

TOWN COUNCIL

Minutes -Regular Session April 12, 2005

At approximately 7:30 p.m. on April 12, 2005, Mayor Francis A. "Frank" Lewis called to order the regular session of Town Council. In addition to Mayor Lewis, Council members, Sullivan, Brown, Davis, Elliott, Evans, and Veber were present. Also present were Town Manager Tim Krawczel, acting Town Planner, Cela Berge, several members of Town Staff and approximately 22 members of the Public.

Councilman Davis led the invocation and Vice-Mayor Brown led the Pledge of Allegiance.

Public Comments

Joan Natali – Was representing Bill Shockley who was ill and unable to attend the meeting. Ms. Natali detailed the progress of the Farmers Market describing the concept as being a farmers' cooperative which would be a feeder pool of local produce to be sold at specified sites. Sites might include the towns of Exmore, Chertown, Cape Charles and Chincoteague. Ms. Natali indicated future plans would include a small refrigerated building as a collection point which would keep the produce fresh longer. Ms. Natali asked that the Town support the Farmer's Market by written commitment of assignment of a piece of land which could be used for the Market.

Berkley Rayfield – Mr. Rayfield presented a short update on the progress of the Jubilee Jam. Mr. Rayfield submitted and explained the site plan including a raised area for staging as well as vendor sites and comfort stations. He also asked for permission to use the tennis courts for basketball activities and an area for a volleyball court. Mr. Rayfield then asked the town for help in funding the security as well as funding the comfort stations.

Martin Mendelsohn – Letter read into file: The purpose of this letter is for Cape Charles' consideration of the attached draft proclamation. See copy of attached proclamation.

Melvin Dudley – Mr. Dudley stated on December 15, 2004 he came before the Council with several items that needed attention. The only item on the list which has been corrected was replacing the dolphin statue at the beach. He indicated his dismay at the length of time it is taking to get the light on the flag fixed. Manhole covers and street signs were also an issue he had previously addressed with no conclusion.

Robert Stubbs - Mr. Stubbs was addressing the Council on behalf of the Cape Charles Volunteer Fire Department. He indicated there was a security issue with the locks on the doors of the portion of the building leased from the Town and asked for financial help in replacing the locks. The estimated total cost of the upgrade is \$4,500. The Fire Department asked for funding from the

Town of approximately \$2,200.

Chuck Little – Mr. Little commented on the sand on the beach access at the end of Randolph Ave. had gotten to a point of almost 3 feet deep. He suggested we abandon the ramp on the end of Randolph Ave. as it exists and run the ramp in the other direction. The natural force of the wind should keep the sand at a reasonable level for access saving the Town energy and time in upkeep.

Rich Wagner - Mr. Wagner indicated he was speaking on behalf of the business people of Mason Avenue. He brought up the point we are going into the busy season for 2005 – an extremely vulnerable time. Mr. Wagner stated the following points:

1. Speak positively. Discuss only what's right and not what is wrong.
2. Buy in town – Eat in town.
3. Clean up what can be cleaned.
4. Don't park on Mason Ave. Let the Public park in front of the stores.
5. The trash issue for the commercial properties needs to be addressed. Is it possible for the Town to supply someone to pick up the garbage on a daily basis?

Consent Agenda

The motion was made by Councilman Brown, seconded by Councilman Davis and unanimously approved to accept the agenda format as amended (change the following to action items: item 4A, 5A & B, A under old business, E under new business, F, and G. 7K needed to be added to set a date for Public Hearing to move the Poling Place from the Public School to Trinity United Methodist Church Social Hall.)

Report Presentation

A. Treasurer's Report:

See Council Packet Report

A motion was made by Councilman Veber seconded by Councilman Brown and unanimously approved to accept the Treasurer's Report as presented.

B. Planning Commission

Tom Bonadeo, Chairman of the Planning Commission briefly highlighted the last Planning Commission meeting:

- a) 239 Mason Ave amend Conditional Use Permit
- b) Text Amendment to Village District – detailed discussion over building heights
- c) Candidates to fill Planning Commission vacancies
- d) Parking Study - perception.
- e) Transportation workshop
- f) AIA Grant program

Motion to accept the Planning Commission recommendation to amend the Condition Use Permit for the property located at 239 Mason Ave. made by Councilman Veber, seconded by Councilman Brown and unanimously approved.

Motion to approve Text amendment changes with the changes indicated made by Councilman Brown, seconded by Councilman Evans and unanimously approved.

Old Business

A. Board and Commission appointments – Planning Commission and Library Board

Tonight a resignation was submitted by Brenda Dunton, Chairman of the Building Code of Appeals. A time for interviews was scheduled for Monday, April 18, 2005 at 5:30.

New Business

A. Update on Country Store

Tim Krawczel stated a correction to be made that the Town of Cape Charles purchased the contents of the Country Store not *from* but *with* the Country Store. Marian Naar spoke highlighting the history of the Country Store and the purchase of the contents. She pointed out the funding of the purchase was from fund raising, grant money and a loan from the Town of Cape Charles in the amount of \$25,000. The intention was to pay the balance of the loan by May 1, 2005; unfortunately, the Historical Society is about \$14,600 short of their goal. Ms. Naar asked for an extension for payment of the balance due.

Motion to allow an extension of the loan made by Councilwoman Sullivan, seconded by Councilman Davis and unanimously approved.

B. Training for Local Board of Building Code of Appeals

Limited discussion.

Motion to allow the Town Manager to approve that each member of the Board of Building Code of Appeals attends one CORE training program of the Virginia Building Code Academy this year and that the Town pay the costs of attendance, including tuition and travel, and if needed lodging and meals when appropriate made by Council Brown, seconded by Councilman Veber and unanimously approved.

At this point, Mayor Lewis interrupted the meeting to introduce the new Harbor Master, William "Smitty" Dize.

C. Spring Cleanup

Town Manager, Tim Krawczel, outlined the planned process and asked Council for their input. Discussion ensued over the contract with Waste Management' i.e. dumpsters, commercial pick up of garbage. Additional discussion held over tree plantings and painting of curbs.

D. Summer Events Schedule

Tim Krawczel announced the proposed events and the dates they should occur.

E. Reconnection fee for Water and Sewer

Tim Krawczel led this discussion by first reading the existing code. The \$80.00 fee was discussed as incidental, it is a cost to cover administrative fees and it gets the attention of the bill payer. Discussion also held concerning the 15 day payment due.

Motion to reduce \$80.00 fee to \$30.00 made by Councilman Brown, seconded by Councilman Veber and unanimously approved.

F. Police Policy and Procedure Manual

Tim Krawczel explained the process to this point and asked the Council for a recommendation to develop an in-service training program oversee its execution through Chief Eder and make each police officer accountable for an orderly and thorough review of the Manual. Mr. Krawczel also addressed the issue of a FOIA request for the contents of the Police Manual in that certain sections according to Virginia Code are not available for Public review.

G. Downtown and Harbor Design – AIA Grant Application

Tim Krawczel gave an overview of the Grant Program and why the Town should try to take advantage of the opportunity. He indicated the design guidelines would be helpful in designing the update to the Comprehensive Plan.

H. Update on Major Capital Projects

- Bidding for pier project ends April 14, 2005
- Breakwater application is on VRMC agenda for May 16, 2005

I. Proposed Agenda for Town Council Retreat

Retreat is April 20 – 22, 2005. Discussed and added items to the agenda. It was emphasized by Mayor Lewis that retreats are public meetings but they are work sessions. The Public is invited to attend, but no Public Comments are received due to the nature of the session.

J. Agenda for Long term Transportation Workshop

Tim Krawczel described the reasoning behind the workshop which will be held April 14 & 15, 2005. He indicated this workshop would be yet another useful tool in completing the Comprehensive Plan Update.

K. Set date for Public Hearing on Moving the Polling Place

Mayor indicated due to the disrepair of the Cape Charles Community Center the polling place must be moved. The United Trinity Methodist Church meets the ADA requirements and is in the middle of Town so would be a logical replacement. It was agreed by all the Public Hearing would be held on May 10, 2005 at 7:00.

Motion to adjourn was made by Councilman Davis, seconded by Councilman Evans and unanimously approved.

Vice - Mayor

Town Clerk