

**MINUTES OF THE SEPTEMBER 8, 2020
CHINCOTEAGUE TOWN COUNCIL MEETING**

Council Members Present:

J. Arthur Leonard, Mayor
Christopher D. Bott, Vice Mayor
Denise P. Bowden, Councilwoman
William T. McComb, Jr. Councilman
Matthew Reed, Councilman
Ellen W. Richardson, Councilwoman
Gene W. Taylor, Councilman

Council Members Absent:

None

Staff Present:

Mr. Michael T. Tolbert, Town Manager
Mr. Bryan Rush, Emergency Management Coordinator
Mr. Robby Fisher, Police Chief
Mr. Harvey Spurlock, Public Works Director

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. Public Comment

Mayor Leonard opened the public comment.

- Ms. Julie Brommer, President of Chincoteague Island Community Cats, updated Council of what they have accomplished over the past few months. They have tracked, spayed or neutered 16 cats since June, relocate 10 kittens and vaccinated 11 cats. She added that there were 19 cats trapped in the Inlet View area with help from the local Animal Control, citizens and volunteers. The project manager and developer allowed this and advised they would stay in touch with her.

Councilman Taylor thanked her for what she is doing.

Councilwoman Bowden stated that she has had nothing but compliments for this organization and thanked her and the efforts of her group.

- Town Manager Tolbert read a letter from Mr. Matthew L. Merritt. His letter was in reference to Tom's Cove Park regarding all visitors who had to vacate the Town following the Governor's Order #53. They were denied their request for a credit for the number of days they were not allowed to occupy their annual lease at Tom's Cove. He asked Council to urge them to refund.

- Mr. Steve Katsetos, Steve's Express II, 6290 Chester Park Drive, came before Council regarding the plans to put in a sidewalk on the north side of Maddox Boulevard. He is concerned that they will be taking away his parking. He would rather the Town spend the money on drainage and a pump station in that area. He commented further.

Mayor Leonard asked Mr. Katsetos to speak with the Town Manager. He added that most of the property is the Town's right-of-way.

Councilman Taylor advised that the Town owns a 100' right-of-way from Eel Creek to just past McDonald's. He gave the ownership history of the property.

Councilwoman Bowden added that the money for the bike path is from the Sarbanes Grant and is not the Town's money. It has to be used for a specific purpose.

Discussion continued.

Councilwoman Richardson suggested that the Public Works Committee meet about this.

Town Manager Tolbert stated that this was an idea in the office they were exploring. The Town would never impede private property.

They discussed other alternatives and referred it to the Public Works Committee.

5. Agenda Adoption

Vice Mayor Bott motioned, seconded by Councilwoman Richardson to adopt the agenda as presented. Unanimously approved.

6. Staff Update

General Government

Town Manager Tolbert reviewed the report. They are receiving prices on the first of 3 playground structures for the new Smith Street Park. Public Works staff will begin work on the soccer field soon. He and Public Works Director Spurlock took a tour of the NASA water filtration plant. The Office of Drinking Water has not conducted an inspection of the plant. Nasa was asked to do some operational testing drawing down the wells for several days and other sources for 30 days. They are currently planning to conduct these tests. There is no power to the plant as of yet for the lights. He also advised there will be a presentation of the concept of what could be done with the firehouse at the workshop meeting on the 17th.

Councilwoman Bowden stated that the Fire Company will have a Zoom meeting on the 14th to have information ready for the presentation on the 17th.

Town Manager Tolbert reviewed the month and year to date budget. They will have to a budget amendment for the C.A.R.E.S. Act. He also reported on the Meals Tax and Transient Occupancy Tax revenues for August 2020 vs. August 2019, 2018 and 2017. Meals Tax is down \$18,000 and up approximately \$2,900 on Transient Occupancy Tax. He advised that as of Thursday morning, they have given away 53 checks totaling \$212,000. They will be discussing the C.A.R.E.S. Act money at the Budget and Personnel Committee meeting tomorrow. They will receive an identical amount of money in the 2nd round.

Councilwoman Bowden mentioned the Trolley system. She stated that she has never seen more than 2 people on the trolley. She would like to see the Trolley revenue over the past few years. She feels it's not utilized.

There were comments.

Councilman McComb agreed, he would like to see the past few years of revenue for the trolley system.

Councilwoman Richardson advised they received the grant to alleviate traffic on the street. The revenues are down this year because they aren't charging.

Town Manager Tolbert advised there is a reimbursement payment that hasn't been issued. He added that there is a matching grant that goes along with this that is costing the Town money.

Councilwoman Bowden asked for the ridership count over the past couple of years.

Vice Mayor Bott asked for a historical financial information.

There were further comments and discussions.

Public Works Department

Public Works Director Spurlock reported there were 351 requests for brush and storm debris collection. All Town restrooms are sanitized every 2 hours, 7 days a week without incurring overtime. The Fall Paving Contract and the Sarbanes Project, which is the balance of the funds will be discussed later in the meeting. The brochure was produced for the Multi-Modal Trail.

Councilman McComb asked if there was a date to spend the remainder of the Sarbanes funds.

Public Works Director Spurlock stated that it is a 5-year grant and they're on schedule.

Police Department

Chief Fisher advised the report is in the agenda packet. He urged Council to look into the bill called "Qualified Unity". He stated that it has been kicked out twice and it is being brought back

up again. If this passes this will cost the Town a lot of money. He suggested contacting our representatives.

Town Manager Tolbert stated that the email will explain of the bill, who is doing it along with a cost analysis.

Chief Fisher reminded everyone that the Poker Run is this Saturday. There is no auction or block party this year.

Emergency Services

Emergency Management Coordinator Rush advised that with increase in occupancy there is also an increase in medical emergencies. There were 116 for August which is 14 more than the same period last year. There is an Antares Launch scheduled for September 29th at 10:26 p.m. Public Works did a great job collecting debris. They are still tracking COVID expenses, which has been down.

7. Review State of Emergency

Emergency Management Coordinator Rush reported they are up to 19 active cases, which is up 5 from what was reported August 20th. Chincoteague is still safe as long as they follow guidelines. They are 182 days into COVID-19. Testing is higher as well with results coming back within 3-7 days. Thursday, September 10th is the height of hurricane season. There are 4 areas of interest in the Atlantic. He reviewed the current storms, probabilities, and safety precautions.

8. Committee Reports

Ordinance Committee

Councilman Reed stated that they discussed the Electronic Summons Ordinance and the \$5 fee that would be added. They considered to changes in the Flood Ordinance allowing nothing below the 2' freeboard. They also approved the Remote Meeting Participation Ordinance.

Harbor Committee

Mayor Leonard advised they discussed updating the Ordinances that they were allowing the Harbormaster to do. They also decided to put in another floating dock. He stated they were up \$63,000 in fuel. He had someone thank him that their fuel costs were so low.

Cemetery Committee

Councilwoman Richardson advised they met last Thursday. They have received a request to add the Reynolds' Cemetery to cut grass as the citizens that have been maintaining it are no longer able to. The Town will not maintain the vaults, only cut grass. They have received a \$300 donation from the Christ United Methodist Church. She commented further thanking those who donated to help maintain cemeteries and to purchase 2 trash cans. Mrs. Betts have had a lot of vault tops replaced and repaired. There are tree roots they should be taken care of off of Smith Street. They are currently surveying headstones and repairs that need to be done and will meet, October 1st to prioritize the survey.

9. Adoption of the Minutes of the August 3rd, and August 20th, 2020 Council Meetings.

Councilwoman Richardson motioned, seconded by Councilwoman Bowden to adopt the minutes of the August 3rd, and August 20th, 2020 Council meetings as presented. Unanimously approved.

10. Award of Paving and Multi-Modal Sidewalk Contract

Town Manager Tolbert reported that the Fall Paving Contract bid was \$413,209 from Branscome, Inc. for paving, milling, and sidewalks. This will be funded by the Virginia Department of Transportation Urban Maintenance Program.

There was discussion.

Councilwoman Bowden motioned, seconded by Councilman McComb to approve the Fall Paving Contract Award to Branscome, Inc. in the amount of \$413,209. Unanimously approved.

Town Manager Tolbert also advised that the next bid was for the Sidewalk Construction as part of the FWS Multi-modal Trail Construction Grant. This is the balance of the grant and will pay for sidewalks on Maddox Boulevard from Chicken City Road to Eel Creek and a portion of the Maddox traffic circle. The bid was \$260,842.

Public Works Director Spurlock asked if Council wanted to spend the balance of the Sarbanes Grant on sidewalks or adding a little paving to the contract.

Town Manager Tolbert explained a suggestion to put asphalt beyond Eel Creek to the circle as opposed to sidewalk there to save some money.

There was discussion.

Vice Mayor Bott motioned, seconded by Councilman Reed to approve the Paving and Multi-Modal Sidewalk/Paving Contract Award to Branscome, Inc. in the amount of \$260,842. Unanimously approved.

11. Chamber of Commerce Presentation

Executive Director Shotwell came before Council regarding a letter the Chamber Board sent dated August 20th. She reviewed the letter and explained that they are in need of financial assistance due to canceled events. They have had 1 employee in the office since May 2nd. She asked Council to consider assistance. She explained some marketing they have been doing and plans for fundraising events. She again asked for help.

Councilwoman Richardson asked how much they are asking for.

Executive Director Shotwell responded that they have loss revenues in the amount of \$130,000.

Councilman McComb stated that the County was able to give \$20,000. He stated that the Chamber makes roughly \$50,000 per festival. They have a good amount of money tied up in next year's festival and refunds. They are looking at an issue of solvency for the Chamber.

Mayor Leonard stated that they can address this at the Budget and Personnel Committee meeting tomorrow night at 5:00 p.m.

Center Director Webb also came before Council advising of the Center's financial shortfalls. She advised that during the closure they have suffered a loss of \$30,000. She gave a handout showing the canceled events, future plans, etc. They are offering meeting space and classroom spaces for people who need access to the Center's highspeed internet. They are planning to move forward with the fall yard sale but will have it outside to be able to stay within the guidelines.

Councilwoman Bowden asked how they plan to get the word out that they are offering space.

Center Director Webb responded that they will put it out on social media, press releases, local newspapers and the Chamber.

12. Mayor and Council Comment

Councilwoman Richardson asked for the cost to fly the mosquito airplane.

Town Manager Tolbert responded that it takes \$210 per gallon for the chemical, they use 40 gallons, which is \$8,400 in chemicals each time they spray. The plane is approximately \$4,000 per flight, based on 6 flights per season. Insurance is \$1,000 per flight. Each flight is roughly \$13,000. They have to plan a flight with the weather conditions. They have to compete with the state of Delaware who has a contract with them as well. They have to compete with the NAVY for airspace. They have to plan a flight after a hatching so that it is effective. They have to notify certain Island residents who keep bees and restaurants for outdoor seating along with others who requested to be notified when a flight is scheduled. He advised he is trying to be very cautious with flights. They have scheduled the plane tentatively for Friday morning. They want to make sure it is being done right.

There was further discussion about the mosquito control budget, complaints, flight patterns and times of spraying.

Councilwoman Bowden stated that the Fire Department is having another fundraising event, Pony Fries and Fritters on September 19th from 2:00 p.m. to 6:00 p.m. She concluded with "Go Yankees".

Vice Mayor Bott expressed concerns regarding the work being done at the Inlet View property. He understands there will be a lot of dirt brought in by many trucks. He would like to see some communication between the Town and Bluewater. There is somewhat of a bad road near the Harbor and it would be nice if they could give a better access and turnoff.

Town Manager Tolbert stated that he spoke with the developer and superintendent to try to steer them toward alternatives. They haven't been successful but have made them aware.

Vice Mayor Bott stated that with the volume of traffic, they will need a bike path and new, wider roads. He feels the road is already in rough shape.

Councilman McComb agreed and expressed his concerns that there will be a lot of campers and big equipment in that part of town. He would like to partner with them if possible.

Councilman Taylor stated that Mrs. Karen Hipple has been with the Town a long time and done a good job. She's been a part of not having to raise taxes. He added that Mr. Kenny Lewis has done a very good job making this a Town people want to visit. He wanted them to know Council appreciates them for all they have done for the Town, as well as all of the employees.

13. Closed Meeting in Accordance with §2.2-3711 (A)(1,3) of the Code of Virginia to Discuss Personnel Matters and Acquisition of Property

Councilwoman Richardson motioned, seconded by Councilwoman Bowden to go into a closed meeting in accordance with §2.2-3711A(1,3) of the Code of Virginia to discuss personnel matters and acquisition of property. Unanimously approved.

14. Certification of Closed Meeting in Accordance with §2.2-3712 (D) of the Code of Virginia

Councilwoman Richardson motioned, seconded by Councilwoman Bowden to certify the closed meeting in accordance with §2.2-372 (D) of the Code of Virginia. Unanimously approved.

Councilwoman Richardson motioned, seconded by Councilwoman Bowden to go back into regular session. Unanimously approved.

15. Adjournment

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

J. Arthur Leonard, Mayor

Michael T. Tolbert, Town Manager