

MINUTES OF THE CITY COUNCIL MEETING
April 11, 2022 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 Keith A. Feigh
The Honorable David A. Hux
The Honorable Charles M. Southall III
The Honorable Jana D. Andrews

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

ABSENT: None

VIA TELECOM: The Honorable Charles M. Southall III

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

1. Draft Letter to York County Pertaining to the Proposed Lambs Creek Dredging Project

Mayor Helsel stated that the letter drafted to York County has been posted on the City website and he hopes everyone has had an opportunity to read it. Mayor Helsel reviewed some reasons for concern in reference to the Lambs Creek Dredging Project, such as, setting an expectation through this project that there will also be requests for dredging from other areas of the City. York County has offered to take the lead on engineering, contractors, procurement and also the management of this project, however, for any future projects the City would need to add staff and would need to contract out for project related services. Mayor Helsel also voiced a concern on how the project would be funded, no members of Council have expressed that they would support the use of General Budget Funds and they also have not expressed support for using a Special Tax District or the concept of the proposed participation threshold. Future grant funding concerns were mentioned in speaking with members of the community on Lambs Creek in reference to grants, however, Mayor Helsel is not aware of any available grants and York County has not identified a grant that would pay for all the project expenses. If a grant is found it would be open for discussion. Mayor Helsel informed everyone that there are Capital Projects that have been backed up for years that the City needs to move on those projects benefit everyone in the community, so he is opposed to spending Capital Project money on a dredging project.

Vice Mayor Freeman stated he is not opposed to dredging but is opposed to City funded dredging. If dredging were done on all 87 miles of City shoreline it would cost in the billions of dollars. Vice Mayor Freeman stated that there have been some good suggestions about grants

and feels that members of the Lambs Creek community who support the dredging can get together and pursue funding through grants.

Councilman Feigh researched the perspective of the function of City government. Councilman Feigh stated he read information in a previous budget stating that the City of Poquoson provides a full range of services to include Police and Fire protection, the maintenance of highways and streets and other infrastructure, recreational activities, Library services, Community Development activities and cultural events. The City also owns and maintains sewage facilities, contracts for trash pick-up and disposal, recycling, landscaping and bulky items, owns and operates the City Pool and manages various recreational activities. Councilman Feigh stated he tried to find where dredging of creeks would fall in this description but could not find it. He stated that all of these services are provided for about 12,500 people on a budget of about forty million dollars and this project would take about two million dollars, however it is funded, and that cost does not include items such as driveway channels. Councilman Feigh stated an email was received that talked about environmental impacts and improvements that would be good for the City and thinks that this project should be looked at from an environmental perspective instead of a recreational one and what type of dredging would be best for that and would it satisfy both purposes in that one cause and would it have an impact on wildlife. He stated he has no problem with the dredging but has a problem with 12,450 people paying for it to benefit others.

Councilwoman Andrews acknowledged concerns she has heard from citizens, such as dredging will not affect just this one creek but all of the creeks in the City and will eventually take away from the draw of people to the City, how will this be paid for and from an environmental perspective can the City meet its TMDL credits for these projects. City Manager, Randy Wheeler, stated that the TMDL utilizes credits available from the HRSD Swift program to meet the TMDL requirement, as do other jurisdictions in the area. Another concern Councilwoman Andrews has received is that dredging doesn't help others but the schools don't benefit everyone either because they don't have children in the schools. Councilwoman Andrews stated that there are projects that are done for all citizens even though all citizens don't benefit from them. She also stated she does not have a problem with the letter to York County because it does not commit the City to anything but will survey the citizens to find out their feelings.

Councilwoman Andrews is against imposing a special tax unless the majority of people on Lambs Creek said yes they are willing to pay or at least find out the additional cost of a Special Tax District and she is not in favor of the financial burden of the project being on the City with all of the other Capital Projects that are pending that would benefit a majority of the citizens, but it would be wonderful if there is grant money that would be available for the dredging project.

Councilman Hux stated that he has seen that most creeks in the City have needed to be dredged since the 1970's and that the City does not own Lambs Creek or any other waterways and does not own the water that flows through them. He also stated he acknowledges there is a problem but does not believe the City is responsible for dredging it.

Councilman Green stated he does not support this dredging for many reasons such as the contractors want to be paid as the work is done and a special tax district would take years to recoup the money and the City would be using taxpayer money to fund the project from citizens

who don't live anywhere near Lambs Creek and it is wrong. He also stated the dredging will not last forever and will need to be redone and this would set a dangerous precedent for the future that would cost the City a lot of money. Councilman Green also expressed concerns over how deep the dredging would go and how that would damage structures around the creek that would then need to be repaired at City expense.

Councilman Southall expressed his concern on how the project would be paid for, if it was all grant money he would be willing to listen to what the citizens wanted to do, after an environmental study. He is concerned that dredging would let water in much faster and cause more flooding issues and would like to see if an environmental impact study would clarify whether that is the case or not. Councilman Southall is opposed to a Special Tax District because it would impact people who do not support the project and who just can't afford it and he doesn't want to run people out of their homes because their taxes are too high. He stated if grants were available to cover the cost and an environmental impact study was done he would be willing to consider the project as long as it doesn't create more problems than it solves. Councilman Southall also stated that dredging the channels does not solve the problem of individuals getting to their pier, they would still have to personally dredge up to their pier and that may force many citizens to pay taxes for something they still couldn't use.

Councilman Feigh stated that on August 9, 2022 a gentleman spoke to Council about Lambs Creek and made a comment that when the creek was built it was dug in to six feet and was put there for a reason. It was put there to drain neighborhoods because we were taking away Wetlands so that had to be mitigated somehow. He questioned whether yards are being flooded because of the current problem or will it be a problem in the future. He stated with the current information he is not in favor of it.

Vice Mayor Freeman would like to know how many people would support it and at what cost level would they support it. He stated that the citizens would need to know the total cost to be able to determine if they would be willing to support the project.

Mayor Helsel thanked the citizens in the audience for attending and stated they would be welcome to speak under the Audience for Visitors section of the Regular Session Agenda. He stated that the vote that will be taken will be based on whether or not to send the draft letter to York County for their response as to the next steps in the project. Mayor Helsel stated that neither Poquoson or York County have done a survey that he is aware of, the only survey they have seen was done by a York County citizen.

ADJOURNMENT:

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