

**MINUTES OF THE CITY COUNCIL MEETING
JULY 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 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 Charles M. Southall III

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:

Presentation by Delegate Gordon Helsel

The Honorable Gordon C. Helsel, Jr., Virginia State Delegate, presented to former City Librarian, Elizabeth Tai, a resolution adopted by the 2016 Virginia State General Assembly recognizing her for the many years of outstanding service to the City of Poquoson.

Delegate Helsel also provided a brief update on what occurred during the 2016 Virginia General Assembly Session. He particularly pointed out that the final payment was allocated to purchase the property adjacent to Langley Air Force Base which was necessary to ensure the continued operation of the Base in the City of Hampton; that grant funds had been appropriated to provide water and electricity to the City's Messick Point pier; that additional funds were appropriated for public education; and that he continues to work towards reducing the regulations placed on working watermen. He also stated that at the 2017 General Assembly Session, legislators will be considering additional restrictions on drivers' cell phone usage; LGBT and testing of handicap children. Lastly, he stated that he is working closely with the Department of Transportation in an effort to obtain funds to improve Victory Boulevard which is vitally needed to provide an evacuation route for the residents of Poquoson.

Mayor Hunt, on behalf of Council, thanked Delegate Helsel for his ongoing invaluable assistance and hard work in the General Assembly on behalf of Poquoson.

Certificates of Appreciation

Mayor Hunt, on behalf of City Council, presented Certificates of Appreciation to Allan L Melton for his service on the School Board and George F. Curtis for his service on the Library Advisory Board.

VPI Extension Agent

Ms. Megan Tierney, the new York-Poquoson Virginia Tech Extension Agent, introduced herself to Council and provided a brief overview of her duties related to Horticulture and the Master Gardener program. In conclusion, she distributed information on the services provided by the Virginia Cooperative Extension Office and her contact information.

Introduction of New Employees

Fire Battalion Chief, John Young, introduced the City's newest Fire Department employees, Jessica Firth and Jonathon Deel. On behalf of Council, Mayor Hunt welcomed them to the City.

AUDIENCE FOR VISITORS:

Ms. Randie Trestrail, 212 Beach Road, expressed appreciation for Ms. Tierney's brief presentation and encouraged the City to more frequently monitor and remove debris at Messick Point.

APPROVAL OF THE MINUTES:

Councilman Green moved, seconded by Councilman Ayer, to adopt the minutes of the regular session held June 27, 2016 as amended. Recorded vote on the motion:

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

NO: None.

Councilman Green moved, seconded by Councilman Vernall, to adopt the minutes of the work session held June 27, 2016 as submitted. Recorded vote on the motion:

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

NO: None.

PUBLIC HEARING:

- 1. REQUEST OF MR. FRANK CRANDOL ON BEHALF OF BRICK KILN, LLC FOR A CONDITIONAL USE PERMIT TO ESTABLISH AND**

OPERATE A MINI-STORAGE WAREHOUSE FACILITY IN A RESIDENTIAL DISTRICT

The Planner, Kevin Wyne, stated that the property owner/applicant, Mr. Frank Crandol, wanted to establish and operate a mini-storage warehouse facility with a separate professional office building on an approximate 5.9 acre parcel, zoned R-1 (Single-Family Residential), and located on Wythe Creek Road near Woodhaven Drive. He explained that the Planning Commission, at its June 20, 2016 meeting, recommended denial of the request by a vote of 6-1.

In response to queries that were posed by Council at the June 27, 2016 Council work session, he offered the following information:

- That Storage World Poquoson has 345 units and is currently at 99.1% capacity while Poquoson Self Storage has approximately 113 units and would not disclose their current occupancy;
- That if developed as requested, the site would generate approximately 39 vehicular trips during the afternoon Peak Hour, whereas if developed under the City's Open Space provisions it would generate approximately 10 vehicular trips during the same timeframe;
- That storage unit uses only provide real estate tax revenue; however, to determine any other revenue impacts a community impact assessment would be necessary; and
- That within the R-1 Zoning District, buildings may be erected up to 35 feet in height; however, Council may impose a height restriction on the requested facilities if deemed appropriate.

Mayor Hunt opened the public hearing.

Mr. Frank Crandol of Brick Kiln LLC, property owner and applicant, voiced support for his request. He explained that the storage units would be constructed in phases; that all stormwater would be contained and treated on-site; that the proposed use is quiet and produces minimal traffic; and that with the imminent construction of the Legacy development additional residential homes are not needed in the City.

Mr. John Davis, 10 Woodhaven Drive; Mr. Jeremy Collins, on behalf of Mr. and Mrs. Adam MacDonald of 5 Woodhaven Drive; Mr. Don Helser, 6 Woodhaven Drive; Mr. Ralph Jaynes, 267 Wythe Creek Road; Mr. Bob English, 1 Woodhaven Drive; Mr. Steve Collins, 8 Woodhaven Drive; and Mr. Bryan Jaynes, 271 Wythe Creek Road, expressed opposition to the request based upon the following:

- That the storage units would be an aesthetic eyesore to their backyard view;
- That the proposed use would diminish the quality of life for adjacent property owners and devalue their properties;
- That it would increase the probability of crime in the area;
- That the use is not in compliance with the City's Comprehensive Plan;
- That approval of the request would equate to a "spot zoning";

- That increased traffic from the site would be detrimental to adjacent properties;
- That the height of the property and the increased impervious surface of the development would cause flooding to adjacent properties;
- That the use would produce noise pollution and light trespass; and
- That there are sufficient storage units already available in the City.

During Council’s discussion, the applicant and the adjacent property owners were commended for their comments; however, concern over adherence to the City’s Comprehensive Plan, and the adverse impact upon neighboring residential areas and the spot zoning resulting from approval of the request dominated the conversation.

Resolutions, approval and denial, were presented for Council’s consideration and Councilman Green moved, seconded by Vice Mayor Freeman that the denial resolution be adopted. Recorded vote on the motion:

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

NO: None.

NEW BUSINESS:

1. RESOLUTION MAKING APPOINTMENTS TO THE LIBRARY ADVISORY BOARD AND THE SCHOOL BOARD

A resolution making appointments to the Library Advisory Board and the School Board was presented for Council’s consideration. Councilman Green moved, seconded by Vice Mayor Freeman, to appoint Peter W. Hardin to the Library Advisory Board and Christina F. Helsel to the School Board and to insert their names in the resolution. Recorded vote on the motion:

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

NO: None.

2. RESOLUTION APPROVING THE FY 2017-2018 PERFORMANCE CONTRACT FOR COLONIAL BEHAVIORAL HEALTH

Mr. David Coe, Executive Director of Colonial Behavioral Health (CBH), reminded Council that the State Code requires the governing body of each city or county served by its Community Services Board to approve a Performance Contract on a biennial basis. He provided a brief update on the activities of the agency and how it serves the residents of Poquoson. In conclusion, Mr. Coe stated that he would be pleased to provide a more in-depth overview of the CBH’s services in a work session if Council so desires.

In response, Mayor Hunt stated that staff would schedule a work session with Mr. Coe in the near future.

A resolution approving the FY 2017/2018 contract was presented for Council consideration and Councilman Green moved, seconded by Councilman Ayer, that it be adopted. Recorded vote on the motion:

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

NO: None.

3. RESOLUTION APPROVING THE FIRST AMENDMENT TO THE RESTATED COOPERATIVE AGREEMENT WITH THE PENINSULA REGIONAL JAIL

The City Manager, J. Randall Wheeler, stated that the first amendment to the agreement between the Virginia Peninsula Regional Jail Authority (VPRJA) and the counties of York and James City, and the cities of Poquoson and Williamsburg sets forth the payment requirements for each locality. He pointed out that in the past this service was paid in arrears every six months; however, under the amendment it will be paid in advance every two months. In response to a Council query, the City Manager explained that the payments are based upon a 5 year running average.

On behalf of Council, Mayor Hunt thanked the City Manager for his service as Chairman of the VPRJA and for his leadership in crafting the amendment.

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

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

NO: None.

4. RESOLUTION MAKING REAPPOINTMENTS TO THE WETLANDS BOARD

The City Manager stated that William H. Clarke, Wetlands Board Member, has requested to exchange membership status with Sally A. Smith, alternate Board Member, to which she has agreed. A resolution exchanging membership status accordingly was presented for Council's consideration. Councilman Green moved, seconded by Councilman Vernall to reappoint Sally A. Smith as the regular member and William H. Clarke as an alternate member to the Wetlands Board and to adopt the resolution with their names inserted. Recorded vote on the motion:

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

NO: None.

5. ORDINANCE MAKING ADDITIONAL APPROPRIATIONS AND TRANSFERS FOR FISCAL YEAR 2015-2016

An ordinance making various appropriations for FY 2016 was presented for Council's consideration and briefly explained by the City Manager. He pointed out that the majority of the transactions are attributed to grants and outside funding sources.

Council Green moved, seconded by Councilman Ayer, to dispense with the second reading and to adopt it on first reading to be effective immediately. Recorded vote on the motion:

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

NO: None.

COMMENTS OF THE CITY MANAGER:

The City Manager stated that he and Vice Mayor Freeman had attended the Virginia Peninsula Mayors/Chairs meeting earlier that day at which time a representative from the Virginia Department of Transportation (VDOT) gave an update on the Interstate 64 improvements. He pointed out that the then Hampton Mayor, George Wallace and Councilman Green played a critical role in ensuring that these improvements were funded.

COUNCIL DIRECTIVES:

Councilman Vernall commended the Public Works employees for their hard work despite the oppressive heat and asked them to be safe while working in these dangerous conditions.

Councilman Green reminded everyone that the Foodbank distribution would be held on Tuesday, July 26th from 10 a.m. to 1 p.m. He stated that the concrete pad has been poured for the Poquoson Exchange Club's Aquatic Interpretive Center at Messick Point and grading of the site would occur shortly.

Councilman Ayer thanked everyone who was in attendance at the meeting and Mr. Frank Crandol for bringing forward his request. Lastly, he thanked City staff for their kind sympathy card following the loss of his nephew and wished his daughter Happy Birthday!

Councilwoman Crawford thanked everyone who had attended the meeting and she congratulated Elizabeth Tai, George Curtis and Allan Melton for their service to the community. She expressed delight at living and serving as a Councilmember in Poquoson.

Vice Mayor Freeman agreed with Councilwoman Crawford that it is wonderful to live in a small community that does not have the problems/issues that larger localities face. He stated that the City's deer population continues to increase even though the bow season

has been extended and inquired if there was anything else the City could do to curtail the increasing population.

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, Crawford, Freeman and Mayor Hunt.

NO: None.

The meeting was adjourned at approximately 9:25 p.m.