTHER RESOLVED**, that pursuant to Section 15.2-2506 of the Code of Virginia, funds are appropriated from all sources of revenue for expenditures during the period July 1, 2016 through June 30, 2017 as follows:

General Fund - \$3,723,535  
 Sanitation Fund - \$175,960  
 Harbor Fund - \$1,772,351  
 Water/Wastewater Fund - \$2,302,286

and that the Town Manager is authorized to transfer amounts among Funds with advance notification to the Town Council.

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Adopted by the Town Council of Cape Charles on June 16, 2016.

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

ATTEST:

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

**Town of Cape Charles FY 2017 Budget Summary**

<b>Fund</b>	<b>Department</b>	<b>Revenue</b>	<b>Expenditures</b>	<b>Capital</b>	<b>Balance/Notes</b>
<b>General</b>	Legislative		\$ 20,606	\$ -	
	Town Clerk		\$ 138,675	\$ -	
	Town Manager		\$ 667,600	\$ -	includes \$90,000 contingency
	Finance		\$ 236,355	\$ -	
	Police		\$ 413,461	\$ 37,600	
	Code Enforcement		\$ 119,318	\$ -	
	Public Works		\$ 412,339	\$ 1,386,000	
	Recreation		\$ 81,078	\$ -	
	Library		\$ 131,958	\$ -	
	Planning		\$ 78,545	\$ -	
<b>Total</b>		<b>\$ 3,782,198</b>	<b>\$ 2,299,935</b>	<b>\$ 1,423,600</b>	<b>\$ 58,662</b>
<b>Public Utilities</b>	Admin		\$ 74,798	\$ -	
	Water		\$ 442,766	\$ 530,000	
	Wastewater		\$ 995,568	\$ 215,000	
	Utility Billing		\$ 44,153	\$ -	
	<b>Total</b>		<b>\$ 2,302,286</b>	<b>\$ 1,557,286</b>	<b>\$ 745,000</b>
<b>Harbor</b>	Harbor	\$ 1,713,689	\$ 835,351	\$ 937,000	
<b>Total</b>		<b>\$ 1,713,689</b>	<b>\$ 835,351</b>	<b>\$ 937,000</b>	<b>\$ (58,662)</b>
<b>Sanitation</b>	Sanitation	\$ 175,960	\$ 175,960	\$ -	
<b>Total</b>		<b>\$ 175,960</b>	<b>\$ 175,960</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Budget Total</b>		<b>\$ 7,974,132</b>	<b>\$ 4,868,532</b>	<b>\$ 3,105,600</b>	<b>\$ 0</b>

**MUNICIPAL CORPORATION OF CAPE CHARLES**  
**Summary of Capital Projects by Fund**  
**Proposed Fiscal Year 2017**

5/10/2016

CAPITAL PROJECTS	BUDGET	GRANT PROCEEDS	PNC 2013 FINANCE	USDA RD FINANCE	HARBOR PROPERTY SALE PROCEEDS	FUND BALANCE (PRIOR YR)	TOWN FY17 COST
<b><u>GENERAL FUND</u></b>							
<b>POLICE</b>							
Police Vehicle	27,000	9,450	0	17,550	0	0	0
Police Vehicle Cameras & Software (2)	10,600	0	10,600	0	0	0	0
<b>PUBLIC WORKS</b>							
Railroad and Harbor Area Parking Improvements	30,000	0	30,000	0	0	0	0
Sidewalk Repair Program (VDOT grant @50%)	30,000	15,000	0	0	0	0	15,000
Strawberry Street Plaza Purchase & Improvements	70,000	0	0	0	0	70,000	0
Cape Charles Multi-Use Trail Phase 2 (80/20 VDOT)	1,256,000	1,004,800	251,200	0	0	0	0
	0	0	0	0	0	0	0
<b>TOTAL GENERAL FUND</b>	<b><u>1,423,600</u></b>	<b><u>1,029,250</u></b>	<b><u>291,800</u></b>	<b><u>17,550</u></b>	<b><u>0</u></b>	<b><u>70,000</u></b>	<b><u>15,000</u></b>
<b><u>WATER/WASTEWATER FUND</u></b>							
<b>WATERWORKS</b>							
Utility Truck Body	15,000	0	0	0	0	0	15,000
Walk Behind Leg Stacker	15,000	0	0	0	0	0	15,000
Keck Well Connection (Grant possible, not awarded)	500,000	125,000	0	375,000	0	0	0
<b>WASTEWATER</b>							<u>0</u>
Utility Truck Body	15,000	0	0	0	0	0	15,000
Pump Station Improvements (Plum St & Mason)	200,000	0	140,696	0	0	0	59,304
<b>TOTAL WATER/WASTEWATER FUND</b>	<b><u>745,000</u></b>	<b><u>125,000</u></b>	<b><u>140,696</u></b>	<b><u>375,000</u></b>	<b><u>0</u></b>	<b><u>0</u></b>	<b><u>104,304</u></b>
<b>HARBOR FUND</b>							
Harbormaster Boat	12,000	0	12,000	0	0	0	0
Breakwater # 4 and Jetty Improvements	925,000	693,750	0	0	231,250	0	0
<b>TOTAL HARBOR FUND</b>	<b><u>937,000</u></b>	<b><u>693,750</u></b>	<b><u>12,000</u></b>	<b><u>0</u></b>	<b><u>231,250</u></b>	<b><u>0</u></b>	<b><u>0</u></b>
<b>TOTAL BUDGETED CAPITAL EXPENDITURES</b>	<b><u>3,105,600</u></b>	<b><u>1,848,000</u></b>	<b><u>444,496</u></b>	<b><u>392,550</u></b>	<b><u>231,250</u></b>	<b><u>70,000</u></b>	<b><u>119,304</u></b>

 <b>TOWN OF CAPE CHARLES</b>	<b>AGENDA TITLE:</b> Code 42.3 – Adoption of State Law		<b>AGENDA DATE:</b> June 16, 2016
	<b>SUBJECT/PROPOSAL/REQUEST:</b> Adopt Ordinance 20160616 To Adopt Amendments to the Code of Virginia §46.2 and Title 16.1, Chapter 11, Article 9 (§16.1-278 Et Seq.) and Title 18.2, Chapter 7, Article 2 (§18.2-266 Et Seq.), If Any, For Incorporation into the Cape Charles Town Code Chapter 42-Motor Vehicles and Traffic		<b>ITEM NUMBER:</b>  8A
	<b>ATTACHMENTS:</b> Ordinance 20160616		<b>FOR COUNCIL:</b> Action (X) Information ( )
	<b>STAFF CONTACT (s):</b> Jim Pruitt, Police Chief	<b>REVIEWED BY:</b> Brent Manuel, Town Manager	

**BACKGROUND:**

Each year a new ordinance must be passed accepting any and all amendments to the provisions and requirements set by Code of Virginia in matters of regulation of motor vehicles and traffic in the Town of Cape Charles and any penalties for traffic violations.

**DISCUSSION:**

From time to time, the Code of Virginia is amended to either delete or add new safety tactics to protect those traveling the highways, streets and roads. Changes to penalties and violations are also made. In order to have the authority to enforce these new laws, an amendment to the Town Code must be made that adopts any changes.

**RECOMMENDATION:**

Staff requests adoption of proposed Ordinance 20160616 To Adopt Amendments to the Code of Virginia §46.2 and Title 16.1, Chapter 11, Article 9 (§16.1-278 Et Seq.) and Title 18.2, Chapter 7, Article 2 (§18.2-266 Et Seq.), If Any, For Incorporation into the Cape Charles Town Code Chapter 42-Motor Vehicles and Traffic by roll call vote.

**ORDINANCE NO: 20160616**

**AN ORDINANCE TO ADOPT  
AMENDMENTS TO THE CODE OF VIRGINIA §46.2 AND  
TITLE 16.1, CHAPTER 11, ARTICLE 9 (§16.1-278 ET SEQ.) AND TITLE 18.2,  
CHAPTER 7, ARTICLE 2 (§ 18.2-266 ET SEQ.), IF ANY, FOR INCORPORATION  
INTO THE CAPE CHARLES TOWN CODE  
CHAPTER 42-MOTOR VEHICLES AND TRAFFIC**

**WHEREAS**, it is necessary to follow the guide set by the Code of Virginia to protect the safety and welfare of residents and guests of the Town of Cape Charles;

**WHEREAS**, from time to time, the Code of Virginia is amended to protect those traveling the highways, streets and roads of the Commonwealth;

**WHEREAS**, in order to have the authority to enforce these new laws, the Town Council of the Town of Cape Charles must adopt any and all amendments made by the Commonwealth of Virginia; therefore

**BE IT ORDAINED:** That pursuant to the authority of the Code of Virginia, 1950, as amended, § 46.2-1313, all of the provisions and requirements of the laws of the State contained in Code of Virginia, Title 46.2 and Code of Virginia, Article 9 (§ 16.1-278 et seq.) of Chapter 11 of Title 16.1, and of Article 2 (§ 18.2-266 et seq.) of Chapter 7 of Title 18.2 into ordinances as in force and effect on the date of the adoption of this Code, and as amended in the future, except those provisions and requirements the violation of which constitutes a felony, and except those provisions and requirements which, by their very nature, can have no application to or within the town, are hereby adopted and incorporated in this chapter by reference and made applicable within the Town. References to "highways of the state" contained in such provisions and requirements hereby adopted shall be deemed to refer to the streets, highways and other public ways within the Town. Such provisions and requirements are hereby adopted, *mutadis mutandis*, and made a part of this chapter as fully as though set forth at length herein. It shall be unlawful for any person within the Town to violate or fail, neglect or refuse to comply with any provision or requirement which is adopted by this section; provided, that in no event shall the penalty imposed for the violation of any provision or requirement hereby adopted exceed the penalty imposed for a similar offense under the Code of Virginia. This ordinance will take effect July 1, 2016.

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Adopted by the Town Council of Cape Charles on June 16, 2016.

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Mayor George Proto

ATTEST:

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Town Clerk

 <p><b>TOWN OF CAPE CHARLES</b></p>	<b>AGENDA TITLE:</b> Conditional Use Permit Application – 530 Randolph Avenue – Set Public Hearing		<b>AGENDA DATE:</b> June 16, 2016
	<b>SUBJECT/PROPOSAL/REQUEST:</b> Schedule public hearing for conditional use permit application for bed and breakfast with swimming pool at 530 Randolph Avenue		<b>ITEM NUMBER:</b> 8B
	<b>ATTACHMENTS:</b> May 2016 application; architectural plans; photos.		<b>FOR COUNCIL:</b> Action ( x ) Information ( )
	<b>STAFF CONTACT (s):</b> Larry DiRe	<b>REVIEWED BY:</b> Brent Manuel, Town Manager	

**BACKGROUND:**

Staff received an application for a conditional use permit to operate a bed and breakfast with swimming pool at 530 Randolph Avenue. The conditional use permit process is described in *Article IV Section 4.3* of the Town Zoning Ordinance. *Article IV Section 4.3.C.3* requires a public hearing before Town Council. The Planning Commission voted at their June 7, 2016 meeting to hold a joint public hearing on Monday, July 18, 2016.

*Article III Section 3.2.C.3* allows for bed and breakfast as a conditional use in the Residential - 1 District. *Article IV Section 4.3.B* states the Conditions for Issuance as follows: 1) not adversely affect the health, safety, or welfare of the persons residing or working in the neighborhood of the proposed use or adversely affect other land uses within the particular surrounding neighborhood; 2) not be detrimental to the public welfare or injurious to property or improvements in the neighborhood; 3) not be in conflict with the purpose of the comprehensive plan of the town.

The Cape Charles Comprehensive Plan addresses the importance of seasonal and year-round visitors and the need for accommodations to house these visitors. *Section III – B Economic Vitality* specifically links the hospitality industry and need for living accommodations as goals for the Town’s future growth and economic development.

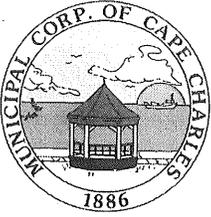
**ITEM SPECIFICS:**

According to zoning ordinance *Article III, Section 3.2.C.3* a bed and breakfast operation is by conditional use permit only in the Residential – 1 District. This property is a residential lot within the Residential – 1 District. The location for the proposed bed and breakfast with swimming pool is large and can accommodate both the pool and the off-street parking. The property backs against lots in the Commercial – Residential District, which allows for bed and breakfast accommodations as a permitted use. Following discussions with staff, the applicant is aware of the fencing and safety requirements for a swimming pool located on a residential lot. The attached photos and drawings show the availability of space at this particular location to accommodate setback and parking.

Staff finds this application in order. The applicant must meet all procedural obligations before she can begin operating a bed and breakfast with swimming pool.

**RECOMMENDATION:**

Staff recommends Town Council set Monday, July 18, 2016 as the date for a joint public hearing with the Planning Commission regarding this conditional use permit application.



**Application for Conditional Use Permit**  
 Town of Cape Charles  
 2 Plum Street  
 Cape Charles, VA 23310  
 757-331-2036 Fax: 757-331-4820  
planner@capecharles.org

Date 05/25/2016

Fee: \$300.00 (paid)

\*(Attach Plans)

Applicant: Kathleen M Glaser Signature: \_\_\_\_\_  
 Address: 530 Randolph Ave City: Cape Charles State: \_\_\_\_\_ Zip: 23310  
 Telephone: 757-274-1589 Email: kathyglaser@hotmail.com

Owner(s): Kathleen M Glaser  
 Address: 530 Randolph Ave City: Cape Charles State: \_\_\_\_\_ Zip: 23310  
 Telephone: 757-274-1589 Email: kathyglaser@hotmail.com

Contractor: \_\_\_\_\_  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Telephone: \_\_\_\_\_ Email: \_\_\_\_\_  
 Town License: \_\_\_\_\_ State License: \_\_\_\_\_

Location of Improvement: 530 Randolph Ave  
 Lot No.: \_\_\_\_\_ Block No.: \_\_\_\_\_ Lot Size: \_\_\_\_\_ Lot Area: \_\_\_\_\_  
 Type of Improvement: \_\_\_\_\_  
 Proposed Use: Bed and Breakfast  
 Estimated Construction Costs: \_\_\_\_\_

\*\*\*\*\*

**Conditional Use Permit Checklist**  
 (Applicant must attach items 1-7)

1.  completed application
2.  payment of fees (\$300.00 + \$25.00 per acre)
3.  letter of application stating in general terms: (a) the proposed use of the property, (b) the effect of the changes on the surrounding area, and (c) the reason for the request
4.  concept plan (see attached information for recommended contents)
5.  plot plan of property
6.  disclosure statement signed and notarized verifying ownership
7.  names and addresses of adjacent property owners
8.  Zoning Administrator's review of documentation

\*\*\*\*\*

**CERTIFICATION OF APPLICANT**

I hereby certify that I have the authority to make the foregoing application, that the information given is true and correct, and that the construction or improvements will conform to the regulations in the Virginia Statewide Building Code, all pertinent Town Ordinances, including fire, sewer, and water ordinances, and private building restrictions, if any, which may be imposed on the property by deed. Furthermore, I certify that the changes to the improvement before or during construction will be provided to the Zoning Administrator and Building Official before such changes are constructed.

Signature of Owner/Agent: *Kathleen M Glaser*

### 530 RANDOLPH AVE

**Location** 530 RANDOLPH AVE

**Map #** 083A3/ 01 00/ 0000573/ /

**Par Rec #** 2297

**Owner** GLASER, KATHLEEN M

**Assessment** \$243,200

**PID** 2150

**Building Count** 1

**Description** LOTS 573 & 576 INC 575B  
80X128

**Lot Type** Building Site (54000 - 79000)

#### Current Value

Assessment					
Valuation Year	Building	Extra Features	Outbuildings	Land	Total
2016	\$151,100	\$3,700	\$8,000	\$80,400	\$243,200

#### Owner of Record

**Owner** GLASER, KATHLEEN M

**Care Of**

**Address**

**Sale Price** \$410,000

**Instrument #** LR06 2896

**Book & Page** 0/0

**Sale Date** 10/17/2006

**Sale Type** M

#### Ownership History

Ownership History						
Owner	Sale Price	Instrument #	Book & Page	Sale Type	Sale Date	Plat
GLASER, KATHLEEN M	\$410,000	LR06 2896	0/0	M	10/17/2006	
THOMAS FOX ETALS	\$0		0/0		12/30/2005	

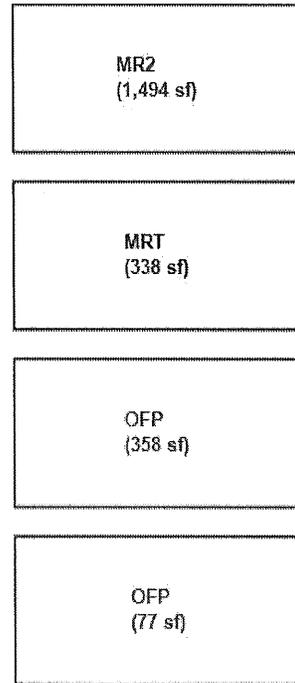
#### Building Information

**Building 1 : Section 1**

**Year Built:** 1920  
**Living Area:** 0

**Building Layout**

Building Attributes	
Field	Description
STYLE	Mortuary
MODEL	Com/Ind
Grade	C+10
Stories	2
Exterior Wall 2	
Exterior Wall 3	
Foundation 1	Brick
Foundation 2	
Roof Structure 1	Hip
Roof Cover 1	Composition Shingle
Roof Cover 2	
Interior Wall 1	Dry Wall
Interior Wall 2	Panel
Class	CONVENTIONAL
Bldg Use	Comm - Indl
AC Type 1	Central Air
AC Typ 2	Central Heat
Heat Fuel 1	Electric
Heat Fuel 2	
Sand Shower	
Interior Floor 1	Carpet
Exterior Wall 1	Vinyl
Interior Floor 2	Hardwood
Interior Floor 3	
Heat Type 1	Central Heat
Wall Height	
Fireplace Openings	0.00



Building Sub-Areas (sq ft)			Legend
Code	Description	Gross Area	Living Area
MR2	Mortuary - 2.00	1,494	0
MRT	Mortuary - 1.00	338	0
OFP	Open Frame Porch - 1.00	435	0
		2,267	0

**Extra Features**

Extra Features					Legend
Code	Description	Size	Value	Assessed Value	Bldg #
BSM2	CELLAR	100.00 UNITS	\$500	\$500	1
ATTC	ATTIC	373.00 UNITS	\$3,000	\$3,000	1
CHMY	CHIMNEY	1.00 UNITS	\$200	\$200	1

**Land**

**Land Use**

**Use Code** 400C  
**Description** Comm - Indl  
**Zone**  
**Alt Land Appr** No

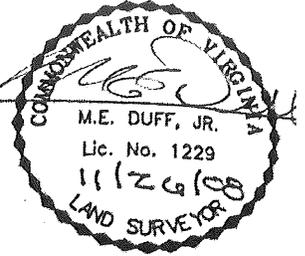
**Land Line Valuation**

**Size (Acres)** 1  
**Frontage**

**Outbuildings**

Outbuildings							Legend
Code	Description	Sub Code	Sub Description	Size	Value	Assessed Value	Bldg #
STOR	STORAGE	TY	TYPICAL	1220.00 UNITS	\$8,000	\$8,000	1

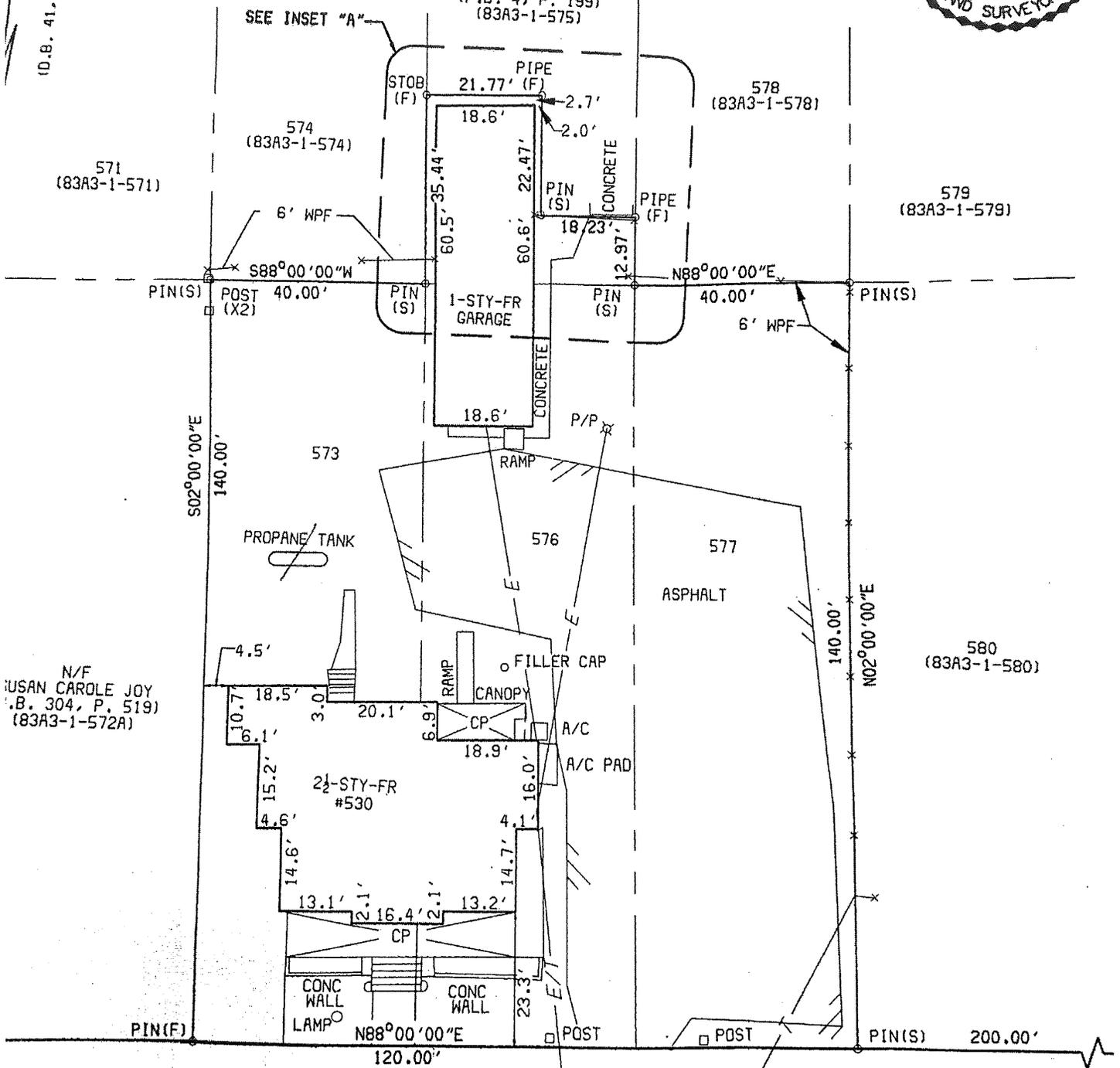
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BY:

N/F  
MYRTLE G. BECKETT  
LARRY T. BECKETT  
(D.B. 224, P. 828)  
(P.B. 4, P. 199)  
(83A3-1-575)

(D.B. 41, P. 483-485 INCL.)



N/F  
JUSAN CAROLE JOY  
(D.B. 304, P. 519)  
(83A3-1-572A)

RANDOLPH (70' R/W) AVENUE

**Kathleen Glaser**  
**530 Randolph Ave**  
**Cape Charles, VA 23310**  
**kathyglaser@hotmail.com**  
**757-274-1589**

May 25, 2016

To whom it may concern,

This letter is to explain the proposed use for the property at 530 Randolph Avenue in Cape Charles. The property includes a 4000 square foot, 3 story home along with a 1.5 single story garage. The property is on 3 lots (#573, 576, and 577) with the house centered on two of the lots and the third lot empty. The garage is detached and is at the rear of the property.

The planned use is for the home to become a Bed and Breakfast doing business as Alyssa House Bed and Breakfast. It will have 4 bedrooms with 4 baths on the second floor. The ground floor will have a possible 5 bedroom that could accommodate someone unable to use the stairs. There is a full bath off the first floor room. The third floor would be owner's residence and I plan to live on site.

The yard is enclosed with a 3 foot fence in front and 5 foot in the rear. There will be a hot tub in the back yard that is portable and could be moved. The future plan includes the addition of a swimming pool that will conform to all building codes and an additional fence will enclose the pool. There will be access from the house and all doors will be alarmed.

I plan to serve full breakfast only and afternoon snacks and beverages. The kitchen will receive all inspections and permits required by health code.

There will be adequate off street parking for 5 cars on the side lot. Landscaping will be done to camouflage the parking area.

There will be no change to the outside of the structure or surrounding lots other than landscaping. There should be minimal traffic impact.

Adjacent property owners:

520 Randolph Ave – Mrs. Jackie Barton

Randolph Ave –

521 Mason Ave – Jay Crystal, 18227 Brighton Green, Dallas, TX 75252

525 Mason Ave – Myrtle and Larry Beckett, 829 Heritage Acres Ct., Apt 4.

529 Mason Ave – Garrison and Elizabeth Brown, PO Box 567, Eastville, VA 23347

571  
(83A3-1-571)

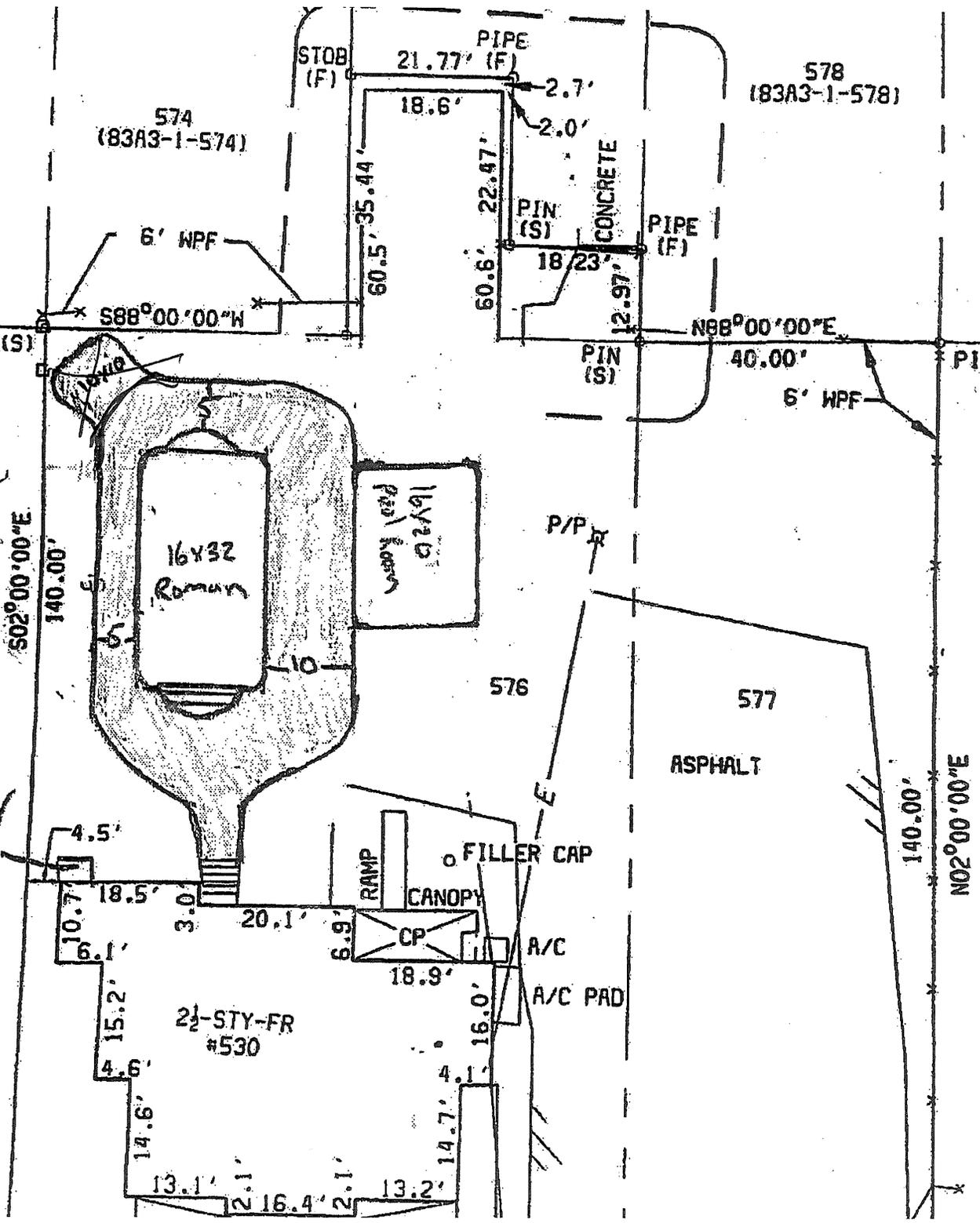
574  
(83A3-1-574)

578  
(83A3-1-578)

579  
(83A3-1-579)

580  
(83A3-1-580)

N/F  
CAROLE JOY  
304, P. 519)  
3-1-572A)



PIN(S)

PIN(S)

PIN(S)

P/P

ASPHALT

S02°00'00"E

140.00'

S02°00'00"E

140.00'

140.00'

N02°00'00"E

STOB (F)

PIPE (F)

PIPE (F)

PIN (S)

16x32 Roman

16x16

2 1/2-STY-FR #530

RAMP

CANOPY

CP

FILLER CAP

A/C

A/C PAD

21.77' (F)

18.6'

2.7'

2.0'

35.44'

22.47'

CONCRETE

18/23'

PIN (S)

N88°00'00"E

40.00'

6' WPF

576

577

6' WPF

16x18

5'

5'

10'

4.5'

10.7'

18.5'

6.1'

3.0'

20.1'

15.2'

4.6'

14.6'

13.1'

2.1'

16.4'

2.1'

14.7'

4.1'

13.2'

16.0'

18.9'





 <p><b>TOWN OF CAPE CHARLES</b></p>	<b>AGENDA TITLE:</b> Petition for Zoning Amendment		<b>AGENDA DATE:</b> June 16, 2016
	<b>SUBJECT/PROPOSAL/REQUEST:</b> Accept petition for zoning amendment and refer to Planning Commission for review and recommendation		<b>ITEM NUMBER:</b>  8C
	<b>ATTACHMENTS:</b> Zoning Amendment Request Letter, Excerpt from Cape Charles Zoning Ordinance		<b>FOR COUNCIL:</b> Action (X) Information ( )
	<b>STAFF CONTACT (s):</b> Brent Manuel	<b>REVIEWED BY:</b> Brent Manuel, Town Manager	

**BACKGROUND:**

Sections 2.7.1 and 2.7.2 of the Cape Charles Zoning Ordinance outlines the zoning amendment process. To initiate a zoning amendment, the property owner must petition the Town Council requesting an amendment. The Town Council then refers the petition to the Planning Commission for its recommendation. An excerpt of the Cape Charles Zoning Ordinance is attached.

**DISCUSSION:**

A letter was submitted by Cape Charles Yacht Center requesting a zoning classification amendment for parcel #83A3-11-2, which is the 20 acre tract of land between Cape Charles Yacht Center and Bayshore Concrete Products, from Harbor District to Industrial.

Once referred to the Planning Commission, the Commission will review the potential uses and, after holding a public hearing, forward their recommendation to the Town Council. Section 2.7.2.B and C require public hearings be held by both the Planning Commission and the Town Council. The public hearing can be a joint public hearing.

**RECOMMENDATION:**

Staff requests Town Council review of the letter from Cape Charles Yacht Center and referral of the request to the Planning Commission for their review and recommendation.



June 8, 2016

Brent Manuel  
Cape Charles Town Manager  
2 Plum Street  
Cape Charles, VA 23310

Dear Brent,

Thank you for meeting me on Monday at our site on the harbor. In order for our business to reach expectations we must expand our physical presence on Cape Charles Harbor. We have contracted to purchase the 20 acre tract of land in between Bayshore Concrete and our site. We are hopeful this transaction will be complete by October 1, 2016.

One of the contract contingencies is a change in the zoning classification from Harbor District to Industrial. We will provide justification for the request at a later date. Please let this correspondence serve a formal request to change the current zoning on lot #83A3-11-2. Thank you.

Sincerely,



S. Eyre Baldwin  
Managing Member - Southport Investors, LLC

### **Section 2.7.1 Amendments Permitted; How Initiated**

In accordance with Virginia Code Section 15.2-2286.A.7, whenever public necessity, convenience, general welfare or good zoning practice require, the Town Council may amend, supplement, or change the regulations, district boundaries or classifications of property contained in this Chapter. Any such amendment may be initiated by (a) resolution of the Town Council, (b) motion of the Town's Planning Commission, or (c) the petition of the owner, contract purchaser with the owner's written consent, or the owner's agent therefore, of the property which is the subject of the proposed zoning map amendment, addressed to the Town Council or the Town's Planning Commission, which shall forward such petition to the Town Council.

### **Section 2.7.2 Procedures for Amending Chapter or Zoning Map**

- A. All proposed amendments or reenactments of this Chapter, and all proposed amendments to the zoning map, shall be referred by the Town Council to the Town's Planning Commission for its recommendations. Failure of the Planning Commission to report within 100 days after the first meeting of the Planning Commission after the proposed amendment or reenactment has been referred to it shall be deemed approval of the proposal by the Planning Commission, unless the proposal has been withdrawn by the applicant prior to the expiration of said time period. In the event of such withdrawal, processing of the proposal shall cease without further action.
- B. Prior to issuing its recommendations, the Planning Commission shall hold at least one public hearing after notice of same has been published once a week for two successive weeks in some newspaper having general circulation in the Town. Such public hearing shall be held not less than six nor more than 21 days after the second advertisement appears. Such additional and further notice shall be given as required by Virginia Code Section 15.2-2204. The Planning Commission may make appropriate changes in the proposed amendments as a result of the public hearing. Upon the completion of its work, the Planning Commission shall present the proposed amendments, including revised district maps, to the Town Council together with its recommendations and appropriate explanatory materials.
- C. Prior to approving and adopting any amendment to this Chapter or the zoning map, the Town Council shall hold at least one public hearing after giving such public notice as may be required by Virginia Code Section 15.2-2204, after which the Council may make appropriate changes or corrections in the proposed amendment. In the case of a proposed amendment to the zoning map, the public notice shall state the general usage and density range of the proposed amendment and the general usage and density range, if any, set forth in the applicable part of the Town's then effective comprehensive plan. No land may be zoned to a more intensive use classification than was contained in the public notice without an additional public hearing after such notice as is required by Virginia Code Section 15.2-2204. Following the required public hearing(s), the Town Council shall act on the proposed amendment in the same manner as adopting any other ordinance.