



# TOWN COUNCIL

## Regular Meeting

September 15, 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. Commendation Award – Willie Lyons
  - \*B. Constitution Week Proclamation
  - \*C. National Friends of Libraries Week Proclamation
  - \*D. Ann Hayward Walker – Cape Charles Wetlands/Coastal Dune Board
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. Cape Charles Trail Project Update
8. New Business
  - \*A. Planning Commissioner Reappointments
  - \*B. Board of Zoning Appeals Member Reappointment
9. Mayor & Council Comments (5 minutes per speaker)
10. Announcements
  - September 22, 2016 – Town Council Special Meeting, 6:00 PM
  - September 27, 2016 – Mayor's Office Hours, 6:00 PM – 7:00 PM
  - October 6, 2016 – Town Council Work Session, 6:00 PM
  - October 10, 2016 – Town offices closed in observance of Labor Day
  - October 20, 2016 – Town Council Regular Meeting, 6:00 PM
  - October 25, 2016 – Mayor's Office Hours, 6:00 PM – 7:00 PM
11. Adjourn at 7:00 P.M.

# Town of Cape Charles Proclamation 20160915

## Designating September 17-23, 2016 as “Constitution Week” in the Town of Cape Charles, Virginia

**WHEREAS:** The Constitution of the United States of America, the guardian of our liberties, embodies the principles of limited government in a Republic dedicated to rule by law; and

**WHEREAS,** September 17, 2016, marks the two hundred twenty-ninth anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention; and

**WHEREAS,** it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebrations which will commemorate the occasion; and

**WHEREAS,** Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week;

**NOW, THEREFORE** I, George Proto, by virtue of the authority vested in me as Mayor of the Town of Cape Charles, Virginia, do hereby proclaim the week of September 17 through 23, 2016 as

### Constitution Week

and urge all citizens to study the Constitution and reaffirm the ideals that the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties.

In witness whereof, I have hereunto set my hand and caused the Seal of the Town of Cape Charles to be affixed this 15<sup>th</sup> day of September, 2016.

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Mayor George Proto

ATTEST:

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Town Clerk

**PROCLAMATION 20160915A**  
**NATIONAL FRIENDS OF LIBRARIES WEEK**  
**OCTOBER 16-22, 2016**

**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; and

**Whereas**, the work of the Friends highlights on an ongoing 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; and

**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; and

**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** by virtue of the authority vested in me as Mayor of the town of Cape Charles, I, George Proto, do hereby proclaim the week of October 16-22, 2016, as Friends of Libraries week in the town of 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.

Adopted by the Town Council of Cape Charles on this 15<sup>th</sup> day of September, 2016.

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Mayor George Proto

ATTEST:

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Town Clerk



**DRAFT**  
**PLANNING COMMISSION/TOWN COUNCIL**  
**Joint Public Hearing**  
**Cape Charles Civic Center**  
**August 15, 2016**  
**6:00 p.m.**

At 6:00 p.m. Chairman Dennis McCoy, having established a quorum, called to order the Joint Public Hearing with the Town Council and Regular Meeting of the Planning Commission. In addition to Chairman McCoy, present were Vice Chairman Michael Strub, and Commissioners Andy Buchholz, Dan Burke, Keith Kostek, Sandra Salopek and Bill Stramm. Also in attendance were Town Planner Larry DiRe, Town Clerk Libby Hume and Town Manager Brent Manuel. There were 14 members of the public in attendance.

Mayor George Proto, having established a quorum, called to order the Joint Public Hearing with the Planning Commission. In addition to Mayor Proto, present were Vice Mayor Bannon, Councilmen Brown and Buchholz, and Councilwomen Natali and Sullivan. Councilman Bennett was not in attendance.

Town Clerk Libby Hume read the public hearing advertisement.

**ZONING MAP AMENDMENT PUBLIC HEARING COMMENTS:**

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

Mr. R. Neville Reynolds, from VHB, the engineering firm representing Cherrystone I LLC, gave a presentation regarding the rezoning application. (Please see attached.)

**Motion made by Dan Burke, seconded by Bill Stramm, to close the Planning Commission Public Hearing regarding the zoning map amendment request. The motion was approved by unanimous vote.**

**Motion made by Councilwoman Natali, seconded by Councilman Buchholz, to close the Town Council Public Hearing regarding the zoning map amendment request. The motion was approved by unanimous vote.**

**CONDITIONAL USE PERMIT APPLICATION PUBLIC HEARING COMMENTS:**

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

**Motion made by Bill Stramm, seconded by Sandra Salopek, to close the Planning Commission Public Hearing regarding the conditional use permit application. The motion was approved by unanimous vote.**

**Motion made by Councilwoman Natali, seconded by Councilman Buchholz, to adjourn the Town Council Public Hearing regarding the conditional use permit application. The motion was approved by unanimous vote.**

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Chairman Dennis McCoy

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Mayor Proto

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Town Clerk

DRAFT



**Cape Charles Parcel: 83A3-11-2**

**Cherrystone I LLC: Proposed Land Uses**

- Port Facilities: marine, rail, trucking and/or intermodal terminals including transfer, storage, handling, inspection, processing and/or transport of containerized, bulk and/or other cargo.
- Boatyard- repair and maintenance of a variety of vessels:
  - Commercial fishing vessels
  - Mega yachts
  - Others as opportunities arise

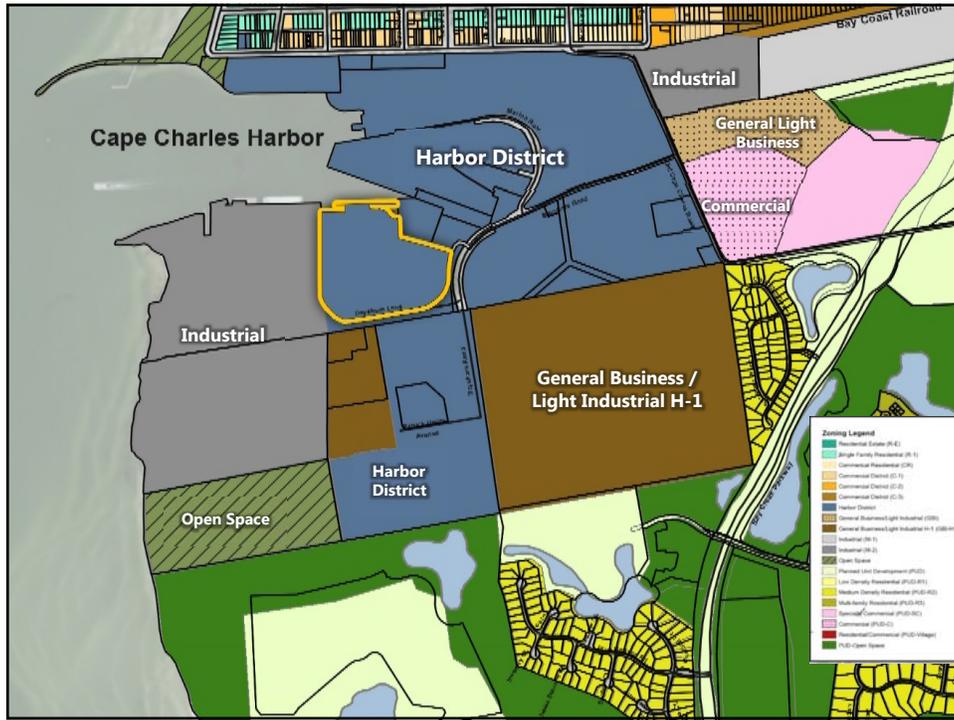
**Cape Charles Parcel: 83A3-11-2**  
**Existing Zoning: Harbor District**

- Allows for marine related uses and uses customarily and clearly incidental and subordinate to the principal use.
  - Bait and tackle shops
  - Boat rentals
  - Marinas, docks and wharves if contiguous to harbor
  - Sail and canvas making and repair
  - Ship stores and chandleries
  
- Does not include port facilities

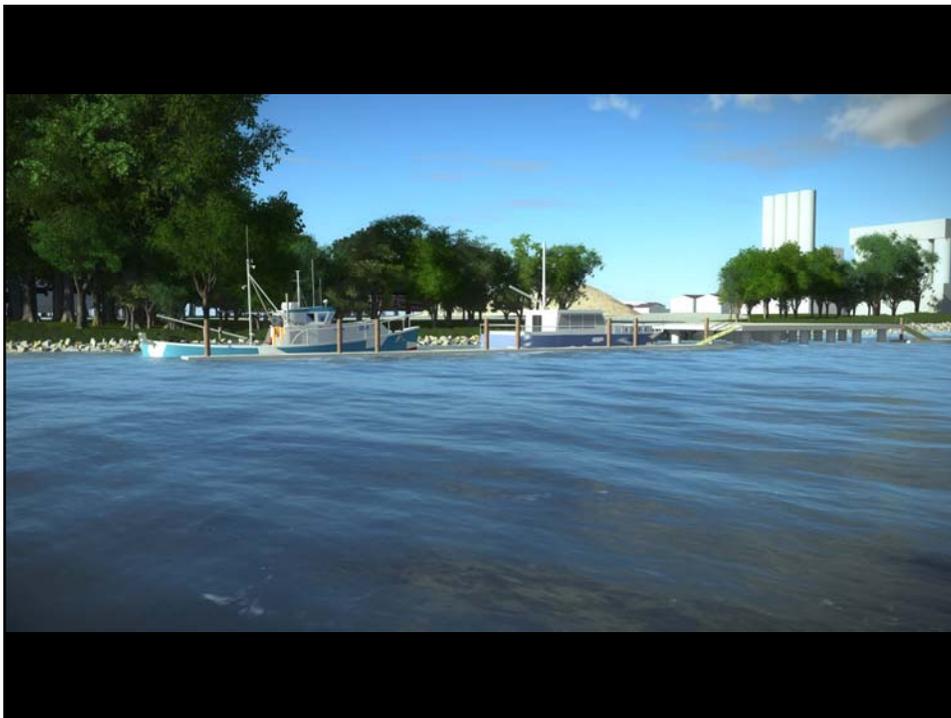
**Proposed Zoning: Industrial District (M-2)**

- Statement of Intent
  - Encourage the revitalization of the local industrial economy and historic port of Cape Charles and Northampton County
  
  - Create family-wage employment and training opportunities for local residents
  
  - Serves as a model and national prototype of an integrated approach to land development and industrial operations, embodying sustainable approaches to the local economy, environment and culture
  
  - Serve as a model for advancing traditional settlement patterns of the Eastern Shore's towns and employment centers
  
  - Encourage cost-effective approaches to resource conservation. Wise use of renewable resources and ecologically based industrial development.











An aerial photograph of a waterfront area. A yellow outline highlights a specific site located between a body of water and a residential or commercial area. The site appears to be a mix of open land and some structures. The surrounding area includes a marina with several boats and a residential development with houses and streets.

 vhb

**Rezoning Request**  
Town of Cape Charles, Virginia

Cherrystone I LLC

August 12, 2016



**DRAFT  
TOWN COUNCIL  
Regular Meeting  
Civic Center  
August 18, 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 Buchholz, and Councilwomen Natali and Sullivan. Also in attendance were Town Manager Brent Manuel, Assistant Town Manager Bob Panek, Treasurer Deborah Pocock, Planner Larry DiRe, and Town Clerk Libby Hume. The majority of the Department Heads were in attendance as well as 10 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:**

Mayor Proto read Proclamation #20160818 in Memory of Alice Brinkley Brown.

**Motion made by Vice Mayor Bannon, seconded by Councilman Brown, to adopt Proclamation 20160818 in memory of Alice Brinkley Brown. The motion was approved by unanimous vote.**

**PUBLIC COMMENTS:**

*Bert Turner, Eastville, VA*

Mr. Turner stated that he was representing Cherrystone I, LLC regarding the purchase of the harbor property. Cherrystone I, LLC was asking for a rezoning of the property from Harbor District to Industrial M-2 for operations of a port facility, material storage, and other uses which were all included in the application package. M. Turner introduced the other members of the project team in attendance as Jim Gunn, Furlong Baldwin, Eyre Baldwin and Dan Brown who were there to answer any questions.

*Bill Prickett, 210 Tazewell Avenue*

Mr. Prickett addressed the Council regarding the Concerts in Central Park which were sponsored by the Citizens For Central Park (CCP). The concerts were going well with close to 2K people attending so far this summer. There were three more concerts this season. The concerts provided something for everyone and were free to the audience, but CCP had to pay for the performers. People thought the Town of Cape Charles was funding the concerts but that was not the case. CCP funded the concerts through fundraising efforts and donations raised at various events. Mr. Prickett stated that CCP would like to continue the concerts for 2017 and asked the Town Council to think about how the Town could possibly help fund the concerts. The concerts fit in well with the recreational use of the park and tourism and benefited the tourists and the residents of Cape Charles and Northampton County. Mr. Prickett concluded by stating that CCP might present a formal request for funding and he asked Council for their consideration and thoughts about how they could help with funding.

There were no other 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 July 18, 2016 Joint Public Hearing with the Planning Commission, the July 21, 2016 Regular Meeting, the August 2, 2016 Executive Session and the August 2, 2016 Work Session.

**Motion made by Vice Mayor Bannon, seconded by Councilman Bennett, to approve the minutes from the July 18, 2016 Joint Public Hearing with the Planning Commission, the July 21, 2016 Regular Meeting, the August 2, 2016 Executive Session and the August 2, 2016 Work Session as presented. The motion was approved by majority vote with Councilwomen Natali and Sullivan abstaining since they were not in attendance at the July 18, 2016 Joint Public Hearing and the July 21, 2016 Regular Meeting.**

**DEPARTMENT REPORTS:**

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

Treasurer Deborah Pocock reviewed the Treasurer's report dated July 31, 2016 which showed the Total Cash on Hand of \$2,178,065, the Total Cash Held in Reserve was \$1,358,655 and the Total Cash – All Accounts was \$3,536,720. Deborah Pocock went on to review the Debt Service, Revenue vs. Expenditures, the FY 2017 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 Councilwoman Natali, seconded by Councilman Bennett, to accept the Treasurer's Report as submitted. The motion was approved by unanimous vote.**

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

Town Planner Larry DiRe reported that the Wetlands and Coastal Dunes Board met on July 27, 2016. That meeting was continued until the additional report from the Virginia Institute of Marine Sciences was received. The report arrived on August 16 and the continued meeting was scheduled for August 25, 2016 at 6:00 p.m.

**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.

***Cape Charles Memorial Library:***

Librarian Ann Rutledge stated that it had been a great summer and this week was the last week of the summer programs.

***Harbor:***

Harbor Master Charlie Farlow reported the following: i) The Harbor had a number of issues with their computer system and some information had been lost. Staff was working with Chesapeake Bay Communications to resolve the issues; ii) The Harbor and Shanty were having ongoing issues with the sewage pumps. The Harbor crew had had to pump sewage for two to five days to keep it from overflowing. The Shanty purchased their own pump and it failed and had to be shut down. The old pump was being repaired. After the repair, the Town would have two spare pumps on hand ready for installation. There were a total of six similar pumps in the area. There was much discussion regarding this issue; iii) He was working with Deborah Pocock regarding a QuickBooks upgrade; iv) There were a number of ways for staff to input data regarding transient boaters – by foot or by boat. Several staff members were inputting the data differently which caused the incorrect reporting. Council stated that the Harbor Master needed to review the report and if the numbers were incorrect, the report should not be sent to Council. Mayor Proto asked Council to review the monthly report and contact Charlie Farlow with any questions; and v) The transient numbers were in line or better than past years. There were some vacant transient slips during the week but they were booked on weekends.

Vice Mayor Bannon stated that a comment was received last month stating that the Harbor was nice but needed to have washers and dryers. Charlie Farlow agreed and stated that he was working on a proposal. There were a number of things that he would like to do and he would be prioritizing the projects and requesting urgent items, such as the fuel system, to be done in the very near future.

*Police Department:*

Chief Jim Pruitt stated that he did not have anything to add to his written report but showed Council the plaque which was presented to the Cape Charles Volunteer Fire Company (CCVFC) in recognition of the work done on the flag pole at the fire house. Jeb Brady added that VFIS, a provider of insurance, education and consulting services to emergency service organizations, saw the photographs on Facebook and awarded the plaque to the CCVFC.

*Public Utilities/Public Works Departments:*

Town Manager Brent Manuel stated that Public Works/Public Utilities Director Dave Fauber was out of town. There was some discussion regarding the submitted report as follows: i) The wastewater production exceeded water production by over 500K gallons; ii) The report referenced task order 4 but did not describe what the task order was for; iii) The report contained information regarding the addition of chloramines to drinking water but Dave Fauber decided several months ago that this was not worth pursuing. It should be removed from the report; iv) The Public Works report showed a section for Man Hours per Project/Task but the numbers had been blank since Pete Leontieff left in April. If the numbers were not being tracked or unnecessary, this section needed to be removed from the report; v) There were a number of other fields on the reports that were routinely left blank. These fields should be removed; and vi) Council had asked for a plan to determine when the Keck Wells needed to be connected. This report had not yet been provided and the issue needed to be resolved.

*Recreation Department:*

Brent Manuel stated that Recreation Coordinator Jen Lewis was unable to attend.

Vice Mayor Bannon asked for information regarding the circus that was scheduled to come to town in September. Councilwoman Natali stated that she had received notification that the circus had to change their schedule due to the recent flooding and would not be able to come to town this year.

**OLD BUSINESS**

*A. Town Council Representative to Library Board*

Former Councilman Godwin was the Town Council representative to the Library Board until the expiration of his term on June 30, 2016. Another representative from Council needed to be appointed to serve on the Board. This item was reviewed at the July 21, 2016 Town Council Regular Meeting but the appointment of the Council representative was postponed to the August meeting due to the absence of two Council members.

**Motion made by Councilwoman Sullivan, seconded by Councilman Bennett, to appoint Vice Mayor Bannon as the Council representative to the Library Board. The motion was approved by unanimous vote.**

*B. Zoning Map Amendment Application – Parcel 83A3-11-2*

Larry DiRe stated that a Planning Commission and Town Council Joint Public Hearing was held on August 15, 2016. The Planning Commission discussed the application and unanimously recommended Council approval of the zoning map amendment.

Mayor Proto invited Mr. Bert Turner to speak.

Mr. Turner stated that Cape Charles was very unique and this property was important to his client for the proposed marine terminal and boatyard. Being situated between Bayshore

Concrete and South Port, the site provided access to the harbor, the Chesapeake Bay and railroad and would be very useful. He hoped the Council would agree to the rezoning.

**Motion made by Councilman Bennett, seconded by Councilwoman Natali, to approve the zoning map amendment as presented. The motion was approved by unanimous vote.**

C. *Conditional Use Permit Application – Parcel 83A3-11-2*

There was some discussion regarding the conditional use permit (CUP) application as follows: i) clarification of language regarding structures, other than buildings, exceeding 50 feet; and ii) storage of commercialized bulk and cargo and whether any items stored, such as grain, could become hazardous and what precautions were being taken.

Mr. Turner stated that the applicant had no plans to build any structures over 50 feet so that item could be removed from the CUP application.

**Motion made by Councilwoman Natali, seconded by Councilman Buchholz, to approve the conditional use permit with the removal of item number 23-Structures, other than buildings, exceeding 50 feet, from the specific portion of the application. The motion was approved by unanimous vote.**

**NEW BUSINESS:**

A. *Re-appointment to Building Code Board of Appeals*

Brent Manuel stated that the Building Code Board of Appeals consisted of five individuals each serving five-year terms and met as needed to hear appeals concerning the Uniform Statewide Building Code. Matthew Brown currently served on the Board and his term would expire on September 10, 2016. Mr. Brown expressed his interest in continuing his service on the Board for another term.

**Motion made by Councilman Bennett, seconded by Councilwoman Natali, to re-appoint Matthew Brown to the Building Code Board of Appeals for another five-year term. The motion was approved by majority vote. Councilman Brown abstain from the vote explaining that Matthew Brown was his son.**

B. *Planning Commission Representative to the Harbor Area Review Board*

Larry DiRe stated that Article IX, §§ 9.7 and 9.8 of the Cape Charles Zoning Ordinance addressed the appointment and membership term of the Harbor Area Review Board (HARB). The HARB consisted of seven members, including two Planning Commission representatives. Councilwoman Natali served as one of the Planning Commission representatives until July 21, 2016 when the Town Council appointed Councilman Buchholz as the council representative to the Planning Commission. The Planning Commission discussed this issue at their August 15, 2016 Regular Meeting and the second Planning Commission representative to the HARB, Dennis McCoy, stepped down from the HARB. The Planning Commissioners recommended the appointments of Commissioners Dan Burke and Keith Kostek as the Planning Commission representatives to the HARB.

**Motion made by Councilwoman Natali, seconded by Councilman Brown, to appoint Commissioners Dan Burke and Keith Kostek as the Planning Commission representatives to the Harbor Area Review Board. The motion was approved by unanimous vote.**

C. *FY 2017 Budget Re-appropriation*

Deborah Pocock informed Council that two projects, the Virginia Retirement System actuarial study for the Town's police officers and the Southern Software Financial Management System implementation, budgeted in FY 2016 would not be completed until fall of FY 2017. The Town Code required that the funding for a project that overran its projected fiscal year be re-appropriated in the following fiscal year. It was lawful for Council to re-appropriate or otherwise amend the budget by up to 1% without public notice. The aggregate amount requested, \$41,069, fell within the allowable boundaries.

There was some discussion regarding the financial management software which should be implemented in early to mid-October. The implementation would be done in phases beginning with the utility portion.

**Motion made by Vice Mayor Bannon, seconded by Councilwoman Natali, to approve the re-appropriation of \$41,069 for FY 2017 in order to complete both projects as discussed. The motion was approved by unanimous vote.**

*D. VML/VACo Finance Refinancing*

Deborah Pocock stated that, at the July meeting, Council approved the Town Manager to authorize VML/VACo to search for cost-saving refunding opportunities for both the Series 2006 bonds and the Series 2013 bonds. VML/VACo returned a bid for consideration that would save a total of \$153,666 in interest, net of refunding costs. The proposal would also insure that the interest rate would remain constant throughout the term of the bonds. There would be no prepayment penalty.

**Motion made by Councilman Brown, seconded by Councilman Bennett, to adopt Resolution 20160818 of the Town Council of the Town of Cape Charles, Virginia Authorizing the Issuance and Sale of Its General Obligation Refunding Bonds, Series 2016A and 2016B, and Approving the Execution and Delivery of Certain Documents Prepared in Connection Therewith.**

**Mayor Proto moved for adoption of Resolution 20160818 as noticed and forewent the reading of the resolution. Resolution 20160818 was adopted by unanimous vote. Roll call vote: Bannon, yes; Bennett, yes; Brown, yes; Buchholz, yes; Natali, yes; Sullivan, yes.**

Vice Mayor Bannon asked Assistant Town Manager Bob Panek for an update on the Cape Charles Trail project.

Bob Panek reported the following: i) The contractor was installing the storm water drainage system on Peach Street. The east side between Jefferson and Washington Avenues were completed today and included the replacement of two laterals in conflict with the drainage system. The contractor would be shifting to the west side of the same block tomorrow and it would take a couple of days to complete. The contractor would then move on to the block between Jefferson and Madison Avenues. The northern block would drain to the BMP on the Bay Creek property; and ii) The concrete crew would be back in the next two weeks to pour the trail from Fig to Peach Streets as well as driveways and the median strip on the northern block of Peach Street. This work would follow the storm water crew.

There was some discussion regarding the length of time North Peach Street would be blocked and allowance for limited parking. The Town would accommodate anyone needing access but the road work on North Peach Street was estimated to take another two months to complete.

**MAYOR AND COUNCIL COMMENTS**

Councilman Bennett commented as follows: i) He asked if anything had been done regarding Ms. Kathleen Coalter's concerns which were submitted and read at the July meeting and whether a reply had been sent. A mechanism needed to be implemented to respond to citizen comments; ii) The minutes of the July meeting stated that a resolution needed to be adopted and sent to VDOT to amend the Cape Charles Trail phases. He asked whether a resolution had been drafted yet. Bob Panek responded that a work session was needed first to determine what Council wanted the next phase to be; iii) Last month, he asked for a detailed plan regarding the Virginia Main Street program and asked when it would be ready. Brent Manuel responded that a report was ready and would be discussed at a future work session; iv) Two sets of Council agenda packets were sent for each meeting. The first one on the Friday prior to the meeting and the second one just prior to the meeting. He stated that the meeting date was changed to accommodate deadlines and allow staff

more time to complete the monthly reports. Staff needed to do better to get all materials in the first packet.

Councilwoman Natali commented as follows: i) It would be nice for Council to receive a notification when a new employee was hired or when an employee was moved to another position. It would also be good to include in the Gazette; ii) The Citizens for Central Park were sponsoring another Concert in the Park on Saturday night; and iii) The Friends of the Cape Charles Memorial Library were hosting their final Lunch & Learn this Saturday at noon. Mr. Art Schwarzschild would give a presentation on art and science.

Councilmen Brown and Buchholz, Councilwoman Sullivan, Vice Mayor Bannon and Mayor Proto had no further comments.

Mayor Proto proceeded to read the Announcements.

**ANNOUNCEMENTS:**

- August 20, 2016 – Concert in Central Park – Dharma Initiative, 7:00 p.m.
- August 23, 2016 – Mayor’s Office Hours, 6:00 p.m. – 7:00 p.m.
- September 4, 2016 – Concert in Central Park – Delmarvalous Dolls, 7:00 p.m.
- September 5, 2016 – Town offices closed in observance of Labor Day.
- September 8, 2016 – Town Council Work Session, 6:00 p.m.
- September 10, 2016 – Concert in Central Park – Kasey Rae Band, 7:00 p.m.
- September 13, 2016 – Mayor’s Office Hours, 2:00 p.m. – 3:00 p.m.
- September 15, 2016 – Town Council Regular Meeting, 6:00 p.m.
- September 27, 2016 – Mayor’s Office Hours, 6:00 p.m. – 7:00 p.m.

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

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Mayor Proto

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Town Clerk



**DRAFT  
TOWN COUNCIL**

**Executive Session**

**Civic Center**

**August 18, 2016**

**Immediately Following Regular Meeting**

At 7:18 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 Buchholz, and Councilwomen Natali and Sullivan. Also in attendance was Town Manager Brent Manuel.

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

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

**Specifically:** Unsolicited proposal to purchase Town-owned properties

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

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

**Motion made by Councilman Bennett, seconded by Vice Mayor Bannon, to authorize the Town Manager to offer certain surplus town properties for sale. The motion was unanimously approved. Roll call vote: Bannon, yes; Bennett, yes; Brown, yes; Buchholz, yes; Natali, yes; Sullivan, yes.**

**Motion made by Councilwoman Natali, 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

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

**CASH POSITION**

<b><u>Cash on Hand</u></b>	<b><u>7/31/2016</u></b>	<b><u>8/31/2016</u></b>	<b><u>Increase/(Decrease)</u></b>
Shore Bank Checking Account	\$ 702,100	\$ 771,245	\$ 69,145
Shore Bank Money Market Account	\$ 1,078,123	\$ 1,078,611	\$ 487
LGIP Account 1 - Unrestricted	\$ 97,814	\$ 97,859	\$ 45
LGIP Account 2 - Unrestricted	\$ 300,027	\$ 300,171	\$ 143
<b>Total Cash On Hand</b>	<b>\$ 2,178,065</b>	<b>\$ 2,247,885</b>	<b>\$ 69,821</b>

<b><u>Restricted and Reserved Cash Balances</u></b>	<b><u>7/31/2016</u></b>	<b><u>8/31/2016</u></b>	<b><u>Increase/(Decrease)</u></b>
Shore Bank Savings Account - Facility Fees Reserved (Utilities)	\$234,589	\$234,589	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	\$848,917	\$848,917	0
PNC Account- 2013 Bond Proceeds - Interest	\$6,095	\$6,440	345
Shore Bank Checking Account - E-Summons Revenue Reserved	\$165	\$215	50
US Bank - Reserved per VRA Interest Free Loan Requirements	\$257,584	\$257,585	1
<b>Total Cash Held in Reserve</b>	<b>\$ 1,358,655</b>	<b>\$ 1,359,051</b>	<b>\$ 396</b>
<b>Total Cash - All Accounts</b>	<b>\$ 3,536,720</b>	<b>\$ 3,606,937</b>	<b>\$ 70,217</b>

**DEBT SERVICE**

**Next Debt Service Payments:**

No debt service until November

**Due Date**

**Amount**

## 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	204,835	190,357	289,081	98,724	3,782,198	7.64%
EXPENDED	173,860	476,776	453,821	(22,955)	3,723,535	12.19%
NET	30,975	(286,419)	(164,741)	121,679	58,663.00 surplus to harbor	
<b>PUBLIC UTILITIES</b>						
REVENUES	146,588	341,039	282,088	(58,952)	2,302,286	12.25%
EXPENDED	84,120	147,904	191,231	43,327	2,302,286	8.31%
NET	62,468	193,136	90,857	(102,279)	0	
<b>HARBOR</b>						
REVENUES	72,790	310,580	157,740	(152,840)	1,713,689	9.20%
EXPENDED	95,675	320,823	177,966	(142,857)	1,772,351	10.04%
NET	(22,886)	(10,243)	(20,226)	(9,983)	(58,662.00)	
<b>SANITATION</b>						
REVENUES	15,735	31,619	31,829	210	175,300	18.16%
EXPENDED	15,683	15,258	17,324	2,066	175,300	9.88%
NET	53	16,361	14,505	(1,856)	0	

# Planning Department Report for Town Council

**From:** Larry DiRe   
**To:** Town Council  
**Date:** September 7, 2016  
**Subject:** Report from Planning Department  
**Attachment:** Planning Commission comments in response to Northampton County Planning Commission Chair's letter of August 29, 2016

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## **Permits:**

Two Applications for Zoning Clearance were approved this month.

## **Planning Commission:**

1. The Planning Commission held its regular monthly meeting on Tuesday September 6<sup>th</sup>. The Commission considered the following agenda items: set joint public hearing date with Town Council for the draft Comprehensive Plan; reviewed revised draft text amendment for limited commercial activity in the Open Space District; provided comments to Town Council in reply to Northampton County Planning Commission's letter of August 29, 2016.
2. Over the last few months several proposed Zoning Ordinance and Town Code text amendments have been considered by the Commission. Staff requests these be considered as Town Council work session items in the near future.

## **Historic District Review Board:**

1. The Historic District Review Board to date has not received any new applications for Certificate of Appropriateness to consider at their September 20<sup>th</sup> regular monthly meeting. At their August 16<sup>th</sup> meeting they approved a Certificate of Appropriateness for new construction of a rear addition in the Commercial – 1 District, and continued the application for new single family home construction in the Residential - 1 District pending amended plans.

## **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 had no business and did not meet.

## **Wetlands and Coastal Dunes Board:**

1. The Wetlands and Coastal Dunes Board continued their July 27<sup>th</sup> meeting, to consider an application for riprap at a residential lot, on August 25<sup>th</sup>. After receiving an additional, detailed, site-specific report from the Virginia Institute of Marine Science (VIMS) the Board voted to approve the project with certain conditions recommended by VIMS. These included increasing the size and weight of the revetment stones and placing them at a steeper angle than the original application plans showed.
2. The Board also met in a work session on August 31<sup>st</sup> to continue their review and recommendations for beach sand management practices.

Planning Commission comments on August 29<sup>th</sup> letter from the Northampton County  
Planning Commission Chair

The vision for the Cape Charles Town Edge zone is discussed in the Cape Charles Comprehensive Plan. That document should be consulted for a complete understanding of the vision. Likewise, the economic development issues important for the Town are discussed in detail in the Comprehensive Plan, and many would not require a regional approach to implement. In both May 2014 and January 2015 the Town submitted resolutions and letters, respectively, to Northampton County requesting joint discussion of the Historic Town Edge overlay district. The Planning Commission stands behind the content of those prior correspondences.

## Code Enforcement

Month of August FY17

### Building Permits Issued/Permit Fees Collected:

Permits this month: 20	
Permits this year: 38	Total permits last year: 355
Total construction this month: \$364,508	
Total construction this year: \$524,798	Total construction last fiscal year: \$10,729,370
Permit fees this month: \$1,698.95	
Total permit fees this fiscal year: \$3,329.65	Total permit fees last fiscal year: \$201,281.12
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: \$0	Total Tap fees last fiscal year: \$98,800
Fire Dept. levy this month: \$151.69	
Total Fire Dept. levies this year: \$288.36	Total Fire Dept. levies last fiscal year: \$8,264.18
State levy this month: \$30.34	
Total state levies this year: \$57.67	Total state levies last fiscal year: \$1,606.58
Miscellaneous Revenue: \$10 for sewer screen & \$50 for temporary C.O.	

### Existing Structures Code Enforcement Cases:

Total Cases: 18	
New this month: 0	
Closed this month: 0	
Rental Inspections: 4	
Rental C.O's Issued: 2	
Rental Inspection fees collected: \$50.00	
Grass cutting enforcement: 5	
Grass cutting: 4	
Enforcement fees charged this month: \$600	
Enforcement fees charged this year: \$1,500	Fees charged last fiscal year: \$2,450
Enforcement fees collected: \$0	
<b>Enforcement fees collected this year: \$0</b>	Fees collected last fiscal year: \$0

### 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 August FY17

**Other items of note:**

1. Completed **70** inspections
2. Conducted 0 zoning clearances
3. Completed 3 courtesy residential inspections
4. Conducted 8 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 1 commercial plan review
9. Issued 0 Public Utilities Shallow Well permits
10. Staff reviewed plans for a new commercial on Randolph Avenue.
11. Staff has had numerous calls from home buyers regarding regulations on renovating existing homes throughout town.
12. Staff spoke with property owners regarding regulations on building new homes throughout town.
13. Connie attended the Ft. Monroe sale along with the Clerk & Treasurers Office to purchase used office furniture.
14. Connie attended training in Richmond for 3 days for introduction to the Virginia Uniform Statewide Building Code.
15. Staff met with other officials regarding Tropical Storm Hermine. Made necessary preparations for the upcoming weekend.

09/06/16

<b>Permit/Construction Fee Report</b>
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Map Number	Permit#	Type	Date	Address	Work description	Permit Fee	Value
	PB160064	Building	08/17/2016	1011 Bayshore Road	Footing & Foundation Only for Harvey Build	\$128.80	\$6,500
	PB160065	Building	08/19/2016	502 Brass Ring Avenue	Finish bonus room	\$75.60	\$6,000
	PEL 16000	Elevator	08/22/2016	630 Carousel Place	Install One Home Elevator	\$211.03	\$22,684
	PM160022	Mechanical	08/10/2016	410 Harbor Avenue	Install Air to Air Heat Pump	\$141.12	\$10,200
083A1-0100-08	PM160023	Mechanical	08/25/2016	309 Jefferson Avenue	New Mechanical for Rehab	\$117.60	\$5,500
	PE160041	Electrical	08/05/2016	534 Jefferson Avenue	New 200 Amp Service for Existing Reside	\$56.00	\$750
	PP160064	Plumbing	08/25/2016	615 Jefferson Avenue	New On-site water line	\$56.00	\$500
083A1-0100-10	PE160045	Electrical	08/23/2016	202 Mason Avenue	Install 3 Phase Power Pedestal for Railroad	\$84.00	\$1,900
	PE160044	Electrical	08/12/2016	541 Mason Avenue	Install a new 200 Amp Service	\$56.00	\$1,200
	PE160043	Electrical	08/09/2016	543 Monroe Avenue	Temporary Pole 100 Amp at Existing Resid	\$56.00	\$250
	PP160063	Plumbing	08/04/2016	1 Park Row	Adding One Bathroom to Residence	\$56.00	\$1,500
	PE160046	Electrical	08/30/2016	500 Peach Street	Install New 100 Amp Service for Street Lig	\$0.00	\$260,244
	PB160066	Building	08/29/2016	6 Randolph Avenue	Roof repair on porch roof	\$56.00	\$1,000
083A3-0100-56	PE160042	Electrical	08/08/2016	546 Randolph Avenue	Subfeed to outdoor shed for interior & exte	\$56.00	\$2,500
083A3-0100-54	PB160063	Building	08/03/2016	630 Randolph Avenue	First Floor Interior Renovation	\$56.00	\$2,280
	PE160040	Electrical	08/05/2016	172 Sunset Blvd.	New Service 1 Phase 200 Amp for New S/	\$151.20	\$12,000
	PM160021	Mechanical	08/09/2016	172 Sunset Blvd.	Installation of 2 Air to Air Heat Pumps at Ne	\$98.00	\$10,000
	PP160062	Plumbing	08/01/2016	526 Tazewell Avenue	Installing three bathrooms as per applicatio	\$92.40	\$9,000
	PM160020	Mechanical	08/05/2016	526 Tazewell Avenue	Install Air to Air Heat Pump	\$95.20	\$9,500
	PG160025	Gas	08/10/2016	526 Tazewell Avenue	Running Gas Lines for Fireplace, Hot Wate	\$56.00	\$1,000
<b>Total Permits:</b>						<b>\$1,698.95</b>	<b>\$364,508</b>

PerDateIssued Range from 08/01/2016 to  
08/31/2016

# **Town Harbor Town Council Report August 2016**

## **Items of Interest:**

1. The bath house and Shanty sewage pumps have been repaired and back in working order. We currently have 2 spare pumps in house for future breakdowns.
2. Bath house sewage pump had third failure. Motor on #2 pump shorted creating same issue Memorial Day Weekend. Replaced with new pump. Initial pump motor replaced and repaired to be housed as spare.
3. Advertising for 2016 and some '17 is finalized.
4. Boating infrastructure grant from 2015 will be utilities to replace and or upgrade Harbors signage. Directional, business partners, and information signs are some of the items of question.
5. Facebook and multiple media site are monitored with positive results. Looking through these sites and marine related sites for reviews from past customers and what items or issues we need to address.
6. Delinquent account holders are responsive and updates will be ongoing. Making good progress.
7. Making progress on all computer system and upgrades. Have scheduled upgrade for QuickBooks with specialist in 2<sup>nd</sup> week of September.
8. The Harbor lost one of our seasonal workers. Steven Wilson graduated from Northampton High School in June. Steve is following his passion and is starting his career as a firefighter/medic for the County of Accomack. We will be seeing him around Cape Charles on his days off and wish him the best of luck in his journey.
9. 3 of our seasonal workers finished their summer and are heading back to college. The harbor would like to thank Josh Outten. Mathew Outland and Andrew Lewis for their hard work and customer service. Josh and Andrew are expected to return for the 2017 season and Matt is expected to graduate from VMI and pursue a career in the United States Coast Guard. Good luck to these 3 in the 2016/17 college year, study hard.
10. Currently the seasonal work force will be ending after Labor Day holiday weekend.

## **Maintenance/Repairs:**

1. Dock work and maintenance is on-going.
2. BMP, excavating bed and planting prep in progress. (due to time of year, project on hold until after holidays).
3. Routine inspection reports are complete. Prioritizing the list and funds to complete objective.
4. Repairing and replacing board walk on the west rear of the Shanty. Dredge pipe located north side of Shanty lot.

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

1. Dredging, final phase July 23<sup>rd</sup> dredge arrived with support vessels, pipeline and crews, July 27<sup>th</sup> for dredge vessel to arrive and begin operation by end of July.
2. Watermen's Memorial – Working with Tom Bonadeo and Ed Lewis, Light house tower complete and power coated. Expected to be set in place after Labor Day. *Do to traffic and Shanty patrons may need to consider after Labor Day Holiday to proceed.*
3. Virginia Port Authority – Awarded funds from Aid to Local Ports Grant. Options to repair North Entrance Jetty was chosen as priority. Engineering and bid process to follow. (on-going process)

## Business YTD:

<b>Rentals</b>						
	<b>FY 2014/2015</b>				<b>FY 2015 to 2016</b>	
<b>SLIP</b>	<b>94</b>				<b>94</b>	
ANNUAL	430.8	\$62,131.73			700	\$59,171.99
SEASONAL	221.55	\$31,785.32			164	\$27,666.31
QUARTERLY	12	\$2,775.96			97	\$2,904.50
MONTHLY	51.3	\$11,468.96			410	\$10,400.38
WEEKLY	167.19	\$11,877.26			114	\$6,857.77
NIGHTLY	1,919	\$105,341.04			10,079.00	\$90,760.28
DOCK FEES					456.00	\$93,548.77
HOURLY	195	\$975.00			148	\$755.00
STORAGE	44.21	\$5,434.15			41	\$4,145.13
	3041.05	\$231,789.42			12,170.52	\$296,310.13

NOTE: Projected fees based on information from return customers and 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</b>				
	<b>FY 2014/2015</b>		<b>FY 2015/2016</b>	
Diesel	88,759.812	\$269,633.94	83,881.267	\$183,681.25
Transport	4,432.8	\$13,189.18	7,241.90	\$15,566.85
Regular	37,145.595	\$111,762.44	31,596.142	\$74,779.72
Plus (Non Ethanol)	23,629.397	\$94,233.00	24,084.2502	\$84,248.91
Total Fuel Sales	153,967.604	\$476,459.45	146,803.5592	\$332,682.11
Total Fuel Profit		<b>\$59,913.19</b>		<b>\$71,982.53</b>

<b>Wharf Fees</b>				
	<b>FY 2014/2015</b>		<b>FY 2015/2016</b>	
Conchs	358.25	\$179.16	317	\$146.80
Crabs	24,285	\$10,766.51	9,306	\$4,639.00
Fish	310,921	\$1,014.88	119,143	\$476.58
Horse Shoe Crabs	232.9	\$47.44	547.1	\$218.84
Oysters	24	\$12.00	0	\$0.00

### Waiting List:

<b>Length</b>	<b>Annual</b>	<b>Seasonal</b>	<b>Total</b>
16'-25'	2		
25'-34'			
35'-44'	3		
45'-54'			
55'-60'+			
Totals			

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

**Youth Programs**

Preschool Storytime (3 programs)	7
Toddler Storytime (3 programs)	25
Chess Club (2 programs)	8
Paws for Reading	3
Kiptopeak State Park	10
Lego Build	23
Imagine Create	2
Crafts after Storytime (4 programs)	22
NASA	30
Eastern Shore Soil & Water Conservation	5
Friends Childrens Author Event-Anna Burger	16
<b>Adult programs (provided by the Friends)</b>	
Friends Author Event-Lothar Haselberger	51
Friends Author Event -Nancy Naigle & Grace Greene	16
Friends Lunch & Learn-	
Joe Fehrer on History of Assateague Island	17
Art Schwarzschild from Anheuser	20
 Total	 255

**Meetings**

- Staff attended ESPL Trustee Meeting at the Accomack Library, 8/8
- Staff attended the joint Friends of the Library and Library Board meeting 8/10

**Facility**

- We have again been noticing a bad smell coming from the front restroom and the lobby.
- We received two new small wooden book shelves purchased by the Friends of the Library.

**Marketing & Communication**

- Staff has compiled statistics for the Summer Reading Challenge and is preparing flyers and PR for Fall/Winter programs.
- Our wide screen TV in the lobby has pictures from the Summer Reading Challenge.

**Outreach**

- Staff attended the Friends of the Library Author/Lecture with Nancy Naigle & Grace Greene.
- Staff attended the Eastern Shore Public Library Cocktail Party at the Regional Library Campaign Fundraising Headquarter in Onley. Guests included Library Trustees, Friends of the Library, Library Foundation members, and member of all fundraising committees.8/31

**Technology**

The library has 4 new computers: 2 in the computer lab, 1 at the front desk, and 1 to replace the card catalog. Only 1 old computer remains in the lab.

## **Adult Programs( See Friends of the Library Adult programs)**

### **Friends of the Library Adult Programs**

- Friends of the Library presented “From the Parthenon to the Cape Charles Coffee House” with Lothan Haselberger. 51 attended. 8/3
- Friends presented Lunch & Learn, with Joe Fehrer on recent history of Assateague Island. 8/6
- Friends of the library presented an author program on Monday night with romance writers Nancy Naigle and Grace Greene. 16 attended. 8/15
- Friends presented the final Lunch & Learn, with Art Schwarzschild, Coast Reserve long term Ecological Program, 20 attended. 8/20
- Monster Book Sale, 8/12-14

### **Friends of the Library Youth Programs**

- Presented children’s author Anna Berger reading her book *Pea Soup and the Seafood Feast*. 8/9

### **Youth Services**

- Lego Build was held on Wednesday with 23 participants. 8/2
- NASA visited the library and 30 attended the program. 8/3
- Kiptopeak State Park presented a program for children at 11:00 on Tuesday called. 18 attended. 8/16
- Imagine/Create. 2 attended 8/16
- ES Soul & Water Conservation presented a program on Birds, 5 attended. 8/17
- Paws for Reading were held on Saturday from 10:45 to 12:00. 3 attended. 8/20
- Quick Craft for preschoolers was held on 8/4., 8/11., 8/18. 22 attended
- Storytime took a break for 2 weeks, it resumes 9/8. Chess will resume mid-September.
- Great Summer Reading Challenge with 242 children signing up to read.
  - 188 were local children, 52 were guests
  - 123 children read over 100 minutes
  - 502 prizes awarded for reading
  - 175 ice cream cones rewarded
  - 15 children & \$110.05 fines were forgiven for reading over 200 minutes

### **Volunteers**

- Our longtime volunteer Christina Gist has moved to the west coast and we are looking for a new shelving volunteer.
- 253.50 volunteer hours for this month.

### **Upcoming Events**

- The Eastern Shore Public Library Trustee meeting will be held at 2:00. 9/ 12
- The Friends of the Library will hold meeting. 9/7
- Friends Author/Lecture Series: Tribute to Judi McCoy. 9/12
- The Library Board will hold their monthly meeting. 9/14
- Friends Medicare Seminar, 10/15
- Friends computer/Smartphone Class, 10/20 & 22
- Paws for Reading held every third Saturday of the month from 10:45 to 12:00.

	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	\$103.00	\$77.55	\$90.25	\$8.30	\$0.00	\$0.00	\$0.00	\$784.25			
Faxes	\$48.50	\$72.00	\$39.00	\$33.00	\$52.00	\$27.50	\$60.00	\$68.00	\$0.00	\$0.00	\$0.00	\$0.00	\$400.00			
<b>TOTAL</b>	<b>\$144.65</b>	<b>\$221.75</b>	<b>\$141.10</b>	<b>\$113.80</b>	<b>\$128.35</b>	<b>\$130.50</b>	<b>\$137.55</b>	<b>\$158.25</b>	<b>\$8.30</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$1,184.25</b>			
Deposit																
<b>BOOK CIRC-ADLT</b>																
Fiction	503	536	500	470	479	601	588	602	0	0	0	0	4279			
Non-fiction	184	136	142	126	135	173	150	201	0	0	0	0	1247			
DVDs	196	204	152	115	121	194	214	169	0	0	0	0	1365			
<b>TOTAL 2016</b>	<b>883</b>	<b>876</b>	<b>794</b>	<b>711</b>	<b>735</b>	<b>968</b>	<b>952</b>	<b>972</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>6891</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	696	904	719	0	0	0	0	4433			
Non-Fiction	3	62	143	85	94	128	189	104	0	0	0	0	808			
DVDs	60	50	65	60	69	123	162	144	0	0	0	0	733			
<b>TOTAL 2016</b>	<b>390</b>	<b>461</b>	<b>725</b>	<b>647</b>	<b>582</b>	<b>947</b>	<b>1255</b>	<b>967</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>5974</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>1915</b>	<b>2207</b>	<b>1939</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>12865</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>1536</b>	<b>1939</b>	<b>1574</b>	<b>89</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>10209</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>24</b>	<b>30</b>	<b>21</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>152</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>297</b>	<b>487</b>	<b>239</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2090</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>275</b>	<b>189</b>	<b>264</b>	<b>25</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1839</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>26</b>	<b>18</b>	<b>20</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>136</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>366.00</b>	<b>231.50</b>	<b>253.50</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>2299</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

August 2016

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

- Calls for service in Cape Charles: 68
- Calls for service outside of Cape Charles: 8
- Felony arrests: 4
- Misdemeanor Arrests: 2
- D.U.I. Arrests: 0
- Traffic Summons: 7 (see below)
- Traffic Warnings: 16 (written& verbal):
- Parking tickets: 8
- Building Checks: 23
- Assisted Northampton County Sheriff's Office: 7
- Assisted Virginia State Police: 1
- Assisted Federal Agencies: 0
- Assisted Fire& Rescue: 14
- Foot Patrol Hours: 71.5
- Bay creek patrol hours: 36.5

The following took place in August:

- I completed a class in community policing.

Traffic Summons:

1. Speeding 42/25 zone
2. Reckless driving
3. Fail to wear seatbelt
4. Reckless driving 47/25 zone
5. Follow to close
6. No valid operator's license
7. Fail to yield (resulting in crash)

Arrests:

1. Possession with intent to distribute Schedule 1 Narc.
2. Possession with intent to distribute schedule 1 Narc.
3. Possession with intent to distribute schedule 1 Narc.
4. Possession with intent to distribute schedule 1 Narc.
5. Reckless driving endanger life
6. Destruction of property

# Public Utilities

## Monthly Report August 2016



### Production Summary

- Miss Utility Tickets: 16
- Emergency Call Outs After Hours and Weekends:  
Number of times called out: 6  
Total Man Hours: 15
- Fire Calls: 1 Man Hours: 1
- Sludge: Tons 0
- \*Water: Total Production : 5,667,669 Gallons  
High: 323,300 On July 3  
Low: 147,500 On July 13

Average	Raw Water	Finished Water
Hardness	397.9	104.5
Iron	8.00	.02
Manganese	.484	.013

All Data in PPM

- \*Waste Water: Average Flow 200,600 gpd  
Maximum 433,500 July 7th  
Total for Month 6,218,600 Gallons  
Nutrients:  
Phosphorus Average .07 Limit .3 mg/l annual average  
YTD N/A  
Nitrogen Average .73 Limit 4 mg/l annual average  
YTD N/A

(\*Numbers are from previous month)

### Personnel

- Water
  - Scottie Neville Operator Class 3 Water, Operator in Charge
  - Patrick Christman Operator Class 3 Water,
  - Freddie Meditz Trainee
  - Gerald Elliott Maintenance
  - Dan Dabinett Operator Class 3 Water, 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

### Completed Projects

- VDOT approved Bayshore road cut pavement repairs, permit closed
- Received final Ground Water Withdrawal Permit from DEQ

### Capital Projects

#### ➤ Water:

- Task Order No. 2
  - Construction of pipeline for Keck Wells \$500k
  - Received Final copy of PER
  - Will move forward when financing is in place
- Task Order No. 4
  - Addition of chloramines to drinking water to reduce THMs
  - Received final copy of PER
  - With the improved quality the Keck Wells will bring to our drinking water, the addition of chloramines should not be necessary. If the Keck Wells are delayed, the Department of Health may require us to move forward if we are unable to remain compliant.
  - Will implement when/if needed \$33k

#### ➤ Waste Water

- Task Order No. 5 Pump Station Improvements
  - We have received the engineer's final report.
  - Mason Avenue \$127k
  - Pine and Plum \$475k
- Task Order No.6 WWTP Support
  - Met with Sherwood Logan Reps to discuss mixers and options to mitigate frequency of repairs required

PUBLIC WORKS  
August 2016



**Dump Fees** - None

**Completed Projects**

- Repaired roof on Beach Kiosk
- Washed down Central Park Gazebo
- Repaired locksets at Central park Bathrooms
- Repaired sod damage in Central Park

**In Progress**

- All--Vehicle/equipment maintenance
- Alley maintenance
- Street curb and gutter cleaning

**Upcoming Projects**

- Change over Mason Street lights to LED

**Response to Resident's Comments**

In response to issues raised by Kathleen Coalter in her letter to Council Dated July21, 2016:

1. "I look over into the parking lot next to Patrick Hand's condos and can see three dumpsters right in the heart of town."

*We are considering alternative locations for these cardboard receptacles*

2. "The sand has remained on the sidewalk on the northwest end of Mason and also on the pier where many of the townspeople and tourists walk.... The flower beds were rapidly being weeded during the holiday weekend and I feel this should have begun sooner."

*Public works has worked hard to keep the pathways clear of sand. The dredged sand is much finer than what we are accustomed to dealing with. The crew was busy during April and May working on the Central Park Playground, which left little time for some of the other projects they would normally spend more time on and completed sooner.*

3. "The gutters on our streets are filled with weeds, mud, and standing water."

*Public works is working hard on the curbs and gutters.*

4. "..., I noticed a metal spike of about 1 1/2 inches sticking up from the sidewalk"

*I looked for the spike but was unable to locate it.*

5. “The west side of the street is multi-level and not marked and it is very easy for someone who is window shopping to trip and fall.”

*Noted*

6. “The sidewalk on the East side of the street has a large opening over an exposed drain pipe than could easily catch a foot”

*This opening is the result of the property owner making a cut in the curb to accommodate a storm drain. It would be up to the property owner to maintain this.*

## Recreation Department

August 2016

1. Staff met with a representative from the Community Service Board on September 1, 2016 to discuss the Eastern Shore Out Of Darkness walk that will take place on September 24. The walk will begin at 4 p.m., followed by food and live music. There will be a showing of Disney's Inside Out at 7 p.m. on the beach. All license and permits have been obtained and liability insurance has been provided to the Town.
2. The Color Run will return to Town on October 22 for the second year. This is a twist to a regular 5K. Color stations are set up at various points and runners are splashed with a safe color powder. This event is a fundraiser for the Northampton Wrestling team and a portion of the proceeds are shared with Karren Paglia who has been battling brain cancer.
3. Fall scheduling is available for the Recreation Department and will be included with report.
4. Staff met with Tammy Holloway about possibly expanding the Cookie Trail to include a few homes since the Progressive Dinner Tour will not be held this year. This is in the very early stages and Council will be updated with further planning. Tammy also shared many great ideas for manageable events to take place during the shoulder season. Communications will continue and Council will be updated as plans are made.
5. The Soccer League at Trinity Methodist Church has begun. Staff has seen many postings by parents on Facebook and it looks like a great turn out and a great time!

 <p><b>TOWN OF CAPE CHARLES</b></p>	<b>AGENDA TITLE:</b> Cape Charles Community Trail		<b>AGENDA DATE:</b> September 15, 2016
	<b>SUBJECT/PROPOSAL/REQUEST:</b> Status report.		<b>ITEM NUMBER:</b> 7A
	<b>ATTACHMENTS:</b> None		<b>FOR COUNCIL:</b> Action ( ) Information (X)
	<b>STAFF CONTACT (s):</b> Bob Panek, Asst. Town Manager	<b>REVIEWED BY:</b> Brent Manuel, Town Manager	

**BACKGROUND:**

Council adopted the Master Trail Plan on September 11, 2007. This multi-use trail is being constructed in phases. Eighty percent of the cost is funded by Federal grants under the Transportation Alternatives Program (TAP), administered by the Virginia Department of Transportation (VDOT) and twenty percent by the Town. To date, \$3.4M of grant funding has been awarded. About \$1M was utilized for the Master Plan and for design, engineering and construction of Phase 1 in Central Park. About \$1.6M is being utilized for Phase 2 – north Peach St. and Washington Ave. About \$0.8M is reserved for Phase 3 - south Peach St., and any funding shortfall to complete Phase 2.

**DISCUSSION:**

Phase 2 is now under construction by Kevcor Contracting Corporation. The start of construction was delayed somewhat due to an extended review of the Storm Water Management plan by the Department of Environmental Quality. We will need to add a Filtera system to one of the drop inlets on Washington Ave. to remove additional phosphorous generated by the project. This will be done via a contract change order. The contractor has accomplished the following: installed the rip rap over the storm water outfall at Bay and Washington Aves., excavated about half of the trail route on Washington Ave., milled the asphalt for the median and storm water system on Peach St., completed about half of the curbing, sidewalk and driveway demolition, installed the storm water system on Peach St., and commenced electrical conduit installation.

In mid-September the contractor will commence concrete installation, as well as demolition and storm water system work on the western portion of Washington Ave.

The project estimate is about \$2.0M, including utility relocation (\$35K), construction engineering and inspection (12%), VDOT oversight (1.15%) and a contingency reserve (5%). We anticipate that Phase 2 construction will be completed in late fall.

**RECOMMENDATION:**

Provided for information only.

 <b>TOWN OF CAPE CHARLES</b>	<b>AGENDA TITLE:</b> Planning Commissioner Re-appointments		<b>AGENDA DATE:</b> September 15, 2016
	<b>SUBJECT/PROPOSAL/REQUEST:</b> Reappoint members to Planning Commission		<b>ITEM NUMBER:</b> 8A
	<b>ATTACHMENTS:</b> None		<b>FOR COUNCIL:</b> Action (X) Information ( )
	<b>STAFF CONTACT (s):</b> Larry DiRe, Planner	<b>REVIEWED BY:</b> Brent Manuel, Town Manager	

**BACKGROUND:**

The Planning Commission serves as an advisory body to the Town Council for planning-related matters and consists of seven members each serving four-year terms.

**DISCUSSION:**

Dennis McCoy and Dan Burke currently serve as Planning Commissioners and their terms expire on October 31, 2016. They have both expressed their interest in continuing their service on the Planning Commission for another term.

**RECOMMENDATION:**

Staff recommends Council reappoint Messrs. Dennis McCoy and Dan Burke to the Planning Commission for another four-year term.

 <p><b>TOWN OF CAPE CHARLES</b></p>	<b>AGENDA TITLE:</b> Board of Zoning Appeals Member Re-appointment		<b>AGENDA DATE:</b> September 15, 2016
	<b>SUBJECT/PROPOSAL/REQUEST:</b> Reappoint members to Board of Zoning Appeals		<b>ITEM NUMBER:</b> 8B
	<b>ATTACHMENTS:</b> None		<b>FOR COUNCIL:</b> Action (X) Information ( )
	<b>STAFF CONTACT (s):</b> Larry DiRe, Planner	<b>REVIEWED BY:</b> Brent Manuel, Town Manager	

**BACKGROUND:**

The Board of Zoning Appeals (BZA) is a quasi-judicial body appointed by the Town Council and approved by the Circuit Court of Northampton County. The BZA hears zoning appeals and reviews variance and special exception applications. The Board consisted of five members each serving five-year terms.

**DISCUSSION:**

Jay Wiegner, currently serves as the Vice Chair of the BZA, and his term is due to expire on October 31, 2016. He has expressed his interest in continuing his service on the BZA for another term.

**RECOMMENDATION:**

Staff recommends Council reappoint Mr. Jay Wiegner to the Board of Zoning Appeals for another five-year term.