

1. Agenda Summary Sheet

Documents: [5-9-16 AGENDA SUMMARY.PDF](#)

2. Closed Session-Personnel Matters; I.e. Council Appointees

Documents: [CLOSEDSESRSL.PDF](#)

3. Minutes-April 25, 2016 Regular Meeting

Documents: [4-25-16 REGULAR MINUTES.PDF](#)

4. Minutes-April 25, 2016 Work Session

Documents: [4-25-16 WORK SES MINUTES.PDF](#)

4.I. Issuance Of General Obligation Bonds

Documents: [DEBT ISSUANCE.PDF](#)

4.II. VNG Utility Easement-48 South Lawson Road

Documents: [VNG EASEMNT-LAWSON RD.PDF](#)

4.III. School Board Appointment

Documents: [SCHOOL APPMT 5-9-16.PDF](#)

4.IV. FY 2016-2017 Annual Financial Plan

Documents: [2017 FINANCIAL PLAN.PDF](#)

4.V. VRS Rates

Documents: [VRS RESOLUTION.PDF](#)

4.VI. Summer Meeting Schedule

Documents: [SUMMER SCHEDULE.PDF](#)

4.VII. Traffic Concerns-Terrace Drive/Bunting Lane

Documents: [TRFFIC CONCERNS.PDF](#)

**POQUOSON CITY COUNCIL
MEETING OF
MONDAY, MAY 9, 2016
6:30 P.M.
REGULAR SESSION**

A. MEETING CALLED TO ORDER

B. CLOSED SESSION

Closed session pursuant to Section 2.2-3711(A)(1) to discuss Personnel Matters; i.e. Council Appointees

C. RECONVENEMENT – Certification

D. INVOCATION AND PLEDGE OF ALLEGIANCE

E. AUDIENCE FOR VISITORS

F. APPROVAL OF THE MINUTES

1. Regular Meeting – April 25, 2016

G. PUBLIC HEARINGS

1. Ordinance Authorizing the Issuance of General Obligation Bonds for Refunding Certain Outstanding Bonds of the City and For Up to \$900,000 for Certain Capital Improvements

- (a) Public Hearings**
- (b) Consideration by Council**

2. Receipt of Bids and Ordinance Conveying a Certain Utility Easement for Continued Provision of Natural Gas Service to 48 South Lawson Road

- (a) Public Hearing**
- (b) Consideration by Council**

3. School Board Appointments

- (a) Public Hearing**
- (b) NO ACTION TO BE TAKEN**

H. UNFINISHED BUSINESS

1. Second Reading and Final Adoption of the FY 2016-2017 Annual Financial Plan

- Resolution Amending Resolution No. 4019 adopted April 25, 2016 Which Approved the FY 2016-2017 Annual Financial Plan**
- Ordinance Establishing the Real Estate Tax Rate**

- **Ordinance Establishing the Personal Property, Watercraft and Privately Owned Camping Trailers and Mobile Home Tax Rates**
- **Ordinance Appropriating Funds to Various Governmental Funds**

I. NEW BUSINESS

1. **Resolution Certifying the Employer Contribution Rates for VRS**
2. **Resolution Establishing the Summer City Council Meeting Schedule**

J. COMMENTS OF THE CITY MANAGER

- **Traffic Concerns –Terrace Drive/Bunting Lane**

K. COUNCIL DIRECTIVES

L. ADJOURNMENT

RESOLUTION NO. _____

CERTIFICATION OF CLOSED SESSION

WHEREAS, the Council of the City of Poquoson, Virginia convened in a closed session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia (1950), as amended requires a certification by this Council that such closed session was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Poquoson, Virginia does hereby certify that to the best of each member's knowledge, only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed session to which this certification resolution applies and only such public business matters as were identified in the motion convening the closed session were heard, discussed or considered by the Council.

**MINUTES OF THE CITY COUNCIL MEETING
APRIL 25, 2016, 7:00 P.M.
REGULAR SESSION**

PRESENT: The Honorable W. Eugene Hunt, Jr., Mayor
The Honorable Carey L. Freeman, Vice Mayor
The Honorable Traci-Dale Crawford
The Honorable Charles M. Southall III
The Honorable Herbert R. Green, Jr.
The Honorable Raymond D. Vernall
The Honorable Henry W. Ayer III

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

SPECIAL PRESENTATION:

GFOA Award

Mayor Hunt announced that the City has again received the Government Finance Officers Association (GFOA) Certificate of Achievement for Excellence in Financial Reporting for the City's Comprehensive Annual Financial Report for the fiscal year which ended June 30, 2016. He presented this award to the City's Finance Director, Theresa Owens, and on behalf of Council thanked her and her staff for their expertise in accounting and financial reporting which resulted in this distinguished honor. In addition, he read aloud a letter of congratulations to the City from U.S. Senator Mark Warner commending the City for our commitment to prepare high quality budget documents that adhere to the National Advisory Council on State and Local Budgeting and GFOA best practices.

AUDIENCE FOR VISITORS:

There were no speakers.

APPROVAL OF THE MINUTES:

Councilman Green moved, seconded by Councilman Vernall, to adopt the minutes of the regular session held April 11, 2016 as submitted. Recorded vote on the motion:

YES: Councilmembers Green, Vernall, Ayer, Southall, Crawford, Freeman and Mayor Hunt.

NO: None.

PUBLIC HEARINGS:

1. CONDITIONAL USE PERMIT FOR AN ESCAPE ROOM/FAMILY ENTERTAINMENT USE AT 475 WYTHE CREEK ROAD

Kevin Wyne, City Planner, stated that Mr. Bradford W. Drummond, applicant and Tagtime LLC business owner, and SGC Wythe Creek, LLC, property owner, are requesting a Conditional Use Permit to operate an escape room game use in a storefront located at 475 Wythe Creek Road in the Wythe Creek Plaza Shopping Center. He explained that the proposed general family amusement/recreation business would complement a previously approved Use Permit for a laser tag field, located to the rear of the proposed storefront. In conclusion, Mr. Wyne stated that the Planning Commission, at its April 18, 2016 meeting, by a vote of 5 to 0 recommended approval of this request to City Council.

During Council's discussion, a safety concern was expressed over Mr. Drummond's patrons having to traverse the rear alley, located behind the storefront, at night to gain access to his Big Woods' property designated for laser tag.

Mayor Hunt opened the public hearing. Mr. Bradford Drummond, in response to expressed safety concerns, assured City Council that one of his employees will personally lead each group of patrons across the alley to his property designated for laser tag use. He also pointed out that the majority of traffic using the alley do so in the morning/daylight hours and that the laser tag use of the rear property primarily occurs on evenings and weekends. In conclusion, Mr. Drummond stated that he is still seeking a permanent access solution for his Big Woods property.

A resolution approving the requested Conditional Use Permit was presented for Council's consideration and Councilman Green moved, seconded by Councilman Ayer, that it be adopted. Recorded vote on the motion:

YES: Councilmembers Southall, Freeman, Vernall, Green, Ayer, Crawford and Mayor Hunt.

NO: None.

2. PROPOSED FY 2016-2017 ANNUAL FINANCIAL PLAN, TAX LEVIES AND FEES (1ST Reading)

The City Manager, J. Randall Wheeler, reminded Council that a presentation on the City's proposed FY 2017 budget was provided at the last meeting. In addition, he pointed out that two budget work sessions had been held prior to this meeting, i.e. the first was a joint School Board/Council budget discussion and the second was a discussion on the proposed City budget. At Council's request, he provided a brief overview of the budget highlighting the following points:

- That this is the second post-recessionary budget;
- That the City's fiscal situation is slowly improving as revenues increase;
- That the School Board and City Department Heads worked very hard to set strategic priorities and that this year's priority is to address employee compensation;
- That it includes an increase of 1 firefighter for each shift, continued support for PAWS, incremental maintenance funding and other essential items that were eliminated during the recession;
- That it fulfills the Schools' budget request; and
- That it also includes hiring one additional building inspector should it be warranted by increased development.

Mayor Hunt reiterated that the proposed budget did not include a tax increase; that the only increases are for specific recreational fees; that it identifies top funding priorities; and that it will address some of the City's long awaited Capital Improvement Plan items.

Mayor Hunt opened the public hearing. Ms. Randie Trestrail, 212 Beach Road, stated that although the proposed Messick Point beach and the new High School track are good projects, the City should not go into debt to fund them. She added that perhaps these funds would be better utilized by hiring more Public Works employees and teachers for the School System.

Since no one else came forward, the public hearing was closed.

A resolution approving the proposed FY 2016-2017 Annual Financial Plan for the City of Poquoson, Virginia was presented for Council's consideration and Councilman Green moved, seconded by Councilman Ayer, that it be approved. Recorded vote on the motion:

YES: Councilmembers Crawford, Ayer, Southall, Freeman, Vernall, Green and Mayor Hunt.

NO: None.

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 \$1.07 Levy on all Vehicles without Motive Power, used or designated to be used as Manufactured Homes in the City of Poquoson, Virginia, for the general operation of the various departments of the City government was presented for Council's consideration. Prior to voting, Vice Mayor Freeman stated that upon speaking with the Commissioner of the Revenue, he learned the number of registered watercraft in the City has increased by

190 since last year. Councilman Green moved, seconded by Vice Mayor Freeman, that the ordinance be approved on first reading. Recorded vote on the motion:

YES: Councilmembers Green, Vernall, Southall, Crawford, Freeman and Mayor Hunt.

NO: Councilman Ayer.

A second reading of the ordinance will be held at the next meeting.

An ordinance to lay a \$1.07 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 was presented for Council's consideration. Councilman Green moved, seconded by Councilman Vernall, that it be approved on first reading. Recorded vote on the motion:

YES: Councilmembers Southall, Freeman, Vernall, Green, Ayer, Crawford and Mayor Hunt.

NO: None.

A second reading of the ordinance will be held at the next meeting.

An ordinance to appropriate funds to the various governmental funds of the City of Poquoson, Virginia for FY 2016-2017 was presented for Council's consideration. Councilman Green moved, seconded by Councilman Ayer that it be approved on first reading.

YES: Councilmembers Crawford, Ayer, Southall, Freeman, Vernall, Green and Mayor Hunt.

NO: None.

A second reading of the ordinance will be held at the next meeting.

NEW BUSINESS:

1. REQUEST OF VIRGINIA NATURAL GAS FOR AN UNDERGROUND UTILITY EASEMENT ON CITY OWNED PROPERTY

The City Manager stated that Virginia Natural Gas (VNG) has requested an underground utility easement on City property in order to provide natural gas to a property located at 48 South Lawson Road. He pointed out that a 3-year temporary easement was granted in February 2014 due to the critical medical needs of the citizen residing at the aforementioned address when electrical service is interrupted. In conclusion he stated that the proposed easement will ensure continued provision of natural gas services to this property.

A resolution directing that public notice be given of Council's intention to receive bids for an easement on City property was presented for consideration and Councilman Green

moved, seconded by Councilman Vernall, that it be adopted. Recorded vote on the motion:

YES: Councilmembers Green, Vernall, Ayer, Southall, Crawford, Freeman and Mayor Hunt.

NO: None.

2. RESOLUTION MAKING AN APPOINTMENT TO THE PENINSULA ALCOHOL SAFETY ACTION PROGRAM POLICY BOARD

A resolution making an appointment to the Peninsula Alcohol Safety Action Program Policy (PASAPP) Board was presented for Council's consideration and Councilman Green moved, seconded by Councilman Southall, to appoint Kelly Waddell to the PASAPP Board and to adopt the resolution with his name inserted. Recorded vote on the motion:

YES: Councilmembers Southall, Freeman, Vernall, Green, Ayer, Crawford and Mayor Hunt.

NO: None.

COMMENTS OF THE CITY MANAGER:

The City Manager made no comment.

COUNCIL DIRECTIVES:

Councilman Southall thanked the School Board and City staff for their hard work on the budget. He encouraged citizens to contact their State legislators requesting increased funding for education. He also invited those citizens who have questions or concerns related to aquaculture to contact Mr. Ben Stagg at the Virginia Marine Resources Commission.

Councilwoman Crawford thanked everyone who had worked on the proposed budget, congratulated Mr. Drummond on his new business and stated that she looked forward to being one of his patrons.

Vice Mayor Freeman explained that 22 citizens had submitted applications in response to the Planning Commission's request for volunteers to serve on the Comprehensive Plan Participation Team. He pointed that twelve people had been selected by the Commission, from the pool of applicants, to serve on this Team. However, he stated that he would like for the Commission to consider including all 22 applicants on the Team.

In response to Vice Mayor Freeman's suggestion and following a brief discussion in which the Commission was commended for its hard work, the consensus of Council was to request the Planning Commission to reconsider utilizing all 22 volunteers on the CPT.

Councilman Vernall commended City staff and the Kiwanis Club for the *Poquoson is the Place* flags that were recently erected along the City's business corridors. He also announced that the Poquoson Kiwanis Club will be holding a pig roast on May 15, 2016.

Councilman Green, in response to earlier public comments on the proposed budget, stated that the budget did not include new debt to fund the approved CIP projects. He reminded everyone that the City's Foodbank distribution would be held on Tuesday, April 26, 2016 from 10 a.m. to 1 p.m. with volunteers from St. Timothy's Anglican Church and the Susanna Wesley Circle from Tabernacle United Methodist Church assisting.

Councilman Ayer encouraged citizens to contact the VMRC to express their concerns and/or pose their questions regarding aquaculture.

Mayor Hunt stated that he and the City Manager that morning had taken a boat tour of Cow Island with Congressman Wittman and U.S. Fish & Wildlife Director, Dan Ashe to make an appeal for Poquoson citizens to have recreational access to Cow Island. He stated that Director Ashe was impressed by the City's environmental proactive measures including satisfying ongoing TMDL requirements. He announced that he and the City Manager would be visiting the credit/bond rating agencies in May 2016 seeking even higher ratings in order to possibly refinance City debt in order to save money without extending the debt payoff and potentially saving the City \$500,000 that could fund several CIP projects. Lastly he commended the City Manager and City staff for an excellent budget document.

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 Green, Vernall, Ayer, Southall, Crawford, Freeman and Mayor Hunt.

NO: None.

The meeting was adjourned at approximately 7:50 p.m.

**MINUTES OF THE CITY COUNCIL MEETING
APRIL 25, 2016, 5:30 P.M.
WORK SESSION
Council Chambers**

PRESENT: The Honorable W. Eugene Hunt, Jr., Mayor
The Honorable Carey L. Freeman, Vice Mayor
The Honorable Traci-Dale Crawford
The Honorable Charles "Bud" M. Southall III
The Honorable Herbert R. Green, Jr.
The Honorable Raymond E. Vernall
The Honorable Henry W. Ayer III

J. Randall Wheeler, City Manager
Judy F. Wiggins, Assistant City Manager/City Clerk
D. Wayne Moore, City Attorney

The meeting was called to order by Mayor Hunt at approximately 5:30 p.m. in Council Chambers.

VMRC Oyster Aquaculture:

Mayor Hunt stated, that in response to recent concerns expressed by residents regarding a pending aquaculture permit application for the Poquoson River, he stated that Mr. Ben Stagg, VMRC Chief Engineer-Western Area, was in attendance to provide an update on aquaculture permits and applicable requirements/regulations.

During Mr. Stagg's brief presentation he provided the following information:

- That VMRC has been responsible for leasing State-owned oyster bottoms for the propagation of shellfish since the 1800s;
- That approximately 1,400 acres of oyster grounds and 6 riparian (1/2 acre each) oyster grounds are currently leased in the waters surrounding the City of Poquoson;
- That aquaculture leases can only be obtained through VMRC which includes notification of the public via newspaper advertisements and the posting of a notice in a public building, waterfront area, etc.;
- That following such notification, if no one objects the VMRC approves the permit allowing the metal oyster cages to be located no more than 12 inches off the bottom allowing only a minimal impediment to navigation;
- That in 2011, following Council and citizens' concerns regarding a pending large aquaculture application, it was denied by the VMRC;
- That oyster cages are not allowed in areas containing subaquatic vegetation;
- That there is no minimum requirement for water above the cages;
- That 250 acres is the maximum size for an aquaculture lease;

- That if one person objects to an application, a public hearing on the request must be conducted by the VMRC Board;
- That should anyone be hurt or property damaged by oyster cages, the State cannot be sued and if the area is properly marked/identified, the lessor cannot be sued;
- That a bill that would require notification of adjacent property owners when aquaculture applications are processed was introduced to the 2015 General Assembly.

Mr. Stagg stated that due to a backlog of applications, it could be two or more years before the pending application is considered by the Board and that everyone that has expressed opposition will be notified of the hearing. Lastly, Mr. Stagg provided his mailing address, telephone number and email address so that anyone with comments/questions may contact him directly.

Mayor Hunt thanked Mr. Stagg for his presentation and attendance at the meeting. He stated that Council has received comments from citizens in opposition to the pending application. He also expressed support for aquaculture that helps to clean the Bay and its tributaries, but stated that additional regulations/laws are needed to protect recreational use of the waterways and the shoreline/waterfront aesthetics. In conclusion, Mayor Hunt announced that Mr. Stagg, following this portion of the work session, would be available in the large Library meeting room to answer questions and speak with concerned citizens.

School Board Budget Discussion:

In addition to all of the aforementioned Councilmembers and City staff, the following School Board Members and School staff joined the work session: Wayne Holcomb, Steven Kast, Anne Rollins, David Hux, Allan Melton and School Superintendent, Dr. Jennifer Parish.

Mayor Hunt stated that the School's fiscal health is slowly improving. He thanked the School Superintendent, Dr. Jennifer Parish and City Manager, J. Randall Wheeler, for their amicable working relationship on all issues, including the budget.

Steven Kast, School Board Chairman, thanked Council for the opportunity to discuss the FY 2017 School budget. He expressed gratitude for the slightly improved State funding for education and for the ability to begin addressing the Schools' compensation issues. On behalf of the School Board, he thanked Council for their ongoing support, particularly during the recessionary years. Lastly, he pointed out that the Schools and the City will need to consider what to do with the Middle School in the near future.

In response to a Council query, Dr. Parish indicated that it would take several years to properly address the teacher compensation issue and that in the future additional teachers would need to be hired to replace those lost during the recession. However, she voiced appreciation for the funds to begin addressing the teacher pay deficit. She also pointed out that although several residential developments are in the queue, two more years of declining pupil enrollment are expected until some of the proposed developments are completed.

Mayor Hunt stated that some of the City's existing debt will need to be retired in order to address larger, more expensive School needs. He stated that the City is currently working

with our financial advisors to find ways by which funds can be saved and that he and the City Manager will soon be traveling to New York City in hope of obtaining even higher credit ratings.

City Council Budget Discussion:

The City Manager stated that the City Department Heads had provided valuable input on the City's FY 2017 budget priorities; however, there were insufficient funds with which to fund all of the items. He stated that the proposed budget begins to address the employee compensation deficit. He reminded Council of the difficulty several departments face in securing and keeping experienced, knowledgeable employees. He pointed out that the proposed budget will also fund a few CIP projects/improvements; enable the City, combined with a recent grant award, to add one firefighter to each shift; add a building inspector's position if warranted by increased development; and increase funding for the Poquoson Museum.

In response to Council queries, Fire Chief Robert Holloway stated that it is hard to compete with the adjacent localities for good employees and that the Fire Department has not been fully staffed since 2006.

Police Chief Clifford Bowen added that although crime is down in the City, the number of calls for help has dramatically increased and that with the required time necessary to train new officers, it is difficult to cover all shifts.

Councilman Ayer pointed out that the funding needed for animal control is starting to decrease and should continue to do so due to the excellent job PAWS is doing to control the cat population.

In response to other Council queries, the Finance Director, Theresa Owens, stated that employee health insurance is going up in FY 2017; however, VRS rates are going down.

The City Engineer, Ellen Roberts, in response to a drainage question, stated that the City will continue to work towards piping more of the ditches along Little Florida Road for safety reasons and so that eventually sidewalks can be installed along this roadway.

ADJOURNMENT:

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



CITY OF POQUOSON

FINANCE DEPARTMENT

500 CITY HALL AVENUE, POQUOSON, VIRGINIA 23662-1996

May 9, 2016

TO: City Council

FROM: Theresa Owens, Finance Director

THROUGH: Randy Wheeler, City Manager

SUBJECT: Debt Issuance Public Hearing

Tonight the City will hold a public hearing on the issuance of General Obligation Bond. At the April 11, 2016 City Council meeting, Davenport & Company presented a plan to refinance approximately \$18 million in debt and secure a modest amount of new money financing for long term capital needs identified in the FY 2017 Proposed Financial Plan to take advantage of the current historically favorable interest rate environment.

The refinancing of the current debt has the potential to reduce debt service over the life of the bond by over \$1 million while not extending the term of the original bond. The minimum expected savings will be \$450,000. This refinancing reduces the City's current debt service and maintains a ten year payout ratio in excess of 50% therefore staying within the City's established debt policies.

Attached is the ordinance for your consideration that formally authorizes the issuance of bonds to refinance current debt and to secure proceeds for capital projects.

CITY OF POQUOSON, VIRGINIA

**AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF GENERAL
OBLIGATION AND REFUNDING BONDS OF THE CITY OF POQUOSON, VIRGINIA,
PROVIDING FOR THE FORM, DETAILS AND PAYMENT THEREOF AND
PROVIDING FOR THE REFUNDING OF CERTAIN GENERAL OBLIGATION
BONDS OF THE CITY**

Adopted on May 9, 2016

WHEREAS, the City Council (**the “City Council”**) of the City of Poquoson, Virginia (**the “City”**) has received a plan of refinancing from the City’s Financial Advisor, Davenport & Company LLC (**the “Financial Advisor”**) and determined under such plan to issue its general obligation and refunding bonds to (a) refund, through an advance refunding, all or a portion of its \$15,385,000 General Obligation Refunding Bonds, Series 2010 issued on April 27, 2010 to refund various City general obligations (**the “2010 Bonds”**) (**the “Refunded 2010 Bonds”**), (b) currently refund all or a portion of its \$3,495,000 General Obligation and Refunding Bond, Series 2011B issued on September 22, 2011 to finance and refinance various City projects (**the “2011B Bond”**), (**the “Refunded 2011B Bond,” together with the Refunded 2010 Bonds, the “Refunded Bonds”**), (c) to provide an estimated maximum amount of \$900,000 of general obligation bond proceeds for financing the cost certain City and School capital improvements including, but not limited to, replacement of the High School track, replacement/improvement of HVAC at the Primary School and High School and design, construction and improvements for Messick Point Beach and to the extent proceeds are available, for other City and School capital projects included in the City's Capital Improvement Plan (**together, the “Projects”**), and (d) to pay costs incurred in defeasing or refunding the Refunded Bonds and in issuing such general obligation and refunding bonds;

WHEREAS, the City Council has determined that the refunding of the Refunded Bonds will provide strategic debt service and cash flow savings which will assist the City in its budget requirements;

WHEREAS, the City Council has determined that (i) the City is in need of funds to be used by the City for financing the Projects, for refunding and defeasance of the Refunded Bonds, for costs of issuance of the Bonds (as defined below) and for the payment of interest on the Bonds, (ii) the obtaining of such funds will be for municipal purposes of the City for the welfare of citizens of the City for purposes which will serve the City and its citizens, (iii) the most effective, efficient and expedient manner in which to provide such funds to refund and defease the Refunded Bonds and to finance the Projects is by the issuance of the Bonds in the maximum principal amount of up to [\$19,000,000], the issuance of such Bonds being within the power of the City to contract debts, borrow money and make and issue evidence of indebtedness, and (iv) the issuance of the Bonds is in the best interests of the City and its citizens;

WHEREAS, pursuant to Section 15.2-2643 *et seq.* of the Public Finance Act of 1991, Title 15.2, Chapter 26 of the Code of Virginia of 1950, as amended (**the “Public Finance Act”**), the City is authorized to issue refunding bonds under the provisions of the Public Finance Act;

WHEREAS, pursuant to Section 15.2-2606 *et seq.* of the Public Finance Act, the City is authorized to issue bonds to finance the Projects after a duly noticed public hearing has been held thereon under the provisions of the Public Finance Act, and such public hearing has been held on the date hereof;

WHEREAS, the City’s administration and the Financial Advisor have recommended to the City Council that the City issue and sell tax-exempt general obligation and refunding bonds based on the recommendation of the Financial Advisor;

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF POQUOSON,
VIRGINIA:**

1. Issuance of Bonds. Pursuant to the Constitution and statutes of the Commonwealth of Virginia, including the Public Finance Act and the City Charter, there shall be issued and sold tax-exempt general obligation and refunding bonds of the City in the maximum aggregate principal amount of [\$19,000,000] to provide funds to (a) defease or refund the Refunded Bonds, (b) finance the Projects and (c) pay the costs of refunding and defeasing the Refunded Bonds and of issuing such general obligation and refunding bonds.

2. Bond Details.

(a) The general obligation and refunding bonds shall be issued in one or more series, shall be designated "General Obligation and Refunding Bonds, Series 2016" (**the "Bonds"**) or such other designation as may be determined by the City Manager or the Assistant City Manager (**hereinafter the City Manager or Assistant City Manager shall be referred to as the "City Representative"**), shall be in registered form in denominations of \$5,000 and integral multiples thereof, shall be dated such date as determined by the City Representative and shall be numbered R-1 upward. Subject to Section 8, the issuance and sale of the Bonds are authorized on terms as shall be satisfactory to the City Representative; provided, however, that the Bonds (a) shall have a "true" or "Canadian" interest cost not to exceed 5.0% (taking into account any original issue discount or premium), (b) shall be sold at a price not less than 98% of the original aggregate principal amount thereof (excluding any original issue discount), (c) shall result in a net present value savings of at least 3% of the Refunded Bonds for the portion of the Bonds allocable to the refunding of the Refunded Bonds and (d) shall have a final maturity no later than [December 31, 2031].

(b) Each Bond shall bear interest from its dated date at such rate as shall be determined at the time of sale, calculated on the basis of a 360-day year of twelve 30-day months, and payable semiannually on dates determined by the City Representative. Principal shall be payable to the registered owners upon surrender of Bonds as they become due at the office of the Registrar (as hereinafter defined). Interest shall be payable by check or draft mailed to the registered owners at their addresses as they appear on the registration books kept by the Registrar on the date prior to each interest payment date (**the "Record Date"**) that shall be determined by the City Representative. If any interest payment date is not a business day, such payment shall be made on the next succeeding business day with the same effect as if made on the interest payment date and no additional interest shall accrue. Principal and interest shall be payable in lawful money of the United States of America.

(c) Initially, one Bond certificate for each maturity shall be issued to and registered in the name of The Depository Trust Company, New York, New York (**"DTC"**), or its nominee. The City has heretofore entered into a Blanket Letter of Representations relating to a book-entry system to be maintained by DTC with respect to the Bonds. "Securities Depository" shall mean DTC or any other securities depository for the Bonds appointed pursuant to this Section.

(d) In the event that (1) the Securities Depository determines not to continue to act as the securities depository for the Bonds by giving notice to the Registrar, and the City discharges

its responsibilities hereunder, or (2) the City in its sole discretion determines (i) that beneficial owners of Bonds shall be able to obtain certificated Bonds or (ii) to select a new Securities Depository, then its chief financial officer shall, at the direction of the City, attempt to locate another qualified securities depository to serve as Securities Depository and authenticate and deliver certificated Bonds to the new Securities Depository or its nominee, or authenticate and delivered certificated Bonds to the beneficial owners or to the Securities Depository participants on behalf of beneficial owners substantially in the form provided for in Section 5; provided, however, that such form shall provide for interest on the Bonds to be payable (A) from the date of the Bonds if they are authenticated prior to the first interest payment date, or (B) otherwise from the interest payment date that is or immediately precedes the date on which the Bonds are authenticated (unless payment of interest thereon is in default, in which case interest on such Bonds shall be payable from the date to which interest has been paid). In delivering certificated Bonds, the chief financial officer shall be entitled to rely on the records of the Securities Depository as to the beneficial owners or the records of the Securities Depository participants acting on behalf of beneficial owners. Such certificated Bonds will then be registrable, transferable and exchangeable as set forth in Section 7.

(e) So long as there is a Securities Depository for the Bonds (1) it or its nominee shall be the registered owner of the Bonds, (2) notwithstanding anything to the contrary in this Ordinance, determinations of persons entitled to payment of principal and interest, transfers of ownership and exchanges and receipt of notices shall be the responsibility of the Securities Depository and shall be effected pursuant to rules and procedures established by such Securities Depository, (3) the Registrar and the City shall not be responsible or liable for maintaining, supervising or reviewing the records maintained by the Securities Depository, its participants or persons acting through such participants, (4) references in this Ordinance to registered owners of the Bonds shall mean such Securities Depository or its nominee and shall not mean the beneficial owners of the Bonds and (5) in the event of any inconsistency between the provisions of this Ordinance and the provisions of the above-referenced Blanket Letter of Representations such provisions of the Blanket Letter of Representations, except to the extent set forth in this paragraph and the next preceding paragraph, shall control.

3. Redemption Provisions. The Bonds may be subject to redemption prior to maturity at the option of the City on or after dates, if any, and at such prices as shall be determined by the City Representative, provided that the redemption premium, if any, shall not exceed 2.0%.

Any term bonds may be subject to mandatory sinking fund redemption upon terms determined by the City Representative.

If less than all of the Bonds are called for redemption, the maturities of the Bonds to be redeemed shall be selected by the City Representative, in such manner as he may determine to be in the best interest of the City. If less than all of any maturity of either series is called for redemption, the Bonds within such maturity to be redeemed shall be selected by the Securities Depository pursuant to its rules and procedures or, if the book-entry system is discontinued, shall be selected by the Registrar by lot in such manner as the Registrar in its discretion may determine. In either case, (a) the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or some integral multiple thereof and (b) in selecting Bonds for redemption,

each Bond shall be considered as representing that number of Bonds that is obtained by dividing the principal amount of such Bond by \$5,000. The City shall cause notice of the call for redemption identifying the Bonds or portions thereof to be redeemed to be sent by electronic or facsimile transmission, registered or certified mail or overnight express delivery, not less than 30 nor more than 60 days prior to the redemption date, to the registered owner of the Bonds. The City shall not be responsible for mailing notice of redemption to anyone other than DTC or another qualified securities depository or its nominee unless no qualified securities depository is the registered owner of the Bonds. If no qualified securities depository is the registered owner of the Bonds, notice of redemption shall be mailed to the registered owners of the Bonds. If a portion of a Bond is called for redemption, a new Bond in principal amount equal to the unredeemed portion thereof will be issued to the registered owner upon the surrender thereof.

In the case of an optional redemption, the notice may state that (1) it is conditioned upon the deposit of moneys, in an amount equal to the amount necessary to effect the redemption, no later than the redemption date or (2) the City retains the right to rescind such notice on or prior to the scheduled redemption date (**in either case, a "Conditional Redemption"**), and such notice and optional redemption shall be of no effect if such moneys are not so deposited or if the notice is rescinded as described herein. Any Conditional Redemption may be rescinded at any time. The City shall give prompt notice of such rescission to the affected Bondholders. Any Bonds subject to Conditional Redemption where redemption has been rescinded shall remain outstanding, and the rescission shall not constitute an event of default. Further, in the case of a Conditional Redemption, the failure of the City to make funds available on or before the redemption date shall not constitute an event of default, and the City shall give immediate notice to all organizations registered with the Securities and Exchange Commission as securities depositories or the affected Bondholders that the redemption did not occur and that the Bonds called for redemption and not so paid remain outstanding.

4. Execution and Authentication. The Bonds shall be signed by the manual or facsimile signatures of the Mayor or Vice Mayor and City Treasurer, the City's seal shall be affixed thereto and shall be attested by the manual or facsimile signature of the City Clerk; provided, however, that if all of such signatures are facsimiles, no Bond shall be valid until it has been authenticated by the manual signature of the Registrar or if a bank has been appointed registrar pursuant to Section 7, an authorized officer or employee of such bank, and the date of authentication noted thereon.

5. Bond Form. The Bonds shall be in substantially in the form of Exhibit A attached hereto with such completions, omissions, insertions and changes not inconsistent with this Ordinance as may be approved by the officers signing the Bonds, whose approval shall be evidenced conclusively by the execution and delivery of the Bonds.

6. Pledge of Full Faith and Credit. The full faith and credit of the City are irrevocably pledged for the payment of principal of and premium, if any, and interest on the Bonds. Unless other funds are lawfully available and appropriated for timely payment of the Bonds, the City Council shall levy and collect an annual ad valorem tax, over and above all other taxes authorized or limited by law and without limitation as to rate or amount, on all locally taxable property in the City sufficient to pay when due the principal of and premium, if any, and interest on the Bonds.

7. Registration, Transfer and Owners of Bonds. The Bonds shall be issued in registered form without coupons, payable to the registered holders or registered assigns. The City Treasurer is hereby appointed paying agent and registrar for the Bonds (**the "Registrar"**). The City may in its discretion appoint at any time a qualified bank or trust company as successor Registrar. The Registrar shall maintain registration books for the registration and registration of transfers of Bonds. Upon presentation and surrender of any Bonds at the office of the Registrar, at its corporate trust office if the Registrar is a bank or trust company, together with an assignment duly executed by the registered owner or his duly authorized attorney or legal representative in such form as shall be satisfactory to the Registrar, the City shall execute, and the Registrar shall authenticate, if required by Section 4, and deliver in exchange, a new Bond or Bonds having an equal aggregate principal amount, in authorized denominations, of the same form and maturity, bearing interest at the same rate, and registered in names as requested by the then registered owner or his duly authorized attorney or legal representative. Any such exchange shall be at the expense of the City, except that the Registrar may charge the person requesting such exchange the amount of any tax or other governmental charge required to be paid with respect thereto.

The Registrar shall treat the registered owner as the person exclusively entitled to payment of principal, premium, if any, and interest and the exercise of all other rights and powers of the owner, except that interest payments shall be made to the person shown as owner on the registration books on the Record Date.

8. Sale of Bonds and Bond Purchase Agreement. If the City Representative determines that it is in the best interest of the City to sell any Bonds in a competitive sale, then the City Representative is authorized and directed to cause an official notice of bond sale to be issued and accept a qualifying bid or qualifying bids for the purchase of the Bonds which results in the lowest "true" or "Canadian" interest cost to the City, and the Bonds shall bear interest at such rate or rates and shall be sold at such price or prices as may be set forth in the bid(s) accepted by the City Representative. If the City Representative determines that it is in the best interest of the City to sell any Bonds in a negotiated sale, then the City Representative is hereby authorized to enter into a bond purchase agreement or bond purchase agreements with an underwriter or group of underwriters with demonstrated experience in underwriting municipal securities to be selected by the City Representative. The City Representative is authorized and directed to approve such optional or mandatory redemption provisions for the Bonds as the City Representative may determine to be in the best interest of the City. Notwithstanding anything to the contrary herein, by 5:00 p.m. on the date prior to the sale date of any Bonds identified in the official notice of sale for the Bonds, if any, if either no underwriter or only one underwriter has advised of its intention to bid on any series of the Bonds, the City Representative, after consultation with the City's financial advisor and the City's bond counsel, is authorized to remove such series of Bonds from the bidding process and to pursue a negotiated sale for such series of Bonds. The approval of the final terms and conditions of the Bonds subject to the foregoing parameters shall be evidenced conclusively by the execution and delivery of the Bonds in accordance with paragraph 11 of this Ordinance. The City Representative shall then, based on the recommendation of the City's Financial Advisor (a) determine the principal amount of the Bonds, subject to the limitations set forth in Section 1, (b) determine the interest rates of the Bonds, maturity schedule of the Bonds, and the price to be paid for the Bonds, subject to the limitations set forth in Section 2 and herein, (c) determine the redemption provisions of the

Bonds, subject to the limitations set forth in Section 3, and (d) determine the dated date, the principal and interest payment dates and the Record Date of the Bonds, and whether municipal bond insurance is appropriate to secure the same, all as the City Representative determines to be in the best interests of the City.

If a negotiated sale of the Bonds is pursued, then following the determination of the terms of the Bonds and their sale, the City Representative, is authorized to execute and deliver a bond purchase agreement reflecting the final terms of the Bonds (**the "Bond Purchase Agreement"**). The Bond Purchase Agreement shall be substantially in the form presented to this meeting with such completions, omissions, insertions and change that are not inconsistent with this Ordinance, the execution thereof by the City Representative, to constitute conclusive evidence of his or her approval of the Bond Purchase Agreement. The actions of the City Representative, in selling the Bonds shall be conclusive, and no further action with respect to the sale and issuance of the Bonds shall be necessary on the part of the City Council.

9. Official Statement. The draft of a Preliminary Official Statement describing the Bonds, copies of which will have been provided to the members of the City Council in advance of approval hereof, is approved as the form of the Preliminary Official Statement by which the Bonds will be offered for sale, with such completions, omissions, insertions and changes not inconsistent with this Ordinance as the City Representative may consider appropriate. The City Representative is authorized and directed to execute an Official Statement in final form (**the "Official Statement"**) and deliver it to the purchasers of the Bonds. The Official Statement shall be in substantially the form of the Preliminary Official Statement submitted to this meeting, with such completions, omissions, insertions and other changes as may be approved by the City Representative, the execution thereof by the City Representative, to constitute conclusive evidence of his or her approval of any such completions, omissions, insertions and changes. The City shall arrange for the delivery of a reasonable number of copies of the final Official Statement, within seven business days after the Bonds have been sold, for delivery to each potential investor requesting a copy of the Official Statement and to each person to whom Bonds are initially sold.

10. Official Statement Deemed Final. The City Representative, is authorized, on behalf of the City, to deem the Preliminary Official Statement and the Official Statement in final form, each to be final as of its date within the meaning of Rule 15c2-12 (**the "Rule"**) of the Securities and Exchange Commission (**the "SEC"**), except for the omission in the Preliminary Official Statement of certain pricing and other information permitted to be omitted pursuant to the Rule. The distribution of the Preliminary Official Statement and the Official Statement in final form shall be conclusive evidence that each has been deemed final as of its date by the City, except for the omission in the Preliminary Official Statement of such pricing and other information permitted to be omitted pursuant to the Rule.

11. Preparation and Delivery of Bonds. After the Bonds have been sold, the Mayor, the City Manager, or the Assistant City Manager, the City Treasurer and the City Clerk are authorized and directed to take all proper steps to have the Bonds prepared and executed in accordance with their terms and to deliver the Bonds to the purchaser(s) thereof upon payment therefor.

12. Escrow Deposit Agreement.

(a) The City Representative, is authorized and directed to execute an escrow deposit agreement in connection with the Bonds (**the "Escrow Agreement"**) between the City and an escrow agent to be appointed by the City Representative, (**the "Escrow Agent"**) as appropriate or necessary for the refunding of any of the Refunded Bonds. The Escrow Agreement shall be in the form with such completions, omissions, insertions and other changes as may be approved by the City Representative, the execution thereof by the City Representative, to constitute conclusive evidence of his or her approval of any such completions, omissions, insertions and changes. The Escrow Agreement shall provide for the irrevocable deposit of a portion of the proceeds of the Bonds (**the "Advance Refunding Portion"**) in an escrow fund which shall be sufficient, when invested in noncallable, direct obligations of the United States Government (**the "Government Obligations"**), to provide for payment of principal of and premium, if any, and interest on the Refunded Bonds to be advanced refunded; provided, however, that such proceeds of the Bonds shall be invested in such manner that the Bonds will not be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended, and regulations issued pursuant thereto (**the "Code"**). The Escrow Agent is authorized and directed to execute an initial and final subscription form for the purchase of the Government Obligations.

13. Further Use of Bond Proceeds. The City Treasurer is authorized and directed (a) to provide for the delivery of a portion of the proceeds of the Bonds to the holders of or the trustee for or escrow agent, as appropriate, the Refunded Bonds to effect the current or advance refunding of said bonds, as appropriate, including payment of principal, any applicable redemption premium and interest accrued and unpaid to the redemption date, as appropriate and (b) to use the remaining proceeds of the Bonds, after the defeasance or refunding of all of the Refunded Bonds, to pay (i) the fees and costs incurred in defeasing or refunding such Refunded Bonds and in issuing the Bonds and (ii) costs of the Projects. The City Treasurer is further authorized and directed to take all such further action as may be necessary or desirable in connection with the defeasing and refunding of such Refunded Bonds and the undertaking of the Projects.

14. Redemption of Refunded Bonds. The City Representative is authorized and directed to determine which maturities of the 2010 Bonds and the 2011B Bond shall constitute the Refunded 2010 Bonds and the Refunded 2011B Bond, respectively, to be refunded by the Bonds. The Escrow Agreement shall provide for notice of redemption to be given in accordance with the resolutions, ordinances or other governing documents providing for the issuance of the Refunded 2010 Bonds and the Refunded 2011B Bonds, as appropriate to the registered owners thereof, and the City Representative, shall direct the notices of redemption to be given in accordance with the resolutions, ordinances or other governing documents providing for the issuance of the Refunded 2010 Bonds and the Refunded 2011B Bonds to the registered owners of such refunded bonds.

15. Arbitrage Covenants. The City covenants that it shall not take or omit to take any action the taking or omission of which will cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (**the "Code"**), and regulations issued pursuant thereto, or otherwise cause interest on the Bonds to be includable in the gross income of the registered owners thereof under existing law. Without limiting the

generality of the foregoing, the City shall comply with any provision of law which may require the City at any time to rebate to the United States any part of the earnings derived from the investment of the gross proceeds of the Bonds, unless the City receives an opinion of nationally recognized bond counsel that such compliance is not required to prevent interest on the Bonds from being includable in the gross income of the registered owners thereof under existing law. The City shall pay any such required rebate from its legally available funds.

16. Non-Arbitrage Certificate and Elections. Such officers of the City as may be requested are authorized and directed to execute an appropriate certificate setting forth the expected use and investment of the proceeds of the Bonds in order to show that such expected use and investment will not violate the provisions of Section 148 of the Code, and any elections such officers deem desirable regarding rebate of earnings to the United States for purposes of complying with Section 148 of the Code. Such certificate and elections shall be in such form as may be requested by bond counsel for the City.

17. Limitation on Private Use. The City covenants that it shall not permit the proceeds of the Bonds or the facilities financed or refinanced with the proceeds of the Bonds to be used in any manner that would result in (a) 5% or more of such proceeds or the facilities financed or refinanced with such proceeds being used in a trade or business carried on by any person other than a governmental unit, as provided in Section 141(b) of the Code, (b) 5% or more of such proceeds or the facilities financed or refinanced with such proceeds being used with respect to any output facility (other than a facility for the furnishing of water), within the meaning of Section 141(b)(4) of the Code, or (c) 5% or more of such proceeds being used directly or indirectly to make or finance loans to any persons other than a governmental unit, as provided in Section 141(c) of the Code; provided, however, that if the City receives an opinion of nationally recognized bond counsel that any such covenants need not be complied with to prevent the interest on the Bonds from being includable in the gross income for federal income tax purposes of the registered owners thereof under existing law, the City need not comply with such covenants.

18. Continuing Disclosure Agreement. The Mayor, the City Manager, or the Assistant City Manager, and such officer or officers of the City as either may designate, any of whom may act, are hereby authorized and directed to execute a continuing disclosure agreement setting forth the reports and notices to be filed by the City and containing such covenants as may be necessary to assist the purchaser of the Bonds in complying with the provisions of the Rule promulgated by the SEC. Such continuing disclosure agreement shall be substantially in the form presented to this meeting, with such completions, omissions, insertions and changes that are not inconsistent with this Ordinance.

19. Other Actions. All other actions of officers of the City in conformity with the purposes and intent of this Ordinance and in furtherance of the issuance and sale of the Bonds including but not limited to changes in the payment dates, maturity dates, obtaining ratings and determination of escrow agent are approved and confirmed. The officers of the City are authorized and directed to execute and deliver all certificates and instruments and to take all such further action as may be considered necessary or desirable in connection with the issuance, sale and delivery of the Bonds.

20. Effectiveness and Filing of Ordinance. The Council hereby declares in the public interest that an emergency exists and that this Ordinance shall become effective upon its passage as provided for in the Act and as an emergency measure pursuant to Section 7 and Section 8 of Article IV of the City Charter and the requirement of two readings has been dispensed with by the affirmative vote of five of the members of Council and by the affirmative vote of not less than four-sevenths of its members present. A certified copy of this Ordinance shall be filed by the Clerk with the Clerk of the Circuit Court of the County of York, Virginia. The filing of this Ordinance with the Clerk of the Circuit Court of the County of York, Virginia shall be deemed to be the filing of an initial resolution or ordinance with such Court for all purposes of the Act.

The Members of the Council voted as follows:

Ayes

Nays

Absent

Abstentions

Adopted this 9th day of May, 2016.

The undersigned City Clerk of the City of Poquoson, Virginia hereby certifies that the foregoing constitutes a true and correct extract from the minutes of a meeting of the City Council held on May 9, 2016, and of the whole thereof so far as applicable to the matters referred to in such extract. I hereby further certify that such meeting was a regularly called meeting and that, during the consideration of the foregoing ordinance, a quorum was present and action was taken in an open meeting.

Dated this _____ day of May, 2016.

City Clerk
City of Poquoson, Virginia

EXHIBIT A

Unless this bond is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the issuer or its agent for registration of transfer, exchange, or payment, and any bond is registered in the name of Cede & Co., or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

REGISTERED
No. R-__

REGISTERED
\$_____

UNITED STATES OF AMERICA
COMMONWEALTH OF VIRGINIA
CITY OF POQUOSON

General Obligation and Refunding Bond, Series 2016

INTEREST RATE MATURITY DATE DATED DATE CUSIP
_____ % _____, _____ _____, 2016 _____

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT: _____ DOLLARS

The City of Poquoson, Virginia (the "City"), for value received, promises to pay, upon surrender hereof, to the registered owner hereof, or registered assigns or legal representative, the principal sum stated above on the maturity date stated above, subject to prior redemption as hereinafter provided, and to pay interest hereon from its date semiannually on each _____ and _____, beginning on _____, _____, at the annual rate stated above, calculated on the basis of a 360-day year of twelve 30-day months. Principal and interest are payable in lawful money of the United States of America by the City Treasurer, who has been appointed paying agent and registrar for the bonds, or at such bank or trust company as may be appointed as successor paying agent and registrar by the City (the "Registrar").

Notwithstanding any other provision hereof, this bond is subject to a book-entry system maintained by The Depository Trust Company ("DTC"), and the payment of principal and interest, the providing of notices and other matters shall be made as described in the City's Blanket Letter of Representation to DTC.

This bond is one of an issue of up to \$_____ General Obligation and Refunding Bonds, Series 2016, of like date and tenor, except as to number, denomination, rate of interest,

privilege of redemption and maturity, and is issued pursuant to the Constitution and statutes of the Commonwealth of Virginia, including the Public Finance Act and the City Charter. This bond is issued pursuant to an ordinance adopted by the City Council on May 9, 2016, to refund certain general obligation bonds of the City, to finance certain City projects and to pay the costs of refunding such bonds and issuing the bonds.

Bonds maturing on or before _____, _____, are not subject to redemption prior to maturity. Bonds maturing on or after _____, _____, are subject to redemption prior to maturity at the option of the City on or after _____, _____, in whole or in part (in integrals of \$5,000) at any time, upon payment of _____% of the principal amount of bonds to be redeemed plus interest accrued and unpaid to the date fixed for redemption.

If less than all of the bonds are called for redemption, the bonds to be redeemed shall be selected by the City Manager or Assistant City Manager of the City in such manner as he may determine to be in the best interest of the City. If less than all the bonds of a particular maturity are called for redemption, the bonds within such maturity to be redeemed shall be selected by DTC or any successor securities depository pursuant to its rules and procedures or, if the book-entry system is discontinued, shall be selected by the Registrar by lot in such manner as the Registrar in its discretion may determine. In either case, (a) the portion of any bond to be redeemed shall be in the principal amount of \$5,000 or some integral multiple thereof and (b) in selecting bonds for redemption, each bond shall be considered as representing that number of bonds that is obtained by dividing the principal amount of such bond by \$5,000. The City shall cause notice of the call for redemption identifying the bonds or portions thereof to be redeemed to be sent by electronic or facsimile transmission, registered or certified mail or overnight express delivery, not less than 30 nor more than 60 days prior to the redemption date, to DTC, or its nominee, as the registered owner of the bonds. If a portion of this bond is called for redemption, a new bond in principal amount of the unredeemed portion hereof shall be issued to the registered owner upon surrender hereof.

The City may give a notice of redemption prior to a deposit of redemption moneys if such notice states that the redemption is to be funded with the proceeds of a refunding bond issue and is conditioned on the deposit of such proceeds. Provided that moneys are deposited on or before the redemption date, such notice shall be effective when given. If such proceeds are not available on the redemption date, such bonds will continue to bear interest until paid at the same rate they would have borne had they not been called for redemption. On presentation and surrender of the bonds called for redemption at the place or places of payment, such bonds shall be paid and redeemed.

The full faith and credit of the City are irrevocably pledged for the payment of principal of and premium, if any, and interest on this bond. Unless other funds are lawfully available and appropriated for timely payment of this bond, the City Council shall levy and collect an annual ad valorem tax, over and above all other taxes authorized or limited by law and without limitation as to rate or amount, on all taxable property within the City sufficient to pay when due the principal of and premium, if any, and interest on this bond.

The Registrar shall treat the registered owner of this bond as the person exclusively entitled to payment of principal of and premium, if any, and interest on this bond and the

exercise of all rights and powers of the owner, except that interest payments shall be made to the person shown as the owner on the registration books on the 15th date of the month preceding each interest payment date.

All acts, conditions and things required by the Constitution and statutes of the Commonwealth of Virginia to happen, exist or be performed precedent to and in the issuance of this bond have happened, exist and have been performed, and, together with all other indebtedness of the City, is within every debt and other limit prescribed by the Constitution and statutes of the Commonwealth of Virginia.

IN WITNESS WHEREOF, the City of Poquoson, Virginia, has caused this bond to be to be signed by its Mayor or Vice Mayor and its City Treasurer, its seal to be affixed hereto and attested by its City Clerk, and this bond to be dated the date first above written.

(SEAL)

Mayor, City of Poquoson, Virginia

ATTEST:

City Clerk, City of Poquoson, Virginia

CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds described in the within-mentioned Ordinance.

**REGISTRAR - CITY OF POQUOSON,
VIRGINIA TREASURER**

By: _____
Poquoson City Treasurer

DATE OF AUTHENTICATION:

_____, 2016

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sell(s), assign(s) and transfer(s) unto

(Please print or type name and address, including postal zip code, of Transferee)

PLEASE INSERT SOCIAL SECURITY OR OTHER
IDENTIFYING NUMBER OF TRANSFEREE:

: :
: :
: :

the within bond and all rights thereunder, hereby irrevocably constituting and appointing

Attorney, to transfer said bond on the books kept for the registration thereof, with full power of
substitution in the premises.

Dated: _____

Signature Guaranteed

NOTICE: Signature(s) must be guaranteed
by an Eligible Guarantor Institution such
as a Commercial Bank, Trust Company,
Securities Broker/Dealer, Credit Union
or Savings Association who is a member
of a medallion program approved by The
Securities Transfer Association, Inc.

(Signature of Registered Owner)

NOTICE: The signature above must
correspond with the name of the
registered owner as it appears on the
front of this bond in every particular,
without alteration or enlargement or any
change whatsoever.



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

May 9, 2016

To: City Council

From: City Manager

**Subject: Underground Utility Easement For The Continued Provision Of
Natural Gas To 48 South Lawson Road**

At the April 25, 2016 Council meeting staff was authorized to advertise the City's intent to receive written bids for the granting of an underground utility easement on City property for the purpose of continuing provision of natural gas service to the property located at 48 South Lawson Road. Bids will be received until 7:00 p.m. the night of the Council meeting and will then be opened and read aloud at the meeting. A public hearing on the bids received will then follow.

An ordinance granting the easement is included and presented for consideration.

JFW:ei

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF POQUOSON, VIRGINIA
CONVEYING A CERTAIN UTILITY EASEMENT
TO VIRGINIA NATURAL GAS**

WHEREAS, public notice has been given and bids requested for a proposed underground utility easement on City property identified as Tax Map Parcel 21-10-00-0006 for the purpose of providing natural gas service to the property at 48 South Lawson Road as required by Article VII of the Constitution of Virginia and Section 15.2-2101 of the Code of Virginia (1950), as amended; and

WHEREAS, written bids for the subject easement were received and publicly read aloud, no further bids being offered thereafter.

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

Section 1: That the bid of _____ in the amount of \$ _____ is hereby accepted.

Section 2: That _____ shall be granted an underground easement on City-owned property known as Tax Map Parcel 21-10-00-0006 on the terms and conditions expressed in the right-of-way agreement attached hereto.

Section 3: That _____ shall reimburse the City of Poquoson the full amount of all expenses incurred in giving public notice of the proposed grant of the subject easement.

Section 4: That upon the reimbursement of all advertising costs, the execution and posting of the required bond and the payment of the bid submitted, the City Manager is authorized and directed to execute the attached right-of-way agreement on behalf of the City of Poquoson.

Section 3: That in the opinion of City Council an emergency exists which necessitates the immediate enactment of this ordinance and therefore the provisions contained herein shall become effective immediately upon its adoption.

ADOPTED: _____

TESTE: _____

City Clerk

CITY OF POQUOSON

PUBLIC NOTICE

TAKE NOTICE that at 7:00 p.m. on May 9, 2016 or as soon thereafter as the orderly transaction of business permits, in the Council Chambers, 500 City Hall Avenue, the City Council of Poquoson will consider the granting of an underground utility easement on City property identified as Tax Map parcel number 21-10-00-0006 for the purpose of providing natural gas service to 48 South Lawson Road.

Written bids for such easement shall be received until 7:00 p.m. on May 9, 2016 and shall be read aloud at the meeting.

Information regarding this matter may be obtained at the City Manager's office (868-3000), 500 City Hall Avenue. All interested persons are invited to attend the meeting and should contact the City Manager's office three days in advance of the meeting if special accommodations are needed in order to participate.



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

May 9, 2016

To: City Council
From: City Manager
Subject: **School Board Appointments**

A public hearing has been scheduled for this meeting to receive public comments on persons to be considered for appointments to the School Board. There are two appointments to be made: one from the Eastern Precinct and one from the Western Precinct. The incumbent from the Eastern Precinct is not eligible for reappointment.

These appointments have been advertised and the applications received are included in your packet. Those persons to be considered as of this writing are as follows:

Western Precinct

Anne L. Rollins

Eastern Precinct

Jennifer M. Mosteller

Keep in mind that no one can be appointed unless their name is presented during this public hearing. Therefore, if you have an applicant in mind for either of the appointments whose name is not listed above, you must mention that name during this meeting.

No action, other than the public hearing, must be taken at this meeting. The appointments will be made at the next meeting.

JFW:ei



CITY OF POQUOSON

FINANCE DEPARTMENT

500 CITY HALL AVENUE, POQUOSON, VIRGINIA 23662-1996

May 9, 2016

TO: City Council

FROM: Theresa Owens, Finance Director

THROUGH: Randy Wheeler, City Manager

SUBJECT: FY 2017 Annual Financial Plan

The following changes have been made to the FY 2017 Annual Financial Plan resolution and ordinances in accordance with the discussions at the work session on April 25, 2016:

- \$4,569 increase in State Library Aid to be used for books, AV materials and Periodicals for the Library.
- \$3,000 decrease in animal control costs.
- \$5,710 increase in the estimate for 599 Funding
- \$8,710 increase in the contingency budget.

The net effect of the changes is a total increase of \$10,279 from the proposed budget.

Included are the revised resolution and ordinances for Council consideration reflecting the changes.

RESOLUTION NO. _____

**A RESOLUTION AMENDING RESOLUTION NO. 4019
APPROVING THE ADOPTION OF THE
PROPOSED FY 2016 - 2017 ANNUAL FINANCIAL PLAN
FOR THE CITY OF POQUOSON, VIRGINIA**

WHEREAS, the City Council adopted Resolution No. 4019 on April 25, 2016;
and

WHEREAS, subsequent to Resolution No. 4019, additional information was obtained that requires an amendment to the resolution; and

WHEREAS, City Council does hereby amend Resolution No. 4019 adopted on April 25, 2016 to reflect the additional information.

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

Section 1: That the FY 2016-2017 Annual Financial Plan for the City of Poquoson be and the same hereby is adopted for fiscal planning and informational purposes only.

Section 2: That the total amount of the General Fund Budget shall be \$27,238,418 as set forth in the appropriation ordinance with supporting property tax rates as follows:

- a. That on and after the 1st day of July 2016 all real estate shall be subject to levy in the sum of \$1.07 on each \$100.00 of assessed valuation.
- b. That on and after the 1st day of January 2017 all tangible personal property and machinery and tools shall be subject to levy in the sum of \$4.15 on each \$100.00 of assessed valuation.
- c. That on and after the 1st day of January 2017 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 shall be subject to a levy in the sum of \$1.07 on each \$100.00 of assessed valuation.
- d. That on and after the 1st day of January 2017 all watercraft shall be subject to levy in the sum of \$.00001 on each \$100.00 of assessed valuation.

- e. That on and after the 1st day of January 2017 all privately owned camping trailers and motor homes shall be subject to levy in the sum of \$1.50 on each \$100.00 of assessed valuation.

Section 3: That the total amount of the Utilities Fund Budget shall be \$2,130,430; the total amount of the Capital Budget shall be \$1,498,520; the total amount of the Solid Waste Fund shall be \$843,338; the total of the Debt Service Fund shall be \$2,989,491; and the total of the Fleet Fund shall be \$725,758 with the funds distributed as noted in the City Manager's FY 2016-2017 Annual Financial Plan.

Section 4: That this resolution shall be in effect on and after its adoption.

ADOPTED: _____

TESTE: _____

City Clerk

ORDINANCE NO. _____

AN ORDINANCE TO LAY A \$1.07 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 2016 - 2017, it is deemed necessary that a levy of \$1.07 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 1st day of July 2016, 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 \$1.07 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 1st day of July 2016.

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, 2016.

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 \$1.07 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 2016-2017, 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 \$1.07 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 1st day of January 2017 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 1st day of January 2017.

Section 2: That on and after the 1st day of January 2017, 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 1st day of January 2017.

Section 3: That on and after the 1st day of January 2017, 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 1st day of January 2017.

Section 4: That on and after the 1st day of January 2017, 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 \$1.07 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 1st day of January 2017.

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, 2016.

ADOPTED: _____

TESTE: _____

City Clerk

ORDINANCE NO. _____

**AN ORDINANCE TO APPROPRIATE FUNDS TO THE VARIOUS
GOVERNMENTAL FUNDS OF THE CITY OF POQUOSON, VIRGINIA
FOR FY 2016-2017**

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 FY 2016-2017.

Section 2: That the following sums be and the same hereby are appropriated to the following governmental funds for FY 2016-2017.

GENERAL FUND

Revenue and Transfers In	<u>\$27,238,418</u>
Expenditures and Transfers Out	
Legislative	66,990
General Administration	2,000,879
Elections	163,182
Public Safety	6,792,344
Public Works	2,005,354
Health & Welfare	1,007,561
Parks, Recreation & Cultural	1,639,736
Community Development	633,554
Non-Departmental	127,260
Contribution to Poquoson City Schools	9,740,403
Transfers Out – Debt Service Fund	2,888,155
Transfers Out – Capital Projects Fund	<u>173,000</u>
TOTAL APPROPRIATION	<u>\$27,238,418</u>

DEBT SERVICE FUND

Revenues and Transfers In	<u>\$2,989,491</u>
Expenditures	<u>\$2,989,491</u>

CAPITAL FUND

Revenues and Transfers In	<u>\$1,498,520</u>
Expenditures	<u>\$1,498,520</u>

SOLID WASTE FUND

Revenues and Transfers In	<u>\$843,338</u>
Expenditures	<u>\$843,338</u>

UTILITIES FUND

Revenues	<u>\$2,130,430</u>
Expenditures and Transfers Out	<u>\$2,130,430</u>

FLEET FUND

Revenues	<u>\$725,758</u>
Expenditures	<u>\$725,758</u>

SPECIAL REVENUE FUND

Revenues	<u>\$2,541,960</u>
Expenditures	<u>\$2,541,960</u>

Section 3: That of the total sum of \$27,238,418 appropriated in the General Fund, \$26,876,188 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, \$39,230 shall be used from non-spendable fund balance and \$123,000 shall be used from unassigned fund balance.

Section 4: That of the total sum of \$2,989,491 appropriated in the Debt Service Fund, \$2,888,155 shall be transferred in from the City's General Fund and \$101,336 shall be used from assigned fund balance.

Section 5: That of the total sum of \$1,498,520 appropriated in the Capital Fund, \$1,325,520 shall be appropriated from Capital Fund Revenues and \$173,000 shall be transferred in from the City's General Fund.

Section 6: That of the total sum of \$843,338 appropriated in the Solid Waste Fund from Solid Waste Fund revenues.

Section 7: That of the total sum of \$2,130,430 appropriated in the Utilities Fund from Utilities Fund revenues.

Section 8: That of the total sum of \$2,541,960 appropriated in the Special Revenue Fund, from Special Revenue Fund revenues.

Section 9: That of the total sum of \$725,758 appropriated in the Fleet Fund, from Fleet Fund revenues.

Section 10: That this ordinance shall be in effect on and after July 1, 2016.

ADOPTED: _____

TESTE: _____
City Clerk



CITY OF POQUOSON

FINANCE DEPARTMENT

500 CITY HALL AVENUE, POQUOSON, VIRGINIA 23662-1996

May 9, 2016

TO: City Council

FROM: Theresa Owens, Finance Director

THROUGH: Randy Wheeler, City Manager

SUBJECT: Virginia Retirement System (VRS) Resolution

The Appropriation Act from prior years allowed Political subdivisions to elect either the employer contribution rate certified by the Virginia Retirement System (VRS) or pay an alternate rate. Included in the budget is the alternate rate and therefore the City is required to pass a resolution electing to use the alternate rate. Legislation requires the certifications to be passed by July 1, 2016.

Attached for consideration is the required resolution electing the alternate rate.

RESOLUTION NO. _____

**A RESOLUTION CERTIFYING THE EMPLOYER CONTRIBUTION RATES
FOR COUNTIES, CITIES, TOWN, SCHOOL DIVISIONS AND OTHER
POLITICAL SUBDIVISIONS
(In accordance with the 2016 Appropriation Act Item 475(I))**

WHEREAS, The City of Poquoson is a participant in the Virginia Retirement System (VRS); and

WHEREAS, each biennium the Board of Trustees of VRS establish an employer contribution rate; and

WHEREAS, the 2016 Appropriation Act Item 475(I)(1) requires that an employer pay the contribution rate certified by the VRS Board of Trustees ("Certified Rate"), unless the employer elects to pay an alternate rate as described in Item 475(I)(2) ("Alternate Rate"); and

WHEREAS, if an employer wishes to pay the Certified Rate, then the employer need not take action on this resolution; and

WHEREAS, if an employer wishes to pay the Alternate Rate established in the 2016 Appropriation Act, then the employer must pass this resolution on or before July 1, 2016, to elect the Alternate Rate; and

WHEREAS, any local public school division that elects to pay the Alternate Rate must receive a concurrence of its local governing body documented by a resolution of the governing body on or before July 1, 2016;

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

Section 1: That the City of Poquoson, 55365, does hereby elect to pay the Alternate Rate and acknowledges that its contribution rate effective July 1, 2016 shall be based on the higher of a) the contribution rate in effect for FY 2012, or b) ninety percent of the results of the June 30, 2015 actuarial valuation of assets and liabilities as approved by the Virginia Retirement System Board of Trustees for the 2016-2018 biennium; and

Section 2: That the City of Poquoson, 55365, does hereby certify to the Virginia Retirement System Board of Trustees that it elects to pay the Alternate Rate of 8.79% effective July 1, 2016.

Section 3: That the City of Poquoson, 55365, does hereby certify to the Virginia Retirement System Board of Trustees that it has reviewed and understands the information provided by the Virginia Retirement System outlining the potential future fiscal implications of any election made under the provisions of their resolution.

Section 4: That the officers of the City of Poquoson, 55365, are hereby authorized and directed in the name of the City of Poquoson to carry out the provisions of this resolution, and said officers of the City of Poquoson are authorized and directed to pay over to the Treasurer of Virginia from time to time such sums as are due to be paid by the City of Poquoson for this purpose.

Section 5: That this resolution shall be in effect on July 1, 2016.

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

May 9, 2016

To: City Council

From: City Manager

Subject: **Resolution Establishing The Summer City Council Meeting Schedule**

City Council has regularly cancelled one meeting of each month during the summer to accommodate vacation schedules of both City staff and Council members. Presented therefore for your consideration are two resolutions: one cancelling the first meeting of the month and one cancelling the second. To be fiscally responsible it is our recommendation, if at all possible, to cancel the first meeting because of the potential of having to conduct public hearings during these months which would require double advertisements, one for Planning Commission meeting and one for the Council meeting. By conducting the second meeting one advertisement can cover both meetings.

JFW:ei

RESOLUTION NO. _____

**RESOLUTION CANCELLING THE FIRST MEETING OF THE
MONTHS OF JUNE, JULY AND AUGUST, 2016**

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

Section 1: That the first meeting of the months of June, July and August, 2016 is hereby cancelled.

Section 2: That the regular schedule of two meetings per month will resume in September 2016.

Section 3: That this resolution shall be in effect on and after its adoption.

ADOPTED: _____

TESTE: _____
City Clerk

RESOLUTION NO. _____

**RESOLUTION CANCELLING THE SECOND MEETING OF THE
MONTHS OF JUNE, JULY AND AUGUST, 2016**

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

Section 1: That the second meeting of the months of June, July and August, 2016 is hereby cancelled.

Section 2: That the regular schedule of two meetings per month will resume in September 2016.

Section 3: That this resolution shall be in effect on and after its adoption.

ADOPTED: _____

TESTE: _____

City Clerk



CITY OF POQUOSON

500 City Hall Avenue, Poquoson, Virginia 23662-1996

Office of the City Manager

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

May 9, 2016

TO: Mayor & City Council
FROM: City Manager
SUBJECT: **Traffic Concerns**

As Council will recall, at your April 11, 2016 meeting Councilman Green asked the staff to review what might be done to address traffic safety issues that have been the subject of numerous complaints and expressions of concern from residents of Terrace Drive in proximity to Poquoson High School. Specifically, the concerns include failure to yield at the posted yield sign, speeding and short cutting the existing traffic island and yield sign whereby traffic moving toward the High School travels to the left side of the established median in the oncoming traffic lane. Staff has reviewed these concerns and offers the following recommendations 1) that the double yellow line be repainted and extended from the island to the existing stop sign at Odd Road; 2) that the existing yield sign be upgraded to two stop signs; and 3) that a stop bar be painted at the upgraded intersection. The proposed improvements are depicted on the attached diagram. The cost of these improvements is estimated to be approximately \$1,300 and can be funded with existing, appropriated VDOT road maintenance funding.

A second traffic concern the Council may wish to consider is the installation of an all-way stop at the intersection of Bunting Lane and Floyd Avenue. As Council may recall, the issue of potential traffic calming measures on Bunting Lane was previously brought to the Council's attention by Councilwoman Crawford who cited numerous citizen complaints and expressions of concern regarding speeding on Bunting Lane. The installation of an all way stop is a low cost, less impactful traffic calming method as compared to the installation of speed bumps or changes to the road configuration. The cost of these improvements, which includes the addition of two stop signs in addition to the existing stop sign on Floyd Avenue and painting stop bars, is estimated to be approximately \$575 and can be funded with existing, appropriated VDOT road maintenance funding. The proposed improvements are depicted on the enclosed diagram.

Staff is seeking consent from City Council regarding the conversion of the existing intersection on Terrace Drive and the installation of an all-way stop at the intersection of Bunting Lane and Floyd Avenue.

JRW:vhd

Attachments

April 10, 2016

Dear Poquoson City Council,

As concerned citizens of Terrace Drive and South Terrace Drive, we are asking that the City of Poquoson consider a revision to the traffic pattern in our neighborhood. Currently, the intersection of these two streets is marked by a yield sign located in a concrete median in the middle of the street. The yield is for traffic traveling from South Terrace Drive to Terrace Drive. This route is a common short cut for people traveling from Odd Road to Poquoson Avenue and vice versa. There are several issues involving traffic flow in this area, particularly at the intersection of these two streets, that we feel create significant safety issues.

First of all, the **speed** at which vehicles pass through the neighborhood traveling in both directions, from South Terrace Drive to Terrace Drive and from Terrace Drive to South Terrace Drive, is at times excessive.

Secondly, a number of drivers **fail to yield** at the the yield sign when traveling South Terrace Drive to Terrace Drive.

Thirdly, some drivers do not pass to the right of the median when traveling from Terrace Drive to South Terrace Drive, but instead, pass to the left of the median **traveling on the wrong side of the road** into oncoming traffic.

There are a number of people that routinely walk and jog on both of these streets. We also have a large number of children in the neighborhood, so there are frequently children riding bicycles on the street. Many of the children ride their bikes back and forth to Kids Island. In addition, several of the bus routes have stops at this intersection and children have to cross the street to walk home. The problems create a very serious safety risk for our residents in all of these situations. Multiple "close calls" have been witnessed at this intersection over the years.

We would like to request the following revisions:

First, we would like to request the **yield sign be replaced with a stop sign** for traffic traveling from South Terrace to Terrace. Also, in an effort to draw as much attention to the change as possible, we would ask that two stop signs be installed, one in the median where the current yield sign is located and a second one on the right shoulder.

Secondly, we would like to request a **stop bar** be painted on the street from stop sign to stop sign.

(cont.)

Thirdly, we would like to request an increased police presence to enforce the new regulation after a reasonable amount of time has passed to allow drivers to become aware of the change.

We believe the combination of these three actions should help reduce the speed of vehicles through the neighborhood as well as encourage drivers to remain in the proper lane of traffic when traveling through the intersection.

We thank you in advance for your consideration of these issues.

Sincerely,

Myra Freeman	Myra Freeman	14 Terrace Dr.
Darrell Freeman	Darrell Freeman	14 Terrace Dr
Johnny Scott	JOHNNY SCOTT	12 TERRACE DR.
Peggy H Scott	PEGGY SCOTT	12 TERRACE DR
Susan Stoneberg		10 Terrace Dr.
Elaine Wiggs		10 Terrace Dr
Jay Burnett	Tracy Burnett	18 Terrace Dr
Larry Dornett		18 Terrace Dr.
J. Roell jr	SAM'S Roell jr	34 Terrace Dr.
George T. Insley	GEORGE T. INSLEY	20 TERRACE DR.
Jeffrey Dail	Jeffrey Dail	22 Terrace Dr.
Joyce M. Ankeney	Joyce M. Ankeney	16 Terrace Dr.
W. Dennis Ankeney	W. Dennis Ankeney	16 TERRACE DR.
Brandi Medley	Brandi Medley	21 TERRACE DR.
Billy Hoercher	Billy Hoercher	21 Terrace Dr
Jo Leeson	Jo LEESON	24 TERRACE DR
Melba Freeman	Melba Freeman	16 Terrace Dr.
Tirzah Sarro	Tirzah Sarro	31 Terrace Dr.
Alice Barton	ALICE Barton	35 Terrace Dr.

William Barton	William Barton	35 Terrace Dr.
Jane Bender	Jane Lender	36 Terrace Dr.
Deborah Blackstock	Deborah Blackstock	28 Terrace Dr.
BM Jones	Bo Webb	19 Terrace Dr.
W Webb	Jessica Webb	" " "
Debra Hill	DAVEY H. GILLS	23 Terrace Dr.
W Webb	David B. Blackstock	28 Terrace Dr.
Linda D Gardner	Linda D Gardner	32 Terrace Dr.
Charles Ruzh	Charles R. Rongkham	25 Terrace Dr.
Lucey Forrest	Lucy Forrest	9 Terrace Dr.
Amy Ruhl	Amy Ruhl	34 Terrace Dr.
PHIL MORRONE	W Webb	21 SOUTH TERRACE DR
Samantha Amell		21 South Terrace Dr
Sarah Hirschberg	Sara Kitischke	23 S Terrace Dr.
Matt Hirschberg	Matt Hirschberg	23. S. Terrace, Dr.



CITY OF POQUOSON
Department of Public Works

Date: April 25, 2016

**COST ESTIMATE FOR INSTALLATION OF PAVEMENT MARKINGS & STOP
SIGNS AT INTERSECTION OF BUNTING LANE & FLOYD AVENUE**

The following is a cost estimate for the installation of the proposed traffic pavement markings and STOP signs at the intersection of Bunting Lane & Floyd Avenue.

- | | |
|-------------------------------------------------------------------------|-----------------|
| • Total of 45' of 4-inch (Yellow) line markings –
@ .41 cent per ft. | \$18.45 |
| • Total of 27' of 24-inch (White) STOP Bar –
@ \$4.00 per ft. | \$108.00 |
| • Total of three (3) STOP signs (Installed) –
@ \$150.00 ea. | <u>\$450.00</u> |

Total cost estimate for above = **\$576.45**

****NOTE:** The above is a cost estimate only.

****NOTE:** The right hand turn radius from Floyd Avenue onto Bunting Lane will be very tight, especially if there is a stopped vehicle in the North bound lane of Bunting Lane.



Floyd Avenue

Bunking Lane

N



CITY OF POQUOSON
Department of Public Works

Date: April 6, 2016

**COST ESTIMATE FOR INSTALLATION OF PAVEMENT MARKINGS & STOP
SIGNS ON SOUTH TERRACE DRIVE**

The following is a cost estimate for the installation of the proposed traffic pavement markings and STOP signs on South Terrace Drive.

- Total of 1621' of 4-inch (White & Yellow) line markings – \$664.61
@ .41 cent per ft.
- Total of 46' of 24-inch (White) STOP Bar – \$184.00
@ \$4.00 per ft.
- Total of three (3) STOP signs (Installed) – \$450.00
@ \$150.00 ea.

Total cost estimate for above = **\$1,298.61**

****NOTE:** The above is a cost estimate only.



**South Terrace Drive
Coquoson, VA 23662**