



**TOWN COUNCIL
Regular Meeting
Civic Center
December 17, 2015
6:00 p.m.**

At approximately 6:10 p.m. Vice Mayor Chris Bannon, having established a quorum, called to order the Regular Meeting of the Town Council. In addition to Vice Mayor Bannon, present were Councilmen Bennett and Godwin, and Councilwoman Natali. Mayor Proto and Councilmen Brown and Wendell were not in attendance. Also in attendance were Town Manager Brent Manuel, Assistant Town Manager Bob Panek, Treasurer Deborah Pocock and Town Clerk Libby Hume. The Department Heads were in attendance as well as five members of the public.

Police Officer Jake Leuer led the attendees in the recitation of the Pledge of Allegiance.

RECOGNITION OF VISITORS / PRESENTATIONS

A. *Presentation of Certificates of Appreciation*

Vice Mayor Bannon presented the following certificates of appreciation: i) Councilman Godwin accepted the certificate for the Cape Charles Rotary Club in recognition for their Road Clean-Up Day on November 7, 2015 where 14 Rotary Club members worked along Stone Road cleaning up the area and collected 10 large trash bags of plastic, glass and other items; ii) Bob Panek accepted the certificate for the Cape Charles Yacht Club for their Road Clean-Up Day on October 3, 2015 where 12 Yacht Club members working along Old Cape Charles Road cleaning up the area and collecting nine bags of trash; and iii) Councilwoman Natali accepted the certificate for the Citizens for Central Park for their donations and hard work planting new flower beds and ground cover and removing dead shrubs in Central Park on October 31, 2015.

PUBLIC COMMENTS:

Bill Prickett, 210 Tazewell Avenue

Mr. Prickett addressed the Council regarding the playground equipment which was item 8A on the agenda. Mr. Prickett continued to state the following: i) He worked with the Citizens for Central Park (CCP) with the fundraising efforts for the playground. They received a lot of support from the Town and its citizens; ii) A large donation was received from the Cape Charles School Alumni who felt a great amount of pleasure from seeing children playing in the park. Their donation helped bring the amount raised close to the goal of funding for the project; iii) He also served on the evaluation team for the playground equipment and endorsed the staff recommendation wholeheartedly. He added that it was very gratifying for him to serve on the team. The playground would be a great amenity for the children to use for years to come. He went on to request Council approval for the Town Manager to award the contract for option 1 which was to fully fund the equipment for completion in one phase. Mr. Prickett concluded by thanking Council for the opportunity to speak and wished everyone a Merry Christmas.

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 Councilwoman Natali, seconded by Councilman Godwin, 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 October 15, 2015 Regular Meeting, the November 5, 2015 Joint Work Session with the Planning Commission, the November 5, 2015 Work Session, the December 3, 2015 Special Meeting, the December 3, 2015 Work Session and the December 3, 2015 Executive Session.

Motion made by Councilman Godwin, seconded by Councilwoman Natali, to approve the minutes from the October 15, 2015 Regular Meeting, the November 5, 2015 Joint Work Session with the Planning Commission, the November 5, 2015 Work Session, the December 3, 2015 Special Meeting, the December 3, 2015 Work Session and the December 3, 2015 Executive Session as presented. The motion was approved by unanimous vote.

DEPARTMENT REPORTS:

A. *Treasurer's Report:*

Treasurer Deborah Pocock reviewed the Treasurer's report dated November 30, 2015 which showed the Total Cash on Hand of \$1,443,405, the Total Cash Held in Reserve was \$1,465,370 and the Total Cash – All Accounts was \$2,908,775. Deborah Pocock went on to review the Debt Service, Revenue vs. Expenditures, the FY 2016 Capital Improvement Project Tracking Report, the YTD 2016 Real Estate, Personal Property, Machinery and Tools Tax & 2016 License Tax Collections, the YTD Prior Year Real Estate Tax, Personal Property Tax, Interest and Penalty Collections and the Three Year Revenue Comparison.

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

B. *Planning Commission and Boards:*

Town Planner Larry DiRe stated that he received the application for Harbor Development Certificate and a Harbor Area Review Board Meeting was scheduled for December 21, 2015 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.

Councilman Godwin asked about the Fire Department levies. Jeb Brady explained that in FY 2005/2006, the Council approved allocation of 20% of permit fees to the volunteer fire companies to assist them with equipment purchases to enable them to hook into the town's fire hydrants. 80% of the allocation was paid to the Cape Charles Volunteer Fire Company and 20% was paid to the other area fire companies.

Town Harbor:

Acting Harbor Master Barbara Michaux was not in attendance.

Cape Charles Memorial Library:

Librarian Ann Rutledge reported the following: i) The library participated in this year's Festive Fridays. The first week, the library had 84 visitors and there were 110 visitors last week; ii) The Friends of the Cape Charles Memorial Library (FOL) were doing a wonderful job with the Afternoon Tea Parties. So far, the events had sold out; and iii) Ann Rutledge stated that she had a great staff.

Police Department:

Police Chief Jim Pruitt was not in attendance.

Public Utilities/Public Works Departments:

Public Utilities/Public Works Director Dave Fauber stated that VDOT would be coming back to town next week to continue their street sweeping project.

Councilman Bennett asked about the high phosphorus average of 1.42. Dave Fauber stated that in August, the phosphorus numbers went up considerably, most likely because six mixers had to be pulled from the tanks for repairs. Once the numbers were elevated, it was difficult to get the average back down within acceptable limits. Staff was working with the engineers to rectify the problems. There was some discussion of possible fines which amounted to approximately \$10K per tenth of milliliter above the acceptable annual average of .3 mg/l.

Recreation Department:

Recreation/Community Events Coordinator Jen Lewis stated that she did not have anything to add to her written report. There were no questions from Council.

OLD BUSINESS

There was no Old Business to review.

NEW BUSINESS:

A. *Playground Equipment Contract Award:*

Bob Panek stated that competitive negotiation, which was permitted per state code effective July 1, 2015, was used for this project. A request for proposals was issued and three proposals were received. An evaluation panel, consisting of Jen Lewis, Dave Fauber and Bill Prickett from the CCP, reviewed the proposals and narrowed the field down to two vendors for negotiation. Site Concepts, LLC, provided the best value and best warranty. There would be two play areas – one for two-five year olds and one for five-twelve year olds. The Town allocated \$15K for the project with the expectation that \$15K per year would be raised over a two-year period. The fundraising efforts were more successful than anticipated with over \$30K raised to date. The largest donors were the Citizens for Central Park, Cape Charles Rotary Club and the Cape Charles School Association. Mr. Hank Mayer from the CCP also secured a grant from Northampton County for the playground equipment.

Bob Panek went on to review the two options – i) re-allocate \$5K to complete the entire playground project this year; and ii) defer \$5K worth of equipment for installation in FY 2016-2017. Bob Panek went on to thank the Public Works crew for removing the existing equipment. The Public Works crew along with community volunteers would be installing the new equipment when received.

There was some discussion regarding the engineered wood fiber which was a special mulch for playgrounds that had to be installed at a 10” depth. Staff spoke to the vendor regarding a rubberized surface which had to be installed over concrete or a highly compacted base at a cost of approximately \$15 per square foot. To cover the area, the cost would have been as much as the equipment.

Motion made by Vice Mayor Bannon, seconded by Councilman Bennett, to approve option 1 to complete the project this year. The motion was approved by unanimous vote.

Councilman Bennett stated that the initial budget estimated the project at \$60K over two years and commended everyone for raising the funding to do the entire project in one phase.

B. *Town Code Modification to Article X-Offenses Regarding Animals:*

Brent Manuel stated that this issue had been discussed in a work session and continued to review the proposed changes. § 50-194 was a new addition to the Town Code which would bring the Town into compliance with the Code of Virginia and appoint the Northampton County

animal control officer(s) as the Town's agent to enforce the provisions of the animal control ordinance.

Motion made by Councilwoman Natali, seconded by Councilman Bennett, to adopt Ordinance #20151217-Modifications to Town Code Article X – Offenses Regarding Animals. The motion was approved by unanimous vote. Roll call vote: Bannon, yes; Bennett, yes; Godwin, yes; Natali, yes.

VICE MAYOR AND COUNCIL COMMENTS

Vice Mayor Bannon wished everyone a fantastic Christmas and a happy new year. He invited everyone to the Epiphany Party which was scheduled for January 16, 2016, beginning at 6:00 p.m. at the Cape Charles Volunteer Fire Company. All auction proceeds would benefit the Cape Charles Museum and Welcome Center. Last year over 160 people attended the event.

Councilman Godwin commented as follows: i) He applauded Libby Hume for her thoughtfulness and caring for the Council with her Christmas gifts and assistance throughout the year. He was grateful to her for her patience for those that needed extra patience and assistance; and ii) He also thanked the Northampton County Board of Supervisors for sending him a Christmas card addressed to the Honorable Thomas Godwin.

Councilman Bennett did not have any additional comments.

Councilwoman Natali wished everyone a merry Christmas and happy new year and added that she seconded Councilman Godwin's comments regarding Libby Hume.

Vice Mayor Bannon expressed his thanks to the entire Town staff.

ANNOUNCEMENTS

- December 18, 2015 – Town offices closed from noon – 2:00 p.m. for Employee Christmas Luncheon
- December 24-25, 2015 – Town Offices closed for Christmas holiday
- December 31, 2015 – 2nd Annual Dropping of the Crab Pot, 10:00 p.m.
- January 1, 2016 – Town Offices closed for New Year's Day
- January 7, 2016 – Town Council Work Session, 6:00 p.m.
- January 11, 2016 – FOL Afternoon Tea, 3:00 p.m. – Sold Out
- January 12, 2016 – Mayor's Office Hours, 2:00 p.m. – 3:00 p.m.
- January 15, 2016 – Town Offices closed for Lee-Jackson Day
- January 16, 2016 – Epiphany Party
- January 18, 2016 – Town Offices closed for Martin Luther King Jr's Birthday
- January 21, 2016 – Town Council Regular Meeting, 6:00 PM.
- January 26, 2016 – Mayor's Office Hours, 6:00 p.m. – 7:00 p.m.

Motion made by Councilwoman Natali, seconded by Councilman Godwin, to adjourn the Town Council Regular Meeting. The motion was approved by unanimous vote.

Vice Mayor Bannon

Town Clerk

**MUNICIPAL CORPORATION OF CAPE CHARLES
TREASURER'S REPORT
November 30, 2015**

CASH POSITION

Cash on Hand	10/31/2015	11/30/2015	Increase/(Decrease)
Shore Bank Checking Account	\$ 322,590	\$ 820,746	\$ 498,156
Shore Bank Money Market Account	\$ 225,931	\$ 226,027	\$ 96
LGIP Account 1 - Unrestricted	\$ 97,513	\$ 97,513	\$ -
LGIP Account 2 - Unrestricted	\$299,070	\$ 299,118	\$ 48
Total Cash On Hand	\$ 945,105	\$ 1,443,405	\$ 498,300

Restricted and Reserved Cash Balances	10/31/2015	11/30/2015	Increase/(Decrease)
Shore Bank Savings Account - Facility Fees Reserved (Utilities)	\$234,501	\$234,501	0
Shore Bank Checking Account - Police Funds	\$431	\$431	0
LGIP Account 2 - Restricted for USDA Police Vehicle loans	\$10,875	\$10,875	0
PNC Account- 2013 Bond Proceeds - Principal	\$958,993	\$958,993	0
PNC Account- 2013 Bond Proceeds - Interest	\$2,590	\$2,939	349
Shore Bank Checking Account - E-Summons Revenue Reserved	\$20	\$50	30
US Bank - Reserved per VRA Interest Free Loan Requirements	\$257,589	\$257,582	(6)
Total Cash Held in Reserve	\$ 1,464,998	\$ 1,465,370	\$ 372
Total Cash - All Accounts	\$ 2,410,103	\$ 2,908,775	\$ 498,672

DEBT SERVICE

<u>Next Debt Service Payments:</u>	<u>Due Date</u>	<u>Amount</u>
2006B VML VACO	1/20/2016	\$24,945.00

REVENUE VS. EXPENDITURES

FUND	CURRENT MONTH	PRIOR YEAR-TO-DATE	CURRENT YEAR-TO-DATE	INCREASE/ (DECREASE) YTD	ANNUAL BUDGET	% REALIZED/ EXPENDED FY15
GENERAL						
REVENUES	502,595	1,014,673	974,978	(39,695)	4,158,455	23.45%
EXPENDED	113,329	867,477	996,551	129,075	4,050,514	24.60%
NET	389,267	147,197	(21,573)	(168,769)	107,941 surplus to harbor	
PUBLIC UTILITIES						
REVENUES	147,619	741,521	790,063	48,542	1,723,011	45.85%
EXPENDED	51,121	644,950	585,955	(58,995)	1,723,011	34.01%
NET	96,498	96,571	204,108	107,537	0	
HARBOR						
REVENUES	29,163	463,925	431,502	(32,423)	1,965,837	21.95%
EXPENDED	35,474	493,176	442,800	(50,376)	2,073,778	21.35%
NET	(6,310)	(29,251)	(11,298)	17,953	(107,941)	
SANITATION						
REVENUES	15,308	74,488	77,899	3,411	175,300	44.44%
EXPENDED	13,057	55,143	57,592	2,449	175,300	32.85%
NET	2,252	19,345	20,307	963	0	

FY 2016 Capital Improvement Project Tracking Report

As of:
11/30/2015

	FY16 Status or Start Date	Percent of Completion	FY16 Budgeted	FY16 QTR 1 Expended	FY16 QTR 2 Expended	FY16 QTR 3 Expended	FY16 QTR 4 Expended	FY16 YTD Expended	(Over)/Under Budget
General Fund									
Enterprise Management System (Finance)	Contracted	0%	\$ 55,069	\$ -	\$ -	\$ -	\$ -	\$ -	55,069
Replacement Police Vehicle	Complete	103%	\$ 26,000	\$ -	\$ 26,668	\$ -	\$ -	\$ 26,668	\$ (668)
Police vehicle cameras & software	Complete	91%	\$ 10,600	\$ -	\$ 9,640	\$ -	\$ -	\$ 9,640	\$ 960
Code Enforcement Vehicle	Complete	100%	\$ 25,302	\$ 26,125	\$ -	\$ -	\$ -	\$ 26,125	\$ (823)
Public Works Tractor	Postponed pending USDA Grant	0%	\$ 35,000	\$ -	\$ -	\$ -	\$ -	\$ -	35,000
Mason St Parking Improvements	Almost complete	72%	\$ 20,000	\$ 9,216	\$ 5,235	\$ -	\$ -	\$ 14,451	\$ 5,549
Sidewalk Repair Program (VDOT grant 50%)	Research phase	0%	\$ 20,000	\$ -	\$ -	\$ -	\$ -	\$ -	20,000
Pine St Parking/Waste Mgmt Design	In progress	9%	\$ 60,000	\$ -	\$ 5,517	\$ -	\$ -	\$ 5,517	\$ 54,483
Strawberry Street Plaza Purchase/Improvements	Pending	0%	\$ 70,000	\$ -	\$ -	\$ -	\$ -	\$ -	70,000
ArtWalk - Wayfinding Signage	Pending	0%	\$ 10,000	\$ -	\$ -	\$ -	\$ -	\$ -	10,000
Central Park Playground Equipment (phase 1)	In progress	0%	\$ 30,000	\$ 46	\$ 58	\$ -	\$ -	\$ 103	\$ 29,897
Cape Chas Multi-Use Trail Phase 2	In progress	1%	\$ 1,570,000	\$ 4,486	\$ 3,677	\$ -	\$ -	\$ 8,163	\$ 1,561,837
Security Cameras for Beach, Park, Civic Center	Research phase	0%	\$ 10,000	\$ -	\$ -	\$ -	\$ -	\$ -	10,000
subtotal			\$ 1,941,971	\$ 39,873	\$ 50,795	\$ -	\$ -	\$ 90,667	\$ 1,796,235
Water Fund									
Automatic Flush (2 & 3 of 5)	1st complete, 2nd pending	65%	\$ 20,000	\$ 12,371	\$ 573	\$ -	\$ -	\$ 12,944	\$ 7,056
Valve Exerciser (shared cost)	Complete	100%	\$ 3,500	\$ 3,400	\$ -	\$ -	\$ -	\$ 3,400.00	\$ 100
subtotal			\$ 23,500	\$ 15,771	\$ 573	\$ -	\$ -	\$ 16,344	\$ 100
Sewer Fund									
Valve Exerciser (shared cost)	Complete	100%	\$ 3,500	\$ 3,400	\$ -	\$ -	\$ -	\$ 3,400	\$ 100
Plum & Mason Pump Station Engineering	In progress	2%	\$ 165,000	\$ 2,695	\$ 997	\$ -	\$ -	\$ 3,692	\$ 161,308
Manhole Rehab	Near completion	62%	\$ 41,792	\$ 17,396	\$ 8,448	\$ -	\$ -	\$ 25,844	\$ 15,948
subtotal			\$ 210,292	\$ 23,491	\$ 9,445	\$ -	\$ -	\$ 32,936	\$ 177,356
Harbor Fund									
Breakwater	Preconstruction mtg. Nov 24	2%	\$ 860,000	\$ 20,396	\$ 216	\$ -	\$ -	\$ 20,612	\$ 839,388
Truck	Transferred from Code Enf.	100%	\$ 10,000	\$ 10,000	\$ -	\$ -	\$ -	\$ 10,000	\$ -
subtotal			\$ 870,000	\$ 30,396	\$ 216	\$ -	\$ -	\$ 30,612	\$ 839,388
TOTAL		6%	\$ 2,835,471	\$ 86,040	\$ 51,584	\$ -	\$ -	\$ 170,560	\$ 2,635,722

MUNICIPAL CORPORATION OF CAPE CHARLES
November 30, 2015

YTD 2015 Real Estate Tax Collections

Total Land Value	\$	204,870,500	
Total Improvement Value	\$	<u>205,290,456</u>	
Total Real Estate Value	\$	410,160,956	

11/30/2015

Total Budgeted	\$	1,079,374	
Total Bills Mailed	\$	1,117,105	
Total Adjustments	\$	-	
Total Collected YTD	\$	<u>347,100</u>	32%
Amount Due	\$	770,005	

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

Total Personal Property Value	\$	14,603,900	
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11/30/2015

Total Budgeted FY15	\$	135,500	
Total Bills Mailed	\$	201,042	
Total Adjustments	\$	(3,766)	
Total Collected YTD	\$	<u>92,417</u>	68%
Amount Due	\$	104,860	

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

11/30/2015

Total Budgeted FY 2015	\$	100,000	
Total Collected	\$	<u>25,280</u>	25%
Amount Anticipated/Over	\$	74,720	

Three Year Revenue Comparison

