

1. City Council Agenda April 11, 2022

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CONSIDERATION OF DRAFT LETTER TO YORK COUNTY PERTAINING TO THE  
PROPOSED LAMBS CREEK DREDGING PROJECT.PDF  
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**AGENDA  
POQUOSON CITY COUNCIL  
WORK SESSION  
MONDAY, APRIL 11, 2022  
COUNCIL CHAMBERS  
6:30 P.M.**

- 1. Draft Letter to York County Pertaining to the Proposed Lambs Creek Dredging Project**

**POQUOSON CITY COUNCIL  
REGULAR SESSION MEETING  
MONDAY, APRIL 11, 2022, 7:00 P.M.**

**A. MEETING CALLED TO ORDER**

**B. INVOCATION AND PLEDGE OF ALLEGIANCE -- Councilwoman Andrews**

**C. AUDIENCE FOR VISITORS**

**D. APPROVAL OF THE MINUTES**

**(a) Regular Session March 28, 2022**

**E. PUBLIC HEARINGS**

**1. Receipt of Bids for the Sale of Publicly Owned Property Located on Poquoson Avenue**

**F. OLD BUSINESS**

**1. Consideration of Draft Letter to York County Pertaining to the Proposed Lambs Creek Dredging Project**

**G. NEW BUSINESS**

**1. Recommended Budget for Fiscal Year (FY) 2023**

**H. COMMENTS OF THE CITY MANAGER**

**I. COUNCIL DIRECTIVES**

**J. ADJOURNMENT**

**MINUTES OF THE CITY COUNCIL MEETING**

**March 28, 2022 7:00 P.M.**

**REGULAR SESSION**

**PRESENT:** The Honorable Gordon C. Helsel, Jr., Mayor  
The Honorable Carey L. Freeman, Vice Mayor  
The Honorable Herbert R. Green, Jr.  
The Honorable David A. Hux  
The Honorable Keith A. Feigh  
The Honorable Jana D. Andrews

J. Randall Wheeler, City Manager  
Kimberly Healy, City Clerk  
D. Wayne Moore, City Attorney

**ABSENT:** None

**VIA TELECOM:** The Honorable Charles M. Southall III

**MEETING CALLED TO ORDER:**

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

**INVOCATION AND PLEDGE OF ALLEGIANCE:**

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

**SPECIAL PRESENTATION:**

- Proclamation Recognizing Child Abuse Prevention Month

Mayor Helsel presented the Proclamation Recognizing Child Abuse Prevention Month to members of the Exchange Club who were present.

**AUDIENCE FOR VISITORS:**

Steve Pappas of 137 Freemoor Drive spoke on behalf of himself and his neighbors stating they are opposed to being included in the Lambs Creek Dredging Project.

**APPROVAL OF THE MINUTES:**

Councilman Green moved, seconded by Vice Mayor Freeman, to adopt the minutes of the Work Session held on March 14, 2022 with the following changes by Councilman Feigh, page 3 under his remarks change “give a reason for abstaining” to “vote” and change “a legal or financial conflict of interest” to “a conflict of interest that would put you in a financial wellbeing that no one else would” and to adopt the minutes of the Regular Session held March 14, 2022 as submitted. Recorded vote on the motion:

**YES:** Councilmembers Andrews, Feigh, Southall, Hux, Green, Vice Mayor Freeman and Mayor Helsel

**NO:** None

**PUBLIC HEARING:**

**1. Ordinance Amending the Code of Ordinances of the City of Poquoson, Virginia by Amending Chapter 6 – Advertising, Article III – Signs in Public Right-of-Way**

Director of Community Development, Wally Horton, presented a proposed amendment to Chapter 6, Article III of the City Code referring to Signs in the Right-of-Way to allow subdivision identification signs within the City right-of-way under certain circumstances. The proposed amendment was taken to the Planning Commission on February 24, 2022 where it was voted 5-0 to recommend approval of the proposed amendment with one additional sentence added to Sec. 6-114(1) which reads “The monument shall be constructed with materials of a permanent nature being masonry, stone, and similar appearing materials.” Councilman Feigh asked if there will be any grandfathering of existing signs. Mr. Horton stated there will be no grandfathering due to the fact that there are currently no existing subdivisions with signs of this nature. City Manager, Randy Wheeler, further explained that this amendment would not require anyone to reconfigure their existing signs. Councilman Feigh asked if subdivisions are required to have signs, to which Mr. Horton said they are not required.

Councilman Green moved, seconded by Vice Mayor Freeman, to approve an Ordinance Amending the Code of Ordinances of the City of Poquoson, Virginia by Amending Chapter 6 – Advertising, Article III – Signs in Public Right-of-Way. Recorded vote on the motion:

**YES:** Councilmembers Hux, Southall, Green, Andrews, Feigh, Vice Mayor Freeman and Mayor Helsel

**NO:** None

**NEW BUSINESS:**

**1. Consideration of the Draft Letter to York County Pertaining to the Proposed Lambs Creek Dredging Project**

Mayor Helsel stated that no action will be taken on the draft letter at this time.

Councilman Green moved, seconded by Vice Mayor Freeman, to postpone this item until a Work Session can be held at the next scheduled meeting. Recorded vote on the motion:

**YES:** Councilmembers Southall, Hux, Green, Feigh, Andrews, Vice Mayor Freeman and Mayor Helsel

**NO:** None

**2. Resolution Directing that Public Notice be Given of Council’s Intent to Receive Bids for the Sale of Publicly Owned Property Located Within the Unimproved Portion of Poquoson Avenue**

City Manager, Randy Wheeler, stated that this is the beginning of the formal process to receive bids for the referenced property. Mr. Wheeler explained that, if approved, the process would start with a Public Notice to receive sealed bids for the property to be received by the City Clerk prior to the next meeting date and a Public Hearing will be held at that meeting during which time the Clerk will open and read aloud any and all bids received and anyone who has submitted a bid or wishes to speak on any bid related to the sale of the property will be allowed to speak. After the Public Hearing, a vote

will be postponed two weeks to allow time for the bids to be made public and this will be first of three steps.

Councilman Green moved, seconded by Vice Mayor Freeman, to approve a Resolution of the City of Poquoson, Virginia Directing that Public Notice be Given of the Council's Intention to Receive Bids for the Sale of Publicly Owned Property Located Within the Unimproved Portion of Poquoson Avenue. Recorded vote on the motion:

**YES:** Councilmembers Andrews, Southall, Feigh, Hux, Green, Vice Mayor Freeman and Mayor Helsel

**NO:** None

**3. Resolution of Council to Apply an Assessment Ratio to the Value of Certain Automobiles and Trucks as Authorized by the Code of Virginia 58.1-3503(B) for the Calendar Tax Year Beginning January 1, 2022**

Assistant City Manager, Tonya O'Connell, presented a Resolution to apply an assessment ratio to the value of certain automobiles and trucks as authorized by the Code of Virginia 58.1-3503(B) for the calendar tax year beginning January 1, 2022. Mrs. O'Connell explained that due to the shortage of new vehicles the demand for used vehicles has driven values an average of 38% higher. She stated that the Commissioner of the Revenue assesses at 100% of the fair market value as stated in the J.D. Power used car guide. For the Tax Year beginning January 1, 2022 it is recommended that an assessment ratio of 90% be applied instead of 100% to produce a reduced tax amount to benefit the taxpayers. Vice Mayor Freeman asked if this would equalize the rate for citizens. City Manager, Randy Wheeler, responded no it would not.

Councilman Green moved, seconded by Vice Mayor Freeman, to approve a Resolution of Council to Apply an Assessment Ratio to the Value of Certain Automobiles and Trucks as Authorized by the Code of Virginia 58.1-3503(B) for the Calendar Tax Year Beginning January 1, 2022. Recorded vote on the motion:

**YES:** Councilmembers Green, Hux, Feigh, Southall, Andrews, Vice Mayor Freeman and Mayor Helsel

**NO:** None

**4. Resolution Authorizing the City Manager to Enter into a Contract for Professional Auditing Services with Brown Edwards CPA's, LLP**

Finance Director, Leigh Etheridge, presented a Resolution authorizing the City Manager to enter into a contract for professional auditing services with Brown Edwards CPA's LLP. Ms. Etheridge explained that the audit contract performed by Cherry Bekaert, LLP for the City, School Board and Economic Development Authority did not automatically renew at the end of the audit for the fiscal year ending June 30, 2021. In accordance with the City's purchasing policies and the Virginia Public Procurement Act, the City requested and advertised for proposals for these services. The City received three proposals and a committee of School and City personnel interviewed all three firms. After careful consideration, the committee has recommended that the City contract with Brown Edwards CPA's, LLP for an initial term of three years with two additional one year renewal options.

Councilman Green moved, seconded by Vice Mayor Freeman, to approve a Resolution Authorizing the City Manager to Enter into the Auditing Services Contract. Recorded vote on the motion:

**YES:** Councilmembers Andrews, Feigh, Southall, Hux, Green, Vice Mayor Freeman and Mayor Helsel

**NO:** None

**5. Resolution Making Appointments to Economic Development Authority**

Councilman Green moved, seconded by Councilman Feigh, to approve a Resolution Making Appointments to the Economic Development Authority with the names inserted, Alan E. Meetze and Donald F. Booth, Jr. both with terms expiring March 31, 2026. Recorded vote on the motion:

**YES:** Councilmembers Feigh, Andrews, Green, Southall, Hux, Vice Mayor Freeman and Mayor Helsel

**NO:** None

**6. Resolution Making Appointments to Parks and Recreation Advisory Board**

Councilman Green moved, seconded by Vice Mayor Freeman, to approve a Resolution Making Appointments to the Parks and Recreation Advisory Board with the following names inserted, Crystal M. Howser in the Central Precinct, Stephen C. Forrest in the Eastern Precinct, Eden R. Harris in the Western Precinct, Judith G. Mas'Sey in the At-Large Precinct and Kristi Schultz in the At-Large Precinct all with terms expiring March 31, 2025. Recorded vote on the motion:

**YES:** Councilmembers Hux, Southall, Green, Andrews, Feigh, Vice Mayor Freeman and Mayor Helsel

**NO:** None

**COMMENTS OF THE CITY MANAGER:**

City Manager, Randy Wheeler, had no further comments.

**COUNCIL DIRECTIVES:**

Councilwoman Andrews thanked the citizens for speaking, getting involved and making their positions known on things happening in the community. She also expressed her appreciation that there will be a Work Session on the Lambs Creek Dredging Project. Councilwoman Andrews thanked the Exchange Club for all of their work in the City and she thanked the citizens at home for watching.

Councilman Southall encouraged citizens to pay attention to their City government, it's very important.

Councilman Feigh stated last week he was fortunate enough to be able to attend the Board of Zoning Appeals and listened to how they conduct their business and get to know everybody and he was amazed and thought they did an outstanding job, the individuals of Melvin Emerson, Russell Treacy, Mark Kramer, Stephen Hahn and Ryan Holloway did an excellent job, not only did they come across

as being knowledgeable but they felt caring. He knows that the persons that they made recommendations for and against probably weren't happy with everything that they said but they were really taking the City into consideration and protecting the environment, so kudos to those guys, he was impressed.

**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, Hux, Green, Feigh, Andrews, Vice Mayor Freeman and Mayor Helsel

**NO:** None

The meeting was adjourned at approximately 7:39 p.m.





# CITY OF POQUOSON

OFFICE OF THE CITY MANAGER

500 CITY HALL AVENUE  
POQUOSON, VA 23662  
(757) 868-3000 TELEPHONE  
(757) 868-3101 FAX

April 11, 2022

**To:** City Council  
**From:** City Manager  
**Subject: Public Hearing - Sale of Publicly Owned Property Located on Poquoson Avenue identified as Tax Map Parcel # 20-1-36**

At the March 28, 2028 City Council meeting, staff was authorized to advertise the City's intent to receive bids for the purchase of publicly owned property located at Poquoson Avenue identified as Tax Map Parcel # 20-1-36. Sealed bids will be received until 7:00 p.m. on the night of the Council meeting on April 11, 2022. The sealed bids are to be opened by the City Clerk at the meeting and a public hearing will be held on the bids received for the property. City Council will consider each bid and announce their decision at the April 25, 2022 Council meeting.

## **CITY OF POQUOSON**

### **PUBLIC NOTICE**

**TAKE NOTICE** that at 7:00 p.m. on April 11, 2022, or as soon thereafter as the orderly transaction of business permits, in the Council Chambers, 500 City Hall Avenue, the City Council of Poquoson will publicly receive sealed, written bids and will hold a public hearing upon such bids as are received regarding the purchase of publicly owned property at 1013 Poquoson Avenue identified as Tax Map Parcel # 20-1-36, pursuant to the terms and conditions of Section 15.2-2100 et seq of the Code of Virginia (1950), as amended. Bids will be received by the City Manager until 7:00 p.m. on April 11, 2022.

A copy of the full text of the ordinance, which is proposed to be adopted in order to sell the property, is on file with the City Clerk and may be reviewed in the Office of the City Manager. The City Council reserves the right to reject any and all bids received on the subject purchase.

Kimberly Healy  
City Clerk



# CITY OF POQUOSON

OFFICE OF THE CITY MANAGER

500 CITY HALL AVENUE  
POQUOSON, VA 23662  
(757) 868-3000 TELEPHONE  
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April 11, 2022

**TO:** City Council

**FROM:** Randy Wheeler, City Manager

**SUBJECT:** Consideration of Draft Letter to York County Pertaining To The Proposed Lambs Creek Dredging Project.

Attached you will find for your consideration a draft letter prepared at the request of Mayor Helsel to Chairperson Noll of the York County Board of Supervisors. At its March 28, 2022 Council meeting this item was postponed by City Council until a Work Session was held to further discuss. On April 11, 2022 a Work Session was held on the subject and the item is back for your consideration.



# CITY OF POQUOSON

OFFICE OF THE MAYOR

500 CITY HALL AVENUE  
POQUOSON, VA 23662  
(757) 868-3000 TELEPHONE  
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To: Mrs. Sheila S. Noll, Chairperson York County Board of Supervisors  
224 Ballard Street, Yorktown, VA 23690

From: Gordon Helsel, Mayor

Date: March 29, 2022

Subject: Lamb's Creek Dredging

Please accept my thanks to you and to Mr. Morgan for hosting our recent coordination meeting. I found the meeting to be very productive and look forward to additional meetings of this type in the future. As part of the meeting we discussed the proposed Lamb's Creek dredging project and the need for the City Council to officially communicate its position on this possible joint project to the Board of Supervisors.

We sincerely appreciate the work that Mr. Morgan and his team have already put into developing the project concept. The City Council has reviewed the original materials prepared by York County Engineer Ms. Anna Drake in 2015 as well as the updated project concept and budget provided by Mr. Morgan in October of last year. The Council also has reviewed information and materials submitted from a number of citizen from both of our communities who are interested in seeing this project move forward.

For the purpose of moving forward with the consideration of this potential joint project the City Council at its March 28, 2022 meeting expressed its preliminary support for the original project scope presented in Ms. Drake's memorandum of January 26, 2015 to be funded through a Special Service District Tax Overlay District. Council concurs with the special tax district participation threshold of at least 80% of the identified special district property owners expressing support for the inclusion of their property in the special tax district as a condition of this project moving forward.

It is my understanding that following receipt of the City's position that it is your intention to schedule a work session with the Board of Supervisors. Should the Board wish to move forward with the next stage of consideration after its work session, the City Manager will work closely with Mr. Morgan and his team to disseminate a survey to potentially impacted property owners to ascertain their position with regard to the inclusion of their property in a special tax district. Should the participation threshold be met in each of the respective communities the City stands ready to work with York County to prepare a Joint Project Agreement for formal consideration by both bodies which it would provide the necessary framework to move this project through engineering, permitting and project completion, including one maintenance dredge.

I look forward to hearing from you with regard to next steps following the Board of Supervisors work session.



# CITY OF POQUOSON

500 CITY HALL AVENUE, POQUOSON, VIRGINIA 23662-1996  
(757) 868-3000 TELEPHONE (757) 868-3101 FAX

April 11, 2022

**TO:** City Council  
**FROM:** Randy Wheeler, City Manager  
**SUBJECT:** Fiscal Year 2023 City Manager Recommended Annual Financial Plan

Thank you for allowing me to present the City Manager's Recommended Annual Financial Plan for Fiscal Year 2023 (Budget). The budget presented to you was developed with guiding principles to ensure stable tax rates, continuation of existing program and level of services, adhering to financial guidelines, reflecting updated revenue and expenditure estimates based on trending analysis and State and Local guidance; while balancing new initiatives.

Additionally, the budget prioritizes and focuses on three of the five established strategic areas:

- The first strategic focus area is Public Education and continuous support. The budget includes a recommended increase of \$617,173 above last year's approved budget. The increase will allow Schools to provide an additional 1% pay adjustment for eligible staff above the School Superintendent's requested 5%. This budget fully funds the requests of the Superintendent.
- The second strategic focus area is quality of services. For the upcoming fiscal year I am not recommending any new programs or significant service enhancements in the General Fund and have chosen instead to recommend a focus on increasing employee compensation to help insure our ability to recruit and retain quality employees. The necessity of this action has been made even more pressing by the very high rate of annual inflation projected to be between 6-8% for the coming year, significant public and private sector wage competition and a noticeable decrease in the number of applicants the City has been receiving for open positions. For these reasons I am recommending a general wage increase of 5% plus \$1,500 for all full-time permanent positions as well as pay rate adjustments for part-time personnel.
- The final strategic focus area is Public Safety. The Recommended Budget includes two specific items in support of public safety. First the recommended Capital Projects Fund budget includes a number of new federally funded projects, including most notably the construction of a new Public Safety Building. The funding for this project includes utilizing both discretionary federal funds and the

City's available debt capacity (without a tax rate increase) for a total project budget of approximately \$13 million. Second, this budget includes a special pay adjustment of \$1,000 for all sworn public safety officers in recognition of significant recruitment and retention pressures being experienced by the City specifically and by local governments in our area generally. This special pay adjustment is intended to be in addition to the general compensation increases recommended for all general employees, as mentioned in the second strategic focus area.

The recommended budget does not have any new initiatives in the focus of quality of life. It should be noted that during this fiscal year, the City has acquired property for a new park off of Kelsor Drive. The Parks and Recreation Advisory Board currently seek public comments as it works to develop a specific plan for the development of the park.

In addition, the City Council has appropriated funds for the construction of restroom facilities at South Lawson Park. Also, the City completed the Poquoson Avenue sidewalk project which completes a walkable connection between the City's two school complexes.

The City Council has approved funding for significant maintenance and renovations at the Municipal Pool and allocated funding sufficient to begin implementation of the City Hall area park improvements project. Lastly, the City has installed two new micro parks on Wythe Creek Road and is in the process of replacing the bleachers at Messick Point.

I am pleased that this recommended budget was developed with the guiding principles, and afforded initiatives for Public Education, Public Safety and Quality of Services. I am especially pleased that this recommended budget does not reflect a real estate tax rate increase to implement the aforementioned budget initiatives for Fiscal Year 2023.

I would like to note that again for Fiscal Year 2023, the Finance Department has utilized the budget document within ClearGov, a cloud based software. This software will allow for City Council, citizens and departments to easily navigate through the cloud to find information about the budget.

We have a Public Hearing scheduled for April 25, 2022 on the Recommended Annual Financial Plan for Fiscal Year 2023. Staff and I are available to answer any questions surrounding the information presented in the budget.