

1. City Council Agenda September 25, 2023

Documents:

[COUNCIL REGULAR SESSION AGENDA 9-25-23.PDF](#)
[COUNCIL REGULAR SESSION MINUTES 9-11-23.PDF](#)
[ORDINANCE AMENDING THE PERSONNEL POLICY MANUAL.PDF](#)
[RESOLUTION MAKING AN APPOINTMENT TO ARB.PDF](#)

**POQUOSON CITY COUNCIL
REGULAR SESSION MEETING
MONDAY, SEPTEMBER 25, 2023, 7:00 P.M.**

A. MEETING CALLED TO ORDER

B. INVOCATION AND PLEDGE OF ALLEGIANCE –Mayor Helsel

C. SPECIAL PRESENTATION

- **Poquoson is the Place Presentation -David Callis, Director Economic Development & Community Recreation and Angela Costello**

D. AUDIENCE FOR VISITORS

E. APPROVAL OF THE MINUTES

Regular Session September 11, 2023

F. NEW BUSINESS

- 1. Ordinance Amending the Personnel Policy Manual – Retiree Health Insurance Coverage**
- 2. Resolution Making an Appointment to the Architectural Review Board**

G. COMMENTS OF THE CITY MANAGER

H. COUNCIL DIRECTIVES

I. ADJOURNMENT

MINUTES OF THE CITY COUNCIL MEETING
September 11, 2023 7:00 P.M.
REGULAR SESSION

PRESENT: The Honorable Gordon C. Helsel, Jr., Mayor
The Honorable Carey L. Freeman, Vice Mayor
The Honorable David A. Hux
The Honorable Keith A. Feigh
The Honorable Debra D. Bunting
The Honorable Anjie L. Emmett

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

ABSENT: 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.

Mayor Helsel held a moment of silence in remembrance of the attacks on 9/11.

SPECIAL PRESENTATION:

Mayor Helsel presented a Proclamation for Constitution Week to Daughters of the American Revolution.

AUDIENCE FOR VISITORS:

None

APPROVAL OF THE MINUTES:

Vice Mayor Freeman moved, seconded by Councilman Feigh, to adopt the minutes of the Regular Session held August 14, 2023 as submitted. Recorded vote on the motion:

YES: Councilmembers Emmett, Feigh, Hux, Bunting, Vice Mayor Freeman and Mayor Helsel

NO: None

PUBLIC HEARING:

1. **A Request for a Conditional Use Permit by John I. Martin for the Operation of Aquacultural Activities at 366 Cove Road, Tax Map Parcel 40-01-00-0001, Zoned B-2 Business/Commercial**

Principal Planner, Thomas Cannella, presented a request for a Conditional Use Permit by John I. Martin for the operation of aquacultural activities at 366 Cove Road, Tax Map Parcel 40-01-00-0001, zoned B-2 Business/Commercial. Mr. Cannella reviewed that the applicant desires to construct a 30' x 60' building for aquacultural activities, mainly processing of oysters and shedding of soft-shell crabs. Mr. Martin is also requesting another proposed 23' x 30' building for storage.

Mayor Helsel opened the floor for Public Hearing. Having no one come forward the Public Hearing was closed.

Vice Mayor Freeman moved, seconded by Councilman Feigh to adopt a Resolution to approve a request for a Conditional Use Permit by John I. Martin for the operation of aquacultural activities at 366 Cove Road, Tax Map Parcel 40-01-00-0001, zoned B-2 Business/Commercial. Recorded vote on the motion:

YES: Councilmembers Hux, Emmett, Bunting, Feigh, Vice Mayor Freeman and Mayor Helsel

NO: None

2. A Request for a Conditional Use Permit by NVS Properties 31 LLC for the Operation of a Private School at 2 Victory Boulevard, Tax Map Parcel 27-01-00-0107, Zoned B-2 Business/Commercial

Principal Planner, Thomas Cannella, presented a request for a Conditional Use Permit by NVS Properties 31 LLC for the operation of a private school at 2 Victory Boulevard, Tax Map Parcel 27-01-00-0107, zoned B-2 Business/Commercial. Mr. Cannella reviewed the applicants desire to renovate an existing space, as well as an addition, into a childcare facility. Mr. Cannella explained that since the facility age goes up to age six which is locally considered a private school, a CUP is required. He explained the changes to the location will include additional parking, landscaping and playgrounds. The applicant has also submitted trip generation values associated with the private school peak hours in conjunction with the site plan submission.

Mayor Helsel opened the floor for Public Hearing. Having no one come forward the Public Hearing was closed.

Councilman Feigh recommended adding an additional condition to the resolution stating the developer shall construct all playground equipment associated with the use in accordance with the Public Playground Safety Standards and Guidelines established by the U.S. Consumer Product Safety Commission and as found in the Public Playground Safety Handbook.

Vice Mayor Freeman moved, seconded by Councilman Feigh to amend the resolution to add condition seven in reference to the playgrounds. Recorded vote on the motion:

YES: Councilmembers Hux, Bunting, Feigh, Emmett, Vice Mayor Freeman and Mayor Helsel

NO: None

Councilman Hux stated that due to ongoing changes to the City's entire commercial corridor the City should have a traffic study done to advise Council of actions that may be necessary to ensure the efficient flow of traffic and requested a Council consensus to provide direction to the City Manager to

request funding for this traffic study in the Fiscal Year 2025. After some discussion, a consensus was made.

Vice Mayor Freeman moved, seconded by Councilman Hux, to adopt a Resolution to approve a request for a Conditional Use Permit by NVS Properties 31 LLC for the operation of a private school at 2 Victory Boulevard, Tax Map Parcel 27-01-00-0107, zoned B-2 Business/Commercial as amended. Recorded vote on the motion:

YES: Councilmembers Hux, Bunting, Feigh, Emmett, Vice Mayor Freeman and Mayor Helsel

NO: None

3. A Request for an Amendment to the Master Plan by Lamont Myers for the Legacy of Poquoson to incorporate a .77-acre split parcel owned by the City of Poquoson and identified as Tax Map Parcel 27-12-3 to the Legacy Development

Director of Community Development, Wally Horton, presented a request for an amendment to the Master Plan by Lamont Myers for the Legacy of Poquoson, to incorporate a .77-acre split parcel owned by the City of Poquoson and identified as Tax Map Parcel 27-12-3 to the Legacy Development. Mr. Horton reviewed that the Legacy Development purchased .77-acres of City owned property located within the Legacy Development and would like to amend their Master Plan to include the use of this property to add four additional lots.

Mayor Helsel opened the floor for Public Hearing. Having no one come forward the Public Hearing was closed.

Vice Mayor Freeman moved, seconded by Councilman Hux, to adopt a Resolution to approve a request for an amendment to the Master Plan by Lamont Myers for the Legacy of Poquoson, to incorporate a .77-acre split parcel owned by the City of Poquoson and identified as Tax Map Parcel 27-12-3 to the Legacy Development. Recorded vote on the motion:

YES: Councilmembers Feigh, Hux, Emmett, Vice Mayor Freeman and Mayor Helsel

NO: Councilmember Bunting

NEW BUSINESS:

1. Ordinance Making Additional Appropriations for Fiscal Year 2024 in the Debt Services Fund and Capital Projects Fund – City Hall Roof

Assistant City Manager, Tonya O’Connell, reviewed that in February 2022 City Council appropriated \$140,000 towards the roof replacement at City Hall based on an initial estimate from a local roof contractor. The Supervisor of Building Maintenance, Chad Krejcarek, requested an assessment of the entire roof to ensure he understood the scope of work. The assessment indicated that the City Hall roof, which is more than 25 years old, was in poor condition and showing signs of failure and weakness due to exposure to the elements. Based on the assessment, the roof would need a replacement of 90% of the roof surface. The total estimated cost to perform the scope of work on the roof is \$500,000. Two funding sources have been identified to provide the appropriation required for the replacement. The first is the remaining bond proceeds from the July 2023 issuance for the fire truck apparatus of \$243,341, the second is to utilize undesignated bond interest of \$146,659. The additional funding of \$30,000 has been requested for additional work that may be required once the project begins. In

addition to the appropriation, Mrs. O’Connell requested City Council to authorize the City Manager to enter into contract with Garland Roofing utilizing the national cooperative purchased agreement through OMNIA Partners and the Master Agreement with Racine County, Wisconsin.

Vice Mayor Freeman moved, seconded by Councilwoman Bunting, to adopt an Ordinance Making Additional Appropriations for Fiscal Year 2024 in the Debt Services Fund and Capital Projects Fund – City Hall Roof. Recorded vote on the motion:

YES: Councilmembers Emmett, Hux, Feigh, Bunting, Vice Mayor Freeman and Mayor Helsel

NO: None

2. Resolution Authorizing the City Manager to Enter into a Contract with Balicore, LLC for Construction of the Public Safety Building

Finance Director, Tara Woodruff, reviewed that in the Fiscal Year 2023 Adopted Budget, City Council approved construction of the Public Safety Building with funds received from the American Rescue Plan Act (ARPA) as well as issued bonds in September 2022. In October 2022, the City contracted with HBA Architecture and Interior Design, Inc. to develop the building design and provide a complete set of bid documents. An Invitation for Bids (IFB) for this construction was issued on July 13, 2023 with bids due on August 24, 2023. Seven firms submitted bids and Balicore, LLC was determined to be the lowest qualified, responsive and responsible bidder and was also recommended by HBA Architecture and Interior Design, Inc. for approval.

Councilwoman Emmett moved, seconded by Vice Mayor Freeman, to adopt a Resolution Authorizing the City Manager to Enter into a Contract with Balicore, LLC for construction of the Public Safety Building. Recorded vote on the motion:

YES: Councilmembers Feigh, Bunting, Emmett, Hux, Vice Mayor Freeman and Mayor Helsel

NO: None

3. Resolution Making an Appointment to the Parks and Recreation Advisory Board

Councilman Feigh moved, seconded by Vice Mayor Freeman, to adopt a Resolution Making an Appointment to the Parks and Recreation Advisory Board with the name John Quinn from the Central Precinct inserted with a term expiring March 31, 2026. Recorded vote on the motion:

YES: Councilmembers Emmett, Feigh, Hux, Bunting, Vice Mayor Freeman and Mayor Helsel

NO: None

COMMENTS OF THE CITY MANAGER:

City Manager, Randy Wheeler, stated that 2 derelict boats located in the Messick Point area have been removed and thanked John Anderson and the Public Works staff for their work. Mr. Wheeler also thanked Mr. Tom Powers who brought information on a new grant for this project to the City’s attention. Mr. Wheeler also thanked Council for their vote on the Public Safety Building and stated that it was fitting that it was voted for on 9/11.

COUNCIL DIRECTIVES:

Councilwoman Emmett stated she is very excited about the aquaculture use at Messick Point and thinks that it is the right use in the right place. Mrs. Emmett also thanked Councilman Hux for proposing the traffic study as it is much needed.

Councilwoman Bunting congratulated John Quinn for being appointed to the Parks and Recreation Advisory Board and thanked him for volunteering. Mrs. Bunting encouraged other citizens to come forward and volunteer.

Councilman Feigh stated he attended the Peninsula Food Bank on August 29, 2023 to help load boxes and found that there is a lack of food this year and the Food Bank hopes it will be corrected with the passing of a Farm Bill in Congress because that is a major source of food that comes to the Food Bank.

Vice Mayor Freeman reminded everyone that it is the 22-year anniversary of the attacks of 9/11 and to never forget.

ADJOURNMENT:

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

YES: Councilmembers Hux, Emmett, Bunting, Feigh, Vice Mayor Freeman and Mayor Helsel

NO: None

The meeting was adjourned at approximately 7:45 p.m.



CITY OF POQUOSON

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

Office of the City Manager
J. Randall Wheeler

September 25, 2023

TO: City Council

THROUGH: City Manager

FROM: Assistant City Manager

SUBJECT: Ordinance Amending the Personnel Policy Manual – Retiree Health Insurance Coverage

The City of Poquoson's Personnel Policy Manual provides guidance to employees who work for the City. It is a guide for employees to understand what is expected of them, what benefits are afforded to them and the understanding of the equitable treatment for all. A complete rewrite of the City's Personnel Policy Manual was concluded in 2015 therefore we are currently engaging in another comprehensive review of the manual.

Tonight, we have brought forward an ordinance to modify the Retiree Health Insurance Coverage under Section Number 43. The modification to this section will allow for the City Manager to waive or modify certain requirements for those employees who have had a minimum of twenty years of creditable Virginia Retirement System with the City of Poquoson.

ORDINANCE AMENDING THE PERSONNEL POLICY MANUAL FOR THE CITY OF POQUOSON REGARDING POLICY 43: RETIREE HEALTH INSURANCE COVERAGE

WHEREAS, as per the City of Poquoson, Virginia, Personnel Policy Manual, amendments and revisions shall be initiated by the City Manager and presented to City Council for consideration and adoption.

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

Section 1: That the Personnel Policy Manual for the City of Poquoson, Virginia, be amended by modifying Section 43: Retiree Health Insurance Coverage to read as follows:

Enhanced Retiree Health Insurance Benefit

1. **Eligibility**

On or after July 1, 2017 the retiring employee must have a minimum of twenty (20) years of creditable VRS service with the City of Poquoson and a minimum of 90 days of unused sick leave at the time of retirement from City service. Further, the retiring employee must give the employer a minimum of six (6) months' written notice of their intention to retire and must have participated in the City health care plan for a minimum of five (5) years immediately prior to retirement.

For retiring employees who have more than twenty (20) years of creditable VRS service with the City of Poquoson, the City Manager is authorized to waive or modify the eligibility requirements.

Section 2: 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

Office of the City Manager
J. Randall Wheeler

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

September 25, 2023

To: City Council

From: City Clerk

Subject: Resolution Making an Appointment to Architectural Review Board

Presented for your consideration is a resolution making an appointment to the Architectural Review Board. Due to the resignation of Steven Schott.

The current Board Bank Applications can be found on the Intranet. This recommendation has been made in accordance with the Boards and Commissions Standard Operating Procedure (SOP) that was adopted on April 25, 2022.

**RESOLUTION MAKING AN APPOINTMENT
TO THE ARCHITECTURAL REVIEW BOARD**

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

Section 1: That the following person be and the same hereby is appointed to the Architectural Review Board for the term indicated:

<u>Name</u>	<u>Term Expire</u>
Shanda Madriaga	January 31, 2024

Section 2: That this resolution shall be in effect on and after its adoption.

ADOPTED: _____

TESTE: _____
City Clerk

