



Town Council
Regular Session
April 10, 2008

St. Charles Parish Hall

At approximately 7:00 p.m. in the Social Hall of the St Charles Parish Hall, Mayor Dora Sullivan called to order the Regular Session of the Town Council. In addition to Mayor Sullivan present were Councilmen Dudley, Evans, Bannon, Elliott, Brown and Burdiss. Also present were Town Manager Joe Vaccaro, Assistant Town Manager Heather Arcos, Town Clerk Joy Pelletier, several members of staff and approximately 12 members of the public.

Mayor Sullivan announced the first order of business was to hear public comment on two items: a Conditional use Permit for 309 Mason Ave and a Conditional Use Permit for Bay Shore Concrete Products.

No one chose to comment.

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

PUBLIC COMMENTS

Scott Walker – Washington Ave.

Motion made by Councilman Brown, seconded by Councilman Bannon and unanimously approved to accept the agenda as presented with the change of moving the Recreational report to be the first department report.

Motion made by Councilman Brown seconded by Councilman Bannon and unanimously approved to accept the minutes as presented.

REPORT PRESENTATIONS

Parks & Recreation

Jimmy Marvel summarized the different activities that had occurred over the past month with included a Cub Scout “park clean up day” a dance held on March 28, 2008 for the youth, Northampton Co. High School Tennis Team using the Tennis courts for planned matches, new park benches installed and an upcoming street ball tournament planned for April 2, 2008.

Treasurer’s report

Town Treasurer Paul Skolnick briefed the Council on the financial status of the Town (see attached report). He also commented on the recent tax assessments and how they would affect the tax rate for the upcoming budget year.

Motion made by Bruce Evans, seconded by Sambo Brown and unanimously approved to accept the Treasurer’s report as presented.

Planning Commission

Town Planner Tom Bonadeo briefed the Council (see minutes of April 2, 2008 and April 21, 2008).

Historic District Review

Tom Bonadeo again briefed the Council on what had occurred at the last meeting (see minutes of April 15, 2008)

Public Works/Utilities

Public Works/Utilities Director Dave Fauber presented an overview of what had taken place over the previous month: landscaping projects throughout Town, treatment plant polishing pond cleaned, began installation of HVAC unit for municipal building, construction begun on park gazebo, cross training of employees, drilling of new east well (water quality should be improved) and congratulations to Patrick Christman for achieving a Waterworks IV Certification

Harbor report

Harbormaster Dize thanked everyone involved for their help in bringing the first annual "Blessing of the Fleet" to a successful close. Over 600 people attended, \$347 was collected to be divided between the two watermen's associations. He then gave a brief overview of the activities at the Harbor over the last month which included the widening of the docks and work begun on phase one of the Harbor Redevelopment Master Plan.

OLD BUSINESS

A. 309 Mason Ave. Conditional User Permit

Town Planner Tom Bonadeo explained the purpose of the application which was to allow second floor residential use in the commercial district. He mentioned the architectural design had been approved by the Historic District Review Board and that the Planning Commissioners had reviewed and recommended approval of the application with two conditions: the rear of the property shall accommodate parking and two dwelling units meeting the requirement of section 3.6C of the Zoning Ordinance would be allowed.

Motion made by Councilman Bannon seconded by Councilman Burdiss and unanimously approved to approved the application with the two conditions.

B. Bayshore Concrete Products, Conditional Use Permit

Mr. Bonadeo mentioned no one had chosen to speak at the Public Hearing. He then briefly described the purpose of the application mentioning the Planning Commissioners had recommended approval with two conditions: the existing plant would be removed within two years of the completion of the new plant and any new lighting on the plat would be dark skies compliant.

Motion made by Councilman Burdiss, seconded by Councilman Brown and unanimously approved to accept the application with the two conditions.

C. *Resolution – 4 Town Owned Lots Designated to Park Project*

Assistant Town Manager Heather Arcos explained the need for dedicating the use of the lots for the park project. There was discussion concerning the feasibility of moving the tennis and basketball courts to the lots in question, whether they could be sold, or whether they could be used for future parking needs.

Motion made by Councilman Burdiss, seconded by Councilman Brown and approved to dedicate lots 174, 175, 178 and 179 to the Cape Charles Community Trail project. Polled vote: Burdiss, no; Brown, yes; Elliott, yes; Bannon, yes; Evans, yes; Dudley, yes.

Mayor Sullivan read the Resolution into record.

D. *Request for Proposals for Engineering Services*

Building Official Doug Smith explained as directed in the 2007/2008 Council initiatives, he had been working on updating and creating a new Emergency Operations Plan. One phase of the plan would be to designate an Emergency Operations Center to be used not as a shelter, but a central working locating in times of disaster. The Municipal Building and Fire Building due to location, size and facilities was targeted as the logical choice; however, an engineering study must be completed to determine whether the building could meet the structural requirements for an “essential facility” per State Building Code.

Significant discussion was held regarding the following: the engineering fee had not been budgeted in the current fiscal year, would there be grant funds available to cover the expense; if the Municipal Offices were moved to another location would the expense to study the appropriateness of the buildings and any upgrades to the buildings be wasted.

Motion made by Councilman Brown, seconded by Councilman Elliott and approved with Councilmen Burdiss and Evans voting no to direct the Town Manager to initiate the necessary documents for an RFP for an engineering study to determine the structural capability of using the Municipal Building and Fire Company Building as an Emergency Operations Center to determine the cost of the study, only with no allocation of funds for the study approved. Awarding the study to be determined.

E. *Wetlands Board – Alternate Members*

Tom Bonadeo again explained the vacancies on the Board and that the Town was waiting for an opinion from the Attorney General on whether two of the applicants who serve on other boards would be allowed to also serve on the Wetlands/Coastal Dune Board. He also asked the Council to consider expanding the Board from five members to seven members and to appoint two alternates to serve if needed to cover for vacation, illness, etc.

Motion made by Councilman Brown, seconded by Councilman Burdiss and approved with Councilman Dudley voting no to keep the membership at five members and add two alternates.

F. *Record Retention/Destruction*

Town Clerk Joy Pelletier presented Personal Property Tax Records for years 1997 and 1998 and Real Estate Tax Records for years 1999 through 2001 be destroyed per designation from the Code of Virginia Virginia Public Records Act.

Motion made by Councilman Brown, seconded by Councilman Burdiss and unanimously approved to destroy the personal property tax records of 1997 and 1998 and the real estate tax records for taxing year 1999 through 2001 as designated under the Code of Virginia, Virginia Pubic Records Act.

ANNOUNCEMENTS.

Mayor Sullivan announced the following:

- Council Retreat would be held at the American Legion Post 56 on April 16, 17 and 18, 2008,
- May 1, 2008 at 7:00the Concerned Citizens of Cape Charles would be sponsoring a Candidate Debate at the Cape Charles Volunteer Fire Company Hall.

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

Mayor Sullivan

Town Clerk