



TOWN COUNCIL

Special Meeting

Town Hall

February 18, 2009

5:30 PM

At approximately 5:30 p.m. at the Town Hall, Mayor Dora Sullivan called to order the Special Meeting of the Town Council. In addition to Mayor Sullivan, present were Councilmen Bannon, Bennett, Burdiss, Elliott, Evans and Veber. Also present were Acting Town Manager Heather Arcos and Town Consultant Bob Panek. Several other members of staff were present as well.

CONSENT AGENDA:

Mayor Sullivan informed the Council that she would like to move Item 4B-Skateboard Park up to the first item of discussion and add, as Item 4C, discussion regarding Water Quality Improvement Fund Grant Resolution.

Motion made by Councilman Bannon, seconded by Councilman Veber and unanimously approved to accept the agenda as amended.

BUSINESS:

B. *Skateboard Park:*

Mayor Sullivan introduced Mr. Jim Mahaffy who gave a presentation of his proposal for the Skateboard Park. Mr. Mahaffy informed the Council that he held an information gathering meeting on Saturday, January 31st, to obtain input from the skateboarders in the Town and surrounding areas and with their input, the cost of materials are increasing on several items. The total is estimated at approximately \$5K, which he has raised in donations from citizens and businesses in and around Town. There will be no initial cost to the Town. The annual maintenance cost will be approximately \$250 for resurfacing. Once a permanent location has been selected, there will be a cost of approximately \$1800 to the Town to pour new concrete, but Mr. Mahaffy stated that he could probably raise the funds for that as well when the time comes. The temporary location for the Skateboard Park is Lot #174 which is north of the Cape Charles High School on one of the lots owned by the Town. Mr. Mahaffy continued to state that he has volunteers to help with the construction and would like to get started this month if approved by the Council. There was much discussion regarding the liability to the Town, enforcement of the rules, hours of operation, notification of the neighbors, etc.

Motion made by Councilman Bannon, seconded by Councilman Elliott and unanimously approved to accept Mr. Mahaffy's proposal for the Skateboard Park pending choosing a lot for the temporary location, obtaining a legal opinion and notification to the neighbors.

A. *Wastewater System Capacity:*

Consultant Bob Panek stated that this special meeting was scheduled to further discuss the wastewater treatment plant capacity and to discuss an appropriate connection fee. At the February meeting, the Council approved the scheduling of a public hearing regarding the connection fee and the plan is to advertise for a maximum increase up to \$20K for combined water and wastewater fees. Bob Panek went on to inform the Council that if they approve reducing the capacity of the new wastewater treatment plant to 250K GPD, the change in design would take approximately two (2) – three (3) months and the Nutrient Removal Grant application would also be delayed approximately three (3) months. Bob Panek stated that even with the additional cost of engineering to redesign the wastewater treatment plant at 250K GPD vs. 500K GPD, he did not expect the total design and engineering costs to exceed the budgeted amount of \$1.8M.

Before proceeding, Bob Panek introduced Malcolm Hayward, stating that Mr. Hayward approached Mayor Sullivan with an idea that she felt was worthy of consideration by the Council. Malcolm Hayward stated that his idea was a conceptual approach to generate money to help offset the cost of the wastewater treatment plant and went on to explain his concept of allowing current lot owners to commit to a connection and “lock in” their connection at the current fee and make annual payments to the Town until such time they build on their lot. If the lot is sold, this agreement would transfer with the lot. This would generate income for the Town and help with the debt service payments. Mayor Sullivan thanked Mr. Hayward for his presentation and asked the Council to think about Mr. Hayward’s concept. She went on to state that several years ago, when the Town was going to increase the fees from \$4K to \$10K, letters were sent to the property owners offering them a similar deal with the exception that the money had to be paid up front and they had two (2) years to build and connect or their funds would be forfeited.

After Mr. Hayward’s presentation, Bob Panek stated that this concept could be used for either the 500K or 250K GPD plant and if the Council felt this was a good idea, he recommends taking a two-step approach as follows: i) the Council needs to raise the connection fee as appropriate depending on the option decided upon; ii) Even with a \$20K connection fee, there would still be a shortfall and this concept could help by generating income for the short term.

Mayor Sullivan brought the discussion back to the decision on whether the Council wants to pursue a 500K or 250K GPD plant. There was much discussion regarding the issue and the economy.

Motion made by Councilman Evans, seconded by Councilman Bannon and approved by a majority vote, with Councilman Elliott opposed, to decrease the size of the new wastewater treatment plant to 250K GPD.

C. *Water Quality Improvement Fund Grant Resolution*

Bob Panek explained that with the decision to downsize the wastewater treatment plant to 250K, a new Nutrient Removal Grant application had to be completed. Also, a resolution has to be approved authorizing a representative from the Town to execute the grant contract and monitor the grant for reimbursement, etc. Mayor Sullivan read Resolution #20090218 authorizing Bob Panek as the Town representative.

Motion made by Councilman Bannon, seconded by Councilman Burdiss, to approve Bob Panek as the authorized representative for the Town.

Councilman Bennett questioned naming Bob Panek as the authorized representative vs. the Acting Town Manager since Mr. Panek was a consultant for the Town rather than a staff member. Bob Panek explained that he was not a contractor but indeed a staff member to which several of the Council expressed that they were not aware of that fact.

The motion was approved by a majority vote. Roll Call Vote: Bannon – yes; Bennett – no; Burdiss – yes; Elliott – yes; Evans – yes; Veber – yes. The motion was approved by a majority vote.

Motion made by Councilman Bennett, seconded by Councilman Veber and unanimously approved to adjourn the Town Council Special Meeting.

Mayor Sullivan

Town Clerk