



TOWN COUNCIL
Work Session
Cape Charles Civic Center
February 12, 2015
6:00 PM

At approximately 6:00 p.m., Mayor George Proto, having established a quorum, called to order the Town Council Work Session. In addition to Mayor Proto, present were Councilmen Bennett, Brown and Wendell and Councilwoman Natali. Vice Mayor Bannon and Councilman Godwin were not in attendance. Also in attendance were Interim Town Manager Bob Panek, Treasurer Deborah Pocock, Code Official Jeb Brady, Town Planner Larry DiRe and Town Clerk Libby Hume. There were no members of the public in attendance.

A. *FY 2015 Mid-Year Review Update:*

Deborah Pocock reviewed the summary of changes made to the Capital Improvement Plan resulting from discussion at the February 5, 2015 Budget Retreat as follows: i) Pine Street Parking Lot was re-phased to build a trash management facility in FY 2016 and parking lot in FY 2017; ii) Added \$50K placeholder in FY 2017 and FY 2018 for Mason Avenue Streetscape Improvements; iii) Added \$30K in FY 2018 for a beach pavilion on the north end; iv) Added \$100K to increase jetty height in FY 2017; v) Beach Safety – moved \$10K from FY 2016 to FY 2015 for a designated swimming area and \$26K from FY 2016 to FY 2017 for lifeguard equipment; vi) Moved the basketball court from FY 2016 to FY 2017; vii) Moved Improve and Landscape Drainage Areas in Central Park from FY 2017 to FY 2016; viii) Moved Video Security Systems from FY 2017 to FY 2016; ix) Revised cost estimate for Dashboard Cameras to \$22K based on current quotes; x) Moved Enterprise Resources Planning/Financial Management System from FY 2017 to FY 2016; xi) Revised cost of HVAC for Second Floor of Library to \$10K; xii) Moved the Chloramine System from FY 2016 to FY 2015; xiii) Moved Keck Wells Pipeline from FY 2016 to FY 2017; xiv) Revised cost estimate for Manhole Refurbishment from \$100K to \$40K; xv) Moved Emergency Generator for Mason Avenue Pump Station from FY 2016 to FY 2017; and xvi) Added \$100K to “Beyond” column for Membrane Replacement.

The revised FY 2015 New Project Proposals were also reviewed. The following was included in the General Fund: i) \$2K for Harbor for the Arts Festival Marketing; ii) \$1K for a Tourism Brochure and Map; iii) \$11K for the Compensation Study Implementation as of March 1, 2015; iv) \$50K for the purchase of the Strawberry Street Plaza; v) \$20K was estimated for the Leased Parking Lot Improvements; vi) \$10K for the 100% Design and Bid for the Pine Street Lot Trash Management Area; and vii) \$10K for the Beach Swimming Area Safety Measures. The Water/Sewer Fund included: i) \$8,800 additional cost for a truck in the water/sewer department; and ii) \$33K for the Water Plant Chloramine System. The total re-directed expenditures amount to \$145,800. \$43,200 would be reserved for a potential Rainy Day Fund and \$21K would remain in the Contingency budget.

Bob Panek stated that a report would be presented at next week’s regular meeting to amend the budget to accommodate these changes.

B. *Planning Commission Update:*

Larry DiRe reported the following: i) The Planning Commission and Town Council held a joint public hearing and special meeting on February 3, 2015 regarding the proposed modifications to the Cape Charles Zoning Ordinance, Article VI-Flood Plain District. No comments were heard. After some discussion regarding insurance premiums, requirements of mortgage companies and homeowners' associations, the Commissioners recommended that the Town Council approve the modifications as presented. Per the recommendation from the Commission, the Town Council adopted the revised Flood Plain District ordinance by unanimous vote; ii) At their March 3 meeting, the Commissioners would be reviewing the final draft of the Comprehensive Plan. The Commissioners had recommended a joint work session with the Council to review the changes. The Tourism Zone, which was last on the Planning Commission agenda in October 2014, would also be reviewed again by the Commission. Former Planner Rob Testerman was scheduled to meet with Andrew Follmer, president of the Cape Charles Business Association, but the meeting was postponed when Rob resigned. Larry DiRe stated that he had been in contact with Mr. Follmer and a meeting would be scheduled. There was some discussion regarding the typically seasonal nature of tourism-related businesses. The businesses would pay the necessary fees up front and would be rebated a portion of the fees paid depending on the criteria for the incentives being met; iii) The Historic District Review Board (HDRB) held a special meeting on January 27th to review a number of violations at 404 Jefferson Avenue regarding dormers, sliding glass doors and a stairway that were installed which were not on the approved plans necessitating the issuance of a stop work order. The property owner apologized to the HDRB explaining that he was very busy with his current number of projects; iv) The HDRB would be meeting on February 17th regarding administrative issues and to review the By-Laws, Historic District Guidelines, etc.; v) There was no business for the Board of Zoning Appeals to review; and vi) A permit application was received from the Virginia Marine Resources Commission (VMRC) for a pier project outside of the town limits. The VMRC was notified and put in contact with Northampton County representatives.

Bob Panek stated that the Mayor suggested reconsideration of the HDRB application fees, especially in regards to emergency meetings due to violations or other situations. Larry DiRe would bring the issue to the HDRB for their recommendation to Council.

Larry DiRe stated that the County's Zoning Ordinance Public Information Meeting was scheduled for next Thursday beginning at 7:00 p.m. at Kiptopeke Elementary School. Mayor Proto stated that it was the intention for all Council members to attend the meeting.

C. *Code Enforcement Update:*

Jeb Brady gave an overview of construction growth and code enforcement of existing structures. (Please see attached.)

There was some discussion regarding the definition of a bedroom and Council requested the Planning Commission review the definition from the Federal Housing Administration (FHA) and other resources to draft an appropriate definition for the Town.

Jeb Brady asked for Council guidance regarding possible demolition if the structure could not be brought into compliance. In the past, Council had been reluctant to demolish contributing structures in the National Historic District. After much discussion regarding safety issues and fire hazards of many of these structures, Council was in agreement to proceed with demolition as a last resort if the property owner was

unable or unwilling to repair the structure. If taxes were owed on a property, the Town could pursue a tax sale. The demolition cost per structure was approximately \$3K - \$4K.

D. *Harbor Development Update:*

Mayor Proto and Councilman Bennett updated Council regarding their meetings with South Port Investors relating to their future plans. The Town had provided South Port with all the necessary information for them to process but was still awaiting submittal of their project plans for approval. Councilman Bennett added that South Port wanted to begin the project immediately, but the Harbor Area Review Board (HARB) process had not been started yet and the proper steps needed to be followed. South Port was also interested in purchasing parcels 19 and 20 which were currently leased from the Town. South Port would be obtaining appraisals and submitting their proposals to purchase the parcels. Their plan was to sell individual sites vs. subleasing which was a difficult process.

Bob Panek added that the purchase option was outlined in the lease and the Town held a public hearing when the parcels were leased to South Port so the public process requirements had already been met. South Port was aware of the HARB process and the need to obtain a Harbor Certificate before beginning any work on the planned projects.

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

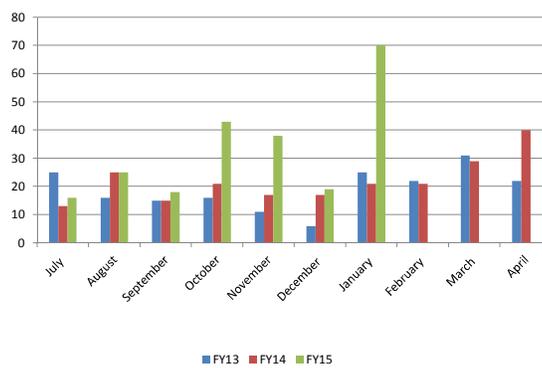
Mayor Proto

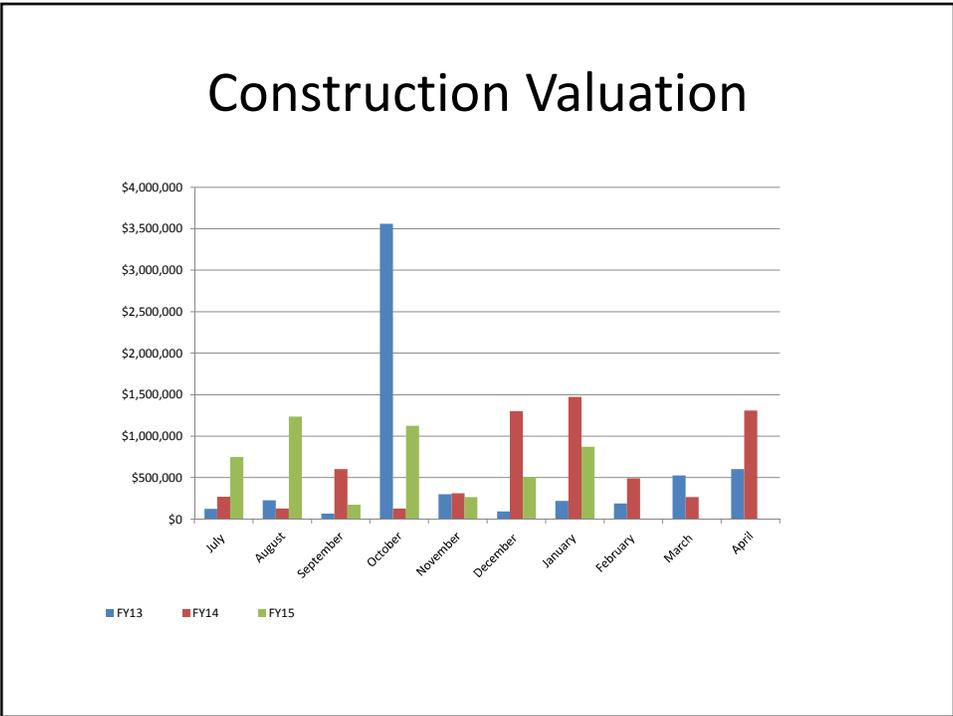
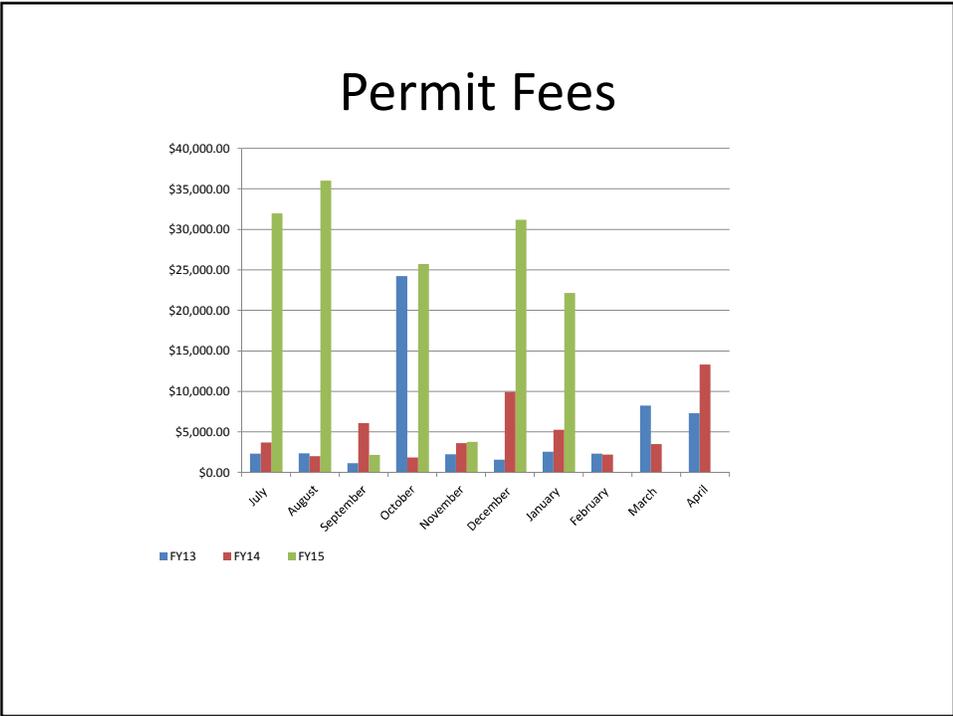
Town Clerk

Construction Growth Overview

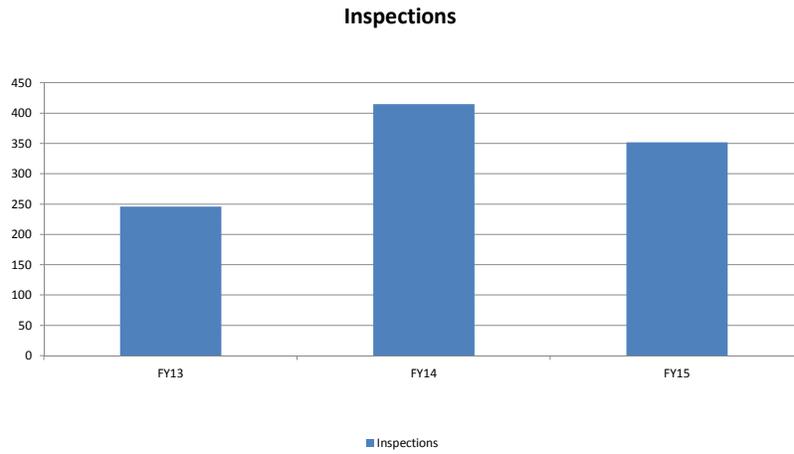
Numbers put together from FY13, FY14 and through January 31 FY15

Permits Issued

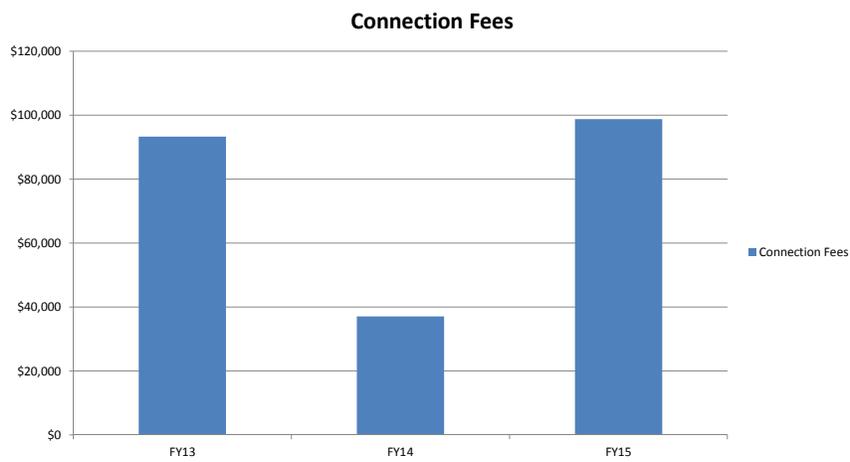




Inspections



Connection Fees



Code Enforcement

Existing Structures Enforcement

To Date

Demolitions from January 2004 – Present

1. 300 Mason Avenue – December 2014 – Owner	No
2. 654 Randolph Avenue – December 2014 – Owner	Yes
3. 721 Tazewell Avenue – November 2014 – Owner	No
4. 413 Jefferson Avenue – July 2014 – Owner	No
5. 316 Jefferson Avenue – July 2013 – Owner	No
6. 529 Jefferson Avenue – June 2013 – Owner	Yes
7. 505 Randolph Avenue – October 2009 – Owner	Yes
8. 606 Jefferson Avenue – July 2009 – Owner	Yes - rebuilt
9. 304 Jefferson Avenue – July 2009 – Owner	Yes
10. 526 Strawberry Street – July 2009 – Owner	Yes
11. 619/621 Madison Avenue – September 2008 – Owner	Yes
12. 225 Madison Avenue – May 2008 – Owner	Yes
13. 603/605 Jefferson Avenue – March 2008 – Town	Yes
14. 510 Plum Street – February 2008 – Owner	Yes - rebuilt
15. 529 Peach Street – February 2008 – Owner	No
16. 551 Mason Avenue – December 2007 – Owner	Yes
17. 325 Madison Avenue #8 – October 2007 – Owner	No
18. 547 Madison Avenue – September 2007 – Owner	Yes
19. 504 Plum Street – September 2007 – Owner	Yes
20. 622/624 Plum Street – August 2006 – Owner	Yes
21. 501 Plum Street – August 2006 – Owner	No
22. 504 Washington Avenue – August 2006 – Owner	No
23. 404 Jefferson Avenue – September 2006 – Town	No
24. 528 Peach Street – December 2006 – Owner	No
25. 225 Madison Avenue Accessory Structure – December 2006 – Owner	No
26. 636 Madison Avenue Front Porch – January 2007 – Owner	Yes
27. 526 Strawberry Street Accessory Structure – February 2007 – Owner	No
28. 624 Jefferson Avenue Accessory Structure – March 2007 – Owner	No
29. 518 Peach Street Accessory Structure – March 2007 – Owner	No
30. 609 Fig Street – March 2007 – Owner	Yes
31. 109 Randolph Avenue Accessory Structure – August 2004 – Owner	No
32. 322 Randolph Avenue – April 2004 – Owner	Yes
33. 522 Jefferson Avenue – August 2004 – Owner	No
34. 539 Monroe Avenue Accessory Structure – June 2004 – Owner	No
35. 610 Washington Avenue – December 2004 – Owner	Yes
36. 616 Plum Street – April 2005 – Owner	Yes - rebuilt

Randolph House

- Taxes & Utilities owed in excess of \$14,000
- Structure been vacant for 15+ years
- No substantial permits issued since inception of Town Building Official
- Suffering from Demolition by Neglect
- Recent complaints received

Plum Street House

- Taxes owed in excess of \$1,500 4+ years
- No utility account open on property
- Structure has been vacant for 15+ years
- Rebuilding structure cost prohibitive vs. tearing down and building new.

Jefferson Avenue Commercial

- Structure in major state of disrepair
- Prohibiting future construction on the block
- Up to date on taxes and utilities
- Not a contributing structure to the Historic District
- Recent complaints received

Jefferson Avenue Residential

- Sat in state of disrepair for some time
- Recently changed hands at county auction
- Hoping that owner would show interest in fixing up
- About \$800 in back taxes in utilites owed
- Recent complaints

Items of note

- House on Plum near school was bought at auction and has a current permit to do a facelift of the structure. (windows, siding, roofing, painting)
- Old barber shop on Jefferson Avenue is under contract and have been working with buyers on options of the property. Potential to tear down and build a house.