

MINUTES OF THE JULY 7, 2014
CHINCOTEAGUE TOWN COUNCIL MEETING

Council Members Present:

John H. Tarr, Mayor
J. Arthur Leonard, Vice Mayor
Ellen W. Richardson, Councilwoman
Gene W. Taylor, Councilman
Ben Ellis, Councilman
James T. Frese, Councilman
John N. Jester, Jr., Councilman

CALL TO ORDER

Mayor Tarr called the meeting to order at 7:00 p.m.

INVOCATION

Councilman Taylor offered the invocation.

PLEDGE OF ALLEGIANCE

Mayor Tarr led in the Pledge of Allegiance.

OPEN FORUM/PUBLIC PARTICIPATION

Mayor Tarr opened the floor for public participation.

- Mr. Tom Bolean, of The Flying Fish on Main Street, expressed his concerns of children hanging out in the Robert N. Reed, Sr. Downtown Waterfront Park at night. He stated that they are skateboarding and drinking. He advised that he has video of them drinking in the park. He stated that he contacted the Police Department 3 times. Mr. Bolean suggested more policing or driving by in the downtown area. He added that there shouldn't be 30 teenage people hanging out watching people trying to shop. He also stated that they are there until after 2:00a.m. He asked that something be done to stop this. He added that they all have Virginia tags and Chincoteague Town decals on the vehicles.

Mayor Tarr directed Chief Lewis to look into this matter.

- Ms. Denise Bowden stated that in light of receiving the title "Happiest Seaside Town" along with the other titles over the past few years, the first thing people see coming over the bridge is the Landmark Plaza. She expressed to Council how unsafe this property is. She suggested that the Town possibly send the owner a letter about the safety issues.

Mayor Tarr advised that Building and Zoning Administrator Lewis has inspected the property a few weeks ago and letters have been sent.

- Ms. Lisa King president of the Chincoteague Garden Club thanked Council for their

support over the last 2 years. She stated that although suffering through the Streetscape Project the Watson Park is completed. She stated that the Garden Club has open meetings monthly. She invited Council and thanked them for their support.

- Mrs. Margie Hiob of Ocean Breeze, thanked Council for finally taking care of Seaweed Drive. She asked what changed to make this happen.

Mayor Tarr explained that the owner had it done.

Mrs. Hiob stated that they have been waiting for years to have this road paved. She also advised that she thanked Mr. Tull.

Councilwoman Richardson stated that she spoke with Mr. Tull and thanked him also.

There was discussion regarding the reasons there is no mail delivery in Ocean Breeze along with the possibility of readdressing the issue.

- Mr. Mike Meyers, of Shady Lane, approached Council again with lengthy discussion regarding potential drainage problems and violations due to a neighbor's concrete wall and fill. He requested Council investigate why staff was insistent in allowing Mr. Stamoulis to develop his flood plain property without a permit, violating a Town Ordinance. He demanded the wall be removed. He assured Council that he would do whatever it takes until Council takes corrective action.

Councilman Frese asked for a definition of developing. He feels that Mr. Stamoulis is replacing grass on top of it.

Mr. Meyers stated that development is defined by FEMA and is in the Town Code, Flood Ordinance for anything done in the flood plain. He stated that now there has to be a permit for 2 loads of sand in a yard.

Councilman Frese stated that he asked a specific question. He added that basically the neighbor is protecting his property from flooding. He stated that he can see no moral or legal objection to it. He stated that Mr. Meyers has been to every department possible and all have told him that everything is copasetic. He also stated that he has resentment with criticizing the Town employees who are very professional. He feels they've done a good job with the Island.

Mr. Meyers asked mentioned permits not issued and then asked if staff was doing a good job.

Councilman Frese, referring to the zoning change, stated that if staff says it's not required then that's good enough for him.

Mr. Meyers interjected that it is required by Federal law and is required by the Town's Flood Ordinance. He stated that they read the Flood Ordinance and it requires a Zoning Permit. He asked if it was alright for his neighbor to protect his property from flooding even though it increases the flood hazard of his own property.

Councilman Frese stated that he does not see any evidence where this has increased the flood hazard of Mr. Meyer's property.

Mr. Meyers advised that the Town Manager stated that the wall would protect his property against nor'easters. He stated that if flooding can't go onto his neighbor's property then it will run onto his own property.

Councilman Frese explained the winds and flooding.

Mr. Meyers interrupted Councilman Frese accusing him of finding all excuses and missing the point. He added that as a citizen of this Town he expects staff to abide by its own Ordinances. He described the materials and money spent on his neighbor's property to protect it from floods.

Mayor Tarr asked Town Manager Ritter to give the new Councilmembers all of the correspondence getting them up to speed on this matter.

STAFF UPDATE

Planning Department

Town Planner Neville expanded on the report already in Council's packet. He stated that the Planning Commission will not meet in July and will be meeting again August 12th. He advised that they will further review the Comprehensive Plan. He also stated that they are working with the County on the Virginia Storm Water Management Program which started July 1st. He stated that they will be meeting later in the week with officials of the DEQ addressing why this statewide system doesn't fit well with our coastal areas.

Town Planner Neville thanked everyone for attending the Wildlife Refuge's CCP hearing. He feels it was well attended. He added that the comment period has been extended to August 15th.

Police Department

Chief Lewis stated that the monthly report has been included in Council's packet.

Public Works Department

Public Works Supervisor Fitchett also stated that he had nothing further than the monthly report that was included in Council's packet.

Councilman Jester asked if they were ready for Pony Penning.

Supervisor Fitchett advised they were ready.

General Government

Town Manager Ritter reported that the monthly report is included in the packet. He also reported that EMS responded to 86 calls in June, which is 13 more than June of 2013. He responded to Councilman Jester's question regarding training for the AED. He advised that they train on the AED as part of the CPR class. He also stated that the ANTARES launch is scheduled for the 11th at around 1:00 p.m. He added that the rescheduled date is the 17th.

Town Manager Ritter also reported that they will be finished with the final touches on the Downtown Project this week. He stated that the fishing pier has been completed and the pavers will be going in to connect the boardwalk to the handicap ramp. He advised that they would like to have a public opening with a ribbon cutting ceremony once the brick pavers are installed.

Councilman Jester asked about the power lines being put underground.

There was discussion about the completion date.

Mayor Tarr suggested postponing the completion of this until after the season as the downtown businesses have been through enough.

Councilman Jester asked for a recap of Pony Penning traffic wise and for the Shuttle.

Chief Lewis reported that they plan to do the same as they did last year.

Town Manager Ritter advised that Finance Director Hipple is here and manages it all. He stated that they have 22 buses going in 5 different routes.

Finance Director Hipple stated that 1 bus is handicapped from the high school only. She added that the other buses go to the different motels and campgrounds. She stated that the only road closure is East Side from Ridge Road to Sunnywood Drive immediately after the swim. She reported another road closure on Willow Street from Jester Street to Bunting Road. She added that this is for loading buses at the back of the Carnival Grounds.

Supervisor Fitchett added that the Public Works Department will deploy no parking signs along the bus routes so that the buses can easily pass through. He stated there is a crew at Memorial Park dealing with the crowds and then they move to the back of the Carnival Grounds to help load the buses. He added that this is a full day for the employees.

Chamber Director Shotwell stated that they issue the route maps and it is already posted on their website along with the Town's website.

Town Manager Ritter stated that they make and distribute many copies of the route maps.

Finance Director Hipple stated that they give copies to the Fire Company, the motels along with the Chamber of Commerce and campgrounds. She added that they flood the market. She reported a major change in plans last year when the thunderstorm came through. She added that everything went smoothly during the hazardous conditions. She stated that they can't do the Pony Swim Shuttle without the Police Department, the Public Works Department, the EMS personnel as well as the Town Office staff. She mentioned the many volunteers that go on the buses to help with the transportation. Finance Director Hipple stated that it is a pretty well-oiled machine.

Councilman Jester stated that they did a wonderful job last year.

Finance Director Hipple asked for volunteers.

Councilman Taylor stated that Pony Penning is absolutely an amazing event. He stated that it may be hours of crazy but it's amazing. He feels they are blessed to have an event like that. He understands the hard work that goes into it.

Finance Director Hipple added that it's controlled chaos.

Councilwoman Richardson asked Town Manager Ritter why the sidewalk is way out into Main Street at the corner of Church Street.

Councilman Taylor stated that the Town does a great job and he wanted to thank Town Manager Ritter.

AGENDA ADDITIONS/DELETIONS AND ADOPTION

Mayor Tarr stated that he would like to add item 9a. Consider Donation to North Accomack Little League for the girls' softball team that is going to the state tournament, to the agenda.

Vice Mayor Leonard motioned, seconded by Councilman Jester to adopt the agenda adding item 9a. Consider Donation to North Accomack Little League, Girls' Softball Team. Unanimously approved.

1. Consider Adoption of the Minutes

- **Regular Council Meeting of June 2, 2014**
- **Special Joint Council Meeting with Beach Access Committee of June 11, 2014**
- **Special Council Meeting of June 19, 2014**

Vice Mayor Leonard motioned, seconded by Councilwoman Richardson to approve the minutes of the June 2, 2014, June 11, 2014 and June 19, 2014 Council meetings. Unanimously approved.

2. Selection of the Vice Mayor

Mayor Tarr stated that with the new elections and this being the first meeting night, Vice Mayor Leonard has to release the reigns to a new member or he can stay if Council so desires. He entertained a motion.

Councilman Taylor nominated Councilwoman Richardson as the Vice Mayor. The nomination was seconded by Councilman Frese. Unanimously approved.

3. New Software

Town Manager Ritter explained that Finance Director Hipple has issued a letter requesting to purchase new software. He stated that the Town currently has a program for taxes with Southern Software. He also added that the Police Department has been well pleased with Southern Software. He advised that the Town has been using Harris Solutions for the last 8 years who have not been doing updates or maintenance during this time. He advised that they have budgeted for this. He added that they are pleased with the capabilities and demonstration from Southern Software.

Finance Director Hipple also stated that Southern Software isn't only in the Town Office. She advised they are in the Police Department as well. She stated that they offer municipal software throughout towns. She added that they are expanding.

There was discussion regarding the yearly support, opting out of the contract, maintenance and upgrades.

Town Attorney Poulson also asked about sole source bidding.

Finance Director Hipple advised that this is a negotiation. She stated that the Town already has a contract with Southern Software and is now purchasing other components of their software.

Councilman Frese motioned, seconded by Vice Mayor Richardson to approve the purchase and implementation of other new software adding to the contract with Southern Software. Unanimously approved.

4. Committee Appointments and Assignments

Mayor Tarr gave the Council's Committee appointments for the next 2 years.

Budget & Personnel Committee

John Tarr- Chairman
Gene Wayne Taylor
Ben Ellis

Ordinance Committee

Arthur Leonard – Chairman
Gene Wayne Taylor
Ellen Richardson

Meals Tax Committee

Ellen Richardson

Harbor Committee

Arthur Leonard – Chair man
John Jester

Recreation & Community Enhancement Committee

John Jester – Chairman
Arthur Leonard
Gene Wayne Taylor

Public Works Committee

Ellen Richardson – Chairperson
John H. Tarr
Jim Frese

Planning Commission

Ben Ellis

Cemetery Committee

Ellen Richardson – Chairperson

Ben Ellis

Public Safety – Police, EMS, EOC

John Tarr- Chairman

John Jester

Jim Frese

Liaison Committee

John Tarr

Ellen Richardson

John Jester

Chincoteague Recreation & Convention Center Authority

Jim Frese

Councilman Ellis motioned, seconded by Councilman Leonard to approve the 2 year Committee appointments. Unanimously approved.

5. Consider Appointment to the Recreation and Community Enhancement Committee

Mayor Tarr explained that there is a vacancy for the Recreation and Community Enhancement Committee. He advised that are 3 people who have expressed their interest; David Landsberger, Linda Ryan and Donna Leonard.

Councilman Leonard advised that his sister, Donna Leonard, advised she wanted to withdraw her name from those interested in serving on the Committee.

Mayor Tarr opened the floor for nominations.

Councilman Taylor nominated Mr. David Landsberger.

Vice Mayor Richardson nominated Mrs. Linda Ryan.

Mayor Tarr closed the floor for nominations.

Mayor Tarr called for a vote. He asked who were in favor of Mr. Landsberger.

Ayes: Leonard and Taylor

Mayor Tarr asked who were in favor of Mrs. Ryan.

Ayes: Richardson, Frese, Ellis, Jester

Mayor Tarr announced that Mrs. Linda Ryan is the newest member on the Recreation and Community Enhancement Committee.

6. Public Safety Committee Report of June 4, 2014

Mayor Tarr stated that the report is in Council's packet.

Council mentioned the ANTARES launch date of July 11th.

Mayor Tarr asked if there would be a wrap-up meeting for the July 4th Fireworks Committee.

Town Manager Ritter advised there will be an After-Action Report.

Mayor Tarr requested a meeting also.

Councilman Jester expressed his concerns about the safety of the emergency responders during the fireworks.

7. Harbor Committee Report of June 5, 2014

Councilman Leonard reported that the dredge company is dredging for Wallops Island and should help with the fuel sales. He advised that the submerged sailboat has been removed. He also added that the new fence is now up.

8. Recreation and Community Enhancement Committee Report of June 10, 2014

Councilman Jester reported that the playground has been the big issue. He stated that the Elementary PTSA President along with a parent attended the meeting expressing their opinions and ideas. He mentioned the older kids hanging out in the ship. He stated that they recommend the ship be cleaned and power washed.

Town Manager Ritter advised that the Public Works staff power washed it removed the benches and made repairs.

Councilman Jester also mentioned the sign regarding profanity at the basketball courts.

Town Manager Ritter responded that the signs are now up also.

Councilman Jester stated that Town Planner Neville is pricing playground equipment.

Town Manger Ritter stated that Ms. Donna Leonard purchased the profanity signs with her own money received from the organized fundraisers. He added that the Public Works Maintenance Specialist Taylor put the signs up with a nice backing.

Councilman Jester commended Ms. Leonard for her support. He hopes they can make some decisions and discuss better utilization of the Park space. He also added that there are no bike racks.

They discussed the placement of the surveillance cameras and signage that states the Town is recording. They also suggested age limit signs for the equipment.

Councilman Ellis asked if there were cameras at the Robert N. Reed, Sr., Downtown Waterfront Park.

Town Manager Ritter advised that there are none. He stated that they have thought about putting WiFi at the Downtown Park and hooking up cameras there as well.

Vice Mayor Richardson feels that revisions should be made in the Bicycle Brochure. She asked if they could review this and update the brochure.

There was further discussion.

9. Advertisement Proposed by WCTG

Mayor Tarr stated that WCTG gave a proposal to run an ad on the radio for July, August and September. He explained that the script would change during Pony Penning or other major events during the 3 months.

Councilman Jester feels this would benefit the Town and would be worth it.

Chamber Director Shotwell stated that they advertise on WCTG also. She added that they change their ad monthly based on the event coming up.

Councilman Leonard motioned, seconded by Councilman Jester to approve the proposal to advertise the Town of Chincoteague. Unanimously approved.

9a. Consider Donation to the North Accomack Little League Girls' Softball Team

Town Manager Ritter advised that they noticed the Town hasn't made a donation to the North Accomack Little League last year. He stated that they donated \$250.00 along with the Police Department's donation from the Ride for kids in the amount of \$200.00. He also stated that the check in the amount of \$450.00 has been taken out of the FY2014 budget.

Mayor Tarr asked if the money they donated could be used for the girls' softball. He explained that North Accomack Little League Girls' Softball won the district tournament and collecting money for travel expenses to Charlottesville for the state tournament.

Town Manager Ritter advised that it was his understanding that the pot of money that the donation will go into would go toward their travel expenses.

10. Mayor & Council Announcements or Comments

Councilman Taylor stated that the girls' softball win was no small feat. He expressed how proud he is and that this is the first win from Chincoteague to go to the state level.

Councilman Ellis stated that he is happy to be serving on Council. He thanked staff, Council and the citizens for sharing information. He also thanked Town Manager Ritter for having a meeting with the newly elected officials.

Councilman Jester stated that he loves the new banners at the bridge.

Chamber Director Shotwell advised that they have the stickers in and shirts on the way, but is waiting on the banner.

Councilman Leonard welcomed Councilmen Frese and Ellis. He congratulated the coaches of the 11/12 softball team who is on their way to the state tournament. He explained that the teams from Norfolk and Virginia Beach have so many to draw from and competing with our small Little League. He suggested that the Town support them all they can and would like to softball team them to the next Council meeting to publically recognize them.

Vice Mayor Richardson welcomed Councilmen Frese and Ellis. She stated that she would like to ask Mr. Chris Isdell with VDOT if he will come discuss the flooding issue at the foot of the bridge.

Mayor Tarr stated that Public Works Director Spurlock has been working on this problem and had conversations with Mr. Isdell.

Town Manager Ritter stated that he spoke with Mr. Robert Cole from the Army Corps of Engineers and he will be coming to discuss this also.

Adjourn

Councilman Leonard motioned, seconded by Councilman Taylor to adjourn. Unanimously approved.

Mayor

Town Manager