



TOWN COUNCIL

Special Meeting

Town Hall

October 27, 2011

6:00 PM

At 6:00 p.m., Vice Mayor Chris Bannon, having established a quorum, called to order the Special Meeting of Town Council. In addition to Vice Mayor Bannon, present were Councilmen Bennett, Sullivan and Veber and Councilwoman Natali. Mayor Sullivan and Councilman Evans were not in attendance. Also present were Town Manager Heather Arcos, Town Planner Tom Bonadeo and Town Clerk Libby Hume. There were no members of the public in attendance.

Heather Arcos announced the business for the evening would be as follows: i) Review of the Technology Zone Ordinance; ii) Cape Charles Community Trail 2011 Transportation Enhancement Grant Application; iii) Cape Charles Trail Project Agreement Amendment; and iv) Proclamation for Rosenwald School.

A. *Technology Zone*

Tom Bonadeo stated that the Technology Zone had been discussed at previous meetings and the documents included in the agenda packet were a review of the ordinance as discussed in the past, an administrative procedure requested at the last work session and a copy of another procedural document from the Town of Kilmarnock.

The areas of previous discussion were as follows: i) The definition of a Qualified Technology Manufacturing Business which stated “as defined in another jurisdiction of the Commonwealth” which meant that the Town could use any definition in any existing technology zone in the state and allowed the most flexibility without writing every definition in our code. This feature was used by other localities in the State; ii) “Marine Installation” could be changed to “Marine Technology Installations” and could be added to the Manufacturing definition by adding “Marine Technology Development;” iii) The requirement to participate was originally listed as 25 new employees and \$1M capital investment. Many localities have a minimum and maximum such as 5 new employees and \$250K to qualify for 25% grant and 25 or more new employees and \$1M or more to qualify for up to 100% grant; iv) A question was posed about the existing tax relief programs. Tom Bonadeo explained the various existing tax relief programs as follows: i) Enterprise Zone was offered by the County and the Federal Government; ii) Real Estate Rehabilitation Tax Relief was available from the County and Town for commercial building rehabilitation and the County only for residential buildings. With this program, the tax assessment would be frozen for 10 years at the pre-rehabilitation amount if the improvements were to increase the value of the property by at least 60%. The Town currently did not offer tax relief for residential but this may be an issue Council might want to look at in the future since there are many residential buildings in Town needing rehabilitation; iii) Historic Rehabilitation Tax Credits was available from the State and Federal Governments for commercial building rehabilitation and from the State only for residential buildings.

Council proceeded to review the proposed ordinance and the administrative flowchart. Councilman Bennett stated that he still felt that 25 people was a lot to require and that potential businesses should be able to hire less employees and still get 100% of the grant. Several areas may be able to do something with 25 or more employees but the majority of areas in Town would not provide enough opportunity, but if the recommended numbers were what were used

by most localities, he was okay with keeping the language as recommended. Tom Bonadeo stated that he had talked to other localities and this concept provided the administrator with flexibility depending on the stability of the company applying for the grant.

Heather Arcos stated that if there were no other changes or concerns, the proposed ordinance would be sent to the attorney for review. Heather Arcos added that she would like to include this item on the November agenda to schedule a public hearing in December.

Tom Bonadeo stated that Councilwoman Natali provided several suggestions to Libby Hume earlier in the day but no substantial changes were made.

B. Cape Charles Community Trail 2011 Transportation Enhancement Grant Application

Heather Arcos stated that the Town was applying for additional transportation enhancement funding to complete construction of Phase 1B-North Peach Street and Phase 2-Washington Avenue which were important phases that would help provide much needed, safe pedestrian connections on the north side of the Town to Central Park, the beach and Marina Village. In this application, the Town was requesting \$251,878 with a 20% Town match of \$62,970 which included both cash and in-kind contributions. Heather Arcos stated that this amount included an amount for storm drain repairs in case it was needed. The Town would not know if it was needed until the survey had been completed. Also included were funds for the median on Peach Street as well as a 3% escalation cost.

Tom Bonadeo explained the Cape Charles Community Trail Highlights and Heather Arcos added that Washington Avenue would be basically a long sidewalk with plantings alongside.

Heather Arcos informed Council that, to date, the Town had been awarded \$1.7M since 2003. A letter of support had been received from the Citizens for Central Park to accompany the application and she was expecting several more letters.

Councilman Bennett stated that he would like to see the Trail Plan back on the agenda to review the order of priority after Washington Avenue.

Motion made by Councilwoman Natali, seconded by Councilman Bennett, to adopt Resolution #20111027 – Virginia Transportation Enhancement Program Project Endorsement Resolution and authorize staff to file a Transportation Enhancement Grant Application as discussed. Resolution #10111027 was adopted by unanimous vote. Roll call vote: Bannon, yes; Bennett, yes; Natali, yes; Sullivan, yes; Veber, yes.

C. Cape Charles Trail Project Agreement Amendment

Heather Arcos stated that in November 2007, as part of the Phase 2 design and construction, the Town submitted an application for a Transportation Enhancement Program Grant in the amount of \$307,403. In June 2011, the Town was awarded \$307K and the Amendment to Project Development and Administration Agreement (Appendix A) must be executed for the Town to accept the funds.

Motion made by Councilman Bennett, seconded by Councilwoman Natali, to authorize the Town Manager to execute the Amendment to Project Development and Administration Agreement (Appendix A). The motion was approved by unanimous consent.

D. Proclamation for Rosenwald School

Heather Arcos stated that the Cape Charles Rosenwald School Restoration Initiative (CCRSRI) was holding a ceremony for the unveiling of the historic marker for the Rosenwald School on

Old Cape Charles Road. Tom Bonadeo added that he had spoken to the owner of the property and permission was granted to permit parking on the property for this event.

Heather Arcos continued to state that the CCRSRI requested Council adopt a Proclamation commemorating this event and a letter be written by the Mayor to be placed in the souvenir brochure for the event. The Town had also purchased a full-page advertisement in the brochure. Copies of the letter and advertisement were distributed along with a revised proclamation. Heather Arcos added that Councilman Bennett had concerns regarding the reference to Jim Crow segregation so the language was revised. Councilman Bennett stated that he felt the era of Jim Crow segregation held a negative connotation and preferred not to have it referenced in the Proclamation.

Heather Arcos stated that the unveiling ceremony was scheduled for November 19th at 11:00 AM and Vice Mayor Bannon would be acting on behalf of Mayor Sullivan. Official invitations would also be mailed to the Council members.

Motion made by Councilman Sullivan, seconded by Councilman Bennett, to adopt Proclamation #20111027 – Cape Charles Rosenwald School. The motion was unanimously approved. Roll call vote: Bannon, yes; Bennett, yes; Natali, yes; Sullivan, yes; Veber, yes.

Vice Mayor Bannon informed Council of a challenge from a benefactor of the Cape Charles Memorial Library. The benefactor pledged \$8K for the Library if the Town Council, Town of Cape Charles, Library Board, etc. could raise at least \$8K towards the future home and plans of the Library.

Motion made by Councilwoman Natali, seconded by Councilman Veber, to adjourn the Town Council Special Meeting. The motion was approved by unanimous consent.

Vice Mayor Bannon

Town Clerk