

TOWN COUNCIL
MEETING
SEPTEMBER 10, 2012
7:00 PM

Mayor Moore-Present
Vice-Mayor Greer-Absent
Councilman Ward-Present
Councilman Massey-Present
Councilman Doughty-Absent
Councilman Metz-Present
Councilman Lewis-Present

STAFF PRESENT: Arthur Miles, Ethel Parks, Chief DiMartino, Sgt. Doughty

CALL TO ORDER:

The meeting was called to order at 7:00 pm by Mayor Moore. Mayor Moore established a quorum with Vice-Mayor Greer and Councilman Doughty absent.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited by all present.

INVOCATION:

The Invocation was given by Councilman Metz.

APPROVAL OF MINUTES FOR THE REGULAR COUNCIL MEETING OF AUGUST 6, 2012,
AND THE SPECIAL MEETING OF AUGUST 13, 2012:

Councilman Ward made the Motion to table the Minutes of the regular meeting of August 6, 2012 and the Special meeting of August 13, 2012 until the next meeting. The Motion was seconded by Councilman Lewis. Discussion-None. The Motion was passed unanimously.

CITIZEN INPUT:

Bobby Bailey noted that he is glad that the Town tore down the houses on Stone Road but now the grass is overgrown. Mayor Moore assured him that the Town would get it cut.

Teresa Adams asked if the Council has discussed her request for a donation for the Relay for Life. She said that she was asked to make a donation for a trophy by the Town and she did. Mr. Miles noted that the Relay for Life donation is on the agenda. Mayor Moore noted that he is not opposed to the Relay for Life and will be happy to make a personal donation but they should not make a donation on behalf of the Town because it is not their money to give away. Ms. Adams asked why the Town donates to the Little League. Mayor Moore said that the Little League is the youth of the community and that is something they have always given to. Mr. Miles noted that the Little League and the Youth Basketball Team (Exmore Express) are all that Exmore donates to.

Ms. Adams asked if the Town tore down the old Fish Market and an old house that belonged to the Church. She asked if the property owners were billed when the Town tears down old buildings for them. Mr. Miles noted that it was a joint venture between the Town and the Church and Guy Doughty took care of the debris from the old Fish Market and the Town furnished the man power.

OLD BUSINESS:

TOWN HALL ROOF ESTIMATE FOR REPAIR OR REPLACEMENT IS IN HAND. COUNCIL GUIDANCE REQUESTED:

Mr. Miles stated that the upper roof can be patched for \$4,250 and the small roof over the drive-thru has to be redone completely and will cost \$11,000. He said that if the upper roof is completely redone it will cost \$33,000. Councilman Metz mentioned getting a quote for an A-roof. Councilman Ward asked if the estimate included removing asbestos. Mr. Miles said that it does. Councilman Lewis mentioned tearing off the drive-thru. Mr. Miles noted that the Air conditioning units are on the roof of the drive-thru and would have to be relocated. Councilman Ward said that the drive-thru needs to be opened for use by the elderly. Mayor Moore suggested to table it until they had more information.

EASTERN SHORE HEALTHY COMMUNITIES WALKABILITY WORKSHOP REPORT IS IN HAND FOR REVIEW!:

Mr. Miles notes that they are very good ideas but rather expensive for Exmore.

PHASE III PARKING LOT PROJECT FINAL PLANS CONTINUE IN REVIEW. SIGNATURES ON EASEMENTS AND ENVIRONMENTAL APPROVALS REMAIN TO BE DONE:

Mr. Miles stated that the final plans are still in review. He said that they need signatures on easements and still need the environmental health approvals. Mr. Miles noted that he will ask for an extension on their time so they do not lose the money.

DIANE SMITH WILL BE PRESENT AT THE OCTOBER MEETING TO PRESENT THE 2010-11 AUDIT. WE WILL BE CURRENT AT THAT TIME WITH ONLY THE PAST YEAR TO BE DONE. THERE IS THE POTENTIAL TO BE UP-TO-DATE BY JANUARY 2013!

Mr. Miles noted that there is a potential to be current on the audits by January 2013. Mayor Moore asked about the status with Leatherbury. Mr. Miles said that he will be here to work with us and get us up to speed when he returns from vacation on the 13th.

POSITION VACANCIES REMAIN FOR THE PLANNING COMMISSION, ZONING APPEALS BOARD AND FAÇADE COMMITTEE:

Mr. Miles noted that he has advertised multiple times for these positions. Mayor Moore said that we would need some outside help with updating the Comprehensive Plan. Mr. Miles noted that the PDC can help with it.

POLICE DEPARTMENT REPORT:

Chief DiMartino stated that Sgt. Doughty was promoted to Captain last month on the 18th and that he is a big help and asset to the department. He asked for a 5% pay increase with the promotion for Captain Doughty. Chief DiMartino informed the Mayor and Council that Carlos has given his two week notice and that his last day will be this Friday. He stated that he asked Mr. Miles to advertise for the position. Chief DiMartino noted that he received a letter from Jeff Flournoy, ESVA 911 Director, thanking Officer Zieger for his assistance in helping an out of the area ambulance crew find the location of a medical emergency during David Chew's funeral while much of the Northampton County EMS Staff was attending the funeral. He said that Investigator Leckel is doing an excellent job, with numerous arrests and convictions. Chief DiMartino said that he has contacted the Neighborhood Watch Program for information so they get the public more involved in the community.

Councilman Metz made the Motion to increase Capt. Doughty's pay rate by 5%. The Motion was seconded by Councilman Lewis. Discussion-None. The Motion was passed unanimously.

EXMORE FINANCIAL REPORT:

Mr. Miles commended the Clerk for her hard work in putting together the reports for the Council. He noted that the revenue exceeds the expenditures. Councilman Massey asked if we were going to continue to use Davis Disposal for our garbage collection. Mr. Miles said that our garbage truck is running but will use Davis one more week.

NEW BUSINESS:

Mr. Miles introduced Patrick Christman to the Mayor and Council. He said that Mr. Christman is still employed with Cape Charles and is with us part time. Mr. Christman holds a Class II Wastewater Operator's License and also a Water Operator's License.

LOAN APPROVAL FROM THE VIRGINIA DEPARTMENT OF HEALTH IN THE AMOUNT OF \$424,000 FOR TWO (2) NEW PUBLIC DRINKING WATER WELLS IS IN HAND. ACCEPTANCE BY COUNCIL IS REQUIRED PRIOR TO SEPTEMBER 21, 2012:

Mr. Miles informed the Mayor and Council that the Town has been approved for a \$424,000 loan once the money is available through the Virginia Department of Health. He said that it is a loan at a very reasonable interest rate and the payment will be less than the payment was on this building for 20 years. He noted that we are not expecting to spend that much so we will not get that much. Mr.

Miles said use only what they need and hopefully get two new wells, but only if the Council says they want it and they have to say that they want it prior to September 21 in order for the Virginia Department of Health to consider giving us the loan. Mayor Moore asked if voting on this would bind them into accepting the loan. Mr. Miles told him it would not, that the vote would tell them only that we are interested. Councilman Ward made the Motion to pursue the loan from the Virginia Department of Health. The Motion was seconded by Councilman Massey. Discussion-Councilman Lewis asked if the Town was obligated to borrow the entire \$424,000 if we did not need that much. Mr. Miles said that we are not obligated to the loan and always surrender it. There was no further discussion. The Motion was passed unanimously.

SPRINGSTED MANAGER PROFILE WAS DELIVERED SEPTEMBER 5, 2012. SPRINGSTED REQUESTS APPROVAL:

Mayor Moore recommended that they wait on making a decision on the profile until all the Council is present.

OPPORTUNITY TO PURCHASE BACKHOE, TRAILER, AND DUMP TRUCK. COUNCIL REQUESTED TO CONSIDER THE OFFER:

Councilman Massey said he feels that we could purchase the equipment with the money coming from the sale of the firing range. Councilman Lewis noted that with the cost, age and mileage of the equipment, he feels they should shop around. After some discussion, the Mayor and Council agreed to look around.

RELAY FOR LIFE HAS REQUESTED A MONETARY DONATION FOR THE SUPPORT OF THEIR CAUSE:

Mayor Moore noted that the Council has already discussed the donation for the Relay for Life.

THE BARBARA CUSTIS MUSIC FESTIVAL HAS REQUESTED SUPPORT OF THEIR ACTIVITY WHICH BENEFITS THE RANDY CUSTIS MEMORIAL FUND (TO WHICH EXMORE ALREADY CONTRIBUTES):

Mayor Moore noted that they have already discussed the donation for the Barbara Custis Music Festival.

RESOLUTION TO CONFIRM THE SUPPORT OF THE TOWN OF EXMORE FOR A NEW HEALTH AND EMERGENCY CARE FACILITY IN NORTHAMPTON COUNTY, VIRGINIA:

Mayor Moore said that he is in support of a new health care facility in Northampton County. Councilman Lewis noted that the Cape Charles area is too far for people to go for health and emergency care. He said that he feels they will need a facility and they have his support.

Councilman Lewis made the Motion to adopt the Resolution confirming the support of the Town of Exmore for a new health and emergency care facility in Northampton County, Virginia. The Motion was seconded by Councilman Ward. Discussion-None further. The Motion was passed unanimously.

THE LOCAL CHAPTER OF THE DAUGHTERS OF THE AMERICAN REVOLUTION HAS REQUESTED THAT THE TOWN OF EXMORE CONSIDER PROCLAIMING THE WEEK OF SEPTEMBER 17-23, CONSTITUTION WEEK, IN COMMEMORATION OF THE TWO HUNDRED TWENTY-FIFTH ANNIVERSARY OF THE DRAFTING OF THE CONSTITUTION OF THE UNITED STATES OF AMERICA BY THE CONSTITUTIONAL CONVENTION:

Councilman Lewis made the Motion to proclaim September 17-23 as Constitution Week. The Motion was seconded by Councilman Metz. Discussion-None. The Motion was passed unanimously.

TO CONSIDER AN AMENDMENT TO EXMORE ORDINANCE #116 TO INCLUDE "PARKING", "STANDING" AND "STOPPING" PENALTIES IN FIRE LANES AND TO APPLY REVISED PENALTIES SET FORTH IN EXMORE ORDINANCE #192:

Mr. Miles noted that "standing" and "stopping" has become a problem in the fire lane at the Plaza and the changes in the Ordinance defines "standing" and "stopping". He said that this will allow the officers to have a little more control. He noted that the fine was increased as well. Chief DiMartino said they do not have a problem with anyone who stops long enough to drop someone off and then moves out of the fire lane. Councilman Ward noted that the delivery trucks are a problem parking in the fire lane when they are in the stores. Chief DiMartino stated that they have asked them to move over to the islands while they are in the stores. Councilman Lewis stated that the fire lanes are there so that the fire fighter can have easy access to the buildings in case of a fire and the back doors of

the stores stay locked for the store employee's safety. Councilman Metz made the Motion to approve the Ordinance Amendment. The Motion was seconded by Councilman Massey. Discussion-None further. The Motion was passed unanimously.

POTENTIAL ALTERATION TO SEWER HOOKUP CHARGES FOR THOSE WHO DESIRE TO RELINQUISH THE "AVAILABILITY" CHARGES CURRENTLY PAID TO GUARANTEE FUTURE ACCESS INTO THE SEWER SYSTEM. THIS WOULD MIRROR THE METHOD USED FOR DRINKING WATER CONNECTIONS AND SIMPLIFY THE ADMINISTRATION OF SAME:

Mr. Miles noted that when the sewer was initially installed the agreements stated that the users were responsible for the maintenance fee whether they used it or not. He said that 95% of those are using it every day. There are some that are paying for sewer connections on empty lots. Mr. Miles explained that it would be easier for the administration to handle the sewer like they do the water; if someone leaves (moves) they will not have a bill and those that have hook-ups on empty lots could surrender those hook-ups to someone else who needs them. Councilman Lewis asked if how we would recover the revenue lost by releasing the owners from paying for them. Mr. Miles noted that it would not be recovered until some moves into Town and buys the hook-up. After much discussion, they Mayor and Council agreed to table the issue until more information is available.

DISCUSSION-COUNCIL/CITIZEN INPUT:

.Donald E. Kellam, Jr. remarked that since the Council was on the subject of sewer, then they should look at the budget. He said that they have never had more income than expense with the sewer and they need to raise the rates. Mayor Moore noted that in the past the sewer was losing money and that now they are making good progress and closing the gap. He said that they have been looking at buying a small tank truck for the sewer system. Councilman Ward commended Mr. Miles for bringing the sewer system to the front as quickly as he has.

Mr. Kellam asked the Mayor and Council why they are not taking action on Springsted's profile.

Mayor Moore told him that there are two Council members absent tonight who are in support of Springsted's profile and they need to be present. He noted also that it is a personnel issue. Private sector employees do not have their personal matters discussed in open forum and feels that government employees deserve the same respect and dignity.

Councilman Massey asked Mr. Miles if he has heard anything about the Nordstrom (Farmer's Museum) property. Mr. Miles told him he has not. Councilman Lewis noted that the building is unsafe and needs to be tore down. Mr. Miles said that he would contact them.

SUGGESTED DATE FOR THE OCTOBER REGULAR COUNCIL MEETING (MONDAY, OCTOBER 1, 2012):

Mayor Moore announced that there will be a Closed Session meeting on September 17th at 7:00 and the next regular meeting will be on October 1, 2012 at 7:00

Mayor Moore said that he has been approached by the owners of the little brick building (old Western Union office) asking if the Town would be interested in buying it. He was told it would be available at a low cost.

Carroll Taylor stated that he cannot walk down the sidewalk by the firehouse because of the overgrown hedges (Chandler House) hanging over.

Mayor Moore asked if they were going to have the street sweeper out before the yard sale this weekend. Mr. Miles told him that motor that operates the vacuum does not start.

Councilman Massey asked Mr. Miles to contact the property owner of the Chandler House about trimming the hedges that are hanging over the sidewalk.

Mayor Moore asked the Council if they had any comment on the acquisition of the building next door (old Western Union office). He said he did not feel like we needed it for anything. Mr. Miles stated that the Maddox building is also for sale and he was told to make an offer.

MOTION TO ADJOURN:

Councilman Massey made the Motion to adjourn the meeting. The Motion was seconded by Councilman Ward. The Motion was passed unanimously. The meeting was adjourned.

William M. Moore, Jr. Mayor

Ethel Parks, Town Clerk

