1. Agenda Summary

Documents: 3-14-16 AGENDA.PDF

1.I. 2-22-16 Reg Minutes

Documents: 2-22-16 REG MINUTES.PDF

1.II. 2-22-16 Wk Ses Minutes

Documents: 2-22-16 WK SES MINUTES.PDF

1.III. PFM Agreement

Documents: PFM AGREEMT.PDF

1.IV. SAFER Grant

Documents: SAFER GRANT.PDF

1.V. Closed Session Resolution

Documents: CLOSED SES.PDF

POQUOSON CITY COUNCIL
MEETING OF
MONDAY, MARCH 14, 2016
7:00 P.M.
REGULAR SESSION

A. MEETING CALLED TO ORDER

B. INVOCATION AND PLEDGE OF ALLEGIANCE

C. SPECIAL PRESENTATIONS

- **City Manager – New Employee – (Fire Dept.)**

D. AUDIENCE FOR VISITORS

E. APPROVAL OF THE MINUTES

1. **Regular Meeting – February 22, 2016**
2. **Work Session – February 22, 2016**

F. NEW BUSINESS

1. **Ordinance Approving the Second Incentive Payment to Poquoson Family Medicine & Chiropractic Clinic (PCC) and Appropriating the Necessary Funds**

2. **Resolution Authorizing Submission of a Safer Grant**

G. COMMENTS OF THE CITY MANAGER

H. COUNCIL DIRECTIVES

I. CLOSED SESSION

Closed session pursuant to Section 2.2-3711(A)(3) of the Code of Virginia (1950), as amended to Discuss Acquisition of Real Property for a Public Purpose; i.e. Poquoson Avenue/South Lawson Park

J. RECONVENEMENT – Certification

K. ADJOURNMENT

MINUTES OF THE CITY COUNCIL MEETING
FEBRUARY 22, 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:

Certificates of Appreciation

Mayor Hunt, on behalf of Council, presented a Certificate of Appreciation to Nancy Akers for her years of service on the York/Poquoson Social Services Board; and to Shawn Avery and Greg Gardy for their years of service on the Planning Commission.

Urban Crescent Education Funding Initiative

The City Manager, J. Randall Wheeler, stated that over the past several years, due to the ongoing recession, state funding for schools has been greatly reduced while local funding has increased. He explained that in December 2015 more than 150 government, school division and business representatives from Virginia's Urban Crescent met to discuss concerns over the Commonwealth's share of funding for public education. As a result of that meeting a letter, signed by over 105 Urban Crescent members to include the City, was sent to the Governor and members of the 2016 Virginia General Assembly calling upon them to meaningfully increase funding for public education. He also pointed out that state funding reductions have been exacerbated by the School's ongoing reduction in students and he encouraged citizens to contact their legislators to request a significant funding increase for public education. In conclusion, Mr. Wheeler showed a video produced by Virginia's Urban Crescent emphasizing the critical need for increased state funding for public schools.

Subsequent to viewing the video, Mayor Hunt thanked Council Members for their support of the City's School System during the difficult recessionary years.

AUDIENCE FOR VISITORS:

There were no speakers.

APPROVAL OF THE MINUTES:

Councilman Green moved, seconded by Councilman Ayer, to adopt the minutes of the regular session held February 8, 2016 as submitted. Recorded vote on the motion:

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

NO: None.

PUBLIC HEARING:

1. **CAPITAL IMPROVEMENTS PLAN (CIP) FOR FY 2017 AND BEYOND 2021**

Since the City Manager had provided a detailed presentation on the recommended CIP at the work session held immediately prior to the meeting, he highlighted the following 4 capital projects that are recommended for inclusion in the FY 2017 budget:

- High School track;
- Primary School HVAC replacement;
- High School HVAC; and
- Messick Point Beach.

Mayor Hunt opened the public hearing.

Mr. Alan Moody, 207A Browns Neck Road, expressed support for the proposed CIP; however, he also expressed concern over the state-funded expansion of the southern portion of Wythe Creek Road. He stressed that the Victory Boulevard widening would be a much better use of these funds and asked to whom at the Virginia Department of Transportation (VDOT) should he share his comments.

Since there were no other speakers, the public hearing was closed.

A resolution adopting the proposed five-year CIP was presented for consideration and Councilman Green moved, seconded by Councilman Southall, that it be adopted. Recorded vote on the motion:

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

NO: None.

NEW BUSINESS:

1. **RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR AN AIRBOAT**

Fire Lieutenant Joe Breeden stated that the City had applied for and been awarded a 100% State Homeland Security Program Grant (SHSP) to purchase a $65,000 airboat. He provided a brief presentation which explained how an airboat would greatly enhance the Fire Department's ability to support rescue and evacuation operations. He emphasized that an airboat will enable rescue personnel to access any area in the City regardless of water depth, ice or other extreme weather conditions. Subsequent to thorough research, Lt. Breeden stated that staff is recommending purchase of the vessel from Diamondback Airboats, LLC using the GSA Cooperative Purchasing Program. In response to Council queries, Lt. Breeden stated that yearly maintenance would be minimal due to the Department's high level of ongoing equipment maintenance; the boat, when not in use, will sit on a trailer; and the boat motor will have a 2-year warranty. In conclusion, he stated that training for staff was included in the price and that every effort would be made to limit any adverse impact on the environment and on recreational boaters/commercial watermen.

A resolution authorizing the City Manager to enter into a contract with Diamondback Airboats, LLC to purchase an airboat was presented for consideration and Councilman Green moved, seconded by Councilman Southall, that it be adopted. Recorded on the motion:

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

NO: None.

2. **REQUEST TO APPLY FOR AN AID TO PORTS GRANT FOR A MESSICK POINT BREAKWATER**

Mr. David Callis, Economic Development/Community Recreation Director, reminded Council that on January 11, 2016 they authorized City staff to submit a grant application to the Virginia Port Authority for an additional breakwater at Messick Point along with water, electrical and lighting for the City's dock at this location. He explained that staff is currently preparing the application, to be submitted by the March 1, 2016 deadline, which includes the total cost of $337,500 for the requested breakwater and dock improvements. Based upon this cost estimate, Mr. Callis stated that the City's required 25% grant match would be $84,375.

An ordinance appropriating the City's match was presented for Council consideration and Councilman Green moved, seconded by Councilman Ayer, 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 Ayer, Crawford, Green, Freeman, Southall, Vernall and Mayor Hunt.

NO: None.

3. RESOLUTION MAKING AN APPOINTMENT TO THE WETLANDS BOARD

A resolution making an alternate appointment to the Wetlands Board was presented for Council's consideration. Councilman Green moved, seconded by Vice Mayor Freeman, to reappoint Sally Smith as an alternate on the Wetlands Board and to adopt the resolution with her name inserted. 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 comments:

- He thanked the Planning Commission for their excellent discussion on and consideration of the proposed CIP at their February 18, 2016 meeting.
- He thanked State Delegate Gordon Helsel who had already extended his support for the City's request for a VPA grant to fund the additional breakwater at Messick Point and pointed out that Delegate Helsel had been instrumental in the City receiving the VPA grant for the first Messick Point breakwater.

COUNCIL DIRECTIVES:

Councilman Vernall reiterated his support for the proposed CIP and expressed delight that the City is again in a position to begin funding needed capital projects. He congratulated the High School Wrestling Team for their 3rd overall placement in the recent State Wrestling Tournament and Patrick McCormick and Ross Graham for taking first place in their respective divisions.

Councilman Green, in response to comments made during the CIP public hearing, stated that he serves on the regional Transportation Planning Organization and that if the City were to cancel the Wythe Creek Road widening project that VDOT would require thousands of dollars to be reimbursed by the City for the work they have already completed. In addition, he pointed out that localities cannot transfer VDOT funds from one project to another, i.e. from Wythe Creek Road to Victory Boulevard. Lastly, he explained that the City is working hard to get the Victory Boulevard improvements into VDOT's 2040 plan and that Delegate Helsel is doing everything possible to find funds to

support this project for which most of the right-of-way has already been purchased and drainage improvements completed.

Councilman Ayer commended staff for the recent *Island Tide* publication which he pointed out is full of activities for every age group.

Councilman Southall echoed all previous comments and thanked the City Manager and staff for the excellent CIP. He encouraged citizens to contact their state legislators to request increased funding for schools.

Councilwoman Crawford thanked the public who were in attendance and commended the City Department Heads for also being present. Lastly she reminded everyone that the Poquoson Kiwanis Boating & Fishing Flea Market will be held on March 12, 2016 from 8 a.m. to noon.

Vice Mayor Freeman stated that state emergency funding may be available to support the needed Victory Boulevard widening project since the City has only two ingress/egress points.

Mayor Hunt announced that the City will be holding a Community Food Drive very soon and asked Councilman Green to elaborate on this upcoming event.

Councilman Green stated that the Community Food Drive will be held on March 21 through March 25, 2016 with all donations going directly to the local Parish Thrift Store. He pointed out that non-perishable food items will be accepted at the Police and Fire Stations on Monday and Tuesday, and that Wednesday through Friday, items can be dropped off at Farm Fresh. Lastly, he reminded everyone that the monthly Foodbank distribution will be held on Tuesday, February 23rd from 10 a.m. to 1 p.m. at the old Municipal Building.

Mayor Hunt reminded citizens that the City will soon be included in the 2nd Congressional District and that Congressman Randy Forbes will be our representative. He thanked City staff for their hard work on the CIP and expressed delight that this year the City had funds to support CIP projects.

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

NO: None.

The meeting was adjourned at approximately 7:50 p.m.

MINUTES OF THE CITY COUNCIL MEETING
FEBRUARY 22, 2016, 6:30 P.M.
WORK SESSION
Council Chambers

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. 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

The meeting was called to order by Mayor Hunt at approximately 6:30 p.m. in Council Chambers.

Capital Improvements Plan for FY 2017 & Beyond FY 2021:

The City Manager, J. Randall Wheeler, explained that the Capital Improvements Plan (CIP) is a planning and budgeting tool which addresses the repair/replacement of existing infrastructure and the construction or acquisition of new facilities and equipment to accommodate current and future demands for service. The proposed CIP, he stated, included FY 2017 projects within the following categories: Schools, miscellaneous, transportation/drainage (funded primarily by VDOT), Public Works, Solid Waste/Utilities (Enterprise Fund) and new facility & projects.

The City Manager explained that during the recent, recessionary years whenever the General Fund had excess funds they were used to address immediate, emergency needs, i.e. broken equipment, emergency building repairs, etc. With an expected increase in excess funds at the end of this fiscal year, he stated that the following four projects are being recommended for funding in the CIP for FY 2017: High School Track; Primary School HVAC Replacement; High School HVAC; and Messick Point Beach, at a total cost of approximately $750,000. In addition, he stated that he was recommending construction of a Public Safety Building in FY 2021 with a preliminary needs assessment for the structure occurring in FY 2018. He pointed out that due to the projected decrease in school enrollment until FY 2020; the biggest issue facing the City is what should be done with the Middle School facility. He explained that the total maximum capacity for all four schools is 3,133; however, the current total enrollment is 2,083. In conclusion, Mr. Wheeler stated that City Department Heads were present and available to answer any questions regarding the recommended CIP projects.

Dr. Jennifer Parish, School Superintendent, explained that projected pupil enrollment statistics are provided by the Weldon Cooper Center which bases its projections on the

issuance of residential building permits. In response to a Council query, she stated that a comfortable enrollment for all schools would be approximately 2,500; however, more concise figures would be available at Council's upcoming joint work session with the School Board.

In response to a Council query, Robert Speechley, Utilities Superintendent, stated that the Sanitary Sewer Consent Repairs referred to in the CIP is the required maintenance on the City's sewer system mandated by the Environmental Protection Agency (EPA).

The City Manager pointed out that the needs assessment that will occur prior to construction of a Public Safety Building to house the Police Department will determine if the Fire Administration and Emergency Operations Center (EOC) should also be included in this facility. In conclusion, he stated that should this occur, the current Police Station would become vacant and could possibly be utilized as the Community Recreation Building.

Mayor Hunt, on behalf of Council, thanked the City Manager and staff for the proposed CIP and stated that he looked forward to the upcoming budget year as there would be a little excess revenue that can be invested in much needed CIP projects.

ADJOURNMENT:

There being no further business, the work session was adjourned at approximately 6:55 p.m.

ADOPTED: _____

TESTE: _____
City Clerk

CITY OF POQUOSON

Office of the City Manager
J. Randall Wheeler

500 City Hall Avenue, Poquoson, Virginia 23662-1996
(757)868-3000 Fax (757)868-3101

TO: City Council

FROM: Director of Economic Development & Community Recreation (on behalf of the City of Poquoson Economic Development Authority)

THROUGH: City Manager

SUBJ: Economic Development Authority Request:
Poquoson EDA and the Poquoson Chiropractic Clinic DBA Poquoson Family Medicine & Chiropractic Clinic Incentive Agreement

The Economic Development Authority (EDA) and the Poquoson Chiropractic Clinic DBA Poquoson Family Medicine & Chiropractic Clinic (PFM) entered into an agreement on May 14, 2013 offering an incentive for placing a full-time doctor in Poquoson, investing a minimum of funds into facilities and generating a minimum standard of revenue within the first two years of operation. The incentive payments were to be provided in three (3) payments of $25,000 each.

The first incentive installment was paid within 30 days of completion of facility renovations on December 3, 2013 and the agreement states that in one year from that date, the second installment shall be available if stated criteria had been met.

In late 2015, Dr. McEwen sent a written request to the EDA. In it, he requested two items: 1) He would like to receive the 2nd incentive payment and 2) he would like an extension of the original agreement expiration date so that he might be eligible to receive the additional 3rd incentive payment. As justification for the requests, Dr. McEwen explained that despite his efforts to procure a full-time physician in Poquoson, it took longer than originally anticipated. Additionally, Dr. McEwen informed the EDA that he has had a full-time Doctor working five (5) days a week at Poquoson Family Medicine since July 7, 2014, and that he also added a pediatrician to the practice in June of 2015. Further, Dr. McEwen stipulated to the Poquoson EDA that the Poquoson Chiropractic Clinic DBA Poquoson Family Medicine & Chiropractic Clinic has met both the agreement's intent and the financial requirements for the 2nd incentive payment.

Dr. McEwen's request was considered by the EDA at their February 2, 2016 Meeting.

Subsequent to a lengthy discussion, the EDA Directors agreed by unanimous vote to amend the May 14, 2013 Poquoson Family Medicine Incentive Agreement by delaying the payment of the second incentive until verification by the City's Finance Director of PCC's gross receipts by its 2015 federal tax return; by delaying the third incentive payment based upon the PCC's 2016 federal income tax; by extending the termination of the Agreement to April 15, 2017; and by requiring that all requests for funding be approved by the City Council. The EDA further

stipulated that since public funding was being utilized for payment of the incentives, the Poquoson Chiropractic Clinic tax return (as required in the original agreement), would be necessary for proof of increased gross receipts. The Directors agreed that they did not need to personally review the tax documents but a representative of the City, such as the Finance Director, could verify the increased receipts.

Therefore, on behalf of the Economic Development Authority, staff is requesting an appropriation from City Council to the Poquoson Economic Development Authority of $25,000. Should City Council appropriate the funds to the EDA, a payment from the EDA will be made to Poquoson Family Medicine for the 2nd incentive payment per the agreement. If Poquoson Family Medicine satisfies the performance requirement for the 3rd installment, the Economic Development Authority will make a future request for an appropriation from City Council of $25,000 to meet the final incentive payment cited in the agreement.

ORDINANCE NO. _____

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

WHEREAS, the Poquoson Economic Development Authority (EDA) entered into an agreement with Poquoson Chiropractic Clinic, P.C. DBA Poquoson Family Medicine & Chiropractic Clinic (PCC) dated May 14, 2013 and;

WHEREAS, the agreement offered incentives to PCC for investing a minimum of funds into facilities, placing a doctor in Poquoson, and generating a minimum standard of revenue with the first two years of operation; and

WHEREAS, the incentive payments were to be made in three payments of $25,000 each; and

WHEREAS, PCC met the first requirement and has been paid the first installment; and

WHEREAS, PCC requested an extension of the agreement; and

WHEREAS, the EDA has agreed to that extension; and

WHEREAS, EDA has agreed that PCC has met the second condition of the agreement, and

WHEREAS, the second payment to PCC is $25,000, and

WHEREAS, the EDA is requesting a transfer from the City to make the payment to PCC.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Poquoson, Virginia:

Section 1: That an additional $25,000 in revenues in the General Fund be and the same hereby are appropriated within the Fiscal Year 2015-2016 Budget as follows:

GENERAL FUND

Revenues:	
Fund Balance	$25,000
TOTAL	**$25,000**
Expenditures:	
Transfers to the EDA	$25,000
TOTAL	**$25,000**

Section 2: That the transfer of funds be used specifically for the incentive payment to PCC upon verification of income.

Section 3: That the second reading of this ordinance is hereby dispensed with and the provisions contained herein shall become effective immediately upon adoption.

ADOPTED: _____

TESTE: _____
City Clerk

City of Poquoson Fire/Rescue

830 Poquoson Avenue, Poquoson, Virginia 23662
(757) 868-3510 Fax (757) 868-3514

Date: March 14, 2016

To: City Council

Through: Fire Lt. Joseph Breeden

From: **City Manager**

Poquoson Fire/Rescue is currently applying for the 2015 SAFER (Staffing for Adequate Fire and Emergency Response) grant. We are pursuing grant funds to add two additional positions to our current staffing. If successful this grant would pay 100% of the salary and benefits for those positions for 24 months after their hire date. There is no obligation to keep the positions after the end of the grant's performance period; however, it will likely help our overall evaluation and scoring if we can state that it is the City's intent to keep the positions beyond the performance period. It is a requirement of the grant that a letter be submitted from the governing body stating that the City will maintain current staffing, that we will not initiate layoffs during the performance period of the grant and that we will attempt to fill vacant positions as they occur through attrition.

A resolution in support of the aforementioned SAFER grant application is attached for your consideration.

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE SUBMISSION OF A SAFER GRANT FOR HIRING TWO FIREFIGHTERS

WHEREAS, the Fire Department is understaffed and in need of additional firefighters; and

WHEREAS, City Council supports the submission of a SAFER (Staffing for Adequate Fire and Emergency Response) grant which if approved will enable the Fire Department to hire two additional firefighters with salary and benefits paid 100% by the grant for a period of two years.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Poquoson, Virginia:

Section 1: That City Council does hereby authorize the submission of a SAFER grant for the hiring of additional firefighters for a period of two years.

Section 2: That City Council is committed to fulfilling all requirements of this grant.

Section 3: That this resolution shall be in effect immediately upon its adoption.

ADOPTED: _____

TESTE: _____
City Clerk

RESOLUTION NO. _____

CERTIFICATION OF CLOSED SESSION

WHEREAS, the Council of the City of Poquoson, Virginia convened in a closed session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia (1950), as amended requires a certification by this Council that such closed session was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Poquoson, Virginia does hereby certify that to the best of each member's knowledge, only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed session to which this certification resolution applies and only such public business matters as were identified in the motion convening the closed session were heard, discussed or considered by the Council.