



TOWN COUNCIL
Public Hearing
St. Charles Parish Hall
February 9, 2012
6:00 p.m.

At 6:00 p.m. Mayor Dora Sullivan, having established a quorum, called to order the Public Hearing of the Town Council. In addition to Mayor Sullivan, present were Vice Mayor Bannon, Councilmen Bennett, Evans, Sullivan and Veber and Councilwoman Natali. Also in attendance were Town Manager Heather Arcos, Assistant Town Manager Bob Panek, Town Planner Tom Bonadeo and Town Clerk Libby Hume. The Department Heads were also in attendance along with 17 members of the public.

Mayor Sullivan announced that the evening's Public Hearing was to hear public comment regarding the sale of the former school and the proposed modifications to the Subdivision Ordinance (Appendix A, Section 2 of the Cape Charles Zoning Ordinance).

PUBLIC COMMENTS:

A. Sale of Former School

Frank Wendell, Cape Charles

Mr. Wendell presented a picture of the old high school to the Town and stated that he had philosophical and grave concerns regarding the idea of giving away public property that the Town should have been maintaining. He stated that he had concerns and reservations about the Town entering into an agreement for \$1 for the sale of the school. He added that he realized that the building was in poor shape and hoped that we were not rushing to judgment. He found out how far the Council had proceeded down this path a few days ago and did not know that the sale was to be voted on tonight. He entered into discussions with several of the Council members who entertained him graciously with his questions. He questioned whether the Town had all the information needed to make this decision even with the dire state of affairs with the building. He had spoken with several Council members about the idea of preserving the base aspects of the auditorium and gymnasium to be used for Council meetings and they did not know if Echelon Resources would be agreeable to that. He went to the Internet and found an old school in Hopewell, Virginia which went through this process about a year and a half ago and printed out several pages which he distributed amongst Council. Under amenities, it stated that an auditorium was available for events and he felt that Council needed to negotiate for the availability for a Town meeting hall or space in a building. His sister made some phone calls and talked to Mr. John M. Altman, Jr., Hopewell's Assistant City Manager for Development, who faxed their agreement with Echelon Resources which showed a clause where the "developer shall restore, preserve and maintain the auditorium in the school as part of the project consistent with DHR requirements and approvals. The developer must make the auditorium available for use by the general public. Any charge for use must be reasonable..." Mr. Wendell stated that he found out in two hours more than what some Council members have found out in six months

about what can be negotiated in the interest of this town. Mr. Wendell stated that it was his hope that the school could be used for public space. He realized that there were harsh realities of what one entity or government could afford however he did not know what could make Cape Charles so different than Onancock which created a community/cultural arts center in their former high school. Our town government did not see this as a real possibility. He had hoped that the Citizens for Central Park, which did such a great job with the grounds of the school, could extend their vision and inspiration to the 100-year old building which was owned by the community. He would hold out his hope that the community could still rally around saving the school. Mr. Altman informed his sister that they did not sign anything until they knew what the deal was. It seemed that we've put the cart before the horse in proceeding to sign before Echelon Resources had informed us of what they planned to do. One of the Hopewell Council members had negotiated as a proffer, the building of a clubhouse, with a cost of approximately \$100K, for the football team at the old football field which was adjacent to the school building.

Ms. Lisa Harman interjected that the Town of Hopewell sold their building for \$100 but nothing was signed until all the negotiations were finalized. There was a clause in the agreement that if the project were not completed within a certain timeframe, the property would revert back to the Town. There were a lot of things that she felt the Town should look into before signing the agreement. Mr. Altman told her that he would be happy to talk to anyone regarding the project and other communities had come to Hopewell to look at their project.

Mr. Wendell continued and pointed out language in Ordinance #20120209 regarding the "historic rehabilitation of the building which now suffers from significant deferred maintenance and repair;" and added that there was something wrong with the picture when the Council had chosen not to spend the money for 10+ years to maintain the building to comply with its building ordinances and then use it as a reason to sell the building for \$1 without fully examining the ability to negotiate a better deal for the citizens of the Town. Mr. Wendell again expressed his hope that the Citizens for Central Park would broaden their view and partner with the Town. The Citizens for Central Park would be eligible for the tax credits and they had a good working relationship with the Town. The idea that the Council would feel like they had no choice but this because some enlightened citizenry did not step forward and lead the charge begs the question why one would seek public office in the first place if they weren't going to look out for the collective assets, however deteriorated some of them may be. Mr. Wendell went on to state that he hoped that if a deal had to be made, Council would put on their thinking caps to get a better deal. Did the Town really want to forgo the idea of an expanded library, a community center, a meeting place and a location to help anchor the many functions planned for the park through the good work of the Citizens for Central Park? Mr. Wendell concluded by asking Council to be more prudent and not rush into a deal without doing more due diligence.

Lisa Harman, Cape Charles

Ms. Harman stated that her sentiments were in agreement with Mr. Wendell's comments. They were both raised in Cape Charles and the school was a big part of the Town. She stated that she understood the fact that it was badly in need of repair.

She asked Council to look over the document she supplied and added that she was not sure whether any of the Council members had visited any of the projects completed by this company and added that it might be something Council may want to do before signing the agreement.

There were no written comments submitted prior to the hearing.

B. Proposed Modification to the Cape Charles Zoning Ordinance – Subdivision Ordinance Modifications (Appendix A, Section 2)

No one signed up to speak regarding this topic and no written comments were submitted prior to the hearing.

With no more comments to be heard, Mayor Sullivan closed the Town Council Public Hearing by unanimous consent.

Mayor Sullivan

Town Clerk