

**MINUTES OF THE CITY COUNCIL MEETING  
MARCH 14, 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:**

Mayor Hunt rendered the invocation and led the audience in the Pledge of Allegiance.

**SPECIAL PRESENTATIONS:**

*New Employee*

The City Manager, J. Randall Wheeler, introduced the City's newest Firefighter/EMT, Kipton Forrest. Mayor Hunt, on behalf of City Council, welcomed the new employee to the City.

At the Mayor's invitation, the *Daily Press* reporter, Tyler Bell, came forward and introduced himself as the new reporter for both York County and Poquoson.

**AUDIENCE FOR VISITORS:**

Mr. James Bowden, 92 Sandy Bay Drive, requested that Council direct the City Manager to issue an Increased Cost of Compliance (ICC) determination letter for his home located at 92 Sandy Bay Drive so that he can apply for funds from FEMA with which to elevate his home.

In response to Mr. Bowden's comments, Mayor Hunt stated that the City will consider his request and that a response will be forthcoming in the near future.

**APPROVAL OF THE MINUTES:**

Councilman Green moved, seconded by Councilman Ayer, to adopt the minutes of the regular session held February 22, 2016 as submitted. Recorded vote on the motion:

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

**NO:** None.

Councilman Green moved, seconded by Councilman Vernall, to adopt the minutes of the work session held February 22, 2016 as submitted. Recorded vote on the motion:

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

**NO:** None.

**NEW BUSINESS:**

**1. ORDINANCE APPROVING THE SECOND INCENTIVE PAYMENT TO POQUOSON FAMILY MEDICINE & CHIROPRACTIC CLINIC AND APPROPRIATING THE NECESSARY FUNDS**

The Poquoson Economic Development Authority (EDA) Chairman, Donald Booth, stated that, due to the shortage of physicians practicing in the City, the EDA considered and executed the Poquoson Family Medicine & Chiropractic Clinic (PCC) requested incentive agreement on May 14, 2013. He explained, pursuant to the agreement, the first installment of \$25,000 was paid to the PCC on December 3, 2013 when the required facility renovations were completed. However, due to the difficulty that the PCC had in securing a full-time doctor, progress towards satisfying the required benchmarks to obtain the second incentive installment was delayed. As such, Mr. Booth stated that the EDA on February 2, 2016 voted to delay the second payment until the City verified the gross receipts by PCC's 2015 federal tax return; to delay the third incentive payment to be based upon the PCC's 2016 federal income tax; to extend the termination of the agreement to April 15, 2017; and to require that the request for second and third payments be approved by City Council.

An ordinance appropriating the \$25,000 for PCC's second incentive payment was presented for Council's consideration. Council Green moved, seconded by Councilman Vernall, to dispense with the second reading of the ordinance and to adopt it on first reading to be effective immediately. Recorded vote on the motion:

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

**NO:** None.

## **2. RESOLUTION AUTHORIZING SUBMISSION OF A SAFER GRANT**

The City Manager stated that the City has for some time been trying to add one additional Firefighter/EMT to each shift of the Fire Department in order to improve our compliance with the National Fire Protection Association 1710 (NFPA) standards. He pointed out that the proposed SAFER Federal Grant would pay 100% of the salary and benefits for two Firefighter/EMTs and assist the City by increasing our compliance with the NFPA criteria.

Fire Lieutenant Joe Breeden explained that the grant requires confirmation from the local governing body that should the City be awarded the grant the current workforce in the Fire Department will not be reduced. He added that any training necessary for the two new employees will also be funded by the grant.

In response to a Council query, Mr. Wheeler stated, and Fire Chief Robert Holloway confirmed, that the City's Fire Department does not currently meet the 2-in, 2-out fire standard.

Mayor Hunt pointed out that when necessary the Volunteer Fire Company and adjacent localities with which the City has fire/rescue Mutual Aid Agreements assist the City in meeting the needs of our residents. On behalf of the Council, the Mayor expressed appreciation to Fire Lt. Breeden for his persistence and success in finding and obtaining grants for the City.

A resolution authorizing the submission of a SAFER grant to hire two firefighters was presented for Council's consideration and Councilman Green moved, seconded by Councilman Southall, that it be approved. Recorded vote on the motion:

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

**NO:** None.

### **COMMENTS OF THE CITY MANAGER:**

The City Manager offered the following information:

- That he and the City Finance Director, Theresa Owens, recently met with representatives of Davenport & Company, LLC at which time it was pointed out that the City may be able to pursue a refund on the existing debt and that they

would like to attend the next Council meeting to determine if this is something Council would like to pursue.

- That he and staff have been working on possible streetscape improvements, identified as “microparks”, to be funded within the existing budget; that they would be located on a small portion of property immediately adjacent to the rear of the existing sidewalk along Wythe Creek Road; and that they will likely consist of a bench, vegetation, a solar powered light and perhaps one of the iconic *Poquoson is the Place* bird feeders.

Councilwoman Crawford suggested that the bird feeder not be placed too close to the bench because of the mess that would be created by the birds. In concurrence, the City Manager stated that perhaps a better location for the bird feeder would be the Museum property.

- That the recent Presidential Primary pointed out a possible issue with the City’s current temporary sign regulations which are found in three separate locations in the City Code and are in some cases contradictory; that it might be helpful if staff and the City Attorney’s office rewrite and combine the sign regulations into one concise section; and that specific guidance from Council regarding this matter would enable staff to craft an ordinance in accordance with Council’s direction.

In response to the Manager’s statements, Mayor Hunt suggested that any new sign ordinance should first be vetted by the Planning Commission. Councilman Southall suggested that this item be included in the discussion at Council’s upcoming retreat.

#### **COUNCIL DIRECTIVES:**

Councilman Vernall congratulated Fire Lt. Breeden for his initiative to seek out and apply for grants on behalf of the City.

Councilman Green stated that he thought that Mr. Bowden, who spoke under Audience for Visitors, likely meets the Code requirements relative to repetitive loss and obtaining ICC funds. He reminded everyone that the next City Foodbank distribution will occur on March 22<sup>nd</sup> and that members of the Poquoson Yacht Club and Poquoson Exchange Club will assist with this endeavor. He also pointed out that the Annual PEF Gala fundraiser will be held on Saturday, March 19<sup>th</sup> with 100% of the profits funding teacher grants and student scholarships.

Councilman Ayer announced that the PAWS’ TACO Cat fundraiser will be held on Saturday, March 19<sup>th</sup> at the St. George Brewing Company in Hampton and will include a bake sale, face painting and many other activities. He welcomed new employee, Kipton Forrest and congratulated Fire Lt. Breeden on his latest grant application.

Councilman Southall echoed previous comments and reiterated that he would like to continue the discussion on the City's sign regulations at the upcoming Council retreat.

In response to a Council query, the City Attorney, D. Wayne Moore, stated that Mr. Bowden's request could not be discussed in Closed Session as it was not included on the agenda.

Mayor Hunt commended recently retired Police Detective, Dwain Marlowe, for his excellent service over his tenure with the City and offered his best wishes for his future. He reminded Council of the retirement festivities to be held in his honor.

**CLOSED SESSION:**

Councilman Green moved, seconded by Vice Mayor Freeman, to go into Closed Session pursuant to Section 2.2-3711(A)(3) of the Code of Virginia (1950), as amended to discuss and consider the acquisition of real property for a public purpose; i.e. Poquoson Avenue/South Lawson Park. Recorded vote on the motion:

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

**NO:** None.

**RECONVENEMENT:**

Upon reconvening from Closed Session, Councilman Green moved, seconded by Vice Mayor Freeman, to adopt a resolution certifying that only the acquisition of real property for a public purpose was discussed during the Closed Session. Recorded vote on the motion:

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

**NO:** None.

**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 Southall, Freeman, Vernall, Green, Ayer, Crawford and Mayor Hunt.

**NO:** None.

The meeting was adjourned at approximately 8:12 p.m.