MINUTES OF THE CITY COUNCIL MEETING
JANUARY 25, 2016, 7:00 P.M.
REGULAR SESSION

PRESENT: The Honorable W. Eugene Hunt, Jr., Mayor
The Honorable Carey L. Freeman, Vice Mayor
The Honorable Traci-Dale Crawford
The Honorable Charles M. Southall III
The Honorable Herbert R. Green, Jr.
The Honorable Raymond D. Vernall
The Honorable Henry W. Ayer III

J. Randall Wheeler, City Manager
Judy F. Wiggins, Assistant City Manager/City Clerk
D. Wayne Moore, City Attorney

MEETING CALLED TO ORDER:

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

INVOCATION AND PLEDGE OF ALLEGIANCE:

Councilman Vernall rendered the invocation and led the audience in the Pledge of Allegiance.

SPECIAL PRESENTATIONS:

Bay Star Homes

Mayor Hunt stated that the most recent recipients of the Bay Star award were unable to attend the meeting so the presentation was postponed.

GFOA Budget Award

Mayor Hunt, on behalf of City Council, presented to the City's Finance Director, Theresa Owens, the Government Finance Officers Association Distinguished Budget Presentation Award for the City's budget ending June 30, 2015. He commended City staff, but especially Ms. Owens and her staff for their hard work and dedication that led to this award. In conclusion he pointed out that this was the 25th consecutive year that the City has received this prestigious honor.

Poquoson Presentation

Mr. Paul Whitlow, Poquoson Museum President, gave a presentation on the history and progress of the Museum since its inception in 2001 and specifically pointed out various past and present exhibits. He stated that due to the Museum's partnership with the Master Gardeners and the Beekeepers, the Museum property now includes a Marsh Walk

Nature Trail, a Learning Garden and a Bee Yard in addition to the Dryden Farm Complex. He explained that the Master Gardeners hope to complete the overall footprint of the Poquoson Learning Garden in the near future which will include a Wet Planting Demonstration Area and that the Beekeepers plan to use the Bee Yard as a training site for new beekeepers. In conclusion, Mr. Whitlow thanked the City for their past support and solicited future financial assistance in order to ensure that the Museum, to include the Learning Garden and Bee Yard, can continue to operate and enhance its offerings.

Mayor Hunt thanked Mr. Whitlow and all of the volunteers for their hard work to make the Museum property such a beautiful, educational destination for residents and visitors. He stated that Council will continue to support the Museum to the extent practicable.

AUDIENCE FOR VISITORS:

Mr. Barry Butler, Government Relations Specialist with the Peninsula Housing and Builders Association (PHBA), thanked City Council for their commitment and service to the citizens. He stated that the PHBA works to protect economic growth, strives to keep housing affordable, supports/promotes "Smart Growth" policies and encourages local governing bodies to make decisions based upon citizen input that reflect the needs, desires and priorities of each community.

Ms. Randie Trestrail, 212 Beach Road, expressed support for the Museum's request for funding and asked that the City Engineer investigate whether any or all of the new plantings on the Museum property by the Master Gardeners can be used to earn TMDL credits for the City.

Ms. Amanda Philbeck, 1 Huntshire Lane, praised the Museum for its environmental enhancements and voiced support for its funding request. In conclusion, she suggested that the City should consider adding a Department of Tourism to its current staffing.

Ms. Jana Andrews, 7 Martha Court, sought an explanation of the process Council uses to make appointments to the City's boards/commissions, i.e. education, experience, etc. She asked that the process be identified and made public.

Mr. Mark Andrews, 7 Martha Court, thanked Council for approval of the recent amendment to the Zoning Ordinance relative to the General Commercial District and stated that additional amendments are needed in order to protect and promote the vision of the City's Comprehensive Plan. He encouraged Council to direct the Planning Commission to formulate and recommend adoption of additional amendments in each of the City's Zoning Districts that will protect the City from intense uses producing high traffic volumes. Lastly, he stated that the City cannot dictate which businesses come in; however, citizens should have an opportunity to provide input on these developments prior to their approval.

APPROVAL OF THE MINUTES:

Councilman Green moved, seconded by Councilman Ayer, to adopt the minutes of the regular session held January 11, 2016 as submitted. Recorded vote on the motion:

YES: Councilmembers Ayer, Crawford, Green, Freeman, Southall, Vernall and Mayor Hunt.

NO: None.

Councilman Green moved, seconded by Councilman Vernall, to adopt the minutes of the work session held January 11, 2016 as submitted. Recorded vote on the motion:

YES: Councilmembers Ayer, Crawford, Green, Freeman, Southall, Vernall and Mayor Hunt.

NO: None.

PUBLIC HEARINGS:

1. **REQUEST FOR A CONDITIONAL USE PERMIT FOR AN AUTO SALES BUSINESS AT 346 WYTHE CREEK ROAD**

The Planner, Kevin Wyne, explained that Mr. Joseph Gaita, applicant, and Ms. Kathlene Fairhurst, property owner, were requesting a Conditional Use Permit to establish an auto sales business on property located at 346 Wythe Creek Road. He pointed out that although the subject property has housed professional office uses in the past, the property is zoned R-1, Single-Family Residential. Mr. Wyne stated that the Planning Commission at its January 21, 2016 meeting recommended denial of the requested Use Permit by a vote of 6-0, since the property's grandfathered non-conforming use had expired and it was zoned residential. In response to a Council query, Mr. Wyne confirmed that the subject property is not located in an area under the Architectural Review Board's purview.

Mayor Hunt opened the public hearing.

Mr. Joseph Gaita, the applicant, sought Council's support for his application. He stated that single-family homes located along Wythe Creek Road are interspersed with businesses and that the cars to be sold will be parked behind the building and screened, particularly on the northern side by existing trees and a fence. He stated that his plans are to expand the business in a couple of years and subsequently move it from this property to a larger, more appropriate location prior to initiation of the Wythe Creek Road widening. Lastly, he stated that he plans to renovate the building and property to make it more aesthetically pleasing and that it would produce tax revenue for the City.

Mr. Mark Andrews, 7 Martha Court, stated that the Planning Commission had not based their denial recommendation on a land use policy but rather on unrelated criteria, i.e. it will produce minimal tax revenue, etc. He expressed support for the proposed use and stated that the upcoming road widening would result in its demise in the near future and that the proposed use would produce minimal traffic.

Mr. Alan Moody, 207A Browns Neck Road, voiced opposition to the request based upon its negative impact upon adjacent properties and stated that the road widening will not impact the property other than utilization of the rear portion for a retention pond.

In response to previous statements regarding the Wythe Creek Road widening project slated to begin in 2018, Mr. Wyne stated that because the proposed widening had been reduced to 3 lanes the business will not be impacted. However, he pointed out that a BMP facility is proposed by the Virginia Department of Transportation (VDOT) for the rear portion of the property.

Ms. Jana Andrews, 7 Martha Court, expressed support for the applicant's request since the City is seeking new commercial development, the life of the business at this location will be brief and the applicant will be improving the building and property.

During Council's discussion, concerns were expressed over the possible detrimental impact a car sales business could have on the adjacent residential home values and the neighborhood's quality of life. However, support was also expressed based upon the property in question having been used for business purposes for numerous years, the cars would be sold primarily online and parked to the rear of the building, and the business would produce minimal traffic.

Since no one else came forward, the public hearing was closed.

A resolution approving the requested Conditional Use Permit was presented for Council's consideration and Councilman Green moved, seconded by Councilwoman Crawford, that it be adopted to include the following modifications to the list of conditions: Condition #4, the hours of operation will be 8 a.m. to 6 p.m., Monday through Saturday; Condition #8, no more than 6 vehicles to be sold can be located on-site at any given time; Condition #11, within 9 months of the permit's issuance vegetation must be planted on the northern boundary to the Community Development Director's satisfaction; and Condition #12, no signage will be displayed on the vehicles to include balloons, flags or other neon type signs. Recorded vote on the motion:

YES: Councilmembers Crawford, Ayer, Freeman and Green.

NO: Councilmembers Southall, Vernall and Mayor Hunt.

2. BUDGET PRIORITIES FOR FY 2016/2017

A public hearing was advertised and held at this meeting to receive citizen comments on the development of the FY 2016/2017 budget.

Mayor Hunt opened the public hearing. Ms. Amanda Philbeck, 1 Huntshire Lane, asked that the City create and include in the upcoming budget a Department of Tourism. Mr. Alan Moody, 207A Browns Neck Road, suggested that should a surplus of funds be realized in the upcoming budget that it be used for bonuses or raises for the Police and Fire Departments. Ms. Randie Trestrail, 212 Beach Road, asked that additional funds be included in the budget so that more trees can be planted in the City and especially along Wythe Creek Road.

The City Manager, J. Randall Wheeler, stated that the recommended budget is scheduled to be released on April 11, 2016 and a budget public hearing will be held on April 25, 2016.

No other action was required of Council at this meeting.

NEW BUSINESS:

1. **RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A TEMPORARY (ONE YEAR) FULL TIME POSITION OF GRADUATE MANAGEMENT INTERN**

The City Manager stated that he was seeking authorization to hire a temporary, one year, full-time position of a Graduate Management Assistant (GMA). He explained that the purpose of doing so was to provide entry level professional work experience for a recent college graduate whose course of study and intended career path is local government management. Should Council approve the concept, he pointed out that the position would also be open to persons who have recently left military service and wish to pursue a career in local government. Mr. Wheeler stated that reasons for this position are: the GMA will work approximately half of the time in support of the Comprehensive Plan Update and to assist the Community Development Department with a variety of its responsibilities; assist the City Manager's office with our succession management efforts; and provide this individual with the training and experience in a variety of entry level, professional tasks that could evolve into a longer term employment opportunity.

Councilman Green moved, seconded by Councilman Vernall to authorize the City Manager to recruit and hire a temporary, full-time Graduate Management Assistant (GMA). Recorded vote on the motion:

YES: Councilmembers Ayer, Crawford, Green, Freeman, Southall, Vernall and Mayor Hunt.

NO: None.

2. **RESOLUTION MAKING APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS**

A resolution making appointments to the Board of Adjustments and Appeals, the Planning Commission, York/Poquoson Social Services Board, the Library Advisory Board and the Architectural Review Board was presented for Council's consideration.

Councilman Green moved, seconded by Councilman Ayer, to appoint S. Michael Evans (Architect), Gregory A. McDaniel (Building), William B. Price (General), Donnie F. Lawson (Mechanical) and Carey Harrell (Electrical) to the Board of Adjustments and Appeals; William Travis (Western Precinct), Christopher Williamson (Eastern Precinct) and Leigh Fenigsohn (At-Large) to the Planning Commission; Madonna Kreiger to the York/Poquoson Social Services Board; Terry Johnson (Western Precinct) and Barbara Whitlow (Eastern Precinct) to the Library Advisory Board; and Donald Booth (Architect) to the Architectural Review Board and to adopt the resolution with their names inserted. Recorded vote on the motion:

YES: Councilmembers Crawford, Ayer, Southall, Freeman, Vernall, Green and Mayor Hunt.

NO: None.

COMMENTS OF THE CITY MANAGER:

The City Manager thanked Council for their support of the requested GMA position and he commended the Public Works Director, Thomas Jones, and his staff for their expeditious removal of snow/ice so that students could safely return to school. In conclusion, he encouraged everyone to stop by the Library this week to offer best wishes to Elizabeth Tai on her retirement effective Friday, January 29, 2016 and to say hello to the City's Interim City Librarian, Amy Blow.

COUNCIL DIRECTIVES:

Councilman Vernall thanked Public Works for their hard work during the recent snow storm and Paul Whitlow for his excellent presentation on the Poquoson Museum. In conclusion, he praised Elizabeth Tai for her faithful service to the City and especially for the positive impact she had made upon students of the Poquoson School System during her tenure as City Librarian.

Councilman Green commended the Library and City staff for Mrs. Tai's retirement reception/ceremony and those who spoke at the event. Lastly, he reminded everyone that the City's Foodbank distribution would be held on Tuesday, January 26th.

Councilman Ayer thanked Paul Whitlow and all of the volunteers for their hard work to make the Museum such an asset to the City.

Councilman Southall echoed all previous comments.

Councilwoman Crawford thanked everyone that had spoken that evening for their excellent comments and suggestions. She announced that the Poquoson Kiwanis Club Boat and Fish Flea Market would be held on March 12th at the High School and encouraged citizens to attend either to buy and/or sell their items.

Vice Mayor Freeman thanked Mrs. Tai for her years of service and the Library staff for the exceptional retirement reception. He thanked the Public Works employees for a great job removing snow/ice from the streets and the persons who had spoken during the meeting.

Mayor Hunt commended Mrs. Tai and the Library staff for making and maintaining a great Library for the City and surrounding localities to enjoy. In conclusion, he stated that the City is having a portrait made of Mrs. Tai to be appropriately hung in the Library to commemorate her many years of service to the City.

ADJOURNMENT:

There being no further business, Councilman Green moved, seconded by Vice Mayor Freeman, to adjourn the meeting. Recorded vote on the motion:

YES: Councilmembers Green, Vernall, Ayer, Southall, Crawford, Freeman and Mayor Hunt.

NO: None.

The meeting was adjourned at approximately 9:20 p.m.