

**MINUTES OF THE CITY COUNCIL MEETING  
FEBRUARY 8, 2010, 7:00 P.M.  
REGULAR SESSION**

**PRESENT:**           The Honorable Gordon C. Helsel, Jr., Mayor  
                  The Honorable W. Eugene Hunt, Jr.  
                  The Honorable Carey L. Freeman  
                  The Honorable E. T. "Tom" Meree  
                  The Honorable Traci-Dale Crawford  
                  The Honorable Frank A. Kreiger

J. Randall Wheeler, City Manager  
Judy F. Wiggins, City Clerk

**ABSENT:**           D. Wayne Moore, City Attorney

**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 the Junior Girl Scout Troop #1274 led the audience in the Pledge of Allegiance.

Mayor Helsel presented each Girl Scout with a City seal pen. The Scouts enumerated their many community projects, including the annual Girl Scout cookie sale, and they presented each member of Council with a box of cookies.

Mayor Helsel thanked Council, City staff and citizens for their tremendous outpouring of care and support for the family of recently deceased Vice Mayor Arthur "Binks" Holloway. In an effort to move forward, however, he reminded the public that applications are currently being accepted in the City Manager's office from citizens residing in the Central Precinct who are interested in filling the vacant Council seat.

**SPECIAL PRESENTATION:**

Mr. Robert Reidmiller, representing the U.S. Census Bureau, stated that the 2010 Census forms would soon be mailed to every household. He explained that the form contained ten very basic questions and that only those persons who fail to return the form will receive a visit from a Census representative. In conclusion, Mr. Reidmiller encouraged persons who were interested in working for the Census Bureau to attend one of the testing sessions that will be held in the Poquoson Library on February 17, 2010.

**AUDIENCE FOR VISITORS:**

Mr. Don Anderson, 3 Whitehouse Drive, expressed opposition to the Industrial Development Authority's intention to clear cut its parcels located on the north side of Victory Boulevard. He encouraged Council to adopt a Tree Ordinance in order to preserve the City's remaining timberlands.

Mr. Jack Moran, Poquoson resident and businessman, stated that he had volunteered to spearhead the promotion of the City's proposed Heritage Park. The Park, which will be located on the northwest corner of the Victory Boulevard and Wythe Creek Road intersection, will be a tribute to those who have made Poquoson the fine community that it is today, i.e., watermen, farmers, veterans, schools, civic groups, etc. Mr. Moran pointed out that many contributions have already been received for the project which will be fully funded by private donations. He especially mentioned the Poquoson Garden Club who will be donating a National Blue Star By-Way Marker to memorialize the City's veterans. In conclusion, he referred persons interested in supporting and/or participating in this project to the City's website and/or Parks & Recreation Department to obtain information on how to donate to this worthy cause.

Mayor Helsel commended Mr. Moran for his many contributions to the City over the years and especially for his leadership on this important project

**APPROVAL OF THE MINUTES:**

Councilman Hunt moved, seconded by Councilman Freeman, to adopt the minutes of the regular session held January 11, 2010. Recorded vote on the motion:

**YES:** Councilmembers Hunt, Kreiger, Crawford, Freeman and Mayor Helsel.

**NO:** None.

**ABSTAIN:** Councilmember Meree.

Councilman Kreiger moved, seconded by Councilman Hunt, to adopt the minutes of the work session held January 11, 2010. Recorded vote on the motion:

**YES:** Councilmembers Freeman, Kreiger, Hunt, Crawford and Mayor Helsel.

**NO:** None.

**ABSTAIN:** Councilmember Meree.

**NEW BUSINESS**

- 1. RESOLUTION AUTHORIZING THE EXECUTION OF A LAW ENFORCEMENT MUTUAL AID AGREEMENT**

The City Manager, J. Randall Wheeler, stated that the proposed Mutual Aid Agreement for the Hampton Roads Law Enforcement Agencies had been reviewed and approved by the Hampton Roads Chiefs of Police and by our City Attorney.

In addition, Police Chief Cliff Bowen stated that execution of the proposed agreement will ensure that Poquoson has all of the assistance that it may need to properly address emergency situations.

A resolution adopting the Agreement was presented for Council's consideration and Councilman Meree moved, seconded by Councilman Kreiger, that it be adopted. Recorded vote on the motion:

**YES:** Councilmembers Crawford, Hunt, Kreiger, Freeman, Meree and Mayor Helsel.

**NO:** None.

## **2. RESOLUTION ADOPTING THE 2010 EMERGENCY OPERATIONS PLAN FOR THE CITY OF POQUOSON**

The City Manager explained that all Virginia localities are required to update and adopt an Emergency Operations Plan (EOP) every four years. Essentially the EOP provides a basis for the development of programs and procedures to save lives and minimize disaster damage during emergencies and disasters and to expedite post-event recovery operations.

Deputy Fire Chief, Michael Bryant, stated that he and a team comprised of Fire Chief Robert Holloway, Police Chief Cliff Bowen and the City Manager had prepared the proposed EOP. Council commended Deputy Fire Chief Bryant and the team for their hard work in preparing this important document. A resolution approving the proposed Plan was presented for Council's consideration.

Councilman Hunt moved, seconded by Councilman Freeman, to adopt the resolution. Recorded vote on the motion:

**YES:** Councilmembers Freeman, Meree, Crawford, Kreiger, Hunt and Mayor Helsel.

**NO:** None.

## **3. ORDINANCE TRANSFERRING FUNDS FOR FY 2010 FOR IMPLEMENTATION OF HMGP GRANT**

The City Manager stated that the City has an opportunity to apply for the Hazard Mitigation Grant Program being administered by the Virginia Department of Emergency Management. This grant, if obtained, will subsidize the elevation of the homes of qualified citizens. In order to apply for these grants on behalf of the citizens, a part-time temporary staff person is needed. An ordinance transferring \$7,300 from the contingency account to the City Manager's part-time salary line item was presented for consideration.

Councilman Meree moved, seconded by Councilman Hunt, to dispense with the second reading and to adopt the ordinance on first reading. Recorded vote on the motion:

**YES:** Councilmembers Hunt, Kreiger, Crawford, Meree, Freeman and Mayor Helsel.

**NO:** None.

**4. RESOLUTION AUTHORIZING THE CITY MANAGER TO OFFER EARLY RETIREMENT INCENTIVES TO ELIGIBLE EMPLOYEES**

The City Manager, J. Randall Wheeler, stated that development of the FY 2011 Budget will be a difficult task. As was done last year, he recommended offering early retirement incentives again this year to eligible employees and a resolution authorizing the City Manager to do this was presented for Council's consideration.

Councilman Hunt moved, seconded by Councilman Meree, to adopt the resolution. Recorded vote on the motion:

**YES:** Councilmembers Meree, Freeman, Kreiger, Hunt, Crawford and Mayor Helsel.

**NO:** None.

**5. RESOLUTION MAKING APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS**

A resolution making appointments/reappointments to the Industrial Development Authority, the Architectural Review Board, the Virginia Peninsulas Public Service Authority, the Library Advisory Board, and the Wetlands Board was presented for Council's consideration.

Councilman Freeman moved, seconded by Councilman Meree, to adopt the resolution with the following names inserted: Alan Meetze – Industrial Development Authority; Craig Hudson – Architectural Review Board; Tom Jones – Virginia Peninsulas Public Service Authority (alternate); Barbara Whitlow and Amy Malloy – Library Advisory Board; and Paul Michael - Wetlands Board. Recorded vote on the motion:

**YES:** Councilmembers Crawford, Hunt, Kreiger, Freeman, Meree and Mayor Helsel.

**NO:** None.

**6. DEBT RESTRUCTURING**

The City Manager stated that one of the fundamental budget strategies for the FY 2011 Budget was the refinancing of \$19.2 million of the City's debt. Mr. Kyle Laux of Davenport & Company, LLC and Attorney Dan Segal of Sands Anderson Marks & Miller, PC gave a brief presentation detailing the following advantages of the proposed debt restructuring:

- Approximately \$1.2 million in cost savings can be realized over the next three years;
- The refinancing would not extend the final maturity of any debt;
- The interest rates on the new debt will be fixed for the life of the loan; and
- The refinancing will eliminate future budgetary uncertainty related to debt service.

In conclusion, Mr. Laux stated that if Council so desires, all the necessary paperwork on the proposed refinancing can be completed for formal consideration and approval at its March 8, 2010 meeting.

Following a brief discussion, Council agreed that Mr. Laux and Attorney Segal should prepare the legal documents for formal consideration at its March 8, 2010 meeting.

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

City Manager, J. Randall Wheeler, reported the following:

- That with Council's concurrence, a Special Meeting would be held on February 23, 2010 at 6 p.m. to conduct interviews with candidates for the vacant Central Precinct Council seat.
- That Public Works, Public Safety and Utilities employees are to be commended for working tirelessly over the last few weeks in response to various severe weather events.
- That he and the Mayor had used a recent meeting with senior officials of the Sentara Health Organization, who were seeking donations towards a new Nightingale helicopter, to encourage them to locate a medical care facility within the City.
- That the City has achieved some success and continues to diligently work with the City of Hampton, NASA, VDOT and Langley Air Force Base in an effort to shift funds allocated for the Wythe Creek Road South Widening Project to the much needed transportation improvements at the Cary's Chapel/Wythe Creek Road intersection, the adjacent bridge and causeway leading into Hampton.
- That the developers of the Rens Road project have submitted their second site plan for a 70 unit mobile home park, marina improvements, restaurant and 5 condo development which staff will be responding to very shortly.
- That, in response to several queries emanating from a recent newspaper article on the Poquoson IDA, he wanted to clarify that the Authority is an autonomous group appointed by City Council who has the authority to purchase land, enter into contracts, and acquire a line of credit.

## **COUNCIL DIRECTIVES:**

Councilwoman Crawford thanked the Girl Scouts for participating in the meeting and Mr. Robert Reidmiller for information on the upcoming Census. As a former Census enumerator, she encouraged citizens interested in working for the Bureau to take the required test at the City Library on February 17<sup>th</sup>. She thanked Mr. Don Anderson for his comments and agreed that the City should enact a Tree Ordinance. She also thanked Mr. Jack Moran for his leadership on the Heritage Park fund drive and assured citizens that no tax dollars would be spent on this project. She thanked all of the City's emergency management employees for their efficient and effective planning that ensures the safety of our citizens and in conclusion she thanked all citizens serving on the various boards/commissions for their service particularly since they are not compensated for their efforts.

Councilman Meree echoed Councilwoman Crawford's comments and encouraged the IDA to preserve as many hardwood trees as possible when clearing the property across from City Hall Avenue. He stated that Council had met, just prior to this meeting, with the Parks and Recreation Advisory Board who have a great vision for the City's recreational facilities and offerings, and applauded them for their hard work. He asked the City Manager to identify and have removed any non-permitted bridges that would negate the implementation of a Blueway project within our City waterways. In conclusion, he announced that Council would hold several public hearings at its next meeting to include the Pre-Budget public hearing and he encouraged citizens to come out and offer their suggestions on how to reduce the budget.

Councilman Freeman stated that the City has suffered a great loss due to the recent death of Vice Mayor Holloway and that he would indeed be missed. He thanked Mr. Jack Moran for his comments and his hard work on the Heritage Park project.

Councilman Kreiger thanked Mr. Moran for identifying the Poquoson Garden Club's important donation of a Blue Star By-Way Marker, which would be prominently located at Heritage Park, honoring all Poquoson veterans. He stated that not only did Council and Poquoson residents mourn the loss of former Vice Mayor "Binks" Holloway, but that his loss would also be felt in Richmond by the Virginia Municipal League where he had served for eleven years on its Environmental Committee.

Councilman Hunt also expressed sadness over the City's great loss of its former Vice Mayor, who had been his friend and mentor. He voiced support for the clearing of the property on the north side of Victory Boulevard in order to make it marketable for prospective businesses. He stressed the difficulty of the upcoming budget, especially in light of the expected decrease in State funding for the schools.

Mayor Helsel stated that the residents of the Villas condominium development would like to participate in the City's solid waste program and he asked the City Manager to provide Council with specific information on this matter so that it can be considered. He stressed the importance of helping our citizens whenever possible while being careful to be equitable and consistent to all.

**ADJOURNMENT:**

There being no further business, Councilman Meree moved, seconded by Councilman Freeman to adjourn the meeting. Recorded vote on the motion:

**YES:** Councilmembers Hunt, Kreiger, Crawford, Meree, Freeman and Mayor Helsel.

**NO:** None.

The meeting was adjourned at approximately 8:37 p.m.