

**MINUTES OF THE FEBRUARY 4, 2013
CHINCOTEAGUE TOWN COUNCIL MEETING**

Council Members Present:

John H. Tarr, Mayor
J. Arthur Leonard, Vice Mayor
Ellen W. Richardson, Councilwoman
John N. Jester, Jr., Councilman
Gene W. Taylor, Councilman
Tripp Muth, Councilman

Council Members Absent:

Terry Howard, 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.

Mayor Tarr recognized the Junior Beta Club and invited them to come forward.

The Beta representative, Mrs. Michelle Merritt, thanked Council for their support over the years. She gave information about the Beta Club. She stated that because of the donations each child was able to attend the convention at no cost. She advised that the convention was the largest with 27 schools in attendance and over 1,500 attendees. Chincoteague took 30 students to the convention and came back with 10 ribbons. She added that every child that turned in a project or helped in some way upholding the standard that is set by the Beta Club and all are winners. She listed those who participated in the convention.

Mrs. Merritt listed those who brought back ribbons: 3rd place in quilting; Hope Abell, 3rd place in black and white photography; Lauren King, 2nd place recyclable art; Tyler Merritt, 2nd place woodworking; John Meckley, 2nd place watercolor; Cage Sheffield, 1st place pastel sketch; Collin Dendler, 1st place sculpture; Kaylee Thomas, 1st place banner; all the members of the Beta Club and 1st place in sweepstakes. She advised that sweepstakes was the most ribbons won in arts and crafts. Mrs. Merritt also stated they took 1st place in group talent; Logan Orlando, Alana Hall, Hope Abell, Stephanie Fosque, Delilah Florez, Kaylee Thomas, Sarah Winzel, Carrie Evans and Elise Bale. She again stated how proud they are of the students. She added that it was because of the Town's donation.

Mayor Tarr thanked the Beta Club for coming to Council and stated they have made the community proud.

OPEN FORUM/PUBLIC PARTICIPATION

Mayor Tarr opened the floor for public participation. There was none.

STAFF UPDATE

Planning Department

Town Planner Neville brought Council's attention to two items in the packet. He stated that the Planning Commission met last month to consider updates to the Zoning Ordinance. He also stated that they will consider wayside stands at the next meeting along with a round structured dwelling unit. He added that the Commission has followed up on a preliminary downtown parking study and expansion of the park. He advised of the recommendation from the Commission is that Council consider the parking use during their plans for the downtown project. Town Planner Neville also mentioned discussions with the engineer for the Safe Routes to Schools.

Councilman Jester asked if there were plans for a path from the School to the Center in the Safe Routes to Schools.

Town Planner Neville stated that it isn't on the top tier of things as there aren't enough funds.

Councilwoman Richardson asked if there was a time frame for completion.

Town Planner Neville advised that VDOT gave 3 years to use the grant. He stated that they should have the preliminary plans to VDOT for review by June and have the final bidding and plans over the summer. He added that they are a couple of months behind but should be okay.

Police Department

Chief Lewis reported that the Police Department will hold their annual Senior Luncheon at Maria's Restaurant on Thursday at 11:00 a.m.

Councilman Taylor thanked Chief Lewis for doing this for the senior citizens as they are the backbone of the island.

Public Works Department

Public Works Director Spurlock advised Council that the paving for Willow Street is scheduled for March 18th. He also stated that the new service connection to the Fairfield Motel was completed earlier today.

Mayor Tarr asked if the details have been worked out regarding the bike path.

Public Works Director Spurlock advised they will be meeting soon.

There was a brief discussion regarding the pumps on the traffic circle.

General Government

Town Manager Ritter reported in addition to the monthly report that the EMS responded to 62 calls. This was 1 more call than February of 2012. He also added that the old Misty trolley was sold for \$35,000 on GovDeals. He reported that staff has prepared and mailed 2nd notices for taxes. He added that the Town decals are in and staff is also working on the quarterly newsletter. He also added that the event calendar was put out last month.

Town Manager Ritter updated Council regarding grants. He stated that the TEA-21 Grant, Trails Grant and Safe Routes to Schools Grant have been combined into the MAP-21 program. He explained the discussions about extending the downtown revitalization project. He stated they want to have the go ahead to apply for the grant.

There was discussion regarding Bridge Street and the downtown project.

Town Manager Ritter stated he would get more information together and discuss this further at the workshop.

Councilman Jester asked about the newsletter and including the beach and beach parking repairs. He feels it's very important to advertise that the beach is open and ready for business.

There was brief discussion.

AGENDA ADDITIONS/DELETIONS AND ADOPTION

Councilwoman Richardson motioned, seconded by Vice Mayor Leonard to adopt the agenda as presented. Motion Carried.

Ayes: Leonard, Taylor, Muth, Richardson, Jester

Nays: None

Absent: Howard

1. Consider Adoption of the Minutes

• Regular Council Meeting of February 4, 2013

Councilwoman Richardson motioned, seconded by Vice Mayor Leonard to adopt the minutes of February 4, 2013 regular Town Council meeting as presented. Motion carried.

Ayes: Leonard, Taylor, Muth, Richardson, Jester

Nays: None

Absent: Howard

2. Resolution of Respect

Mayor Tarr read the Resolution of Respect for Past Mayor, Terrell E. Boothe who recently passed away.



**A RESOLUTION
OF THE
CHINCOTEAGUE TOWN COUNCIL**

WHEREAS, Terrell E. Boothe served the Town of Chincoteague well for many years in many capacities; and

WHEREAS, he served faithfully as Mayor in 1967 and again from 1978 to 1980, and played a vital role in the development of this community; and

WHEREAS, his commendable conduct and sense of fairness furthered the cause of better understanding and was an influence for good in the growth and progress of our community;

NOW, THEREFORE BE IT RESOLVED, that by the sad and untimely death of Mayor Terrell E. Boothe, the Chincoteague Town Council lost a valuable friend, whose energies and initiative contributed tremendous service to the people of the Town of Chincoteague by his work; and

BE IT FURTHER RESOLVED, that this Resolution be spread upon the minutes of this meeting and a copy published in the Chincoteague Beacon.

IN TESTIMONY WHEREOF, the Council has caused the corporate seal to be hereunto affixed and the signature of its Mayor, John H. Tarr, this 4th day of March 2013.

ATTEST:

John H. Tarr, Mayor

Robert G. Ritter, Jr., Town Manager

3. Chincoteague Cultural Alliance Presentation and Grant Request

Ms. Jane Richstein approached Council regarding the Virginia Commission for the Arts Local Government Challenge Grant. She advised that the Town has applied for the funding over the past several years. She reviewed some of the programs the grant supports. She stated that the

grant is offered to Towns within the Commonwealth to help support arts in the communities. This is a grant up to \$5,000 to match the Town's \$5,000 commitment.

Ms. Richstein stated that with the creation of the Chincoteague Island Arts Organization there are two organizations that qualify for the grant. She explained the activities and supporting equipment purchased with the grant funds. She added that there are limited places for the CCA and working with CIAO they have more options including the theatre. She expressed the importance of Arts in the town and thanked Council for their continued support.

Mr. Seebolt, Chairman of CIAO, advised that they have been focused on renovating the theatre. He also added that they are going digital. He stated that they are looking forward to joining the CCA and asked that Council vote favorably on the grant.

Councilwoman Richardson motioned, seconded by Councilman Taylor to apply for the grant request. Motion Carried.

Ayes: Leonard, Taylor, Muth, Richardson, Jester

Nays: None

Absent: Howard

4. Resolution on the VDOT Capital Project Program

Town Manager Ritter explained that this shows VDOT what the next capital improvement project will be. He informed Council that Maddox Boulevard from Deephole Road to the traffic circle is the next project.

Councilwoman Richardson stated that VDOT reviews this and then lets the Town know if they approve it.

Mayor Tarr explained that this is the urban money that's put in a fund for the next capital project on Chincoteague. He stated that the Town's outlay is 2% and the rest is funded through VDOT over a period of a few years.

Public Works Director Spurlock advised that this does include drainage and the traffic circle.

Mayor Tarr added that this includes bike lanes and sidewalks.

Councilman Jester motioned, seconded by Councilwoman Richardson to approve the Project Programming Resolution. Motion carried.

Ayes: Leonard, Jester, Muth, Richardson, Taylor

Nays: None

Absent: Howard



PROJECT PROGRAMMING RESOLUTION

WHEREAS, in accordance with Virginia Department of Transportation construction allocation procedures, it is necessary that a request by Council Resolution be made in order that the Department program an urban highway project in the Town of Chincoteague; now

THEREFORE BE IT RESOLVED, that the Council of the Town of Chincoteague, Virginia, request the Virginia Department of Transportation to establish an urban system highway project for the improvement of Maddox boulevard from Deep Hole Road east to the Maddox Boulevard traffic circle, inclusive, a distance of approximately four thousand (4,000) feet. Improvements shall consist of the addition of sidewalks, bicycle paths and drainage improvements.

BE IT FURTHER RESOLVED, that the Council of the Town of Chincoteague hereby agrees to pay its share of the total cost for preliminary engineering, right of way and construction of this project in accordance with Section 33.1-44 of the Code of Virginia, and that, if the town of Chincoteague subsequently elects to cancel this project, the Town of Chincoteague hereby agrees to reimburse the Virginia Department of Transportation for the total amount of the costs expended by the department through the date the Department is notified of such cancellation.

Adopted this 4th day of March, 2013.
Town of Chincoteague, Virginia

ATTEST:

John H. Tarr, Mayor

Robert G. Ritter, Jr., Town Manager

5. Public Safety Committee Report of February 5, 2013

Mayor Tarr advised there is a COOP plan that all departments have had the opportunity to review and add.

6. Harbor Committee Report of February 7, 2013

- **Consider Changes to Ordinance, Chapter 70, Water Access Facilities for Adoption**

Vice Mayor Leonard stated that Harbormaster Merritt has compiled a list of things to be done. He advised that they are looking at putting a 24 hour ice vending machine there. He added that this is at no cost to the Town and the vendor is pursuing this further. He stated that some of the

fencing needs to be replaced. He also stated that the Harbor is getting more and more ocean swell causing the current to come in and deposit soil on the west side. They will need to dredge this. Vice Mayor Leonard also advised that they sent some changes to Chapter 70, which is included in the packet.

Town Manager Ritter advised that the Code with corrections were included in the packet. He reviewed the changes, deletions and corrections.

Town Attorney Poulson made some corrections. He stated that the significant change is that the Harbor Committee is changing to an Advisory Committee.

Councilman Jester motioned, seconded by Councilman Taylor to consider the changes as presented to Chapter 70, Water Access Facilities. Motion carried.

Ayes: Leonard, Taylor, Muth, Richardson, Jester

Nays: None

Absent: Howard

Chapter 70

WATER ACCESS FACILITIES*

Article I. In General

Section. 70-1 - 70-25. Reserved.

Article II. WATER ACCESS FACILITIES

Division 1. Curtis Merritt Harbor Of Refuge

Subdivision 1. GENERALLY

Sec. 70-26. Definitions.

Sec. 70-27. Purpose ~~and authority~~.

Sec. 70-28. Penalties.

Sec. 70-29. Damage to docks, wharves or launching ramps.

Sec. 70-30. Nondiscrimination.

Secs. 70-31—70-55. Reserved.

Division 2. Committee

Sec. 70-56. Established; general authority.

Sec. 70-57. Membership.

Sec. 70-58. Meetings.

Sec. 70-59. Quorum; majority rule.

Sec. 70-60. Vacancies.

- Sec. 70-61. Removal of members.
- ~~Sec. 70-62. Referrals for decision.~~
- Sec. 70-63. General authority.
- Secs. 70-64—70-90. Reserved.

Division 3. Use of Harbors, Wharves, Boat Slips, Land

- Sec. 70-91. ~~Leases, permits or licenses~~ **Mooring Permits** required for use or occupancy.
- Sec. 70-92. Permits required for erection of structures.
- Sec. 70-93. Damage to docks, wharves or launching ramps.
- Sec. 70-94. Dumping; disposal of wrecks.
- Sec. 70-95. Boat ramp and land area usage.
- Sec. 70-96. Designated loading and unloading areas.
- Sec. 70-97. Use of harbor for anchoring or mooring.
- Sec. 70-98. Speed limit.

***Charter reference**—Public wharves, harbors, etc., ch. 2, § 1(9).

Cross references—Buildings and building regulations, ch. 14; environment, ch. 22; floods, ch. 30; parks and recreation, ch. 42; vegetation, ch. 66; zoning, app. A; marina, commercial or club type, app. A, § 2.96; marina, private noncommercial, app. A, § 2.97.

State law references—Removal, repair, etc., of wharves, piers, etc., Code of Virginia, § 15.2-909; regulation of lakes, pools, etc., Code of Virginia, § 15.2-1110; local regulation of vessels, Code of Virginia, § 29.1-744 et seq.; port management, Code of Virginia, § 62.1-163.

- Sec. 70-99. Dock boxes.
- Sec. 70-100. Storage.
- Sec. 70-101. Fuel.
- Sec. 70-102. Oversized vessels.
- Sec. 70-103. Trespassing.
- Sec. 70-104. Prohibited conduct.
- Sec. 70-105. Other rules and regulations.
- Sec. 70-106. Abusive language.
- Secs. 70-107—70-109. Reserved.

Article III. Use of Other Town Water Related Facilities

Division 1. Generally

- Sec. 70-110. Definitions.
- Sec. 70-111. Purpose and authority.
- Sec. 70-112. Penalties.
- Sec. 70-113. Nondiscrimination.
- Sec. 70-114. Reserved.

Division 2. Provisions Regulating the Use of Such Other Facilities

- Sec. 70-115. General Authority.
- Sec. 70-116. General.
- Sec. 70-117. Required license.
- Sec. 70-118. Damage to docks, wharves or launching ramps.
- Sec. 70-119. Boat ramp and land area usage.
- Sec. 70-120. Dumping; disposal of wrecks.
- Sec. 70-121. Use of facility for anchoring or mooring.
- Sec. 70-122. Prohibited conduct.
- Sec. 70-123. Other rules and regulations.
- Sec. 70-124. Provisions regulating boat wakes in and adjacent to any such facility.
- Sec. 70-125. Abusive language.
- Sec. 70-126. Special provisions applicable to the town dock.

ARTICLE I. IN GENERAL

Secs. 70-1—70-25. Reserved.

ARTICLE II. CURTIS MERRITT HARBOR OF REFUGE

DIVISION 1. GENERALLY

Sec. 70-26. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Boat means any motor boat, vessel, watercraft, or personal watercraft of any kind, however propelled.

Committee means the Curtis Merritt Harbor of Refuge Committee.

Federal project means a project for improvement of the harbor and the modification of harbor lines by the Department of the Army and in proximity thereto.

Harbor or Curtis Merritt Harbor means the Curtis Merritt Harbor of Refuge.
(Code 1977, §§ 9-2, 9-3)

***Working watermen* means anyone that earns fifty one percent (51%) of their gross annual income working on the water.**

Cross reference—Definitions generally, § 1-2.
(*Amended 08/07/06*)

Sec. 70-27. Purpose and authority.

The purpose of this article is ~~to provide for the operation and maintenance of the Curtis Merritt Harbor of Refuge owned by the town, including certain charges for the use thereof. to establish an advisory Committee for the Curtis Merritt Harbor of Refuge and establish provisions for the operation and maintenance of the Harbor to the Town of Chincoteague, Town Council.~~

(Code 1977, § 9-1) (*Amended 05/05/03, 08/07/06*)

Sec. 70-28. Penalties.

Any person violating any of the sections of this article shall, upon conviction, be guilty of a Class 2 misdemeanor.

(Code 1977, § 9-7)

(*Amended 08/07/06*)

Sec. 70-29. Damage to docks, wharves or launching ramps.

It shall be unlawful for anyone, intentionally or negligently, to damage the public docks, wharves or launching ramps owned by the town.

(Code 1977, § 9-4)
(Amended 08/07/06)

Sec. 70-30. Nondiscrimination.

There shall be no discrimination in the use of ~~an~~ **or** access to the benefits of all the harbor regardless of race, age, creed, handicapping conditions, color, national origin, religion, sex, political affiliation or beliefs.

(Code 1977, § 9-6)
(Amended 08/07/06)

Secs. 70-31—70-55. Reserved.

DIVISION 2. COMMITTEE*

Sec. 70-56. Established; general authority.

~~There is established for the purposes of the supervision, operation and maintenance of the Curtis Merritt Harbor of Refuge and Boat Ramp enforcement of this article a committee to be known as the Curtis Merritt Harbor of Refuge Water Access Facilities Committee, which shall be charged with diligently conducting and enforcing the provisions of this article and any recommending rules, regulations and future projects adopted by the committee and approved by to the town council, from time to time for the best interest of the federal project and the public, bother whether commercial and / or recreational.~~

There is hereby established a committee to be known as the Curtis Merritt Harbor of Refuge Committee to act as an advisory committee to the Town Council as to the operation and maintenance of the Harbor and recommending rules, regulations, future projects, and other matters relative to the Harbor to the Town Council from time to time.

(Code 1977, § 9-2(1)) *Amended 05/05/03, 08/07/06*

Sec. 70-57. Membership.

(a) The committee shall consist of ~~five~~ **four** members, and all four members shall be residents of the town. ~~with the option of the mayor and council to waive the residence requirements of the harbor master.~~ The members shall be as follows:

- (1) Two shall be members of the town council.
- (2) One shall be a member of the working waterman's association.
- (3) One shall be a recreational fisherman.
- ~~(4) One shall be the harbor master.~~

(Amended 08/07/06)

(b) All members shall be appointed by the council, ~~except the harbor master. After the council has approved the first four members, those four will by a majority vote appoint the harbor master, upon the advice and consent of the town council.~~ All members shall be appointed

for a term of two years or until replaced by the town as herein provided. All members of the committee shall serve as such without compensation.

(Amended 08/07/06)

(c) The harbor master shall be a ~~nonvoting member~~ **secretary** of the committee. The ~~committee~~ **Council** shall elect a chairman **every other year following Council elections.** ~~and vice chairman and one of the town council members shall be the secretary/treasurer.~~

(Code 1977, § 9-2(2); Ord. of 10-21-1993) *(Amended 05/05/03, 08/07/06)*

***Cross reference**—Boards and commissions, § 2-106 et seq.

Sec. 70-58. Meetings.

The committee shall meet at least four times a year at a time and place of its choosing and shall maintain accurate records of the meeting's ~~proceedings and the financial resources of the harbor.~~

(Code 1977, § 9-2(3)) *(Amended 05/05/03, 08/07/06)*

Sec. 70-59. Quorum; majority rule.

Three voting members of the committee shall constitute a quorum for all meetings. All matters shall be decided by majority vote of those present and voting.

(Code 1977, § 9-2(4))

(Amended 08/07/06)

Sec. 70-60. Vacancies.

If a vacancy occurs in the term of any committee member, the town shall have the right to appoint a person to fill such vacancy, as described in this division, for the remainder of such unexpired term.

(Code 1977, § 9-2(5))

Sec. 70-61. Removal of members.

The town reserves the right to remove any committee member with or without cause.

(Code 1977, § 9-2(6))

(Amended 08/07/06)

~~Sec. 70-62. Referrals for decision.~~

~~—Matters which cannot be decided by the committee shall be referred to the town council for decision. Any such referral shall be in writing detailing the issues involved and why the committee is unable to make a determination.~~

~~(Code 1977, § 9-2(7)) (Amended 05/05/03, 08/07/06)~~

Sec. 70-63. General authority.

(a) The ~~committee's~~ **Harbor Master is the Town's** ~~duly~~ designated agent in the supervision of the harbor and the enforcement of this article ~~shall~~ **and** has the authority to direct and control the movement and stoppage of all boats, vehicles and trailers using the harbor facilities, including the parking area, ramp, dock, boat slips and water within the confines of the harbor. The ~~committee~~ **Harbor Master** shall have the further authority to restrict or prohibit any activities within the facility that in any way adversely affect the intended uses of the facility. The

failure of any person to reasonably submit to such direction and control shall constitute a violation hereof.

(Amended 08/07/06)

(b) Nothing contained in this section is intended to preclude the town police department or other police officers from enforcing federal, as applicable, state and local statutes, ordinances and regulations, including the provisions of this article within the harbor.

(Code 1977, § 9-5)

(Amended 08/07/06)

Secs. 70-64—70-90. Reserved.

DIVISION 3. USE OF HARBORS, WHARVES, BOAT SLIPS, LAND

Sec. 70-91. ~~Leases, permits or licenses~~ Mooring Permit required for use or occupancy.

(a) It shall be unlawful for any person to use, occupy or moor a boat to any part of the Curtis Merritt Harbor of Refuge without first having obtained a ~~lease, permit, license,~~ **Mooring Permit** or the authority of the harbor master as provided in this article, for such use, occupation docking, or mooring.

(Amended 08/07/06)

(b) All ~~leases, permits or licenses~~ **Mooring Permits** for the use or occupancy of boat slips, wharfage or land within the harbor shall be in writing on forms authorized by the town council and submitted to and approved ~~and executed~~ by the ~~committee's~~ **Harbor Master or his** designated representative ~~and the lessee, permittee, or licensee and preserved in the office of the committee.~~

(Amended 08/07/06)

(c) All fees for ~~leases, permits or licenses~~ **Mooring Permit** shall become due and payable on each ~~July~~ **June 1st** at the town office. All fees are non-refundable, except as may be provided for in the ~~lease~~ **Mooring Permit** agreement.

(Amended 08/07/06)

(d) No ~~lessee~~ **Mooring Permit (Holder)** shall assign ~~the Mooring Permit or~~ **the Mooring Permit** ~~or sublease a boat slip~~ to another person and any such assignment ~~or sublease~~ shall immediately terminate said ~~lease~~ **Mooring Permit**, without refund of any portion of the ~~lease~~ **Mooring Permit** payment. **Fees for such mooring permits shall be established by the Town Council from time to time.** *(Amended 08/07/06)*

(e) No boat shall be moored in any slip for a period in excess of 24 hours by any ~~lessee~~ **Holder** except such boat that is listed on the ~~lease~~ **Holder** agreement when executed or subsequently added thereto. No more than one (1) boat shall be so listed at any given time. The presence of any unlisted boat in any such slip for a period of ten (10) days shall ~~cause a rebuttable presumption~~ **result in a determination** that such slip ~~lease~~ **Holder** has been assigned or a ~~sublease~~ **unauthorized assignment** exists and such ~~lease~~ **Mooring Permit Holder** shall

terminate immediately, absent proof to the reasonable satisfaction of the ~~committee~~ **Harbor Master** that such assignment or sublease has not occurred.
(Amended 08/07/06)

(f) All fees charged for use and occupancy of boat slips, wharfage, and other uses of the harbor facilities shall be established by the town council from time to time and shall be posted in the office of the ~~harbor committee~~ **Harbor Master**, unless otherwise expressly provided for herein.
(Code 1977, § 9-3(A)) (Amended 05/05/03, 08/07/06)

(g) All fees and charges collected by the town from the use of the harbor shall be segregated or earmarked from the general fund and used for improvements, repairs and upkeep of the harbor and its facilities, upon recommendations made **to the Council** by the committee. ~~The committee shall file annually with the town a report on the status of the harbor facility.~~
(Amended 08/07/06)

(h) The following priorities shall control the ~~leasing~~ **Issuance of the Mooring Permit** of slips at the harbor:

- (1) Present **Mooring Permit** leaseholders that requested a smaller slip and ~~leased holds a~~ larger slip have the first opportunity to change to a smaller slip if available.
 - (2) Working watermen (100%) of the Islands District.
 - (3) Other boat owners of the Islands District.
 - (4) Working watermen (100%) of Accomack County.
 - (5) Accomack County residents.
 - (6) All others.
- (Amended 08/07/06)

Sec. 70-92. Permits required for erection of structures.

It shall be unlawful to erect any type of structure including mooring poles in the waters of the harbor or on the property within the harbor facility without first securing a permit from the ~~harbor committee~~ **Harbor Master**. All buildings, structures, docks, poles, walkways or projections in the harbor waters or facility, in conflict with and not conforming to specifications and requirements of the ~~harbor committee~~ **Harbor Master**, shall be removed at the ~~lessee's~~ **permit Holder's** expense. Any authorized structure or appurtenance shall be installed at the expense of the person causing the construction thereof. The structure or appurtenance shall, at the option of the ~~committee~~ **permit Holder's**, become the property of the town at the expiration of the ~~lessee's~~ **permit Holder's** lease-**Mooring Permit**, or the ~~committee~~ **Harbor Master** may require that any such structure be removed.
(Code 1977, § 9-3(B)) (Amended 08/07/06)

Sec. 70-93. Damage to docks, wharves or launching ramps.

It shall be unlawful for anyone intentionally or negligently, to damage the public docks, wharves, bulkheads, or launching ramps owned by the town situated at the harbor.

(Adopted 08/07/06)

Sec. 70-93. Dumping; disposal of wrecks.

(a) It shall be unlawful to deposit or cause or permit to be deposited, in any of the waters of the harbor, or along the shores thereof or in any of the streams or ditches emptying therein or on any of the land adjacent or contiguous to the harbor, etc., any refuse, offal, waste matter or other substance or material, whether earth, oil, liquid, animal, fish or vegetable matter, or other matter that may adversely affect the sanitary, clean and safe condition of the water in the harbor or that may diminish the depth thereof.

(Amended 08/07/06)

(b) It shall be unlawful to intentionally or negligently permit or cause to be sunk any boat in the waters of the harbor, or to intentionally or negligently permit or cause any loose timber or log to be set adrift in the harbor. Whenever a boat is wrecked and/or sunk in any of the waters of the harbor, accidentally or otherwise, it shall be the duty of the owner or person then in possession of such wrecked or sunken boat to immediately mark it with buoys and lights at night and to maintain such warning devices until the wrecked or sunken boat is removed which shall be done within the time frame designated by the committee. The neglect or failure of the owner person then in possession to so mark the wrecked or sunken boat shall constitute a violation hereof. It shall be the duty of the owner or person then in possession of such wrecked or sunken boat to commence the immediate removal of the boat and remove same within the ~~committee's~~ **Harbor Master's** designated removal period. Failure to do so shall constitute a violation hereof. Further, the failure of the owner or person then in possession to mark with required warning devices and/or remove such wrecked or sunken boat within the period prescribed by the ~~committee~~ **Harbor Master** shall constitute a material breach of any ~~lease~~ **Mooring Permit** with such person and authorize the ~~committee~~ **Harbor Master** to cancel such ~~lease~~ **Mooring Permit**. In the event any such owner or person in possession does not timely remove such wrecked or sunken boat, the committee may proceed to do so after five (5) days written notice to such owner or person in possession, and at the owner's and/or person in possession's cost.

(Code 1977, § 9-3(C)) (Amended 08/07/06)

Sec. 70-95. Boat ramp and land area usage.

(a) The use of the boat ramps and adjacent parking areas of the harbor facility are for the pleasure of all users. No unloading, loading or storage of seafood products or byproducts, nets, poles, dredges or culling of products is permitted except in designated loading and unloading areas as hereinafter provided. At the discretion of the harbor master, a temporary variance may be granted when an emergency exists or there is other just cause therefore.

(Amended 08/07/06)

(b) Overnight habitation of vessels, boats, parked vans, automobiles, trucks, mobile homes, camper trailers or other recreational vehicles or apparatus, including tents, at the harbor facility, is prohibited except by special authority given by the harbor master for critical emergency situations.

(Code 1977, § 9-3(D)) (*Amended 05/05/03, 08/07/06*)

(c) Persons utilizing a boat ramp at the harbor shall launch or recover any boat as promptly as possible giving consideration to the safety of persons and property, and shall not unnecessarily impede the use of such ramp by other users.
(*Adopted 08/07/06*)

Sec. 70-96. Designated loading and unloading areas.

(a) ~~The committee~~**Harbor Master** shall designate a specified wharfage area for the loading and unloading of both commercial and pleasure boats which areas shall be designated and with appropriate signage.
(*Amended 08/07/06*)

(b) Except in an emergency, it shall be unlawful to use the loading and unloading wharfage area for the mooring of boats. In an emergency, the mooring shall be as approved by ~~the committee~~**Harbor Master** or ~~its~~ **his** designated agent.
(*Amended 10/03/05, 08/07/06*)

(c) Wharfage for inbound or outbound cargo placed on the loading and unloading area shall be limited to 24 hours without charge. Wharfage for all boats shall be limited to eight hours without charge.
(*Amended 05/05/03, 10/03/05, 08/07/06*)

(d) Under no circumstances shall any cargo remain on the loading and unloading area in excess of the free time, except on the express authorization of the harbor committee or harbor master. The loading and unloading area or any other upland area of the harbor facility shall not be utilized for storage purposes. Cargo equipment of whatever kind placed thereon shall remain thereon at the risk of the consignee or owner and shall be removed within a reasonable length of time, which shall not exceed 24 hours except on the express authorization of the harbor committee or harbor master.
(Code 1977, § 9-3(E)) (*Amended 08/07/06*)

Sec. 70-97. Use of harbor for anchoring or mooring.

(a) No boat shall be moored or anchored inside the harbor without the permission of ~~the committee~~ or harbor master, at such points as shall be designated.
(*Amended 08/07/06*)

(b) No boat shall operate or be moored or anchored in such a manner as to obstruct the passage, approaches, berthing offloading, or loading, or use of the launching ramp by other boats at the harbor.
(*Amended 08/07/06*)

(c) No person operating any boat shall utilize in any way any bulkhead, dock or slip space within the harbor except that portion which is ~~leased~~ **permitted** by ~~such person from the committee, or otherwise with the expressed permission of the harbor master or the committee.~~
(*Amended 08/07/06*)

(d) — Fees as determined by the town may shall be charged for anchoring or mooring in the harbor by the committee when authorized by the harbor master.

(Code 1977, § 9-3(F)) (*Amended 08/07/06*)

Sec. 70-98. Speed limit.

All boats entering, leaving, or navigating in the harbor shall be operated in such a manner so as not to create a swell sufficient to cause damage to the other boats moored, anchored, offloading, loading or utilizing the boat ramps at the harbor.

(Code 1977, § 9-3(G)) (*Amended 08/07/06*)

Sec. 70-99. Dock boxes.

Dock boxes may be provided and utilized by each **Mooring Permit Holder** at the harbor, provided that the design, materials, colors, and location are approved in writing by the harbor master.

(Code 1977, § 9-3(H)) (*Amended 08/07/06*)

Sec. 70-100. Storage.

Crab traps, lobster pots, fish nets, baskets, fish boxes and all other types of gear shall not be stored on the docks or upland areas except area that may be designated by the harbor committee master. Boats shall not be stored on the docks, adjacent waterways or upland areas of the harbor.

(Code 1977, § 9-3(I)) (*Amended 08/07/06*)

Sec. 70-101. Fuel.

No fuel, either diesel or gasoline, shall be stored on the docks or upland areas of the harbor. Fuels shall only be sold at the harbor by licensed fuel dealers. Transportation of fuels by a lessee **Mooring Permit Holder** is permitted, providing the containers are safe and properly secured on the lessee's **holder's** vehicle. All such containers and vehicles must be approved by the harbor committee or the harbor master.

(Code 1977, § 9-3(J)) (*Amended 08/07/06*)

Sec. 70-102. Oversized vessels.

Boats longer than 15 percent of the length of the harbor slip requested will not be permitted unless special permission is granted by the committee.

(Code 1977, § 9-3(K)) (*Amended 08/07/06*)

Sec. 70-103. Trespassing.

No person shall enter the harbor between the hours of 10:00 p.m. and 6:00 a.m., except for leaseholders **Mooring Permit Holders** and their guests and other duly authorized persons. Any such entry shall constitute a criminal trespass.

(Code 1977, § 9-3(L)) (*Amended 08/07/06*)

Sec. 70-104. Prohibited conduct.

Within the harbor, the upland area adjacent thereto, and the spoil site, the following conduct is expressly prohibited:

- (a) crabbing

- (b) swimming
 - (c) fishing
 - (d) camping
 - (e) bathing
 - ~~(f) picnicking~~
 - (g) overhaul or repair of boats
 - (h) discharge of firearms
 - (i) reserved
- (j) parking, except as expressly permitted by appropriate signage or the harbor master
(Code 1977, § 9-3(M)) (*Amended 08/07/06*)

Sec. 70-105. Other rules and regulations.

In addition to all other rules or regulations pertaining to the use of the harbor, the following additional rules and regulations shall be in effect:

a. Overnight parking **is** prohibited without **a current** ramp user fee sticker **and then only if the vessel is under way.**

b. Two (2) hour parking if not under way on boat or vessel.
(*Adopted 08/07/06*)

Sec. 70-106. Abusive language.

While utilizing the harbor, including while on any boat moored thereto or while in the act of mooring, embarking, disembarking, launching or recovering any boat any person shall refrain from making any loud and disturbing noises not reasonably necessary for utilizing said facility, and further shall not use any abusive and/or obscene language that reasonably disturbs the peace and tranquility of others on or near said facility.

(*Adopted 08/07/06*)

Sec. 70-107 to 109. Reserved.

ARTICLE III. USE OF OTHER TOWN WATER RELATED FACILITIES

DIVISION 1. GENERALLY

Sec. 70-110. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Boat means any motor boat, vessel, watercraft, or personal watercraft of any kind, however propelled.

Person means any natural person, corporation, partnership, limited liability company, or other legal entity.

Town or Town Council means the governing body of the Town of Chincoteague.
(Adopted 08/07/06)

Sec. 70-111. Purpose and authority.

The purpose of this article is to provide for the operation of all other water related facilities owned or controlled by the Town of Chincoteague, specifically including but not limited to the town dock (excluding any leased portion thereof), Chincoteague Veterans Memorial Park, eastside boating facility, Fir Landing, and Robert N. Reed, Sr. Downtown Waterfront Park.
(Adopted 08/07/06)

Sec. 70-112. Penalties.

Any person violating any of the provisions of this article shall, upon conviction, be guilty of a Class 2 misdemeanor.
(Adopted 08/07/06)

Sec. 70-113. Nondiscrimination.

There shall be no discrimination in the use of or access to the benefits of any such facility, regardless of race, age, creed, handicapping conditions, color, national origin, religion, sex, political affiliation or beliefs.
(Adopted 08/07/06)

Sec. 70-114. Reserved.

DIVISION 2. PROVISIONS REGULATING THE USE OF SUCH OTHER FACILITIES

Sec. 70-115 General authority.

(a) The harbor master and his duly designated agents, in the supervision of the other town water related facilities and the enforcement of this article, shall have the authority to direct and control the movement and stoppage of all boats, vehicles and trailers using the other town water related facilities, including the parking area, ramp, dock, boat slips and waters within the confines of the other town water related facilities. The harbor master shall have the further authority to restrict or prohibit any activities within the facility that in any way adversely affect the intended uses of the facility. The failure of any person to reasonably submit to such directions and control shall constitute a violation hereof.
(Adopted 08/07/06)

(b) Nothing contained in this section is intended to preclude the police department or other police officers from enforcing federal, state and local statutes, ordinances and regulations, including the provisions of this article within the other town water related facilities.
(Adopted 08/07/06)

Sec. 70-116. General.

It shall be unlawful for any person to use, occupy, moor, load, offload, launch, or recover any boat except as permitted herein.

(Adopted 08/07/06)

Sec. 70-117. Required license.

No person shall use for the launching and/or recovery of any boat any ramp constituting a part of any such facility without having paid any required license fee as established by the town council from time to time.

(Adopted 08/07/06)

Sec. 70-118. Damage to docks, wharves or launching ramps.

It shall be unlawful for any person to intentionally or negligently damage any public dock, wharf, bulkhead, or launching ramp constituting a part of any such facility.

(Adopted 08/07/06)

Sec. 70-119. Boat ramp and land area usage.

(a) The use of the boat ramp and adjacent parking areas of any such facility, are for the pleasure of all users. No unloading, loading or storage of seafood products or byproducts, nets, poles, dredges or culling of products is permitted except in designated loading and unloading areas as hereinafter provided. At the discretion of the harbor master, a temporary variance may be granted when an emergency exists or there is other just cause therefore.

(Adopted 08/07/06)

(b) Overnight habitation of boats, parked vans, automobiles, trucks, mobile homes, camper trailers or other recreational vehicles or apparatus, including tents, at any such facility, is prohibited except that slip holders and their guests may utilize overnight accommodations on boats designed for such overnight use, after obtaining the lease from the town.

(Adopted 08/07/06)

(c) Persons utilizing a boat ramp at any such facility shall launch or recover any boat as promptly as possible giving consideration to the safety of persons and property, and shall not unnecessarily impede the use of any such ramp by other users.

(Adopted 08/07/06)

Sec. 70-120. Dumping disposal of wrecks.

(a) It shall be unlawful to deposit or cause or permit to be deposited, in any of the waters of any such facility, or along the shores thereof or in any of the streams or ditches emptying therein or on any of the land adjacent or contiguous to any such facility, any refuse, offal, waste matter or other substance or material, whether earth, oil, liquid, animal, fish or

vegetable matter, or other matter that may adversely affect the sanitary, clean and safe condition of the waters in any such facility or that may diminish the depth thereof.

(Adopted 08/07/06)

(b) It shall be unlawful to intentionally or negligently permit or cause to be sunk any boat in the waters of any such facility, or to intentionally or negligently permit or cause any loose timber or log to be set adrift in any such facility. Whenever a boat is wrecked and/or sunk in any of the waters of any such facility, accidentally or otherwise, it shall be the duty of the owner or person then in possession of such wrecked or sunken boat to immediately mark it with buoys and a lights at night and to maintain such warning devices until the wrecked or sunken boat is removed which shall be done within the time frame designated by the harbor master. The neglect or failure of the owner or person then in possession to so mark the wrecked or sunken boat shall constitute a violation hereof. It shall be the duty of the owner or person then in possession of such wrecked or sunken boat to commence the immediate removal of the boat and remove same within the harbor master's designated removal period. Failure to do so shall constitute a violation hereof. Further the failure of the owner or person then in possession to mark with required warning devices and/or remove such wrecked or sunken boat within the period prescribed by the harbor master shall constitute a material breach of any lease, with such person and authorize the harbor master to cancel such license. In the event any such owner or person in possession does not timely remove such wrecked or sunken boat, the harbor master may proceed to do so after five (5) days written notice to such owner or person in possession, and at the owner's and/or person in possession's cost.

(Adopted 08/07/06)

Sec. 70-121. Use of facility for anchoring or mooring.

(a) No boat shall be moored to or anchored inside any such facility without the permission of the harbor master and at such points as may be designated, or unless otherwise permitted.

(Adopted 08/07/06)

(b) No boat shall be operated or moored or anchored in such a manner as to obstruct the passage, approach, berthing, offloading, loading, launching or recovery of other boats at any such facility.

(Adopted 08/07/06)

(c) No person operating any boat shall utilize in any way any bulkhead, dock, or slip space within any such facility except that portion which is leased by such person from the town, where applicable, or without the express permission of the harbor master, or as otherwise permitted.

(Adopted 08/07/06)

Sec. 70-122. Prohibited conduct.

Within any such facility, and/or the upland area adjacent thereto, the following conduct is expressly prohibited:

- (a) swimming
- (b) camping
- (c) fireworks
- (d) overhaul of boats **except for the express written authority of the Harbor**

Master

- (e) discharge of firearms
- (f) parking, except as expressly permitted by appropriate signage.

In addition to any other rule or regulation pertaining to the use of the other town water related facilities, the following additional rules and regulations shall be in effect:

- (a) Overnight parking **is prohibited without a current ramp user fee sticker and then only if the vessel is under way.**
- (b) Two (2) hour parking if not under way on boat or vessel.

(Adopted 08/07/06)

Sec. 70-123. Other rules and regulations.

In addition to all other rules or regulations pertaining to the use of the other town water related facilities, excepting the town dock, the following additional rules and regulations shall be in effect:

- (a) The loading dock area may be used up to four (4) hours free of charge.
- (b) Beyond four (4) hours, boats may remain at the dock for reasons of mechanical failures, inclement weather or any other situation as deemed appropriate by the harbor master or his duly appointed agent.
- (c) The fee for said mooring shall be ~~seven (\$7) dollars per day~~ **set by Council each year.**

(Adopted 08/07/06)

Sec. 70-124. Provisions regulating boat wakes in and adjacent to any such facility.

All boats entering, leaving, or navigating in or within 100 feet of any such facility shall be operated in such a manner so as not to create a swell sufficient to cause damage to the other boats moored, anchored, offloading, loading, or utilizing the boat ramps at such facility.

(Adopted 08/07/06)

Sec. 70-125. Abusive language.

While utilizing any such facility, including while on any boat moored thereto or while in the act of mooring, embarking, disembarking, launching or recovering any boat any person shall refrain from making any loud and disturbing noises not reasonably necessary for utilizing said facility, and further shall not use any abusive and/or obscene language that reasonably disturbs the peace and tranquility of others on or near said facility.

(Adopted 08/07/06)

Sec. 70-126. Special provisions applicable to the town dock.

(a) No commercial boat shall offload any cargo except that a boat less than 24 feet in length may offload seafood products providing that said offloading does not exceed ½ hour daily.

(Adopted 08/07/06)

(b) A boat may moor at the town dock between the hours of 8:00 a.m. to 12:00 noon to take on fuel and secure stores for a period not to exceed 1 hour daily and provided that there are no more than two such boats so moored at a time.

(Adopted 08/07/06)

(c) In the case of an emergency the United States Coast Guard may moor a boat at the town dock during the course of said emergency after contacting and securing the approval of the harbor master.

(Adopted 08/07/06)

(d) The harbor master may permit a boat to moor for an appropriate period of time to correct any mechanical problems.

(Adopted 08/07/06)

(e) In the case of inclement weather, the harbor master may moor up to two boats at the town dock during the period of such weather conditions.

(Adopted 08/07/06)

(f) Under no circumstances shall the use of the boat ramp at the town dock be impeded.

(Adopted 08/07/06)

7. Ordinance Committee Report of February 19, 2013

- **Consider Changes to Ordinance Chapter 22, Environment, Article II, Noise, Section 22-35 & Section 22-36**

- **Consider Changes to Ordinance Chapter 18, Businesses, Article II, Licenses, Division 2, Specific Businesses and Occupations, Section 18-95 & Section 18-96**

Town Manager Ritter stated that the Ordinance Committee met. There were a couple of people that spoke during the public participation. He advised that Mr. Porter spoke against working on Sunday for the Fairfield Inn. He also stated that Mr. Hubb reported on the golf carts. He added they reviewed the possible changes to Chapter 22 referring to the Noise Ordinance and also to Chapter 18, Businesses Licenses.

Town Manager Ritter stated that there were lengthy conversations about low speed vehicles. The Committee agreed not to override the state requirements. He then read the Ordinance, Chapter 22, Environment, Article II, Noise, Section 22-35 & Section 22-36. He explained the reason behind the changes stating that the allowance of the grass cutting and construction noise will be after church hours on Sunday. He also informed Council that the Noise Ordinance for grass cutting went to court approximately 20 years ago and was thrown out. He added that the

Committee asked to forward this to Council. He advised that Councilman Howard feels that there are people abiding by the ordinance and giving a waiver wouldn't be right.

Mayor Tarr explained the proposed changes allowing the grass cutting noise and allowing construction noise after noon on Sundays within the decibel specified.

Councilman Taylor advised that the Chairman of the Committee did not vote for this. He feels the exterior noises are the issue. He stated that interior construction noises aren't that bad. He feels the Town should look out for the visitors and the residents. He would agree to the change for interior construction only but not exterior noises.

There was further discussion.

Councilwoman Richardson asked why Council would want to change something that has worked for many years.

Councilman Jester asked if the Police stop the grass cutting on Sundays.

Chief Lewis advised there have been no complaints.

Councilman Jester then asked why have ordinances you're not going to enforce. He doesn't feel it's a major problem.

Councilman Muth stated that grass cutting is a short term noise. He is in favor of allowing grass cutting. He also stated that he is also in favor of the construction noise between 12 noon and 7 p.m. He explained that not everyone takes Sunday off. He added that they work with the weather and work with the day that they can take off. He isn't sure this would be stopped anyway. He feels it's more responsible to enforce it with the 89 decibels as opposed to looking the other way.

Councilman Muth also feels it protects the renters that have paid a lot of money to come on vacation. He sympathizes with the contractor because they have to work around weather. He feels this addresses the issue on both sides.

Councilman Jester motioned, seconded by Councilman Muth to change the Grass Cutting Ordinance allowing grass cutting on Sundays from 12 noon – 7:00 p.m. Motion died.

Ayes: Jester, Muth

Nays: Leonard, Taylor, Richardson

Absent: Howard

Vice Mayor Leonard asked if there was already something on the books that they can request a special permit in extreme circumstances.

Mayor Tarr advised that there is something on the books for this. He quoted: “except when a permit is accepted by the Town Manager in a bonafide emergency to life or property where public health and safety will not be impaired by such work”.

Councilman Taylor stated that he would vote for this if it was just for interior construction.

There was brief discussion with a suggestion to add “for interior work only” to the proposed ordinance change.

Councilman Muth feels it should just be allowed. He stated that from a business standpoint other businesses have the right to be in business on Sundays.

Councilman Muth motioned, seconded by Councilman Jester to approve the changes to the Construction Noise Ordinance. Motion died.

Ayes: Muth, Jester

Nays: Leonard, Richardson, Taylor

Absent: Howard

Town Manager Ritter explained that this essentially changes the ordinance pertaining to Pony Penning Sales. He advised that they are proposing a Special Event License of \$60.00. He read the changes and explained that this is to close the loophole of purchasing a Business License verses a Special Event License. He stated that this specifies an established business which would cause those not qualifying as an established business to purchase a Special Event License. He continued to read the changes.

Mayor Tarr stated that there was an issue with the restaurants under Special Events having to pay a deposit of \$500 for Meals Tax reporting. He explained that it was waived for established businesses.

Town Attorney Poulson reviewed the changes and asked questions.

There was lengthy discussion regarding the zoning and uses permitted by right.

Mayor Tarr stated that on Pony Penning Day there are several vendors that conduct business on residential properties for that day only. He then stated that a Special Event License is being issued to conduct a special business event on a residential property.

Discussion continued.

Town Attorney Poulson stated that he agreed with Councilman Jester’s suggestion to add “or as otherwise permitted in zoning”.

They discussed zoning inspections and parking requirements or the waiver of parking requirements.

Town Attorney Poulson asked if there is a “Special Event License” in the current ordinance.

Town Planner Neville advised there was.

Mayor Tarr feels this should be sent back to the Ordinance Committee for review.

They also talked about the definition and making a determination whether they're going to permit the activity along with the zoning issue.

Council agreed to send this back to the Ordinance Committee.

8. Mayor & Council Announcements or Comments

Councilman Taylor requested life rings at all the water facilities and expressed the importance.

Mayor Tarr directed staff to report back to Council with costs and further information.

Vice Mayor Leonard congratulated the North Accomack Little League for their annual dinner/auction. They raised \$12,000 for the youth of Chincoteague to have another year of baseball and softball. He also added that the Ladies Auxiliary did a fine job with the food.

Mayor Tarr added that this was a huge and successful event.

Public Works Director Spurlock reminded Council of the Public Works Committee meeting Tuesday at 5:00 p.m.

9. Closed Meeting in Accordance with Section 2.2-371(A)(7) of the code of Virginia

• Legal Matters

Councilwoman Richardson moved, seconded by Councilman Jester to convene a closed meeting under Section 2.2-3711(A)(7) of the Code of Virginia to discuss personnel matters. Motion carried.

Ayes: Leonard, Taylor, Muth, Richardson, Jester

Nays: None

Absent: Howard

Councilman Jester moved, seconded by Councilman Muth to reconvene in regular session.

Motion carried.

Ayes: Leonard, Taylor, Muth, Richardson, Jester

Nays: None

Absent: Howard

Councilman Muth moved, seconded by Vice Mayor Leonard to adopt a resolution of certification of the closed meeting. Motion carried.

Ayes: Leonard, Taylor, Muth, Richardson, Jester

Nays: None

Absent: Howard

WHEREAS, the Chincoteague Town Council has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711(A)(7) of the Code of Virginia requires a certification by this Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Chincoteague Town Council hereby certifies that to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Town Council.

VOTE: Ayes- Leonard, Jester, Richardson, Muth, Taylor
Nays- None
Absent- Howard

Adjourn

Councilwoman Richardson motioned, seconded by Vice Mayor Leonard to adjourn. Motion carried.

Ayes: Leonard, Taylor, Muth, Richardson, Jester
Nays: None
Absent: Howard

Mayor

Town Manager