



# CITY OF POQUOSON

FINANCE DEPARTMENT

500 CITY HALL AVENUE, POQUOSON, VIRGINIA 23662-1996

April 22, 2019

**TO:** City Council

**THROUGH:** Randy Wheeler, City Manager

**FROM:** Tonya O'Connell, Finance Director

**SUBJECT: Public Hearing on Proposed Fiscal Year 2020 Financial Plan and Tax Levies and Fees**

A public hearing has been advertised for this meeting on the Fiscal Year 2020 Proposed Financial Plan and Tax Levies and Fees. Enclosed in your agenda for review, on first reading, are:

- Ordinance setting the tax rate for real estate.
- Ordinance setting the tax rate for personal property.
- Ordinance updating Chapter 66 Section 66-42 and Section 66-63 relating to the increase in solid waste fees and to reflect the current combined income utilized by the City to exempt qualified applicants for reduced fees based on the annual adjustment as determined by Section 66-63 (a)(3).
- Ordinance updating Chapter 82 Section 82-40 relating to the decrease in sewer service fees and to reflect the current combined income utilized by the City to exempt qualified applicants for reduced fees. In addition, the ordinance reflects the percentage of reduction instead of actual dollars to eliminate redundancy in future ordinance changes as it relates to sewer service fees.
- Ordinance appropriating the funds by the Proposed Annual Financial Plan for Fiscal Year 2020.

The Fiscal Year 2020 Budget is scheduled to be adopted at the May 13, 2019 City Council meeting.

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

**AN ORDINANCE TO LAY A \$1.14 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 2020, it is deemed necessary that a levy of \$1.14 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 2019, 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 \$1.14 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 2019.

**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, 2019.

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 \$1.14 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 2020, 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 \$1.14 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 2020 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 2020.

**Section 2:** That on and after the 1<sup>st</sup> day of January 2020, 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 2019.

**Section 3:** That on and after the 1<sup>st</sup> day of January 2020, 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 2020.

**Section 4:** That on and after the 1<sup>st</sup> day of January 2020, 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 \$1.14 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 2020.

**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, 2019.

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

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

City Clerk

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

**AN ORDINANCE AMENDING CHAPTER 66, ARTICLE II,  
SECTION 66-42 SOLID WASTE COLLECTION CHARGES AND ARTICLE III,  
SECTION 66-63 EXEMPTION; ELIGIBILITY GENERALLY AND REDUCED  
COLLECTION CHARGES 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 66, Article II, Section 66-42 of the Code of Ordinances of the City of Poquoson, Virginia be amended to read as follows:

**ARTICLE II**

**Solid Waste Management**

**Section 66-42 Collection charges**

- (a) In order to dispose of their solid waste, residents will be provided a container except as noted in paragraph (b)(3), below. In addition, residents may purchase city disposal bags and place garbage for collection in those bags. Bags may only be used as allowed by section 66-42(b)(3), or after the required container has been filled to capacity. The city will only collect household garbage contained in a city authorized container or in city bags. The city bag shall be filled so as to weigh no more than 50 pounds and shall be securely tied or sealed at the time of collection. The 35-gallon container shall be filled so as to weigh no more than 125 pounds. The 65-gallon container shall be filled so as to weigh no more than 220 pounds. With both containers, the lid must be closed when placed for collection.
- (b) The fee for each 30-gallon city garbage bag will be \$1.75. The fees associated with containers are as follows:

Plan A -35 gallon cart	<del>\$24.75</del> <u>\$35.00</u> /bi-monthly fee
Plan B -65 gallon cart	<del>\$41.00</del> <u>\$51.00</u> /bi-monthly fee
Plan C -(2) 65-gallon cart	<del>\$75.00</del> <u>\$85.00</u> /bi-monthly fee
Plan D -35 gallon cart for homeowners age 65 and older (service every two weeks)	<del>\$15.00</del> <u>\$25.00</u> /bi-monthly fee
Plan E -No cart (continued use of city disposal bags (see paragraph 3 below) (plus cost of bags)	<del>\$8.25</del> <u>\$18.00</u> /bi-monthly fee

- (1) An exemption of the fees prescribed above shall be granted upon written request of the property owner for a dwelling that has been vacant for not less than 90 days. Upon approval of this exemption, the solid waste collection service and fee as well as bulky item and landscape debris services will be discontinued until the home is occupied. In addition, the city manager is authorized to grant exemptions sooner than 90 days for active duty U.S. Armed Service members on a case-by-case basis who are deployed outside the Commonwealth of Virginia in which by virtue of the deployment the property becomes vacant.
  - (2) Upon the death of the property owner or if the property owner is in a nursing home and the dwelling has become vacant, an exemption of the fees prescribed above shall be granted upon written request of the property owner or heir to the property. Upon approval of this exemption, the solid waste collection service and fee as well as bulky items and landscape debris services will be discontinued until the home is occupied.
  - (3) Plan E is reserved for residents of townhouses and dwellings that the city and contractor providing the collection service have determined that containers cannot be serviced. In these instances, the owner of the property may continue the use of city disposal bags and provide for the placement of the bags as prescribed in section 66-39.
  - (4) Except for the charges incurred for fiscal years ending on or before June 30, 2012 the solid waste charges prescribed by this section shall be assessed as of February, April, June, August, October, and December and are due by the last day of the last month of the bi-monthly assessment. Charges which remain unpaid five days after the bill due date will be assessed interest which shall accrue on the unpaid charge at the rate of one percent per month.
  - (5) The city manager is authorized to promulgate reasonable and necessary rules and regulations for the billing and collection of solid waste charges.
  - (6) All fees and fines collected under this section shall go into the solid waste fund of the city.
  - (7) Bills sent for collection services shall be subject to a collection fee of a minimum of \$100.00.
- (c) Residents are allowed one pickup per calendar year at no charge for either bulk debris or landscaping debris from residential dwellings or other premises to which the service of collecting and disposing of debris is made available. Should the premises be vacated by a resident, the one no-charge pickup per calendar year can be used by the new resident.

- (d) A service charge of \$60.00 for landscaping debris or \$63.00 for bulk item debris shall be imposed and collected for each pickup that exceeds the one free pickup defined in subsection (c).
- (e) Each property owner on long lanes/private lanes requesting recycle service pick up at the house shall be charged an additional fee imposed by the recycling contractor.
  - (1) The recycling charges prescribed by this section shall be assessed as of February, April, June, August, October, and December and are due by the last day of the last month of the bi-monthly assessment. Charges which remain unpaid five days after the bill due date will be assessed interest which shall accrue on the unpaid charge at the rate of one percent per month.
  - (2) All fees and fines collected under this section shall go into the solid waste fund of the city.
- (f) The service charge established for pickup of landscaping debris and bulk item debris shall be due upon receipt of the statement rendered by the city and shall be considered delinquent 30 days following the billing date. A late charge of ten percent shall be added to all service charges when they are considered delinquent. If the delinquent bill is not paid within 60 days an additional ten percent shall be added to the outstanding balance. Any bills unpaid after 90 days will be forwarded to the treasurer and/or collection services. Bills sent for collection services to either the treasurer or collection service shall be subject to a collection fee of a minimum of \$100.00.

**Section 2:** That Chapter 66, Article III, Section 66-63 of the Code of Ordinances of the City of Poquoson, Virginia be amended to read as follows:

### **ARTICLE III**

#### **GARBAGE FEE EXEMPTIONS FOR ELDERLY AND DISABLED PERSONS**

**Section 66-63 - Exemption; eligibility generally and reduced collection charges.**

- (a) Households whose head is not less than 65 years of age or who is permanently and totally disabled, shall be eligible for exemption of the fees and the purchase price of garbage bags and shall receive at no cost a maximum of two City of Poquoson garbage bags each month. Such exemption may be granted for any fiscal year following the date that the head of the household reaches the age of 65 or, in the case of permanently and totally disabled, for any year

following the date the disability occurred. The grant of such exemption shall be subject to the following provisions:

(1) The total combined income during the immediately preceding calendar year from all sources of the head of the household and all relatives living in the household shall not exceed ~~\$44,400.00~~ \$49,800.00.

a. The total combined income shall include all income and money received from all sources of the head of the household and all relatives living in the dwelling for which the reduced fee is sought; provided that \$10,000.00 of income of each relative other than the head of the household and their spouse, who is living in the dwelling shall not be included in such total.

b. Total combined income and "money received from all sources" shall exclude the first \$10,000.00 which the head of the household receives as permanent disability compensation.

(2) The net combined financial worth, including equitable interests and interests of whatsoever nature, as of the 31st day of December of the immediately preceding calendar year, of the household, excluding the value of the dwelling and the land, not exceeding one acre, upon which it is situated shall not exceed \$200,000.00.

(3) Beginning January 1, 2013, the total maximum combined income will be adjusted annually, if necessary, to reflect the consumer price index reflected on January 1 as determined by the federal government rounded to the nearest \$100.00.

(b) Notwithstanding any provision or indication to the contrary, a household may qualify for exemption under this article if either spouse is over 65 years of age or is permanently and totally disabled.

(c) The fees for qualified applicants shall be reduced as follows:

Total Combined Income	Bi-Monthly Solid Waste Collection Charge
<del>\$25,000.00</del> <u>\$26,000.00</u> or less	100%
<del>\$25,001.00 — \$33,000.00</del> <u>\$26,001.00-\$34,000.00</u>	75%
<del>\$33,001.00 — \$39,000.00</del> <u>\$34,001.00-\$42,000.00</u>	50%
<del>\$39,001.00 — \$44,400.00</del> <u>\$42,001.00-\$49,800.00</u>	25%



**Section 3:** That this ordinance shall be in effect on and after June 1, 2019.

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

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

City Clerk

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

**AN ORDINANCE AMENDING CHAPTER 82, ARTICLE II,  
SECTION 82-40 (b) SEWER SERVICE CHARGES 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 82**

**UTILITIES**

**ARTICLE II**

**Sewer Service**

**Section 82-40 (b) Sewer service charges**

(b) Sewer service charges.

(1) The charges for sewer service furnished by the city shall be as follows:

- a. Single-family residential units, ~~\$62.00~~ \$58.00 bi-monthly.
- b. Two-family and multiple-family residential units, trailer parks and other residential units not otherwise provided for, ~~\$62.00~~ \$58.00 bi-monthly per dwelling unit.
- c. Business, commercial or industrial units, ~~\$62.00~~ \$58.00 bi-monthly per unit plus \$1.75 per 100 cubic feet of water consumption. Upon application to the city, the volume of water consumption used to calculate a business' bi-monthly service charge will be reduced by the volume of water which flows through an approved water submeter. An additional bi-monthly fee of \$10.00 will be charged for those businesses for which such application is approved.
- d. Multitenant buildings, ~~\$62.00~~ \$58.00 bi-monthly plus \$1.75 per 100 cubic feet of water consumption.

(2) The charges prescribed by this section shall apply to all units available to sewer, whether in use or not, except for those units which have been demolished or condemned by the building official and shall be billed to and paid by the owner of

any such unit, commencing, except as provided in section 82-32(d)(1)—(3), on the day that the permit to connect to the sewer is obtained or the date the temporary or final occupancy permit is issued by the building official's office, whichever is later. The charges shall be billed to and be the responsibility of the property owner of record on the last day of the last month of the bi-monthly assessment. Upon written request from the owner of residential property only, the bill may be mailed to the occupant; however, this will not relieve the owner of the ultimate responsibility for the charges.

- (3) Except for charges incurred on or before June 30, 2012, the sewer service charges prescribed by this section shall be assessed as of February, April, June, August, October and December and are due by the last day of the last month of the bi-monthly assessment. Charges which remain unpaid five days after the bill due date will be assessed a penalty of \$5.00. Interest shall also accrue on the unpaid charge at the rate of one percent per month. Any unpaid charges shall become a lien on the real property to which the sewage disposal service is provided and to which the sewer service charge is assessed, ranking on a parity with liens for unpaid taxes. If the sewer service charge prescribed by this section remains unpaid 65 days after the first day of the billing cycle, water service to the premises may be discontinued. After service has been discontinued, it shall not be restored until all applicable fees and outstanding sewer service charges, interest and penalties have been paid.

The fees to be charged for water disconnection and meter removal shall be equal to the cost the city incurs to have the water disconnected or meter removed.

- (4) The city manager is authorized to promulgate reasonable and necessary rules and regulations for the billing and collection of sewer service charges.
- (5) All fees and fines collected under this subsection (b) of this section shall go into the sewer fund of the city.
- (6) For those owners of real property whose combined income from all sources, including the owners and owners' relatives residing within the dwelling for the preceding calendar year as evidenced by, but not limited to the federal income tax return for the most recent calendar year, does not exceed ~~\$44,400.00~~ \$49,800.00 and whose net combined financial worth, including equitable interests and interest of whatsoever nature, as of December 31 of the immediately preceding calendar year of the owner(s) and the spouse of the owner(s) excluding the value of the dwelling and the land, not exceeding one acre, upon which it is situated shall not exceed \$200,000.00, the bi-monthly sewer service charge fee shall be reduced.
  - a. The total combined income shall include all income and money received from all sources of the owner and owners' relatives living in the dwelling for which the reduced fee is sought; provided that, \$10,000.00 of income of each person, other than the owner of the property and their spouse, who is living in the dwelling shall not be included in such total.

- b. Total combined income and "money received from all sources" shall exclude the first \$10,000.00 which an owner receives as permanent disability compensation.
- c. The fees for qualified applicants shall be reduced as follows:

Total Combined Income	Bi-Monthly Sewer Service Charge
<del>\$25,000.00</del> <u>\$26,000.00</u> or less	<del>\$0.00</del> <u>100%</u>
<del>\$25,001.00-33,000.00</del> <u>\$26,001.00-\$34,000.00</u>	<del>\$15.50</del> <u>75%</u>
<del>\$33,001.00-39,000.00</del> <u>\$34,001.00-\$42,000.00</u>	<del>\$31.00</del> <u>50%</u>
<del>\$39,001.00-44,400.00</del> <u>\$42,001.00-\$49,800.00</u>	<del>\$46.50</del> <u>25%</u>

- (7) Any person approved for a reduction in the bi-monthly sewer service charge pursuant to this article shall file annually, with the city manager's office forms to be supplied by the city, an affidavit setting forth the names of the related persons occupying the real estate, that the total combined net worth, including any persons specified in subsection (b)(6) of this section does not exceed the limits prescribed in subsection (b)(6) of this section. Such affidavit shall be filed on July 1 of the fiscal year for which the reduction is sought.
- (8) Beginning January 1, 2013, the total maximum combined income will be adjusted annually, if necessary, to reflect the consumer price index reflected on January 1 as determined by the federal government rounded to the nearest \$100.00.

**Section 2:** That this ordinance shall be in effect on and after June 1, 2019.

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

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

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

**AN ORDINANCE TO APPROPRIATE FUNDS TO THE VARIOUS  
GOVERNMENTAL FUNDS OF THE CITY OF POQUOSON, VIRGINIA  
FOR FISCAL YEAR 2020**

**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 2020.

**Section 2:** That the following sums be and the same hereby are appropriated to the following governmental funds for Fiscal Year 2020.

**GENERAL FUND**

Revenue and Transfers In	<u>\$29,982,000</u>
Expenditures and Transfers Out	
Legislative	66,906
General Administration	2,147,634
Elections	181,663
Public Safety	7,608,502
Public Works	2,081,888
Health & Welfare	1,274,286
Parks, Recreation & Cultural	1,772,216
Community Development	591,703
Non-Departmental	158,255
Contribution to Poquoson City Schools	10,146,687
Transfers Out – Debt Service Fund	3,795,082
Transfers Out – Economic Development Authority	17,053
Transfers Out-Special Revenue Fund/OPEB	97,125
Transfers Out – Capital Projects Fund	<u>43,000</u>
<b>TOTAL APPROPRIATION</b>	<u>\$29,982,000</u>

**DEBT SERVICE FUND**

Revenues and Transfers In	<u>\$3,820,082</u>
Expenditures	<u>\$3,820,082</u>

**CAPITAL FUND**

Revenues and Transfers In	<u>\$568,000</u>
Expenditures	<u>\$568,000</u>

**SOLID WASTE FUND**

Revenues and Transfers In	<u>\$1,309,034</u>
Expenditures	<u>\$1,309,034</u>

**UTILITIES FUND**

Revenues	<u>\$2,385,576</u>
Expenditures and Transfers Out	<u>\$2,385,576</u>

**FLEET FUND**

Revenues	<u>\$824,084</u>
Expenditures	<u>\$824,084</u>

**SPECIAL REVENUE FUND/OPEB**

Revenues	<u>\$197,972</u>
Expenditures	<u>\$197,972</u>

**Section 3:** That of the total sum of \$29,982,000 appropriated in the General Fund, \$29,782,000 shall be appropriated from the General Fund Revenues, \$150,000 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 \$3,820,082 appropriated in the Debt Service Fund, \$3,795,082 shall be transferred in from the City's General Fund and \$25,000 shall be used from assigned fund balance.

**Section 5:** That of the total sum of \$568,000 appropriated in the Capital Fund, \$525,000 shall be appropriated from Capital Fund revenues and \$43,000 shall be transferred in from the City's General Fund.

**Section 6:** That of the total sum of \$1,309,034 appropriated in the Solid Waste Fund, \$1,152,034 shall be appropriated from Solid Waste Fund revenues and \$157,000 shall be used from fund balance.

**Section 7:** That of the total sum of \$2,385,576 appropriated in the Utilities Fund, \$2,117,145 shall be appropriated from Utilities Fund revenues and \$268,431 shall be used from fund balance.

**Section 8:** That of the total sum of \$197,972 appropriated in the Special Revenue Fund/OPEB, \$100,847 shall be appropriated from Special Revenue Fund/OPEB revenues and \$97,125 shall be transferred in from the City's General Fund.

**Section 9:** That of the total sum of \$824,084 appropriated in the Fleet Fund, from Fleet Fund revenues.

**Section 10:** That this ordinance shall be in effect on and after July 1, 2019.

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

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

City Clerk