

MINUTES OF THE OCTOBER 7, 2024
CHINCOTEAGUE TOWN COUNCIL MEETING
Council Chambers
7:00 p.m.

Council Members Present:

J. Arthur Leonard, Mayor
Christopher D. Bott, Vice Mayor
Denise P. Bowden, Councilwoman
Ellen W. Richardson, Councilwoman
K. Jay Savage, Councilman
Gene W. Taylor, Councilman

Council Members Absent:

William T. McComb, Jr., Councilman

Staff Present:

Mr. Michael T. Tolbert, Town Manager
Mr. Tyler Greenley, Chief of Police
Mr. Bryan Rush, Director of Emergency Services
Mr. Wes Parks, Public Works Director

Call to Order

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

Invocation

Councilman Taylor offered the invocation.

Pledge of Allegiance

Mayor Leonard led in the Pledge of Allegiance.

Public Comment

Mayor Leonard opened the floor for public comment.

- Mrs. Patricia Farley, 3243 Lisa's Lane, thanked Council for posting the schedule regarding the political signs. She feels it's a great idea and thanked the Ordinance Committee. She referred to the first amendment of the Sign Ordinance stating that there is no definition of political signs and feels that political signs could be confused with other signs. She suggested adding the word political "campaign" signs. She added that she hopes this includes all forms of signs.

- Mrs. Paula Nees, 6417 Canal Lane, stated she read in the Eastern Shore Post of the Accomack County Fall Cleanup scheduled for Saturday, October 12th. She wondered if there was another plan to make people aware. The County Fall Cleanup is October 12th from 8:30 a.m. to 4:00 p.m. and the number for the County Public Works is 757-787-1468. She asked about a community sign where information like this could be shared. She also reported that the County's Spring cleanup is tentatively scheduled for May 20th.

- Ms. Donna Leonard, 6415 Leonard Lane, stated she was contacted by several people

about the green sensory equipment at Brianna's Kindness Park that has been broken and advised they contacted the Town, but it hasn't been fixed. She asked for mulch to be added around the base of the equipment as well. She addressed the Assateague Island parking lot situation. She advised she went to the public information meeting last week that was not well attended. She feels uneasy with the current plan the USFW gave the Town 8 years ago. She misses the communication between the USFW and the public. She commented further adding that that Assateague is being managed by the wrong organization under the Department of Interior. She gave some history and asked the Town to take an aggressive move and ask the Department of Interior to evaluate the needs of Assateague Island for today. The National Park Service has a proven record. She described the Maryland side of Assateague verses the Virginis side. She feels the National Park Service could do better than the USFW. She gave her opinion and ideas of the relocation of the parking lot. After further comments, she feels the NPS can manage the seashore better than the USFW. She asked Council to have discussions about this and see if the Department of Interior would consider an evaluation of its needs and its future.

Agenda Adoption

Councilwoman Bowden motioned, seconded by Councilwoman Richardson to adopt the agenda as presented. All present were in favor and the motion was carried.

Ayes: Bott, Bowden, Richardson, Savage, Taylor

Nays: None

Absent: McComb

Staff Reports

General Government

Town Manager Tolbert gave an update on the new sewage collection system. He advised that Director of Emergency Services Rush has been requested to serve a 2nd 3-year term as the VML's representative to the Governor's Advisory Board for Emergency Medical Services. He also reported that the traffic signals have been returned to the off-season settings. The design of the South Main Street sidewalk, connecting Beebe Road to the Curtis Merritt Harbor continues to progress. He gave the September report for the Chincoteague Center which included the Plein Air Art Show, a few weddings, a fall craft night, and the Village Neighbors' Bingo. He reported on the October events as well. He then gave the Trolley ridership for September, which was down, and Transportation Director King has received a quote for a new trolley.

Town Manager Tolbert reviewed the Cigarette Tax for the year adding that all Cigarette Tax revenue is allocated for EMS salaries. He gave the Meals and Transient Occupancy Tax Collection Report along with the Financial Report for September. He then gave the Building and Zoning Report which included 61 permits, 45 inspections, and 7 activity case inspections, 5 Business License site visits, 7 Code case violations, 8 Zoning site visits, 41 permit plans' reviews, and 27 walk-ins. The total value for building cost of construction was \$1,889,591.38 and the total building permit fees collection were \$6,739.98.

Councilwoman Bowden asked to review the slide regarding the sidewalks on South Main Street. She stated that they casually mentioned this before, she explained that on the west side just past Beebe Road, the marsh grass is dying. She suggested getting a biologist to look into this. She stated that a couple of people in the community have mentioned it to her.

Town Manager Tolbert stated they can look into this. He added that the sidewalk is being planned on the east side of the road.

Councilwoman Bowden asked Councilman Savage about places on East Side.

Councilman Savage advised there are a couple of places.

Vice Mayor Bott stated that he thought VDOT pulled out of the sidewalk project.

Town Manager Tolbert advised that the Town is in a program they call Ready Set Go where they prepare paperwork and submit for the Town to receive a grant. There have been three meetings so far and they have done quite a bit of work on this design. When the design is finished, and the Town agrees to proceed they will submit this for the Local Assistance Grant.

Police Department

Chief Greenley reviewed the monthly Police report advising that on September 14th the Department held the 20th annual Poker Run for the Kids. On September 16th Dispatcher McJilton graduated Basic Dispatch Academy. On September 19th, he and Investigator Barnes attended a table-top liaison activity with the USCG where they talked about different various things. On September 30th through October 3rd, he and Sgt. Stevens, and Officer Butler attended the VLEPSC conference in Lynchburg, Va.

Councilwoman Bowden stated that she was in New Jersey a couple of weeks ago and they have a speed radar with blue lights that go off if you're speeding. She asked if the Town would price this. She commented further.

Councilman Savage asked about the liaison meeting with the USCG and asked what they discussed.

Chief Greenley advised they were keeping them abreast of what kind of boats and services they have and what Wachapreague has as well. It was to get to know each other. He added that the VSP and Accomack County Sheriff's Department were also there. VMRC was not there.

Public Works Department

Public Works Director Parks reported that they focused on the lead and copper inventory by October 16th. They also did the lead sampling this month and passed it with flying colors. The Public Works staff pressure washed the water tank, they acquired and installed the broom attachment for the backhoe, and brush cutter and compactor on the skid steer loader. They fabricated a new grate for the storm sewer tank at the traffic circle. They cleared vines, debris, and bushes from the downtown parking lot fence and replaced the decking on the Harbor fishing pier. He advised they will concentrate on connecting the new waterline on Wildcat, survey existing conditions on Taylor Street, continue with storm drain improvements on Poplar Street, and continue with routine maintenance of vehicles and equipment.

Councilwoman Bowden asked why the Memorial Park restrooms were closed this weekend.

Public Works Director Parks advised it was due to the high tides and it filled the septic tanks.

Councilwoman Bowden asked clearing the ditches and they're waiting on Miss Utility.

Public Works Director Parks advised they are, and they're waiting on the Miss Utility locates to be done which should be by 7:00 a.m. Thursday.

Emergency Services

Director of Emergency Services Rush reported they ended September with 111 calls which is 31 more calls than last September and the busiest September ever. He advised that the Narcan Leave Behind Program began last month and he explained the process. They also continue with weather monitoring. He mentioned the medical waste incident and that all three; Delaware, Maryland and Virginia, worked together for the better part of a week. He thanked Finance Director Lewis and Town Manager Tolbert for attending a couple of meetings that he was unable to attend. This was to get the report out to everyone to let them know what was going on. He stated they're still doing the regional catastrophic planning and should have a good exercise together by early fall of next year. He participated in the closed POD EOC Activation in conjunction with VDH and ESRH. He showed slides of a category 5 hurricane Milton currently in the Gulf and explained the path, timeline, and landfall issues. He gave the damage report from hurricane Helene. He added that Milton shouldn't pose a risk to Virginia. He asked to keep the folks in Florida in their thoughts and prayers. He urged everyone to prepare now.

Councilwoman Bowden asked to see the infrared slide of Hurricane Milton again. She commented on the second formation in the northeast quadrant.

Director of Emergency Services Rush explained that the east and northeast quadrant is the worst of a hurricane.

Councilman Taylor asked if they determined where the medical waste came from.

Director of Emergency Services Rush advised they have not.

Councilman Taylor stated there is blame on the northern parts in New York and New Jersey. He stated that it could be closer than we think. He added that this isn't the first time but if this was a different time of the year it could have been costly to Chincoteague and Ocean City.

Director of Emergency Services Rush stated that there is an ongoing investigation and hopefully they'll find out and penalize the parties involved.

Vice Mayor Bott asked about the Opioid lawsuit fund and if they were getting any of this.

Director of Emergency Services Rush advised that those funds are managing the Narcan Leave Behind Program.

Committee Report

Public Works Committee

Councilwoman Richardson reported that the Committee met on September 4th. She advised that Public Works Director Parks has already reported some of the things that has been done. She added that they decided on the Spring Paving schedule and advised that on Taylor Street they will replace the waterline, storm drainage, mill and pave the road and replace sidewalks. They would also like to have sidewalks all the way down on one side of the street.

Councilwoman Bowden asked if there were any grants in Virginia for sidewalks.

Town Manager Tolbert advised that he knew of none, but they could use the UAE grant funds for sidewalks. He added that when the Town puts in sidewalks it is done by a 50/50 cost share. He reported that he has mailed letters to all property owners on Taylor Street but has not heard back from any.

Councilwoman Bowden stated that so many places would benefit with sidewalks and it would be awesome if they could find the money.

Harbor Committee

Mayor Leonard advised they met on September 6th. They discussed no wake zones, and he advised of the new zone near Waterside Motel to Lewis Creek. They also discussed the Kid's Fishing Day which is October 20th.

Councilwoman Richardson asked if they plan to put more decking on the boardwalk near the fuel tanks. She also wanted to know if they were going to go all the way to the water.

Town Manager Tolbert stated that part of the decking was replaced near the fuel pumps. He added that they plan to at a later time but want to hit worse areas first.

Councilwoman Bowden mentioned the fuel pumps at the Harbor and stressed that the little clips won't hold the hose.

Town Manager Tolber advised that the reels have springs on them that won't let the ratchet engage in the sprocket. He stated that they have just received a box of springs and plan to install it in the next few days.

There were brief comments.

Ordinance Committee

Councilman Savage reported that they met on September 12th. They reviewed the temporary sign limitations. He read the change and advised there is a public hearing scheduled for October 17th. It will be discussed at the Planning Commission meeting tomorrow night. They discussed the Metal Detection Ordinance which was approved at the Council Workshop meeting. They also discussed the Mural Ordinance, and the Committee agreed that the governing body should have the opportunity to approve through a Conditional Use Permit. The first approval would be by the Planning Commission and then by Council with a public hearing on the Conditional Use

Permit. They also talked about the Scooters and Electric Bicycle Ordinance with the concerns about public safety. They considered a Speed Limit Reduction Ordinance in the Downtown area. They feel that reducing the speed limit from 25 mph to 15 mph is appropriate.

Councilwoman Bowden feels Mrs. Farley brought up a good point on the campaign signs. She suggested to add “campaign”.

Town Manager Tolbert stated that the intention is to have it tied to the election. He will confirm the wording in the State Ordinance. He stated that it will go to the Planning Commission tomorrow night as it is part of the Zoning Ordinance. They will make recommendations and bring it to Council for the public hearing on October 17th. If there are any issues with the definition it will be fixed prior to the public hearing.

Adoption of Minutes of September 3rd and September 19th Council Meetings

Councilman Taylor motioned, seconded by Councilwoman Bowden to adopt the minutes of the September 3rd and September 19th Council meetings as presented. All present were in favor and the motion was carried.

Ayes: Bott, Bowden, Richardson, Savage, Taylor

Nays: None

Absent: McComb

Consider Downtown Speed Limit Change

Town Manager Tolbert advised that at the September 12th meeting the Ordinance Committee reviewed, considered, and recommends the reduction of the speed limit in the Downtown area from the current 25mph to 15mph. The recent change of the State Code on this matter by the General Assembly allows localities to change speed limits within their jurisdiction by ordinance without first going through the previous lengthy process of an engineering study. The Ordinance Committee recommends the ordinance change.

Vice Mayor Bott was unsure if he is in favor of this 100%. He stated that he hasn't seen the evidence without the studies, traffic reports or speed reports. He mentioned the Downtown Revitalization adding that there was great consideration to reduce the speed naturally with the bump-outs. He isn't sure it is worth changing or even if it is necessary. He asked if specific events were discussed.

Town Manager Tolbert advised he didn't believe so and they didn't discuss specific events.

Councilwoman Bowden stated that a few years ago. She has had quite a few complaints about speeding. She added that Mrs. Conser brought up that at the crosswalk at the Library, you have to be in the middle of it to be seen. She stated she is in favor of the change in that area because there are so many things happening. She commented further.

Vice Mayor Bott stated that they used to have delineators at the crosswalks to slow down traffic. They have also had complaints about speeding at the south end of the Island. He would like to see more evidence before they take a vote. He added that taking it to Jester Street which is wide-open territory, and he hopes it doesn't become a trap of sorts.

Mayor Leonard advised that the last time it was brought up they took the camera there to record the speed. It was only 1 at a speed of 35 or maybe 40 mph.

Chief Greenley stated that it was probably during the day and naturally during the day because of the volume.

Mayor Leonard stated that traffic isn't an issue in the Downtown and the Town is creating a problem. He feels they're creating a problem and maybe setting a precedence. He suggested that what if the people on Maddox Blvd. complained about all the people crossing Maddox Blvd. in the middle of summer. He asked would they make it a 15mph speed limit from the bridge all the way to the other bridge. He stated he doesn't see it as a problem Downtown. He was there the other day, and people were naturally slowing down on their own.

Councilman Taylor asked when the speed trailer was in the Downtown area last.

Chief Greenley advised it was about 2 years ago. He stated that it has been moved in different spots adding that he is having trouble with the software and downloading the data.

Councilman Taylor asked if he would move it back Downtown for more data.

Councilwoman Bowden stated that there are 7 crosswalks and so many pedestrians Downtown. She feels there are people visiting not used to slowing in that area. She stated that it takes one person going 30-40mph to hit someone. She added that they have the opportunity to make it safer and she feels they should look into it or get the flashing blue lights radar.

Councilman Savage agreed and stated incidents at 20 mph where people don't look, and you can't see pedestrians at the Mumford Street crosswalk. People don't look going into the crosswalks. He mentioned the scooter and electric bike safety issues. He feels it's a safety issue.

Mayor Leonard asked how to enforce that.

Vice Mayor Bott stated he doesn't deny the safety issue but feels there is a better way and wants to see a study.

Councilman Savage agrees with the delineator.

Councilwoman Bowden stated that it has been narrowed so much and with bigger cars and campers they get run over.

Councilwoman Richardson asked if they could use bright paint on the crosswalks as the bricks are subdued.

Public Works Director Parks stated there is a concrete border that can be painted.

Councilwoman Bowden added that at night, it isn't well lit.

Vice Mayor Bott motioned, seconded by Councilman Taylor to table the matter until they get more information.

Ayes: Bott, Bowden, Richardson, Savage, Taylor

Nays: None

Absent: McComb

Mayor and Council Comments

Councilman Taylor asked for prayers southern neighbors and for those in the storm's path.

Vice Mayor Bott mentioned the Council meeting last month where they passed money down to the nonprofit organizations in the community. He felt it was neat to see that the extra income isn't just staying for the operation of the Town. They were able to pass some of it down into the community so the groups can use it to contribute to making it a little better around here as well.

Councilwoman Bowden referred to Ms. Leonard's comments about the USFW. She stated she was at the meeting and asked if the beach moves north would they maintain the south beach and was advised they would not. She stated that the Town already has a problem with the Inlet. She added that with a couple of wash-overs, and it doesn't put it back together, could be a disaster for the south end and east side. She also asked what the closest parking space is to the beach and was advised it is 100 yards away and the last parking spot is ¼ mile. She feels that people would not get the same beach experience. She asked about the relevance of the USFW who have made it clear they don't want people there. She feels they didn't pay attention to their neighbors, the people of Chincoteague. She added that it fell on deaf ears. She added that they don't care what it will do for Chincoteague. She feels they are destroying everything they stand for.

Councilwoman Bowden advised that one of the Town's long-time employees is now home. She asked everyone to keep her in their prayers. She also thanked the employees for everything they do.

Mayor Leonard stated that today is October 7th and asked everyone to keep their friends in Israel in their thoughts. He also asked everyone to think about the folks in west North Carolina. He mentioned the community pulling together through the work of Mrs. Brittany Adams and Mr. Roger Adams for getting a truck of supplies together. They sent the truck to Pocomoke where it was unloaded onto another truck and transported in a convoy of 7 or 8 semi-trucks to North Carolina. He also reported that he attended the Navy ball. He stated that the Navy was here during WWII and is now back doing a lot and doing a great job. He asked everyone to keep them in our thoughts. He also asked everyone to keep those in Florida in their thoughts. He reminded everyone that the Oyster Festival is this weekend and hopes the weather will be good. He stated to be careful what you wish for. He concluded with "Roll Tide".

Closed Meeting – In accordance with §2.2-3711(A) (3) of the Code of Virginia that the Council convene a closed session for the discussion and consideration of the purchase of real property for a public purpose.

Councilman Savage motioned, seconded by Councilwoman Bowden to go into a closed meeting in accordance with §2.2-3712 (A) (3) of the Code of Virginia that the Council

convene a closed session for the discussion and consideration of the purchase of real property for a public purpose.

All present were in favor and the motion was carried.

Ayes: Bott, Bowden, McComb, Richardson, Savage, Taylor

Nays: None

Absent: None

**Certification of Closed Meeting in Accordance with §2.2-3712 (D) of the Code of Virginia
Councilman Savage motioned, seconded by Councilwoman Bowden to certify that to the best of each member's knowledge:**

- 1. Only public business lawfully exempted from open meeting requirements was discussed and**
- 2. Only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered.**

All present were in favor and the motion was carried.

Ayes: Bott, Bowden, McComb, Richardson, Savage, Taylor

Nays: None

Absent: None

Adjourn

Councilman Savage motioned, seconded by Councilwoman Bowden to adjourn.

Unanimously approved.

J. Arthur Leonard, Mayor

Michael T. Tolbert, Town Manager