

1. September 9 2019 Regular Agenda Summary

Documents:

[COUNCIL AGENDA SUMMARY SEPTEMBER 9 2019.PDF](#)

1.I. Minutes August 26 2019 Regular Session

Documents:

[MINUTES - REGULAR SESSION AUGUST 26 2019.PDF](#)

1.II. Minutes - August 26 2019 Work Session

Documents:

[MINUTES - WORK SESSION AUGUST 26 2019.PDF](#)

1.III. York-Poquoson Social Services Advisory Board

Documents:

[YORK-POQUOSON SOCIAL SERVICES ADVISORY BOARD.PDF](#)

1.IV. Policy Regarding Donations Of Real Property

Documents:

[POLICY REGARDING DONATIONS OF REAL PROPERTY.PDF](#)

**POQUOSON CITY COUNCIL  
REGULAR SESSION MEETING  
MONDAY, SEPTEMBER 9, 2019, 7:00 P.M.**

**A. MEETING CALLED TO ORDER**

**B. INVOCATION AND PLEDGE OF ALLEGIANCE**

**C. SPECIAL PRESENTATIONS**

- **Proclamation for Constitution Week**
- **New Employee Introduction – Bryan Harrell, Senior Building Inspector**

**D. AUDIENCE FOR VISITORS**

**E. APPROVAL OF THE MINUTES**

- (a) **Regular Session August 26, 2019**
- (b) **Work Session August 26, 2019**

**F. NEW BUSINESS**

1. **Resolution to Dissolve the Existing York-Poquoson Social Services Board, to Create a Board Comprised of the Poquoson City Manager and the County Administrator for York County, and Create a Social Services Advisory Board**
2. **Resolution Establishing a Policy Regarding Donations of Real Property to the City of Poquoson**

**G. COMMENTS OF THE CITY MANAGER**

**H. COUNCIL DIRECTIVES**

**I. ADJOURNMENT**

**MINUTES OF THE CITY COUNCIL MEETING**

**August 26, 2019 7:00 P.M.**

**REGULAR SESSION**

**PRESENT:** The Honorable W. Eugene Hunt, 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  
The Honorable Jana D. Andrews

J. Randall Wheeler, City Manager  
Evie Insley, City Clerk  
J. Anderson Mullins, Attorney

**ABSENT:** 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.

**AUDIENCE FOR VISITORS:**

None

**APPROVAL OF THE MINUTES:**

1. Councilman Green moved, seconded by Councilman Southall, to adopt the minutes of the regular session held on July 22, 2019 as submitted. Recorded vote on the motion:

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

**NO:** None

**ABSTAIN:** Councilmember Andrews

2. Councilman Green moved, seconded by Councilman Cannella, to adopt the minutes of the work session held on July 22, 2019 as submitted. Recorded vote on the motion:

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

**NO:** None

**ABSTAIN:** Councilmember Andrews

**NEW BUSINESS:**

**1. Ordinance Making Additional Appropriations for Fiscal Year 2020 - Watermen's Memorial**

City Manager Randy Wheeler presented Council with an ordinance making additional appropriations for Fiscal Year 2020 for the Watermen's Memorial.

In August 2015, City Council approved a resolution authorizing a Watermen's Memorial on City owned property at Messick Point. City Council combined donations that were raised approximately 10 years ago for the Heritage Park Clock project with approximately \$1,500 that had been donated specifically for the Watermen's Memorial. These funds remain in the City's General Fund balance as restricted fund balance to be used for this purpose.

At the July 22, 2019 work session, Councilman Green advised City Council that he was obtaining quotes from monument builders for a Watermen's Memorial Monument. The quote of \$6,550 is the cost of the monument and its installation. The Poquoson Exchange Club has graciously offered to install the base using their resources.

Councilman Green moved, seconded by Councilman Southall to adopt the ordinance making additional appropriations for Fiscal Year 2020 for the Watermen's Memorial. Recorded vote on the motion:

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

**NO:** None

**2. Ordinance Making Additional Appropriations for Fiscal Year 2020 - Electronic Signs**

City Manager Randy Wheeler presented Council with an ordinance making additional appropriations for Fiscal Year 2020 for electronic sign to replace existing sign on Victory Boulevard.

At the July 22, 2019 Work Session the City Manager presented Council with streetscape improvement options that would utilize the funding that was appropriated in March 2019 by City Council in the amount of \$37,373. An electronic sign was identified by Council as the preferred streetscape option. The electronic sign would be similar in size to the existing sign post on Victory Boulevard and would be remotely programmed and able to scroll multiple messages and screens with graphics. The estimated project cost is \$53,416.

The project will be funded with the balance of restricted funds in the General Fund remaining from the Watermen's Memorial Monument in the amount of \$12,986, and the funding in the amount of \$37,373 from the Capital Project Fund associated with streetscape improvements would be utilized for the

electronic sign. Staff will work with vendor and contractors associated with this project regarding the estimated project cost which is \$3,057 more than appropriation.

Councilman Green moved, seconded by Councilman Cannella to adopt the ordinance making additional appropriations for Fiscal Year 2020 for an Electronic Sign on Victory Boulevard. Recorded vote on the motion:

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

**NO:** None

**3. Resolution Authorizing the City Manager to Enter into Contract with Carter Machinery Co., Inc. – Excavator**

Finance Director Tonya O’Connell presented Council with a resolution authorizing the City Manager to enter into contract with Carter Machinery Co. Inc. for a Caterpillar 308 CR Mini Hydraulic Excavator.

The Public Works Department recommends a purchase of a Caterpillar 308 CR Mini Hydraulic Excavator from Carter Machinery Co., Inc through the cooperative purchasing agreement established with Nation Joint Powers Alliance (Sourcewell) Contract 032119-CAT. The Caterpillar 308 CR Mini Hydraulic Excavator will replace the Komatsu Excavator which is over 19 years old and is inoperable. The excavator will be used to dig roadside and outfall ditches to ensure proper drainage of streets and to do full depth patching on the City’s roadways when pavement failure exist.

The total cost of the Caterpillar Excavator is \$124,364 which takes into consideration the trade allowance for the Komatsu Excavator of \$12,000 and provides an extended warranty on the powertrain and hydraulics. The funds received from the Virginia Department of Transportation which provides for funding to maintain the paving and drainage programs will be utilized.

Councilman Green moved, seconded by Councilman Southall to adopt the ordinance making additional General Fund appropriations for Fiscal Year 2019. Recorded vote on the motion:

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

**NO:** None

**4. Resolution Making Appointments to the Board of Zoning Appeals**

Mayor Hunt presented the resolution making an appointment to the Board of Zoning Appeals.

Councilman Green moved, seconded by Vice Mayor Freeman to appoint Mark T. Lovell (Eastern) to replace Lester E. Nagle and James B. Beach Jr. (Eastern) as the alternate with a term expiring on August 31, 2024. Recorded vote on the motion:

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

**NO:** None

**COMMENTS OF THE CITY MANAGER:**

None

**COUNCIL DIRECTIVES:**

Councilwoman Andrews advised citizens of the very informative information that was received from VDOT at the Work Session that was held prior to the Regular Meeting. Councilwoman Andrews also wanted to wish the teachers and students a safe return back to school and reminded everyone of the bus laws that are put in place to keep the students safe.

Councilman Green reminded everyone of the Food Bank that will be held on August 27<sup>th</sup> and will be hosted by Emmaus Baptist Church.

Councilman Cannella thanked the Exchange Club for their contribution with the Watermen's Memorial and also wanted to thank all the City's civic groups that contribute and help citizens every year.

**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 Andrews, Southall, Cannella, Hux, Green, Vice Mayor Freeman and Mayor Hunt.

**NO:** None

The meeting was adjourned at approximately 7:12 p.m.

# MINUTES OF THE CITY COUNCIL MEETING

August 26, 2019 6:00 P.M.

## WORK SESSION

### Council Chambers

**PRESENT:** The Honorable W. Eugene Hunt, 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  
The Honorable Jana D. Andrews

J. Randall Wheeler, City Manager  
Evie Insley, City Clerk  
J. Anderson Mullins, Attorney

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

Mayor Hunt opened the work session at approximately 6:00 p.m. in Council Chambers.

#### 1. VDOT – Wythe Creek Road Widening Project

VDOT personnel Ken McKenna, Kenny Wynne, Bruce Duval and consultant Ian Johnston of Clark Nexsen presented to Council a presentation to provide information on project status, budget issues and to answer any questions in regard to the Wythe Creek Road widening project.

The project is a VDOT managed joint effort with Hampton and Poquoson. The goal of the project is to widen the southern portion of Wythe Creek Road from its current two lanes to three lanes. The Center lane is intended to be a reversible lane during commuter hours. As part of this effort, the current bridge and causeway connecting the two cities will be replaced by an elevated bridge that will provide improved egress/ingress from Poquoson to Hampton during major tidal storm events.

Current project status and schedule:

- Utility relocation is underway – Scheduled for completion Spring 2020
- Project advertisement for bids – September 10, 2019 (possibly delayed a few months due to funding issues)
- Expected contractor notice to proceed – Late 2019/Early 2020
- Construction completion – Spring 2023

Project funding status:

- Current project estimate - \$53.25m
- Current project funding SYIP - \$49.6m
- Additional funds attained through MPO – \$1.38m
- Current funding shortfall - \$1.47m

A few ways to overcome the shortfall are as follows:

- Remove the right turn lane coming off of Cary's Chapel Road with a potential savings of \$0.7m.
- Eliminate corridor lighting along Wythe Creek Road with anticipated savings at approximately \$100k
- Possibly removing the reversible lane along Wythe Creek Road, this would leave a three way roadway with a turn lane in the middle.

During construction Cary's Chapel Road will be detoured due to allow for construction of improvements, including raising Cary's Chapel Road to new bridge elevation of 11ft, and water line relocation. The closure period is expected to be 90 days and will be shorter if the turn lane is not constructed. Final determination of length of closure will be further vetted by VDOT construction in coordination with selected contractor. City Manager Randy Wheeler advised Council of the plans to connect the Vector property parking lot with the Surfs-Up parking lot as it is owned by the same individual. This will insure access to Surfs-Up from the City side of the project and provide emergency access.

During the project construction traffic will continue to run on the existing road and will maintain two lanes of traffic, with occasional one lane closures during non-peak hours.

Once complete there will be a five foot bike and walk path using the existing bridge along the east side of Wythe Creek Road and will continue down to NASA. A traffic signal with a crosswalk will be installed at the intersection of Cary's Chapel and Wythe Creek that will allow for easier access to the path.

**ADJOURNMENT:**

There being no further business, the work session was adjourned at approximately 6:33 p.m.





## **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**

September 9, 2019

**To:** City Council  
**From:** City Manager  
**Subject:** **York-Poquoson Social Services Advisory Board**

Presented for Council consideration is a resolution to dissolve the existing York/Poquoson Social Services Board, to create a Board comprised of the County Administrator of York County and the City Manager of Poquoson and to create a Social Services Advisory Board.

The County and City entered into an agreement on January 1, 1977 to establish and create a joint welfare board and to agree to the joint operation of the York-Poquoson Social Services Department. The County was identified as administering the operations of the department on behalf of the parties. A process began a few months ago to update the 42 year old agreement in an effort to identify opportunities to achieve greater efficiencies and administrative support which would benefit both the County and City. Over the many years since the original agreement was established numerous changes have occurred related to operations and service delivery of social services programs including the ability to transition from an administrative board structure to an advisory board structure. Currently the governing bodies of 42 of the 120 Virginia Social Services departments have made the decision to transition to an advisory board. Attached is a listing of those localities. The primary reasons for this change relate to enhanced integration and efficiency of the operations, increased budget accountability and providing members of the advisory board the opportunity to focus on formulation and implementation of local services programs. The current vacancy in the position of Director of the York-Poquoson Social Services department has made this an ideal time to make these changes prior to hiring a new director.

The opportunity provided by Virginia Code §63.2-305, attached, would allow the City and County to benefit from citizen advice with regard to programs while managing the business side of the Social Services much like other units of local government. The change to the advisory board would designate the County Administrator and City Manager as the administrative board members with the current Social Service Board serving in an advisory capacity, and with the county continuing to provide the administrative operations both the County and the City.

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION TO DISSOLVE THE EXISTING YORK/POQUOSON SOCIAL SERVICES BOARD, TO CREATE A BOARD COMPRISED OF THE POQUOSON CITY MANAGER AND THE COUNTY ADMINISTRATOR FOR YORK COUNTY, AND CREATE A SOCIAL SERVICES ADVISORY BOARD**

**WHEREAS**, the County of York (County) and the City of Poquoson (City) entered an agreement on January 1, 1977 to establish and create a joint welfare board and to agree to the joint operations of the York-Poquoson Social Services Department. The agreement directed the County to administer the operation of the department on behalf of the parties and set forth the manner in which costs would be shared between the County and City; and

**WHEREAS**, currently York-Poquoson Social Services has an Administrative Board that is responsible for oversight of the York-Poquoson Social Services Department; and

**WHEREAS**, § 63.2-305 and §63.2-307 of the Code of Virginia, together, provide that the County Board of Supervisors and Poquoson City Council may appoint the chief executive officers of each jurisdiction as the local social services board, and may appoint a board to serve in an advisory capacity to such local social services board; and

**WHEREAS**, the Council of the City of Poquoson, desires to appoint the City Manager for the City of Poquoson, and the County Administrator for York County as the local social services board, and to establish an advisory board to serve in an advisory capacity to such local social services board, as permitted by §63.2-305 and §63.2-307 of the Code of Virginia; and

**NOW THEREFORE BE IT RESOLVED** by the Council of the City of Poquoson, Virginia this \_\_\_ day of \_\_\_\_\_, 2019, subject to the adoption of a similar resolution by the York County board of Supervisors, that the current local board governing the York-Poquoson Social Services Department be dissolved effective September 30, 2019 and that the County Administrator for the County of York and the City Manager for the City of Poquoson shall, effective September 30, 2019, constitute the local social services board for the York-Poquoson Department of Social Services.

**BE IT FURTHER RESOLVED** that pursuant to §63.2-305 of the Code of Virginia, there is hereby created a York-Poquoson Social Services Advisory Board, which shall have all the powers and responsibilities contained in the Code of Virginia. The Advisory Board shall have 7 members, 5 of which shall be appointed by the York County Board of Supervisors, and 2 of which shall be appointed by the City of Poquoson City Council. The initial Poquoson members of the Advisory Board and their respective terms shall be: Madonna Krieger – term ending January 31, 2020 and Roy Staton – term ending January 31, 2021. Upon the expirations of the initial terms of the members as stated above, subsequent appointments shall be for terms of four years, for a maximum of two consecutive terms for any member except as provided in

Code of Virginia §63.2-305. The County Administrator for York County and the City Manager for the City of Poquoson shall be ex officio members of the Advisory Board, without vote.

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

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

## Local Social Services Boards Converted From Administrative Boards to Advisory Boards

		<b>Serves as Administrative Entity For Local DSS with Advisory Boards*</b>
<b>Locality</b>		

### Large Governments (Director III):

1 Albemarle	Local Director
2 Alexandria	City Manager
3 Arlington	County Director of Human Services
4 Charlottesville	Local Director
5 Chesapeake	City Manager
6 Danville	Local Director
7 Fairfax Co.-City/Falls Church	County Executive
8 Hampton	Local Director
9 Loudoun	County Administrator
10 Lynchburg	Local Director
11 Newport News	Local Director
12 Norfolk	Local Director
13 Petersburg	Deputy City Manager
14 Portsmouth	Local Director
15 Prince William	Board of Supervisors & County Executive
16 Richmond	Local Director
17 Roanoke	Local Director
18 Roanoke Co./Salem	Local Director
19 Rockingham/Harrisonburg	County/City Administrator
20 Spotsylvania	County Administrator
21 Suffolk	Local Director
22 Virginia Beach	Human Services Director

### Medium Sized Governments (Director II):

1 Dinwiddie	County Administrator
2 Fauquier	County Administrator
3 Franklin	City Manager
4 Hanover	Deputy County Administrator
5 Hopewell	City Manager
6 James City	Local Director
7 Louisa	County Administrator
8 Manassas	City Administrator

**Local Social Services Boards  
Converted From Administrative Boards to Advisory Boards**

	Locality	Serves as Administrative Entity For Local DSS with Advisory Boards*
9	Prince George	County Administrator
10	Warren	County Administrator
11	Winchester	City Manager

**Small Governments (Director I)**

1	Amelia	County Administrator
2	Galax	City Manager
3	King & Queen	County Administrator
4	Lunenburg	County Administrator
5	Manassas Park	City Administrator
6	Middlesex	County Administrator
7	New Kent	County Administrator
8	Norton	City Manager
9	Williamsburg	Local Director

Total Advisory Boards	42
Total Social Services Boards	120
<b>% Converted from Administrative to Advisory Boards</b>	<b>35%</b>

## § 63.2-305. Advisory boards

A. If the governing body of a city or county or the governing bodies of any combination of cities and counties participating in a district designate, under the provisions of §§ 63.2-302, 63.2-304 or § 63.2-307, a local government official as constituting the local board, such governing body or bodies shall appoint a board to serve in an advisory capacity to such local government official with respect to the duties and functions imposed upon him by this title.

Each such advisory board shall consist of no fewer than five and no more than thirteen members. In the case of an advisory board established for a district, there shall be at least one member on the board from each county and city in the district. The members shall be appointed initially for terms of from one to four years so as to provide for the balanced overlapping of the terms of the membership thereon. Subsequent appointments shall be for a term of four years each, except that appointments to fill vacancies that occur during terms shall be for the remainder of these unexpired terms. Appointments to fill unexpired terms shall not be considered full terms, and such persons shall be eligible to be appointed to two consecutive full terms. No person shall serve more than two consecutive full terms. The local government official shall be an ex officio member, without vote, of the advisory board.

The advisory board shall elect its own chairman and shall meet at least bimonthly. In addition to regularly scheduled meetings, it may meet at the call of the chairman or on the petition of at least one-half of the members.

B. The powers and duties of the advisory board shall be:

1. To interest itself in all matters pertaining to the public assistance and social services needed by people of the political subdivision or subdivisions served by the local department;
2. To monitor the formulation and implementation of public assistance and social services programs by the local department;
3. To meet with the local government official who constitutes the local board at least four times a year for the purpose of making recommendations on policy matters concerning the local department;
4. To make an annual report to the governing body or bodies, concurrent with the budget presentation of the local department, concerning the administration of the public assistance and social services programs; and
5. To submit to the governing body or bodies, from time to time, other reports that the advisory board deems appropriate.

1977, c. 36, § 63.1-43.1; 1981, c. 264; 1984, c. 586; 1989, c. 356; 2002, c. 747.

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

## § 63.2-307. Local boards serving certain districts

Notwithstanding the provisions of § 63.2-306:

1. The local board for the York County and City of Poquoson district may be, at the discretion of the governing bodies of the participating city and county, the local director. If such local director serves as the local board, he may designate a senior staff person in the local department to act on his behalf, in his absence, to approve, cancel or change grants made under the provisions of this title.
2. At the discretion of the governing bodies of the participating cities and counties, the local board for a district may be composed of the chief administrative officer of each political subdivision, who may designate his principal assistant to act on his behalf, in his absence, to approve, cancel or change grants made under the provisions of this title.

In addition, the provisions of § 63.2-305 shall apply.

1989, c. 356, § 63.1-44.1; 1995, cc. 262, 313; 2002, c. 747.

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.



## **CITY OF POQUOSON**

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**(757)868-3000 Fax (757)868-3101**

September 9, 2019

**To:** City Council  
**From:** City Manager  
**Subject:** **Policy Regarding Donations of Real Property to the City of Poquoson**

Presented for Council consideration is a resolution establishing a policy regarding donations of real property to the City of Poquoson based on Council comments at the August 19, 2019 Special Meeting held at the Community Center.

As discussed with Council, from time to time private land owners approach the City with an offer to donate real property. Often the parcels offered for donations are unbuildable due to size, pervasive wetlands or are land locked and in many cases associated with an estate or family trust. Accepting donations would involve expenses associated with a title report, surveying, deed preparation and recording. It also has the effect of removing parcels from the tax rolls. However, Council is mindful that the acceptance of certain types of properties may have public value.

The policy presented for consideration shall authorize the City Manager to review each proposed donation and recommend for City Council consideration only those parcels which constitute significant public value. City Council would then consider recommendations from the City Manager.



**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION ESTABLISHING A POLICY REGARDING  
DONATIONS OF REAL PROPERTY TO THE CITY OF POQUOSON**

**WHEREAS**, periodically the City of Poquoson is approached by individuals, family trusts and other entities seeking to donate real property to the City of Poquoson; and

**WHEREAS**, the City Council is mindful of the public cost of accepting a real property donation including deed preparation and recording, title research and survey as well as the loss of real estate tax dollars while the property is in public ownership; and

**WHEREAS**, the City Council is also mindful that the acceptance of certain types of properties, i.e. additional road right of way, properties containing or adjacent to publically maintained drainage structures or properties that might allow for needed expansion of existing properties such as parks, or other parcel-specific factors may have significant public value and be in the best interest of the City of Poquoson; and

**WHEREAS**, the City Council wishes to establish a general policy to provide guidance to staff and members of the community who may wish to donate real property to the City.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Poquoson, Virginia that the following policy pertaining to the acceptance of real property donation is hereby established as follows:

**Section 1:** The City Council shall accept privately-owned real property donations where the acceptance of such donation shall constitute significant public value.

**Section 2:** The City Manager shall review each proposed donation and shall recommend for City Council consideration only those parcels which in his/her opinion constitutes significant public value.

**Section 3:** The City Council shall consider recommendations from the City Manager.

**Section 4:** The City Council shall be the authorizing authority for all privately-owned real property donations pursuant to an affirmative public vote.

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

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