

**MINUTES OF THE CITY COUNCIL MEETING  
APRIL 11, 2016, 7:00 P.M.  
REGULAR SESSION**

**PRESENT:** 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

**ABSENT:** The Honorable W. Eugene Hunt, Jr., Mayor

**MEETING CALLED TO ORDER:**

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

**INVOCATION AND PLEDGE OF ALLEGIANCE:**

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

**SPECIAL PRESENTATIONS:**

***Library Week Proclamation***

Vice Mayor Freeman read aloud and presented to Interim City Librarian, Amy Blow, a proclamation declaring April 10 through April 16, 2016 as National Library Week.

**Davenport & Company, LLC**

Mr. Kyle A. Laux of Davenport & Company, LLC, the City's financial advisor, stated that at the March 28<sup>th</sup> City Council meeting, a Plan of Finance which would take advantage of the current favorable interest rate environment was presented for Council's consideration. Following the presentation, City Council by unanimous vote requested that Davenport & Company proceed with their Plan as proposed. Since then the following activities have taken place:

- A competitive RFP was distributed to local, regional and national lending institutions soliciting funding commitments for refinancing and new money financing for the City.
- Bids were received from seven banks, the most favorable of which were Key Government Finance (Key Bank) and TowneBank.

Mr. Laux explained the specifics of the proposed dual approach transactions (refinancing existing debt and borrowing new money) and recommended that Council proceed with the Dual Track Approach. In conclusion, he provided a suggested timeline for completing the transaction.

The City Manager, J. Randall Wheeler, stated that if the aforementioned refinancing opportunities are successful, the resulting savings will fund the proposed four FY 2017 CIP projects.

Following a brief discussion, Council, by adoption of a resolution, authorized Davenport & Company to proceed with the previously described refinancing/new money opportunities.

### **FY 2017 Budget Presentation**

The City Manager provided a brief overview of the FY 2017 proposed budget that included the following information:

- That it is the second post recessionary budget;
- That the City's fiscal situation remains strong;
- That stable tax rates, strict adherence to the City's financial guidelines, constrained expenditures and ongoing revenue to support expenses were the guiding principles for the proposed budget; and
- That the top nine budget priorities, i.e. City and School base, cost-of-living adjustment and competitive pay scale, capital maintenance and replacement, TMDL, existing needs, capital equipment replacement and emerging needs, identified by executive staff in a recent budget retreat were included in the document.

The City Manager stated that the budget public hearing will be held on April 25, 2016, the adoption of budget was scheduled for May 9, 2016 and that the proposed budget was available for review online, at the City Library and in his office. In conclusion, he stated that a joint work session with the School Board regarding their budget followed by a City Council budget work session would be held prior to the regular April 25, 2016 meeting.

Councilman Vernall stated that the proposed budget is citizen friendly and satisfies some of the long-term needs of the City. He commended the City Manager, the Finance Director, Theresa Owens, and her staff for an excellent budget.

**AUDIENCE FOR VISITORS:**

Ms. Randie Trestrail, 212 Beach Road, thanked City Council for the letter they sent to our State legislators requesting their endorsement of a funding appropriation in the bi-annual budget to support the Stormwater Local Assistance Fund (SLAF). As she would be unable to attend the April 12, 2016 retreat, at which time Council planned to discuss the EDA property on the north side of Victory Boulevard, she asked that they keep in mind current/future environmental requirements. She stated that she would like to see this property used for maintenance, emergencies and/or parks. In conclusion, she stated that she supports funding for the Poquoson Museum in the FY 2017 budget.

**APPROVAL OF THE MINUTES:**

Councilman Green moved, seconded by Councilman Vernall, to adopt the minutes of the regular session held March 28, 2016 as submitted. Recorded vote on the motion:

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

**NO:** None.

**UNFINISHED BUSINESS:**

Vice Mayor Freeman stated that the following three ordinances would be voted upon simultaneously as this was their second reading.

- 1. ORDINANCE AMENDING ARTICLE I, SECTION 1-3, DEFINITIONS, OF THE CITY'S ZONING ORDINANCE BY AMENDING THE DEFINITION OF "VARIANCE", SECTION 1-4, BOARD OF ZONING APPEALS, (B) BY ADDING INFORMATION PERTAINING TO EX PARTE COMMUNICATIONS AND (C) BY AMENDING AND EXPANDING THE SECTION PERTAINING TO THE POWERS AND DUTIES OF THE BOARD (Second Reading)**
- 2. AN ORDINANCE AMENDING THE CITY'S ZONING ORDINANCE BY CHANGING ARTICLE XI.IV, ENVIRONMENTAL MANAGEMENT AREA (EMA) OVERLAY DISTRICT, SECTION 11.4-13(d)(2) PERTAINING TO THE BOARD OF ZONING APPEALS APPLICATION FEE (Second Reading)**
- 3. AN ORDINANCE AMENDING THE CITY'S ZONING ORDINANCE BY CHANGING ARTICLE XI.IV, EMA OVERLAY DISTRICT, SECTION 11.4-6(L)(2) PERTAINING TO THE CERTIFICATION REQUIREMENTS OF SEPTIC SYSTEM INSPECTORS (Second Reading)**

Councilman Green moved, seconded by Councilman Ayer, to adopt the three aforementioned ordinances on second reading to become effective in 30 days. Recorded vote on the motion:

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

**NO:** None.

**NEW BUSINESS:**

**1. RESOLUTION AUTHORIZING THE PLACEMENT OF A HISTORICAL MARKER FOR FOOTBALL QUARTER CREEK PARK AT THE END OF ROBERT BRUCE ROAD**

The City Manager stated that staff has been conversing for several months with members of the Kirby family, who own Football Quarter Creek Park located at the end of Robert Bruce Road, regarding the placement of a historical marker on their property to memorialize the homestead of their ancestor, Thomas Kirby who purchased a 450 acre plantation there in 1642. However, since learning that the State requires that all historical plaques be placed on public property, owned either by the City or State of Virginia, the Kirby family is requesting that the marker be located in the public right-of-way adjacent to the park property. The City has also been asked to assist with occasional maintenance of the sign.

A resolution authorizing the placement of the marker in the City right-of-way at the end of Robert Bruce Road directly in front of the property was presented for Council's consideration and Councilman Green moved, seconded by Councilman Vernall, that it be adopted. Recorded vote on the motion:

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

**NO:** None.

**2. RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING (MOU) WITH POMOCO NISSAN FOR THE 2016 POQUOSON SEAFOOD FESTIVAL WORKBOAT RACE**

The City Manager stated that the proposed MOU with Pomoco Nissan for the 2016 Seafood Festival Workboat Race was basically the same as last year's agreement except that it increases the City's honorarium from \$4,000 to \$5,000 as was the case in previous years except for 2015.

A resolution approving the MOU was presented for Council's consideration and Councilman Green moved, seconded by Councilman Southall, that it be adopted. Recorded vote on the motion:

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

**NO:** None.

### **3. RESOLUTION MAKING AN APPOINTMENT TO THE POQUOSON ECONOMIC DEVELOPMENT AUTHORITY**

A resolution making an appointment to the Economic Development Authority (EDA) was presented for Council's consideration and Councilman Green moved, seconded by Councilman Southall, to appoint Kristen Webber to the EDA and to adopt the resolution with her name inserted. Recorded vote on the motion:

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

**NO:** None.

Vice Mayor Freeman commended Councilman Green for the excellent job he does in speaking with the candidates who apply to serve on the various City boards/commissions.

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

The City Manager offered the following comments:

- Mr. Ben Stagg of the Virginia Marine Resources Commission contacted the City in response to our recent invitation and tentatively agreed to attend the April 25, 2016 Council meeting to further discuss aquaculture issues/concerns.
- The Commissioner of the Revenue's office was just notified that due to mechanical issues the DMV2Go van will be unable to visit the City on April 12<sup>th</sup> as scheduled.
- The previously mentioned Council retreat will be held on Tuesday, April 12<sup>th</sup> starting at 6:30 p.m. at the Poquoson Yacht Club. He stated that City Council as well as the Chair and Vice Chair of the Planning Commission and the EDA should be in attendance and that their primary focus would be expectations/visions for the EDA property assemblage on the north side of Victory Boulevard. Other retreat discussion items for Council will be the City's sign regulations and the use of "Big Data" to assist in future economic development decisions.

#### **COUNCIL DIRECTIVES:**

Councilman Southall thanked the City Manager, the Finance Director and her staff for a great budget document.

Councilwoman Crawford stated that Council welcomes public input on the budget and pointed out that the document is available for review on the City website and in the Library.

Councilman Vernall stated that he was happy to see progress occurring on the Messick Point breakwater project. He also pointed out that the traffic light at the Poquoson Avenue/Kelsor Drive/Wythe Creek Road intersection is not working properly.

In response to Councilman Vernall's comments, Robert Speechley, Utilities Superintendent, stated that Newport News Waterworks had inadvertently broken the traffic loop at this intersection last week when repairing a water main break.

Councilman Green thanked Davenport and Company for the excellent financial advice they continue to provide the City. He asked the City Manager to consider installing in the vicinity of the island located in the White's Terrace subdivision a stop sign, a stop bar and solid yellow lines to alleviate the reckless shortcuts taken by High School students when arriving and departing from School.

Councilman Ayer commended the Community Recreation Department for its 2016 Summer Camps Guide and encouraged the public to take advantage of these excellent recreational opportunities for all ages.

Vice Mayor Freeman stated that many simultaneous activities were currently occurring in the City, i.e. TMDL projects, Messick Point breakwater and the City's excellent summer camps.

**ADJOURNMENT:**

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

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

**NO:** None.

The meeting was adjourned at approximately 8:15 p.m.