

**MINUTES OF THE CITY COUNCIL MEETING  
OCTOBER 11, 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

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

**ABSENT:** The Honorable Henry W. Ayer III

**MEETING CALLED TO ORDER:**

Mayor Hunt called the meeting to order at approximately 7:00 p.m. He apologized that the meeting was not being broadcast live for Cox Cable customers as a result of the recent severe weather.

**INVOCATION AND PLEDGE OF ALLEGIANCE:**

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

**SPECIAL PRESENTATION:**

***Dominion Virginia Power***

Ms. Melanie Rapp Beale, Dominion Virginia Power's External Affairs Manager for the Peninsula, provided a brief update on the restoration of power in the area in the wake of the recent storm. She pointed out that electrical power had now been restored to all Poquoson residents and she commended the City Police and Fire Departments for their invaluable support and assistance during the recent emergency weather event.

Ms. Stephenie Harrington, Dominion Virginia Power's Communications Manager, gave a brief presentation entitled *Powering the Peninsula* which included the following information:

- That over the past fifteen years, constant improvements have been made that have greatly reduced system-wide emissions;

- That due to environmental concerns, Units 1 and 2 (coal powered) and Unit 3 (gas powered) at the Yorktown Power Station must be retired no later than April 2017 and 2020, respectively;
- That based upon the decreased generation of power by the Yorktown Station, Dominion Power is concerned over its ability to provide safe and adequate power for the Peninsula in the near future;
- That Dominion Virginia Power will comply with all state and federal environmental laws to continue to reduce toxic emissions;
- That upon consideration of several options to address the imminent power deficiency that will face the Peninsula, the Surry-Skiffes Creek-Wheaton Electric Transmission Project has been identified as the best solution;
- That historical data indicates that there are 50 to 80 high risk days per year for potential outages and that without the Skiffes Creek Project in service, blackouts on the Peninsula could occur starting in April 2017;
- That the towers, required by this project, to be located in the James River are shorter than several of Dominion's towers located in other similar bodies of water; and
- That the Virginia State Corporation Commission has approved the project; however, environmental and historical permitting agencies have recently stated they need more time in which to consider the ramifications of the Skiffes Creek Project.

In conclusion, Ms. Harrington requested an opportunity to attend a future Council meeting to provide an update on the status of this very important project.

In response, Mayor Hunt thanked Ms. Harrington for her presentation and expressed concern over the potential for blackouts on the Peninsula in the near future if this issue is not addressed satisfactorily and expeditiously.

#### ***Update on the Community Participation Team (CPT)***

Mr. William Travis, Planning Commission Vice Chairman, stated that the CPT, tasked with collecting and documenting public input on the Comprehensive Plan update, continues to work hard to accomplish their assignment. Mr. Travis introduced Robert Liles, CPT Chair, and Anjie Emmett, CPT Vice Chair, who were also present in Council Chambers. He pointed out that the CPT is currently obtaining public feedback via the City's website and drop boxes placed in strategic locations throughout the community. He stated that future efforts to garner public comment include: manning a booth at the Seafood Festival, holding a public input session on October 18, 2016 at the High School and placing an informational flyer in the City's upcoming utility bills. Lastly, he stated that following the open session, the CPT will consider input received and will determine if a second public session is needed and/or whether a written survey will be utilized to obtain additional comments.

Upon conclusion of Mr. Travis's CPT update, Councilwoman Crawford suggested that if the CPT decided to use a public comment survey it should be publicized well in advance

so that residents would know what it is when received and would be more likely to complete it and return it to the City.

**AUDIENCE FOR VISITORS:**

There were no public comments.

**APPROVAL OF THE MINUTES:**

Councilman Green moved, seconded by Councilman Vernall, to adopt the minutes of the regular session held September 26, 2016 as submitted. Recorded vote on the motion:

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

**NO:** None.

Councilman Green moved, seconded by Vice Chairman Freeman, to adopt the minutes of the work session held September 26, 2016 as submitted. Recorded vote on the motion:

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

**NO:** None.

**NEW BUSINESS:**

**1. RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR FINANCIAL ADVISORY SERVICES WITH DAVENPORT AND COMPANY, LLC**

The City Manager, J. Randall Wheeler, stated that the City's original contract with Davenport and Company for financial advisory services was for a 3-year period with two one year extensions. Under the terms and conditions of the RFP, City Council reserved the right to extend the contract after its final expiration date on an annual basis if deemed to be in the best interest of the City. An additional one year contract was granted last year and will expire on December 31, 2016.

Because of the continued outstanding services provided by Davenport and Company, a resolution extending the contract for an additional year to expire on December 31, 2017 was presented for Council's consideration. Councilman Green moved, seconded by Councilman Vernall that it be adopted. Recorded vote on the motion:

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

**NO:** None.

Councilwoman Crawford stated that in response to queries she had received from several citizens, she had assured them that financial guidance provided by Davenport and Company, LLC has been invaluable to the City.

**2. RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH EAST COAST EQUIPMENT, LLC**

The City Manager explained that Public Works was seeking authorization to replace a 1997 Ford tractor mower and a 2001 John Deere tractor mower that have had to be repaired numerous times during the year. Options for purchase or lease of new machines were considered and deemed to be in the best interest of the City. A cooperative contract with East Coast Equipment LLC through the National Joint Powers Alliance was found under which one or both of the tractors could be replaced with funds already appropriated in the Capital Projects Fund for this purpose.

A resolution authorizing the City Manager to enter into a contract with East Coast Equipment, LLC for purchase of one or two roadside mowers was presented for Council's consideration. Councilman Green moved, seconded by Councilman Vernal to adopt the resolution as amended by deleting the word "and" on the second line of the third "Whereas". Recorded vote on the motion:

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

**NO:** None.

**3. RESOLUTION MAKING AN APPOINTMENT TO THE COLONIAL COMMUNITY CRIMINAL JUSTICE BOARD**

A resolution making an appointment to the Colonial Community Criminal Justice Board to fill the vacancy created by the retirement of Lt. Craig Farinholt was presented for Council's consideration. Councilman Green moved, seconded by Vice Mayor Freeman, to appoint Police Sergeant Kelly Waddell to the Board and to adopt the resolution with his name inserted. Recorded vote on the motion:

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

**NO:** None.

**4. LITTLE FLORIDA ROAD DITCH PIPING TRAFFIC CONTROL**

The City Manager stated that the Little Florida Ditch Piping Project was to begin on October 17, 2016. As the work will impact traffic on this very busy City thoroughfare, he sought Council's guidance on how to enhance the safe flow of traffic while minimizing the inconvenience to our residents. He offered two options for their consideration, i.e. keeping only one lane open throughout the project using flaggers to direct traffic and on occasion detouring traffic when the contractor needs to relocate

utilities; or closing the road and detouring the traffic when needed during the entire construction project.

Mark Boesen, the City's Construction Inspector, provided the following details on the project for Council's consideration:

- That the project will consist of removing and relocating existing drainage and utility infrastructure and installing new drainage improvements along a portion of Little Florida Road;
- That the construction area will involve 14 homes on Little Florida Road from Kathy Drive to Cedar Road;
- That the hours of the construction project will be from 9 a.m. to 4 p.m., Monday through Friday, with weekend work requiring approval by the City; and
- That the proposed project, weather permitting, will take approximately 4 to 5 weeks to complete.

In response to Council queries, Mr. Boesen stated that, should Council choose the closed road/detour option, the School Administration and the Public Safety Departments would be properly notified and that residents living along the project area would have unrestricted access to their properties. He also pointed out that guard rails will be utilized in some areas along the route when it will not adversely impact pedestrians.

Council expressed concerns over school age children who would be boarding/unboarding school buses in the vicinity of the project. They requested that additional signage be erected in specific areas to facilitate smoother traffic flow and to alleviate driver frustration. It was stressed that the safety of school children was the top priority.

Subsequent to Council's discussion, it was agreed that the contractor could utilize the road closure/detour option; however, the City was directed to aggressively advertise this project in advance.

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

The City Manager particularly thanked the Police, Fire, Public Works and Utility Departments for their vigilance over the weekend due to the storm. He also announced that the City would initiate storm debris pickups on Monday, October 24, 2016 and reminded citizens to separate bulk from landscaping and if it is necessary to use bags the Fall Leaf Program guidelines should be followed; i.e. clear bags with no drawstrings.

#### **COUNCIL DIRECTIVES:**

Councilman Vernall expressed gratitude for City staff's hard work to keep the City moving forward during the most recent severe weather.

Councilman Green stated that he and Councilwoman Crawford had recently met with state legislators at a United Way/Bon Secours event at which time over ninety-five non-profit organizations described what they do as well as the services they offer. He reminded Council of the health care issues facing many citizens that he mentioned at the last meeting. He stated that State Delegate Gordon Helsel had sent him three draft bills

that offered relief options for these individuals which he planned to share with Council at an upcoming work session.

Councilwoman Crawford invited everyone to visit and patronize the Poquoson Kiwanis Club barbeque booth at the Seafood Festival. She also commended City staff on how well they prepare for and handle severe weather events.

Vice Mayor Freeman stated that he and the City Manager had recently attended the Virginia Municipal League conference. He too expressed admiration for how well the City Manager and staff perform during emergency events and at all other times as well.

Mayor Hunt reminded everyone how very fortunate the City was to have been minimally impacted by the recent storm. He commended the City's Police, Fire and Public Works Departments for their hard work in preparing for and during the storm. Lastly he reminded everyone of the Poquoson Seafood Festival and encouraged them to attend and safely enjoy this special annual event.

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

**NO:** None.

The meeting was adjourned at approximately 8:21 p.m.

**MINUTES OF THE CITY COUNCIL MEETING  
OCTOBER 11, 2016, 6:15 P.M.  
WORK SESSION  
Council Chambers, 500 City Hall Avenue**

**PRESENT:** The Honorable W. Eugene Hunt, Jr., Mayor  
The Honorable Carey L. Freeman, Vice Mayor  
The Honorable Traci-Dale Crawford  
The Honorable Charles "Bud" M. Southall III  
The Honorable Herbert R. Green, Jr.  
The Honorable Raymond E. Vernal

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

**ABSENT:** The Honorable Henry W. Ayer III

The meeting was called to order by Mayor Hunt at approximately 6:15 p.m. in the Council Chambers.

**Sign Ordinance Re-Write:**

The City Manager, J. Randall Wheeler, stated that Dannan O'Connell, Graduate Management Assistant, had worked closely with the Community Development Director, Deborah Vest and him to re-write the City's sign regulations. He reminded Council that at its March 2016 retreat, re-writing the City's Sign Ordinance was discussed and staff was asked to draft amendments to the existing regulations due to the proliferation of signs in the public right-of-way and to consolidate the regulations into one standalone ordinance.

Mr. O'Connell provided the following brief overview of the amendments drafted by staff to reflect guidance provided by Council at the aforementioned retreat:

- That Sections 1 through 6 of Appendix D be amended by removing redundant/contradictory/unnecessary language; prohibiting all non-City signs in public rights-of-way; allowing electronic signs in the Wythe Creek Road commercial district; permitting short-term, temporary signs without a permit; and providing clearer regulations for political, real estate and contractor signs;
- That Articles II and IV of Chapter 6 be removed to improve clarity and to confine sign regulations to Appendix D only;
- That Section 5 of Chapter 70 (sidewalks) of the City Code be amended to ensure that protection from interference applies only to City signs in the right-of-way;
- That a definition for *Political Sign* be added to Appendix D, Section 1;

- That the definition for *Portable Sign* be modified to reference Appendix D and not Chapter 6 of the City Code and that the definition of *Sign* be modified for additional clarity;
- That Sections 2, 3 and 4 of Appendix D be amended by clarifying language in the Administration, Permitted Signs and Prohibited Signs;
- That Section 5 of Appendix D be amended relative to Signs Not Requiring Permits to include the public School System, maximum size of signs, when they can be erected and for how long, and short-term, temporary signs;
- That language be added to Section 6, Appendix D - General Regulations clarifying the placement of signs; and
- That Articles II and IV of Chapter 6 be eliminated and that language be added to Chapter 70, Section 5 addressing interference with signs erected in the public right-of-way.

In conclusion, Mr. O'Connell stated that all of the above amendments had been incorporated into the draft ordinances presented for consideration.

During and following the presentation, the following concerns were mentioned:

- What is the definition of a political sign and does that include signs expressing citizen's views on governmental issues?
- Do the proposed amendments address portable signs mounted on vehicles?
- Do the draft ordinances prohibit free speech?
- Since the location of the City rights-of-way are uncertain, how can the placement of signs be enforced?
- How will construction and/or home improvement signs in private yards be regulated?

In conclusion, Mayor Hunt reminded Council that staff had been directed to modify the Sign Ordinance to enhance its clarity and enforceability. However, since Council has numerous suggestions and/or concerns he asked that a work session be scheduled in the near future in order to discuss this matter further. He thanked the City Manager and staff for their hard work on the draft ordinances.

#### **ADJOURNMENT:**

There being no further business, the work session was adjourned at approximately 6:58 p.m.