

**CHINCOTEAGUE TOWN COUNCIL  
REGULAR MEETING  
A G E N D A**

September 3, 2019 - 7:00 P.M. - Council Chambers - Town Municipal Center

1. Call to Order
2. Invocation
3. Pledge of Allegiance Mayor Leonard
4. Public Comments
5. Agenda Adoption
6. Update on Inlet View Property
7. Staff Updates Pg. 2
8. Committee Reports Pg. 7
9. Adoption of the Minutes of the August 5, 2019, Regular Council Meeting Pg. 14
10. Consider Proposed Ordinance Change, Section 18-94 (d) Pg. 20
11. Closed Meeting in Accordance with §2.2-3712 (A)(3) of the Code of Virginia to Discuss Real Property
12. Certification of Closed Meeting in Accordance with § 2.2-3712 (D) of the Code of Virginia
13. Mayor & Council Announcements or Comments
14. Adjournment

**POLICE DEPARTMENT REPORT**  
**August 2019**

The Chincoteague Police Department received 488 calls for service which resulted in 29 investigations of criminal offenses that included: 2 driving under the influence, 3 drunks in public, 3 possessions of marijuana, 2 obstructions of justice, 1 uttering/ forgery, 4 assault and battery, 1 simple assault, 2 contempt of court, 3 petit larceny, 2 destructions of property, 1 hit and run, 1 defraud Inn Keeper, 1 wire fraud, 1 breaking and entering, 1 improper stopping and 1 trespassing. There were 15 arrests with 21 charges as a result of these investigations.

The Department also responded to 7 accidents, 8 alarms, 10 suspicious activities, 9 civil problems, 15 assisting other agencies, 13 welfare checks, 6 animal complaints and 15 noise complaints.

In addition, 130 security checks, 20 public service calls, 13 finger printings and 12 traffic controls were conducted.

The Department issued 78 summonses for traffic offenses and issued 21 warning tickets.

The Chincoteague Police Dept. has also been continuing preparations for the 15<sup>th</sup> Annual Poker Run for The Kids, which will be held this year on September 14, 2019.

Chief Fisher, Director of Emergency Services Rush, and Paramedic Drewer are in the process of planning several training classes for the officers of the Department and EMS personnel.

**PUBLIC WORKS DEPARTMENT REPORT**  
**August 2019**

- Two new employees began work in the Department, Mr. Randy Savage and Mr. Billy King.
- Completed right of way surveys on the east end of Ocean Boulevard and the north end of Pension Street in preparation for the next phase of Sarbanes funded sidewalk construction. Coordinated a wetlands preliminary jurisdictional determination with the US Army Corps

of Engineers and obtained the requisite easements for Maddox Boulevard sidewalk construction;

- Constructed/installed agility equipment and fire hydrants at HWS Dog Park;
- Installed additional drainage at HWS Dog Park;
- Repaired damaged storm water inlet on South Main Street;
- Cleared brush from North Main Street, Beebe Road, Bunting Road and Halie Whealton Smith Drive right of ways;
- Trimmed trees on several private roads to facilitate solid waste removal;
- Performed routine equipment, park and office complex maintenance;
- Conducted facilities and roadside mowing operations;
- Mowed designated cemeteries;
- Completed regularly scheduled bulk trash/brush collection;
- Performed routine pavement repair, street sweeping and traffic control maintenance;
- Performed mosquito control operations;
- Cleared hydrant obstructions at various locations. Notified property owners of obstructions that could not be removed by Public Works personnel;
- Performed routine water supply, distribution and repair.

#### Upcoming Projects

- Continued construction of multi-modal transportation improvements;
- Bridge tender's house improvements;
- Smith Street recreation fields construction.

### **GENERAL GOVERNMENT REPORT August 2019**

***Smith Street Park:*** Delayed. Awaiting permit to proceed with parking lot construction and site work.

***Water Supply Updates:*** Construction has begun on the filtration plant. Depending on who we speak with at NASA, completion estimates vary from late September to late January. At

any rate, we are trying to work a solution to get our elevated tank work complete during the fiscal year.

We have received a proposal to evaluate the potential of developing water sources on the Island with reverse osmosis treatment. We are evaluating log data from wells that have been drilled into the Yorktown/Eastover aquifer in the past under Chincoteague, before bringing a proposal to Council.

**Wastewater:** The Mayor attended a public session hosted by the County to brief the public on plans for an Accomack wastewater solution to be constructed and operated by Hampton Roads Sanitation District. We have been working to have Chincoteague become part of the overall plan for Accomack.

**Boat Ramp Stickers:** Harbormaster Merritt has begun a pilot program for sales of ramp stickers at the Harbor, to save users trips to the Municipal Center to acquire them. So far, there have been no issues with the program.

**Chincoteague Inlet Study:** No updates. I have contacted the VIMS team and they don't anticipate reporting on their research until November or December.

**BZA Opening:** We still have a vacancy on the Board of Zoning Appeals. No one has expressed interest.

**Dog Park Ceremony:** The dedication ceremony held on August 26<sup>th</sup> was well attended with 30 or more dogs and their human companions as well as many other onlookers.

We have had many requests for additional equipment, benches, shade and the like. Although no one request is a very large expenditure, overall, we need to prioritize some of the additions and include them in a budget amendment.

**Building and Zoning Report:** This report covers the period from July 30, 2019, to August 27, 2019. Activities included:

- 1 - 911 address assignment
- 1 - Accumulations on property citation
- 82 - Construction inspections
- 31 - Zoning Inspections
- 5 - Complaint investigation
- 5 - Business licenses issued
- 2 - Building code questions answered
- 1 - Court case
- 8 - Grass ordinance violations
- 3 - Inoperable motor vehicles
- 3 - Zoning questions answered
- 1 - Zoning violation cited
- 47 - Building permits were issued valued at \$593,829
- Permit fees totaled \$3,240

**EMERGENCY SERVICES REPORT**  
**August 2019**

**EMERGENCY MEDICAL SERVICES DIVISION**

**Reporting Period:** 08/01/19 – 08/27/19

**TOTAL EMS RESPONSES: 90**

(17 LESS THAN IN SAME PERIOD 2018): 107

ADVANCED LIFE SUPPORT: **43**

BASIC LIFE SUPPORT: **39**

OTHER: **8** (Fire Stand-by, Public Assist Calls, etc.)

HAZMAT: **0**

**COMMUNITY SERVICE**

**BP SCREENINGS**

EMS staff conducted a total of 8 blood pressure screenings for individuals that came to the station for such service.

**PUBLIC ASSISTANCE**

Staff assisted four different individuals into private vehicles or from private vehicles, allowing for their families to transport them to and/or from their scheduled doctor's appointments.

**PLANNING**

**OYSTER FESTIVAL**

Planning is now in progress for the Oyster Festival. The Medical Reserve Corps (MRC) will be setting up a first-aid tent so that we can maintain all of our EMS vehicles remain in service for emergencies.

**ANTARES LAUNCH**

The next Antares launch from the Mid-Atlantic Regional Space Port is scheduled for the afternoon of October 21, 2019.

**CHS FOOTBALL**

Scheduling both career and volunteer staff to cover the 2019 home football schedule at Chincoteague High School. Go Ponies!

**TRAINING**

**CONTINUING EDUCATION**

EMS staff completed four hours of continuing education in the below subject matter:

- Pediatric Cardiac Arrest
- Critical Incident Stress Debriefing

## **LOGISTICS**

### **GRANT**

Applied for and received a risk management grant, to purchase an air powered emergency rope deployment system to minimize risk when our EMS providers and police officers are working around the water. The system was brought to light by one of our EMS employees concerned about the water rescues staff finds themselves in when the Assateague lifeguards are not on post due to time of day or time of year. This system will minimize the need for employees to enter the water, especially in the dangerous surf conditions.

## **EMERGENCY MANAGEMENT DIVISION**

- Daily weather monitoring is ongoing. Currently monitoring tropical storms Dorian and Erin, of which neither currently pose a risk to our area.
- Maintained daily situational awareness with VDEM and Joint Information Center.
- Finalizing a functional exercise for “Points of Dispensing” in October 2019. The exercise will involve a biological release and will exercise the Health Departments response, the Town’s response, the Town’s MOU with the Health Department and the Town’s Point of Dispensing Plan for all employees and immediate families. Council will be asked to participate as well on October 16<sup>th</sup>, beginning at 2:00 PM.
- Developed and disseminated an after-action report (AAR) for the 2019 Pony Penning event.
- Attended the one-year review meeting of the RAFT project.
- In conjunction with public works employees, developing a map overlay of all the hydrants located on Chincoteague. When complete, the mapping will be used for planning and response to emergencies, as well as, for system planning, identification and maintenance.

**MINUTES OF THE AUGUST 8, 2019  
ORDINANCE COMMITTEE MEETING**

**Members Present:**

Denise Bowden, Councilwoman  
Gene Wayne Taylor, Councilman

**Absent:**

Matthew Reed, Chairman

**Others Present:**

Ben Ellis, Vice Mayor  
James M. West, Town Manager  
Ray Rosenberger  
Nancy Rosenberger  
Ruth Lane

**1. Call to Order**

Chairwoman Bowden called the meeting to order at 5:06 p.m.

**2. Public Comment**

There was no public comment.

**3. Discuss Ordinance Proposed by Planning Commission**

Town Manager West explained that when Council recently passed the new zoning ordinance governing wayside vendors, there was agreement to review and possibly modify Section 18-94, Peddlers, of the Town Code.

There was discussion on the fairness of the 15-minute duration rule and also discussion on the placement of a push cart on public property including sidewalks which would block pedestrian traffic. Generally, the Committee members present thought it should be clear that peddlers could only operate on private property through agreement with the property owner (and not on public sidewalks or rights-of-ways), and the duration of their operations would be up to the owner of the property.

The Committee proposed that Council consider the following changes to the ordinance in the upcoming September 3, 2019 Council meeting:

Under Chapter 18, Businesses, Article II, Licenses, Division 2, Specific Businesses and Occupations *change 18-94 (d), from:*

(d) *Time limits and locations of sales.* No licensee under this section shall park his truck, wagon, cart or vehicle within the business district or at any location upon any street or public place in the town for a longer period than 15 minutes or within 100 feet of any store, shop or stand from which similar merchandise is sold or in any block for a longer period than one hour in any day to sell and deliver any article which he might offer for sale from house to house, except

in such defined areas as may be specifically set aside by the town council for sale of such merchandise.

*to:*

(d)*Locations of sales.* No licensee under this section shall park his truck, wagon, cart or vehicle within the business district or at any location upon any private property without the consent of the property owner of the same and no closer than 100 feet of any store, shop or stand from which similar merchandise is sold. No truck, wagon, cart or vehicle being used for peddling shall be placed on public property.

#### **4. Committee Member Comments/Other Discussion**

Committee members discussed revisiting the no-wake zone in the Assateague Channel near Memorial Park. Suggestions were made to enlarge the buoys and in lieu of the current message, post **Slow No Wake, 5mph**. Town Manager West stated that he would need to seek approval from the Department of Game and Inland Fisheries to modify the existing permit. Councilman Taylor further suggested that the Town consider purchasing a police boat and possibly an additional officer to enforce the zone. Mr. West agreed to poll Council before proceeding with the ideas.

#### **5. Adjournment**

The meeting was adjourned at approximately 5:40 p.m.

### **MINUTES OF THE AUGUST 13, 2019 BUDGET AND PERSONNEL COMMITTEE MEETING**

#### **Members Present:**

Ben Ellis, Chairman  
Gene Wayne Taylor, Councilman  
Arthur Leonard, Mayor

#### **Others Present:**

Ellen Richardson, Councilwoman  
Denise Bowden, Councilwoman  
James West, Town Manager  
Robley Fisher, Chief of Police  
Ruth Lane

#### **1. Call to Order**

Chairman Ellis called the meeting to order at 1:00p.m.

#### **2. Public Comment**

Councilwoman Bowden stated that the Town should look into the purchase of the Chincoteague Volunteer Fire Company building on Main Street. She stated that she had seen projects elsewhere that rehabilitated historic buildings and created space for vendors, restaurants and museum space. Mayor Leonard commented that Staci Martin with the Virginia Tourism Commission had advised that there were grants available to assist projects targeting economic development. He directed that the matter be placed on the agenda for the September Council meeting.



### **3. Agenda Adoption**

Mayor Leonard motioned, seconded by Councilman Taylor to adopt the agenda. Unanimously carried.

### **4. Consider Changes to the Personnel Policy**

The Committee considered an employee request to change the personnel policy to allow employees to bring permitted weapons to work. After some discussion, the Committee agreed not to change the policy.

### **5. Consider Proposal for Observation Well from Arcadis**

Town Manager West asked the Committee to consider a proposal that he had received from Arcadis, to drill an observation well on Chincoteague to determine the feasibility of an on-Island water source for reverse osmosis treatment. Councilman Taylor commented that wells had already been drilled on the Island by Bundick Well & Pump. Mr. West agreed to research the data available from those wells, if any, before considering the proposal further.

### **6. Committee Member Comments/Other Discussion**

None.

### **7. Closed Meeting**

Chairman Ellis announced that a closed meeting should be convened to review personnel matters. Mayor Leonard motioned, seconded by Councilman Taylor to convene a closed meeting in accordance with §2.2-3712 (A) (1) of the Code of Virginia. Unanimously approved.

Mayor Leonard motioned, seconded by Councilman Taylor to return to the regular committee meeting. Unanimously approved.

The Closed Meeting was unanimously certified in accordance with § 2.2-3712 (D) of the Code of Virginia.

Councilman Taylor moved to approve the promotion of Sergeant Tyler Greenley to the rank of Captain with compensation of \$28/hour. Seconded by Mayor Leonard and unanimously approved.

Town Manager West explained that the Town had advertised for a maintenance worker opening initially as a part time position, with no interest, then as a full time. There was sufficient interest once the position became full time and 5 candidates were interviewed. Mr. West asked the Committee to approve the hire of two workers and they agreed. He advised that the current budget did not factor these hires, and that although retirements would occur during the year and other attrition, a budget amendment allotting as much as \$30,000 additional in salaries would be required.

Town Manager West advised the Committee that the Ordinance Committee which has met the previous week thought that the existing permit for the no wake zone near Memorial Park should be modified to allow larger buoys with the message of 'Idle Speed 5 mph'. Mr. West asked the Committee to consider if he should contact the Department of Game and Inland Fisheries to

modify the permit. The Committee agreed that some research by Mr. West could be conducted and he would report findings.

## **8. Adjournment**

Mayor Leonard motioned, seconded by Councilman Taylor to adjourn the meeting. Unanimously carried.

**MINUTES OF THE  
PLANNING COMMISSION MEETING  
TOWN OF CHINCOTEAGUE, VIRGINIA  
August 13, 2019 - 7:00 P.M. – Council Chambers**

### **Commission Members Present:**

Mr. Ray Rosenberger, Chairman  
Mr. Ben Ellis, Councilman  
Mrs. Mollie Cherrix  
Mr. Robert Shendock  
Mr. David Britton

### **Commission Members Absent:**

Mr. Michael Dendler  
Mr. Starvos Katsetos

### **Staff Present:**

Kenny Lewis, Staff Support

### **Call to Order**

Chairman Rosenberger called the meeting to order at 7:00 p.m.

### **Invocation**

Councilman Ellis offered the invocation.

### **Pledge of Allegiance**

Chairman Rosenberger led in the Pledge of Allegiance.

### **Public Participation**

No public comments.

### **Agenda Additions, Deletions and Adoption**

Mr. Shendock motioned, second by Mr. Britton to accept the agenda as presented. All in favor.

**1. Approval of the July 09, 2019 Regular Meeting Minutes**

Mr. Shendock motioned, second by Mrs. Cherrix to approve the minutes as written. All in favor. Motion carried.

**2. Comprehensive Plan Review**

Mr. Shendock reviewed with the Commission the final updates to Chapter 4.

**3. Announcements or Comments**

No comments were noted

**MINUTES OF THE AUGUST 20, 2019  
RECREATION & COMMUNITY ENHANCEMENT COMMITTEE  
MEETING**

**Members Present:**

Denise Bowden, Chairwoman  
Matthew Reed, Councilman  
Gene Wayne Taylor, Councilman  
Donna Leonard  
Mollie Cherrix

**Staff Present:**

James M. West, Town Manager

**Others Present:**

Ben Ellis, Councilman  
Ruth Lane

**1. Call to Order**

Chairwoman Bowden called the meeting to order at 5:00 p.m.

**2. Public Comment**

Ms. Ruth Lane commented that the Town owns a property on Lekites Lane that borders on a large wetland area and Fowling Gut. She stated that it would be an excellent site to develop a birding trail. She said that a former Town planner had proposed the construction of a long boardwalk across the property, but that no structures are necessary, only cleanup of Phragmites and cutting and removal of some fallen trees. A parking area could also be developed. She thought the only bridge that might be necessary would be over a ditch. The Committee felt that it would be a good idea to investigate. Councilman Taylor requested that a wetland delineation be performed on the property.

### **3. Agenda Adoption**

Councilman Reed motioned, seconded by Councilman Taylor to adopt the agenda. Unanimously approved.

### **4. Discuss Equipment at the Dog Park**

Town Manager West stated that he had received requests from Committee Member Leonard to install some equipment and plant trees at the dog park. He said that he had polled the Committee and all agreed with the construction of agility equipment and the installation of hydrants. The agility equipment had been constructed and the hydrants were in the process of being painted before installation. Further, three benches had been donated to the Town for the park. Mr. West asked for clarification on whether trees should be planted or shade sails be installed.

Councilman Reed felt that a suitable shade species would be a River Birch. He felt that the shade sails may collapse under the weight of storm water. Mr. West thought a design with several sails may allow for tilting of the sails to shed water and agreed to work on a design to deploy next spring. By consensus, the Committee agreed to limit the installation of trees to as few as one or two.

### **5. Dog Park Dedication Planning**

Town Manager West stated he had tentatively planned that Father Mike of St. Andrews Catholic Church would offer a blessing followed by a speech by the Mayor. Father Mike would then offer a blessing of the canines that attended the ceremony. The Committee did not add to the Plan or object. Mr. West announced that Ms. Leonard had volunteered to provide refreshments for the ceremony for both the dogs and people. Mr. West stated that he still needed to firm up the plan with Father Mike and if there were any significant changes he would notify the Committee.

### **6. Committee Member Comments/Other Discussion**

Committee Member Cherrix expressed her concern for the dangerous bicyclists who ride without regard to vehicle traffic and lane markings, or direction of travel.

Committee Member Leonard announced that her budget raised from dog park donations had been expended. She asked the Committee to consider constructing a swing at Donald Leonard Park. The Committee agreed. Councilman Reed requested that composite materials be used in lieu of wood.

Councilman Taylor raised concerns with bicyclist attempting to negotiate the entire turn circle by the Chamber and merging with vehicular traffic. Mr. West stated that the plan was to use the white delineators in between the zebras that were currently there, which would further hamper bicyclists attempting to negotiate the entire circle. Councilman Reed stated he was opposed to the further use of delineators and asserted that those located at Church/Ridge/Chicken City are obstructions to many vehicles. He stated that it is so distracting with all the delineators that cars have come to believe it is a four way stop.

Councilman Reed asked that Public Works consider installing a crosswalk between Island Creamery and the parking lot across the street. Chair Bowden said that better lighting also needs to be considered.

Chair Bowden further expressed her support for the concept of a birding park/trail on Lekites Drive and thanked Ms. Lane for bringing it to the Committee's attention.

**7. Adjournment**

Councilman Reed motioned, seconded by Councilman Taylor to adjourn the meeting.

**MINUTES OF THE AUGUST 5, 2019  
CHINCOTEAGUE TOWN COUNCIL MEETING**

**Council Members Present:**

J. Arthur Leonard, Mayor  
Ben Ellis, Vice Mayor  
Denise P. Bowden, Councilwoman  
Edward W. Lewis, Jr. Councilman  
Matthew Reed, Councilman  
Ellen W. Richardson, Councilwoman  
Gene W. Taylor, Councilman

**Council Members Absent:**

**1. Call to Order**

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

**2. Invocation**

Councilman Taylor offered the invocation.

**3. Pledge of Allegiance**

Mayor Leonard led in the Pledge of Allegiance.

**4. Presentation – CHS 2019 Valedictorian, Samantha Nicholson**

Accomack County Supervisor, William J. “Billy Joe” Tarr on behalf of the Accomack County Board of Supervisors, presented a Resolution to Miss Samantha Nicholson, the Valedictorian of Chincoteague High School class of 2019 for her academic achievements.

**5. Chincoteague Center Report**

Center Director Jessi West reported on the goals she originally presented in October 2018. She advised they have added amenities; 150 additional chairs, 22 tables, tabletop refrigerator for the bar setup have been purchased, replacement of the warming cabinet and ice machine. They have done lobby renovations with new furniture, USB charging stations and replacement of 2 of the lighting systems in the main hall. They projected for FY19 a goal to have 62 events and held 58 events. They also projected to have 16,759 attendees for the year, and they had 17,655 guests. Center Director West stated that they also projected to increase free and community events. They projected to have 29 events for the year, and they ended the year with 25 free and community events. She reported on the value on the free and community events that were projected at \$34,450 and ended the year with an estimation of \$34,400. The final goal was to increase rental income. They projected to take in \$47,558 and they ended the year with \$47,903.

Center Director West was excited to share the numbers with Council as they are experiencing great progress due to the leadership in the Town and Board.

Mayor Leonard announced the Center Director West is moving on.

Center Director West advised the move is due to a change in family circumstances.

Mayor Leonard feels she has done a spectacular job since she has been with the Center. He wished her continued success.

Center Director West stated that she is helping with the transition, the job is posted, and they currently have approximately 25 applicants.

Council thanked Center Director West.

## **6. Public Comments**

Mayor Leonard opened the floor for public comments.

- Mr. Leonard Jester, 7437 Herbie's Lane, addressed Council regarding the No Wake Zone near his property. He explained the movement of the buoys and all of the letters and calls he has made. He feels he is losing property because of the wake. He asked Council for their help.

Councilwoman Bowden advised of an incident she witnessed and if the VMRC isn't there to witness it they can't write them.

Mr. Jester interjected that the Town has to request the VMRC police this area, or it won't be done.

They also discussed a neighboring property being unable to repair her bulkhead because of permitting.

There were comments that the VMRC isn't going to sit there 24/7 to police it. There are also other areas around the Island facing the same problems. The 3 buoys are currently in place.

- Mrs. Jane Hook-Fetterman, 7441 Herbie's Lane, also feels something needs to be done. She expressed her concerns to her property as well and explained an incident at her dock. She understands it's not the Town's fault. She knows the VMRC can't sit there 24/7 but feels something has to be done. She commented on the strong current. She also suggested putting something in the paper about No Wake Zone enforcements. She thanked Mr. Jester for all his work on this. She asked who they call to get something done.

Mayor Leonard advised that they should call over the heads of the local VMRC in Newport News.

Mrs. Fetterman commented further. She asked for a permanent No Wake sign there. She has nothing against the cruise boats, but do not have to be that close to their docks. She wants Council to be aware of what they're going through.

Councilwoman Bowden stated that the VMRC advised they couldn't stay there to patrol it. She stated that there isn't an easy solution to this. However, if a few people are ticketed maybe it would get the word out.

Mr. Fetterman commented as well.

Councilman Reed advised he has played in that Channel and has watched the whole area change since he was 12 years old. He stated that the wake may cause some of the erosion to the properties. However, he believes that the current has gotten stronger and feels it is due to the situation at the Inlet. He added that on low tide the only deep water is near the docks along Herbie's and Emma Lane. The No Wake Zones have never made any sense to him. He explained that if you put the buoys in with "No Wake" on them it doesn't matter if you're outside or inside of them the wake is still going to shore. Unless you're going to stop the wake in the entire Channel it will still carry. He added that most people don't understand the "No Wake", they slow down which throws more of a wake.

Council commented further.

## **7. Agenda Adoption**

Councilwoman Richardson motioned, seconded by Councilwoman Bowden to adopt the agenda as presented. Unanimously approved.

## **8. Staff Updates**

### Police Department:

Chief Fisher advised that the Report is in the agenda packet. He made a correction that they had 21 arrests and 35 charges. He feels it was a good month but busy month. They had good cooperation with the State Police and Sheriff's Department. He advised of a complaint earlier today regarding one of the State Troopers. He added that everything else has been positive.

### Public Works Department:

Public Works Director Spurlock advised that the Public Works Department dominated this month with July 4<sup>th</sup>, Pony Penning and keeping up with the never-ending grass cutting. He advised that they more water was consumed during the 4<sup>th</sup> of July than any other time.

### General Government:

Town Manager West advised he wanted to recognize everyone who participated in Pony Penning; the Virginia State Police, Sheriff's Department, School Board, Accomack County Public Safety, Eastern Shore Medical Reserve Board, Rescue Squads throughout the County. He stated that it's about 120 people that make the shuttle and traffic control work. He stated that this year was very smooth.

Mayor Leonard thanked the Sheriff's Department and Town Police. He advised of all the vehicles parked along the Causeway in the past. He stated that this year there was none.



## **9. Committee Reports**

### Public Safety Committee:

Councilwoman Bowden advised they met June 14<sup>th</sup> at 5:00 p.m. Mr. John Lynn of 4032 Main Street (Mullers Ice Cream Parlor) asked if the redlines at the fire station could be removed as it would free up approximately 15 parking spaces. She stated that since the Cropper Street station is no longer being used, they don't need the red lines any longer.

Public Works Director Spurlock advised they have been removed.

Councilwoman Bowden stated that the redline will remain in front of the Main Street station and along the side as they still have people going there. She reported that Emergency Coordinator Rush updated the Committee on large event planning, Hurricane Evacuation Studies and the July 4<sup>th</sup>/Pony Penning planning. There was discussion regarding the fire at Wildcat as there are issues with driveways, debris, trees and getting in and out of the area. Coordinator Rush has created a Plan to be sent to the residents that live there.

Town Manager West advised it has been sent.

Councilwoman Bowden stated that being able to access this area is important.

### Curtis Merritt Harbor Committee:

Mayor Leonard reported there was a Harbor Committee meeting. He advised the fuel sales were \$339,000 at the Harbor. They have \$93,000 worth of slip rentals, \$54,000 in sub-leases. He feels the Harbor is doing well and Harbormaster Merritt is keeping things going well. He suggested that everyone go see the new floating dock commenting on its success.

Vice Mayor Ellis commented and explained that process regarding the assessment of the Police Chief and Town Manager which will be discussed at the workshop meeting in September.

## **10. Adoption of the Minutes of the July 1, 2019, Regular Council Meeting**

Councilwoman Richardson motioned, seconded by Councilwoman Bowden to adopt the minutes of the July 1, 2019 regular Council meeting. Unanimously approved.

## **11. Next Phase – Sarbanes Grant Work**

Public Works Director Spurlock advised the list is included in the packet. He explained the list; "Ride With/Walk Against" signage in key locations. Complete sidewalks on Pension Street and Ocean Blvd., which depends on easements. Pedestrian signals at key locations such as Coach's Lane and Ocean Blvd. regarding the bike trail. "Share Roads" signs where there are no dedicated bike paths and to designate the suggested bike routes to the beach. They are still trying to obtain an easement from Steve Katsetos. Add delineators inside the armadillos at the traffic circle. Waiting for the traffic analysis to safely funnel bicyclists from downtown to the beach. He advised that there is a proposal in the packet from Clark Nexsen to do everything except the Bay to Beach signs.

Councilwoman Richardson stated that they need to approve Clark Nexsen to do the planning work associated with the next phase which costs \$28,668.29 from the Sarbanes Grant not the Town. She added that the Bay to Beach signs will be paid for by the Town.

Councilman Reed motioned, seconded by Councilman Taylor approving Clark Nexsen to move forward with the next phase of the Sarbanes Grant work. Unanimously approved.

## **12. Mayor & Council Announcements or Comments**

Councilman Reed asked where the Town is regarding wastewater.

Mayor Leonard advised the engineering group dropped the ball and the state isn't being cooperative. The options are limited.

Public Works Director Spurlock interjected that the Hampton Roads Sanitation District is working to get permission to run a force main from Nassawaddox and connect it with Onancock's wastewater plant. They are petitioning the court to allow it anywhere in Accomack and Northampton Counties. He was skeptical that the Hampton Roads Sanitation District would pay for the main along with buying the Onancock Plant and operating it. This is Phase I which will show how successful it is and to potentially start Phase II. Phase II will be to build a plant in northern Accomack County and build a force main all the way to Chincoteague. He commented that it is very tentative at this point. One of the planners of the Hampton Roads Sanitation District is supposed to come and meet in the near future. Public Works Director added that any infrastructure they put in place like this will actually spread the cost over an entire area with hundreds of thousands of people.

Councilman Reed asked if the Town needs to meet with VDOT regarding the dips coming off the bridges. He commented further and asked if it can be addressed.

Public Works Director Spurlock advised he will call VDOT.

Councilman Taylor asked everyone to shop and deal locally.

Councilman Lewis thanked everyone for a great job during July 4<sup>th</sup> and Pony Penning. He wished Center Director West luck and thanked her for a job well done.

Vice Mayor Ellis advised Mr. Jester and Mrs. Fetterman that he would go back through the notes and find the contact information for the No Wake Zones.

Mrs. Fetterman commented.

Councilwoman Bowden praised every level of the Town for handling July 4<sup>th</sup> and Pony Penning. She feels they are the best and thanked every effort within the Town. She thanked Center Director West and is happy that the Center has evolved and hopes that whomever takes over will be able to continue in her steps. She addressed Mr. Jester and Mrs. Fetterman saying that she

doesn't think this is ever going to be fixed. She promised to speak with VMRC Officer. Tucker and try to do her best to help. She concluded by saying "Go Yankees!".

Councilwoman Richardson praised the employees of the Town along with the State Police, Accomack County Sheriff's Department, Public Works, Local Government Staff for their hard work during Pony Penning. She advised she came by Pony Penning morning to take pictures. She stated that it's amazing to watch the buses loaded, directing traffic and parking vehicles. She was impressed. She added that when you witness this, it's amazing. She feels it's a well-organized event. She also wished Center Director West the best of luck.

**13. Adjournment**

Councilwoman Richardson motioned, seconded by Councilwoman Bowden to adjourn. Unanimously approved.

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J. Arthur Leonard, Mayor

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James M. West, Town Manager



TO: Mayor Leonard and Town Council

FROM: James M. West, Town Manager

DATE: August 28, 2019

SUBJECT: Proposed Ordinance Change

In their August 8, 2019, meeting, the Ordinance Committee reviewed the ordinance governing the operations of Peddlers. The specific section of the Town Code is Chapter 18, Businesses, Article II, Licenses, Division 2, Specific Businesses and Occupations, Sec. 18-94. Peddlers.

After review, the Committee recommended *changing 18-94 (d), from:*

(d) *Time limits and locations of sales.* No licensee under this section shall park his truck, wagon, cart or vehicle within the business district or at any location upon any street or public place in the town for a longer period than 15 minutes or within 100 feet of any store, shop or stand from which similar merchandise is sold or in any block for a longer period than one hour in any day to sell and deliver any article which he might offer for sale from house to house, except in such defined areas as may be specifically set aside by the town council for sale of such merchandise.

*to:*

(d) *Locations of sales.* No licensee under this section shall park his truck, wagon, cart or vehicle within the business district or at any location upon any private property without the consent of the property owner of the same and no closer than 100 feet of any store, shop or stand from which similar merchandise is sold. No truck, wagon, cart or vehicle being used for peddling shall be placed on public property.

In summary, the change would clarify that peddlers could only be located on private property with the permission of the property owner, with no time limitations (assuming that it would be up to the property owner to establish limitations if any). Council is asked to consider this recommendation and possibly adopt the change.