

1. City Council Agenda May 10,2021

Documents:

COUNCIL REGULAR SESSION AGENDA 5-10-21.PDF  
SPECIAL PRESENTATION - WE LOVE THE BAY STICKER.PDF  
REGULAR SESSION MINUTES 4-26-21.PDF  
WORK SESSION MINUTES 4-26-21.PDF  
UNFINISHED BUSINESS - 2ND READING AND FINAL ADOPTION OF THE  
FY2022 ANNUAL FINANCIAL PLAN.PDF

**POQUOSON CITY COUNCIL  
REGULAR SESSION MEETING  
MONDAY, MAY 10, 2021, 7:00 P.M.**

**A. MEETING CALLED TO ORDER**

**B. INVOCATION AND PLEDGE OF ALLEGIANCE – Councilman Green**

**C. SPECIAL PRESENTATION –**

- **Special Recognition – Mayor Helsel**
- **We Love the Bay Sticker – Garrett Feagans**

**D. AUDIENCE FOR VISITORS**

**E. APPROVAL OF THE MINUTES**

- (a) **Regular Session April 26, 2021**
- (b) **Work Session April 26, 2021**

**F. UNFINISHED BUSINESS**

**1. Second Reading and Final Adoption of the FY 2022 Annual Financial Plan**

- **Ordinance Appropriating Funds to Various Governmental Funds**
- **Ordinance Establishing the Real Estate Rate**
- **Ordinance Establishing the Personal Property, Watercraft and Privately Owned Camping Trailers and Mobile Home Tax Rates**
- **Ordinance Amending Chapter 1 – Section 1-13 General Provisions of the Code of Ordinances of the City of Poquoson, Virginia**

**G. COMMENTS OF THE CITY MANAGER**

- **School Board Appointment Information**

**H. COUNCIL DIRECTIVES**

**I. ADJOURNMENT**

*every day*  
**WE LOVE**  
*the Bay*

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**POQUOSON, VA**

**ONLY RAIN DOWN THE DRAIN**



**MINUTES OF THE CITY COUNCIL MEETING**  
**April 26, 2021 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 Charles M. Southall III  
The Honorable Thomas J. Cannella II

J. Randall Wheeler, City Manager  
Kimberly Healy, City Clerk  
J. Anderson Mullins, Attorney

**ABSENT:** The Honorable Jana D. Andrews

**MEETING CALLED TO ORDER:**

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

**INVOCATION AND PLEDGE OF ALLEGIANCE:**

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

**AUDIENCE FOR VISITORS:**

None

**APPROVAL OF THE MINUTES:**

Councilman Green moved, seconded by Councilman Cannella, to adopt the minutes of the regular session held on April 12, 2021 as submitted. Recorded vote on the motion:

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

**NO:** None

**PUBLIC HEARINGS:**

**1. Proposed FY2022 Annual Financial Plan (1<sup>st</sup> Reading)**

City Manager, Randy Wheeler, advised that this is the first of two public hearings for comments on the FY2022 Annual Financial Plan. Mr. Wheeler briefly reviewed the plan presented at the City Council Meeting on April 12, 2021.

Mayor Helsel opened the Public Hearing. Having no one come forward the public hearing was closed.

## **2. Proposed FY2022 Real Property Tax Rate (1<sup>st</sup> Reading)**

City Manager, Randy Wheeler, stated that this is a special public hearing required that is held in instances where the community has a real estate reassessment with an increase of more than 1%.

Mayor Helsel opened the Public Hearing. Having no one come forward the public hearing was closed.

### **NEW BUSINESS:**

#### **1. Ordinance Authorizing the City Manager to Enter into Agreement for Cost Sharing with Hampton Roads Sanitation District (HRSD)**

Utilities Superintendent, Chad Krejcarek, stated that HRSD is constructing its Bethel-Poquoson Interceptor Force Main Replacement (Phase II). This section of Force Main has been shut off since February 2020 due to its deteriorated condition. The affected area is from the intersection of Wythe Creek Road and Cary's Chapel Road running north up Wythe Creek Road to just in front of Pump Station #3 at 362A Wythe Creek Road. Mr. Krejcarek stated the importance of the replacement project will allow Poquoson's wastewater to have more than one option to be pumped out of the City. Currently the only way out for wastewater is up Victory Boulevard, thus causing a higher head pressure and harder conditions on our City's major pump stations. In spring of 2020, the City experienced cracking in the line every time a contractor performed work near our Force Main. The work performed by HRSD could cause further damage due to the age of the lines.

He recommends replacing/relocating Pump Station #5 (216 Wythe Creek Road) Force Main to reduce breakage and potential spills. HRSD has offered to perform the work on replacing/relocating Pump Station #5 Force Main since they will already have the road opened up and the construction equipment in place. Working in cooperation with HRSD will save approximately 2/3 of the cost of what the project would be if the City performed the work ourselves. The project is estimated to cost the Sewer Fund \$223,895 and is considered a capital improvement. The Sewer Fund for FY2021 has budgeted for capital improvements relating to replacement of work to force main or pump stations during the year with total appropriation still available for capital improvements of \$700,000. Mr. Krejcarek presented an Ordinance to authorize the City Manager to enter into the agreement for cost sharing with HRSD. HRSD plans to begin the construction in August and could take up to 6 months.

Councilman Green moved, seconded by Vice Mayor Freeman, to approve the Ordinance Authorizing the City Manager to Enter into Contract – Agreement for Cost Sharing with Hampton Roads Sanitation District (HRSD). Recorded vote on the motion:

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

**NO:** None

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

City Manager, Randy Wheeler, stated that we were reminded recently by a citizen that April 26<sup>th</sup> is the 390<sup>th</sup> birthday of the first reference of Poquoson in Colonial records of a land grant of 500 acres in New Poquoson to Christopher Calthorpe in 1631 from the former Elizabeth County. He thanked the citizen for letting us know and the Library staff of finding this information and making it available in the Library for review.

Mr. Wheeler publically acknowledged that Tonya O'Connell has been named Assistant City Manager. In other personnel news, Danna O'Connell, Principal Planner, will be leaving the end of the week to assume a position in Charlottesville where his family is. Effective today, we have made an offer and it was accepted for a new City Engineer, Sean Crawford, who will start on May 17<sup>th</sup>.

Mr. Wheeler also announced that the construction related to the Sidewalk Project Phase One should begin around May 10<sup>th</sup> and letters will be going out to the effected citizens along that route. The City will also plan to post the information on the website.

**COUNCIL DIRECTIVES:**

Councilman Green reminded everyone that the Food Bank will take place Tuesday, April 27<sup>th</sup> and is hosted by Tabernacle United Methodist Church and St. Timothy's Anglican Church.

Councilman Southall congratulated Mrs. O'Connell on her new position. Mr. Southall also thanked Mrs. O'Connell and Mr. Krejcarek for their presentations as well as the School Board. He also thanked the citizen's at home for watching.

Councilman Cannella acknowledged the school sports teams and coaches on a hard but successful year. Mr. Cannella also notified Council and the public that a scholarship has been established in the memory of Mr. Graham Wilson and thanked everyone involved for their support. Donations can be made to the Treasurer's office.

Mayor Helsel thanked Councilman Cannella and City Manager Wheeler for helping set up the scholarship in Mr. Wilson's memory.

**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 Cannella, Green, Southall, Hux, Vice Mayor Freeman and Mayor Helsel

**NO:** None

The meeting was adjourned at approximately 7:21 p.m.

**MINUTES OF THE CITY COUNCIL MEETING**  
**April 26, 2021 6:30 P.M.**  
**WORK SESSION**  
**Council Chambers**

**PRESENT:** The Honorable Gordon C. Helsel, Jr., Mayor  
The Honorable Carey L. Freeman, Vice Mayor  
The Honorable Herbert R. Green, Jr.  
The Honorable Thomas J. Cannella II  
The Honorable David A. Hux  
The Honorable Charles M. Southall III

Kimberly Healy, City Clerk  
J. Anderson Mullins, Attorney  
J. Randall Wheeler, City Manager

Arty Tillett, Superintendent  
Michelle Sheeler, School Board Vice Chair

**ABSENT:** The Honorable Jana D. Andrews

Mayor Helsel opened the work session at approximately 6:30 p.m. in Council Chambers.

**1. Joint Meeting with the School Board – Budget**

Superintendent, Arty Tillett, thanked City Council for approving contributions from the City CARES funds to assist the School System. Mr. Tillett reviewed CARES funding sources and the expectation of another round of federal funding coming soon. Mr. Tillett also reviewed how these funds were used in the school system such as new HVAC for the High School Gym and touchless faucets and flush valves, an additional school bus and technology devices.

Mr. Tillett recapped the phased return to in-school learning initiative and hopes for a return to normal school functions in the fall with a virtual option for those who need it. He also reported on the successes in the classroom as well as sports while still maintaining proper CDC guidelines. He also stated that there will be summer school available to all students who need remediation or an additional semester to catch up due to virtual classes. Summer school will be in person unless the student requires virtual classes, which will be provided by a third party.

Mr. Tillett highlighted items for the FY2022 budget which includes a 5% compensation increase for all employees and added maintenance positions. The School Board is requesting \$295,742 from the City budget in order to support the compensation increase for all employees. Mr. Tillett thanked the City Manager and City Council for their continued support.

School Board Vice Chair, Michelle Sheeler, also thanks City Council for their continuing support.

## **2. FY2022 Annual Financial Plan**

Finance Director, Tonya O'Connell, reviewed recommended changes to the FY2022 Annual Financial Plan presented to Council on April 12, 2021 at the City Council Meeting. The revenue includes increases associated with general property taxes as well as state and federal revenue associated with grants. The expenditures include increases for grants associated with Fire and Police as well as changes to professional services in Fire, Community Development and non-departmental. Based on this information, the General Fund will increase by \$129,800 to a recommended budget of \$31,849,000. All other funds remain unchanged. The Ordinance for the FY2022 Annual Financial Plan will be presented to Council at the regular City Council Meeting on May 10, 2021 and will include the stated changes.

### **ADJOURNMENT:**

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





# CITY OF POQUOSON

FINANCE DEPARTMENT

500 CITY HALL AVENUE, POQUOSON, VIRGINIA 23662-1996

May 10, 2021

**TO:** City Council

**THROUGH:** Randy Wheeler, City Manager

**FROM:** Robin Bellamy, Acting Finance Director

**SUBJECT:** Fiscal Year 2022 Financial Plan and Tax Levies and Fees – Second Reading

The following changes have been made to the FY 2022 Annual Financial Plan in accordance with the work session meeting held on April 24, 2021 and are reflected in the revised ordinance:

General Fund Revenue (Increase):

- \$25,700 increase in General Property Taxes
- \$90,000 increase in Categorical – State
- \$14,100 increase in Federal

General Fund Expenditures (Increase):

- \$6,600 increase in Police
- \$114,200 increase in Fire
- \$629 increase in Community Development
- \$8,371 increase in Contingency – Non Departmental

Based on the above, the General Fund total proposed budget increased by \$129,800 to \$31,849,000. All other funds remain unchanged.

Enclosed in your agenda for your review, on the second reading and scheduled for adoption, are:

- Revised Ordinance appropriating the funds by the Proposed Annual Financial Plan for Fiscal Year 2022.
- Ordinance establishing the real estate tax rate.
- Ordinance establishing the personal property, watercraft and all privately owned camping trailers and motor homes tax rate.
- Ordinance amending Section 1-13 for court fees.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO APPROPRIATE FUNDS TO THE VARIOUS  
GOVERNMENTAL FUNDS OF THE CITY OF POQUOSON, VIRGINIA  
FOR FISCAL YEAR 2022**

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

**Section 1:** That this ordinance shall be known as the Budget Appropriation Ordinance for the City of Poquoson for Fiscal Year 2022

**Section 2:** That the following sums be and the same hereby are appropriated to the following governmental funds for Fiscal Year 2022.

**GENERAL FUND**

Revenue and Transfers In	<u>\$31,849,000</u>
Expenditures and Transfers Out	
Legislative	81,291
General Administration	2,423,676
Elections	197,480
Public Safety	8,379,542
Public Works	2,261,636
Health & Welfare	1,192,226
Parks, Recreation & Cultural	1,913,541
Community Development	626,171
Non-Departmental	172,629
Contribution to Poquoson City Schools	10,442,429
Transfers Out – Debt Service Fund	3,795,000
Transfers Out – Economic Development Authority	21,000
Transfers Out-Special Revenue Fund/OPEB	104,388
Transfers Out – Capital Projects Fund	<u>238,000</u>
<b>TOTAL APPROPRIATION</b>	<u>\$31,849,000</u>

**DEBT SERVICE FUND**

Revenues and Transfers In	<u>\$3,812,516</u>
Expenditures and Transfers Out	<u>\$3,812,516</u>

**CAPITAL FUND**

Revenues and Transfers In	<u>\$768,000</u>
Expenditures	<u>\$768,000</u>

**SOLID WASTE FUND**

Revenues	<u>\$1,274,836</u>
Expenditures and Transfers Out	<u>\$1,274,836</u>

**UTILITIES FUND**

Revenues	<u>\$1,908,000</u>
Expenditures and Transfers Out	<u>\$1,908,000</u>

**FLEET FUND**

Revenues	<u>\$799,830</u>
Expenditures	<u>\$799,830</u>

**SPECIAL REVENUE FUND/OPEB**

Revenues	<u>\$208,236</u>
Expenditures	<u>\$208,236</u>

**Section 3:** That of the total sum of \$31,849,000 appropriated in the General Fund, \$31,386,000 shall be appropriated from the General Fund Revenues, \$213,000 shall be transferred in from the City's Debt Service Fund, \$200,000 shall be transferred in from the City's Utilities Fund, \$50,000 shall be transferred in from the City's Solid Waste Fund.

**Section 4:** That of the total sum of \$3,812,516 appropriated in the Debt Service Fund, \$3,795,000 shall be transferred in from the City's General Fund.

**Section 5:** That of the total sum of \$768,000 appropriated in the Capital Fund, \$555,000 shall be appropriated from Capital Fund revenues and \$213,000 shall be transferred in from the City's General Fund.

**Section 6:** That of the total sum of \$1,274,836 appropriated in the Solid Waste Fund from Solid Waste Fund revenues.

**Section 7:** That of the total sum of \$1,908,000 appropriated in the Utilities Fund from Utilities Fund revenues.

**Section 8:** That of the total sum of \$799,830 appropriated in the Fleet Fund, from Fleet Fund revenues.

**Section 9:** That of the total sum of \$208,236 appropriated in the Special Revenue Fund/OPEB, \$103,848 shall be appropriated from Special Revenue Fund/OPEB revenues and \$104,388 shall be transferred in from the City's General Fund.

**Section 10:** That this ordinance shall be in effect on and after July 1, 2021.

ADOPTED: \_\_\_\_\_

TESTE: \_\_\_\_\_  
City Clerk

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO LAY A \$1.13 LEVY PER \$100.00 ASSESSED VALUE ON ALL REAL ESTATE IN THE CITY OF POQUOSON, VIRGINIA, FOR THE GENERAL OPERATION OF THE VARIOUS DEPARTMENTS OF THE CITY GOVERNMENT**

**WHEREAS**, after careful consideration of the operation of the various departments of the City government of Poquoson for the Fiscal Year 2022, it is deemed necessary that a levy of \$1.13 on each \$100.00 of assessed property values be laid on all real estate within the City of Poquoson, Virginia for the support of said departments.

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

**Section 1:** That on and after the 1<sup>st</sup> day of July 2021, all real estate, situated within the Corporate Limits of the City of Poquoson, Virginia, shall be and by this ordinance is, subject to levy in the sum of \$1.13 on each \$100.00 of assessed valuation of all such property standing in the name of all individuals, firms or corporations, whether or not residing within the Corporate Limits of the City of Poquoson, Virginia as of the 1<sup>st</sup> day of July 2021.

**Section 2:** That all revenues collectible as a result of this ordinance shall be collected by the agent or agents of the City of Poquoson, Virginia, in the same manner and subject to the same penalties as is now provided by law, and any amendment thereof, and all revenues collected by the agents of the City of Poquoson, Virginia, by levies shall be remitted to the Treasurer of the City of Poquoson, Virginia, and used for the purpose of supporting the various departments and functions of the City of Poquoson, Virginia.

**Section 3:** That all fines collected under this ordinance shall go into the General Fund of the City.

**Section 4:** That this ordinance shall be in effect on and after July 1, 2021.

ADOPTED: \_\_\_\_\_

TESTE: \_\_\_\_\_

City Clerk

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO LAY A \$4.15 LEVY ON ALL PERSONAL PROPERTY,  
A \$.00001 LEVY ON ALL WATERCRAFT, A \$1.50 LEVY ON ALL PRIVATELY  
OWNED CAMPING TRAILERS AND MOTOR HOMES,  
AND A \$1.13 LEVY ON ALL VEHICLES WITHOUT MOTIVE POWER,  
USED OR DESIGNED TO BE USED AS MANUFACTURED HOMES  
IN THE CITY OF POQUOSON, VIRGINIA,  
FOR THE GENERAL OPERATION OF THE VARIOUS  
DEPARTMENTS OF THE CITY GOVERNMENT**

**WHEREAS**, after careful consideration of the operation of the various departments of the City government of Poquoson for the Fiscal Year 2022, it is deemed necessary to lay a levy of \$4.15 on each \$100.00 of assessed value on all Tangible Personal Property and Machinery and Tools, a levy of \$.00001 on each \$100.00 of assessed value on all watercraft, a levy of \$1.50 on each \$100.00 of assessed value on all camping trailers and motor homes, and a levy of \$1.13 on each \$100.00 of assessed value on all vehicles without motive power, used or designed to be used as manufactured homes, within the City of Poquoson for the support of said departments.

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

**Section 1:** That on and after the 1<sup>st</sup> day of January 2022 all Tangible Personal Property and Machinery and Tools situated within the Corporate Limits of the City of Poquoson, Virginia, shall be and by this ordinance are, subject to levy in the sum of \$4.15 on each \$100.00 of assessed valuation of all such Tangible Personal Property, Machinery, Tools and Public Service Corporations standing in the name of all individuals, firms or corporation, whether or not residing within the Corporate Limits of the City of Poquoson, as of the 1<sup>st</sup> day of January 2022.

**Section 2:** That on and after the 1<sup>st</sup> day of January 2022, all watercraft situated within the Corporate Limits of the City of Poquoson, Virginia, shall be and by this ordinance are, subject to levy in the sum of \$0.00001 on each \$100.00 of assessed valuation standing in the name of all individuals, firms or corporations, whether or not residing within the Corporate Limits of the City of Poquoson, as of the 1<sup>st</sup> day of January 2022.

**Section 3:** That on and after the 1<sup>st</sup> day of January 2022, all privately owned camping trailers and motor homes as defined in Section 46.2-100 of the Code of Virginia (1950), as amended which are used for recreational purposes only situated within the Corporate Limits of the City of Poquoson, Virginia, shall be and by this ordinance are, subject to levy in the sum of \$1.50 on each \$100.00 of assessed valuation standing in the name of all individuals, firms or corporations, whether or not residing within the Corporate Limits of the City of Poquoson, as of the 1<sup>st</sup> day of January 2022.

**Section 4:** That on and after the 1<sup>st</sup> day of January 2022, all vehicles without motive power, used or designed to be used as manufactured homes as defined in Section 36-85.3 of the Code of Virginia (1950), as amended situated within the Corporate Limits of the City of Poquoson, Virginia shall be and by this ordinance are, subject to levy in the sum of \$1.13 on each \$100.00 of assessed valuation standing in the name of all individuals, firms or corporations, whether or not residing within the Corporate Limits of the City of Poquoson, as of the 1<sup>st</sup> day of January 2022.

**Section 5:** That all revenue collectible as a result of this ordinance shall be collected by the agent or agents of the City of Poquoson, Virginia, in the same manner and subject to the same penalties as is now provided by law, and any amendment thereof, and all revenues collected by the agents of the City of Poquoson, Virginia, by levies shall be remitted to the Treasurer of the City of Poquoson, Virginia, and used for the purpose of supporting the various departments and functions of the City of Poquoson.

**Section 6:** That all fines collected under this ordinance shall go into the General Fund of the City.

**Section 7:** That the tax rates established herein shall continue until changed by City Council.

**Section 8:** That this ordinance shall be in effect on and after July 1, 2021.

ADOPTED: \_\_\_\_\_

TESTE: \_\_\_\_\_

City Clerk

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING CHAPTER 1 ,  
SECTION 1-13 GENERAL PROVISIONS OF THE CODE OF ORDINANCES  
OF THE CITY OF POQUOSON, VIRGINIA**

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

**Section 1:** That Chapter 82, Article II, Section 82-40 (b) of the Code of Ordinances of the City of Poquoson, Virginia be amended to read as follows:

**CHAPTER 1**

**GENERAL PROVISIONS**

**Sec. 1-13. - Classification of and penalties for violations; continuing violations.**

(a) Whenever in this Code or any other ordinance of the city, it is provided that a violation of any provision thereof shall constitute a class 1, 2, 3 or 4 misdemeanor, such violation shall be punished as follows:

- (1) Class 1 misdemeanor: By confinement in jail for not more than 12 months and a fine of not more than \$2,500.00, either or both.
- (2) Class 2 misdemeanor: By confinement in jail for not more than six months and a fine of not more than \$1,000.00, either or both.
- (3) Class 3 misdemeanor: By a fine of not more than \$500.00.
- (4) Class 4 misdemeanor: By a fine of not more than \$250.00.

(b) Whenever in any provisions of this Code or in any other ordinance of the city, any act is prohibited or is made or declared to be unlawful or an offense or misdemeanor, or the doing of any act is required, or the failure to do any act is declared to be unlawful or an offense or a misdemeanor, where no specific penalty is provided for the violation of such provision and such violation is not described as being of a particular class of misdemeanor, such violation shall constitute a class 1 misdemeanor and be punished as prescribed in subsection (a)(1) of this section.

(c) Notwithstanding any other provision of this section, no penalty shall be imposed for the violation of this Code or other ordinance of the city which is greater than the penalty prescribed by general law of the state for a like offense.



(d) That there is hereby imposed an assessment of ~~\$10.00~~ \$20.00 as part of each criminal and traffic conviction in the General District Court, Juvenile and Domestic Relations Court or Circuit Court of York County for the purpose of funding courthouse security personnel. That said sum shall be collected by the Clerk of Court in which the case is heard, and remitted to the Treasurer of the City of Poquoson, Virginia to be held until appropriated by city council to the sheriff's office.

(e) Each day any violation of this Code or any other ordinance shall continue shall constitute a separate offense, except where otherwise provided.

**Section 2:** That this ordinance shall be in effect on and after July 1, 2021.

ADOPTED: \_\_\_\_\_

TESTE: \_\_\_\_\_

City Clerk