



Town Council Regular Session March 13, 2007 7:30 p.m.

At approximately 7:30 p.m. in the Town Council Chambers, Mayor Sullivan called to order the Regular Session of the Town Council meeting. In addition to Mayor Sullivan, present were Council woman Mary Harris, and Councilmen Brown, Burdiss, Bannon, Evans, and Elliott. Also present were interim Town Manager Robert Panek, Town Planner Jason Pruitt, several members of staff and approximately 20 members of the public.

Councilman Burdiss led the Invocation and Councilman Brown led the Pledge of Allegiance.

Mayor Sullivan then introduced Mr. Robert L. Panek who would be acting as the interim Town Manager. She stated he had been in the finance sector for over 30 years.

Public Comments

Melvin Dudley - 303 Madison Ave.

Mr. Dudley's first comments were complimentary towards Jennifer Parks for having all the street signs in Cape Charles replaced or repaired; however, he has noticed two signs are now missing. He suggested that someone other than himself should ride through town at the beginning of each month to check on missing signs.

Mr. Dudley's next comments were complimentary towards the former Town Manager, Tim Krawczel, and he expressed dismay over Mr. Krawczel's resignation.

The last comment was directed towards the presentation made by Police Chief David Eder to the Citizens for Central Park board meeting. He encouraged the Council to set up a Town Hall meeting to direct the information to the residents of Town.

Councilman Chris Bannon at this point concurred that the presentation generated a new awareness and agreed Council should have Chief Eder present the same information to the Public.

Russ Dunton - 5 Monroe Ave

Mr. Dunton addressed the expansion of the Historic District Review Board increasing the membership by two members, one of which would also be a member of the Planning Commission. Rather than create an additional review board to handle the design guidelines of the new Harbor District, the HDRB would handle both. He suggested the Board not be expanded until the design guidelines for the Harbor District were adopted.

The second comment made by Mr. Dunton was the imbalance of members of Boards. His example was the Planning Commission which was composed of newer residents of Town. No one on the Planning Commission had been a lifetime resident of the Eastern Shore. With a balance of new and old residents, new ideas would be presented and old ways and design could also be presented.

The last comment made by Mr. Dunton referred to the Tree Ordinance. He stated he was opposed to the ordinance and that it should be revisited. Although much of the work was good, portions of the ordinance infringe on landowner rights. Mr. Dunton suggested some of those items be presented in a voluntary fashion.

Motion made by Councilman Brown, seconded by Councilman Bannon and unanimously approved to add item D to New Business “consideration of the Tree Ordinance” and add item C to Old Business “GPS Lease”.

Motion made by Councilman Burdiss, seconded by Councilman Bannon and unanimously approved to amend the minutes of February 15, 2007, Regular Session.

REPORT PRESENTATIONS

A. Treasurer’s Report

Motion made by Councilman Brown, seconded by Council woman Harris and unanimously approved to accept the Treasurer’s report as presented.

B. Planning Commission

See attached.

Town Planner, Jason Pruitt also announced the Planning Commission had decided they may need to move to two meetings per month. When the need arises, they will meet on the third Monday of the month.

C. Public Works

Mayor Sullivan read the attached report as prepared by Public Works Director Jennifer Parks.

Councilman Evans interjected that Ms. Parks had scheduled to meet with the forestry representative from ~~VDOT~~ Delmarva Power (revised 4-10-07) to see if they will renew their previous offer to cut trees that are dead or damaged or are trimmed beyond repair. Previously they had committed to do this at no charge, but the Town would then have the responsibility of removing the stump. However, ~~VDOT~~ Delmarva Power (revised 4-10-07) would then plant a tree of ~~their choosing~~ the Town’s choice from a catalog of appropriate trees for the particular planting site (revised 4-10-07).

Councilman Bannon stated that in the last 20 years there had only been one occasion that all the street lights on Mason Ave. had worked. He asked if the upgrading does not work, would the Town consider looking at replacing the lights. He further stated the amount of money spent on repair would have covered the cost.

D. Harbor Report

See attached.

Harbor Master Dize reported that the previous month he and the Town Manager Tim Krawczel had made a presentation to the Virginia Port Authority to ask for funding. Mr. Dize stated he was happy to report the Authority had granted the full \$243,199 for the harbor wave break project.

He also reported he hired Kent Pruitt as Harbor Assistant. He retired as a Captain from the Coast Guard after 23 years.

OLD BUSINESS

A. Community Development Block Grant Resolution

Building Official Doug Smith presented the item to Council. He presented a resolution to Council which outlined the commitment of the town to the Block Grant process and asked Council for their decision whether on not to move forward.

Councilman Burdiss confirmed the components of the Block Grant which were to be: housing rehab, sidewalk replacement and repair and storm water drainage repair. The two major changes to the resolution were the decreased amount of funds committed by the Town and the decreased amount of in-kind services and overhead services. The Mayor read the resolution of all to hear.

Motion made by Councilman Elliott, seconded by Councilman Brown and unanimously approved to approve the resolution. Polled vote: Evans, yes; Elliott, yes; Brown, yes; Harris, yes; Burdiss, yes; Bannon, yes.

B. T&W Block Lease

Interim Town Manager Bob Panek asked Council to reconsider the proposed recommendation of approving the lease agreement; rather, move the item to Public Hearing.

Motion made by Bruce Evans, seconded by Gerald Elliott and unanimously approved to advertise for public hearing the lease agreement with T&W Block. Motion amended by Bruce Evans, seconded by Gerald Elliott and unanimously approved to have the attorney approve the process and lease, then send for Public Hearing prior to the Town Council meeting scheduled for April 10, 2007.

C. Corps of Engineers – GPS

Motion made by Councilman Brown, seconded by Councilman Burdiss and unanimously approved to send the lease agreement to Public Hearing after review by the attorneys. The Public Hearing would be held prior to the meeting scheduled for April 10, 2007.

NEW BUSINESS

A. Information Technology Recommendations

Interim Town Manager, Bob Panek, stated this item was for informational purposes, only. He reported the IT consultant, Mike Sullivan, had made several recommendations to Council for correction of security and documentation deficiencies. He reported the corrections involved both physical improvements as well as software modifications and may take 60 to

80 hours to complete. Mr. Panek said he would keep the Council updated as the work progressed.

B. Historic District Review Board Membership.

Mayor Sullivan briefly stated the reasons for the increase in membership.

Councilman Evans responded to Russ Dunton's previous comments by reporting Ken Kuttler of the Planning Commission has volunteered to fill the Planning Commission slot on the Historic District Review Board. He further agreed with Mr. Dunton that the increase in membership should not take place until the ordinance was approved and the guidelines for Harbor District were adopted.

Motion made by Councilman Evans, seconded by Councilman Brown and unanimously approved to postpone the increase in membership and the public hearing for the change in the Zoning Ordinance until the Harbor District guidelines were ready for adoption.

B. Signature Authority

Mayor Sullivan briefly described the item.

Motion made by Bruce Evans, Seconded by Chris Bannon and unanimously approved to remove the past Town Manager as an authorized signer from the Town's bank accounts and the ADP account and add the interim Town Manager as authorized signer on the Town's bank accounts and as the signatory on the ADP payroll account.

D. Tree Ordinance Public Hearing

Motion made by Chris Bannon, seconded by Mary Harris and unanimously approved to hold a Public Hearing prior to the April 10, 2007 meeting to hear comment on the Tree Ordinance.

ANNOUNCEMENTS

Spring clean-up will take place Monday, April 16, 2007 through Friday, April 21, 2007. Charges will be waived for pick up of bulky items.

Council Retreat will be held at Aqua on April 24, and 25, 2007. The Public is Welcome.

A workshop will be held on March 15, 2007 at 4:00 p.m. on the draft revenue.

Senator Nick Rerras will hold a Town Meeting on March 31, 2007 at 8:30a.m. in the Cape Charles Fire Hall.

Councilman Bannon mentioned that Accomack County had three representatives at the Legislature to lobby for their over the increase in electrical rates. Northampton County had no representation.

The Renovators Ball will be held March 24, 2006 in the Fire Hall. Tickets are still available at a cost of \$35.00. The funds raised will benefit the Central Park and the Volunteer Fire Company.

Motion to adjourn the Regular Session of the Town Council made by Councilman Bannon, seconded by Councilman Brown and unanimously approved.

Mayor

Town Clerk