

**TOWN COUNCIL**  
**Regular Session**  
**June 27, 2006**  
**7:30 p.m.**

At approximately 7:30 p.m. in the Town Council Chambers, Mayor Frank Lewis called to order the Regular Session of the Town Council. In addition to the Mayor, present were Council members Charles “Sambo” Brown, Dora Sullivan, Gerald Elliott, Bruce Evans, and Larry Veber (James Davis arrived after the gavel sounded). Also present were Town Manager Tim Krawczel, Town Clerk Joy Pelletier, Town Treasurer Pat Buckley, Town Planner Jason Pruitt, several members of staff and approximately 23 members of the Public.

As James Davis was late in arriving, there was no invocation; Councilman Brown led the Pledge of Allegiance.

**Swearing-In of Newly Elected Town Council Members – Traci Johnson, Clerk of Circuit Court**

Dora Sullivan was sworn in as Mayor for the term of July 1, 2006 thru June, 2010.

Gerald Elliott, John Burdiss, and Chris Bannon were sworn in as Council members for the term of July 1, 2006 thru June, 2010.

**Public Comments**

*Melvin Dudley - 303 Madison Ave*

Mr. Dudley commented on the following: graffiti and broken windows on buildings around the Town; 6 out of 18 streetlights on Mason Ave. not working – he understands we are waiting on an electrician to fix; covers on manholes need attention – in 2004 he presented a list of 37 covers which needed to be raised, the list is now down to 23; the yellow caution strips on the broken sidewalks was a great idea, what happens next to those broken sidewalks?; the Beach renewal is wonderful and has been maintained so nicely each day; congratulations to the Town employees for staying in the confines of spending as the housing starts were not as high as expected.

**Motion made by Councilman Brown, seconded by Councilman Evans to approve the agenda format as modified and approve the minutes of May 9, 2006, May 30, 2006, May 22, 2006, May 25, 2006, and June 15, 2006, as presented.**

**Report Presentations**

A. *Treasurer's Report* – see attached. Brown approved as amended Elliott

B. *Planning Commission* - see attached

**Old Business**

\*A. *Adoption of FY 2006-7 Budget*

Public Hearing on June 15, 2006 ad in paper had one speaker – asked for discussion

**Motion made by Councilman Brown, seconded by Councilman Evans and unanimously approved to adopt the fiscal year 2006/2007 budget as advertised. Polled vote: Sullivan, yes; Brown, yes; Davis, yes; Elliott, yes; Evans, yes; Veber, yes.**

*\*B. Amendment of FY 2005-6 Budget*

Town Manager Tim Krawczel spoke concerning the number of capital improvement projects that had been planned for the year and indicated some would be carried into the new fiscal year. He also mentioned the lack of housing starts affected the permit fees, tap fees and BPOL taxes causing variances in the budget. Mr. Krawczel clarified that the amended budget did not affect any current expenditures but brought the budget closer to actual expenditures making it cleaner for the auditors to digest.

**Motion made by Councilman Evans, seconded by Councilman Brown and unanimously approved to accept the amended budget to align it with actual spending for the year. Polled vote: Sullivan, yes; Brown, yes; Davis, yes; Elliott, yes; Evans, yes; Veber, yes.**

*\*C. Boundary Line Adjustment Update: Northampton County Comp Plan Policies for Town Edge Areas*

Tim Krawczel directed the Council to the draft letter which was composed as a response to the Northampton County 2006 Comprehensive Plan Update. Mr. Krawczel summarized the letter for the Council and asked for further direction.

**Motion made by Councilman Evans, seconded by Councilman Elliott and unanimously approved to authorize the Mayor to send the attached draft letter as amended to the Northampton County Board of Supervisors.**

*D. Update on Procurement of Fire Truck*

Cape Charles Fire Department Chief, Steve Wilson reported to Council the aerial ladder fire truck that had been approved for purchase was damaged during the final testing prior to being shipped. He further reported the sustained damage to the truck was so severe the insurance company filed the truck as a total loss. Chief Wilson asked that the funds that had been budgeted to purchase the truck remain available in order to acquire a different truck.

Chief Wilson stated the trucks we currently have are not sufficient to handle the height of the newly constructed buildings; therefore, our Fire Company must rely on help from Cheriton. The Chief went on to relay information about a recent rescue that was made for which Cheriton Fire Department had to be summoned. He stated no injuries were sustained; however, the rescue took 32 minutes which could have been reduced significantly if we had the proper equipment. He also mentioned the fire insurance rating for the Town would be significantly improved if we had the new truck but the Fire Company's main goal was the proper protection for the citizens of the Town.

Town Manager, Tim Krawczel, interjected that he had spoken with M&W Fire to find specifications for an appropriate truck and to find the proper specifications for procurement advertising. Mr. Krawczel indicated it was best to be clear on the needs prior to putting out a request for proposal. He also indicated grants and fund raising would be researched.

**Motion made by Councilman Brown, seconded by Councilman Elliott and unanimously approved to continue to support the Cape Charles Fire Department in their efforts to purchase a new fire truck.**

E. *Request for Funding from Historical Society*

Mayor Frank Lewis reminded Council that at the Public Hearing for the 2006/07 fiscal year budget the Historical Society had made a request for an additional \$2,000 to help as matching funds for the TEA 21 grant to renovate the Bloxom Train Station.

**Motion made by Councilman Brown, seconded by Council Veber to increase the amount budgeted for the Historical Society for the Fiscal Year 2006/2007 by \$2,000.00.**

**New Business**

\*A. *Release of Waco Chemical Holding Tank Lease*

Mayor Lewis informed the Council that Waco Chemical has changed the manner in which they handle the horse shoe crabs, so no longer need the tank and equipment. The Mayor stated Waco Chemical had asked to be released from their lease. Tim Krawczel interjected that Waco owes back rent of \$1200.00 and Council should consider this in making a decision.

**Motion made by Councilman Evans, seconded by Councilman Brown and unanimously approved to terminate the lease with Waco Chemical as of June 30, 2006 with the stipulation that the letter to Waco include the Town relinquishes no right to collect past due rents, and Waco must remove all equipment from the property.**

\*B. *Northampton County Ordinance Imposing Minimum Separation Distances Between Wells and Septic Systems*

Mayor Lewis mentioned this item had come before Council in the past. He explained the Board of Supervisors of Northampton County wished to pass an ordinance imposing minimum separation distances: subsurface absorption systems and wells for the health and safety of the Northampton County residents and had asked if the Town of Cape Charles was interested to be included in the ordinance. He further explained the Town had declined the invitation due to our current ordinances which indicate all new development in Cape Charles is required to connect to public water and sewer which is provided by the Town. Discussion followed indicating this is a serious matter, and if the Town had a boundary adjustment it may become an issue. A suggestion was made the Town write a letter to say we would write an ordinance to parallel the County's ordinance with the stipulation the original ordinance not be negated. Bruce Evans indicated the spirit of co-operation was important in making the boundary adjustment successful.

**Motion made by Bruce Evans, seconded by Dora Sullivan and approved with four ayes and two nays (Councilmen Veber and Brown) that the Town write an ordinance mirroring the County ordinance making sure we get legal clearance that says the new ordinance will not negate our current ordinance that says we do not allow septic tanks in the Town of Cape Charles.**

\*C. *Amendment of Holiday Schedule - 4<sup>th</sup> of July*

Mayor Lewis pointed out our Personnel Policies indicate holiday time mirrors that of the State and County. In this particular case, the State is closed on the 3<sup>rd</sup> of July, but the County remained open due to scheduling of Court; however, a few of the County offices would also be closed.

**Motion made by Council woman Sullivan, seconded by Councilman Evans and approved with four ayes and two abstentions to close the Town Offices on July 3<sup>rd</sup> to celebrate the Independence Day Holiday.**

\*D. *Regional Water Supply Planning Grant*

Tim Krawczel noted that recent changes to the Code of Virginia require all counties, cities and towns to develop a local or regional water supply plan to ensure water is available during times of drought. He went on to describe the regional water supply plan proposed

by the Accomack-Northampton Planning District Commission. Mr. Krawczel indicated to Council the two options available were to join the regional plan or develop one of our own by the year 2010. A detailed discussion followed with included a suggestion to speak with DEQ and to research whether the Town of Cape Charles can be part of the study without being a part of the regional program.

**Motion made by Councilman Brown, seconded by Councilman Evans and unanimously approved to table this item until the July meeting.**

**Announcements**

*A. Recognitions of Service for Mayor and Departing Members of Town Council*

Mayor Lewis took this time to thank the staff for their dedication and attitude of co-operation over the past four years. He stated there was never anything that he had asked for that hadn't been accomplished which made a difficult job easier. He also thanked the Citizens of the Town for their support and for volunteering their time to the various Boards, Commissions, and Committees.

Councilman Veber stated he learned from the Mayor and he appreciated the great strides made over the past years. He, too, thanked the people who donated their time to help in various functions. Councilman Veber closed by saying he felt honored to have worked with Council.

Councilman Davis said over the past eight years he had given the best he had.

*B. Conference for Newly Elected Municipal Officials – July 19-21*

Mayor Lewis encouraged everyone to attend the conference in its entirety if possible. He also made note that Dora Sullivan was not the Mayor until July 1, 2006 at 12:01 a.m. so until then, please hold all questions.

**Motion made by Councilman Brown, seconded by Councilman Evans and unanimously approved to adjourn the meeting.**

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Mayor

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Town Clerk